

FILED
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KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE #: 18-3-05993-7 SEA

IN THE SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

IN RE THE MARRIAGE OF:

SONYA DELANCE,

and

MICHAEL DELANCE.

Petitioner,

Respondent.

NO. 18-3-05993-7 SEA

**MODIFIED FINAL PARENTING
PLAN
(PPT)**

[x] Clerk's action required: 1

MODIFIED FINAL PARENTING PLAN

1. This parenting plan is a:

Court order signed by a judge or commissioner. This is a:

Final Order. (PP)

This Agreed Modified Final Parenting Plan changes the previous parenting plan. This Agreed Modified Final Parenting Plan is entered pursuant to an agreed relocation of the Mother to the Portland Metro area and in accordance with a CR2A Settlement Agreement signed by the parties on November 26, 2021.

2. **Children** – This parenting plan is for the following children:

Child's name	Age
1. Presley J. DeLance	12
2. Ella J. DeLance	10

1 **3. Reasons for putting limitations on a parent** (under RCW 26.09.191)

2 **a. Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.**

3 Does not apply.

4 **b. Other problems** that may harm the children's best interests.

5 A parent has one or more of these problems as follows:

6 **Abusive use of conflict** – Michael DeLance uses conflict in a way that
7 endangers or damages the psychological development of a child listed in 2.

8 **4. Limitations on a parent**

9 **The following limits or conditions apply to Michael DeLance.**

10 **A. Appointment of Guardian Ad Litem.** Julia Jensine shall be appointed by agreement of
11 the parties as Guardian Ad Litem. The Guardian Ad Litem's role includes, but is not
12 limited to, the following: verification that Mr. DeLance has complied with the Parenting
13 Plan in each Phase of the Parenting Plan; to make recommendations in each Phase of
14 the Parenting Plan as in the best interest of the children (which may include restarting
15 phases, evaluations, assessments, etc.) and all other rights and duties as identified in
16 RCW 26.12 et al. Both parties may request review of the GAL's recommendations by
17 an agreed upon arbitrator or by a court only if the arbitrator cannot be agreed upon.

18 The GAL may be discharged once Ella begins high school only if: (a) Mr. DeLance
19 has not found been found in contempt of any Court order; *and* (b) if Mr. DeLance
20 has not been arrested for any reason prior to September 1, 2025. If Mr. DeLance
21 has been found in contempt for violations of any court order or has been arrested
22 for any reason prior to September 1, 2025, then the GAL shall remain appointed
23 until Ella's 18th birthday.

24 **B. Phased Parenting Schedule.** The following phased schedule shall apply at all times
25 under this parenting plan: The children are scheduled to live with Sonya DeLance,
26 except when they are scheduled to be with Michael DeLance as follows:

1) **Phase 1 – Supervised Visitation.**

In Phase 1, Mr. DeLance shall have professionally supervised visits of up to six
(6) hours with a licensed supervision organization of his choosing, at his sole
expense. These visits will be on the 1st and 3rd Saturday of each month from 12:00
p.m. to 6:00 p.m., not to exceed two (2) visits per month and no more frequent
than every other week. Following two (2) consecutive months of twice per month
visitation without any cancelled visits or material problems with the visitations
(e.g., disparaging the mother in any manner, refusing to take a COVID test before
the visit, if required by the visitation supervisor, providing unauthorized gifts to

the children, consuming alcohol or controlled substances within 12 hours before the visit) Mr. DeLance may move to Phase 2.

The Guardian Ad Litem shall confirm that Mr. DeLance has complied with the Parenting Plan prior to the start of Phase 2. Compliance in Phase 1 includes two consecutive months of visits in addition to compliance with all other terms of the plan. The Guardian Ad Litem may make recommendations at any time under this plan, including prior to the transition from Phase 1 to Phase 2.

Michael may begin Phase 2 after entry of the Agreed Order Appointing GAL. These unsupervised visits shall start on either the 1st or 3rd weekend of the month following entry of the Agreed Order Appointing GAL. Michael shall not have any visitation (supervised or unsupervised) until the Agreed Order Appointing a GAL has been entered.

2) **Phase 2 - Unsupervised Visitation, Saturday Visits, No Overnights**

Upon successful completion of Phase 1 above and following the appointment of the GAL, Mr. DeLance shall have unsupervised residential time with the children on the 1st and 3rd Saturday every month from 10:00 a.m. to 6:00 p.m.

Following a minimum of four (4) months or eight (8) visits of fully exercised visitation (whichever happens last) and continued full compliance with all provisions of this Parenting Plan as verified by the GAL, and upon recommendation by the GAL that Mr. DeLance move to Phase 3, Mr. DeLance’s visitation shall increase as described in Phase 3. Compliance in Phase 2 requires that four (4) months have passed, that Mr. DeLance has fully exercised at least eight (8) visits, and that Mr. DeLance has remained in full compliance with all other terms of the plan.

3) **Phase 3 – Unsupervised Visitation, Saturday/Sunday Visits, No Overnights**

Upon successful completion of Phase 2 as described above, Mr. DeLance shall have the children on the 1st and 3rd Saturday from 10:00 a.m. until 6:00 p.m. and the adjoining Sunday from 10:00 a.m. until 5:00 p.m.

Following a minimum of four (4) months or sixteen (16) visits of fully exercised visitation (whichever happens last) and continued compliance with all provisions of this Parenting Plan as verified by the GAL, and upon recommendation by the GAL that Mr. DeLance move to Phase 4, Mr. DeLance shall have expanded residential time as outlined in Phase 4 below. Compliance in Phase 3 requires that four (4) months have passed, that Mr. DeLance has fully exercised at least sixteen (16) visits, and that Mr. DeLance has remained full compliance with all other terms of the plan.

4) ***Phase 4. Unsupervised Visitation with Overnights***

Upon successful completion of Phase 3 as described above, Mr. DeLance shall have the children on Friday after school or 4:00 p.m. (if school is not in session) until Sunday at 5:00 p.m. and these alternative weeks shall mirror the same weeks as Phase 3 (i.e., the 1st and 3rd Saturday/Sunday) or, starting in 2024, he may opt to have a single visit each month as outlined below.

During the School Year. In Phase 4, during the school year, Mr. DeLance shall provide written notice of his election to exercise his future residential time under either: **Option A** - keeping a strict schedule of the 1st and 3rd weekends of each month; or, **Option B** - having a flexible schedule with a single visit per month. If Mr. DeLance selects Option B, he cannot change his residential time back to Option A without written consent of both parties. Written notices shall be provided through the communication coordinator.

Option A results in Mr. DeLance having two residential weekends per month, from Friday after school or 4:00 p.m. (if school is not in session) until Sunday at 5:00 p.m. but is a strict schedule with which Mr. DeLance must comply.

Option B results in Mr. DeLance having one residential weekend per month with flexibility as to which weekend he is exercising.

If Mr. DeLance selects Option B, he may select any weekend, from Friday after school or 4:00 p.m. (if school is not in session) until Sunday at 5:00 p.m. Mr. DeLance must provide written notice of his preferred weekend at least 14 calendar days prior to his selected weekend through the communication coordinator. If the required notice is not provided, then it shall be in Ms. DeLance's sole discretion whether to allow the visit or not. If the visit is not allowed, Mr. DeLance may suggest through the communication coordinator another weekend at least 14 calendar days in advance. Mr. DeLance shall not request any weekends attached to Holidays assigned to Ms. DeLance and Mr. DeLance shall not request weekends where Ms. DeLance has communicated scheduled plans prior to his request. Mr. DeLance may not request two weekends in a row (Example: taking the last weekend of a month and the first of the next).

Starting March 1, 2023, provided Mr. DeLance is in Phase 4, if Mr. DeLance elects a weekend giving him 3 overnights or more in a row (because of school closure or his holiday), Mr. DeLance may travel out of state with the children, according to the travel provisions described in this Parenting Plan. Mr. DeLance may not schedule weekends more than two months in advance of the current month.

During Summer Break.

1 Prior to January 1, 2024, the summer break schedule shall remain the same as the
2 school schedule.

3 Beginning January 1, 2024, the Summer Schedule shall differ from the School
4 Schedule as follows:

5 Only during Phase 4 of this Parenting Plan, Mr. DeLance's Summer residential
6 time will be a 4-week block of time during the children's summer break. In Odd
7 numbered years, Mr. DeLance will have the first 4 weeks of Summer, starting at
8 12pm the Monday after school is released for summer break and ending at 12 p.m.
9 on the 29th calendar day thereafter. In Even numbered years, Mr. DeLance will
10 have the 4-week period commencing at 12 p.m. on July 7th and ending at 12
11 p.m. on the 29th calendar day thereafter.

12 During Phase 4, Ms. DeLance will make efforts to expand Mr. DeLance's
13 residential time. For example, if Ms. DeLance has plans to travel out of town, she
14 may contact Mr. DeLance to see if he would like the children during this time (she
15 is not required to do so but may make this effort at her discretion). In addition,
16 Mr. DeLance may request more time with the kids through the communication
17 coordinator, but it shall be in Ms. DeLance's sole discretion whether to allow this
18 or not. Mr. DeLance shall not discuss requesting additional time with the children
19 as it is a violation of this Parenting Plan and any such request discussed with the
20 children shall be denied.

21 **5) *During All Phases of this Parenting Plan***

22 Ms. DeLance may restrict Mr. DeLance's residential time as follows: Ms.
23 DeLance shall notify the GAL that she wishes to restrict or suspend visits and
24 shall provide the reasons why she believes Mr. DeLance's visits should be
25 restricted or suspended. If the GAL disagrees with Ms. DeLance and does not
26 recommend that Michael's time be restricted or suspended, then Michael's visits
will continue as outlined in the parenting plan. If Ms. DeLance still wishes to
restrict or suspend visits, then she may request arbitration on the issue or file a
motion with the court. However, if the GAL agrees to restrict or suspend visits,
then the visits shall be suspended until Mr. DeLance requests arbitration on the
issue and an arbitration is rendered OR until Mr. DeLance has complied with the
GAL's recommendations to restart visits.

At any time under this Parenting Plan, if Mr. DeLance misses a visit in any Phase,
or is late for or shortens a visit by more than sixty (60) minutes, or leaves the
children unattended or in the care of another person for more than sixty (60)
minutes, for any reason, he will not have to restart the Phase. However, Mr.

1 DeLance will have to make up the visit before that Phase is considered complete.
2 For example, in Phase 3, he is allowed to have 16 visits. For Mr. DeLance to move
3 to Phase 4, he must fully complete 16 visits as described above (e.g., a short visit
4 is not considered compliant and will not count toward the 16 visits). Mr. DeLance
5 is not required to complete the Phase in a given time period. Mr. DeLance will
6 not be penalized for being late to any of his residential visits.

7 ***Communication with the Children.***

8 The following rules regarding communication with the children apply in all
9 phases of this parenting plan:

10 Mr. DeLance may freely call and text the children provided his communication
11 remains consistent with the terms of the Parenting Plan (non-disparaging,
12 appropriate discussions, positive focus). Ms. DeLance may monitor these
13 communications for purposes of assisting with technology but will not interfere
14 with the call once the call is established. If Mr. DeLance uses these calls to lobby
15 the children, direct the children to ask Ms. DeLance to expand Mr. DeLance's
16 residential time, disparage Ms. DeLance or seek information about her, her
17 significant other or any members of her family, as seen by Ms. DeLance or anyone
18 in the care of the children at the time of the communication, or if the children
19 report communication that is disturbing to Ms. DeLance, then Ms. DeLance may
20 file a contempt motion and may suspend phone contact with the children until
21 such time that the Court rules whether continuing them is appropriate and may
22 report the issue to the GAL. The GAL shall be permitted to investigate this issue
23 and provide recommendations with respect to parent-child communication.

24 If Mr. DeLance is found in contempt of this communication order, his
25 communication with the children shall be restricted so that Mr. DeLance may text
26 the children only to respond to text messages that the children send to him on the
same day. Mr. DeLance may also initiate one call to the children every Friday
between 4:00 p.m. and 7:00 p.m. (PST) and one call to the children every Tuesday
between 4:00 p.m. and 7:00 p.m. (PST) until Phase 4. Further restrictions may be
imposed if recommended by the GAL.

The children may text or call either parent as often as they wish when they are
with the other parent.

The children are not required to answer the communication and no negative
inference shall be made or suggested against Ms. DeLance or to the children if the
children fail to answer a phone call or respond to a communication.

Ms. DeLance will encourage the children to comply with this Parenting Plan and
encourage the children to attend to their father's calls.

1 If Mr. DeLance violates these provisions, then Ms. DeLance may block him from
2 the children's phones until the Court resolves the matter or the GAL issues
3 recommendations to resolve the issue.

4 When Mr. DeLance has residential time with the children Ms. DeLance may reach
5 out through text or call to the children to engage in reasonable communication
6 with them. She may not interfere with Mr. DeLance's residential time through
7 persistent calling or texting. However, when the children are with Mr. DeLance
8 for a period of 4 days or more, Mr. DeLance will ensure the children call Ms.
9 DeLance at least once every 4 days or answer at least one call from Ms. DeLance
10 during this 4-day period.

11 ***Communication with Ms. DeLance.***

12 Mr. DeLance shall not communicate directly with Ms. DeLance unless there is an
13 emergency while the children are in his care. *See Restraining Order.* Ms.
14 DeLance will provide Mr. DeLance with an emergency communication number
15 at which she can be notified.

16 Alan Ruder is the appointed communication coordinator in this action for the sole
17 purpose of delivering messages between the parents. Mr. DeLance shall be
18 permitted to communicate with Ms. DeLance or her designee through the
19 coordinator once per day, up to 100 words per message for issues involving the
20 children. If Mr. Ruder is no longer available to act as communication coordinator,
21 then another communication coordinator shall be selected by Ms. DeLance.

22 The communication coordinator shall determine whether the messages are
23 appropriate; and, if so, the communication coordinator shall forward the messages
24 to Ms. DeLance or her designee. If the messages are inappropriate or contrary to
25 the terms of this plan as determined by communication coordinator, those
26 messages shall not be forwarded to Ms. DeLance or her designee.

If Mr. DeLance is unable to see the children on scheduled visitations, he shall
notify Ms. DeLance or her designee through the communication coordinator. Ms.
DeLance or her designee will contact Mr. DeLance about issues with the schedule
through the communication coordinator as well.

Communication between the parents shall remain exclusively through the
communication coordinator, except for medical emergencies which may be
communicated through text message. Ms. DeLance will provide a number for
emergencies.

1 Ms. DeLance shall immediately provide Mr. DeLance with access to the children's
2 school records and list Mr. DeLance as an emergency contact. Mr. DeLance may
3 also schedule and attend parent-teacher conferences with the children's teachers
4 that he arranges for himself only and may not schedule such conferences if only
5 a single conference time is given for a child. In such a case, Ms. DeLance will be
6 allowed the conference time and agrees to provide Mr. DeLance with summary
7 notes from the conference. Mr. DeLance must advise Ms. DeLance within 48
8 hours of making any such appointments and no later than within 24 hours in
9 advance of any such conferences or meetings through her counsel if she is
10 represented, or through the communication coordinator.

11 Mr. DeLance must inform the children's schools and medical professionals that
12 Ms. DeLance has sole decision making with respect to these issues. He may not
13 represent he has decision-making authority unless in the case of an emergency.

14 Mr. DeLance may not interfere in anyway with Ms. DeLance's conferences and
15 communications with the children' teachers or medical professionals. He may not
16 suggest joint meetings to the teacher, coaches or doctors, or attend any
17 appointments or meetings where Ms. DeLance is present. Any meeting he may
18 have with them shall be done independently and solely for the purpose of gather
19 information about the children, their schooling and their medical status.

20 ***Out of State Travel.***

21 Mr. DeLance shall not take the children out of the Portland Metro area (within the
22 state of Oregon and 60 miles of Portland, Oregon) until February 23, 2023. At
23 that time, and only if Mr. DeLance is in Phase 4 of this plan and as is
24 recommended by the GAL, Mr. DeLance will be permitted to take the children
25 out of the State of Oregon during his residential time which occurs during Summer
26 Break, Holidays (whith the expectation of Christmas Eve and Christmas Day), and
3 overnights in a row with the children, so long as he complies with the travel
notice requirements described below.

Prior to taking the children out of state, Mr. DeLance must notify Ms. DeLance
through the communication coordinator at least 14 calendar days in advance of
the trip and in this notice provide all specific addresses at which the children will
be staying overnight, full flight itineraries (to include airline, flight numbers,
departure and landing times), phone contact information for the trip and the full
names and phone numbers of any individuals that the children will be left with for
any duration of 4 hours or more. Failure to comply with this communication
request will result in the travel request being denied.

Ms. DeLance shall be permitted to travel out of state and out of the country with
the children without restriction. Mr. DeLance's consent is not required for Ms.

DeLance to travel domestically or internationally with the children. If, at any time in the future, Mr. DeLance is required to sign any additional documentation to allow Sonya to travel, he shall execute any necessary documents within 72 hours of the request. Failure to do so will be a violation of the parenting plan. Mr. Alan Ruder (or his successor communication coordinator) may be engaged for the limited purpose of coordinating such signatures.

If any paperwork is required to facilitate travel, Mr. DeLance will complete and sign all necessary paperwork and documentation that may be required for international travel with Ms. DeLance within 72 hours of the request to do so. Failure to do so will be considered contempt. Ms. DeLance will do the same once Mr. DeLance is in Phase 4.

B. Evaluation or treatment required.

Substance Abuse Screenings. Mr. DeLance shall not consume alcohol at any time during or within 24 hours prior to visitations.

The GAL/communication coordinator shall have the ability to request EtG UA Screenings from Mr. DeLance one time per month at random while Mr. DeLance is in Phases 1-3 of this Parenting Plan. If the test is positive or if he fails to obtain the test within the time outlined by the GAL or communications coordinator, the test shall be deemed a positive test, and Mr. DeLance's time shall revert to Phase 1 until such time as the parties are back before the Court and the Court has issued a ruling.

5. Decision-making

When the children are with you, you are responsible for them. You can make day-to-day decisions for the children when they are with you, including decisions about safety and emergency health care. Major decisions must be made as follows:

a. Who can make major decisions about the children?

Type of Major Decision	Limited <i>(only the parent named below has authority to make these decisions)</i>
School / Educational	Sonya DeLance
Health care (not emergency)	Sonya DeLance
Extracurricular activities	Sonya DeLance
Renewal of Children's Passports	Sonya DeLance
All Other	Sonya DeLance

Mr. DeLance can make day-to-day decisions regarding the children only when they are in his care, including emergency health care.

b. Reasons for limits on major decision-making, if any:

- Major decision-making must be limited because one of the parents has problems as described in 3.a. above:
- Major decision-making **should** be limited because:
 - One of the parents does not want to share decision-making and this is reasonable because of:
 - problems as described in 3.b. above.
 - as recommended by the Guardian Ad Litem.

6. Dispute Resolution – If you and the other parent disagree...

From time to time, the parents may have disagreements about what parts of this parenting plan mean.

a. To solve disagreements about this parenting plan, the parents will go to:

- Arbitration with an agreed upon Family Law Arbitrator. Notice of the dispute shall be provided through the communication coordinator and scheduled within 14 days of notice of the dispute. The initial cost shall be split 30% to Sonya and 70% to Michael, subject to reallocation by the Arbitrator. If the Arbitrator finds that a party-initiated arbitration in bad faith, the party acting in bad faith shall have to pay the cost of arbitration and the attorney's fees and costs incurred by the innocent party. If the parties cannot agree on an Arbitrator, then the requesting party shall provide three names to the non-requesting party from which the non-requesting party shall select the Arbitrator.
- Court when any of the alleged violations involve disparagement of Ms. DeLance by Mr. DeLance, proof of consumption of alcohol or controlled substances, improper travel, or the use of corporal punishment on the children.

7. Custodian

The custodian is Sonya DeLance solely for the purpose of all state and federal statutes which require a designation or determination of custody. Even though one parent is called the custodian, this does not change the parenting rights and responsibilities described in this plan.

(Washington law generally refers to parenting time and decision-making, rather than custody. However, some state and federal laws require that one person be named the custodian. The custodian is the person with whom the children are scheduled to reside a majority of their time.)

➤ **Parenting Time Schedule (Residential Provisions)**

The children live with Sonya DeLance except as described in section 4.

8. School Schedule

a. Children under School-Age

Does not apply. See above Section 4.

b. School-Age Children

Does not apply, See Section 4 above.

9. Summer Schedule

Does not apply. See above Section 4.

10. Holiday Schedule (includes school breaks)

The following holiday schedule shall apply only during Phase 4 of this Parenting Plan.

In Phase 4, the Holiday schedule shall take priority over the residential schedule (i.e. the Mother's assigned holiday time takes priority over the Father's residential time (both school and summer schedule) and the Father's assigned holiday time takes priority over the Mother's residential schedule (both school and summer schedule).

Holiday	Child Resides with Father	Child Resides with Mother
Martin Luther King Jr. Day	<input checked="" type="checkbox"/> Even Years	<input checked="" type="checkbox"/> Odd Years
	During Phase 4 - Commencing upon release from school (or 4:00 p.m. if no school) on Friday preceding the holiday and ending upon return to school (or 8:00 a.m. if no school) Tuesday following the holiday.	
Presidents' Day (3 or 4-day weekend per school calendar)	<input checked="" type="checkbox"/> Odd Years	<input checked="" type="checkbox"/> Even Years
	During Phase 4, commencing upon release from school (or 4:00 p.m. if no school) for the scheduled break and ending upon return to school (or 8:00 a.m. if no school) the first school day after the scheduled break.	

Holiday	Child Resides with Father	Child Resides with Mother
Spring Break	<input checked="" type="checkbox"/> Even Years _____	<input checked="" type="checkbox"/> Odd Years _____
<p>With respect to the Father's time, the assignment of the break in Even years shall only be applicable during Phase 4. Spring Break shall be defined to commence at 8:00 a.m. the first Sunday after school is released for break and ending at 4:00 p.m. the Sunday before school is scheduled to resume.</p>		
Mother's Day	_____	<input checked="" type="checkbox"/> Every Yr. 5:00 p.m. (the Saturday before Mother's Day) 12:00 p.m. the day following Mother's Day (if no school) or return to school if there is school.
Memorial Day	<input checked="" type="checkbox"/> Even Years _____	<input checked="" type="checkbox"/> Odd Years _____
<p>During Phase 4, commencing upon release from school (or 4:00 p.m. if no school) for the scheduled break and ending upon return to school (or 8:00 a.m. if no school) the first school day after the scheduled break.</p>		
Father's Day	<input checked="" type="checkbox"/> Every Year 5:00 p.m. (the Saturday before Father's Day) 12:00 p.m. the day following Father's Day (if no school) or return to school if there is school.	_____

Holiday	Child Resides with Father	Child Resides with Mother
Fourth of July	<input checked="" type="checkbox"/> Odd Years _____	<input checked="" type="checkbox"/> Even Years _____
During Phase 4, The holiday shall be defined to commence at 8:00 a.m. on July 2 nd through 6:00 p.m. on July 6 th in every year.		
Labor Day	<input checked="" type="checkbox"/> Odd Years _____	<input checked="" type="checkbox"/> Even Years _____
During Phase 4, commencing 4:00 p.m. on Friday preceding the holiday and ending upon return 8:00 a.m. Tuesday following the holiday.		
Thanksgiving Break	<input checked="" type="checkbox"/> Odd Years _____	<input checked="" type="checkbox"/> Even Years _____
With respect to the Father's time, in odd years, one of Mr. DeLance's two weekends in November will always be the Friday through Sunday following Thanksgiving. In even years, Mr. DeLance cannot elect to exercise residential time on the weekends the children have Thanksgiving break.		
Winter Break	<input checked="" type="checkbox"/> Every Year _____	<input checked="" type="checkbox"/> Every Year _____
During Phase 4, the Father shall have the children the first half even years and the second half in odd years. The father will have the children from Monday 9:00 a.m. of his week of the break until Saturday 9:00 a.m. This schedule will not interfere with the holiday schedule for Christmas. New Year's will be with the parent who has the children the 2nd week of break, provided New Year's Eve falls during the Monday through Saturday time granted to father. It will not be an additional day. In even years the father will have the children from 1:00 p.m. until 4:00 p.m. on Christmas Eve and from 12:00 p.m. Christmas Day until 9:00 a.m. on 12/26. In odd years the Mother will have the children from 1:00 p.m. until 4:00 p.m. on Christmas Eve and from 12:00 p.m. on Christmas Day until 9:00 a.m. on 12/26. Father		

Holiday	Child Resides with Father	Child Resides with Mother
	must provide 2 weeks' notice to Mother if he intends to exercise his time at Christmas.	
Christmas Eve & Day	_____	_____
	Follows Winter Break Schedule.	
New Year's Eve & Day	_____	_____
	Follows Winter Break Schedule.	
	<input checked="" type="checkbox"/> Even Years 8:00 a.m. Day after birthday, return to school (or 8:00 a.m. if no school)	<input checked="" type="checkbox"/> Odd Years 8:00 a.m. Day after birthday, return to school (or 8:00 a.m. if no school)
Child's Birthday	<p>During Phase 4, the children shall spend birthdays together, unless the parents agree otherwise.</p> <p>The parent who has the child for their birthday in a given year shall be the parent to plan the child's birthday party/celebration with the child's friends and classmates in that year.</p> <p>The parent who does not have priority for the child's birthday shall have the option to exercise time with the child on their birthday as follows: (1) if on a school day, then after school until 6:00 p.m.; or (2) if on a non-school day, from 3:00 p.m. to 6:00 p.m. If odd years, if the Father opts for this time, then he must give notice to the Mother through the communication coordinator 30 days prior to the holiday.</p>	
Halloween	<input checked="" type="checkbox"/> Even Years 3:00 p.m.	<input checked="" type="checkbox"/> Odd Years 3:00 p.m.

Holiday	Child Resides with Father	Child Resides with Mother
	6:00 p.m.	6:00 p.m.
	During Phase 4, in Odd years, children shall be with the Mother for Halloween. If Halloween occurs on a day that is the Father's parenting time, Mother will have the children from 3:00 p.m. until 9:00 p.m. In Even years, children will be with the Father from 3:00 p.m. until 6:00 p.m. If Halloween occurs in these years during fathers regularly scheduled visits, mother will have the children from 3:00 p.m. - 9:00 p.m.	
	<input checked="" type="checkbox"/> Odd Years	<input checked="" type="checkbox"/> Even Years
Easter	During Phase 4, Easter is determined by Spring Break, which is only applicable in Phase 4 of the plan. If Easter is not part of the children's spring break, the parent with Easter that year will have the children from 7:00 p.m. the Saturday before Easter until 7:00 p.m. on Easter.	

11. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule:

- Does Not Apply, See Section 4 above.

12. Transportation Arrangements

The children will be exchanged for parenting time (picked up and dropped off) at:

During Phase 1-3 of This Parenting Plan:

The exchanges will mostly occur on weekends when the children are not in school. Accordingly, for Phases 1-3, when Mr. DeLance's parenting time begins, the exchange shall occur at whatever residence in the Portland Metro Area he has secured to accommodate the visit (a hotel/AirBnB/rental home, etc.). This address shall be provided to Ms. DeLance through the communication coordinator at least 72 hours in advance of the exchange.

Ms. DeLance or her designee will drop the children off at Mr. DeLance's residence. Mr. DeLance shall remain in the residence (or the lobby of the hotel), the children shall exit the vehicle, and the children will text Ms. DeLance or her designee when they have entered the residence (or lobby). Ms. DeLance or her designee shall remain in the vehicle during the exchange.

1 For return, Ms. DeLance or her designee, will pick up the children from the same
2 drop off location. Mr. DeLance shall remain in the residence (or lobby), the
3 children shall exit the residence (or lobby), and the children will text Mr. DeLance
4 when they have entered the vehicle. Ms. DeLance or her designee shall remain
5 in the vehicle during the exchange.

6 *During Phase 4 of this Parenting Plan:*

7 For the Friday Exchange, Mr. DeLance shall pick the children up directly from
8 school on Fridays at release from school.

9 For all weekend and holiday exchanges, the exchange shall occur at whatever
10 residence in the Portland Metro Area Mr. DeLance has secured to accommodate
11 the visit (a hotel/AirBnB/rental home, etc.). This address shall be provided to
12 Ms. DeLance through the communication coordinator at least 72 hours in
13 advance of the exchange. If Mr. DeLance plans to travel with the children
14 when permitted under the Plan, Ms. DeLance shall provide notice of a neutral
15 location, selected in her sole discretion, for exchange at least 72 hours in
16 advance of the exchange.

17 Ms. DeLance or her designee will drop the children off at Mr. DeLance's
18 residence or other neutral location designated by Ms. DeLance. Mr. DeLance
19 shall remain in the residence (or lobby or his vehicle), the children shall exit the
20 vehicle, and the children will text Ms. DeLance when they have entered the
21 residence (or lobby or his vehicle). Ms. DeLance or her designee shall remain in
22 the vehicle during the exchange.

23 Jason Lander shall not have any direct contact with Mr. DeLance during
24 exchanges but is allowed to be Ms. DeLance's designee to transport the children
25 as necessary including to and from school, to and from extracurricular events, and
26 exchanges where there is no direct contact with Mr. DeLance, and may also
accompany Ms. DeLance while picking up or dropping off the children to Mr.
DeLance.

Third parties may be designated by both parents. Third parties shall also remain
in the cars during exchanges. The parents shall arrive within 15 minutes of the
time they are scheduled to exchange the 2 children. If an unavoidable delay
occurs, the delayed parent shall contact the other parent immediately via the
communication coordinator so that these communications are in writing.

13. **Moving with the Children (Relocation)**

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children must notify every other person who has court-ordered time with the children.

Move to a different school district

If the move is to a different school district, the custodian must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

Exceptions:

- If the custodian could not reasonably have known enough information to complete the form in time to give 60 days’ notice, the custodian must give notice within **5 days** after learning the information.
- If the custodian is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A custodian who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the custodian wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

Move within the same school district

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

Warning! If you do not notify...

A custodian who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the custodian to bring the children back if the move has already happened, and ordering the custodian to pay the other side’s costs and lawyer’s fees.

Right to object

A person who has court-ordered time with the children can object to a move to a different state outside of Oregon or Washington and/or to the custodian’s proposed *Parenting Plan*. If the move is within the state of Oregon or Washington, the other party doesn’t have the

right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

1 An objection is made by filing the *Objection about Moving with Children and Petition*
2 *about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File
3 your *Objection* with the court and serve a copy on the custodian and anyone else who has
4 court-ordered time with the children. Service of the *Objection* must be by personal service
5 or by mailing a copy to each person by any form of mail that requires a return receipt. The
6 *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move*
7 *with Children* was received.

Right to move

8 During the 30 days after the *Notice* was served, the custodian may not move to a different
9 school district with the children unless s/he has a court order allowing the move.

10 After the 30 days, if no *Objection* is filed, the custodian may move with the children without
11 getting a court order allowing the move.

12 After the 30 days, if an *Objection* has been filed, the custodian can move with the children
13 **pending** the final hearing on the *Objection* **unless**:

- 14 ▪ The other party gets a court order saying the children cannot move, or
- 15 ▪ The other party has scheduled a hearing to take place no more than 15 days after the
16 date the *Objection* was served on the custodian. (However, the custodian may ask
17 the court for an order allowing the move even though a hearing is pending if the
18 custodian believes that s/he or a child is at unreasonable risk of harm.) The custodian
19 shall be permitted to move on a temporary basis if the hearing on the objection is not
20 noted within 15 days after service of the objection regardless of the reason for the
21 delay.

22 The court may make a different decision about the move at a final hearing on the *Objection*.

Parenting Plan after move

23 If the custodian served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is
24 filed within 30 days after the *Notice* was served (or if the parties agree):

- 25 ▪ Both parties may follow that proposed plan without being held in contempt of the
26 *Parenting Plan* that was in place before the move. However, the proposed plan
cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte*
Motion for Final Order Changing Parenting Plan – No Objection to Moving with
Children (FL Relocate 706).

Forms

You can find forms about moving with children at:

- The Washington State Courts' website: www.courts.wa.gov/forms,
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: www.washingtonlawhelp.org, or

- The Superior Court Clerk’s office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

14. Other.

14.1 Communication. All communication regarding the time and place of visits shall be made through the communication coordinator. In Phase 4, if the parents mutually agree, then parents may communicate through Our Family Wizard. If at any point Ms. DeLance feels that Mr. DeLance's communication through Our Family Wizard is inappropriate, then, upon her request, the communication coordinator will immediately be reinstated (should they be available) until further court order. If unavailable, Ms. DeLance will select a new communication coordinator.

With the exception of a medical emergency, Mr. DeLance will not contact other family members of Ms. DeLance. There are no restrictions on the children communicating with Mr. DeLance’s family during his residential time, other than general restrictions noted above.

14.2 Neither parent shall request or solicit parenting decisions to be made by the children. There will be no communication from one parent to the other parent through the children or about the legal aspects of this case, the parenting plan or residential schedule, or in front of the children.

14.3 Current Contact Information. Mr. DeLance shall provide Ms. DeLance with his address and telephone number of his residence no later than January 1, 2022 and update such information within 14 calendar days whenever it changes. Ms. DeLance shall provide Mr. DeLance with an address for purposes of service and a telephone number where she can be reached for emergencies related to the children only, as well as the name of the city and county she resides in through the communication coordinator no later than January 1, 2022.

14.4 No Disparaging Remarks. Both parties shall refrain from making, and threatening to make, any inappropriate, damaging, detrimental or disparaging remarks relating to or regarding the other party, their family, friends, or significant other, directly to the children (including Ms. DeLance’s oldest child, Zane), in the children’s presence, directly to the other party, or in the other party’s presence. Such remarks specifically include, but are not limited to, blaming the other party for the parties’ divorce, accusations of infidelity or dishonesty of any form, making derogatory comments about the other party’s behavior, appearance, and lifestyle. Furthermore, the parents shall not suggest the children ask the other parent questions about their personal life or the parties’ divorce.

14.5 No Alcohol, Marijuana, or Illegal Substances. Mr. DeLance shall not consume alcohol or marijuana, or use any illegal or mind-altering substances, while the children are in his care, or withing 12 hours prior to any visit in Phase 1 and 48 hours prior to any visits

in Phases 2 and 3. Neither parent will drive or allow any other person to drive, while under the influence of drugs or alcohol while the children are in their care.

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14.6 *Children's Activities.* With respect to the children's activities, during Mr. DeLance's residential time, Mr. DeLance agrees to bring the children to their scheduled activities. Ms. DeLance and Jason Lander agree to not attend any of the children's activities, during this time, unless it is considered to be a "Major Event" by Ms. DeLance. Ms. DeLance has sole discretion to decide when something is a major event and will notify Mr. DeLance at least a week in advance if she decides something is a Major Event. A Major Event can be anything such as a playoff for final game, a graduation, one-time event, recital or any other event Ms. DeLance deems as such. Should Mr. DeLance abide by these provisions, his attendance at such activities will not be considered a violation of the restraining order. However, should he violate any of these provisions, it shall be considered an immediate violation of the restraining order and contempt of this parenting plan. Mr. DeLance (and any accompanying 3rd parties) and Ms. DeLance (and any accompanying 3rd parties) will be respectful of one another and will not engage in any way while at the activities. Mr. DeLance will make every effort to stay at least 100 feet from Ms. DeLance and any of her accompanying 3rd parties. Ms. DeLance shall notify Mr. DeLance through the communication coordinator when the children are signed-up or otherwise begin a new activity within 48 hours of signing up for or otherwise beginning a new activity. Ms. DeLance will ensure that the adult leaders of the children's activities are aware of Mr. DeLance's permissive involvement with the children's activities, that they provide a schedule of the children's activities to him, and that they update him about any changes to the children's activities.

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If the parties are at an event in close proximity, Ms. DeLance, Mr. Lander, and Ms. DeLance's family, and/or any family members of Mr. Lander's family (or any future intimate partners of Ms. DeLance), or any accompanying 3rd parties, shall not approach or interact with in anyway Mr. DeLance or any of his accompanying 3rd parties (meaning it is their responsibility to walk away). Similarly, Mr. DeLance shall not approach or interact with in anyway with Ms. DeLance, Mr. Lander, and Ms. DeLance's family, and/or any family members of Mr. Lander's family, (or any future intimate partners of Ms. DeLance), or any accompanying 3rd parties.

Mr. DeLance agrees to make best efforts to maintain a distance of at least 100 feet whenever possible from Ms. DeLance, Mr. Lander, and Ms. DeLance's family, and/or any family members of Mr. Lander's family (or any future intimate partners of Ms. DeLance), or any accompanying 3rd parties. Mr. DeLance merely attending the children's events without approaching or engaging with Sonya is not a violation of Sonya's restraining order or of this Parenting Plan. However, should Mr. DeLance knowingly and intentionally violate any of these provisions, it shall be considered a violation of the restraining order and contempt of this parenting plan. (meaning it is their responsibility to walk away).

14.8 *Co-Parent Counseling.* In Phase 4 of the parenting plan, if both parents feel they would benefit from co-parenting counseling, they may mutually agree to engage in co-parenting counseling at that time.

14.9 *Make-up and Missed Parenting Time with Mr. DeLance.* There shall be no make-up parenting time due to Mr. DeLance’s unavailability. This includes work obligations, travel obligations or illness.

14.10 *Children’s Counseling.* Mr. DeLance may not take children to or attend any therapy, counseling or mental health sessions involving the children, or be granted access to or provided with notes, details, records or any information pertaining to such, without the expressed and written recommendation from the children’s mental health professional (as hired by Ms. DeLance) and Ms. DeLance.

14.11 *Minor Children's Passport(s).* Ms. DeLance shall hold the minor children’s passports. Ms. DeLance shall be permitted to renew the children’s passports without Mr. DeLance’s consent. If for any reason, Mr. DeLance is required to execute any documentation regarding the children’s passport renewal, he shall execute any necessary documents within 72 hours of any such request through the communication coordinator.

14.12 This Agreed Modified Parenting Plan is entered pursuant to a notice of intended relocation with the children from Washington State to Oregon. This Order may be registered in Oregon by Ms. DeLance without notice to Mr. DeLance.

15. Proposal

Does not apply. This is a court order.

16. Court Order

This is a court order (if signed by a judge or commissioner below).

Findings of Fact – Based on the pleadings and any other evidence considered:

The Court adopts the statements in section 3 (Reasons for putting limitations on a parent) as its findings.

Conclusions of Law – This *Parenting Plan* is in the best interest of the children.

Order – The parties must follow this *Parenting Plan*.

Date

▶ _____
Judge/Commissioner

Warning! If you don't follow this *Parenting Plan*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Parenting Plan* even if the other parent doesn't.

Violation of **residential** provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

Petitioner and Respondent or their lawyers fill out below.

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

This document (*check any that apply*):

- is an agreement of the parties
- is presented by me
- may be signed by the court without notice to me

▶/ Anne B. Bennette
Anne B. Bennette, WSBA No. 50240

▶
Michael DeLance, *Respondent Pro Se*

▶
Sonya DeLance, *Petitioner*

King County Superior Court
Judicial Electronic Signature Page

Case Number: 18-3-05993-7
Case Title: DELANCE VS DELANCE
Document Title: PARENTING PLAN (FINAL ORDER)
Signed By: David Keenan
Date: February 15, 2022



Judge: David Keenan

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: D4CD579720E4BB8A7E792BCE878FD210340F014A
Certificate effective date: 1/3/2022 3:21:39 PM
Certificate expiry date: 1/3/2027 3:21:39 PM
Certificate Issued by: C=US, E=kcscefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="David Keenan:
CCQR2jst7BGY3+AVCKww+Q=="