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**SUBSTITUTE SENATE BILL 5507**

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**State of Washington**

**57th Legislature**

**2001 Regular Session**

**By** Senate Committee on Judiciary (originally sponsored by Senator Kastama)

READ FIRST TIME 03/05/01.

1 AN ACT Relating to establishing parenting plans or residential  
2 schedules for parents who have voluntarily acknowledged paternity; and  
3 adding a new section to chapter 26.26 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 26.26 RCW  
6 to read as follows:

7 (1) Without appointing a guardian ad litem on the issue of  
8 parentage, after the period for rescission of an acknowledgment of  
9 paternity in RCW 26.26.040(1)(e) has passed, a parent executing an  
10 acknowledgment of paternity of the child named therein may commence an  
11 adjudicative proceeding for:

12 (a) Making residential provisions or a parenting plan with regard  
13 to the minor child on the same basis as provided in chapter 26.09 RCW  
14 and subject to subsection (3) of this section; or

15 (b) Establishing a child support obligation under chapter 26.19 RCW  
16 and maintaining health insurance coverage under RCW 26.09.105.

17 (2) Pursuant to RCW 26.09.010(3), a proceeding authorized by this  
18 section shall be entitled "In re the parenting and support of...."

1 (3) The petitioner must specifically allege under oath, to the best  
2 of the petitioner's knowledge, that: (a) No man other than the man who  
3 executed the acknowledgment of paternity is presumed to be the natural  
4 father of the child under RCW 26.26.040; (b) there is not currently  
5 pending a parentage action involving the child or a court order naming  
6 another man as the child's father; and (c) the petitioner has provided  
7 notice of the proceeding to any other men who have claimed parentage of  
8 the child. Should the respondent or any other person appearing in the  
9 action deny the allegations, a permanent parenting plan or residential  
10 schedule may not be entered for the child without the matter being  
11 converted to a parentage action and a guardian ad litem being appointed  
12 for the child. A copy of the acknowledgment of paternity must be filed  
13 with the petition or response. The court may convert the matter to a  
14 parentage action on its own motion.

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