

## PREFACE

These pocket parts bring up to date the Family and Community Property Law volumes of Washington Practice, Volumes 19 through 21. These volumes are updated annually, and the authorities discussed in these pocket parts are current through July 31, 2025.

In keeping with the spirit of the spirit of the original volumes, these updates include current case law and statutory changes impacting the practice of family law in Washington State. Where appropriate, references to other treatises, publications, and law review articles are included. Two companion handbooks, Vols. 22 & 22A, contain codified law and forms typically encountered by the family law practitioner, and are reprinted annually.

Items of particular significance in these pocket parts include the following:

- The discussion of the community efforts doctrine is updated at § 11:19 and elsewhere, and includes a discussion of *Marriage of Porter*, 3 Wash.3d 579, 555 P.3d 379 (2024).
- Potential impact to the marital community of a debtor's guarantee is discussed at §§ 14:1 and 14:3.
- The discussion of dependencies and terminations at § 20:7 has updated to reflect recent caselaw developments.
- The discussion of restrictions and limitations pursuant to RCWA 26.09.191 in Chapter 33 and elsewhere has been rewritten to reflect major statutory amendments effective July 27, 2025. New RCWA 26.09.192 is also discussed. In particular, see §§ 33:23 and 33:24.
- Division 2's decision discussing application of the presumption favoring relocation in a case involving a phased-in parenting plan (*Matter of Marriage of Hauk and Wuesthoff*, 34 Wash. App. 2d 8, 565 P.3d 660 (Div. 2 2025)) is discussed at § 33:37.
- Changes to the economic table and child support schedule, effective January 1, 2026, are discussed at § 37:6. The discussion of deviations at § 37:8 has also been updated.
- Statutory changes impacting the independent ability of a minor to renew a protection order, and other changes to the Civil Protection Order Act, are discussed in Ch. 58.

The following statutory changes and rule changes are of note:

- **Restrictions and limitations in parenting plans.** Effective July 27, 2025, HB 1620 substantially amends RCWA 26.09.191 and adds new RCWA 26.09.192. The amendments add definitions for terms commonly used in

family law proceedings and addresses restrictions and limitations on parents who engage in conduct creating an unreasonable risk of harm to their children. New RCWA 26.09.192 addresses limitations on parents who have been convicted of a sex offense against a child, or found to have sexually abused a child, or who reside with a person who has been convicted of a sex offense against a child or who has sexually abused a child. The statutory amendments are extensive, and effectively result in a new statute.

- **Child support schedule.** EHB 1014 implements recommendations from the DSHS 2023 Child Support Workgroup. Effective January 1, 2026, the income table maximum combined net incomes increases from \$12,000/month to \$50,000/month, and the presumptive minimum support obligation income limit changes from 125% of the federal poverty guidelines for a one-person family to 180%. New language at RCWA 26.19.065(2)(c) directs the court to consider specific enumerated factors before applying the \$50 per month per child minimum payment. The remainder of the statutory changes are not effective until April 1, 2027, and will be discussed in future editions of this treatise.
- **Civil protection orders.** SB 5202 modifies the process for filing and renewing protection orders, and adds new language authorizing a minor who is, or was previously, protected by a protection order to file to renew that protection order on their own behalf after turning 18.
- **Uniform Custodial Trust Act.** Effective July 27, 2025, SB 5037 enacts the Uniform Custodial Trust Act, a potential new tool in property divisions.
- **Clergy as mandatory reporters.** SB 5375, effective July 27, 2025, expands the statutory definition of “clergy,” who are mandated reporters under Ch. 26.44 RCWA, and makes it clear that clergy are not exempt from reporting child abuse or neglect disclosed during an otherwise privileged communication.
- Other legislation impacts the Hope Card previously implemented as part of the Civil Protection Order Act, interpreters, and other areas of law that may affect family law actions.

Family law is complex and ever evolving. The members of the Washington Chapter of the Academy of Matrimonial Lawyers and others have generously donated much time over the years to update these volumes, and it is my hope that they will continue to do so. My work on other Washington Practice volumes has benefitted tremendously from input received from lawyers and judges, and I encourage those in the profession to provide me with feedback and suggestions.

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PREFACE

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