

How to Ask for a Legal Separation

For spouses/registered domestic partners *who agree*

Use this packet only if:

- You and your spouse or registered domestic partner **agree** on the terms of your legal separation, and
- Your spouse or registered domestic partner **will sign** the court papers to show that s/he agrees.

WARNINGS!

- If one of you is pregnant, or a child was born before the legal separation, the other spouse is considered the *legal* parent. If you do not think the other spouse/registered domestic partner is the parent, you may need to file a parentage case before you finalize the case. If you are in this situation, talk to a lawyer.
- Due to COVID-19, all hearings are being done by phone or video and most offices are only providing remote services. You should consult the King County Superior Court webpage for the most up to date information. <https://www.kingcounty.gov/courts/superior-court.aspx>.

Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms.

If you **cannot** afford a lawyer, you can:

- You can obtain a list of low-cost and free legal resources. <https://kingcounty.gov/~media/courts/superior-court/docs/family/facilitator/family-law-resources.ashx?la=en>
- Get help from the Family Law Facilitators office. You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.

Step 1: Fill out these forms

All of these forms in Step 1 can be downloaded at: www.kingcounty.gov/courts/clerk/forms.aspx

Form Name	Form Number	Notes	Completed
Case Assignment Area Form and Case Information Cover Sheet		Family Law	<input type="checkbox"/>
Confidential Information	FL All Family 001	Attachment to Confidential Information (for additional parties or children)	<input type="checkbox"/>
Certificate of Dissolution-Vital Statistics form			<input type="checkbox"/>

Step 2: Fill out these forms and make copies

All of these forms in Step 2 can be downloaded at: www.courts.wa.gov/forms/

Petition for Legal Separation (Marriage)	FL Divorce 203	Use FL Divorce 204 Petition to End Registered Domestic Partnership (Dissolution) for Registered Domestic Partnership "Joinder" on the last page of the petition needs to be signed by the Respondent or a separate "Joinder" form should be filed to indicate that there is an agreement.	<input type="checkbox"/>
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If you have children under the age of 18 born during your marriage, you will also need these forms

Parenting Plan	FL All Family 140		<input type="checkbox"/>
Declaration about Public Assistance	FL All Family 132		<input type="checkbox"/>

How many copies do I need?



- **Original** set to file with the Clerk's office.
- Copy **1** is for your records.
- Copy **2** is to give to the other party.
- Make a **3rd** copy if you have a child(ren) who has received public assistance at some point. You must deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section.

Step 3: Start (file) your case

You can start (file), your case by either bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

OR

You can file your case online on the Clerk's website at:

<https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>. If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov.

Step 4: Pay the fee

While starting the case, the Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, apply to waive the fee. This application is available here:

- For Kent: <http://www.kingcounty.gov/~media/courts/Clerk/forms/waive-ff-inst-kent.ashx?la=en>
- For Seattle: <http://www.kingcounty.gov/~media/courts/Clerk/forms/waive-ff-inst-sea.ashx?la=en>

There are instructions about how to get a fee waiver approved during COVID-19 here:

<https://www.kingcounty.gov/~media/courts/Clerk/docs/misc/Updated-Instructions-for-Ex-Parte-via-the-Clerk-Fee-Waiver.ashx?la=en>

Step 5: You must complete the family law class(es)

Self-represented parties must complete the Family Law Orientation by the deadline listed on your Case Schedule. You can register online at: <https://kcscfamlaworientation.eventbrite.com>. If you have questions or need to waive the fee, email FamLawOrientation@kingcounty.gov.

If you have children under 18, you must also complete the parenting seminar "What About the Children," by the deadline listed on your Case Schedule. You can register online at: <https://kcscparentseminar.eventbrite.com>. If you have questions or need to waive the fee, email Parentseminar@kingcounty.gov.

Step 6: Look at your Joinder (last page of your *Petition* or separate "*Joinder*" form)

If your spouse or registered domestic partner checked the box "I demand notice of all further proceedings in this matter," s/he must:

- Sign the completed documents in Step 7, or
- You must give him/her the *Ex Parte Notice of Court Date (Commissioners)*, along with completed documents in Step 7, 14 days before the hearing date for personal service, or 17 days before the hearing date if mailed.

You must take a completed *Proof of Mailing or Hand Delivery* form to your hearing to prove that your spouse/partner was properly served.

Proof of Mailing or Hand Delivery	FL All Family 112	Download form at www.courts.wa.gov/forms/	<input type="checkbox"/>
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If the Joinder “waives notice,” you are not required to serve the other party.

Step 7: Complete your final documents to finalize your legal separation

Completely fill out and sign the forms below. As a self-represented party, you are responsible for filling out all final documents as you want the Court to sign them.

General Tips:

- 1) 231 Findings and Conclusions and 241 Final Separation Order are twin documents. Any information in 231 must be repeated or referenced in 241.
- 2) The other party must sign the final documents if they “Demanded Notice” on the Joinder or if they are the Petitioner.
- 3) If the other party “waived notice,” they do not need notice of the final documents or to sign the final documents AS LONG AS the final documents contain the same information as the Petition for Dissolution.

Declaration in Lieu can be downloaded at: <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>

Form Name	Form Number	Notes	Completed
Declaration in Lieu of Formal Proof <ul style="list-style-type: none"> • WITH KIDS • WITHOUT KIDS 	Facilitators	This form allows the Facilitators to finalize your case on your behalf.	<input type="checkbox"/>

All of these forms in Step 7 can be downloaded at: www.courts.wa.gov/forms/

Findings and Conclusions About a Marriage	FL Divorce 231	Use FL Divorce 232 Findings and Conclusions About a Registered Domestic Partnership for Registered Domestic Partnership	<input type="checkbox"/>
Final Divorce Order (Dissolution Decree) / Legal Separation Order (Decree) / Invalid Marriage Order (Annulment Decree) / Valid Marriage Order (Decree)	FL Divorce 241	Use FL Divorce 242 Final Order Ending Registered Domestic Partnership (Dissolution Decree) for Registered Domestic Partnership	<input type="checkbox"/>

If you have children under the age of 18 you will also need:

Parenting Plan (Final)	FL All Family 140		<input type="checkbox"/>
Child Support Order	FL All Family 130		<input type="checkbox"/>

Child Support Worksheets	WSCSS-Worksheets		<input type="checkbox"/>
Child Support Schedule & Instructions	Use this information to calculate Child Support Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/dcs/SSGen/Home		

You may also need these forms:

Restraining Order	FL All Family 150		<input type="checkbox"/>
Law Enforcement Information Sheet	WPF All Cases 01.0400		<input type="checkbox"/>

Step 8: Email your completed and signed forms to Facilitators@kingcounty.gov

Please send in your final documents two weeks before your scheduled hearing or two weeks before the 91 days. If it has been more than 91 days since you filed your joint petition, or the Joinder was signed, you may send in your completed and signed documents when you want your case finalized. Please send your documents to Facilitators@kingcounty.gov.

When emailing the Facilitators, please include:

1. SUBJECT LINE: King County Case Number (ex. 12-3-12345-6 SEA or KNT)
2. Attachments: WORD, PDF, or JPEG
 - a. Declaration in Lieu
 - b. Completed and Signed Proposed Final Orders
 - i. [Can the Facilitators Finalize my Case?](#)
 - c. Phone Number or email address where you can be reached directly.

Once a Facilitator has reviewed your documents, they will provide corrections or an update. **DO NOT** call or email for an update *unless* it has been two weeks since you have heard a response.

You may also MAIL OR DROP OFF your completed and signed proposed final orders to either the Seattle or Kent offices. **Please write ATTENTION: FACILITATORS and include a letter stating why you are dropping off documents to the Facilitators.** For example, "Included in this packet are my final documents to finalize my family law case. My contact information is..." Any forms delivered without this information will be returned.

ATTN: FACILITATORS
 516 Third Avenue, Room W-382
 Seattle, Washington 98104
 DROP OFF PAPERWORK: C-203

ATTN: FACILITATORS
 401 Fourth Avenue, Room 3-D
 Kent, Washington 98032
 DROP OFF PAPERWORK: Facilitator Box at 2-D