

## How to Ask for a Temporary Order for people who are married

Use this packet if you want to ask the Court for a temporary order, such as a parenting plan, child support, spousal maintenance, and/or other financial issues that will be in place until final orders are entered.

Note: You may use this instruction ONLY if you have a pending dissolution, legal separation, or invalidity case.

### **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.

This form can be downloaded at: <http://www.kingcounty.gov/courts/clerk/forms.aspx>

Form Name	Form Number	Notes	Completed
Family Law Notice of Court Date (Commissioners)	<a href="#">Seattle</a> or <a href="#">Kent</a>	See Step 2	<input type="checkbox"/>

All of these forms can be downloaded at: <http://www.courts.wa.gov/forms/>

<a href="#">Motion for Temporary Family Law Order</a>	FL Divorce 223		<input type="checkbox"/>
<a href="#">Declaration</a>	FL All Family 135		<input type="checkbox"/>
<a href="#">Temporary Family Law Order</a>	FL Divorce 224	Fill this out the way you would like the Commissioner to decide	<input type="checkbox"/>
<a href="#">Law Enforcement Information Sheet</a>	WPF All Cases 01.0400	Use if asking for restraints	<input type="checkbox"/>
<a href="#">Restraining Order</a>	FL All Family 150	Use if asking for restraints. Fill this out the way you would like the Commissioner to decide	<input type="checkbox"/>
<a href="#">Proof of Personal Service</a>	FL All Family 101	This is for the server to fill out after copies of your court papers are served on the other party.	<input type="checkbox"/>
<a href="#">Proof of Mailing or Hand Delivery</a>	FL All Family 112	See Step 5.	<input type="checkbox"/>

Fill out these forms if you are asking for a temporary parenting plan:

<a href="#">Parenting Plan</a>	FL All Family 140		<input type="checkbox"/>
<a href="#">Information for Temporary Parenting Plan</a>	FL All Family 139		<input type="checkbox"/>

Fill out these forms if you are asking for temporary child support:

<a href="#">Child Support Worksheets</a>	WSCSS-Worksheets	Use WSCSS-Worksheets RDP for Registered Domestic Partnership	<input type="checkbox"/>
<a href="#">Child Support Schedule &amp; Instructions</a>	Use this information to complete the Worksheets. Online Child Support Calculation software is available at <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home">https://fortress.wa.gov/dshs/dcs/SSGen/Home</a>		
<a href="#">Child Support Order</a>	FL All Family 130	Fill this out the way that you would like the Commissioner to decide	<input type="checkbox"/>

**Fill out these forms if you are asking for temporary child support, maintenance, and/or other financial issues:**

<a href="#">Financial Declaration</a>	FL All Family 131	<input type="checkbox"/>
<a href="#">Sealed Financial Source Documents Cover Sheet</a>	FL All Family 011	<input type="checkbox"/>

For the court to decide on financial issues, you must provide copies of financial documents, including:

- Your W-2s and complete personal tax returns for the past 2 years
- Your most recent pay stubs (at least 6 months)
- Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more
- Statements from all of your banks and financial institutions for the past 6 months

*Note:* The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.

**Step 2: How to Choose a Court Date**

**1. Picking a Hearing Date and Time:**

The motions calendar is limited to a certain number of hearings per day. You must go to <https://superiorcourt.kingcounty.gov/famlaw/scheduling/calendar> to view availability and schedule your motion with the family law department.

Please note that you must schedule each motion individually. You cannot make one reservation for multiple motions (Example- Contempt/Temporary Orders or temporary orders/Motion to Enforce). Only the motions properly scheduled will be heard.

**2. Pick the Correct Calendar:**

There are court calendars for cases where neither party is represented by an attorney, and for cases where at least one party has an attorney. There may also be calendars for TBA motions or reconsiderations. Make sure to pick the correct calendar on the calendar tool.

You will need your case number, contact information and information for the other party to complete the reservation.

**3. Filing your documents:**

Once you have reserved your spot on the calendar, the reservation system will give you the *Notice of Court Date* to file, or you can download the form at <https://kingcounty.gov/courts/clerk/forms.aspx>. you must file a *Notice of Court Date* and your motion within **3 calendar days** of your reservation.

If you make a reservation, but fail to file the Motion and Notice of Court date within 3 days, your reservation may be stricken.

**IMPORTANT!** If the court determines that you are reserving space on the calendar in bad faith, you may be subject to sanctions. You should only reserve a hearing date when you intend to move forward with the motion.

**4. Cancelling or Rescheduling a Hearing:**

In the event that you need to cancel or reschedule your hearing you must immediately contact:

- [FamilyLawStaffMRJC@kingcounty.gov](mailto:FamilyLawStaffMRJC@kingcounty.gov) or 206-477-1523 for motions noted in Kent, or
- [FamilyLawStaffSeattle@kingcounty.gov](mailto:FamilyLawStaffSeattle@kingcounty.gov) or 206-477-2750 for motions noted in Seattle

**Please do not reserve more than one slot per motion. Important!** If you are rescheduling court staff will move your reserved time to the new date. If you fail to timely strike your hearing, or re-note the motion without alerting family law staff, you may be subject to sanctions.

### Step 3: Make copies

How many copies do I need?

- **Original** set to file with Clerk's office
- Copy **1** is to serve the other party
- Copy **2** you will keep for your records

### Step 4: Take your completed forms to the Clerk's office and file them.

At least 14 days before the hearing file the originals of all paperwork from step 1 **except** the following forms (as needed): Temporary Family Law Order, Child Support Order, and Restraining Order. These Orders are your proposed Orders.

E-filing instructions to e-file all documents except your proposed orders can be found on the Clerk's Office website: <https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>

### Step 5: Submit Proposed Orders to Family Law Department

#### Proposed orders

Effective for all hearings on the family law motions calendars, proposed orders must be submitted online through the **Clerk's Office eFiling System** via the "Proposed Orders (Family Law)" link.

If you are the moving party (the person asking for the motion), submit your proposed order at least 14 calendar days prior to the hearing. If you are the responding party (the person responding to the motion), the proposed order is due 5 court days prior to the hearing.

### Step 6: Submission List

Find this form here: <https://www.kingcounty.gov/courts/clerk/forms.aspx>

Form Name	Completed
<a href="#">Working Paper Submission List</a>	<input type="checkbox"/>

All documents that will be considered **must** be filed in the clerk's office (either e-filed or physically delivered) and served on the other party. Once you have filed the documents you must file a *Working Papers Submission List*. Papers Submission List accomplishes two purposes:

1. **It confirms that you want your hearing to move forward**-The *Working Papers Submission List* is due by the reply deadline for the moving party (noon 3 court days prior) and the response deadline for the responding party (noon 5 court days prior). If you fail to file your submission list by the deadlines listed above, your hearing will not take place. It is suggested that the submission list be filed electronically to avoid processing delays.
2. **It lets the Commissioner know what to read to prepare for the hearing.** The submission list shall list all documents that the parties want the court to consider. It must list your motion. If the submission list does not list required documents, such as the motions, your hearing may not go forward.

If you have filed multiple motions for one case, and have reserved a spot for each motion, you may file one submission list for all properly reserved motions.



**Important!** If you do not turn in a Submission List your hearing will be stricken.

## Step 7: Have the other party served.

### What to serve

Serve the other party with a copy of all forms except the *Proof of Personal Service* and *Proof of Mailing or Hand Delivery (for documents after Summons and Petition)*.

### How to serve

Provided that no order restrains you from having contact with the other party, you may deliver or mail them yourself at least **14 calendar days by 12 noon** before the hearing (add 3 more days for mailing). If the other party has an attorney, deliver or mail the forms to the attorney instead. After you have delivered or mailed the forms to the other party or attorney, fill out the *Proof of Mailing or Hand Delivery (for documents after Summons and Petition)* (FL All Family 112) form. File the original with the Clerk's Office, keep a copy for your records, and bring it with you to the hearing.

If the respondent **has not** already been served with a Summons and Petition in your case, someone over age 18 – **not you** - must serve (give) the other party copies of your completed forms from Step 1 along with the Summons, Petition and Case Schedule. After serving, the server fills out a *Proof of Personal Service* (FL All Family 101) form and gives it to you. Keep a copy for your records and file the original with the Clerk's Office.

## Step 8: Virtual hearing

All family law motions will be heard via Zoom. Information about how to appear for your virtual hearing can be found in the left menu bar and here: <https://kingcounty.gov/courts/superior-court/family/virtual-hearings.aspx>

For more guidance on Video Hearings, please visit: <https://kingcounty.gov/courts/superior-court/get-help/Video.aspx>

If you do not turn in a submission list, or the court cannot reach you directly, the hearing may be conducted without you or stricken.