

# How to Respond to a Request for Temporary Orders or Ex Parte Restraining Order

Note: These instructions do not discuss how to respond to the Summons and Petition; ask the Family Law Facilitator's office for instructions on how to respond to the Petition.

## 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:

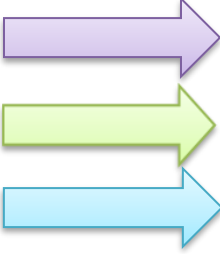
- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. You can contact the King County Bar Association to ask for a referral.
- Ask the Family Law Facilitator's office for a list of low-cost and free legal resources.

King County Superior Court  
516 3<sup>rd</sup> Ave, Room W-382  
Seattle, WA 98104

Maleng Regional Justice Center  
401 4<sup>th</sup> Ave North, Room 3D  
Kent, WA 98032

## Step 1: Fill out these forms

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

Form Name	Form Number	Notes	Completed
<a href="#">Declaration</a>	FL All Family 135	Tell the Court your side of the story.	<input type="checkbox"/>
Temporary Family Law Order		For cases involving marriage use form <a href="#">FL Divorce 224</a>	<input type="checkbox"/>
		For unmarried parents use form <a href="#">FL Parentage 324</a>	
		For Non-Parents use form <a href="#">FL Non-Parent 424</a>	
<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		<input type="checkbox"/>

Fill out these forms if the other party is 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 the other party is asking for temporary child support:

<a href="#">Child Support Worksheets</a>	WSCSS-Worksheets		<input type="checkbox"/>
<a href="#">Child Support Schedule &amp; Instructions</a>	Use these instructions to calculate the Child Support Worksheets. The following link is to use online child support calculator: <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 both parties are requesting a restraining order:

<a href="#">Restraining Order</a>	FL All Family 150	Use <u>only</u> if both parties are asking for a restraining order. 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 with restraining order. See above.	<input type="checkbox"/>

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

Form Name	Form Number	Notes	Completed
<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	Attach the documents listed below to this cover sheet	<input type="checkbox"/>
<p>For the court to decide financial issues, you must provide copies of financial documents, including:</p> <ul style="list-style-type: none"> <li>▪ Your W-2s and complete personal tax returns for the past 2 years;</li> <li>▪ Your most recent pay stubs (at least 6 months);</li> <li>▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more;</li> <li>▪ Statements from all of your banks and financial institutions for the past 6 months.</li> </ul> <p><i>Note:</i> The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.</p>			

## Step 2: Make Copies

### How many copies do I need?

- **Original** set to file with Clerk’s office
- Copy 1 will go to the Commissioner for the hearing
- Copy 2 is to serve on the other party or attorney
- Copy 3 you will keep for your records
- Make a 4<sup>th</sup> copy only if you or the other party are asking the court for an order regarding child support and a child in this case has received public assistance. Deliver it to the King County Prosecuting Attorney’s Office, Family Support Section.

## Step 3: Take your completed forms to the Clerk’s office and file them

**When:** Noon, 4 court days before the court date

**Where:** Clerk’s Office (Room 2C in Kent and E-609 in Seattle)

**What:** The originals of all papers from Step 1 **except** the Law Enforcement Information Sheet, Restraining Order, Temporary Family Law Order, Child Support Order and Parenting Plan. These Orders are your proposed Orders and will be filed after the hearing.

## Step 4: Deliver Commissioner's copy

The Commissioner's copy is a set of all forms from Step 1 including the proposed Orders that you would like the court to sign at the hearing. Take this set of copies to the Family Law window (W-292 in Seattle, A1222, next to 1E, in Kent) and turn it in any time before **12:00 noon** at least **3 court days** before your hearing.

Copy and complete the chart below to the upper right hand corner of the first page of the set of forms you are delivering to the Commissioner:

<p><b>Commissioner's Working Papers</b> <b>Family Law Motions</b> Hearing Date: _____ Hearing Time: _____ Presented By: (your name): _____</p>
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## Step 5: Have the other party served

### What to serve

Serve the other party with a copy of all forms **except** the Proof of Personal Service, Proof of Mailing or Hand Delivery, and Law Enforcement Information Sheet.

### 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 **4 court 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* form. File the original with the Clerk's Office, keep a copy for your records, and bring it with you to the hearing.

If you had someone else deliver or mail the papers to the other party or attorney, then the server would fill out the *Proof of Personal Service* form, FL All Family 101.

## Step 6: Go to your hearing

- Arrive at least 30 minutes early! You will need time to go through security.
- Go to the Family Law window (W-291 in Seattle and 1E in Kent) at the courthouse to check in.
- Take your original orders and all copies of the forms you filed.
- You must give the Court your original orders if asked. If you want copies of the signed orders on the day of your hearing, tell the Clerk.