

How to Ask a Judge to Revise a Family Law Commissioner's Court Order

For cases where there is an assigned Judge

If there is not a Judge assigned to your case, ask the facilitators for additional information.

You have the right to ask a Superior Court judge to review a Family Law Commissioner's decision and possibly decide differently.

You must:

- File with the court and serve the other party with the paperwork within **10 calendar days** of the order, and
- Have a hearing in front of the judge within 21 calendar days of entry of the family law commissioner's order.

You must also follow these rules:

- Until a court says otherwise, you must continue to follow the commissioner's order.
- **You are not allowed to give new evidence.** The judge can only consider the evidence that the commissioner used to make his or her decision.

You will need to provide the judge with a copy of all the documents you previously submitted and the documents submitted by the other party.

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

Download this form at: <http://www.kingcounty.gov/courts/clerk/forms.aspx>

Form Name	Form Number	Notes	Completed
Notice of Court Date (Judges) (Kent or Seattle)		See steps 2 & 3 for how to pick a hearing date	<input type="checkbox"/>

These forms can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Motion for Order Re:	FL All Family 181	You must attach a copy of the commissioner's order that you are asking be revised.	<input type="checkbox"/>
Order Re:	FL All Family 182	Fill this out the way you would like the judge to rule. This is your proposed order.	<input type="checkbox"/>

Fill out these forms after the other parent is served (see Step 6), make a copy and file them.

Proof of Mailing or Hand Delivery	FL All Family 112	See Step 7	<input type="checkbox"/>
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Step 2: Contact your assigned Judge's Bailiff to request a hearing date

How to find out who your assigned Judge is:

A Judge is assigned to your case when the Summons and Petition is initially filed with the clerk. The name of your Judge is listed on the first page of the *Order Setting Domestic Case Schedule*.

If you do not have a copy of the *Order Setting Domestic Case Schedule*, you should review your court file in the clerk's office to determine who the assigned Judge is.

Note: It is possible that your assigned Judge may change. If you receive an "Order on Change of Judge" then you should schedule your hearing in front of your new assigned Judge, according to that notice.



You must contact the Judge's bailiff to request a **hearing date and time**. A directory with the bailiff's phone numbers and email addresses can be found on the [King County Superior Court website](#). **The hearing date must be within 21 calendar days of the**

Commissioner's written order. If there is an Order on Reconsideration, then the hearing must be within 21 days of the *Order on Reconsideration*.

Step 3: Fill out the Notice of Hearing form

- Write the date given to you by the Judge's bailiff next to "**Calendar Date**"
- Next to "**Nature of Motion**," write "*Motion for Revision*".
- Inside the box labeled "**Cases Assigned to Individual Judges**" check the box next to "With oral argument Hearing".
- Write the date and time of hearing given to you by the bailiff next to "**Date/Time**".
- Write the name of your assigned Judge next to "**Judge's Name**"
- Write the trial date (listed on your *Order Setting Domestic Case Schedule*), next to "**trial date**."
- Be sure to also fill in the case caption on top and all necessary contact information on the bottom of page 1 and on page 2.

Step 4: Make Copies of Documents from Step 1

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 serve the other party.
- Copy **3** is for the Judge
- Make a **4th** copy if you have a child(ren) who has received public assistance at some point, and the motion for revision involves child support. You must deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Section.

Step 5: Obtain additional required documents for the Judge

You will need to have a set of the following documents to submit to the judge. Do not refile these documents in clerk's office.

- A copy of the documents you previously submitted to the Commissioner.
- A copy of all documents submitted by the other party for the hearing.

Step 6: File your forms with the Clerk's Office

File the originals of the Motion and the Notice of Court Date (Judges) from Step 1 (Seattle: E-609, Kent: 2C). **Do not** file the Order (proposed order). The originals must be filed with the clerk **within 10 calendar days** of the commissioner's order.

Or

You can file your case online on the Clerk's website at: <https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>. The clerk's office is responsible for the e-filing system. If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov

If a *motion for reconsideration* was **timely** filed and ruled upon, the motion for revision must be filed within 10 days of entry of the commissioners Order on the Motion for Reconsideration.

Step 7: Have the other party served

What to serve

A copy of all the forms from step 1.

When to serve

- Within 10 days of the commissioner's order (If a Motion for Reconsideration was filed, then within 10 days of the entry of the Order on Reconsideration) and:
- **At least 9 court days** before the requested hearing date indicated on the Notice of Court Date (Judges).

How to serve

You may deliver or mail them yourself (provided that no order restrains you from having contact). If the other party has an attorney, deliver or mail the forms to the attorney instead. After you have delivered the forms to the other party or attorney, fill out the *Proof of Mailing or Hand Delivery* form (FL All Family 112). Make one copy of this form for your records and file the original with the Clerk's Office.

OR

You may have someone over age 18 – not you - serve (give) the other party copies of your court papers. After serving, the server fills out a *Proof of Mailing or Hand Delivery* form (FL All Family 112) and gives it to you. Keep a copy for your records and file the original with the Clerk's Office.

Note: If this motion involves child support and if any of the children have ever been on public assistance, you must also deliver a set of copies to the King County Prosecuting Attorney Family Support Section.

Step 8: Deliver the Judge's Working Copies

The Judge's copy is a set of **all** forms from Step 1 and Step 5, including the Order.

NOTE: Your assigned judge will tell you how they like to receive working copies. Make sure to follow all instructions from your assigned judge. If the judge does not specify how they would like to receive working copies, you may:

1. E-file the Judge's working copies via the Clerk's Office E-Working Copies:
<https://www.kingcounty.gov/courts/clerk/documents/eWC.aspx>;

OR

2. Take this set of copies to the Judge's Mailroom (C203 in Seattle and 2D in Kent) and turn it in any time before **12:00 noon** at least **9 court days** before your hearing date.

Copy and complete the chart below on the upper right-hand corner of the first page of the set of forms you are delivering to the Judge.

Write the following on the top right.

Judge's Working Copies
Name of Judge: _____ (Write "Chief Judge". "Chief Civil" or the Judge's name if one was assigned)
Hearing Date: _____
Presented By (Your name): _____

Step 9: Prepare for your hearing date

The Judge's Bailiff will let you know if you are to appear over the phone or virtually through Zoom.