

## How to Enforce a Court Order

Use this packet if you are asking the court to enforce an order addressing property or debt distribution, or a decree, such as a final divorce order.

If you are asking the court to enforce an order regarding spousal maintenance (alimony), child support, or a parenting plan you may also be able to file a motion for contempt. Ask the facilitator for information about contempt, or talk to an attorney about other options.

### **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: [www.kingcounty.gov/courts/clerk/forms.aspx](http://www.kingcounty.gov/courts/clerk/forms.aspx)

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

All of these forms can be downloaded at: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms)

<a href="#">Motion for Order for: (to Enforce)</a>	FL All Family 181	There is no standard form for this motion. Use the standard motion form as a template.	<input type="checkbox"/>
<a href="#">Declaration of (Name) _____.</a>	FL All Family 135	Explain why the Court should agree with your request.	<input type="checkbox"/>
<a href="#">Order</a>	FL All Family 182	Fill this out the way you would like the Commissioner to decide.	<input type="checkbox"/>
<a href="#">Proof of Mailing or Hand Delivery</a>	FL All Family 112	This is for the server to fill out after copies of your court papers are served on the other party. See Step 6.	<input type="checkbox"/>
<a href="#">Proof of Personal Service</a>	FL All Family 101	See Step 6.	<input type="checkbox"/>

### You will also need the following:

Copy of the court order(s) you are requesting be enforced.		If you do not have a copy of the order you may obtain a copy through the clerk's office. <b>Attach the order to your motion.</b>	<input type="checkbox"/>
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### You will need these forms if your motion involves 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	Attach financial documents to this cover sheet	<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

## 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): Order on Motion to Enforce. This is your proposed order

E-filing instructions can be found on the Clerk's Office website:

<https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>

### Proposed orders

Proposed orders on the Family Law motions calendar should be emailed to:

- [KNTFLOrders@kingcounty.gov](mailto:KNTFLOrders@kingcounty.gov) for motions noted in Kent, and
- [SEAFLOrders@kingcounty.gov](mailto:SEAFLOrders@kingcounty.gov) for motions noted in Seattle

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

## Step 5: Submission List/Confirm Hearing

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*. The *Submission List* form can be found at: <https://www.kingcounty.gov/courts/clerk/forms.aspx>. The Working 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 6: Have the other party served.

Serve the other party with a copy of all forms **except** the *Proof of Personal Service* or *Proof of Mailing or Hand Delivery* forms.

### 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 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 and keep a copy for your records.

If you had someone else deliver the papers to the other party or attorney, then the server would fill out the *Proof of Personal Service* form. If someone else mails them for you then the server would fill out the *Proof of Mailing or Hand Delivery*.



If the motion is being filed at a time ***after the case has been dismissed or after the case has been completed***, someone over age 18 – **not you** - must serve (give) the other party copies of your completed forms from Step 1. After serving, the server fills out the *Proof of Personal Service* form and gives it to you. Keep a copy for your records and file the original with the Clerk's Office.

## Step 7: Reply (if applicable)

If the other party chooses to respond to your motion, they must do so by 12 noon 5 court days before the hearing. If you wish to reply to the other party's response, you must do so by **12 noon 3 court days** before the hearing by filing an additional declaration form. You will make copies of the reply declaration and file the original with the Clerk's office and serve a copy to the other party. If you have already filed our Submission List, you must file a second Submission List to alert the Court of the new document to review for the hearing.

## Step 8: Virtual hearing

All Family law motions hearings are being conducted by phone or video until further notice. Check the family law website frequently at <https://www.kingcounty.gov/courts/superior-court/family/confirmations.aspx> for the latest information on how the hearing will be conducted.

As of April 12, 2021, all family law motions hearings will be conducted by phone or videoconference. You must supply your email address and include the phone number you want the court to use to contact you on the Submission List. **You must provide a direct number**

**that will not be routed through a receptionist.** You must be available from 1:30 to 4:30 for the court to call you.

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.