

Family Law Motion

Use this packet if you want to ask the Court for an order, such as an Order Enforcing or an Order Clarifying a previous Family Law Order.

You may use this instruction **ONLY** if you have a pending family law case or had a family law case that was finalized.

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 3rd Ave, Room W-382
Seattle, WA 98104

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

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
Notice of Court Date Family Law (Commissioners)	Seattle or Kent	See Step 2	<input type="checkbox"/>

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

Motion for Order for: _____	FL All Family 181	Tell the Court what you are requesting.	<input type="checkbox"/>
Declaration of (name): _____	FL All Family 135	Explain why the Court should agree with your request.	<input type="checkbox"/>
Order: _____	FL All Family 182	Fill this out the way you would like the Commissioner to decide.	<input type="checkbox"/>
Proof of Personal Service	FL All Family 101	This is for the server to fill out after copies of your court papers are served on the other party. See Step 5.	<input type="checkbox"/>
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)	FL All Family 112	See Step 5.	<input type="checkbox"/>



If you are requesting that the court clarify or enforce a prior order you must attach a copy of that order to your motion.

Fill out these forms if your Motion involves financial issues:

Financial Declaration	FL All Family 131		<input type="checkbox"/>
Sealed Financial Source Documents (Cover Sheet)	FL All Family 011	Attach the documents listed below to this cover sheet	<input type="checkbox"/>
<p>For the court to decide on financial issues, you must provide copies of financial documents, including:</p> <ul style="list-style-type: none"> ▪ 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 <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: How to choose a court date.

To set your court date, you must fill out and file the *Notice of Court Date (Commissioners)*, Kent or Seattle. That form lets you choose a date for your court hearing. The date you choose **must** be at least **14 days** after the day you file the Notice of Court Date (Commissioners) **and** at least **14 days** from the day you plan to have the other party served. Allow **17 days** if serving by mail. Family law motions are heard at 9:00 a.m., Monday-Friday.

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
- Copy **3** you will keep for your records
- Make a 4th copy only if you 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.

File with the Clerk (2C in Kent and E-609 in Seattle) the originals of all papers from Step 1 **except** the Order. This Order is your proposed Order 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:

Commissioner's Working Papers

Family Law Motions

Hearing Date: _____

Hearing Time: _____

Presented By: (your name): _____

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* 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.

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 6: Confirm your hearing.



Your hearing will be cancelled if you don't confirm your hearing and deliver the copies to the Commissioner on time.

You can confirm by phone, in person, or online. Here is how:

Call or in person 206-477-1523 (Seattle) Room W-292 206-477-2750 (Kent) Room A1222	3 court days before your hearing between 2:30pm and 4:15pm. or 2 court days before your hearing between 8:30am and noon. When you call, give your case number, date, and time of hearing. The Clerk will give you a confirmation number.
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<p>Online:</p> <p>https://blue.kingcounty.gov/courts/superiorcourt/confirmations/default.aspx</p>	<p>You can confirm your hearing online starting at:</p> <p>Noon 3 court days before the hearing until noon of the 2nd court day before your hearing.</p> <p>You must give your email address, phone number, and information to identify your case. If you do not get a confirmation email, you must contact the confirmation phone number above before the deadline.</p>
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If the other party chooses to respond to your motion, he or she must do so by **12 noon 4 court days** before the hearing. If you wish to reply to the other party's response, you must do so by **12 noon 2 court days** before the hearing. Ask the facilitator for instructions on how to file a Reply.

Step 7: 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.