

King County Superior Court Ex Parte Procedure for Submission of Immediate Family Law Restraining Orders in Response to COVID-19

Motions for Temporary Relief are heard daily at 2:00 PM & 3:00 PM.

Hearings must be set in advance using an Ex Parte Notice of Hearing.

Family Law Matters: The Ex Parte Department hears motions for family law immediate restraining orders, and other emergency family law issues where there are issues requiring immediate relief.

IMPORTANT: A lawsuit generally must be pending in order for the court to have jurisdiction to enter restraining orders. If the action is filed under a prior dissolution or parenting action, in most cases a modification petition must be filed before the court can enter restraining orders affecting children. Parties should submit copies of any such pleadings as working papers or otherwise be prepared to show cause why temporary orders should be entered absent such a filing.

Survivors of Domestic Violence or Unlawful Harassment: If another parent has a history of physically harming you or the children, or has threatened to, and if you have had a dating, roommate, marital, or family relationship, or you are a victim of unlawful civil harassment by them, you may be able to file a petition for an [Order for Protection](#) for immediate protection.

NEW: Timing of Hearings

Except in the case of threat of imminent harm or if it is impracticable to do so, the moving party shall pick their hearing date, file a notice of hearing and any other required forms, and give the other party at least **two days' notice of his or her intent to seek immediate orders**. Such notice is required in all cases unless the moving party clearly shows by sworn declaration that immediate injury, loss or damage will result if notice is given. **IMPORTANT:** The Ex Parte Department calendars have limited spaces available. Prior to filing A Notice of Court Date for **BOTH the temporary AND return hearings** you must visit <https://kingcounty.gov/courts/clerk/calendars.aspx> to find available court date(s). **Below are instructions for requesting an exception to any caps for emergency motions.**

Emergency Motions: Same Day Presentation

Parties with emergencies may reserve a hearing the same day (pending availability) so long as they file the required forms and notify the Ex Parte Department by 11:00 AM by email to SCEXPARTEPHONE@KINGCOUNTY.GOV, as well as opposing party/counsel. Parties shall attach their filed Notice of Hearing, motion materials and any proposed orders. The subject line of the email should read **"NOTICE OF HEARING TODAY: CASE NUMBER."**

In the event there are no slots available for a same day hearing and/or if harm will result prior to the next available date, parties may request an exception **no later than 11:00 AM** by email to SCEXPARTEPHONE@KINGCOUNTY.GOV, as well as opposing party/counsel. Parties shall attach their filed Notice of Hearing, motion materials and any proposed orders. The subject line of the email should read **"REQUEST FOR EXCEPTION TODAY: CASE NUMBER."** *EMAILS WILL ONLY BE CHECKED BETWEEN 11:00 AM and 12:00 PM*

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INSTRUCTIONS

- **COMPLETE THE REQUIRED MOTION FORMS AND PROPOSED ORDERS.** Self-represented litigants can visit Washington Law Help for Assistance: <https://www.washingtonlawhelp.org/issues/family-law>
- **PICK A HEARING DATE FOR BOTH THE HEARING ON TEMPORARY ORDERS AND RETURN HEARING.** You must go to <https://www.kingcounty.gov/courts/clerk/calendars.aspx> to find an available calendar date. Then you can use that available date to file your Notice of Court Date form. The new **Notice of Court Date forms** can be found at <https://kingcounty.gov/courts/clerk/forms.aspx>. You must set the hearing on temporary orders using the Ex Parte form and you may choose to reserve the return hearing using the Family Law form (Pending entry of orders at the Ex Parte hearing). If you attempt to schedule a motion on a date that is full, you will be contacted by the Clerk's Office and will be required to reschedule your hearing. Any request for the issuance of an immediate restraining order, with or without notice shall be noted using the Ex Parte Notice of Hearing form (form(s) 16 & 17 in the [Forms Directory](#)). Most matters should be scheduled no sooner than two judicial days from the date of filing.
- Self-Represented litigants may contact the [Facilitator](#) for assistance.
- **FILE.** File the Notice of Hearing and original motion documents with the court clerk's office in the superior courthouse where you are filing your motion. Click [HERE](#) for instructions on how to electronically file your documents without having to go to the courthouse.
- **CONTACT THE EX PARTE DEPARTMENT FOR TELEPHONIC HEARING INSTRUCTIONS AND SUBMIT A COPY OF YOUR FILING.** Parties should contact the Ex Parte Department for telephonic hearing instructions and to submit a copy of their documents immediately after filing. Contact the department by email to SCEXPARTEPHONE@KINGCOUNTY.GOV, as well as opposing party/counsel. Parties shall attach their filed Notice of Hearing, motion materials and any proposed orders. The subject line of the email should read "**NOTICE OF HEARING ON _____(DATE): CASE NUMBER.**" **DO NOT email the department until you have reserved a hearing date unless you are requesting an exception.**
 - Parties should submit proposed Orders in WORD to the extent practicable. Parties **MUST** indicate in their documents the correct date and time of presentation. All parties should also submit copies of their modification or case initiating documents (e.g. Petition for Dissolution) and a **Law Enforcement Information Sheet (LEIS) with their motion.**
 - Working papers may be submitted in person only if email is impracticable.
- **GIVE NOTICE.** See LFLR 8: The party asking for an Ex Parte Restraining Order (the moving party) shall give prior written or oral notice to the attorney for the opposing party or, if unrepresented, to the opposing party. The moving party or attorney shall certify to the court in writing the efforts which have been made to give notice to the opposing party. *Such notice is required in all cases unless the moving party clearly shows by sworn declaration that immediate injury, loss or damage will result if notice is given.*
 - If you gave written notice, attach a copy of your email or fax or letter to the Motion. Email or give the other party/their attorney a set of your motion papers before the hearing and include a copy of the [email](#) confirming telephonic hearing.

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AFTER THE HEARING – FAMILY LAW MOTIONS PROCEDURES

Serving/Responding

The Notice of Court Date, Motion, and Declarations shall be served on the other party at least 14 days calendar days prior to the hearing date. Responses shall be filed and served by noon at least five (5) court days prior to the hearing date and Replies are due by noon three (3) court days prior.

Working Papers for Return Hearing

IMPORTANT: Hard copy working papers will not be accepted. *In lieu of working papers, parties shall submit a “Working Papers Submission List” to the court by the reply deadline for the moving party and the response deadline for the responding party.* The submission list shall list all documents that the parties want the court to consider. The Submission List form can be found at: <https://kingcounty.gov/courts/clerk/calendars.aspx>. Judicial officers will use the Submission List to review the court file to make their determination. 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.

Proposed orders

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

- KNTFLOrders@kingcounty.gov for motions noted in Kent, and
- SEAFLOrders@kingcounty.gov for motions noted in Seattle

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.

Confirmations/Submission List

You must confirm that you want your case to move forward by filing the Working Copies Submission List 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). You are not currently required to call or use the online confirmation system to confirm your hearing. If you file your submission list, and later decide to strike, or continue, your motion you must immediately notify the family law coordinators at:

- FamilyLawStaffSeattle@KingCounty.gov for Seattle cases or,
- FamilyLawStaffMRJC@KingCounty.gov for Kent cases.

If you fail to file your submission list by the deadlines listed above, the court will consider your hearing not confirmed, and the hearing will not take place.

Phone Hearings Required

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.

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