

# How to Convert a Final Legal Separation Order to a Final Divorce Order

Use this packet ONLY if:

At least six (6) months has passed since the Final Legal Separation Order was signed by a Judge/Commissioner. Either party can ask the Court to convert the Final Legal Separation Order to a Divorce Order. Advance notice to the other party is generally required.

## 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.

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
Ex Parte Notice of Court Date (Commissioners)	<a href="#">Seattle</a> or <a href="#">Kent</a>	See Step 2	<input type="checkbox"/>

All of the forms in Step 1 can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

<a href="#">Motion to Convert Legal Separation Order to Final Divorce Order (Dissolution Decree)</a>	FL Divorce 251		<input type="checkbox"/>
<a href="#">Order Converting Legal Separation Order to Final Divorce Order (Dissolution Decree)</a>	FL Divorce 253		<input type="checkbox"/>
<a href="#">Proof of Mailing or Hand Delivery form</a>	FL All Family 112	Needed if parties do not agree to convert	<input type="checkbox"/>

## Step 2: How to choose a court date.

To set your court date, you must fill out and file the *Ex Parte Notice of Court Date (Commissioners)* (Kent or Seattle). That form lets you choose a date for your court hearing.

**Calendar Date:** Choose any weekday (except a court holiday) that is at least 14 calendar days from the date you plan to file the Notice of Court Date OR if service is required, at least 14 days from the date you plan to have other parties served. Allow **17 days** if serving by mail.

**Day of the Week:** Write what day of the week your hearing falls on (For example: Monday or Thursday)

**Nature of Motion:** Write "Convert Legal Separation to Divorce"

You will check the box says Final Decree. You will also check the box next to "No Attorney Hearing Time: 1:30 pm."

Finally, sign and print your name, address and telephone number on the front page and insert the other party's information on the top of the next page.

### **Step 3: File the Notice of Court Date**

File the original ex parte notice of court date in the Clerk's office. Bring the other documents with you to your court hearing.

### **Step 4: Have the other party Served (if necessary)**

**If you and the other party do not agree** to convert your legal separation to a dissolution, **OR** if you cannot get the other party's signature on the Order, **you will need to mail or deliver** a copy of each of the completed forms listed in step 1 at least 14 calendar days prior to the hearing (if you are mailing the documents add an additional 3 days)

You can deliver or mail them yourself (provided that no order restrains you from having contact). After you have delivered the forms to the other party, fill out the *Proof of Mailing or Hand Delivery* form. Make one copy of this form for your records and file the original with the Clerk's Office. Bring a copy with you to your hearing.

**If you and the other party agree** to convert your legal separation to a dissolution, you will not need to serve the other party, but you will need to have the other party sign the *Order Converting Legal Separation Order to Final Divorce Order* form. At the bottom of the form they will check the boxes that say "is an agreement of the parties" and "may be signed by the court without notice to me." They need to sign the form.

### **Step 4: Go to your Hearing**

- Arrive at least 30 minutes early! You will need time to go through security.
- Go to the Family Law Information Center to check in (W382 in Seattle, 3D in Kent).
- Take your original orders and all copies of the forms you filed.
- Bring a copy of the *Proof of Mailing or Hand Delivery* form (if you had to serve the other party).