How to
Ask for a Temporary Order for people who are married

Use this packet if you want to ask the Court for a temporary order, such as a parenting plan, child support, spousal maintenance, and/or other financial issues that will be in place until final orders are entered.

Note: You may use this instruction ONLY if you have a pending dissolution, legal separation, or invalidity case.

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
Family Law Notice of Court Date (Commissioners)	Seattle or Kent	See Step 2	☐

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

Motion for Temporary Family Law Order	FL Divorce 223		☐
Declaration	FL All Family 135		☐
Temporary Family Law Order	FL Divorce 224	Fill this out the way you would like the Commissioner to decide	☐
Law Enforcement Information Sheet	WPF All Cases 01.0400	Use if asking for restraints	☐
Restraining Order	FL All Family 150	Use if asking for restraints. Fill this out the way you would like the Commissioner to decide	☐
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.	☐
Proof of Mailing or Hand Delivery	FL All Family 112	See Step 5.	☐

Fill out these forms if you are asking for a temporary parenting plan:

Parenting Plan	FL All Family 140		☐
Information for Temporary Parenting Plan	FL All Family 139		☐

Fill out these forms if you are asking for temporary child support:

Child Support Worksheets	WSCSS-Worksheets	Use WSCSS-Worksheets RDP for Registered Domestic Partnership	☐
Child Support Schedule & Instructions	Use this information to complete the Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/dcs/SSGen/Home		

Child Support Order	FL All Family 130	Fill this out the way that you would like the Commissioner to decide	☐

Fill out these forms if you are asking for temporary child support, maintenance, and/or other financial issues:

Financial Declaration	FL All Family 131		☐
Sealed Financial Source Documents Cover Sheet	FL All Family 011		☐

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 it.

Step 2: How to choose a court date.

To set your court date, you must fill out and file the *Family Law 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. Check the "Domestic Motion 9:00 am daily" box. Family law motions are heard Monday-Friday.

Note Regarding Sealed Files: If your case is Sealed, because it is a former paternity case, your hearing will be at 1:30 PM. If your case is a Kent case and it is Sealed, you cannot select Wednesday for your court date.

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 tor a temporary order of 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 original forms to the Clerk's Office

File the originals of all papers from Step 1 **except** the following forms**:** Law Enforcement Information Sheet, Restraining Order, Temporary Order, and Child Support Order. These orders are your proposed orders and will be filed after the hearing.

Step 4: Deliver Commissioner's copy.

The Commissioner's copy is a set of ***all*** forms that you completed in step 1. 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 all forms that you completed in step 1.

How to serve
If the respondent has already been served with a Summons and Petition in your case, 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. Make one copy of this form for your records and file the original with the Clerk's Office.

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 court papers along with the Summons, Petition and Order Setting Domestic Case Schedule. After serving, the server fills out a *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.

If you are the respondent and you have been served with a Summons and Petition, you may deliver or mail the forms to the other party (petitioner). Then fill out a *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.

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.
Online: https://blue.kingcounty.gov/courts/superiorcourt/confirmations/default.aspx	You can confirm your hearing online starting at: **Noon 3 court days** before the hearing until **noon of the 2nd court day** before your hearing. 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.

Step 7: Reply (if applicable)

If the other party chooses to respond to your motion, they 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 by filing an additional declaration form. You will make copies of the reply declaration and those copies are distributed to:

- File the **original** is filed with Clerk's office by noon 2 days before the hearing.
- Deliver the commissioner's copy by noon 2 days before the hearing. Copy and complete the chart below to the upper right hand corner of the first page of the documents you are delivering to the Commissioner:

Commissioner's Working Papers
Family Law Motions
Hearing Date: _____
Hearing Time: _____
Presented By: (your name): _____

- Serve a copy on the other party

- Keep a copy for your records

- Make a 4th copy only if you are asking the court tor a temporary order of 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 8: Go to your hearing.

- Arrive at least 30 minutes early! You will need time to go through security.
- Go to the Family Law window 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.