

**STATE OF WASHINGTON**

**DIVORCE PACKAGE**

**UNCONTESTED - ADULT CHILDREN**

**WITH OR WITHOUT PROPERTY**

**Control Number - WA-004-D**

This package contains the following:

- Forms
- Information about Divorce
- Instructions
- Form Explanations
- Checklist

**You and your spouse must agree to all terms of the divorce to use this packet.**  
**All forms to be filed with the Court must be printed on Bond paper.**

## INFORMATION ABOUT DIVORCE

1. **WHO CAN USE THESE FORMS:** This packet is for the sole purpose of obtaining an *uncontested* divorce. This packet is only of use to you if you and your spouse are willing to agree to all the terms and conditions of your divorce. You must work and communicate with your spouse and keep him or her advised as to each step in the process. If you cannot agree, you will become involved in a *contested* divorce, and this packet cannot help you.
  
2. **THE BASICS:** You must agree with your spouse to dissolve the marriage, and agree to all the terms of the dissolution of marriage in filling out the forms, including property division. You will complete and file the forms (see detailed instructions, below) in the Superior Court for the county of either your or your spouse's residence. You will go before the judge with your spouse and the judge may question you as to certain matters, and likely approve your divorce if all is in order.
  
3. **RESIDENCY REQUIREMENTS:** There is no length of residency requirement, aside from the Plaintiff being "a good faith resident" of the state. The Plaintiff must maintain his or her residency until the Divorce Decree is entered.
  
4. **GROUND FOR DIVORCE:** There are several grounds for divorce in Washington, such as adultery, extreme cruelty, etc. This packet is not concerned with those more adversarial causes. The grounds to obtain a no-fault divorce are "irreconcilable differences."
  
5. **DISTRIBUTION OF PROPERTY:** In a divorce, the property (land, house, buildings, and items of personal property) owned (and debts owed) by the couple is divided between the parties. You and your spouse must agree to this division in the *Petition for Dissolution of Marriage*, in which you both must join. You may agree to divide the property any way you like, as long as you both agree. If you cannot agree on any item of this division, the dissolution of marriage transforms into a contested divorce. A contested divorce is outside the scope of this packet.
  
6. **ALIMONY:** The court may grant a maintenance order for either spouse. The maintenance order shall be in such amounts and for such periods of time as the court deems just, without regard to marital misconduct, after considering all relevant factors including but not limited to:
  - (a) The financial resources of the party seeking maintenance, including separate or community property apportioned to him, and his ability to meet his needs independently,

including the extent to which a provision for support of a child living with the party includes a sum for that party;

(b) The time necessary to acquire sufficient education or training to enable the party seeking maintenance to find employment appropriate to his skill, interests, style of life, and other attendant circumstances;

(c) The standard of living established during the marriage;

(d) The duration of the marriage;

(e) The age, physical and emotional condition, and financial obligations of the spouse seeking maintenance; and

(f) The ability of the spouse from whom maintenance is sought to meet his needs and financial obligations while meeting those of the spouse seeking maintenance.

7. **WAITING PERIOD:** At least ninety days must elapse from the date the petition was filed and served upon the respondent before the Court may enter a judgment of dissolution of marriage.
  
8. **LEGAL SEPARATION:** If the filing party requests the court to decree a legal separation in lieu of an absolute divorce, the court shall enter the decree in that form, unless the other party objects and petitions for a decree of dissolution of marriage or, in the alternative, a declaration of invalidity of the marriage.
  
9. **NAME CHANGE:** In entering a decree of dissolution of marriage, the court shall make provision for the change of name of any party.

## **FORMS INCLUDED**

The following forms are included in this package:

1. Domestic Cover Sheet **(WA-801D)**
2. Petition for Dissolution of Marriage **(WA-WPF-01-0100)**
3. Confidential Information Form **(WA-WPF-09-0200)**
4. Addendum to Confidential Information Form (if needed) **(WA-WPF-09-0210)**
5. Notice for Dissolution Calendar **(WA-WPF-03-0300)**
6. Findings of Fact and Law **(WA-WPF-04-0300)**
7. Decree of Dissolution of Marriage **(WA-WPF-04-0400)**

## FORM EXPLANATIONS

Since the forms are not numbered in this package you will need to refer to the form title to locate the form. All forms included in this package are identified below.

1.       **Domestic Cover Sheet (WA-801D)**: This sheet must be filled out by you and filed with the court. You must mark an 'X' in the blank for "Dissolution with no children." If you have any questions regarding it, ask the court clerk.
  
2.       **Petition for Dissolution of Marriage (WA-WPF-01-0100)**: The document through which you request that the court dissolve your marriage, and agree with your spouse on property and debt division. Your spouse **MUST** sign the "Joinder" provision on the last page of the document.
  
3.       **Confidential Information Form (WA-WPF-09-0200)**: Copies of this form must be filled out by you and your spouse. Each of you must fill out this form.
  
4.       **Addendum to Confidential Information Form (WA-WPF-09-0200)**: Use this form **if** you need additional space to complete your *Confidential Information Form (WA-WPF-09-0200)*.
  
5.       **Notice for Dissolution Calendar (WA-WPF-03-0300)**: When you have obtained your final hearing date, fill out and file this form with the clerk and mail or deliver it to your spouse.
  
6.       **Findings of Fact and Conclusions of Law (WA-WPF-04-0300)**: A document which you must fill out and bring to the final divorce hearing for signature by the Judge.
  
7.       **Decree of Dissolution of Marriage (WA-WPF-04-0400)**: This is the document the Judge signs in order to finalize your divorce. It incorporates the division of property and other agreements made by you and your spouse.

Some Counties have a County facilitator that can perform the following functions:

1.       Help identify which mandatory family law forms are needed
2.       Review the forms for completeness.
3.       Help schedule court hearings.
4.       Explain court procedures.
5.       Make referrals to other agencies for additional information or assistance.

If you need the help of a facilitator, call your local superior court.

## INSTRUCTIONS AND STEPS

**Note:** Any form containing a space for the signature of a Notary Public must be signed by you (and if necessary by your spouse) in front of a Notary Public, who must notarize the document.

- STEP 1:** You must fill out the *Domestic Cover Sheet (WA-801D)* (ignore the lawyer information if you do not have a lawyer).
- STEP 2:** Complete the *Petition for Dissolution for Marriage (WA-WPF-01-0100)*. The *Petition for Dissolution for Marriage (WA-WPF-01-0100)* must be discussed with your spouse, as it deals with property and debt division.  
**Your spouse MUST sign the “Joinder” provision at the end of the *Petition*- this indicates that your spouse agrees with everything in the petition, and agrees with an entry of dissolution according to the terms of the *Petition*. If your spouse does not sign this provision, you are in a contested divorce and will have to engage in formal “service of process” and other procedures which are outside the scope of this uncontested divorce packet.**
- STEP 3:** Each party must each fill out a copy of the *Confidential Information Form (WA-WPF-09-0200)*. The *Addendum to Confidential Information Form (WA-WPF-09-0210)* is provided if additional space is needed.
- STEP 4:** You must pay a filing before the completed forms can be filed. Call the clerk of the superior court for the county of your residence or your spouse’s residence to determine the amount of the filing fee that you must pay. At that time, ask the clerk how to obtain a date for the final divorce hearing in which the judge will sign your *Decree of Dissolution of Marriage (WA-WPF-04-0400)*. This date must be at least **90 days** after the filing of the *Petition for Dissolution (WA-WPF-01-0100)*. Once you have obtained this date, fill out the *Notice for Dissolution Calendar (WA-WPF-03-0300)*, and file this with the court clerk after mailing or delivering it to your spouse.
- STEP 5:** Deliver or mail copies of all filed documents to your spouse, after the clerk has stamped them “filed.” The spouse filing the *Petition* is the “petitioner.” The *Petition for Dissolution (WA-WPF-01-0100)* asks the court to “dissolve” the marriage. It makes no difference who files the *Petition*.
- STEP 6:** At the final hearing, you must bring copies of the papers you have previously filed with the Court, and your completed *Findings of Fact and Conclusions of Law (WA-WPF-04-0300)*, and *Decree of Dissolution of Marriage (WA-WPF-04-0400)*, which must be filled out in accordance with your *Petition for Dissolution of Marriage (WA-WPF-01-0100)*. The Judge will sign the *Decree*, possibly after asking some questions of you and your spouse. File the signed *Decree* with the court clerk, obtaining signed and stamped “filed” copies for both you and your spouse.

**Hearing Notes:** Only one spouse needs to go to the court hearing, but if both spouses attend you may save time. With both petitioner and respondent present, any changes the judge or commissioner requires can be done immediately. At the hearing, the judge or commissioner will review your legal papers carefully.

If a judge or commissioner spots a problem with the forms, both petitioner and respondent will have to initial the change to the form.

At the court hearing, let the courtroom clerk know that you are ready to present your agreed orders (or say that the respondent has defaulted). The clerk will call your name when the judge or commissioner is ready to finalize your paperwork. The hearing will only take about ten minutes but you may have to wait if there are cases ahead of you. If all of the paperwork is correctly filled out and signed by both parties, the judge or commissioner will sign your documents. The dissolution is effective immediately.

## CHECKLIST

- Complete *Domestic Cover Sheet (WA-801D)* and *Petition for Dissolution of Marriage (WA-WPF-01-0100)*.
- Confidential Information Form WA-WPF-09-0200* (and the *Addendum to Confidential Information Form (WA-WPF-09-0210)* if necessary) completed by both you and your spouse.
- Check with clerk for amount of filing fee and any updated or county-specific forms that the clerk may have.
- All documents filled out and agreed to by you and your spouse.
- All documents signed and notarized where needed.
- File all documents necessary to begin the case.
- Filing fee paid.
- Hearing date obtained for final divorce hearing.
- Complete the *Notice for Dissolution Calendar (WA-WPF-03-0300)*. File a copy with court clerk and mail a copy to your spouse.
- Obtain copies of all previously filed documents and copies.
- Complete *Findings of Fact and Law (WA-WPF-04-0300)* and *Decree of Dissolution of Marriage (WA-WPF-04-0400)* and bring to final hearing.
- Decree of Dissolution of Marriage (WA-WPF-04-0400)* signed by the Judge and filed with court clerk. Stamped copies go to you and your former spouse.



### **NOTE ABOUT COMPLETING THE FORMS**

The forms in this packet contain “form fields” created using Microsoft Word. “Form fields” facilitate completion of the forms using your computer. They do not limit your ability to print the form “in blank” and complete with a typewriter or by hand.

If you do not see the gray shaded form fields, go to the View menu, click on Toolbars, and then select Forms. This will open the forms toolbar. Look for the button on the forms toolbar that resembles a shaded letter “a”. Click on this button and the form fields will be visible.

The forms are locked which means that the content of the forms cannot be changed. You can only fill in the information in the fields.

If you need to make any changes in the body of the form, it is necessary for you “unlock” or “unprotect” the form. **IF YOU INTEND TO MAKE CHANGES TO THE CONTENT, DO SO BEFORE YOU BEGIN TO FILL IN THE FIELDS. IF YOU UNLOCK THE DOCUMENT AFTER YOU HAVE BEGUN TO COMPLETE THE FIELDS, WHEN YOU RELOCK, ALL INFORMATION YOU ENTERED WILL BE LOST.** To unlock click on “Tools” in the Menu bar and then select “unprotect document”. You may then be prompted to enter a password. If so, the password is “uslf”. That is uslf **in lower case letters without the quotation marks**. After you make the changes relock the document before you begin to complete the fields.

After any required changes and re-protecting the document, click on the first form field and enter the required information. You will be able to navigate through the document from form field to form field using your tab key. Tab to a form field and insert your data. If you experience problems, please let us know.

## **DISCLAIMER**

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