

STATE OF WASHINGTON

DIVORCE PACKAGE

UNCONTESTED - MINOR CHILDREN

WITH OR WITHOUT PROPERTY

Control Number - WA-006-D

This package contains the following:

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

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. The dissolution of marriage action may be filed in any county where either party resides.

4. **GROUND FOR DIVORCE:** The grounds to obtain a no-fault divorce in the State of Washington are "irreconcilable differences."

5. **LEGAL SEPARATION:** If the petitioner requests the court to decree legal separation in lieu of dissolution, the court shall enter the decree in that form unless the other party objects and petitions for a decree of dissolution or declaration of invalidity.

6. **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. In a contested case, the court shall, without regard to marital misconduct, make such disposition of the property and the liabilities of the parties, either community or separate, as shall appear just and equitable after considering all relevant factors including, but not limited to:
 - (a) The nature and extent of the community property;

- (b) The nature and extent of the separate property;
- (c) The duration of the marriage; and
- (d) The economic circumstances of each spouse at the time the division of property is to become effective, including the desirability of awarding the family home or the right to live therein for reasonable periods to a spouse with whom the children reside the majority of the time.

7. **ALIMONY/MAINTENANCE:** 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.

8. **CUSTODY/VISITATION:** The State of Washington will award joint or sole custody of minor children of the marriage based upon the best interests of the child (ren). Every dissolution action requires that each party file and serve a proposed permanent parenting plan on or before the earliest date of:

- (a) Thirty days after filing and service by either party of a notice for trial; or
- (b) One hundred eighty days after commencement of the action, in which a one hundred eighty day period may be extended by stipulation of the parties.

The parent submitting a proposed parenting plan shall attach a verified statement that the plan is proposed by that parent in good faith.

The parents may make an agreed permanent parenting plan.

The objectives of the permanent parenting plan are to:

- (a) Provide for the child's physical care;
- (b) Maintain the child's emotional stability;
- (c) Provide for the child's changing needs as the child grows and matures, in a way that minimizes the need for future modifications to the permanent parenting plan;
- (d) Set forth the authority and responsibilities of each parent with respect to the child;
- (e) Minimize the child's exposure to harmful parental conflict;
- (f) Encourage the parents, where appropriate, to meet their responsibilities to their minor children through agreements in the permanent parenting plan, rather than by relying on judicial intervention; and
- (g) To otherwise protect the best interests of the child.

The permanent parenting plan shall contain provisions for resolution of future disputes between the parents, allocation of decision-making authority, and residential provisions for the child. The plan shall allocate decision-making authority to one or both parties regarding the children's education, health care, and religious upbringing. Regardless of the allocation of decision-making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child. Each parent may make decisions regarding the day-to-day care and control of the child while the child is residing with that parent. The plan shall include a residential schedule which designates in which parent's home each minor child shall reside on given days of the year, including provision for holidays, birthdays of family members, vacations, and other special occasions.

9. **CHILD SUPPORT:** The court shall order either or both parents owing a duty of support to any child of the marriage dependent upon either or both spouses to pay an amount

determined under the child support guidelines established by the State. In entering a support order, the court shall require either or both parents to maintain or provide health insurance coverage for any child named in the order if:

- (a) Coverage that can be extended to cover the child is or becomes available to that parent through employment or is union-related; and
- (b) The cost of such coverage does not exceed twenty-five percent of the obligated parent's basic child support obligation.

The court shall consider the best interests of the child and have discretion to order health insurance coverage when entering or modifying a support order under this chapter if the cost of such coverage exceeds twenty-five percent of the obligated parent's basic support obligation. The parents shall maintain such coverage required under this section until:

- (a) Further order of the court;
- (b) The child is emancipated, if there is no express language to the contrary in the order; or
- (c) Health insurance is no longer available through the parents' employer or union and no conversion privileges exist to continue coverage following termination of employment.

A parent ordered to provide health insurance coverage shall provide proof of such coverage or proof that such coverage is unavailable within twenty days of the entry of the order to:

- (a) The physical custodian; or
- (b) The department of social and health services if the parent has been notified or ordered to make support payments to the Washington state support registry.

10. **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.

11. **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. Confidential Information Form **(WA-WPF-09-0200)**
3. Addendum to Confidential Information Form (if needed) **(WA-WPF-09-0210)**
4. Petition for Dissolution of Marriage **(WA-WPF-01-0100)**
5. Financial Declaration **(WA-WPF-01-1550)**
6. Sealed Financial Source Document **(WA-WPF-09-0220)**
7. Parenting Plan **(WA-WPF-01-0400)**
8. Child Support Worksheet **(WA-WSCSS-01)**
9. Order of Child Support **(WA-WPF-01-0500)**
10. Notice for Dissolution Calendar **(WA-WPF-03-0300)**
11. Findings of Fact and Conclusions of Law **(WA-WPF-04-0300)**
12. Decree of Dissolution of Marriage **(WA-WPF-04-0400)**

Note: Additional forms may be required in your County and should be available from the Clerk. Some Counties may require use of special versions of the forms included in this package. If so, use these forms as a guide. Be sure to follow the directions of the Clerk regarding special forms.

FORM EXPLANATIONS

All forms included in this package are identified below.

1. **Domestic Cover Sheet (WA-801D):** This form provides the Court with basic information regarding the type of case before it. This sheet must be filled out by you and filed with the court.

2. **Petition for Dissolution of Marriage (WA-WPF-01-0100):** This document is used to request that the court dissolve your marriage, along with any other relief requested. Your spouse **MUST** sign the “Joinder” provision on the last page of the document which acknowledges to the Court that the respondent has read the petition and joins in it.

3. **Confidential Information Form (WA-WPF-09-0200):** This form is used to provide the Court with detailed information regarding the parties and the type of action before it. Both parties must complete this form.

4. **Confidential Information Form Addendum (WA-WPF-09-0210):** Use this form if you need additional space to complete your *Confidential Information Form*.

5. **Financial Declaration (WA-WPF-01-1550):** This form is used to provide the Court with detailed information regarding the parties’ financial condition. Both parties must complete this form.

6. **Sealed Financial Documents (WA-WPF-09-0220):** This form is used to provide the Court with information regarding the financial data submitted by the parties.

7. **Parenting Plan (WA-WPF-01-0400):** This form is used by the parties to provide the Court with the custody and visitation agreement reached between the parties. This agreement will be incorporated into the Decree of Dissolution of Marriage.

8. **Child Support Worksheet (WA-WSCSS-01):** This form is used to calculate the appropriate amount of child support to be paid by a party to a divorce action.

9. **Order of Child Support (WA-WPF-01-0500):** This form is used to officially enter the Court’s award of child support along with any other terms or conditions of the award.

10. **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.

11. **Findings of Fact and Conclusions of Law (WA-WPF-04-0300):** This form details the Court’s findings regarding all agreements reached between the parties.

12. **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.

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 section when filing without a lawyer).
- STEP 2:** 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 3:** The parties should jointly complete the *Petition for Dissolution for Marriage (WA-WPF-01-0100)*, making certain to agree to all of the terms contained therein. **Your spouse MUST sign the “Joinder” provision at the end of the Petition (WA-WPF-01-0100). By signing the “Joinder” provision, your spouse indicates that he or she agrees with everything in the Petition (WA-WPF-01-0100), and agrees with an entry of dissolution according to the terms of the Petition (WA-WPF-01-0100). 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 that are outside the scope of this uncontested divorce packet.**
- STEP 4:** Each party should complete a copy of the *Financial Declaration (WA-WPF-01-1550)* and *Sealed Financial Source Document (WA-WPF-09-0220)*.
- STEP 5:** The parties should jointly complete the *Parenting Plan (WA-WPF-01-0400)*, making certain to agree to all provisions contained therein, as this will become part of the decree.
- STEP 6:** The parties should jointly complete the *Child Support Worksheet (WA-WSCSS-01)*, using the financial information supplied to the Court in the *Financial Declaration (WA-WPF-01-1550)* and by referring to the *Child Support Schedule (WA-WSCSS-02)*.
- STEP 7:** File the completed forms with the clerk of the superior court for the county of your or your spouse’s residence. You must pay a filing fee. You must call ahead

to determine the amount of this fee. Deliver or mail copies of all filed documents to your spouse, after the clerk has stamped them “filed.”

STEP 8: 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 9: Prior to the hearing, complete to the extent possible the *Order of Child Support (WA-WPF-01-0500)* using the figures obtained from the *Child Support Worksheet (WA-WSCSS-01)*, and the *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)*.

STEP 10: At the final hearing, you must bring copies of the papers you have previously filed with the Court, along with your completed *Order of Child Support (WA-WPF-01-0500)*, *Findings of Fact and Conclusions of Law (WA-WPF-04-0300)*, and *Decree of Dissolution of Marriage (WA-WPF-04-0400)*. The Judge will sign the decree, possibly after asking some questions of you and your spouse. File the signed *Decree (WA-WPF-04-0400)* with the court clerk, making sure to keep a couple of signed, stamped “filed” copies for yourself and your spouse.

Notes:

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.

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

- Domestic Cover Sheet (WA-801D)* completed.
- Each party completes copy of the *Confidential Information Form (WA-WPF-09-0200)* and *Addendum to Confidential Information Form (WA-WPF-09-0210)* if needed.
- Parties jointly complete *Petition for Dissolution for Marriage (WA-WPF-01-0100)*. Spouse signs “Joinder” provision at end of *Petition for Dissolution for Marriage (WA-WPF-01-0100)*.
- Each party must complete a copy of *Financial Declaration (WA-WPF-01-1550)* and *Sealed Financial Source Document (WA-WPF-09-0220)*.
- Parties jointly complete *Parenting Plan (WA-WPF-01-0400)*.
- Parties jointly complete *Child Support Worksheet (WA-WSCSS-01)*.
- Completed forms filed with Clerk of Court. Filing fee paid. Copies of all filed documents provided to spouse.
- Date for final divorce hearing obtained which is at least **90 days** after the filing of the *Petition for Dissolution (WA-WPF-01-0100)*. *Notice for Dissolution Calendar (WA-WPF-03-0300)* filled out and filed. Spouse provided copy.
- Prior to hearing, *Order of Child Support (WA-WPF-01-0500)*, *Findings of Fact and Conclusions of Law (WA-WPF-04-0300)*, and *Decree of Dissolution of Marriage (WA-WPF-04-0400)* completed to extent possible.
- Copies of all previously filed papers brought to final hearing, along with completed *Order of Child Support (WA-WPF-01-0500)*, *Findings of Fact and Conclusions of Law (WA-WPF-04-0300)*, and *Decree of Dissolution of Marriage (WA-WPF-04-0400)*. Judge signs *Decree of Dissolution of Marriage (WA-WPF-04-0400)*.
- Decree (WA-WPF-04-0400)* filed with the court clerk, making sure to keep signed, stamped “filed” copies for yourself and your 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 in 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.

LAW SUMMARY

You may access the law summary for your State by using the link below:

<http://secure.uslegalforms.com/lawsummary/WA/WA-006-D.htm>

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