



Northwest Justice Project

Finishing Your Dissolution of Marriage (Divorce) without Children by Agreement

**Instructions and Forms
December 2012**

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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Section 1: Introduction

A. Should I use this packet?

This packet should help you fill out and file the forms and papers that you need to finish a dissolution (divorce) case when you and your spouse have an agreement (or settlement). If you have children, do not use this packet. Use our packet called [*Finishing Your Dissolution with Children by Agreement*](#).

◆ Effective December 6, 2012, state law about marriage and marital dissolution also applies to marriages between same-sex couples. The Legal Voice's publication called [Questions and Answers: Marriage for Same-Sex Couples in Washington](#) has more information. See www.legalvoice.org.

To use this packet, you must have already filed your dissolution and served your spouse with the papers. You should also have already reached an agreement. If you need help finding out how to try to get your spouse to settle your case, read the publication called [*Mediation: Should I Use It?*](#) by Legal Voice, available at www.washingtonlawhelp.org. Also, try to find out if you can schedule a settlement conference with the other party. Check with your local Family Law Facilitator or court clerk.

This packet will help you get final orders signed by the judge dissolving your marriage, dividing property and debts, changing your name (if desired), awarding maintenance (alimony) to one spouse, and entering a restraining order or order for protection (if desired).

◆ You will see footnotes in this packet. Footnotes will tell you the law or court case that supports the statement that comes before the footnote, or will give you special tips, links to relevant websites, or other additional information. Use the legal references in the footnotes to look up the law at your local law library, or to tell the court when you are trying to make a legal argument. CR is the [Civil Rules of Washington](#). GR stands for [General Rules](#). RCW stands for [Revised Code of Washington](#), which is the law of Washington State. Court cases have names, such as *In re Custody of Child*. The references to the law are up to date as of the date this packet is published. The law sometimes changes before the packet can be updated.

◆ **This packet is not a substitute for legal advice.** If at all possible, talk with a lawyer about your situation.

B. What if I have questions that this packet does not answer?

Talk to a lawyer familiar with family law before you file anything with the court. Many counties have family law facilitators who can help you fill out forms, or have free legal clinics where you may get specific legal advice about your case.

- **Apply online with CLEAR*Online - <http://nwjustice.org/get-legal-help>**

or

- **Call CLEAR at 1-888-201-1014**

CLEAR is Washington's toll-free, centralized intake, advice and referral service for low-income people seeking free legal assistance with civil legal problems.

Also, our publication called [*Ending Your Marriage in Washington – The Basics*](#) has more information about the law of divorce in Washington.

Section 2: Words You May Need To Know

This list of words is in our parentage, dissolution, and parenting plan modification self-help materials. You may not need every definition in this section.

Adequate Cause Hearing: (sometimes called a threshold hearing) a hearing required before trial in some kinds of cases, such as parenting plan modifications. The purpose of the hearing is to decide whether or not the requesting party has presented enough basis to allow the case to go to trial.

Acknowledgment of Paternity: See Paternity Affidavit.

Alleged father - The man (or men) who might be the father of a child, but whose paternity has not been legally established. See [RCW 26.26.011\(3\)](#).

Appearance: Informing the court and the parties of your whereabouts and your desire to participate in your case, either in person at a Court hearing, or in writing, usually by filing and serving a Notice of Appearance. Certain informal actions, such as negotiating, telephoning about the case, or writing a letter, that show a knowledge of the claims in the case and an intent to defend, might also be considered an appearance.

Assisted Reproduction: means a pregnancy that was not conceived through sexual intercourse. Examples include egg or embryo donation, in vitro fertilization, and sperm injection.

Attachment: a document stapled to a court form and referred to in the form. Attachments should follow any format rules for court forms. (Basic information about the format rules is in the General Instructions section of this packet.)

Bailiff: A member of the judge's staff who is in charge of courtroom procedure and security. The bailiff may sometimes be the same person as the clerk.

Calendar: The court's schedule of cases to be heard. Also called a Docket.

Caption: The heading of each legal document, containing the name of the court, the names of the parties, the case number, the name of the document itself, and, sometimes, the type of case.

Case Schedule: A printed schedule issued by the court in some counties, showing major dates and deadlines in your case.

Certified Copy: A copy of a document from the court file made by the court clerk that has an official stamp on it stating it is a true copy. Usually, you pay for a certified copy.

Clerk of the Court: An officer of the court who handles clerical matters like keeping records, entering judgments and providing certified copies. Each courthouse has a Superior Court Clerk's Office. Someone from the clerk's office staff is also usually in the courtroom during hearings.

Commissioner/Court Commissioner: This person is similar to a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide only family law cases¹.

¹ Many decisions in family law cases are made by court commissioners instead of judges. However, to make this packet simpler, in most places we just use "judge."

Confirm a Hearing or Trial: Notifying the court that you still plan to have the hearing or trial scheduled in your case. The way to confirm your hearing or trial differs from county to county, and is not required in all counties. Often a phone call to the court a few days before the hearing or trial is required. Local rules explain each county's requirements. If notice is required and not given, the hearing or trial may be cancelled.

Conformed Copy: A copy of any court document that has been filed with the clerk. It must be stamped with the date filed. If the document is an order, it must also have the name of the judge who signed it written or stamped on it.

Contested Case: A case in which opposing parties participate and disagree about the outcome of the case.

Continuance: Delaying your court hearing to a later date. In some counties, the judge must approve any request for a continuance.

Custodian (also Custodial Parent): The person the children live with most of the time.

Custody Decree: a court order, other than a parenting plan or residential schedule, that decides custody of a child. Since the law changed in 1987, most court orders in Washington dissolution and parentage cases are called "residential schedules" or "parenting plans," not custody decrees. (The final order in a nonparental custody case is still called a decree.) Orders from other states may still be called custody decrees, and in some circumstances, a Washington court has the right to modify another state's custody decree.²

DCS: Division of Child Support: The state office (part of DSHS) that establishes, enforces and sometimes modifies child support obligations in many cases. DCS used to be called CSD, OSE and SED.

Declaration: A written statement made to the court under oath.

Decree: One type of final court order.

Default: The failure to respond to court papers within the legal deadline.

Default Order: An order that can be requested if

- the respondent (or in modification cases, the nonmoving/nonrequesting party) fails to file a Response before the deadline, or,
- if s/he has appeared in the case, if s/he fails to file a Response after being served with a Motion for Default.

Dispute Resolution: the part of the parenting plan that states how the parties will try to resolve disagreements about the parenting plan (examples: mediation, counseling, court action). A Residential Schedule form usually has no dispute resolution provision.

Dissolution: The legal word in the state of Washington for divorce.

² Our publication, [Which Court has the Right to Enter a Custody Order: Frequently Asked Questions and Answers about Whether or Not a Washington Court Has Jurisdiction](#) gives general information about when Washington has the right to consider modifying another state's custody decree and when it does not.

Docket: the court's schedule of cases to be heard on a particular day.

Domestic Partner: When a court form refers to "domestic partner," it usually means a domestic partnership registered with the Secretary of State under [RCW Ch. 26.60](#).

Ex Parte: Going before the court without notifying the other party. Sometimes also refers to the courtroom where you see a judge without notifying the other party.

Ex Parte Restraining Order: An order signed by the judge if emergency circumstances require protection before a temporary hearing can be held.

Exhibit: Documents, records, and photographs introduced into evidence at trial or hearing. Attachments to legal forms might also be called exhibits. If so, they should follow the format rules for court forms. (Basic information about the format rules is in the General Instructions section of this packet.)

Filing: Giving court papers to the Court Clerk to place in the case file.

Guardian ad Litem (GAL): a person the court appoints in some cases to investigate the issues and make recommendations to the court about the children's best interests. If a GAL is appointed, you must serve him/her with any papers filed. The GAL may be considered a party, and his/her signature may be required on court orders.

Hearing: Going before a judge to request a court order or to defend against another party's request. Hearings usually take place before the trial date and concern specific issues (example: temporary relief). Hearings on important issues (example: motions to dismiss) may end the case. In many counties, the court does not allow live witness testimony at hearings. Instead, the parties must file and serve materials in advance in writing. In some counties, the outcome of certain types of modification cases may be decided by hearing rather than by full trial.

Judgment: One type of final court order.

Jurisdiction: The court's authority to make decisions regarding certain people and issues. If a court does not have jurisdiction, it has no authority to make orders over the person or subject affected.

LEIS: abbreviation for Law Enforcement Information Sheet.

Maintenance: (used to be called "alimony"): The amount one spouse is ordered to pay for the support of the other spouse while the case is pending and/or after it is over. [RCW 26.09.090](#) lists some factors to use when deciding if maintenance is to be ordered and, if so, in what amount and for how long. [RCW 26.09.060](#) authorizes the court to order temporary maintenance, where appropriate.

Mediation: A meeting between the parties to a court case and a neutral third party (examples: a mental health professional, judge, retired judge, or attorney not otherwise involved in the case), during which the parties try to mediate, or reach an agreement, about all of the legal issues in their case.

Modification/adjustment case: a court case for a major or minor modification or an adjustment of a parenting plan/residential schedule/custody decree. Modification/adjustment cases are also sometimes filed to change child support.

Motion: A formal request to the court for an order, usually about a specific issue.

Motion Docket: The court's schedule of motions to be heard.

Moving Party:

- in modification/adjustment cases, the moving party is the person who files the petition for modification/adjustment.
- in motions, the moving party is the person who filed the motion.

The moving party can be either a Petitioner or the Respondent in the original case. *Note*: Some court forms have been changed to say "requesting party" rather than "moving party."

Noncustodial parent: The parent the child does not live with most of the time.

Nonmoving party:

- in modification/adjustment cases, the nonmoving party is the party who **did not** file the petition for modification/adjustment.
- in motions, the nonmoving party is the person who **did not** file the motion.

The nonmoving party can be either a Petitioner or the Respondent in the original case. Depending on the case, there could be one or more nonmoving parties, such as your spouse, the other parent, the State of Washington, a Guardian ad Litem, or someone with custody of a child in the case.

Note: Some court forms use "nonrequesting party" rather than "nonmoving party."

Nonrequesting party:

- in modification/adjustment cases, the nonrequesting party is the party who **did not** file the petition for modification/adjustment.
- in motions, the nonrequesting party is the person who **did not** file the motion.

The nonrequesting party can be either a Petitioner or the Respondent in the original case. Depending on the case, there could be one or more nonrequesting parties, such as your spouse, the other parent, the State of Washington, a Guardian ad Litem, or someone with custody of a child in the case.

Note/Notice of Hearing/Note for Motion Docket: A form which lets the clerk know to schedule a hearing and tells the other parties the subject of the hearing and when and where the hearing will take place.

Notice of Appearance: A paper filed with the court and served on the other parties showing that a party wants to participate in the case and where to send papers filed about the case in the future.

Order: A court document signed by a judge that requires someone to do (or not do) something. Examples: restraining orders, orders re adequate cause, Residential Schedules or decrees. The judge must have signed them for them to take effect. If you disobey an order of the court, you may be held in contempt of court. *Note*: An order is not in effect until a judge has signed it. Check if an order you are served with is only a proposed order or if the judge has actually signed it. (See "proposed order" definition.)

Order to Show Cause: A court order scheduling a hearing and requiring a person to come to court at the time and place set for the hearing.

Other party: Every party to the case, other than yourself. In court forms, the “other party” can also mean one particular party. Example: when the Motion for Default says “other party,” it means the party you believe is in default.

Parent the child lives with most of the time: Many people would say this means the parent who has “custody.” However, the law does not usually use the words “custody” and “visitation” between parents anymore. The “parent the child lives with most of the time” is usually the one the parenting plan/residential schedule in paragraph 3.1 or 3.2 says the child “resides” with.

Parent the child does not live with most of the time: Many people would say this is the parent who has “visitation.” However, the law does not usually use the words “custody” and “visitation” between parents anymore. The parent the child does not live with most of the time is usually the parent whose residential time is shown in paragraphs 3.1 or 3.2 of the parenting plan/residential schedule after the words “except for the following days and times when the child(ren) will reside with or be with the other parent:”

Parentage: Is the legal name for the legal relationship between an unmarried parent and their child. Also the name of the type of court case.

Parentage Case: A court case to determine parentage (paternity) of a child of unmarried parents, or a court case to establish a parenting plan/residential schedule for a child whose paternity was established by paternity affidavit, or a modification of a parenting plan/residential schedule order in one of these types of cases.

Parenting Plan: A proposal or, if signed by a judge, a court order which states when the child will be with each party, who will make major decisions about the child, and how future disputes about the child will be resolved. In parentage cases, the parties may ask the court for either a parenting plan or a residential schedule. (The residential schedule form has no dispute resolution or decision-making parts. A parenting plan form does.)

Party: A Petitioner or Respondent. GALs and the State of Washington may also be parties.

Paternity Affidavit: A special form, known after July 22, 2011 as a Paternity Acknowledgment, typically used by unmarried parents to state who the father of the child is. In Washington, these forms are often offered to the mother in the hospital right after a child’s birth. The form must be signed by the mother and the father (and presumed father) of a child and filed with the Washington State Department of Health. If the form is filed after July 1, 1997, and is not rescinded, it is a final legal determination of parentage. If the form was filed before July 1, 1997, there is a legal presumption that the father named on the form is the child’s father, but the form is not a final legal determination of parentage.

Petition: The document that starts a case and asks the court for a decree, judgment, or final order. (Parentage cases filed by the State of Washington are often filed as “the State of Washington on behalf of” the child.)

Petitioner: The person who first files a legal case. The petitioner in the caption of a form does not change, even when motions are filed later by the other party.

Presumed parent. A person who is recognized under law as the parent of a child until the parent-child relationship is established (or disestablished) by court order or paternity affidavit or acknowledgment. Under the UPA, generally, you can become the presumed father parent of a

child in one of these ways: (1) you are married to or in a domestic partnership with the child's other parent before, at the time of, or 300 days before a child's birth; (2) you signed a paternity affidavit before July 1, 1997; (3) for the first two years of the child's life, you lived in the same home as the child and openly held the child out as yours.

Pro Se: Acting without a lawyer; representing yourself in court.

Process: Written notice to appear in court.

Proposed Order: A document one party will be asking the judge to sign. It will not yet have the judge's signature on it. Many counties require the parties to file and serve proposed orders with motions or responses to motions, to show how that party wants the court to decide the motion. Even where proposed orders are not required, we recommend that you prepare and serve them and deliver copies to the court. A proposed order becomes an order if the judge signs it.

Requesting Party:

- in modification/adjustment cases, the requesting party is the person who files the petition for modification/adjustment.
- in motions, the requesting party is the person who filed the motion.

The requesting party can be either a Petitioner or the Respondent in the original case.

Residential Schedule: A proposal or, if signed by a judge, a court order which states when the child will be with each party.

- In dissolution cases, the Residential Schedule is one part of the Parenting Plan.
- In parentage cases, the parties may have a Residential Schedule without the decision-making or dispute resolution parts of a Parenting Plan, or the parties may have a full Parenting Plan.

Respondent: The person against whom a legal case was originally filed.

Response: A formal written answer to a Petition filed with the court. The term can also be used to describe the papers a person files in response to a motion, so it can be confusing. Here, "Response" with a capital "R" refers to the Response form. We'll say "response" with a small "r" for all types of responses, including for example, responses to motions as well as to petitions.

Restraining Order: A court order to prevent a party from doing some act that may harm the other party or child.

Ruling: A decision by the court.

Service: Giving court papers to the other party. The law defines ways of service that are legally acceptable. When a petitioner starts a case, such as dissolution or parentage case, or files a petition to modify a parenting plan/residential schedule, s/he must arrange for the Summons and Petition and other papers that begin the case to be properly hand-delivered or, in some cases, and with advance court permission, sent by certified mail or published in a newspaper. After the initial Summons and Petition have been served, many later papers can be served by first class mail, with legally sufficient advance notice.

Settlement Conference: A formal meeting between the parties to a court case and a neutral third party (such as a judge, retired judge, or attorney not otherwise involved in the case), during which the parties try to settle, or reach an agreement, about all of the legal issues in their case. Some counties require parties to family law cases to have a settlement conference before going to trial. Some counties have programs to provide family law settlement conferences available free of charge.

Summons: A written notice that a case has been started.

Temporary Order: An order entered after a case is filed and before it is finished, which is only in effect while the case is going on. Some temporary orders may end at a fixed time, even before the case ends.

Time to Respond (or deadline to respond): The length of time a party has to respond to something filed by another party. The length of time to file a Response to a Summons is 20 to 90 days after service, depending upon the type and location of service. The length of time to respond to motions is usually much shorter.

Transfer Payment: the amount of money one parent is ordered to pay as that parent's share of basic child support.

Trial: The proceeding at which the judge listens to live testimony from parties and witnesses, considers evidence properly introduced, hears argument, and decides the outcome of the case.

Venue: The county where the case should be filed. Proper venue depends upon the type of case.

Section 3: Steps to Take To Finish Your Marital Dissolution

We explain many of the steps listed in the paragraphs below in more detail later in this packet.

1. Check for Special Local Rules and Forms. Some counties have local rules you must follow. Check with the court clerk's office or the family law facilitator in the county where your dissolution was filed, to find out about case schedules and local court rules for dissolution cases. Some family law facilitators have their own packets for finishing a marital dissolution by agreement. If your family law facilitator has one, use that packet instead of ours. If you use our packet, get any other local forms that you will need.

2. Get Any Other Packets or Forms That You Need.

3. Wait for 90 days After Service. You must wait at least 90 days (three months) after the dissolution was filed and served on the responding spouse to enter final orders. This is true even if you and your spouse agree.

➤ **During the 90 day waiting period, you may:**

File a motion for temporary orders or a motion for emergency orders. See our packets [Filing a Motion for Temporary Orders](#) and [Filing a Motion for Emergency Orders](#).

Get an Order for Protection if you need one. See our packet [Domestic Violence: How the Legal System Can Help Protect You](#).

➤ **During the waiting period you should:**

Complete any locally required procedures, such as settlement conferences

4. Follow the General Instructions for the Forms.

5. Complete the Note for Hearing and Final Dissolution papers including:

Note for Dissolution Calendar OR Note for Motion Docket

Findings of Fact and Conclusions of Law

Decree of Dissolution

Order for Protection– if you are entering an Order for Protection as part of your dissolution

◆ You and your spouse need to each sign all the papers above (except for the Note for Dissolution Calendar/Note for Motion Docket) in order to finish your case by agreement. Not all cases will have an Order for Protection.

Law Enforcement Information Sheet Form (LEIS) – if you are entering a Restraining Order or Order for Protection. Do not serve this form on the other party. Get this form at the clerk's office. You fill it out when the judge signs the restraining order or Order for Protection.

- 6. If the State of Washington (through the prosecuting attorney or attorney general) or a Guardian Ad Litem filed a Notice of Appearance in your dissolution**, deliver the originals of your final orders to them for their signature. You cannot enter final orders without their approval. Give them at least two weeks to review the orders and get them back to you.
- 7. Follow the instructions for Filing and Serving the Note for Dissolution Calendar or Note for Motion Docket and proposed final papers**
- 8. Go to the hearing. Ask the judge to sign your final papers.**

◆ If both spouses have signed every final order, only one party needs to go to the final hearing. However, it is a good idea for both parties to go to the final hearing, if possible. If one spouse is not at the final hearing and the judge has questions or wants to make changes to the orders, you may need to come back for another hearing, to give the other spouse a chance to review and agree to any changes.

- 9. The Last Steps:** Take these steps after the judge has signed your orders, you have filed the originals with the clerk, and you have gotten copies for yourself and the other party/parties. You need conformed copies of most orders, but one certified copy of any Protection order or Order that has a safety restraint.
 - Keep the certified copy of any restraining order or protection order with you at all times. Keep the other court papers from your case in a safe place.
 - Have your server mail copies of the final orders the judge signed to the other party/ies at his/her last known address, have your server fill out a Certificate of Mailing or Personal Delivery, and file your Certificate of Mailing with the court clerk.
- 10. Keep your copies of the final dissolution papers in a safe place.**
- 11. Complete After-Divorce Tasks such as the following, where appropriate:**
 - If needed, give a copy of any restraining orders or Order for Protection to your children's school and daycare
 - Change your will, if you have one. Also, change beneficiaries on your life insurance, bank accounts, and so on, if applicable.
 - If you changed your name, update your
 - Driver's license
 - Social Security card
 - Passport or immigration documents
 - If you get Social Security, inform them about your dissolution.
 - Deal with necessary issues about converting health insurance.
 - Make sure that title to any property that was awarded is changed.
 - Follow the court's orders.

Section 4: What Forms Are In This Packet?

This packet has many of the forms you will need as the final orders in your case.

Read the next section to decide what other forms and packets you will need.

Following is a list of the blank forms in this packet:

Form Title	Form Number
Findings of Fact and Conclusions of Law	WPF DR 04.0300
Decree of Dissolution	WPF DR 04.0400
Note for Dissolution Calendar	WPF DR 03.0300; Your county may have its own form
Note for Motion Docket	Non-Mandatory Form; your county may have its own form
Certificate of Mailing or Personal Delivery	Non-mandatory form

Section 5: What Other Forms And Packets Will I Need?

You may need other forms or packets to finish your dissolution case. Read the information below carefully. Check the boxes by the other packets or forms you need. Then get the other packets or forms you need from www.washingtonlawhelp.org. Or, if you are low-income and have no internet access, call CLEAR at 1-888-201-1014.

- Your county's Note for Motion Docket or Note for Dissolution Calendar form and local court rules.** Some counties have their own note for motion or note for dissolution calendar form. Some counties also have special rules for where and when you can note a motion to enter your final dissolution orders. Some counties may allow you to appear before a judge to enter your orders without filing a note for motion. Get the local note for motion form and the local rules to set a hearing to enter your final court orders. To get your local rules and local forms, visit the Family Law Facilitator in the county where your dissolution is filed. If there is no Family Law Facilitator, see the court clerk.

◆ Some counties' forms and local rules are online. Look for them at the OAC website: <http://www.courts.wa.gov/rules/local.cfm?group=superior>.

- Order for Protection forms** – Fill out Order for Protection forms if you are asking for an Order for Protection from domestic violence or unlawful harassment as part of your dissolution, or if you are asking for the court to change or extend your Order for Protection as part of the dissolution case. Get the forms from your county clerk's office, domestic violence advocacy program, or for domestic violence forms, online at <http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=16> **The "Petitioner" in the Protection Order form is always the protected person, even if s/he is the respondent in the dissolution.**
- Law Enforcement Information Sheet (LEIS)** – WPF All Cases 1.0400 -- Get this form if you are entering a restraining order or Protection Order in your Decree of Dissolution. (Do not serve this form on the other party.) Get this form at the clerk's office. You can fill it out when the judge signs the restraining order or Order for Protection.
- Ending Your Marriage in Washington without Children – The Basics**. To learn more about your legal rights in a dissolution, read this publication before entering your final orders.
- Mediation: Should I Use It?** If you have not yet reached agreement and would like help trying to settle your dissolution, read this publication by the Legal Voice.
- Community Debt and Bankruptcy**. If you are concerned about being able to pay your debts, read this Legal Voice publication.

- ❑ [**Dissolution When the Wife is Pregnant**](#). If the wife is pregnant in your case, read this Legal Voice publication.
- ❑ [**Retirement, Divorce and You**](#). If you or your spouse may be entitled to retirement benefits (such as a pension) that were earned during the marriage, read this Legal Voice publication.
- ❑ [**Enforcing Your Divorce Decree: Financial and Property Issues**](#). If you need to enforce a maintenance award or property division in your Decree of Dissolution, read this Legal Voice publication.

Section 6: Follow These General Instructions Before You Begin To Fill Out Any of the Forms

These general instructions will apply to all the forms you fill out. The instructions cover all types of family law cases. Some of the information may not be used in your case. A Sample form at the end of this section may help you understand these instructions better.

The caption. The caption includes the name of your case, the case number, the name of the court, the title of the court paper, and, sometimes, the type of case. It appears at the top of the first page of every form. Write in the name of the county where your case is filed in the blank space where the form reads "Superior Court of Washington County of _____."

Case name. Copy the case name from the petition.

Case number. When the petitioner first files the papers to begin the case and pays the filing fee (or has the fee waived), the court clerk will assign a case number. All parties must write that case number on every paper they file with the court and serve on the other parties during the case. Write the case number near the top on the right hand section of the first page of every form after "No." (abbreviation for "number"). When the petitioner first files the case, s/he may be able to use a special stamp at the court clerk's counter to stamp the case number on each paper. It does not matter if the case number is written or stamped. If you are filing a modification/adjustment case in the same court that entered the order you are asking to modify/adjust, use the case number on that order.

◆ You must write or stamp the case number on the first page of every copy of every paper you file with the court and on the copies you make for other parties. If you do not, your papers may be lost, or they may be returned to you. Some courts will also fine you for filing incorrect forms.

Title. Each form has a title. The title is on the right-hand side of the form under the case number. Sometimes the full title is pre-printed on the form. Sometimes you must add more information to finish it. (Example: on a declaration, you write in the name of the person completing the declaration.)

◆ **Format:** Pleadings (legal forms) that you file with the court and attachments to those pleadings must follow the court rules about size and margins (GR 14(a)). You must use regular size (8 ½ x 11") white paper and you may write on only one side of the paper. The first page of each paper that you file must have a 3-inch margin (3 inches of space) at the top. The other margins (left, right and bottom, and the top from the second page on) must be at least one-inch wide. Use black or dark blue ink. If your forms do not follow these rules, the court clerk may refuse to file them or may make you pay a fine.

The contents. Fill out each form according to the instructions for that form. In most counties you may print or type the information, but it must be readable and you must use BLACK OR DARK BLUE INK. A few counties require that all documents be typed. After filling out each form, re-

read it. Make sure you have correctly filled in all the blanks you need to. Any corrections must be neat and readable.

Do not write in the margins of any page. The clerk may reject your form.

Dates. On the last page of most forms (not including orders), there is a space for the person who fills out a form to write the date that the form is signed. Dates in orders will be filled in by the judge when s/he signs the order.

Signatures.

- **Your signature**

After you fill out a form, look for the place(s) requiring your signature:

- Some forms have one signature line for “petitioner” or “respondent.” After you fill out a form such as the petition, sign at the place that applies to you. Look carefully. Some forms require you to sign in more than one place. Some forms also require a date, and the place (city, state) that you signed the form.
 - When you prepare and file motions, you are the moving party. After you prepare a motion look for each place marked “signature of moving party or lawyer.” Look carefully. Some forms require you to sign in more than one place. Some forms also require a date, and the place (city, state) that you signed the form.
 - When you prepare an order and plan to present it for the judge to sign, look for each place marked “presented by.” Sign in the space underneath.
- **Judge’s Signature:** Leave the judge’s signature line and the date blank.
 - **Other party’s signature:** Certain forms you prepare have a place for other parties to sign. You cannot force another party to sign a court paper. S/he can choose to sign, or not. However, if you have prepared an order after a hearing, the other party may be willing to sign the form you have prepared if s/he agrees it accurately states the judge’s decisions (or the judge may require the other party to sign), even if the party is not happy with the decision itself.
 - Agreed orders. If the other party agrees with the orders you have written, that party should sign in the appropriate place (petitioner/respondent/moving or nonmoving party) on each court order that is agreed.
 - Approved for entry/Notice of Presentation Waived. If you are the respondent or nonmoving party, or if you did not prepare the order, you may be asked to sign in a blank under these words. If you check “Approved for entry,” you are agreeing that the judge should sign the order as it is written. If “Notice of Presentation Waived” is checked, you are agreeing that the other party can give the order to the judge for him/her to sign without letting you know when the other party is going to take that order to the judge.
 - **Other signatures/Declarant’s Signature:** If someone else must sign a form (such as a witness or the person serving papers), be sure they fill out all information correctly and sign in the proper space provided. The “declarant” is the person who is writing the declaration.

Place signed. Declarations and Returns of Service must include the place they are signed, as well as the date. (Example: Signed this 10th day of October 2005 at Seattle, WA.)

Identifying Information. Court rules try to protect privacy but also allow for public access to certain information in court files. The three boxes discuss these rules: [GR 15](#), [GR 22](#) and [GR 31](#).

Box #1**Things You Should Not Write in Most of Your Court Papers:**

General Rules [22](#) & [31](#) try to protect privacy in family law cases. Almost all pleadings, orders and other papers filed with the court are available to the public (except for some aspects of parentage cases), and may be available to the public on the internet.

Except where instructions about a specific form tell you otherwise (example: the forms in Box #3), use these rules for papers you file with the court.

Residence Address (Where you Live) and Telephone Number: You do not have to write these in court papers. You do need to write in an address where you can get mail from the court. You should also give the court a phone number where you can be reached.

Social Security/Driver's License, ID Numbers of Adults and Children: You do not have to write these in court papers. If you do, write only the last four digits, not the whole number.

Dates of Birth of Children: Do not write them in court papers.

Bank Account, Credit Card Numbers: Write the bank name, type of account (savings, checking, and so on), and only the last four digits of the account number.

Box #2:**Private Information That Should Be Filed With Sealed Cover Sheets:**

If a sealed cover sheet is used, this information is usually available to the other party and the court but is not placed in the public file.

Financial Information: If you file paystubs, checks, loan applications, tax returns, credit card statements, check registers, W-2 forms, bank statements, or retirement plan orders, attach them to a Sealed Financial Source Documents form. Then they will not be available to the public.

Medical or Mental Health Records or Information: If you file papers that have health or mental health information (information about past, present, or future physical or mental health of

a person, including insurance or payment records), you must attach the papers to a Sealed Personal Health Care Records form. Then they will not be available to the public.

Confidential Reports: Reports such as Parenting Evaluations, CPS Reports, Domestic Violence Assessments, and Guardian ad Litem Reports that are intended for court use must have a public section and a private section. The private section of the report should be attached to a Sealed Confidential Reports Cover Sheet.

Retirement Plan Orders: Certain retirement information belongs in the public file. “Retirement Plan Orders” do not. Use the Sealed Financial Source Documents Cover Sheet for the Retirement Plan Order. See [GR 22](#) for the definition or see a lawyer if this affects your case.

Other Kinds of Confidential or Embarrassing Information Not Mentioned Above. If the paper that you want to keep confidential is not in the above list, you may need to file a motion with the court to ask permission to have that paper, or part of a paper, sealed under General Rule [\(GR\) 15](#). There is no packet that tells you how to do this. There are presently no mandatory forms for this type of motion. Talk to a lawyer.

Box #3

When You Should Write Private Information In Court Forms:

These forms are not placed in the public file. Information in them is usually not available to the other party.

You must fill in your personal information completely (including children’s full names, dates of birth, your residence address, social security numbers, and so on): Confidential Information Form, Vital Statistics Form, Domestic Violence Information Form, Foreign Protection Order Form, and Law Enforcement Information Sheet. If you are afraid to give your address on these forms, talk to a lawyer, or call CLEAR at 1-888-201-1014.

SAMPLE FORM

This sample case name is for dissolution cases. This information may be different depending upon the type of case you are filing.

Your court case number. Assigned by the court when you file your case.

Form title.

Fill in the name of the Petitioner here.

Fill in the county where you are filing or where your case was already filed.

**County of Washington
County Of Evergreen**

Fill in Respondent's name.

In re the Marriage of:

JANE DOE,

and

JOE DOE,

Petitioner,

Opposing party.

NO. 08-3-99999-9

**Note for Motion
Docket**

**(No Mandatory Form
Developed)**

TO THE CLERK OF COURT AND TO: **Joe Doe**
99 Railway Lane
Treelane, WA 98000

Please take notice that this case will be heard on the date below and the clerk is requested to note this issue on the docket for that day.

HEARING DATE: **Monday, October 4, 2008**
HEARING TIME: **10:00 a.m.**
LOCATION: **Treelane Superior Courthouse**
COURTHOUSE ROOM: **2**
ADDRESS: **102 West Broadway**
Treelane, WA 98000

NATURE OF MOTION: **Temporary Orders regarding parenting plan, child support, and restraining orders.**

Jane Doe, Petitioner

Section 7: Instructions for Filling out and Filing Each Form

A. Findings of Fact and Conclusions of Law (“Findings”) WPF DR 04.0300

Have handy a copy of the Petition for Dissolution of Marriage you filed and the Response, if any, when you fill out this form. It will be easier if you copy some of the information from those forms.

Section I - Basis For Findings

Check the second box. Write in the date the court signed the Order of Default, if different than the date the judge will sign the Findings and Conclusions. If you do not know the date, leave the space for the date blank, but make sure the judge fills it in when s/he signs the Findings.

Section II – Findings of Fact

Paragraph 2.1. Residency of Petitioner.

- If the petitioner lives in Washington, check the first box.
- If the petitioner does not live in Washington, check the second box.
- If the petitioner has been in the military stationed in Washington for at least 90 days, check the third box.

Paragraph 2.2. Notice to Respondent.

Check the first box. Then, check the second box. In the blank space, write a short description of how the respondent (spouse or other party) was served. Example: if your spouse was served personally, write “by personal service in the state of Washington.” If s/he signed an Acceptance of Service or a Joinder, write that.

Paragraph 2.3. Basis of Personal Jurisdiction Over the Respondent

- If the respondent has never lived in Washington and has objected to jurisdiction in Washington, check the first box. **This is unlikely if you are entering orders by agreement.**
- Otherwise, check the second box and at least one of the indented boxes in this paragraph. If the respondent currently lives in Washington, check the first indented box. If you and your spouse ever lived in Washington during the marriage, and the petitioner still lives in Washington or is a member of the military stationed here, check the second indented box. If you or your spouse may have gotten pregnant here with one of your children in Washington, check the third indented box. If there is another reason that Washington has personal jurisdiction over the respondent, check the last indented box and write the reason in the blank space. Example: Washington can have jurisdiction over your spouse if s/he is joining in the petition. You would write, “Respondent joined in the Petition and consents to personal jurisdiction in Washington.”

Paragraph 2.4. Date and Place of Marriage

Fill in the date and place of your marriage.

If you had a Washington State domestic partnership before you married, check the box under the first sentence. Then fill in the date you registered it.

Use the “other” box if there is any unusual information about the beginning of your relationship that you think the court should know.

Paragraph 2.5. Status of the Parties

Either copy the information about your date of separation from the Petition or write the date of separation that you and your spouse agree upon.

Paragraph 2.6. Status of the Marriage

Check the first box only.

Paragraph 2.7. Separation Contract or Prenuptial Agreement

- If you have no separation contract or prenuptial agreement, check the first box. (Most couples have no separation contract or prenuptial agreement.)
- If you have a separation contract or prenuptial agreement, check the second box. Fill in the blank. Check the appropriate indented box. If you have signed a separation contract or prenuptial agreement or you do not know whether or not you have signed one, talk with a lawyer.

Paragraph 2.8. Community Property

Look at the “Property” paragraph of your Petition for Dissolution and the Response to it. All of the property listed in the Petition or Response should be listed in paragraph 2.8 or 2.9 of the Findings. Since you have an agreement, you can add or change items of property on the list if you both agree. Community property, in general, is all property acquired between the date of the marriage and the date of separation, except for property received by gift or inheritance.³ In paragraph 2.8, list all community property, regardless of whether you want to award that item to the husband or wife.

- If you have a separation contract or prenuptial agreement, check the third box. Skip the rest of this paragraph.
- If you have no community property at all (including money, clothes, and household items), check the first box.
- If you have a long list of community property, check the second box, write “A” in the blank after Exhibit. Attach a copy of the list of all of your property (regardless of who should get the property in the dissolution) as Exhibit A.
- If you have a short list of community property and you didn’t check box one, two or three, check the fourth box. In the blank space, list all of the property you agree is community property.

³ To find out more about community property, talk with a lawyer or read our publication [Ending Your Marriage in Washington](#).

◆ **Do not write your entire bank account number or similar information on any of the court papers in this packet.** These papers will become part of the public record once filed with the court, and they will be available to the public online. To identify which bank account you are referring to, use the bank name, type of account, and last four numbers only. Do the same for other accounts (example: credit card accounts) that have identifying numbers.

Paragraph 2.9. Separate Property

In general, separate property's property (including money) that's acquired before the marriage or after separation, as well as gifts or inherited items.⁴ In paragraph 2.9, list all separate property belonging to either party.

- If you have a separation contract or prenuptial agreement, check the third box. Skip the rest of this paragraph.
- If the husband has no separate property, check the first box.
- If the wife has no separate property, check the second box.
- If the husband or wife has a long list of separate property, check the fourth and fifth boxes. Write "B" in the blank in the fourth box and "C" in the blank in the fifth box. Attach two lists (all of the husband's separate property – Exhibit B) and all of the wife's separate property (Exhibit C). Otherwise, check the sixth and seventh boxes. List in the blanks provided the husband and wife's separate property.
- Look back at the Petition and Response to be sure the Findings form covers all the property.

Paragraph 2.10. Community Liabilities

If debts were created during the marriage, they're almost always community debts, even if only one of you actually created or knew about the debt (example: even if your spouse was the only one who ever used the VISA card, it is still a community debt if the debt happened during the marriage).

In this paragraph, list all community debts, whether they will be paid by the wife or husband. Look at the Debts and Liabilities paragraph of your petition for dissolution and the Response. In general, list all debts in the petition and the Response to it in the Findings under paragraph 2.10 or 2.11. Account for all the debts by identifying them as community debts or as separate debts. Because you are entering final orders by agreement, you may add or delete debts, as appropriate.

- If you have a separation contract or prenuptial agreement, check the third box. Skip the rest of this paragraph.

⁴ There are exceptions, however. To find out more about separate, talk with a lawyer or read our publication [Ending Your Marriage in Washington](#).

- If there are no community debts (debts created during the marriage), check the first box.
- If the parties have a long list of debts and liabilities, check the second box. Write “D” in the blank. Attach to the Findings a separate list of debts as Exhibit D. Otherwise, check the fourth box and list the community debts of the husband and wife. Creditor means the person (or store, bank, and so on) you owe .

Paragraph 2.11. Separate Liabilities

In this paragraph, you will list all separate debts, whether they will be paid by the petitioner or respondent.

- If you have a separation contract or prenuptial agreement, check the fourth box. Skip the rest of this paragraph.
- If the husband has no known separate debts (debts the husband created before the marriage or after separation), check the first box. If the husband has a long list of debts, check the third box. Write “E” in the blank. Attach a separate list of the husband’s debts as Exhibit E. If the husband has a short list of debts, check the sixth box. List the debts the husband’s separate debts in the space.
- If the wife has no known separate debts, check the second box. If the wife has a long list of debts, check the fifth box. Write “F” in the blank. Attach a list of the wife’s debts as Exhibit F. Otherwise, check the seventh box, and list the wife’s separate debts in the space provided.

Paragraph 2.12. Maintenance

- If the parties have a separation contract or prenuptial agreement that addresses maintenance, check the second box. Skip the rest of this paragraph.
- If neither party asked for maintenance, check the first box.
- If you both agree that neither of you should pay maintenance to the other, check the third box.
- If one spouse is paying maintenance to the other, check the fourth box. Write briefly why one spouse needs maintenance (example: respondent’s been a stay-at-home parent for 20 years, respondent is disabled, etc.).

Paragraph 2.13. Continuing Restraining Order

- If no restraining order is being entered in your case, check the first box.
- If a restraining order should be entered, check the second box. Then check whether the petitioner or respondent should be restrained. In the blank, write briefly why a restraining order is needed.

Paragraph 2.14. Protection Order.

- If no Protection Order is being entered in your case, check “Does Not Apply.” Skip the rest of the paragraph.
- If a Protection Order is being entered in this case, check the second box. Check the box showing which kind of protection order it is. Check the date the judge signed the protection order, if different than the date the judge will sign the Findings form. If you do not know the

date, leave the space for the date blank, but make sure the judge fills it in on the date of the hearing. You must also complete the Order for Protection and LEIS forms. Your protection order form must have the expiration date you need.

- If you have a Protection Order originally entered under a different case number, and it should be changed or extended, check the second box. Check the box showing which kind of protection order it is. Check the date the judge signed the new protection order, if different than the date the judge will sign the Findings form. If you do not know the date, leave the space for the date blank, but make sure the judge fills it in on the date of the hearing. Also check the “Other” box under 2.21. Write in what you are asking the court to do. Example: “The Protection Order entered on [date] under Case No. XXXX should be consolidated into this case, incorporated into the final order in this case, and modified as follows: the expiration date should be changed so that the Protection Order’s permanent, as authorized by RCW 26.09.050(1) and RCW 26.50.060(2).” You must also complete a LEIS and a new Order for Protection, including the changes you asked the court to make.

Paragraph 2.15. Fees and Costs

- If you have a separation contract or prenuptial agreement that provides for payment of attorney fees and costs, check the second box. Skip the rest of this paragraph.
- If you do not want either spouse to pay for court costs and attorney’s fees⁵, check the first box. If one spouse is paying the other party’s attorney fees and costs, check the third box. Complete the other boxes and blanks in that paragraph.

Paragraph 2.16. Pregnancy

If no partner is pregnant, check the first box. If a partner is pregnant, check the second box.

◆ If one spouse is pregnant, the law presumes that the other spouse is the father. If the other spouse is not the father, there is a specific procedure and usually only a limited time for challenging this legal presumption. The following steps are not enough to reverse the legal presumption that a spouse is the father:

- *Denying the spouse’s paternity in the dissolution papers;
- *Leaving the unborn child out of the parenting plan and child support orders;
- *Naming a different person as the father in the dissolution papers.

If a spouse is pregnant and the other is not the father, talk with a lawyer. The court should not stop you from getting a decree of dissolution if you are pregnant. The court may keep part of your case open until the paternity of your child can be established.

⁵ This packet does not describe who may request attorney fees or the procedure for doing so.

Paragraph 2.17. Dependent Children

- If you and your spouse have no children under age 18 (or still dependent on you for support) who were born during your marriage, check the first box.
- If either you or your spouse has children (whether together or not), check the second box. Fill in the requested information for each child. This section includes children from other relationships, as well as the children of the marriage.

◆ If you and your spouse have children together, do not use this packet. See our packet, [*Finishing Your Dissolution of Marriage with Children by Agreement*](#).

Paragraph 2.18. Jurisdiction over the Children

Look at paragraph 1.14 of your petition for dissolution. It has information similar to this paragraph of the Findings. Check the same boxes that you checked in the petition and fill in any blanks in the paragraphs you have checked. However, you must read the boxes rather than just count them, since item #2 is different. You will only check item #2 in the Findings if the court has no jurisdiction over the children

Paragraph 2.19. Parenting Plan

Check the first box. If one spouse is pregnant, the court will need to reserve jurisdiction to decide issues relating to the child after the child is born. If one spouse is pregnant but the other party is not the father, see a lawyer.

◆ If you and your spouse have children together, do not use this packet. See our packet, [*Finishing Your Dissolution of Marriage with Children by Agreement*](#).

Paragraph 2.20. Child Support

Check the first box.

Paragraph 2.21. Other

Look at the “Other” paragraph of the petition for dissolution and Response. Copy any information that’s part of your agreement into this paragraph.

If the wife is pregnant at the time the court signs the final papers dissolving the marriage, write in, “The court should reserve all issues relating to the unborn child until after the child’s birth.”

Section III - Conclusions Of Law

Paragraph 3.1 and 3.2. Jurisdiction and Granting of a Decree

Check the first box in each paragraph.

Paragraph 3.3. Pregnancy

If the wife is not pregnant, check the first box. If the wife's pregnant, check the second box. Read the paragraph.

Paragraph 3.4. Disposition

Read this paragraph.

Paragraph 3.5. Continuing Restraining Order

Check the first box if you are not asking for a restraining order, or the second box if you are asking for one.

Paragraph 3.6. Protection Order

If you are not asking for a protection order, check the first box. If you are asking for one or are asking that a protection order entered under a different case number be approved and incorporated, check the second box. Show which type of protection order you are asking for.

Paragraph 3.7. Attorney Fees and Costs

Check "does not apply," unless you asked the court to order one spouse to pay attorney's fees and costs.

Paragraph 3.8. Other

Look at paragraph 1.16 & the "other" section of relief requested in the petition for dissolution. Copy any information in those two paragraphs of the petition into this paragraph. If you are incorporating a protection order from another case, or asking for a permanent protection order in this case, write in "the court should enter the requested protection order." Otherwise, leave this paragraph blank.

If the wife is pregnant at the time the court signs the final papers dissolving the marriage, write in, "The court should reserve all issues relating to the unborn child until after the child's birth."

Signatures

The spouse who's taking the final orders to court for the judge to sign should sign, date, and print his/her name on the left side under "Presented by." The other spouse signs under "Approved for entry."

DO NOT fill in the date or sign on the line that says Judge/Commissioner. The Judge will fill those lines in when you have your Findings signed.

B. Decree of Dissolution WPF DR 04.0400.

Caption. Fill out the Caption and check the box for "Decree of Dissolution" under the case number. If you are including a restraining order in your decree, check the boxes next to "Clerk's Action Required" and "Law Enforcement Notification." If you are including a real property (real estate) or money judgment summary in your decree, check the box next to "Clerk's Action Required."

Section I. Judgment/Order Summaries.

In this section, fill in a summary of any restraining orders, real property judgment (such as a house, or land) or a money judgment. A money judgment might include money you or your

spouse owes the other for overdue maintenance or attorney's fees, or might be related to the property and debt division.

Paragraph 1.1. Restraining Order Summary

- Check the first box, “does not apply,” if you are not requesting a permanent restraining order. Skip the rest of this paragraph.
- If you are requesting a restraining order, check the second box. Write the name of the person to be restrained in the first blank and of the people protected (including children) in the second blank.

Paragraph 1.2. Real Property Judgment Summary

- If you own no real property (real estate such as a home, building or land), check the first box, “does not apply.” Skip the rest of this paragraph.
- If you own real estate and you or your spouse is being awarded the home, building or land in the divorce, check the second box. Write the assessor’s property tax parcel or account number in the first blank, and the legal description in the second blank. If you do not know the tax parcel number or legal description, try to get it from the county assessor’s office in the county where the property’s located, or from a title company. In most cases where there is real property, try to have a lawyer look at your final papers before asking the judge to sign them.

Paragraph 1.3. Money Judgment Summary

If you or your spouse will owe each other money as a result of the decree, enter that information here. Add up any amounts one spouse owes to the other related to unpaid maintenance, property division, or attorney’s fees and costs. **Remember: you cannot ask for anything that you didn’t request in your petition.** If there is no money judgment, check “does not apply.” If you are entering a money judgment, check the box “judgment summary is set forth below.” Fill in the blanks:

A. Judgment Creditor: Write in the name of the person to whom money’s owed.

B. Judgment Debtor: Write in the name of the person who owes the money.

C. Principal Judgment Amount: Write the total amount owed.

D. Interest to Date of Judgment: Write the total amount of interest, if any, which will be owed by the date the court will sign the final orders.

E. Attorney Fees: Write in the total amount of any attorney fees owed by one party to the other. ⁶

F. Costs: Write in the total amount of costs owed by one party to the other.

G. Other recovery amount: Write in any other money one party owes the other.

H. Principal Judgment shall bear interest at. Enter any amount up to 12%.

⁶ This packet does not describe who may request attorney fees or the procedure for doing so.

I. Attorney fees, costs and other recovery amounts shall be interest at. Enter any amount up to 12%.

J. Attorney for judgment creditor. If the person to whom money's owed has a lawyer in this case, write in the attorney's name.

K. Attorney for judgment debtor. If the person who owes money has a lawyer in this case, write in the attorney's name.

L. Other. Leave this blank, unless you need to write more information

Section III. Decree.

◆ **Caution:** If you have a retirement plan (for example, a pension or military retirement benefit) we recommend that, even if you do not hire a lawyer for your whole case, you ask a lawyer to advise you about the retirement issues, and to prepare the retirement papers you need when you finish your case (example: a Qualified Domestic Relations Order, called a QDRO or “quadro,” and the retirement division portion in your dissolution decree). Our packets do not describe retirement benefits and property.

Paragraph 3.1. Status of the Marriage

Check the first box.

Paragraph 3.2. Property to be Awarded to the Husband

- If you have a separation contract or prenuptial agreement that determines the division of property, check the second box. Write the date that the contract or agreement was signed. Check the box showing whether or not you are filing a copy with the court. Skip the rest of this paragraph.
- If the husband will be awarded a long list of property, check the first box. Write “A” in the blank after “Exhibit.” Attach the list of the property to the Decree as Exhibit A. Otherwise, check the third box and list all of the property to be awarded to the husband. Usually, you would check the third box and write “all property currently in his possession,” then list any major items (such as cars), whether or not they're in his possession, and any items that the wife needs to give to the husband.

Paragraph 3.3. Property to be Awarded to the Wife

- If you have a separation contract or prenuptial agreement that determines the division of property, check the second box. Skip the rest of this paragraph.
- If the wife will be awarded a long list of property, check the first box. Write “B” in the blank after “Exhibit.” Attach the list of the property to the Decree as Exhibit B. Otherwise, check the third box, and list all of the property to be awarded to the wife. Usually, you would check the third box and write “all property currently in her possession,” and then list any major

items (such as cars), whether or not they're in her possession, and any items that the husband needs to turn over to the wife.

Paragraph 3.4. Liabilities to be Paid by the Husband

- If there are no debts to be paid by the husband, check the first box. If there is a separation contract or prenuptial agreement that provides for the division of debts, check the third box. Skip the rest of this paragraph.
- If there is a long list of debts for the husband to pay, check the second box. Write "C" in the blank. Attach the list of debts the husband will pay as Exhibit C. Otherwise, check the fourth box, and list the debts to be paid by the husband in the blank space.

Paragraph 3.5. Liabilities to be Paid by the Wife

- If there are no debts to be paid by the wife, check the first box. If there is a separation contract or prenuptial agreement that provides for the division of debts, check the third box. Skip the rest of this paragraph.
- If there is a long list of debts for the wife to pay, check the second box. Write "D" in the blank. Attach the list of debts the wife will pay as Exhibit D. Otherwise, check the fourth box, and list the debts to be paid by the wife in the blank space.

Paragraph 3.6. Hold Harmless Provision

Entering a decree requiring one spouse to pay a debt does not stop creditors from trying to collect from both parties. Checking the first box means that a party who fails to pay one of the debts s/he's ordered to pay in the Decree can sue the other party for attorney's fees and costs as well as the amount of the debt. This is useful if you think your spouse will fail to pay debts s/he's ordered to pay, but could also cost you lots of money if you fail to pay debts that you are ordered to pay in the Decree.

Paragraph 3.7. Maintenance

- If no maintenance is ordered, check the first box. If there is a separation contract or prenuptial agreement that addresses payment of maintenance, check the third box. Skip the rest of this paragraph.
- Otherwise, check the fourth box. Check whether husband or wife's going to pay. Write the amount of maintenance to be paid in the blank. Check the box indicating how often maintenance will be paid. (Semi-monthly is twice per month.) Write in the date that the first maintenance payment's due.
- To make sure that maintenance does not end upon death of either party or remarriage of the party who's receiving, write the date that maintenance should end in the blank.
- Payment shall be made: If you want maintenance to be paid directly to the receiving spouse, check the first box. If the party receiving maintenance is having child support collected by the Division of Child Support (DCS), check the second box, stating that payments shall be made to the Washington State Support Registry. If you want maintenance to be collected by the clerk, and your spouse won't be paying child support, check the third box.

- If the spouse paying support might have a pension or benefits under the Washington State Department of Retirement Systems, and the spouse receiving maintenance would like to be able to garnish those benefits if the paying spouse falls behind on maintenance payments, talk with a lawyer to ensure that you fill out this part of the Decree correctly.

Paragraph 3.8. Continuing Restraining Order

Check the first box if there is not going to be a restraining order.

If there will be a restraining order,

- check the second box. Copy the information from your petition for dissolution or the Response to it, as appropriate. Read each paragraph to be sure you check the appropriate items and fill in the appropriate blanks.
- check the box next to CLERK’S ACTION. Write in the police department that patrols the area where the protected person lives.
- Service: Check the first box, since the restrained party will be signing this order.
- Expiration: Write in the date that the restraining order will end.
- If a party had a temporary restraining order, check the last box under Expiration. Write in the name of the police department that patrols the area where that party lives.

Paragraph 3.9. Protection Order

- If there won’t be a Protection Order (also called an Order for Protection), check the first box.
- If there will be a Protection Order, check the second box. Check the text box showing the type of protection order. Fill in the date the judge signed the protection order, if different than the date the judge will sign this decree.
- If you have agreed to have a protection order entered as part of the dissolution, you must fill out and ask the judge to sign the appropriate Order for Protection form when you prepare the decree. Make sure:
 - the expiration date and other relief in the protection order are what you agreed; and
 - if appropriate, add the following language to the protection order in paragraph 8. Other: “This Order for Protection is issued under RCW chapter 26.09, 26.10, or 26.26, and is not subject to the one-year limitation on restraining the respondent from contacting the respondent’s minor children. RCW 26.50.060(2).”
- If you are changing an existing protection order, also follow the instructions in Paragraph 3.15 “other.”

Paragraph 3.10. Jurisdiction over the Children

If you and your spouse have no dependent children together and if the wife’s not pregnant with the husband’s child, check the first box.

Paragraph 3.11. Parenting Plan

If you and your spouse do not have dependent children together, check the first box.

◆ NOTE: If you and your spouse have children together and you are entering a parenting plan, use our packet entitled [*Finishing Your Dissolution with Children by Agreement*](#).

Paragraph 3.12. Child Support

If you and your spouse have no dependent children together, check the first box.

Paragraph 3.13. Attorney Fees, Other Professional Fees and Costs

- If no attorney fees or costs will be awarded, check the first box. If attorney fees or costs will be paid under a separation contract or prenuptial agreement, check the second box.
- If attorney fees and costs are awarded, check the third box. In the blank, write the name of the spouse who owes fees and costs to the other spouse, and the amount that will be paid. (Example: “Wife will pay husband \$300 for attorney’s fees and costs.”)

Paragraph 3.14. Name Changes

If neither spouse is changing their name, check the first box. If the wife is changing her name, check the second box. Write the wife’s full new name in the blank. If the husband’s name is being changed, check the third box. Write the husband’s full new name in the blank.

Paragraph 3.15. Other

- Fill this in only to add more orders that were requested in your petition or Response which you are agreeing to.
- If you have a Protection Order that was originally entered under a different case number, and your agreement is to change it or extend the expiration date, write in what you asked the court to do. Example: “The Protection Order entered on _____ [date] under Case No. XXXX is consolidated under this case number and it is approved and incorporated herein, except it is modified as follows: the expiration date is changed so that the Protection Order’s permanent, as authorized by RCW 26.09.050(1) and RCW 26.50.060(2). The parties shall comply with that Order for Protection.” You must also complete a Law Enforcement Information Sheet and a new Order for Protection, including the changes you asked the court to make. See instructions for paragraph 3.9, above.
- If the wife is pregnant, write in, “The court reserves all issues relating to the unborn child until after the child’s birth.”

Signature.

The spouse who is taking the final orders to court for the judge to sign should sign and print his/her name on the left side under "Presented by." The other spouse signs under “Approved for entry.”

DO NOT fill in the date or write on the judge/commissioner line. The Judge does that.

◆ If you are asking for an order for protection, complete the order for protection and LEIS forms. If a Guardian ad Litem (GAL) was appointed for either spouse, the guardian ad litem must also sign the decree.

C. Scheduling a Hearing to Ask a Judge to Sign Your Orders

1. **How to Get a Date for Your Hearing.**

Check your local court rules (at the law library), ask your Family Law Facilitator (if your county has one), or call the court clerk to find out what days and times you may schedule entry of your final dissolution orders. Tell the clerk that you want to ask the judge to sign AGREED final marital dissolution orders. Some counties will allow you to appear in court to have your final orders signed without scheduling a hearing or filing a Note for Dissolution.

Motions for entry of final orders in dissolution cases are often scheduled in the “ex parte” department, but may be scheduled on the family law calendar or with a judge. In some counties, hearings to enter final dissolution orders are scheduled only on certain days or certain times.

You might be able to use the Note for Dissolution Calendar form to set up a hearing to ask the court to sign your final orders for a dissolution of marriage. However, many counties require you to use their own Note for Dissolution Calendar form, or they may require a different form, which may be called a “Note for Motion Docket,” a “Notice of Issue,” a “Note for Hearing” or a “Notice of Hearing.” **Check with your Family Law Facilitator or court clerk to see if your county has a special form.** If the court clerk has no special form to set up a hearing to dissolve your marriage, use the form included here.

2. **How Much Notice Do You Need to Give the Other Party?**

Under the Washington civil rules, you must give your motion and other legal papers to the other parties and the court at least **five court days** (business days that are not court holidays) **before the hearing date.**⁷ Do not count the day the papers are mailed/delivered, weekends, or holidays. However, some counties require more than five court days’ notice for family law hearings. Check with your local court rules, your Family Law Facilitator’s office, or the court clerk to find out how many days’ notice you must give. You must count Day 1 as the day **after** you delivered or mailed the papers.

Add Days for Mailing.

Mailing. If the papers are mailed, instead of personally delivered them, add at least three (3) days⁸ to the number of days’ notice required by your county’s rules. Example: if you mail a document on a Monday, it’ll be presumed to have been served on Thursday. If the third day after the papers are mailed is a weekend or holiday, add days so that the papers arrive on a business day that is not a legal holiday or weekend.⁹

Try to give more than the minimum number of days for notice of your hearing. If for some reason the other party does not get enough notice of your hearing, you will need to reschedule your hearing – even if the other party does not show up and object.

⁷ [Civil Rule \(CR\) 6\(d\)](#).

⁸ Three days are clearly required under [CR 5](#). There is one legal argument that, reading [CR 5](#) and [CR 6](#) together, you must give at least six days.

⁹ [CR 6\(a\) & \(e\)](#); [CR 5\(b\)\(2\)](#).

D. Instructions for the Note for Dissolution Calendar Form

Caption. Fill out the caption.

To the Clerk and to: Fill in the name(s) of your spouse and of any other parties.

Paragraph 1: Write the name of the items you are putting on the court calendar, for example “*Entry of Agreed Decree of Dissolution and related relief.*”

Paragraph 2: Write the date, time, place and courtroom number of your hearing.

Signature: Date the form and sign it on the line that says Signature of Requesting Party or Lawyer. Print your name and mailing address on the lines below your signature. If you do not want to give your home address, fill in an address where you can reliably receive mail. Examples: a post office box, or a friend’s address.

E. Filing the Note for Dissolution Calendar and Presentation of Final Orders

Before going to the courthouse, copy and organize your papers. Make one copy of every paper – see the list in this packet – for yourself and one for every other party. Make one more copy for the judge if you need working papers – see the section “Working Papers” below.¹⁰ **Do not make a copy of the law enforcement information sheet (if you are using this form) for any other party.** Organize the copies into sets so that each set has a copy of every paper you are filing (except, you do not need to give the other parties the Certificate of Mailing and do not give them the law enforcement information sheet).

Make sure that your papers are filed in time to give the court enough notice before the hearing date. See the information above in “How to Get a Date for Your Hearing?” and “How Much Notice Do You Need to Give?”

Take your completed papers (originals and copies) to the court clerk in the Superior Courthouse where your petition for dissolution was filed. Give the clerk your original Note for Dissolution Calendar (or other local form). **Ask the clerk to file the originals of all of your papers except** do not file the originals of your proposed orders (any form that the judge signs at the final hearing). In most cases, you will keep these originals and bring them to the hearing for the judge to sign then. Make sure by asking the clerk if you should file the originals of the proposed orders, too. If working papers are required in your county, you will need to provide the judge copies of these proposed orders as part of the working papers.

¹⁰ Remember that you must notify every party unless s/he’s entirely failed to appear in the case (and we recommend that you give notice even in this situation).

F. Serving the Note for Dissolution Calendar and Presentation of Final Orders

To serve your spouse (and any other party) with the Note for Dissolution Calendar, Note for Motion Docket or the form required in your county, and your final orders, use first class mail or hand delivery as described below.

Make sure that your motion's served in time to give the other party enough notice before the hearing date. See the Instructions in the section called "How Much Notice Do I Need to Give?" You must serve all the parties on time. This includes your spouse, and any other parties such as the GAL or prosecutor. For more information on serving the prosecuting attorney, see our packet [*Serving Papers on the State*](#).

Make sure you have a complete set of papers for each party and, if your county requires working papers, one set for the judge. (See the Working Papers section below.) Compare the sets to the lists in this packet to make sure everything's included. (Do not give the other parties the Certificate of Mailing or LEIS.)

Keep a full set of copies for yourself.

Put each of the other parties' sets of papers in an envelope, addressed to that party, with your return address. These are the sets you will use for service

Follow the instructions below for giving the papers to the other parties.

1. Giving the Papers to the Other Party by Mail or Personal Delivery

While the case is going on, if the party you are serving has given an address for receiving legal papers in the case, send the papers to him/her at that location. (The other party's address may be, for example, at the end of the Response form, the Summons, a Notice of Appearance, an Amended Notice of Appearance, or any updated notice changing the address for service.) If the party has a lawyer in this case, serve the attorney.

Although many county courts allow a party to serve his/her own papers after the Summons and Petition have been served, other counties do not. To be safe, do not deliver or mail the papers yourself. Ask an adult friend or relative to do it for you.

When your friend has mailed or delivered the papers to a party, have him/her fill out the Certificate of Mailing or Personal Delivery the same day. Your friend should fill out a separate form for each person s/he mails or delivers the papers to. Then file the original certificates with the court clerk and keep a conformed copy for your records.

Make sure that papers are mailed or delivered before your deadline. When counting, do not count the day of delivery or mailing, weekends, or court holidays.

Add Days for Mailing.

Mailing. If your friend mails the papers, rather than personally delivering them, add at least three (3) days¹¹ to the number of days' notice required by your county's rules. Example: if you mail a document on a Monday, it'll be presumed to have been served on Thursday. If the third day after the papers are mailed is a weekend or holiday, add days so that the papers arrive on a business day that is not a legal holiday or weekend.¹²

Try to give more than the minimum number of days for notice of your hearing. If for some reason the other party does not get enough notice of your hearing, you will need to reschedule your hearing – even if the other party does not show up and object.

If a document is sent by regular first class mail, and if you think another party won't show up at a hearing, have an extra copy sent by certified mail, return receipt requested, so you have more proof of mailing. If you do this, staple the green return receipt card to the Certificate.

Personal Delivery. Your friend may deliver the papers to the other party rather than mail them. "Delivering" the packet of papers to another party (or the other party's attorney) means:

- handing it to the attorney or to the party; or
- leaving it at his office with his/her clerk or other person in charge of the office¹³; or,
- if there is no one in charge, leaving it in a place in the office where someone can easily find it (example: on top of the front desk); or,
- if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode (home) with some person of suitable age and discretion then residing there.¹⁴

1. Instructions for the Certificate of Mailing or Personal Delivery (no mandatory form)

Make some blank copies of this form. You may need to fill it out and file it several times. Use this form to show that copies of papers you file in court have been given to the other parties. Use a separate form for each party to whom papers were mailed or delivered.

- **Caption.** Fill in the caption.
- **In the first paragraph,** write the date the papers were mailed or delivered in the first blank, and the name of the party served in the second blank. (If you are serving an attorney for a party, write in the party's name here and

¹¹ Three days are clearly required under [CR 5](#). There is one legal argument that, reading [CR 5](#) and [CR 6](#) together, you must give at least six days.

¹² [CR 6\(a\) & \(e\)](#); [CR 5\(b\)\(2\)](#) .

¹³ Although [CR 5\(b\)\(1\)-\(2\)](#) appears to allow a person to be served at his/her office, and you can usually deliver papers to a lawyer or GAL at his/her office, we recommend that you DO NOT serve other parties at their offices unless they have used that as their service address in a Notice of Appearance, Petition, or Response form.

¹⁴ [CR 5\(b\)\(1\)](#). A person of suitable age and discretion means someone who's an adult (or at least an older teenager) who does not have a mental impairment that would prevent him/her from understanding that the legal papers should be given to the other party.

information about the attorney in the paragraphs below.) After “*with the following documents:*” write the name of **every form** sent/delivered to that person. If you leave out a form, you will have no proof it was served. If the papers were served by mail, check the first box. Add the name and address of the person the papers were mailed to. If you mailed an additional copy by certified mail, write that in. If the papers were hand delivered, check the second box. Fill in the time and address of delivery in the blanks provided, and the name of the person to whom the papers were delivered.

- **Signature.** The person who delivered or mailed the papers should sign and date the form, state the place signed (city and state), and print his/her name in the places indicated.

2. Filing the Certificates of Mailing or Personal Delivery

Make one copy of each completed Certificate. Do not give copies of this form to the other parties. If you mailed a copy of the forms by certified mail, and have a certified mail receipt back from the post office, attach the original receipt to the Certificate of Mailing you file with the clerk. Make a copy for your records. If you used certified mail but do not have the green receipt back when filing the Certificate, file the receipt later, attached to a page labeled with your case caption.

G. Working Papers and Confirming Your Hearing

In many counties, you must:

- deliver an extra copy of all of papers (including proposed orders) for your hearing for the judge to read. This set of copies is called Working Papers.
- confirm the hearing a few days before the hearing date. “Confirming the hearing” means telling the court that the hearing will take place as scheduled.

H. Going to the Hearing

- **Take Your Court Papers with You.** Bring along all the proposed orders and other original papers you will ask the judge to approve. If you have already delivered the original proposed orders to the court, take along an extra copy in case the judge needs it. Bring your own copies of those papers and your hearing papers. Also take copies of your proofs of service (Returns of Service and/or the Certificates of Mailing or Personal Delivery). The judge may want to see them. Also, bring your own copy of all the papers you filed and served on the other parties earlier in the case, because the judge may have a question about them and not have the court file.
- **Get to Your Hearing Early.** Try to dress neatly and bring a pad of paper and black pen to write notes with. Bring your set of the papers and the originals of your final

papers. It is better not to bring your children – the judge will usually not let them sit in the courtroom. If you are not there on time, the hearing may be cancelled.

- **When You Get to the Courtroom.** When you get there, tell the person in charge in the courtroom (often called the clerk or the bailiff) your name and that you are there to enter final dissolution orders by agreement. Take a seat. When the judge walks in the room, stand. When your case name's called, tell the court that you are present. Remain in court until your case is called for hearing.
- **Presenting Your Case** When you are told to come forward, do so. Give the court the originals of the Findings and Decree and any other orders that you filled out. The judge will usually ask if any other party's present. The judge may ask you to speak to explain what you are asking the court to approve, and why. Be brief. Make your statement directly to the judge. If any other party appears at the hearing, the judge may allow him/her to speak, and may ask if s/he agrees with the final orders.
- **Do not interrupt the judge.** The judge may ask you questions about your final papers. The judge may also swear you in and go through the Findings of Fact, asking you questions about each paragraph. Examples: the judge may ask what county you live in, where the other party lives, whether the wife is pregnant, whether there are children, etc. This is called "formal proof." It shows the court that there is evidence to support the judge signing the final orders. If you do not understand what the judge is asking, ask the judge to explain his/her question.
- **DO NOT LEAVE THE COURTHOUSE WITH OR CHANGE OR DESTROY COURT ORDERS THAT HAVE BEEN SIGNED BY THE JUDGE.** If the clerk in the courtroom gives you the original orders the judge has signed, file them with the court clerk's office. If you do not know what to do with the original orders, ask someone at the clerk's office to help you
- **Getting Copies of the Orders.** Get copies of the orders as signed by the judge. You need certified copies of any order with a safety restraint and of any Protection Order. (Get one certified copy for yourself, and one certified copy for each restrained party that you need to serve.) Get conformed copies of other orders.
- Ask the clerk how to get the conformed and certified copies you need. Follow those instructions.
 - For certified copies, the clerk will need to make them and may charge you a fee (such as \$5 for the first page and \$1 for every extra page).
 - For conformed copies,
 - the clerk may allow you to take the original orders and make copies in the library or at the clerk's office.
 - Or, if the copies of proposed orders you brought to court are exactly the same as the orders the judge signed, the clerk may tell you to stamp those copies with the date filed stamp and the judge's signature stamp.

Additional insert for final orders packets

- Return to the “Steps to Take” section of this packet for important information. If the judge signed your order(s), you must properly deliver copies of the papers to the other parties. The “Steps to Take” section explains how to do that.

Section 8: Blank Forms

The rest of this packet has s blank forms for you to complete. Make a copy of each form so that you have an extra in case your first draft needs lots of changes. You may need forms from other packets, and you may not need all the forms in this packet.

**Superior Court of Washington
County of**

In re the Marriage of:

and
Petitioner,
Respondent.

No.

**Findings of Fact and
Conclusions of Law
(Marriage)
(FNFCL)**

I. Basis for Findings

The findings are based on:

- agreement.
- an order of default signed by the court on this date or dated _____.
- trial. The following people attended:
 - Petitioner.
 - Petitioner's Lawyer.
 - Respondent.
 - Respondent's Lawyer.
 - Other:

II. Findings of Fact

Upon the basis of the court records, the court ***Finds:***

2.1 Residency of Petitioner

The Petitioner

- is a resident of the state of Washington.
- is not a resident of the state of Washington.
- is a member of the armed forces and has been stationed in this state for at least 90 days.

2.2 Notice to the Respondent

The respondent

- appeared, responded or joined in the petition.
- was served in the following manner:

2.3 Basis of Personal Jurisdiction Over the Respondent

- There are no facts to establish personal jurisdiction over the respondent.
- The facts below establish personal jurisdiction over the respondent.
 - The respondent is currently residing in Washington.
 - The parties lived in Washington during their marriage and the petitioner continues to reside, or be a member of the armed forces stationed, in this state.
 - The parties may have conceived a child while within Washington.
 - Other:

2.4 Date and Place of Marriage

The parties were married on (date) _____ at
(city and state only) _____.

- The parties had previously entered into a Washington State registered domestic partnership on (date) _____.
- Other:

2.5 Status of the Parties

Petitioner and respondent separated on (date) _____.

2.6 Status of Marriage

- The marriage is irretrievably broken and at least 90 days have elapsed since the date the petition was filed and since the date the summons was served or the respondent joined.
- The petitioner wishes to be legally separated.
- The petitioner is petitioning for a declaration concerning the invalidity of the marriage. The court **finds** the following facts concerning the validity of the marriage:

2.7 Separation Contract or Prenuptial Agreement

- There is no written separation contract or prenuptial agreement.
- A written separation contract or prenuptial agreement was executed on (date) _____ and is incorporated herein.
- The separation contract or prenuptial agreement should be approved.
- The separation contract or prenuptial agreement should not be approved because:

- Other:

2.8 Community Property

- The parties do not have real or personal community property.
- The parties have real or personal community property as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of these findings.
- The parties have real or personal community property as set forth in the separation contract or prenuptial agreement referenced above.
- The parties have the following real or personal community property:

- Other:

2.9 Separate Property

- The petitioner has no real or personal separate property.
- The respondent has no real or personal separate property.

- The parties have separate property as set forth in the separation contract or prenuptial agreement referenced above.
- The petitioner has real or personal separate property as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of these findings.
- The respondent has real or personal separate property as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of these findings.
- The petitioner has the following real or personal separate property:

The respondent has the following real or personal separate property:

Other:

2.10 Community Liabilities

- There are no known community liabilities.
- The parties have incurred community liabilities as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of these findings.
- The parties have community liabilities as set forth in the separation contract or prenuptial agreement referenced above.
- The parties have incurred the following community liabilities:

Creditor

Amount

Other:

2.11 Separate Liabilities

- The petitioner has no known separate liabilities.
- The respondent has no known separate liabilities.
- The petitioner has incurred separate liabilities as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of these findings.
- The parties have separate liabilities as set forth in the separation contract or prenuptial agreement referenced above.
- The respondent has incurred separate liabilities as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of these findings.
- The petitioner has incurred the following separate liabilities:

<u>Creditor</u>	<u>Amount</u>
-----------------	---------------

- The respondent has incurred the following separate liabilities:

<u>Creditor</u>	<u>Amount</u>
-----------------	---------------

- Other:

2.12 Maintenance

- Maintenance was not requested.
- Maintenance shall be paid as set forth in the separation contract or prenuptial agreement referenced above.
- Maintenance should not be ordered because:

- Maintenance should be ordered because:

Other:

2.13 Continuing Restraining Order

Does not apply.

A continuing restraining order against the petitioner respondent both parties is necessary because:

Other:

2.14 Protection Order

Does not apply.

The domestic violence antiharassment Order for Protection signed by the court on this date or dated _____, is approved and incorporated as part of these findings.

2.15 Fees and Costs

There is no award of fees or costs.

Attorney fees, other professional fees and costs shall be paid as set forth in the separation contract or prenuptial agreement referenced above.

The petitioner respondent has the need for the payment of fees and costs and the other spouse has the ability to pay these fees and costs. The petitioner respondent has incurred reasonable attorney fees and costs in the amount of \$_____.

Other:

2.16 Pregnancy

Neither spouse is pregnant.

(Name) _____ is pregnant. **Note: Under RCW 26.26.116, the other spouse is the presumed parent. If petitioner or respondent believes the other spouse is not the parent, this presumption may be challenged up to four years after the birth of the child or as otherwise provided in RCW 26.26.500 through 26.26.625.**

Other:

2.17 Dependent Children

- The parties have no dependent children of this marriage.
- The children listed below are dependent upon either or both spouses.

<u>Name of Child</u>	<u>Age</u>	<u>Parent's Name</u>	<u>Parent's Name</u>
----------------------	------------	----------------------	----------------------

- Other:

2.18 Jurisdiction Over the Children

- Does not apply because there are no dependent children.
- This court does not have jurisdiction over the children.
- This court has jurisdiction over the children for the reasons set forth below.
 - This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
 - This state is the home state of the children because:
 - the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
 - the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.
 - any absences from Washington have been only temporary.
 - Washington was the home state of the children within six months before the commencement of this proceeding and the children are absent from the state but a parent or person acting as a parent continued to live in this state.
 - The children and the parents or the children and at least one parent or person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships; and
 - the children have no home state elsewhere.

the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 6.27.261 or .271.

All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.

No other state has jurisdiction.

This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.

There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until (date) _____.

There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in (potential home state) _____ by the time the child has been in Washington for six months, (date) _____, then Washington's jurisdiction will be final and continuing.

Other:

2.19 Parenting Plan

Does not apply.

The parenting plan signed by the court on this date or dated _____, is approved and incorporated as part of these findings.

This parenting plan is the result of an agreement of the parties.

Other:

2.20 Child Support

- Does not apply.
- There are children in need of support and child support should be set pursuant to the Washington State Child Support Schedule. The Order of Child Support signed by the court on this date or dated _____, and the child support worksheet, which has been approved by the court, are incorporated by reference in these findings.
- Other:

2.21 Other

III. Conclusions of Law

The court makes the following conclusions of law from the foregoing findings of fact:

3.1 Jurisdiction

- The court has jurisdiction to enter a decree in this matter.
- Other:

3.2 Granting a Decree

- The parties should be granted a decree.
- Other:

3.3 Pregnancy

- Does not apply.
- (Name) _____ is pregnant. Any challenge to the other spouse's presumed parentage shall be initiated by: 1) signing and filing a valid denial of paternity and a

valid acknowledgement of paternity under RCW 26.26.300 through 26.26.375; or, 2) a proceeding to determine the parentage of the unborn child under RCW 26.26.500 through 26.26.625.

3.4 Disposition

The court should determine the marital status of the parties, make provision for a parenting plan for any minor children of the marriage, make provision for the support of any minor child of the marriage entitled to support, consider or approve provision for maintenance of either spouse, make provision for the disposition of property and liabilities of the parties, make provision for the allocation of the children as federal tax exemptions, make provision for any necessary continuing restraining orders, and make provision for the change of name of any party. The distribution of property and liabilities as set forth in the decree is fair and equitable.

3.5 Continuing Restraining Order

- Does not apply.
- A continuing restraining order should be entered.

3.6 Protection Order

- Does not apply.
- A domestic violence antiharassment Order for Protection should be entered.

3.7 Attorney Fees and Costs

- Does not apply.
- Attorney fees, other professional fees and costs should be paid.

3.8 Other

Dated: _____

Judge/Commissioner

Presented by: _____

Approved for entry:
Notice of presentation waived:

Signature of Party or Lawyer/WSBA No.

Signature of Party or Lawyer/WSBA No.

Print or Type Name

Date

Print or Type Name

Date

**Superior Court of Washington
County of**

In re the Marriage of:

and

Petitioner,

Respondent.

No.

Decree of Dissolution (DCD)

Decree of Legal Separation (DCLGSP)

Declaration Concerning Validity (DCINMG) (Marriage)

Clerk's action required

Law Enforcement Notification, ¶ 3.8

I. Judgment Summaries

1.1 Real Property Judgment Summary:

Does not apply. Real Property Judgment Summary is set forth below:

Name of Grantor:	Name of Grantee:
Assessor's property tax parcel or account number:	

Or

Legal description of the property awarded (including lot, block, plat, or section, township, range, county and state):
See Page _____ for full legal description

1.2 Money Judgment Summary:

Does not apply. Judgment Summary is set forth below.

- A. Judgment creditor _____
- B. Judgment debtor _____
- C. Principal judgment amount \$ _____
- D. Interest to date of judgment \$ _____
- E. Attorney fees \$ _____
- F. Costs \$ _____
- G. Other recovery amount \$ _____
- H. Principal judgment shall bear interest at _____ % per annum

- I. Attorney fees, costs and other recovery amounts shall bear interest at _____ % per annum
- J. Attorney for judgment creditor _____
- K. Attorney for judgment debtor _____
- L. Other:

End of Summaries

II. Basis

Findings of Fact and Conclusions of Law have been entered in this case.

III. Decree

It is decreed that:

3.1 Status of the Marriage

- The marriage of the parties is dissolved.
- The petitioner and respondent are legally separated.
- The marriage of the parties is invalid.
- The marriage of the parties is valid.

3.2 Property to be Awarded the Petitioner

- The petitioner is awarded as separate property the property set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of this decree.
- The petitioner is awarded as separate property the property set forth in the separation contract or prenuptial agreement executed by the parties on (date) _____ . The separation contract or prenuptial agreement is incorporated by reference as part of this Decree. The prenuptial agreement or, pursuant to RCW 26.09.070(5), the separation contract is is not filed with the court.
- The petitioner is awarded as separate property the following property (list real estate, furniture, vehicles, pensions, insurance, bank accounts, etc.):

- Other:

3.3 Property to be Awarded to the Respondent

- The respondent is awarded as separate property the property set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of this decree.
- The respondent is awarded as separate property the property set forth in the separation contract or prenuptial agreement referenced above.
- The respondent is awarded as separate property the following property (list real estate, furniture, vehicles, pensions, insurance, bank accounts, etc.):

Other:

3.4 Liabilities to be Paid by the Petitioner

- Does not apply.
- The petitioner shall pay the community or separate liabilities set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of this decree.
- The petitioner shall pay the community or separate liabilities as set forth in the separation contract or prenuptial agreement referenced above.
- The petitioner shall pay the following community or separate liabilities:

Creditor

Amount

Other:

Unless otherwise provided herein, the petitioner shall pay all liabilities incurred by the petitioner since the date of separation.

3.5 Liabilities to be Paid by the Respondent

- Does not apply.
- The respondent shall pay the community or separate liabilities set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of this decree.
- The respondent shall pay the community or separate liabilities as set forth in the separation contract or prenuptial agreement referenced above.
- The respondent shall pay the following community or separate liabilities:

Creditor

Amount

Other:

Unless otherwise provided herein, the respondent shall pay all liabilities incurred by the respondent since the date of separation.

3.6 Hold Harmless Provision

- Each party shall hold the other party harmless from any collection action relating to separate or community liabilities set forth above, including reasonable attorney's fees and costs incurred in defending against any attempts to collect an obligation of the other party.
- Other:

3.7 Maintenance

- Does not apply.
- The petitioner respondent shall pay maintenance as set forth in Exhibit _____. This exhibit is attached or filed and incorporated by reference as part of this decree.
- Maintenance shall be paid as set forth in the separation contract or prenuptial agreement referenced above.
- The petitioner respondent shall pay \$ _____ maintenance. Maintenance shall be paid weekly semi-monthly monthly.
The first maintenance payment shall be due on (date) _____.

The obligation to pay future maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance unless otherwise specified below:

Payments shall be made:

- directly to the other spouse.
- to the Washington State Child Support Registry (only available if child support is ordered).
- to the clerk of this court as trustee for remittance to the other spouse (only available if there are no dependent children).
- If a maintenance payment is more than 15 days past due and the total of such past due payments is equal to or greater than \$100, or if the obligor requests a withdrawal of accumulated contributions from the Department of Retirement Systems, the obligee may seek a mandatory benefits assignment order under Chapter 41.50 RCW without prior notice to the obligor.
- The Department of Retirement Systems may make a direct payment of all or part of a withdrawal of accumulated contributions pursuant to RCW 41.50.550(3).
- Other:

3.8 Restraining Order

- No temporary personal restraining orders have been entered under this cause number.
- All **temporary Restraining Order(s)** signed by the court under this cause number are terminated. **Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day to: _____ law enforcement agency where **the protected person** resides which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants.

- The parties shall comply with the final Restraining Order signed by the court on this date or dated _____, under this cause number. The Restraining Order signed by the court is approved and incorporated as part of this decree.

3.9 Protection Order

- Does not apply.
- The parties shall comply with the domestic violence antiharassment Order for Protection signed by the court on this date or dated _____, in this cause number. The Order for Protection signed by the court is approved and incorporated as part of this decree.

3.10 Jurisdiction Over the Children

- Does not apply because there are no dependent children.
- The court has jurisdiction over the children as set forth in the Findings of Fact and Conclusions of Law.

3.11 Parenting Plan

- Does not apply.
- The parties shall comply with the Parenting Plan signed by the court on this date or dated _____. The Parenting Plan signed by the court is approved and incorporated as part of this decree.

3.12 Child Support

- Does not apply.
- Child support shall be paid in accordance with the Order of Child Support signed by the court on this date or dated _____. This order is incorporated as part of this decree.

3.13 Attorney Fees, Other Professional Fees and Costs

- Does not apply.
- Attorney fees, other professional fees and costs shall be paid as set forth in the separation contract or prenuptial agreement referenced above.
- Attorney fees, other professional fees and costs shall be paid as follows:

3.14 Name Changes

- Does not apply.
- The respondent's name shall be changed to (first, middle, last name) _____.
- The petitioner's name shall be changed to (first, middle, last name) _____.

3.15 Other

Dated: _____

Judge/Commissioner

Petitioner or petitioner's lawyer:
A signature below is actual notice of this order.
 Presented by:
 Approved for entry:
 Notice for presentation waived:

Respondent or respondent's lawyer:
A signature below is actual notice of this order.
 Presented by:
 Approved for entry:
 Notice for presentation waived:

Signature of Petitioner or Lawyer/WSBA No.

Signature of Respondent or Lawyer/WSBA No.

Print or Type Name

Date

Print or Type Name

Date

**Superior Court of Washington
County of _____**

In re the Marriage of:
 In re the Domestic Partnership of:

Petitioner,
and

Respondent.

No. _____

**Note for Dissolution Calendar
(Non-Contested Case - Optional
Use)
(NTC)
Clerk's Action Required**

To the Clerk of Court and to:

1. Please note that this case will be placed on the non-contested dissolution calendar for hearing on _____, on the date set out below.
2. A hearing has been set for the following date, time and place.
Date: _____ Time: _____ a.m./p.m.
Place: _____ Room/Department: _____

Dated: _____

Signature of Requesting Party or Lawyer/WSBA No.

Print or Type Name

Notice to party: (you may list an address that is not your residential address where you agree to accept legal documents. Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.)

Address

**Superior Court of Washington
County of _____**

In re the Marriage of:

Petitioner,

and

Respondent.

No. _____

Note for Motion Docket

TO THE CLERK OF COURT AND TO: _____

Please take notice that this case will be heard on the date below and the clerk is requested to note this issue on the docket for that day.

HEARING DATE: _____

HEARING TIME: _____

LOCATION: _____

COURTHOUSE ROOM: _____

ADDRESS: _____

NATURE OF MOTION: _____

Dated: _____

Signature of Lawyer or Party

Print or Type Name

Notice to party: you may list an address that is not your residential address where you agree to accept legal documents.

Address

**Superior Court of Washington
County of _____**

In re the Marriage of:

Petitioner,

and

Respondent.

No. _____

**Certificate of Mailing or
Personal Delivery**

I hereby certify that I am over the age of 18 and competent to be a witness.

On _____, I served _____, with the following documents: _____

_____ in the following

manner

- Via first class U.S. Mail, postage prepaid; to
(Name & Address of Party Being Served):

- Hand Delivery

At the following address:

by handing to and leaving with _____ (name) a true and correct copy of said pleadings at ____ a.m./p.m.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this _____ day of _____, 20____ at _____ (city), _____ (state).

Signature

Print or Type Name

Finishing Your Dissolution of Marriage by Agreement - No Kids 12/12
EVALUATION FORM

Your comments are appreciated and will help to make this packet more useful to others. Please take a moment to complete this form and return it to:

LeeAnn Friedman
Northwest Justice Project
500 W. 8th, Suite 275
Vancouver, WA 98660

1. Where did you get this packet? _____
2. What is your primary language? _____
3. Are you a *low-income person? yes no
[*\$1800 per month for household of 1; \$2400 for 2; \$3000 for 3; \$3675 for 4; \$4300 for 5]
4. What is the last grade you completed in school? _____
5. Did you read the instructions? yes no
6. Did you also need the help of an agency, court facilitator, or advocate to complete your case?
 yes no
6a. If yes, what agency or individual helped you? _____
7. Did you use the legal forms? yes no
8. Did you find anything difficult to understand? yes no
8a. If yes, please tell us what. _____

9. Did you find any mistakes? yes no
10. Today's Date: _____
Other Comments or Suggestions: