



Northwest Justice Project

Dismissing Your Petition for Dissolution of Marriage (Divorce)

**Instructions and Forms
January 2009**

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Section 1: Introduction and Important Information

A. Who can use this packet?

This packet's to help you dismiss a petition for dissolution of marriage that you filed, if you change your mind and no longer want the court to sign a decree dissolving your marriage, dividing your property and debts, and ordering a parenting plan and support for the children of your marriage. **Note: not everyone who wants to dismiss their divorce can use this packet.** Before continuing, decide which of the following fits your case:

- If your spouse hasn't filed or served a Response to the Petition, and if s/he signs the dismissal forms in this packet, use this packet. (See Sections 2, 3 and 4.)
- If your spouse hasn't filed or served a Response, but also doesn't sign the dismissal forms in this packet, you can use this packet, if you also schedule a hearing on a Motion to Dismiss, give notice to your spouse, and ask the court to dismiss your case at a hearing. (Use Sections 2, 3 and 4.) If your spouse won't sign the papers because s/he still wants the dissolution, talk with an attorney before filing any motion to dismiss.
- If your spouse has filed or served a Response, and if s/he signs the dismissal forms and agrees to drop the case, use this packet. (See Sections 2, 3 and 4.)
- If your spouse has filed or served a Response and won't sign papers agreeing that the divorce should be dismissed, **don't** use this packet to dismiss your dissolution case. Talk with a lawyer.
- If you're the respondent and your spouse has filed for dissolution, **don't** use this packet. (See the question and answer below.)

There may be other parties to your case, such as the State of Washington. Any instructions we give about your spouse also apply to the other parties. Example: if you schedule a hearing, you must give notice to all the other parties in your case the same way that you give notice to your spouse.

An Order of Dismissal, signed by the judge, will cancel your dissolution and you'll stay married.

◆ **CAUTION:** If you have any temporary court orders, those court orders will end when the judge signs an order dismissing your dissolution. Example: if you got a temporary court order which stated that the children would live with you, and you stop the dissolution, each spouse would again have equal rights to have the children in his/her care. Talk with an attorney if you have questions about whether to dismiss your dissolution.

◆ **Note on reading this packet:** You'll 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're

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.

B. What if my spouse filed for dissolution and I don't want to divorce?

In Washington, it's only necessary for one spouse to be willing to complete the dissolution process. If you've been served with a Petition for Dissolution of Marriage, get our packet called [Responding to a Petition for Dissolution of Marriage](#), and one our publications called [Ending Your Marriage in Washington with Children](#) or [Ending Your Marriage in Washington without Children](#).

C. What's in this packet?

This packet has instructions, sample forms, and blank forms. Read the instructions below to decide which forms you need:

- ❖ Motion for Order of Dismissal
- ❖ Order of Dismissal
- ❖ Note for Motion Docket
- ❖ Certificate of Mailing or Personal Delivery

D. What happens if you file for divorce and then do nothing?

If you don't want to go through with the divorce after all, but you don't file a motion to dismiss, it's possible that nothing will happen in your case for awhile. The court won't finalize your divorce if neither you nor your spouse makes the request for it to do so. After several months or a year has passed without any court papers being filed, the court clerk **might** automatically dismiss the dissolution case.

However, it's a bad idea to let your case sit around in the court. In counties that have a case schedule, the court may fine you for doing nothing and not obeying the deadlines on the case scheduling order. Also, if your spouse decides to go through with the divorce, the court may grant your spouse everything s/he asks for, and may enter a default order against you if you fail to participate or if you miss deadlines. It's best to file a motion to dismiss if you decide not to divorce.

Section 2: Steps to Dismiss Your Petition for Dissolution

- 1. Complete the Motion and Order of Dismissal Forms. See Section 3.
- 2. Ask your spouse to sign the dismissal forms.
 - If your spouse (and all other parties) signs the Motion and Order dismissal forms in Section 3, follow the procedures in Section 4 to ask a judge or commissioner to sign your order.
 - If your spouse (or any other party) doesn't sign the dismissal forms, use the forms above, plus the Note for Motion (or any local form scheduling a hearing), and the Certificate of Mailing or Personal Delivery. Fill out the Note, Motion, and Order forms and then follow the procedures in Section 5 to
 - schedule a hearing,
 - give proper notice of the hearing to the court, your spouse, and any other parties
 - prove that notice of the hearing has been given,
 - confirm your hearing and deliver working papers (if required in your county), and
 - go to the hearing to ask the judge to dismiss your case.
- 3. Give a copy of the court's order to your spouse.

Section 3: Instructions for the Motion for Order of Dismissal and Order of Dismissal Forms

A. Instructions for Filling Out the Motion for Order of Dismissal

- 1) The caption's the name of your case. It appears at the top of the first page of every court form. The caption should be filled out to look exactly like the Petition for Dissolution you originally filed.
 - Write in the name of the county where you filed your case in the blank space where the form reads "Superior Court of Washington County of _____."
 - On the blank after "In re:" write your name.
 - On the next blank below "and," write your spouse's name.
 - Write your case number in the blank provided.
- 2) Write your name in the blank provided for [Name of Moving Party].
- 3) Write "Petition for Dissolution of Marriage" in the blank provided for [Name of Petition].
- 4) Write the reasons that you want to dismiss the Petition for Dissolution in the blank provided. Example: "The parties have reconciled."
- 5) Fill in the date and sign your name on the line above "Signature of Moving Party." Print your name on the line below.
- 6) Your spouse should sign and date and print his/her name on the lines provided for "Signature of Nonmoving Party" below your signature. Create additional "Signature of Nonmoving Party" lines if there are any other parties in your case.

B. Instructions for Filling Out the Order of Dismissal

- 1) Fill out the caption to look exactly like the Motion for Order of Dismissal.
- 2) Write your name in the space provided for [Name of moving party].
- 3) Write "Dissolution" in the second space provided before the word "action."
- 4) Don't date or sign in the spaces provided for the judge.
- 5) Sign and print your name on the lines below "Presented by."
- 6) Your spouse should sign and print his/her name on the lines below "Approved as to form: Notice of Presentation waived:" Create more "Approved as to Form and Presentation Waived" lines for any other parties in your case.

Section 4: Asking a Judge to Sign Your Order after All the Other Parties Have Signed the Forms

When you've filled out the Motion and Order for Dismissal, and all other parties have signed the dismissal forms, either you or your spouse must go to court to request that a judge or court commissioner sign the order. This is called an *ex parte* motion: you don't need to notify your spouse before going to court, and your spouse doesn't need to be there.

If your spouse or any other party hasn't signed the dismissal forms, skip this section. Go to Section 5.

1. Call the Superior Court Clerk's office. Ask to speak with a clerk assigned to *ex parte* family law matters. Find out when a judge or court commissioner will be available to sign an agreed *ex parte* Order for Dismissal of a Dissolution.
2. Make 2 copies of the completed Motion for Order of Dismissal and Order for Dismissal. Take the originals and the copies to the courthouse when you go.
3. Go to the courthouse at the time and to the courtroom where the clerk told you to go. There will probably be a clerk in the judge or commissioner's courtroom. Give the clerk the Motion for Order of Dismissal and Order of Dismissal. Tell the clerk that you want to dismiss your divorce. The clerk may ask you to sit down and wait until your name's called.
4. When your name's called, go and stand in front of the judge or commissioner. Tell the judge your name. State that you'd like your divorce dismissed. The judge or commissioner may ask you questions, such as whether your spouse filed a response to the petition, or whether your spouse agrees with the motion. If your spouse is there, the judge may also ask him/her questions. Show respect to the judge or commissioner. Don't interrupt him/her.
5. Tell the judge or commissioner's clerk that you want a copy of the order. Follow the clerk's instructions about filing the order and getting a copy of the order.
6. Mail a copy of the order to your spouse and any other parties. Make sure you keep your copy in a safe place.

After the Order of Dismissal's filed with the court, the court case for ending your marriage is stopped. If either you or your spouse later change your mind and decide that you want a divorce after all, one of you will need to file for dissolution all over again. That includes filing a new summons and petition and paying a new filing fee or getting a new order waiving the fee.

Section 5: Scheduling a Hearing if Your Spouse (or any other party) Hasn't Signed the Order of Dismissal

If your spouse (or any other party) doesn't sign the Order of Dismissal, and you still want the case dismissed, this section tells you how to schedule a hearing on your Motion to Dismiss, give proper notice to your spouse (and any other parties), and go to the hearing to ask the judge to dismiss your case. Although you technically may be able to ask a judge to sign your order without giving advance notice of a hearing¹, you should schedule a hearing anyway and give notice to your spouse, as described in this section.

If your spouse and all other parties have signed the dismissal forms, skip this section.

A. Forms You'll Need

Use these forms when you schedule your hearing:

- Motion (use the instructions in Section 3, except you won't have your spouse's signature)
- Order of Dismissal (use the instructions for this form in Section 3, except you won't have your spouse's signature). Send this form as a proposed order with your motion. Include a copy of it with the working papers you leave for the judge. Take the original with you to your hearing. Ask the judge to sign it there.
- Some counties may have special requirements for the content of your motion. Or they may require you to use a Declaration form with your motion. Local rules will describe any special local requirements. If you need a Declaration, use form WPF DRPSCU 01.0100, available at http://www.courts.wa.gov/forms/documents/DRPSCU1_0100.DOC. Fill out the caption of the Declaration form, print your name. State that you're the petitioner. Briefly explain the reasons for your motion. Sign and date the form. Fill in the city and state where you sign it.
- Note for Motion (or locally required form)

You'll also need the following form before the hearing to show your spouse and other parties have been given proper notice:

- Certificate of Mailing or Personal Delivery

B. Scheduling a Hearing

Let the court and the other parties know the date, time, location, and reason for your hearing. **Many counties require you to use a special form.** Check with your Family Law Facilitator's office or court clerk's office to find out if your county uses a special Note for Motion form. If your county has no special form to set up a hearing, use the form included here.

¹ [CR 41\(a\)\(1\)\(B\)](#), Greenlaw v. Renn 64 Wn. App. 499 (1992). But see McKay v. McKay 47 Wn. 2nd 301 (1955).

How to Get a Date for Your Hearing. Check your local court rules (at the law library), your Family Law Facilitator’s office (if your county has one), or call the court clerk’s office to find out what days and times you may schedule your hearing. Motions are usually scheduled in the family law department or on the family law calendar. In some counties, family law hearings are scheduled only on certain days. In many counties, if the State’s a party to your case (example: when the children have received public assistance), schedule your hearing on a date and time that the prosecutor’s present for family law motions.

How Much Notice Do You Need to Give? 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 aren’t court holidays) **before the hearing date.**² However, some counties require more than five court days’ notice for family law hearings. Example: many motions in King County require fourteen days’ notice (although in King County, weekends may be counted as part of the fourteen days). Check with your local court rules, your Family Law Facilitator’s office, or the court clerk to find out how many days notice to give. When counting, make sure to count Day 1 as the day after you’ll mail or deliver your motion papers to the other party.

Add Three Days for Mailing. If notice of the hearing’s mailed rather than personally delivered, add three additional days for mailing. If the third day after you mail the papers is a weekend or holiday, add days so that the papers arrive on a business day that’s not a legal holiday or weekend.³ Give yourself more than the minimum number of days for notice of your hearing. If for some reason the other party doesn’t get enough notice of your hearing, reschedule your hearing – even if the other party doesn’t show up and object.

C. Filling out the Note for Motion Form

Caption. Fill in the caption as explained in Section 3.

To the Clerk of the Court and to. In this section, fill out the names of all the other parties. The other parties in your case include your spouse and any other parties.⁴ If there’s a GAL already appointed in your case, s/he must also receive notice of your motion.

- 1. Hearing Date/Time:** Fill in the date and the time of your hearing.
- 2. Location:** Fill in the name of the courthouse (example: Thurston County Superior Court).
- 3. Courthouse Room:** Fill in the Room Number where your hearing’s scheduled.
- 4. Address:** Fill in the address of the courthouse.
- 5. Nature of Motion:** Fill in Motion to Dismiss.
- 6. Signature:** Sign and print your name, and your address.

² [Civil Rule \(CR\) 6\(d\)](#).

³ [CR 6\(a\) & \(e\)](#); [CR 5\(b\)\(2\)](#).

⁴ For more information about serving the State of Washington, see our packet [Serving Papers on the State](#).

D. Filing and Serving Your Motion

You may file your motion before or after it's served.

Check Your Deadlines. You must file your motion with the court far enough before your hearing date. It's best to file your motion a few days before the last date for serving the other parties.

1. Copy and File Your Papers.

- Make at least two copies of every paper listed in Section 5 A above** – one copy's for the other party, and one for you. If there's more than one other party to your case, or you'll need Working Papers for the judge, make more copies.
- Make three (or more) full sets of your papers (one set of originals, two sets of copies).** Compare each set with the list of forms in Section 5 A to make sure you have the forms you need.
- Take the originals and the copies to the county court clerk's office** in the superior courthouse where you're filing your motion. (If you don't live in that county, ask a friend in that county to file the case for you, or call the clerk's office for information about filing your motion by mail.) Give the clerk the original of all of your forms, **except** don't file the originals of the Order of Dismissal. In most cases, you'll keep this original and bring it to the hearing for the judge to sign then. Make sure by asking the clerk if you should file the originals of the proposed order, too. If working papers are required in your county, you must provide the judge copies of the proposed order as part of the working papers.
- Ask the clerk to stamp your copies** to show the date that you filed the originals of your other forms. Take the stamped copies back from the clerk. The clerk will keep the originals.

2. Service, or "Giving Notice."

Arrange to serve your spouse with every paper you want the court to consider, including the Note for Motion Docket, your Motion for Dismissal, your Declaration, and your proposed order, well before the hearing. Include all the forms you need. The amount of time between the date you have the other party served and the date you've set for the hearing is the number of days of notice you're giving the other party. Check the local rules again to make sure you have the other party served with enough notice.

Use the following Certificate of Mailing or Personal Delivery form and instructions:

E. Certificate of Mailing Form and Instructions

While the case is going on, if the party you're 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, a Notice of Appearance, a Summons, an

Amended Notice of Appearance, or any updated notice changing the address for service.) If the party has an attorney in the 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 don't. To be safe, don't deliver or mail the papers yourself. Ask an adult friend or relative to do it for you.

When your friend's 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. Keep a conformed copy for your records.

Make sure that papers are mailed or delivered before your deadline. When counting, don't 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) days⁵ 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's not a legal holiday or weekend.⁶ Try to give more than the minimum number of days for notice of your hearing. If for some reason the other party doesn't get enough notice of your hearing, you must reschedule your hearing – even if the other party doesn't show up and object.

If a document's sent by regular first class mail, and if you think another party won't show up at a hearing, have an additional copy sent by certified mail, return receipt requested, for more proof of mailing. 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 office⁷; or,
- if there's 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.⁸

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

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

⁷ 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 an attorney or GAL at his/her office, we recommend that you DON'T serve other parties at their offices, unless they've used that as their service address in a Notice of Appearance, Petition, or Response form.

⁸ [CR 5\(b\)\(1\)](#). A person of suitable age and discretion means someone who's an adult (or at least an older teenager) who has no mental impairment that would prevent him/her from understanding that the legal papers should be given to the other party.

F. Instructions for the Certificate Form

Caption. Fill in the caption.

In the first paragraph, write the date the papers were mailed or delivered in the first blank. Write in the name of the party served in the second blank. (If you're serving an attorney for a party, write in the party's name here, and 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 the papers were served by mail, check the first box and add the name and address of the person the papers were mailed to. If the papers were hand delivered, check the second box and 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 and state the place signed (city and state) and print his/her name in the places indicated.

G. Filing the Certificates of Mailing or Personal Delivery

1. **Make one copy of each completed Certificate.** Don't give copies of this form to the other parties.
2. **Take the originals and the copies to the superior court clerk's office** in the courthouse where your case was filed. Give the clerk the originals of the Certificate of Mailing or Personal Delivery forms.
3. **Ask the clerk to stamp your copies** to show the date that you filed the Certificates. Take each stamped copy back from the clerk. The clerk will keep the originals.
4. **Keep your copies of the Certificates in a safe place.** You may need them.

H. Preparing for Your Hearing

1. Judge's Working Papers/Confirmation

In some counties, you may have to give the judge an extra copy of all of the motion papers and your proposed orders for the judge to read. This set of copies is called Working Papers. Call and confirm the hearing a few days before the hearing date.

◆ If you don't give the judge working papers and don't confirm your hearing in a county where that's required, your hearing may be cancelled or the judge might not consider any of your papers.

If you need working papers for the judge, make one copy of your papers (including the orders and all attachments to the financial declaration) for the judge. Make sure you have one copy for yourself. (Look at the form checklist. Make sure that you have a copy of each form for each party and the judge.) Try to make an index for the judge that lists the title of each paper you submitted for working papers and numbers them.

Write the date, time and room number of the hearing, and “family law motion” in the upper-right hand corner of the first paper, and deliver it to the correct place. Ask the clerk’s office where to deliver the papers. In some counties, family law motions papers are delivered to a judge while, in others, family law motions are heard before special family law commissioners.

◆ For information on how to confirm your hearing, check with the Family Law Facilitator or court clerk’s office in your county.

2. Reading the Other Party’s Response

The other party must respond in writing to your motion before the hearing. In most counties, the other party must deliver his or her response to you and the court no later than one court day before the hearing.⁹

If the other party sends no response, go to the hearing anyway. If the other party doesn’t show up, ask the judge to sign your proposed order. (See *Going to the Hearing*, below.) If the other party comes to the hearing, tell the judge that the other party didn’t send you a written response on time. The judge may decide not to consider the other party’s papers, or may reschedule the hearing to a later date.

If the other party sends a response, read the other party’s response carefully. If you get no chance to file a reply, then be prepared to tell the judge what you disagree with in the other party’s response. If the other party wants the dissolution to continue, talk with an attorney about whether to cancel your motion.

Filing a Reply. In some counties, you’ll have a chance to file a written Reply to the other party’s response. However, in most counties (which follow the general Civil Rules), you don’t get to file a reply.¹⁰

If your local court rules give you a chance to reply, use the Declaration of Witness form to write your reply. WPF DRPSCU 01.0100, available at <http://www.courts.wa.gov/forms/?fa=forms.static&staticID=14>. Write *Declaration of (Petitioner or Respondent) In Reply* under the title of the declaration form. In the declaration, state which points in the other party’s response you disagree with, and why. Don’t bring up new issues in the reply. Respond only to things that the other party talks about in their response. If needed, give the court additional papers or declarations from other witnesses.

When you’ve completed your declaration, make a copy of it (and every other paper that you need to respond to the other party’s response) for each of the other parties, yourself, and the judge (if you need working papers).

File the original papers with the court clerk. Have the clerk stamp the copy that you keep, so you can prove when you filed it.

⁹ [CR 6\(d\)](#).

¹⁰ [CR 6\(d\)](#).

Deliver a set of the papers to each of the other parties (and to the judge if you need working papers – see the instructions for working papers). Use a Certificate of Mailing or Personal Delivery form in this packet to show that the reply's been properly served.

Make sure that you file and serve the papers by the deadline for your reply. Check with your Family Law Facilitator, court clerk, or local rules for the reply deadline. If you don't serve your reply by the deadline, the judge may not read it.

I. Going to the Hearing

These instructions are written for many types of family law motions. They're more detailed than you may need for a motion to dismiss.

- **If the Other Party Gets an Attorney.** If at any time before the hearing another party's attorney contacts you or shows up at a hearing, you may decide to get an attorney yourself. If so, tell the attorney and the court that you need to postpone (continue) your hearing. Don't panic. The attorney may ask you to sign some documents. Don't sign anything you don't understand.
- **Prepare for the Hearing.** Try to go to court before the day of your hearing to watch how the hearings are generally done. Also, try to make some notes to yourself about the main points that you want to make when you have a chance to talk during the hearing.
- **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, as well as your copies of any papers the other parties gave you in response. It's better not to bring your children if you can help it – the judge will usually not let them sit in the courtroom. If you're not there on time, the hearing will be cancelled (or the other party may win).
- **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 the name and number of your case. Take a seat. When the judge walks in the room, stand. When your case name's called, tell the court that you're present. Remain in court until your case is called for hearing.

Move forward when you're told to do so. Give the court the originals of your proposed order.

- **Getting an Order.** If the other party doesn't appear, show the judge your Return of Service or Certificate of Mailing or Personal Delivery. Ask the judge to sign your order. Tell the clerk or bailiff that you need a copy of the order.
- **Presenting Your Case.** If the other party shows up at the hearing, each of you will have a chance to speak. Stand while speaking. Tell the judge briefly what you want and why. Try to keep your argument short and only outline your main points. In some counties you have only five minutes to speak. In most cases, the judge will have read your papers before the hearing so don't repeat everything that's in your papers. Try to make notes to use at the hearing.

DON'T INTERRUPT THE JUDGE.

- **Hearing the Judge's Decision.** After the judge has heard both sides, s/he'll decide on your requests. Listen carefully and make notes. The judge may make changes to the order you prepared, or s/he may direct you, the other party, or the other party's attorney to do it. **Usually you want to have your court order signed the day of your hearing. Some counties require they be signed before the parties leave the courthouse.**

J. Getting Copies of the Order.

Make sure you get a copy of the order of dismissal as signed by the judge. Ask the clerk how to do this. The clerk may give you the originals and tell you to go make copies in the library or at the clerk's office. **DON'T LEAVE THE COURTHOUSE WITH OR CHANGE OR DESTROY COURT ORDERS THAT HAVE BEEN SIGNED BY THE JUDGE.** If you don't know what to do with the originals, ask someone at the clerk's office to help you.

Provide a copy of the order to your spouse and any other parties. Make sure you keep your copy in a safe place. Use the certificate of mailing procedure to show that copies have been provided to the other parties.

After the judge signs an order dismissing your case and the order's filed with the court, the court case for ending your marriage is stopped. If either you or your spouse later change your mind and decide that you want a divorce after all, one of you must file for dissolution all over again. That includes filing a new summons and petition and paying a new filing fee, or getting a new order waiving the fee.

Section 6: Blank Forms

The following are blank forms for you to complete while reading the instructions. You may not need every form. Read the instructions above to identify the forms you need. You may want to make a copy of the forms so that you have an extra in case your first draft needs lots of changes.

- Motion for Order of Dismissal
- Order of Dismissal
- Note for Motion
- Certificate of Mailing or Personal Delivery

**Superior Court of Washington
County of _____**

In re the Marriage of:

Petitioner(s),
and

Respondent(s).

No. _____

**Motion for Order
of Dismissal
(Optional use)
(MTDSM)**

_____ [Name of moving party] moves (asks) the court for an
order dismissing this action because the moving party no longer wants the relief requested in the

_____ [Name of Petition]

for these reasons: _____

_____.

Date: _____

Signature of Moving Party or Lawyer/WSBA No.

Print or Type Name

Date: _____

Signature of Nonmoving Party or Lawyer/WSBA No.

Print or Type Name

Superior Court of Washington
County of _____

In re:

Petitioner(s),

and

Respondent(s).

No. _____

Order of Dismissal
(Optional use)
(ORDMS)

The court received _____ [Name of moving party]'s motion for order of dismissal. Having reviewed the motion and the court file, it is hereby **Ordered** that this _____ action is dismissed.

Dated: _____

Judge/Court Commissioner

Presented by:

Approved as to form:
Notice of Presentation waived:

Signature of Moving Party or Lawyer/WSBA No.
No.

Signature of Nonmoving Party or Lawyer/WSBA

Print or Type Name

Print or type Name

Signature of Moving Party or Lawyer/WSBA No.
No.

Signature of Nonmoving Party or Lawyer/WSBA

Print or Type Name

Print or type Name

**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 isn't 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

Dismissing Your Dissolution of Marriage Packet 1/09
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:

Danielle Rebar
Northwest Justice Project
500 W. 8th, Suite 275
Vancouver, WA 98660

1. Where did you get this packet? _____
2. What's your primary language? _____
3. Are you a *low-income person? yes no
[*\$900 per month for household of 1; \$1200 for 2; \$1500 for 3; \$1800 for 4; \$2000 for 5]
4. What's 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 divorce? 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
If yes, what mistakes were found? _____

10. Today's Date: _____
11. Other Comments or Suggestions: _____