

Withdraw an Agreement to Join Petition (Joinder) in a Family Law Case



Should I read this?

Yes, if you signed an Agreement to Join Petition (Joinder) but feel strongly that this was a mistake.

What is an Agreement to Join Petition (Joinder)?

Parties to a family law case sign this to show the court you agree on all the issues in the case. This can make it easier and quicker to finalize the case.

Are there downsides to signing a Joinder?

Yes. You may be giving up legal rights such as:

- The right to review any future court orders, including final orders ending the case
- The right to argue any issues before the court
- The right to be notified of any future hearings in the case
- The right generally to get notice about what is happening in the case

Some people sign a Joinder under pressure from the other party without understanding they may be giving up these rights. Others do not understand what they are agreeing to.

What does “withdraw an Agreement to Join Petition” mean?

Rescinding or withdrawing means taking it back. Filing a Withdrawal of Agreement to Join Petition takes back your signature on the Joinder. Then it is as though you never signed it in the first place. This restores the rights listed above that you gave up when you signed the Joinder.



How do I fill out the Withdrawal of Agreement to Join Petition?

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- ❖ In most counties, you may type or print the info. It must be readable. If you print, you must use BLACK OR DARK BLUE INK. Ask about the rules in the county where your case is filed.
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Caption. Copy the caption from the first page of any of the other court papers in this case.

Case number. In the blank after “NO.,” put the same case number that appears in the upper right-hand corner of the first page of all the other court papers.

-
- ❖ If you do not put the case number on the first page of the Joinder, it may be lost, or the clerk may return it to you. Some courts will fine you.
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The contents. Each paragraph is numbered.

I. WITHDRAWAL: In the first blank, put your name. In the second, put the type of case this is.

II. DECLARATION RE: WITHDRAWAL: Put why you want to withdraw the Joinder.

III. NOTICE OF FURTHER PROCEEDINGS: Put the address where you want all further notice of court proceedings sent.

After filling out the form, re-read it. Be sure everything is correct. Any corrections you make must be neat and readable. **Do not write in the margins** of any page or the clerk may reject your form.

Your signature. After filling out the form, you sign and date it on the second page.



How do I file the Withdrawal of Agreement to Join Petition?

You must make a copy of the Withdrawal of Agreement to Join Petition for each other party in your case, to serve on them. You will need proof of service for each party. A blank Proof of Mailing or Hand Delivery, FL All Family 112, is in this packet. Fill out one for each party. Make one copy of each original.

Take the originals and copies to the court clerk’s office. Give the clerk the originals. Ask the clerk to stamp the date of filing on your copies.

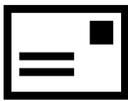
Keep the copies in a safe place. Bring them with you to hearings. You may need them to prove to the judge that you had service done correctly.



How do I serve the Withdrawal of Agreement to Join Petition?

Many county courts do not allow you to serve your own papers after the Summons and Petition have been served. To be safe, do not deliver or mail the papers yourself. Ask an adult friend or relative to do it for you. They can serve e by mailing or hand delivering the Withdrawal of Joinder.

If the other party serving has given an address for receiving legal papers in the case, send the papers there. (Check the end of the other party's Response form, any Notice of Appearance, a Summons, an Amended Notice of Appearance, or Notice of Address Change.) If the party has a lawyer in this case, serve the lawyer.



Service by mail: If you have a document sent by regular mail, you can have an extra copy sent by certified mail, return receipt requested, for more proof of mailing. Staple the green return receipt card to the Proof of Mailing or Hand Delivery.

Hand Delivery: Your friend may deliver the papers to the other party instead of mailing them. "Delivering" the papers to the other party (or their party's lawyer) means one of these:

- handing it to the lawyer or party
- leaving it at his office with their clerk or other person in charge of the office¹
- if there is no one in charge, leaving it in a place in the office where someone can easily find it (for example, on top of the front desk)
- if the office is closed or the person to be served has no office, leaving it at his home with a competent adult living there

When your friend has mailed or delivered the papers to a party, have them fill out the Proof of Mailing or Hand Delivery form the same day. Your friend should fill out a separate form for each person they mail or deliver the papers to. You then file the original certificates with the court clerk and keep a conformed copy for your records.



What if I need legal help?

- Apply online with [CLEAR*Online](https://www.nwjustice.org/get-legal-help) - [nwjustice.org/get-legal-help](https://www.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.

- Outside King County: Call 1-888-201-1014 weekdays, 9:15 a.m. - 12:15 p.m.
- King County: Call 211 for info and referral to an appropriate legal services provider weekdays, 8:00 am – 6:00 pm. You can also call (206) 461-3200, or toll-free 1-877-211-WASH (9274). There is also info on legal service providers in King County at [resourcehouse.com/win211/](https://www.resourcehouse.com/win211/).
- Persons 60 and over can call CLEAR*Sr at 1-888-387-7111, regardless of income. Assets limits may apply. King County Seniors can call 2-1-1.

Deaf, hard of hearing or speech impaired callers can call CLEAR, 211, or toll-free 1-877-211-9274 using the relay service of your choice.

CLEAR and 211 will conference in free interpreters when needed.

Free legal education publications, videos and self-help packets covering many legal issues are available at [WashingtonLawHelp.org](https://www.WashingtonLawHelp.org).

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

This information is current as of March 2019.

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Superior Court of Washington
County of _____

In re the Marriage of:

Petitioner,

and

Respondent.

No. _____

**Withdrawal of Agreement to Join
Petition (Joinder) and Declaration Re:
Withdrawal**

(No Mandatory Form Developed)

I. Withdrawal

I, _____ hereby withdraw my Agreement to Join Petition (Joinder) to the petition and any other pleadings filed in this case. I want to convert this action to a CONTESTED _____ [type of case].

II. Declaration Re: Withdrawal

I am filing this withdrawal of the Agreement to Join Petition because _____

For all these reasons, I am withdrawing my Agreement to Join Petition (Joinder) with this document.

III. Declaration Re: Notice of Further Proceedings

I demand notice of all further proceedings in this matter. Please send further notice to this address:

I declare under the penalty of perjury that the factual statements contained herein are true and correct and I do hereby WITHDRAW MY AGREEMENT TO JOIN PETITION.

Dated: _____

Signature of Respondent

Print Name

Superior Court of Washington, County of _____

In re:

Petitioner/s *(person/s who started this case)*:

And Respondent/s *(other party/parties)*:

No. _____

Proof of Mailing or Hand Delivery
(for documents after Summons and Petition)
(AFSR)

Proof of Mailing or Hand Delivery
(for documents after Summons and Petition)

Warning! Do **not** use this form to prove you mailed or delivered a Summons, Petition, Order to Go to Court, or any kind of Restraining Order. For those documents, use Proof of Personal Service (FL All Family 101), or if you have court permission to serve by mail, use Proof of Service by Mail (FL All Family 107).

I declare:

1. I am *(check one)*: the Petitioner the Respondent *(name)*: _____ and am competent to be a witness in this case.

2. On *(date)*: _____, I served copies of the documents listed in **3** below to *(name of party or lawyer served)*: _____ by:

mail *(check all that apply)*: first class certified other _____

_____ *mailing address* *city* *state* *zip*

email to *(address)*: _____
(only if allowed by agreement, order, or your county's Local Court Rule)

fax to *(number)*: _____
(only if allowed by agreement, order, or your county's Local Court Rule)

Hand delivery at *(time)*: _____ a.m. p.m. to this address:

street address *city* *state* *zip*

I left the documents (*check one*):

- with the party or lawyer named above.
- at his/her office with the clerk or other person in charge.
- at his/her office in a conspicuous place because no one was in charge.
- with (*name*): _____, at the address listed in court documents where the party agreed to receive legal papers for this case.
- (*For a party or lawyer who has no office or whose office is closed*) at his/her home with (*name*): _____, a person of suitable age and discretion who lives in the same home.

3. List all documents you served (*check all that apply*):

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

<input type="checkbox"/> Notice of Hearing _____	<input type="checkbox"/> Notice Re Military Dependent
<input type="checkbox"/> Motion for Temporary Family Law Order <input type="checkbox"/> and Restraining Order	<input type="checkbox"/> Sealed Financial Documents
<input type="checkbox"/> Proposed Temporary Family Law Order	<input type="checkbox"/> Financial Declaration
<input type="checkbox"/> Proposed Parenting Plan	<input type="checkbox"/> Declaration of: _____
<input type="checkbox"/> Proposed Child Support Order	<input type="checkbox"/> Declaration of: _____
<input type="checkbox"/> Proposed Child Support Worksheets	<input type="checkbox"/> Declaration of: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

4. Other: _____

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (*city and state*): _____ Date: _____

▶ _____
Signature of server

Print or type name of server