

File a Motion for Contempt: Family Law Cases

Instructions and Forms



Northwest Justice Project

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Part 1. Important Information

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- ❖ You can find all the fact sheets and Do It Yourself packets we link to here at WashingtonLawHelp.org.
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Use this for help filling out and filing the necessary papers if both of these are true:

- You already have a temporary or permanent parenting plan, child support order, or other family law order from a Washington State Superior Court
- You want the court in the same Washington county to issue an order holding the other party in contempt for violating it

Read this with [Contempt of Court in Family Law Cases – The Basics](#).

Before using this packet, talk with a lawyer. See “What If I Have Questions?” below for free and reduced-cost referrals. Even if you cannot afford to pay one to handle your case for you, a lawyer may advise you about important legal rights that your motion may affect.

Example 1: The other party may counter-file for contempt against you or file to change earlier court orders in your case. The court may not give you what you ask for. It may grant the other party’s requests.

Example 2: your parenting plan requires you to use a dispute resolution procedure before you return to court. A lawyer can advise you how to do this, and if there are better choices than filing for contempt.

If the Division of Child Support (DCS) is handling collection of your child support, ask them about filing a contempt motion for back support. They will do much of the paperwork, file the case, serve the other party, and help the case move through the court. The prosecutor will **not** be your lawyer and will not represent either parent. The prosecutor will represent the child’s interest in support and the State’s interest in support due to it if the children got public assistance. Asking for the State’s help may delay the filing of your case. The prosecutor must agree with any final settlement you make with the other party.

A. How much does a Motion for Contempt cost?

Many counties charge copying fees, and sometimes fees for service (delivering the papers to the other parent or other parties). **You should not have to pay any new filing fee.**

B. Where should I file my motion?

In **most** cases, you should file in the Superior Court of the county that entered your original court order. This packet covers only this type of case.

If you decide to file in another county, or you are trying to enforce an order from another state or from an administrative law judge, you must register your original order. You must also pay a filing fee or ask the court to waive it.

C. What if the other party is in the military or a military dependent?

If the other party is on active military duty, or the dependent of someone who is, talk to a lawyer before filing your motion. Special rules may limit the court's ability to make any orders adversely affecting the service member's or protected dependent's rights.

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

Talk to a lawyer familiar with family law before filing anything with the court. Some counties have family law facilitators. They can help you fill out forms. There may also be free legal clinics where you can get advice about your case.

- **Do you live in King County? Call 211**, weekdays 8:00 a.m. - 6:00 p.m. From a pay or public phone, call 1-800-621-4636. They will identify and refer you to the appropriate legal aid provider.
- **Apply online with [CLEAR*Online](https://nwjustice.org/get-legal-help)** - nwjustice.org/get-legal-help
- **Call the CLEAR Legal Hotline at 1-888-201-1014.**



Part 2. Checklist of Steps

This section lists in order the steps to file this Motion. Use this checklist as you go through your case. We explain many of the steps in more detail later in this packet.

- 1. Learn about contempt law in Washington.** Read [Contempt of Court in Family Law Cases — the Basics](#) to learn more. Filing for contempt is not always the right solution, even if someone is violating a court order. It may put you at risk of defending a contempt motion against you or a motion to modify.
- 2. Check for and use special local forms, procedures and rules.**

Local court requirements will affect how you handle your case. Your county may have special forms or have local rules you must follow. It may require case schedules, classes, or settlement conferences. Ask the court clerk or family law facilitator (if there is one) for the court where your case is filed about local requirements. Tell them you have a contempt case. Requirements may differ, depending on your case type.

Read your local court rules. They are available at the county law library and often at courts.wa.gov/court-rules/?fa=court-rules.local&group=superior

Look at the “*Words you should know*” section of this packet if you do not know words used here.

Find out:

- If the county has its own packets or forms for your type of family law case, use theirs instead of ours
- If you use our packet, get any other local forms you will need
- if the court uses case schedules (and if the court requires the person filing the case to serve the schedule on the other parties)
- if your county allows you and/or witnesses to testify at the hearing, find out what to do before the hearing to get permission to testify and to subpoena witnesses
- how much advance notice of the contempt hearing to give the other party

- 3. Make sure you know who you must serve or is a party to the case.** The caption of the order you are trying to enforce should show all parties. The party you believe is in contempt may be the only other party. If the motion affects child support and your child has ever gotten TANF or Medicaid, or is in foster care or out-of-home placement, or DCS is trying to collect support, get our [Serving Papers on the State](#) packet. If someone besides a parent has custody of a child in the parenting plan, that person may be a party. You must also serve any GAL or evaluator in your case.
- 4. Make sure you know how to find the other parties** (home address, or place of work) so you can arrange to serve them with your papers.
- 5. Get a certified copy of the court order you are trying to enforce.** You can get it at the Superior Court Clerk's office in the county of the court that decided your case. Read the order carefully. Make sure it clearly states the duty the other party has violated. **Make sure you are meeting your own responsibilities under the order.** Make sure there is no later order changing the order you want to enforce. Make sure the order has not ended. (Many restraining orders end on a certain date or when the court enters final orders.)
- 6. Fill out the forms to file for contempt.**
- 7. Make the needed copies of each completed form** you are filing with the court.
- 8. Go to the courthouse to:**
 - File your papers with the Superior Court Clerk
 - Get the judge's signature on the Order to Go to Court for Contempt Hearing (Order to Show Cause)
 - Get a certified copy of the order you are trying to enforce from the clerk (this will cost a few dollars)
 - Have the clerk "conform" copies of all the documents you are filing
- 9. Organize** your copies for service.
- 10. Arrange to serve the papers on the other parties.**
 - If you do not have the other party personally served, your motion may not be able to go forward. **Do not serve the papers yourself.**
 - If the State is a party to your case or DCS is collecting or trying to collect support in

your case, and your Motion for Contempt concerns support, you must serve DCS with the papers. Use our [Serving Papers on the State](#) packet.

- 11. File the completed Proof of Personal Service after the papers have been served.**
- 12. If required, deliver working papers and confirm the hearing.**
- 13. Wait until the other party's time to file a Response to your motion ends. Read whatever they file.** The other party has several days to file and serve a response to a motion for contempt. What they file will help you decide what to do to finish your motion.
- 14. Read any response or other documents the other party has served on you. File your own documents in reply, if permitted.**
- 15. Go to your hearing.** Fill out the Contempt Hearing Order to describe the judge's decision on your motion. Have the judge sign that order. File it with the court. Get a copy to the other party.
- 16. Decide whether to ask for Revision, if needed.** See Part 10.



Part 3. Forms in this Packet

A. Forms you will need

- FL All Family 165: “Motion for Contempt Hearing”
- FL All Family 166: “Order to Go to Court for Contempt Hearing (Order to Show Cause)”
- FL All Family 167: “Contempt Hearing Order”
- FL All Family 118: “Notice of Appearance (for a party without a lawyer)”
- FL All Family 101: “Proof of Personal Service”

B. Forms you *may* need

- FL All Family 135: “Declaration of (name): _____”
- FL All Family 001: “Confidential Information”
- FL All Family 012: “Sealed Personal Health Care Records (Cover Sheet)”
- FL All Family 013: “Sealed Confidential Report (Cover Sheet)”
- FL All Family 011: “Sealed Financial Source Documents (Cover Sheet)”



Part 4. Other court forms and documents you may need to get

You may need other forms and documents depending on the facts of your case. Read the following list. Check the other packets you think you will need from CLEAR or WashingtonLawHelp.org. Get those **before** filling out and filing your forms in this packet.

- Local County Court Forms and Rules** - Some counties have other special forms you need. They are not in this packet. Most will have local rules you need to know to file your motion. Check with the Court Clerk or Family Law Facilitator.

Some county clerk's offices have forms and local rules available online at courts.wa.gov/rules/local.cfm?group=superior.

- [Contempt of Court in a Family Law Case: The Basics](#)**: Has general information about the type of contempt most commonly used in family law cases, "coercive civil contempt."
- [Subpoenaing Witnesses and Documents](#)**: If you are going to a hearing or trial with live testimony, use this to make sure a witness shows up or brings documents. You can have them served with a subpoena issued by the clerk. Before using this packet, find out if the court allows live testimony at contempt hearings.
- [Working Copies](#)**: If court rules require you to serve working papers or working copies. You may want to do this even if your county does not require them.
- [Serving Papers on the State](#)**: If any party is asking for a child support order, and any of the children has gotten TANF or medical coupons or Medicaid, or is in foster care or out-of-home placement. You must include the state as a party and serve them with papers you file.
- Notice of Address Change (FL All Family 120)**: If you move during or after your case. Fill this out, file it with the court, and get all other parties a copy. Get it at courts.wa.gov/forms.

We offer many other publications, in family law and other areas. Visit WashingtonLawHelp.org for a complete listing.



Part 5. General instructions for filling out forms

Read this section before you start filling out any forms.

These apply to all forms. They cover all family law cases. You may not use some of this information.

The caption includes your case name and number, the court name, the title of the court paper, and sometimes, the type of case. It appears at the top of the first page of every form. You can copy the caption on the order you are trying to enforce. See the sample below:

| | |
|--|---|
| <p style="text-align: center;"> This case type is for a divorce. </p> <p style="text-align: center;"> Put the county where you are filing this form. </p> <p style="text-align: center;"> Put the case number. The court clerk assigns this number when the Petitioner files the CASE. </p> <p style="text-align: center;"> This is the form's title. </p> | <p style="text-align: center;"> Superior Court of Washington, County of _____ </p> <p>In re <u>the marriage of</u>:</p> <p>Petitioner (<i>person who started this case</i>):</p> <p style="padding-left: 40px;">Jane Brown _____</p> <p>And Respondent (<i>other spouse</i>):</p> <p style="padding-left: 40px;">John Brown _____</p> <hr/> <p>No. _____</p> <p>Notice of Hearing (NTHG)</p> <p><input checked="" type="checkbox"/> Clerk's action required:</p> |
|--|---|

Name of the court. Put the county where the case was filed in the blank after "Superior Court of Washington County of _____."

Case name. Copy this from the order you are trying to enforce.

Case number. When petitioner first files the papers to start the case, the court clerk assigns a case number. You must put that number on every paper you file with the court and serve on other parties during the case. Put it number near the top on the right-hand section of

the first page of every form after "No." (abbreviation for "number") When petitioner first files the case, she may be able to use a special stamp at the court clerk's counter to stamp the case number on each paper. You can print or stamp the case number. If you are filing your case in the same court that entered the order you want to enforce, use that order's case number.

-
- ❖ If you do not put the case number on the first page of every copy of everything you file with the court and copies for other parties, your papers may be lost, or the clerk may return them to you. Some courts will fine you for filing incorrect forms.
-

Title. Each form has a title on the right-hand side under the case number. You might have to add information to it. **Example:** On a declaration, you put the name of the person filling it out.

-
- ❖ **Format:** Pleadings (legal forms) you file with the court and attachments to pleadings must follow court rules about size and margins. You must use regular size (8 ½ x 11") white paper. You may write on only one side of the paper. The first page of each paper you file must have three inches of space at the top. 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 fine you.
-

The contents. Fill out each form according to its instructions. In most counties, you may print or type. It must be readable. After filling out each form, re-read it. Make sure you have correctly filled in all blanks needed. 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 filled the form out to put the date they signed it. The judge fills in dates in orders when the judge signs the order.

Signatures.

- **Your Signature:** After you fill out a form, look for the place(s) to sign your name:

Some forms have one signature line for "petitioner" or "respondent." After filling out a form such as the petition, sign at the place that applies to you. **Look carefully.** You may have to sign in more than one place. You may have to put the date and the place (city, state) you signed the form.

When you prepare and file motions, you are the moving party. **Look carefully** for each place marked “signature of moving party or lawyer.” You may have to sign in more than one place. You may have to put the date and the place (city, state) you signed the form.

When you prepare an order for the judge to sign, look for the place at the end for your signature. Check “is presented by me.”

- **Judge’s Signature:** Leave the judge’s signature line and the date blank.
- **Other party’s signature:** Some forms have a place for other parties to sign. You cannot force them to sign a court paper. If you have prepared an order after a hearing, the other party may be willing to sign it if they agree it accurately states the judge’s decisions, or the judge may require the other party to sign.

Agreed orders. A party who agrees with the orders you have written should sign in the right place on each court order they agree to.

May be signed by the court without notice to me. If you are the respondent or nonmoving party, or if you did not prepare the order, the other party may ask you to check this box and sign underneath. If you do, you are agreeing the judge should sign the order as written AND the other party can give the order to the judge to sign without letting you know when they are going to do it.

- **Other signatures:** If a witness or the person serving papers must sign a form, they must fill out all information correctly and sign in the right space.

Place signed. Declarations and Proofs of Personal Service must include the place you signed and the date. **Example:** Signed this 10th day of October 2014 at Seattle, WA.

Identifying Information. Court rules try to protect privacy but also allow public access to some information in court files. The three boxes discuss these rules.



Protect Your Privacy

Box #1 - Things You Should Not Put in Most Court Papers:

Almost all pleadings, orders, and other papers filed with the court are available to the public. They may also be publicly available online.

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

Address (Where you live) and Phone Number: Put an address where you can get mail from the court. It does not have to be your home address. You should also give the court a phone number where they can reach you.

Social Security/Driver's License, ID Numbers of Adults and Children: If you put these in court papers, put only the last four digits.

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

Box #2 - Private Information to File With Sealed Cover Sheets:

If you use a sealed cover sheet, this information is usually available to the other party and the court. It is **not** available to the public.

Financial Information: You must attach any paystubs, checks, loan applications, tax returns, credit card statements, check registers, W-2 forms, bank statements, or retirement plan orders you file to a Sealed Financial Source Documents form. Then the public cannot access them.

Medical or Mental Health Records or Information: You must attach papers you file with information about someone's past, present, or future physical or mental health, including insurance or payment records to a Sealed Personal Health Care Records form. Then the public cannot access them.

Confidential Reports: Reports intended for court use must have public and private sections. You attach the private section 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 a lawyer if this affects your case.

Other Kinds of Confidential or Embarrassing Information Not Mentioned Above. If the paper you want kept confidential is not in the above list, you may need to file a motion to have that paper, or part of it, sealed. Talk to a lawyer.

Box #3 - When to Put Private Information in Court Forms:

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

You must fill in your personal information completely (including your home address, social security number and so on):

Confidential Information Form

Vital Statistics Form

Law Enforcement Civil Information Form



Part 6. How to fill out each required form

A. Motion for Contempt Hearing – FL All Family 165

This form

- explains why the person is in contempt
- shows your requests to the court

Caption. Fill out the caption.

1. Check the box showing which party you are.

2. In the first blank, put the other party's name. In the second, put the date the court entered the order the other party has violated. In the third, put that court's county and state. Then check the boxes and fill in the blanks that apply. If you check **child support order**, you must check all boxes underneath that apply.

3. Request. Do not make any changes to this section.

4. Money judgment requested. Check the first box and skip to 5 if you do not want a money judgment. Otherwise, check the second box. Then check all the boxes underneath and fill in boxes as appropriate to show what you want.

You must put the dates for which the support, maintenance, or other obligation is due. If DCS has tried to collect support for you, or if anyone in your family gets TANF, DCS can give you this information.

5. Fines and penalties requested. Check the first box and skip to 6 if you do **not** want the judge to fine or penalize the other party. Otherwise, check the boxes that apply.

Courts usually only order jail time in serious cases, or where it has previously found the person in contempt. If you ask for imprisonment, and the other party cannot afford to hire a lawyer, they are entitled to a court-appointed lawyer at a hearing that might result in jail. As the party making the motion, you are **not** eligible for a court-appointed lawyer.

6. Other orders requested. Most people will not put anything here.

Person making this motion fills out below. In the first blank, put where you are signing this form. In the second blank, put the date you are signing. Sign and print or type your name where it says.

B. Order to go to Court for Contempt Hearing - FL All Family 166

The court will sign this to schedule your contempt hearing.

Caption. Fill in the caption.

1. Findings.

2. The court orders. Put the other party's name. Leave the date, time, place, and Room/Department lines blank, unless the court clerk or facilitator gives you a specific date. The judge usually fills in this part.

If you have a choice about the hearing date, choose one that gives you enough time to have the other party served. (**Example:** Your county requires six court days' advance notice to the other party of a hearing. You are not sure you can have the party served immediately. You set the hearing date fourteen days away to give your server enough time to complete service of process.)

3. Other orders (if any). Leave this for the judge.

Presented by: sign your name above **Signature**. Print your name on the next line.

C. Notice of Appearance – FL All Family 118

You use this to tell the other party where they should send you notice about the case.

Caption. Fill in the caption.

1. Put your name.

2. Do not make any changes to this section.

3. If you are afraid to give your mailing address, use an address where you will know immediately if papers arrive about your case.

4. Put an email address you check often.

5. Check this box only if it is okay for the other party and the court to send you legal papers to this email address.

Date the form and sign where it says **Sign Here**. Put the date.

If the mailing address you use in the Notice of Appearance later changes, you must file a Notice of Address Change, FL All Family 120, available at courts.wa.gov/forms. You must also provide the other parties a copy. Use the Proof of Mailing or Hand Delivery form, FL All Family 112, and procedure to show you have given notice.

❖ The Proof of Mailing or Hand Delivery form, FL All Family 112 and instructions for it are in the [Responding to a Motion for Contempt](#) packet. It is not in this packet.

D. Contempt Hearing Order - FL All Family 167

Your court may require you to do these things before the hearing:

- prepare a “proposed order”
- give the other parties a copy of your proposed order
- Deliver a copy of the proposed order as part of the working papers

Take a blank copy of this Order with you to court.

If you prepare a proposed order before the hearing, use the information in your Motion to help you state what you want the judge to order. Fill out the Order to show how you want the judge to decide.

Otherwise, you may fill this out after the hearing to put the judge’s decision in writing. Usually the person who wins at the hearing presents an order for the judge to sign at the contempt hearing.

Caption. Fill in the caption.

If the court entered a judgment, check **Clerk’s action required**.

If the judge ordered a review hearing, check **Review hearing** and make sure you fill out section 8 of this form completely.

1. Money Judgment Summary. This section is a summary of money judgments. This might include money owed for back support, attorney’s or GAL fees.

Check the first box and skip to 2 **if you are not entering a money judgment**. Otherwise, check the second box. Come back after filling in section 8. When you do, fill in this section to show what you put in 8. In the blanks for **from ... to...** directly under any box you check, put the dates the money is owed for.

2. In the blank, put the date the judge will or did hear the contempt motion.

3. Support payments. Check the first box if and skip to 4 if the hearing did not cover child support issues. Check the second box if no one is violating the child support order. Check the third box if the judge found one of you in contempt on child support issues. In the first blank, put who violated the support order. In the next blank, put the date of the support order. Check all the boxes immediately underneath that apply.

a. Ability to follow orders in the past - Check the box that applies. (If this is a proposed order, in the blanks explain the party's past ability to comply.)

b. Ability to follow orders now - Check the box that applies. (If this is a proposed order, in the blanks explain the party's past ability to comply.)

4. Parenting Plan, Residential Schedule, or Custody Order. Check the first box and skip to 5 if the hearing did not cover custody or parenting issues. Check the second box if no one is violating such an order. Check the third box if the judge found one of you in contempt on parenting or custody issues. In the first blank, put who is in contempt on those issues. In the next blank, put the date of that order. Then check all the boxes immediately underneath that apply.

a. Ability to follow orders in the past - Check the box that applies in your case. (If you are writing a proposed order, you check the first box.)

b. Bad faith – If this is your proposed order, check the first box. Otherwise, check the box showing what the judge ordered.

c. Ability to follow orders now - Check the box that applies in your case. You ought to be able to check **is not able**. (If this is a proposed order, in the blanks explain the party's past ability to comply.)

5. Restraining Order or Other Order. Check the first box and skip to 6 if the hearing did not cover a restraining or other order. Check the second box if no one is violating the restraining or other order. Check the third box if one of you is in contempt of such an order. In the first blank, put who that is. In the next, put the date of the restraining or other order. Then check all the boxes immediately underneath that apply.

6. Lawyer Fees and Costs. Check the first box and skip to 7 if the hearing did not cover lawyer fees and costs. Check the second box if the court ordered payment of lawyer fees and costs.

7. Contempt. Put the name of the party who faces the contempt allegations. Check the box showing what the judge ordered.

8. Money Judgment. Check the first box and skip to 9 if the hearing did not cover any money judgment. Check the second box if the judge ordered a money judgment. Then check all the boxes underneath and fill in the blanks showing what the judge ordered. In the blanks for **from ... to...** directly under any box you check, put the dates the money is owed for.

9. Make-up parenting time. Check the first box and skip to 10 if the hearing did not cover this. Check the second box if the court ordered make-up parenting time for someone. In the first short blank, put who that is. Under that, put the dates and times.

10. Jail time. Check the first box and skip to 11 if the hearing did not cover this. Check the second box if the court ordered jail time for someone. Fill in the blanks that follow. Check the first box immediately underneath that if the judge is suspending jail time and put why in the blank. Otherwise, check **jail time starts** and fill out the rest of the section.

11. Contempt can be corrected if. Check the first box and skip to 12 if the judge did not find the person in contempt. Check the second box if the judge found contempt. Then, in the blanks, put who is in contempt, and how the judge said the person could get rid of (purge) the contempt. **Examples:** the judge might have ordered payment of support, attending all review hearings, notifying the court of job searches, and so on.

12. Court review. Check the first box if the judge did not order a new hearing. Check the second box if the judge ordered the parties to return to court later to see if everyone is obeying the order. Put the date and time of the next hearing. Then return to the caption at the top of the first page and make sure you checked Review Hearing there, on the right-hand side.

Ordered. Leave this for the judge.

Petitioner and Respondent or their lawyers fill out below:

There are two columns of boxes to check, one column for each party. You should check **is presented by me**. You sign and print your name and the date where it says.



Part 7. How to fill out forms you *may* need

A. Declaration of: – FL All Family 135

Use this if other people are giving evidence to help prove the other person is in contempt; or, after getting the other party's response, to add more evidence of your own or from another person.

A Declaration is a statement, sworn to be the truth under penalty of perjury, by anyone with direct knowledge about the issues your motion covers. This could include family members, friends, teachers, counselors, or anyone else who has directly seen, heard, or otherwise witnessed important events in your case.

The declaration should give the important facts this person adds to your case. **Remember:** at your hearing, you will not have much time to speak. The judge may not let you add facts in your case. You must explain all the important facts on the forms you file with the court.

Some courts require allow live testimony. Others allow it on request. Others consider only written evidence. Find out your county's practice. If your county or allows it and someone has requested it, you must have your witnesses present in court the day of the hearing.

-
- ❖ By presenting a declaration from a witness, you may be giving up the right to keep confidential other information that witness may have about you or the children.
-

1. Some brief rules about witness Declarations

The person making the declaration is the **Declarant**.

Put the most important points at the start. Less important points should come later.

The declarant should base their statement on their own personal knowledge (what they saw or experienced firsthand), not what someone else told them. **Exception:** the declarant may talk about what another party has said.

The declarant should explain how well they know you or the people they are writing about, how often they see the people, and in what situations. **Example:** "Mr. Jones has worked for

me at Acme Plumbing for 15 years. I see him almost every day at the office. Also, because our sons are on competing soccer teams, I have seen him coaching his son's games three or four times this season. He has invited me into his home a two or three times for dinner with his family over the years I have known him."

The writer must type the declaration or print it neatly in **black or dark blue ink**. (A few courts require typed declarations.) If the declaration is hard to read, the judge may not try.

Do not make the declaration too long.

Stick to issues the judge will be deciding. Be specific on those issues.

- In a parenting dispute, general statements, such as "she is a bad mother," or "the children are much happier now living with Mary," are not helpful. The declaration should describe specific things, and state when and where incidents occurred.
Example: "I live on the same street as Joe. About a year ago, Joe knocked over our mailbox while driving. I ran out to the street to see what had happened. Joe was standing next to his car. I smelled liquor on his breath. I have seen him weaving down the road in his car three other times this year."
- In a child support dispute without parenting issues, the statement above may not be relevant to the issues before the court. If it is not relevant, do not include it.

Attach extra pages to the declaration if you need more space. Extra pages should also have margins of at least one inch. You should number all the pages at the bottom.

Some courts limit the number of pages you can file with a motion. Check local rules, or ask the court clerk or facilitator.

If you attach documents to declarations, such as printouts of bills, school records, medical or treatment records, police records, and so on, refer to them in the declaration and call the attached documents exhibits and number them Exhibit Number 1, Exhibit Number 2, and so on.

- If the papers you are attaching do not require a sealed cover sheet (see the General Instructions section), staple them to the declaration.
- If the papers you are attaching have personal medical or mental health info, or financial records, or confidential court reports, put an exhibit number or letter on each paper you are attaching. When the declarant mentions that paper, they should use that exhibit number or letter and put it is "filed with the Sealed Personal Health Care Records cover sheet on _____ (date)." **Do not staple** the paper to the

declaration. Attach it to the appropriate Sealed Cover Sheet form before you file and serve it. We describe the sealed cover sheet forms elsewhere in this packet. See the General Instructions section about what to keep out of the public file.

2. Filling out the Declaration form

Caption. Fill out the caption and make as many copies of this form as you will need before adding any other information. Then you will have blank forms with just the caption on them. You may give a copy to each witness to fill out and have one for you to use, where necessary.

On the right side of the caption, after **declaration of...**, put the declarant's name. Do the same next to **Declaration of** under the caption.

1. In the first blank, put the declarant's name. In the second age, put the declarant's age. Check the box showing who the declarant is. If you check **other**, explain in the blank (**examples:** "petitioner's friend," mother's counselor," "child's daycare provider").

2. I declare. The declarant should type or print neatly in black ink the information they want to tell the judge. (A few courts require declarations be typed.) Follow the suggestions in section a.

I declare under penalty... The declarant must check the box and put the number of pages they are attaching if the declaration is longer than two pages.

Signed at. The declarant puts the place and date they are signing this declaration. Underneath, they sign and then print their name.

B. Confidential Information Form and Attachment - FL All Family 001

In family law cases, you must give the court certain private information about yourself and the other people involved in the case.

You must fill out this form with that information and file the original of File it with the court clerk. Make a copy of this form to keep for yourself. **Do not serve the Confidential Information Form and Attachment on the other parties.**

The Confidential Information Form is normally not available to the other parties or their other parties' lawyers. Information in this form could go to DCS (Division of Child Support) and other parts of DCYF (Washington State Department of Social and Health Services). They may release information in this form to another party. Another party could get access to this form by following certain court procedures.

-
- ❖ When your address changes, you must update the court by filing a Notice of Address Change, even after your case is final. If you do not, legal papers may go to you at your old address. The court may enter orders against you without actual notice to you.
-

1. **Put your name.** Put the county where the case is filed and the case number. If you do not have a case number yet, put it when the clerk gives it to you.
2. If there is no current restraining order or protection order in place, check **no** and skip to 3. **Check “yes” if restraining orders or protection orders are currently in place.** In the blank, put who the orders protect. If the court issues such orders later in this case, you will need to file an updated form. Check **no** and skip to 3 if there is no current restraining order or protection order in place.
3. **Check “the first box yes” if you believe an adult’s or a child’s safety of an adult or child would be at risk by listing your home address.** In the blank, explain why.
4. **Your Information:** In the first table, put the information requested, including your driver’s license number and social security number (if you have these). Skip the second table.

-
- ❖ If you need an interpreter, check **yes** and put which language.
-

5. **Other Party’s Information.** Put as much of the information requested as you can. Use the Attachment to Confidential Information if there is more than one respondent.
6. **Children’s Information.** Put as much of the information requested as you can.
7. **Have the children lived with anyone other than...** Check **no** if the children have only lived with you or a respondent in the past five years. Skip to 8. Check **yes** if the children have lived with someone besides you or Respondent/s in the past five years. Put the information requested.
8. **Do other children (not parents)...** Check **no** and skip to 9 if only you and Respondents have custody or visitation rights. Check **yes** if other people besides you and Respondents have custody or visitation rights. Put as much the information requested as you know.
9. **If you are asking for custody and are not the parent...** Fill this out only if you are not a parent of the child. List any other adults living in your home. Use the Attachment if there are more than two other adults living in your home.

Sign and date the form and put the place you signed it.

C. Sealed Personal Health Care Records (Cover Sheet) –FL All Family 012

Unless a local procedure requires otherwise, you must use this whenever filing anything with the court that mentions any kind of mental or physical health care, health insurance, or medical bills, to make sure the records are not available to the public. Some of the papers you should use this cover sheet for are:

- Medical/mental health records and bills
- Letters/declarations from doctors and counselors
- medical bills and statements of medical coverage (or denial)
- cost estimates for medical care
- social security and L&I and other disability program letters and records
- medical evaluations
- medical insurance records
- dental records
- records of alternative health care practitioners such as massage therapists, acupuncturists or chiropractors
- genetic parentage testing

Put this cover sheet on declarations that mention medical or mental health conditions.

Keep a blank copy of this. You might need to file more health care records later.

Attach the confidential personal health care records to this form.

Fill out the caption. Check the boxes showing what type of records you are attaching.

Submitted by: Check the box that applies to you. In the blanks, sign and print your name.

D. Sealed Confidential Reports (Cover Sheet) – FL All Family 013

This is for some confidential reports filed with the court, including the following when intended as reports to the court in a family law case:

- Parenting evaluations
- Domestic Violence Assessment Reports created by certain qualified people
- CPS reports
- See the form for other types of reports

The person preparing the report must also file a public portion listing the materials or information reviewed, people contacted, tests conducted or reviewed, and conclusions or recommendations reached.

Instructions for the Sealed Reports form:

Caption. Fill out the caption.

Check the boxes next to the type of report.

Attach the confidential part of the report to this form. If you are afraid for your safety or the children's safety, block out any information about place and address on the copies you file with the court and deliver to the other parties.

Submitted by. Check the box that applies to you. In the blanks, sign and print your name.

E. Sealed Financial Source Documents– FL All Family 011

You must use this when filing private financial documents with the court. Keep a blank copy in case you must file more documents later. You can attach one form to a stack of documents.

Caption. Fill in the caption.

Check the boxes next to each type of paper you are filing. If you are submitting child support worksheets, their instructions say what papers to file.

If you are afraid for your safety or the children's safety, you can block out information identifying your location on the copies you file with the court and give the other parties.

Submitted by. Check the box that applies to you. In the blanks, sign and print your name.



Part 8. How to file forms with the court

After filling out the forms, you must

- file them with the court
- ask the judge to sign your Order to Go to Court for Contempt Hearing
- have the papers served on the other parties

This section explains these steps. **Before filing and serving your papers, make sure you have filled out the forms you need.**

A. Filing your motion with the court and asking the judge to sign your order

You must file your Motion and have the Order to Go to Court for Contempt Hearing signed by the judge (and filed with the clerk) **before** serving the other party.

You will need a certified copy of the order you are trying to enforce. If the court where you are filing your motion entered that order, get a copy when you file your papers. If it was a different court, get the certified copy in advance. (**Note:** We only explain how to file a motion for contempt in the county that entered the order you now want enforced.)

- Make at least two copies of everything**, including the proposed orders and the order you want enforced. One copy is for the other party. One is for you. **Exception:** make only one copy of the Confidential Information Form and attachment, and do NOT give it to the other party. If there is more than one other party to your case, or you must give the judge working papers, make more copies.

You must include everything. Depending on your case, you will need at least

- Motion for Contempt Hearing
- Order to Go to Court for Contempt Hearing
- each witness's declaration

- a copy of the order you want enforced (put the certified copy of it into the packet for the party in contempt)
 - Notice of Appearance
 - a proposed Contempt Hearing Order After Contempt Hearing, if required
 - Confidential Information Form and Attachment, if your information has changed since you last filed this form (**do not serve this form**)
- Make full sets of your forms (one set of originals and sets of copies).** Organize your forms into sets by placing all the originals in one set and making sets of copies.
- The set of originals will be for the court.
 - One set of copies is for you. Put the Confidential Information Form and Attachment copy in your set.
 - Other set(s) are for other parties. Put the certified copy of the order you want enforced into the set for the party you believe is in contempt.
 - Make sure each set includes the appropriate forms.
- Call the Superior Court Clerk or Family Law Facilitator** to find out where to get your Order to Show Cause signed by the judge, and what days and hours.
- Go to the courthouse courtroom number at the time given to you by the clerk.** Look for a clerk or bailiff so you can sign in. This is usually someone sitting at a desk near the judge. Give the clerk the set of originals of your papers. Sit down to wait for your turn. When they call your case name, tell the court you are there. When they tell you to come forward, tell the court you want an Order to Go to Court for Contempt Hearing. The court may ask why you believe the other party is in contempt and how you have already tried to have them follow the order. If you think that you will be nervous, try beforehand to make a list of what to say. Have it with you when you talk to the judge. You will have only five to ten minutes to explain why you need the order. Be prepared. The judge may make changes to your order, and then sign it. The judge should then give you all your papers back, including the signed order.
- Go to the court clerk's office to file your original papers and get conformed copies.** Make at least one copy of the signed Order to Go to Court for Contempt. **Ask the clerk to stamp your copies of the other papers you are filing (motion, declarations, and so on)** to show the date you filed the originals of your other forms and to show the judge's signature on the order. Take the stamped copies back from the clerk. The clerk

keeps the originals.

- Ask the clerk to file the originals of all your papers except** ask the clerk where to deliver the proposed order (Order after Contempt Hearing). In some counties, the clerk takes the proposed order. In others, you deliver it to a different office, or they may just tell you to bring it to the hearing. (Signed orders are different. You must always file signed orders with the clerk.)
- If you need to deliver working papers for the judge** for your upcoming hearing, try to do that before you leave the courthouse.



Part 9. How to serve forms

After filing your papers, **you** must have them properly served on (delivered to) the other parties. **The court does not serve the other parties.** You must arrange for service and make sure your server delivers the papers properly. **Do not serve the papers on another party yourself. Follow the rules for service carefully. If you do not, your court orders could be set aside, even years later.**

Who to serve: Every other party in the case. If your case is ongoing (the court has not entered final orders yet), and the other party has a lawyer, serve the party as we explain later, **and** provide an extra courtesy copy of the papers to the party’s lawyer. Remember also to serve the state, if it is a party, and any GAL or evaluator in your case.

What to serve: **You must have** all the papers you filed served **except** the Confidential Information form and attachment, if you have filled these out.

How to serve: You must arrange to have someone else personally deliver the papers. We explain how below. Our [Serving Papers on the State](#) packet describes how to serve the state, if it is a party.

When to serve: You must have your papers served in time to give the other parties the advance notice your county requires. When counting, do not count the day of service, weekends, or court holidays. Many counties require more than five court days’ notice. You must serve all the parties before your county’s deadline.

How to copy your papers for service

Be sure you have the necessary copies of the papers. Make any extra copies you need so that you have:

- ___ One set for you
- ___ One set for each other party (1 x ___ number of other parties = ___) except you do not serve the Confidential Information Form and attachment (if you have prepared this form) on any other parties. The copies of the Order to Go to Contempt Hearing must have the judge’s signature and date of filing
- ___ one set for the judge if you need to or choose to deliver “working papers”

❖ You should always make a copy for the judge. Even if the local court does not require you to give the judge working papers, take the papers with you to your hearings. Sometimes the judge does not have the case file in the courtroom, or papers you have filed with the clerk have not yet been placed in the court file.

_____ one set for the State (if you are serving the State)

_____ One set for the Guardian ad Litem, if there is one in your case

_____ Total = This is how many copies you need of each document

Organize the papers:

1. Organize the forms into sets. Each set should have a copy of each form you have filled out, **except for** any Confidential Information form and attachment. Do not give those to any other party.
2. Check each set. Be sure you have the forms you need.
3. Keep a full set of copies for yourself. Put any Confidential Information form and attachment into the set you will be keeping,
4. Put the certified copy of the order you are trying to enforce into the set for the party you believe is in contempt.
5. Put each of the other parties' sets of papers in an envelope, addressed to that party, with your return address.

A. Instructions for Personal Service in Washington

You must carefully follow the rules for having the other parties personally served.

You cannot serve the documents on the other parties yourself. You must get someone who is 18 or older to serve for you.

If you have the money, hire a professional process server. The cost of a professional process server or sheriff is usually \$30-\$80. A professional process server may be better. The sheriff may not be willing to try to serve again if someone was not at home the first time.

Ask an adult friend to be your process server. If you cannot afford a process server or the sheriff, any competent adult 18 or over who is not a party to the case can serve for you. Your server must understand how important it is to serve the papers and correctly fill out the proof of service form. If you do not serve the other parties properly, your court orders could be set aside, even years later.

If you are using an adult friend as server, let the friend know it is best to put the papers in the other party's hand. But the other party may refuse to accept the papers. Encourage your server to use her best judgment about how to leave the papers. Here are some examples of common situations in service.

- **Example 1:** The other party may be expecting you to serve them, and is avoiding people who look like servers. In this case, your server can pretend to be delivering an innocent package.
- **Example 2:** The other party may let your server in, but refuse to take the papers. Your server should always try to hand the papers to the server, unless it would be unsafe for the server to try to do so. It may be okay for the server to leave the papers on the floor in the other party's home.
- **Example 3:** The other party opens the door for your server. The other party does not let your server in. The other party refuses the papers. It is okay for your server to leave the papers in the doorway or just outside.
- **Example 4:** The other party may be home, but refuses to get the door when your server knocks. Your server may have to make a few such visits before you can ask the court for help. Tell your server **do not leave the papers outside**.

Give your server the envelope of papers you prepared for service on the other party, with the other party's home and work address, a physical description of the other party, and any other information to help the server find the other party.

Give your server a Proof of Personal Service form to fill out and return to you once service is complete. (Some process servers have their own Proof of Service form they will use instead.)

Your process server should hand the papers directly to each party. Your server may hand the papers to each party at home, work, or anywhere else that they find the person. **If the State of Washington is a party, use our [Serving Papers on the State](#) packet.**

If a party other than the person in contempt is home, your process server may do "abode service": delivering the papers at the party's home to any competent adult who lives in that home with the other party. If your server does this, your server should ask that person for their name and age, if they live at that address, and if the other party lives at that address. **Abode service on the party in contempt may not be allowed under local court rules or be enough to allow for criminal enforcement of the order to show cause.**

If your family law case is pending when you serve your contempt motion and the court has not yet entered a final order, and the other party has a lawyer, you should serve **both the party and lawyer**. Have your server leave a set of the papers at the lawyer's office. In this case, it is enough to hand the papers to another worker in the office.

The process server must complete a separate Proof of Service form for each party served. After serving the papers on a party, your server must sign a Proof of Service for that party and give you this form. You then file it with the court clerk to prove you had the papers delivered properly.

If the other party is served outside the State of Washington, you may need to follow other procedures not explained in this packet. Talk to a lawyer.

1. Filling out the Proof of Personal Service – FL All Family 101

Your server must fill out a separate Proof of Service for each party served. After your server completes service and signs the Proof of Personal Service form(s), follow the our instructions for filing this form.

Caption. Fill out the caption.

1. In the blank, put your name.

2. **Personal Service.** In the blank, put the name of the party being served. The server must check the box that applies.

3. The server should put the date, time and address where she served the papers.

4. **List all documents you served.** Check the box to the left of each form served on that party. Sometimes you must fill in a blank to describe a form. **Example:** if you check **Declaration of**, put who wrote the declaration. If you had the other party served with any forms not listed, check **other** and put the names of those forms. You **MUST** list all the forms that were served on the other party. If you leave something off your list, you will have no proof the other party received it.

5. **Fees charged for service.** Check the box that applies. Usually, only professional servers will use the box for fees and mileage.

6. **Other information.** Your server may put more information here. **Example 1:** Your server tried several times to serve the other party. She is never home or the server cannot find her. The server should put here the dates and times and descriptions of each time the server tried to serve the other party. **Example 2:** The server gave the papers to an adult

living with the other party who would not give his name. The server should put here what the person who received the papers looks like.

Signed at. The server should put the city and state where she signed the form and the date she signed. She should sign where it says **Signature** and then print or type her name where it says.

2. Filing Your Proof of Service

Gather your original signed Proof(s) of Personal Service. Have one for each of the other parties. Make one copy of each original. Take the originals and the 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. Take them with you to your hearing(s). You may need them to prove to the judge that you served the other party.

B. If you do not serve the other parties on time

You should still get ready for and go to the hearing. If the other party appears and does not object to holding the hearing on that date, the court may go ahead with the hearing. If the other party shows up and objects to the hearing, ask the court to delay or postpone ("continue") the hearing to a later date.



Part 10. Getting Ready for Your Hearing

A. 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. We call this set of copies Working Papers or Working Copies. Read [What are Working Copies](#) to learn more.
- **Confirm the hearing** a few days before the hearing date. “Confirming the hearing” means telling the court the hearing will take place as scheduled.

To learn the rules for working papers and confirming the hearing in your county, read local court rules, and check with the Family Law Facilitator or court clerk.

-
- ❖ If you do not give the judge working papers and do not confirm your hearing in a county that requires this, the judge may cancel your hearing or might not consider any of your papers.
-

1. Replying to the Other Party’s Response

The other party should respond in writing to your motion before the hearing. In most counties, the other party must deliver a response to you and the court no later than one court day before the hearing. **Even if the other party sends no response**, go to the hearing. If the other party comes to the hearing, tell the judge the other party did not respond in time. The judge may decide not to consider the other party’s papers, or go ahead with the hearing, or put the hearing off to a later date.

If the other party responds, read the response carefully. If you get no chance to file a written reply, be ready to tell the judge verbally why you disagree with the response.

Filing a Reply: If your county lets you file a written Reply to the other party’s response (not all do), use the Declaration form to write it. Put *Declaration of (Petitioner or Respondent) In Reply* under the title of the declaration form. In your declaration, state which points in the other party’s response you disagree with, and why. If you need to, give the court more papers or declarations from other witnesses in reply to evidence the other party has given.

After finishing your declaration, make a copy of it (and every other paper you need to reply to the other party's response) for each of the other parties, yourself, and the judge (if you need working papers). File a set of the papers with the court clerk. Have the clerk stamp the copy you keep, so you can prove when you filed it. Deliver a set of the papers to each of the other parties (and to the judge if you need working papers). **You must 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 do not serve your reply by the deadline, the judge may not read it.

2. Going to the Hearing

Live testimony (also called oral testimony): If a party has requested live testimony in a county that allows it, or your case is in a county requiring live testimony at all contempt hearings, you and your witnesses must be at the hearing. The court may not consider written statements in declarations. It may require the witnesses to testify in person.

If the court will **not** use live testimony, make sure you have filed and served all your written evidence in advance.

❖ Some counties require live testimony. Others may not allow it at all, or allow it only with advance court order. Learn your county's practice.

- **If the Other Party Gets a Lawyer:** If at any time before the hearing another party's lawyer contacts you, or shows up at a hearing, you may decide to get one yourself. If so, tell the lawyer and the court you need to postpone (continue) the hearing. Do not panic. The lawyer may ask you to sign some documents. **Do not sign anything you do not understand.** If you asked the court to send the other party to jail for contempt, and she is low-income, she may get a public defender to represent her at the contempt hearing. The public defender may appear on the day of the hearing for the first time.
- **Get Ready for the Hearing.** Try to go to court before the day of your hearing. Watch how the court generally does hearings. Try to make some notes to yourself about the main points to make at your hearing.
- **Get to Your Hearing Early.** Try to dress neatly. Try to bring a pad of paper and black or dark blue pen to write notes. Bring your set of the papers, and your copies of any papers the other parties gave you in response. Do not bring your children. If you are not there on time, the judge may cancel the hearing (or the other party may win). Make sure you bring along any proposed Order after Contempt Hearing you have prepared. Bring a blank Order too.

- **When You Get to the Courtroom.** Tell the person in charge in the courtroom (the clerk or bailiff) your name, and your case name and number. Take a seat. Stand up when the judge walks in the room. When they call your case name, tell the court you are there. Stay in court until they call your case for hearing.
- **If the other party does not show up, and you had the other party properly served with the contempt papers, the court might order a bench warrant issued for their arrest.** You may ask for this if you still want to pursue your Motion for Contempt.
- **Presenting Your Case.** If the other party shows up at the hearing, each of you will have a chance to tell your side of the case. Stand while speaking. Talk directly to the judge. Tell the judge briefly what you want and why. Try to keep your argument short and only outline your main points. The judge probably will have read your papers before the hearing. Do not repeat everything in your papers. Try to make notes to use at the hearing. If the court allows live testimony, have your witnesses ready to testify. Read [Getting Ready for a Hearing or Trial](#) to learn more.
- **Do not interrupt the judge.**
- **Hearing the Judge’s Decision.** After the judge has heard both sides, the judge will decide on your requests. Listen carefully. Take notes. Show the judge the Contempt Hearing Order after Contempt Hearing if you have prepared one. The judge may make changes to the order you prepared, or may direct you, the other party, or the other party’s lawyer to do it or to write a new Order. If the other party’s lawyer makes changes to the Order, read them carefully. Make sure they say what the judge said. If you are unsure about any changes, do not sign the Order. Ask the lawyer to go back before the judge to make sure the Order says what the judge said. **Usually you want your court orders signed the day of your hearing. Some counties require they be signed before the parties leave the courthouse.**
- **Getting Copies of the Orders.** Make sure you get a copy of the Contempt Hearing Order after Contempt Hearing 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. **Do not leave the courthouse with, change, or destroy court orders the judge has signed.** If you do not know what to do with the originals, ask. Make sure the other parties to your hearing also get a copy of the Order.
- **If the Judge Schedules a Review Hearing:** It is common for a judge to give a party in a contempt motion another chance to obey the court’s orders. The judge may order the party to do certain things, and then set a “review hearing” several weeks

in the future. You must get ready for your review hearing the same way you got ready for the Motion for Contempt. This may include filing and serving a declaration before the hearing about whether the party has done what the court ordered, preparing working papers, or confirming the hearing. If you are not sure how to get ready for the review hearing, talk with a lawyer or your Family Law Facilitator well before the next hearing date.

3. If you Disagree with the Court's Order

Your options are limited. If a court commissioner decided the motion, and you do not want to try to give the commissioner more evidence, you may file a Motion for Revision. A judge hears a motion for revision. That judge can hold a “new hearing” on the same evidence that the commissioner considered. You have ten days from the date the court commissioner signed the order to file a Motion for Revision. Local court rules may require you also to serve the other parties within the same deadline. If you plan to serve by mail, mail your motion at least three days earlier. Motions for Revision are not usually easy to win. Talk with a lawyer, if possible, before filing one. Our [File for Revision in a Family Law Case](#) packet has forms and instructions.



Part 11. Words you should know

Attachment: A document stapled to a court form and referred to in the form. Attachments should follow format rules for court forms. See basic information about format rules in the General Instructions of this packet.

Bailiff: The member of the judge's staff in charge of courtroom procedure and security. Can be the same person as the clerk.

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

Caption: A legal document's heading. It has the court and parties' names, the case number, the name of the document itself, and sometimes, the type of case.

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

Confirm a Hearing or Trial: Notifying the court that you still plan to have the hearing or trial scheduled in your case. How to confirm differs by county. Not all counties require it. Often you must confirm a trial or hearing with a phone call to the court a few days before the hearing or trial. Local rules explain each county's requirements. If notice is required and you do not give it, the court may cancel the hearing or trial.

Conformed Copy is a copy stamped with the date you filed it with the court. A copy of a court order must also have the name of the judge who signed it printed or stamped on it.

Continuance: Delaying your court hearing to a later date. In your county, the judge might have to approve any request for a continuance.

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

Docket: The court's schedule of cases it will hear on a particular day.

Exhibit: Documents, records, and photos introduced into evidence at trial or hearing. If attachments to legal forms are exhibits, they should follow format rules for court forms. (The General Instructions section of this packet has more about format rules.)

Ex Parte: Going before the court without notifying the other party, or giving them very little notice. Can also refer to the courtroom where you see a judge without notifying the other party.

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 for example, temporary relief. Often at a hearing the court limits or does not allow live testimony. Instead, you file and serve written materials in advance.

Motion: A formal request to the court for an order.

Motion Docket: The court's schedule of motions it will hear.

Notice of Appearance: A paper you file with the court and serve on the other parties showing you will take part in the case and saying where to send you papers about the case.

Personal Service: Having someone age 18 or over who is not a party to the case hand the other party the papers, or, in some cases, to another competent adult who lives with the other party at their home.

Petition for contempt: The document starting a court case when the order you want enforced is from an administrative agency or another county. We do not discuss this type of case. If this is your situation, talk to a lawyer.

Proposed Order: A document you will be asking the judge to sign. In many counties, you must file and serve proposed orders with motions or responses to motions to show how you want the court to decide the motion. Even where not required, we recommend you do this anyway. A proposed order becomes an order if the judge signs it.

Public Defender: An attorney paid by the State to represent low-income people in certain kinds of criminal cases, and some civil contempt cases.

Response: A formal written answer to a Petition filed with the court. Can also describe the papers you files in response to a motion. It can be confusing.

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

Service: Giving court papers to the other party. The law explains how to serve properly.

Temporary Family Law Order: An order entered after a case starts and before it is final. It is only in effect while the case is going on. Temporary family law orders can end at a fixed time, even before the case ends.

Working Papers: A copy of papers you file with the court and deliver before the hearing for the judge to review. Local rules vary about whether working papers are required or, if they are, when and where you must deliver them. Some counties require you to deliver working papers at or near the time you file a motion or response.



Part 12. Blank Forms

The rest of this packet has blank forms for your use. 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. You may not need all the forms in this packet.

The Washington Administrative Office of the Courts also has Microsoft Word and PDF versions of many of these forms available on their web site at www.courts.wa.gov/forms.