

# Ask for Immediate Restraining Orders: Divorce Cases

## Instructions and Forms



Northwest Justice Project

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## Part 1. Important Information

### A. What is a Motion for Immediate Restraining Orders?

It asks for a court order giving you certain rights and/or protections between the time your case starts and the date it is final. It is different from a Motion for Temporary Family Law Orders: you are asking for a court order to take effect **immediately**, usually with little or no notice to the other party.

A judge usually does not want to enter an order before the other party has a chance to tell their side of the story. You should file this Motion **only** if there is an urgent reason for a court order before the judge can hold a Temporary Family Law Orders hearing.

Either Petitioner or Respondent may file a Motion for Immediate Restraining Orders. The motion can include orders related to issues including safety, finances, use of property, maintenance (alimony), child support, parenting plans, and guardians ad litem.

**Do not file this Motion unless you have a pending family law case (has been filed), or you are filing a case at the same time as this motion. Example:** You are married and want an Immediate Restraining Order. You must have an active divorce or legal separation case (or you must file one along with this motion).

### B. Should I use this?

This packet should help you fill out and file the papers for a Motion for Immediate Restraining Orders when your divorce is not yet final. Before using this packet, you should decide if you should file for Temporary Family Law Order, for Immediate Restraining Orders, or no motion at all. Talk with a lawyer or read one of our other resources about your family law case. (**Example:** [Divorce and Other Options for Ending Your Marriage with Children in Washington State.](#))

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❖ **Survivors of Domestic Violence or Harassment:** If the other parent has a history of physically harming you or the children, or has threatened to, or if you are a victim of unlawful civil harassment by the other parent, you can file for a Protection Order for immediate protection. Protection Orders offer strong safety restraints. [Domestic Violence: Can the Legal System Help Protect Me?](#) has general information.

❖ **Protection order forms are available from** the court clerk or your local domestic violence program or call the National Domestic Violence Hotline 1.800.799.7233. You can also use our do-it-yourself interview program, [Washington Forms Online](#), to fill out the forms at WashingtonLawHelp.org.

Talk to a lawyer before filing for a Protection Order if the court has entered a temporary parenting plan or custody order very recently.

❖ **StrongHearts Native Helpline** is a peer support service of the National Domestic Violence Hotline. Advocates are available 24/7 by texting or calling 1-844-7NATIVE (1-844-762-8483) or through the online chat at [strongheartshelpline.org](#).

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

Talk to a lawyer before filing your motion. Special rules for members of the military and their dependents may limit the court's ability to make any orders affecting the rights of the service member or their dependent.

## **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. Many counties have family law facilitators who can help fill out forms, or free legal clinics where you can get advice.

## E. Get Legal Help

- **Apply online:** [nwjustice.org/apply-online](https://nwjustice.org/apply-online)
- **Facing Eviction?** Call 1-855-657-8387
- **Facing Foreclosure?** Call 1-800-606-4819
- **Facing a legal issue in King County** (other than Eviction or Foreclosure)? Call 211 (or toll-free 1-877-211-9274) weekdays 8:00 am to 6:00 pm. They will refer you to a legal aid provider.
- **Facing a legal issue outside of King County** (other than Eviction or Foreclosure)? Call the CLEAR Hotline at 1-888-201-1014 weekdays between 9:15 am and 12:15 pm or apply online at [nwjustice.org/apply-online](https://nwjustice.org/apply-online).
- **Seniors (age 60 and over)** with a legal issue outside of King County can also call CLEAR\*Sr at 1-888-387-7111

**Deaf, hard of hearing or speech impaired callers** can call any of these numbers using the relay service of your choice.



## Part 2. Checklist of Steps

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

- ❑ **1. Check for special local rules and forms.** Ask the county court clerk or family law facilitator if your county has its own Motion for Immediate Restraining Orders packet. If so, use theirs instead of ours. If you use our packet, get any other forms you will need. Make sure you know any special deadlines for filing family law motions in your county. Find out if your county limits the length of a Motion. Look back at the list of local practice issues in the main filing or responding packet you are using.

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❖ The court must

\*check the judicial information system and databases for any relevant information before entering a permanent or modified parenting plan

\* where someone claims a limiting factor such as domestic violence or child abuse, have both parties screened to determine if a comprehensive assessment is appropriate

Ask the clerk or facilitator what procedures your court is using. You may need forms and procedures this packet does not describe.

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- ❑ **2. Gather your evidence and other forms or packets you need.** If possible, get your evidence together now, for use when filling out your forms. Think carefully about what will help show what you are telling the court is correct or what the other party is saying is not true. Your evidence could include:
  - **Declarations** (sworn written statements) from you and from other people who have personal knowledge about you, the other parties, or the children. See the s section on Declarations later in this packet.
  - **Records** – such as bills, records of past criminal convictions, medical or mental health treatment, grades and other school records, and daycare records.
  - **Photos** – if they help prove or disprove one of the issues in the case.
  - **Financial Information** – if there are financial issues, get evidence of your income and assets, and perhaps evidence of the other party’s income and

assets. **Examples:** paystubs, federal income tax returns, official letters from Social Security, L&I, Employment Security or DSHS saying how much you get in benefits, bank account statements, and business records, or 1099 forms.

- 3. Follow the General Instructions.** Fill in the captions of all the forms.
- 4. Fill out all forms you need from this and other packets.**
- 5. Make the needed copies of each of the finished forms and other documents** you are filing with the court. **Exception:** Make just one copy (for yourself) of the confidential information form and attachment, the fee waiver form, and the Law Enforcement Information Sheet (LEIS). **Do not serve them on other parties.**
- 6. Go to the courthouse. Ask the judge to sign your Immediate Restraining Order.** The judge may ask you to pay a “bond” when the judge issues the temporary restraining order. Ask the judge not to make you pay one. Be ready to show why you cannot afford it.
- 7. Get certified copies of the Immediate Restraining Order for you and the restrained party after the judge has signed it.** Get conformed copies for any other parties. You cannot leave the courthouse with the original of the order. You may need to pay for the certified copy (often \$2-5 for the first page, and \$1-3 for each extra page). Regular (noncertified) copies usually cost much less (15 – 50 cents per page).
- 8. File your papers with the Superior Court Clerk’s Office** in the Courthouse where your family law case was filed and conform the copies.
- 9. Organize your papers for service.** Make any needed extra copies. Arrange to Serve the Immediate Restraining Order & Other Papers on the Other Parties.
- 10. Deliver a set of working papers to the judge if you need to.**
- 11. Have the server fill out and sign the Proof of Personal Service.** File it with the Clerk.
- 12. Review the other party’s Response, if you get one.**
- 13. Confirm your temporary family law orders hearing, if you need to.**
- 14. Fill out and file your reply (if your county allows one) or be ready to**



reply at the hearing.

- 15. Go to your temporary family law orders hearing.**
- 16. Get copies of the temporary family law orders and give the other parties copies.** If the temporary orders include a restraining order protecting you, and the order shows that the restrained party did not appear in court for the hearing or sign the order, arrange to have it personally served on the restrained party. Have your server fill out a Proof of Personal Service form. File that with the clerk. Deliver a copy of the Proof of Personal Service to the law enforcement agency named in the order.
- 17. If you disagree with the court's order, quickly decide whether to file a Motion for Revision.** Deadlines are very short!



## Part 3. Court forms in this packet

This packet has many of the forms you need to file a Motion for Immediate Restraining Orders. You can also download these court forms in Microsoft Word or PDF format at [courts.wa.gov/forms](https://courts.wa.gov/forms).

Court Form Title	Court Form Number
Motion for Immediate Restraining Order (Ex Parte)	FL Divorce 221
Immediate Restraining Order (Ex Parte) and Hearing Notice	FL Divorce 222
Law Enforcement Information and Confidential Information Form	PO 003
Declaration of:	FL All Family 135
Sealed Personal Health Care Records (Cover Sheet)	FL All Family 012
Sealed Confidential Reports (Cover Sheet)	FL All Family 013
Financial Declaration Or use <a href="#">Give Financial Information in a Family Law Case</a> , a Washington Forms Online interview that will help you prepare this form.	FL All Family 131
Sealed Financial Source Documents (Cover Sheet)	FL All Family 011
Temporary Family Law Order	FL Divorce 224
Restraining Order	FL All Family 150
Order Appointing Guardian Ad Litem for a Child	FL All Family 146
Order Appointing Parenting Evaluator/Investigator	FL All Family 148
Proof of Personal Service	FL All Family 101



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

Read the following list. Check off the boxes next to the other packets you need. Get those documents or packets before filling out your forms.

The Northwest Justice Project has a new program called Washington Forms Online. It helps people fill out family law forms. We are adding new forms throughout 2019-2020. Some of the forms you need for divorce and other family law cases are available now. Visit [WashingtonLawHelp.org](http://WashingtonLawHelp.org).

Download our other packets or use Washington Forms Online at [WashingtonLawHelp.org](http://WashingtonLawHelp.org) before filing your forms for this packet.

- [Make a Parenting Plan](#) - If there are children involved in your case, and you want the court to enter a temporary family law order about custody and visitation (a parenting plan). Alternatively, use [Make a Parenting Plan](#), a Washington Forms Online interview that will help you prepare this form.
- File, Respond, and Finalize a Petition for Divorce, or File, Respond to, and Finalize a Petition to Change a Parenting Plan** – We have packets to start, respond to, and finalize divorces. One of these types of cases must be filed before or at the same time you file a motion for Immediate Restraining Orders. Or, use [File for Divorce](#), a Washington Forms Online interview that will help you prepare these forms (currently only for cases with no minor children).
- [Getting a Court Order for the Surrender of Weapons: Family Law Cases](#) – If your motion includes a request that the judge order the other party to turn in firearms or other weapons.
- Order re Service Members Civil Relief Act, FL All Family 170**, available at [courts.wa.gov/forms](http://courts.wa.gov/forms). You may need this form if the other party is on active military duty or a military dependent, and does not appear in the case or ask the judge for a postponement by the time of the Temporary Family Law Orders hearing. You submit it with your proposed orders for the Temporary Family Law Orders hearing.
- Declaration about Public Assistance: FL All Family 132**: This is not in our packets. We tell you to serve the State in any case where TANF, Medicaid, or foster care is involved. We instruct you to get the state’s signature on all default and agreed orders where the state might have an interest in the child support

obligation in your case. You may need the form if your county requires it or to verify that no public assistance has been paid or that the children are not in foster care or out-of-home placement. Get it at [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms).

- [Serving Papers on the State](#) - If any party is asking for a child support order, and any of the children has gotten public assistance (TANF), medical coupons or Medicaid, or is in foster care or out-of-home placement, you must include the state as a party.
- [What are Working Copies?](#) - You may want to use this even if your county does not require you to serve working copies or working papers.
- Local County Court Forms and Rules.** Some counties have other special forms you need that are not in this packet. Most will have local rules you need to know to file your motion. Talk to the court clerk or family law facilitator.

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❖ **Some county clerk's offices have forms and local rules available online.**  
Check [courts.wa.gov](http://courts.wa.gov).

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- 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](http://courts.wa.gov/forms).
- Financial Information.** If you are filing a motion about child support, maintenance, attorney's fees or any financial issues, in general, you will need:

- Your federal tax returns from the last 2 years

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❖ If you have no copies of your tax returns, ask the IRS for copies. (There is a fee.) Your local IRS office has the request form. Or ask them for a computer printout of your returns. These are not as good as copies but are still better than not having your returns. Your local IRS office has more info. If you filed no returns, explain that in your declaration. Give the court other papers that verify your income.

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- Your pay stubs (Provide stubs for at least a month. You should give the last 6 months of stubs or back to January 1, whichever is longer.)
  - If you get some type of benefits, official letters from Social Security, L&I, Employment Security, or DSHS showing how much you get in benefits.
  - If you are self-employed, or you have no pay stubs or tax returns, get papers proving what your income is. This could include, for example:

- Bank account statements and check registers
- Business tax returns or records, or 1099 forms
- Any other information supporting your request for financial relief (the other party's income tax returns or pay stubs, bank account statements, copies of bills, and so on).
- Ask the clerk or facilitator if local court rules require you to give more financial information.



## Part 5. General instructions for filling out forms

Read these before you start filling out any forms.

The caption is the name of your case. It is a section appearing at the top of the first page of every form. See the sample below:

<p style="text-align: center;"> <span style="border: 1px solid black; padding: 5px; display: inline-block;">This <b>case type</b> is for a divorce.</span> </p> <p style="text-align: center;"> <span style="border: 1px solid black; padding: 5px; display: inline-block;">Put the <b>county</b> where you are filing this form.</span> </p> <p style="text-align: center;"> <span style="border: 1px solid black; padding: 5px; display: inline-block;">Put the <b>case number</b>. The court clerk assigns this number when the Petitioner files the case.</span> </p> <p style="text-align: center;"> <span style="border: 1px solid black; padding: 5px; display: inline-block;">This is the form's <b>title</b>.</span> </p>	<p style="text-align: center;"> <b>Superior Court of Washington, County of _____</b> </p> <p>In re <u>the marriage of:</u></p> <p>Petitioner (<i>person who started this case</i>):</p> <p style="margin-left: 40px;">Jane Brown _____</p> <p>And Respondent (<i>other spouse</i>):</p> <p style="margin-left: 40px;">John Brown _____</p> <hr/> <p>No. _____</p> <p>Notice of Hearing (NTHG)</p> <p><input checked="" type="checkbox"/> Clerk's action required: <b>1</b></p>
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**The caption** includes your case name case number, court name, title of the court paper, and sometimes, the case type. Put the name of the county where you are filing your case after "Superior Court of Washington, County of \_\_\_\_\_."

**Name of the case.** Copy the case name from the petition. If you are filing the case at the same time you use this packet, follow the "case name" instructions in the Filing packet you are using.

**Case number.** When petitioner files the papers to start the case and pays the filing fee (or has the fee waived), 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 near the top on the right-hand section of the first page of every form after "No." (Abbreviation for "number").

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- ❖ If you do not put the case number on the first page of every copy of everything paper you file with the court and on the copies you make 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 of the form under the case number. Sometimes you must add more info. Example: on a declaration, you put the name of the person filling out the declaration.

- 
- ❖ **Format:** Pleadings (legal forms) you file with the court and attachments to them 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 a 3-inch margin (3 inches of space) at the top. The other margins (left, right and bottom, and the top from the second page on) must be at least one inch wide. If your forms do not follow these rules, the court clerk may refuse to file them or may make you pay a fine.
- 

**The contents.** Fill out each form according to its instructions. In most counties, you may print or type the information. It must be readable. You must use **black or dark blue ink**. After filling out each form, re-read it. Make sure you have correctly filled in all blanks you need to. Any corrections must be neat and readable.

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

**Dates.** The last page of most forms (not orders) has a space for the person filling out a form to put the date they signed it. The judge puts dates in orders when the judge signs it.

### **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 you fill 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. After you prepare a motion, look for each place marked **Person making this motion (or asking for this order) fills out below**.

When you prepare an order and plan to present it 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 another party 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 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:** A witness or the person serving papers must fill out all information correctly and sign in the right space.

**Identifying Information.** Court rules try to protect privacy while allowing public access to some information in court files.

### **Box #1 - Things to 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 available publicly online.

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

**Address (Where you live) and Phone Number:** You must 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:** Put only the last 4 digits.

**Bank Account, Credit Card Numbers:** Put the bank name, type of account (savings, checking, and so on), and last 4 digits of the account number.



**Box #2 - Private information you should 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:** 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:** Attach any 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 should 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 asking to have that paper, or part of it, sealed. Talk to a lawyer.

**Box #3 - When to put private information in court forms:**

These forms 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
- \*Domestic Violence Information Form
- \*Law Enforcement Information Sheet.



## Part 6. Checklists of forms according to your specific needs

### List A: If you want to file a Motion for Immediate Restraining Orders with **No Children**:

- Motion for Immediate Restraining Order (Ex Parte)
- Declaration(s)
- Restraining Order (Ex Parte) and Hearing Notice
- Proposed Temporary Family Law Order
- Law Enforcement Information Sheet (LEIS) – if you asked for safety restraints (do not serve this form on the other party)
- Proof of Personal Service
- Any locally required forms

#### If you are asking for **Financial Relief**, also include:

- Financial Declaration
- Sealed Financial Source Documents Form
- Financial Documents

### List B: If you want to file a Motion for Immediate Restraining Orders **with Children**:

- Motion for Immediate Restraining Order (Ex Parte)
- Declaration(s)
- Restraining Order (Ex Parte) and Hearing Notice
- Proposed Temporary Family Law Order
- Any locally required forms
- Law Enforcement Information Sheet (LEIS) – if you asked for safety restraints (do not serve this form on the other party)
- Proof of Personal Service

**If you are asking for a Temporary Parenting Plan or custody order, also include:** (in our [Make a Parenting Plan](#) packet)

- Proposed Temporary Parenting Plan
- Information for Temporary Parenting Plan

**If you are asking for a Guardian ad Litem (GAL), also include** (in this packet):

- Order Appointing Guardian ad Litem on Behalf of Minor

**If you are asking for financial relief or child support, also include:** (in our packet [Child Support Worksheets and Order](#))

- Financial Declaration (if asking for child support or financial relief)
- Sealed Financial Source Documents Form
- Financial Documents
- Child Support Worksheets
- Proposed Temporary Child Support Order & Child Support Summary Report

**If you are asking for a Temporary Parenting Plan or custody order, also include:** (in our [Make a Parenting Plan](#) packet)

- Proposed Temporary Parenting Plan
- Information for Temporary Parenting Plan

**If you are asking for a Guardian ad Litem (GAL), also include:**

- Order Appointing Guardian ad Litem on Behalf for a Child

**If you are asking for financial relief or child support, also include:**

- Financial Declaration (if asking for child support or financial relief)
- Sealed Financial Source Documents Form
- Financial Documents

**If you are asking for child support, also include: (in our packet Child Support)**

- Child Support Worksheets
- Proposed Temporary Child Support Order & Child Support Summary Report



**List D:** If you are filing confidential information, you need one or more of the following sealed records cover sheets:

- Sealed Financial Source Documents (Cover Sheet)
- Sealed Personal Health Care Records (Cover Sheet)
- Sealed Confidential Reports (Cover Sheet)

**List E:** After the hearing, if the judge signs your Temporary Family Law Orders, and they do not have safety restraints, you need the following to show proof you had the order delivered to the other party:

- Proof of Mailing or Hand Delivery (use this if there is no safety restraining order or the party to be restrained signed the Temporary Family Law Order or was in court when the judge signed it). This form is in our Temporary Family Law Orders packets or get it at [courts.wa.gov/forms](https://courts.wa.gov/forms).

**List F:** After the hearing, if the judge signs your Temporary Family Law Orders and enters your temporary family law order containing safety restraints against the other party, you will also need:

- Law Enforcement Information Sheet (LEIS). You can get this at the court clerk's office. Do not have it served on the other party.
- Restraining Order
- Proof of Personal Service form (if the judge signed the order you presented and the restrained party was not in court and did not sign the temporary family law order).



## Part 7. How to fill out each form

### A. Motion for Immediate Restraining Order - FL Divorce 221

This form:

- Asks for a restraining order right away because there is an emergency
- Sets up a Temporary Family Law Orders hearing. The judge decides whether to extend the restraining order and whether to grant other temporary orders (temporary parenting plan, temporary child support order, orders about use of property and who pays debts, and orders appointing a GAL or other parenting investigator)

**Caption.** Fill out the caption.

Read the information on the first page.

1. Check the box showing which party you are. If you want this order to protect any children, check the third box. In the table, put the information for those children.
2. Explain what you are afraid will happen if you do not get the immediate restraining order. (**Examples:** the other party will destroy your property or take all the money out of the bank accounts, hit or hurt you, use their weapon to hurt you or the children, or hurt or take away your children).

If you are the custodial parent, make that clear. Give details about how long the children have lived with you.

**If you are asking the judge to change custody before the hearing on your motion,** be aware: this is an extraordinary request. The judge will often order that the children should stay with the custodial parent until the hearing, unless you show evidence convincing the judge there is an urgent reason (**Example:** the children's safety) to order the children be moved before the other party gets notice and the chance to have a hearing.

### 3. Notice.

- 
- ❖ We recommend you call the other party or lawyer to tell them you are going to try to get Immediate Restraining Orders, unless it would be unsafe for you to do so.
- 

Check the first box if you did not try to give the other party or lawyer notice that you are filing for Immediate Restraining Orders. Explain in the blank why not. If you refer to personal health records, personal financial information, or confidential reports, follow the instructions on the last page of the Motion about using sealed cover sheets to protect that information from the public file.

Check the second box if you gave the other party or lawyer notice. Explain in the blank how.

**4. Court hearing request.** Check **Other** if the clerk has told you they cannot schedule your hearing within the 14 days required.

**5. Active military duty.** Check the first box and skip to 6 if this does not apply to the other party.

Check the second box if you believe it applies based on the definition of the Acts in this section.

Check the third box if it applies. Then explain why you believe the judge must grant the things you are asking for before the other party can return.

***I ask the court to approve these orders immediately:*** This lets you list what you want the court to order now, before the hearing. You may ask the court to order the other party not to disturb you or come near you or your children. You must show an urgent need for these. If you cannot show some risk of harm to you or the children, the judge probably will not, for example, force the other parent to move out of your home before the court can hold a hearing.

**6. Do not disturb.** Check the first box and skip to 7 if you do not need this.

Check the second box to stop the other party from bothering or harassing you or the child (called “disturbing the peace”).

**7. Stay away.** Check the first box and skip to 8 if you do not need this.

Check the second box if you want the other party to stay away from your home, work or school or the children’s school or daycare. Check the box immediately underneath if you want to keep the other party at a distance. A common number of feet to put is 500 (about the length of a football field). Check the box showing if you still live together.



**8. Do not hurt or threaten.** Check the first box and skip to 9 if you do not need this.

Check the second box if and put the other party's name in the blank you want the court to order what it says.

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❖ The term “molesting” here can be confusing. It does not mean sexually molesting anyone. It is asking the court to order the other person not to bother you or the children.

---

**9. Surrender weapons.** Check the first box and skip to 10 if you do not want this.

Check the second box if and put the other party's name if they own guns, knives or other deadly weapons, and you fear they may harm you, the child or someone else. Then check **the police chief or sheriff**. Use [Get a Court Order for the Surrender of Weapons: Family Law Cases](#) to fill out a proposed Order to Surrender Weapons Issued without Notice.

**10. Care and safety of children until the hearing.** Check the first box and skip to 11 if you do not need this. Otherwise, check the boxes showing what you want.

**11. Protect property.** Check the first box and skip to 12 if you do not need this. Otherwise, check the second box if you want a court order keeping one or both of you from selling your property. Then check to show if you want this to apply to one or both of you.

**12. Do not change insurance.** Check the first box and skip to 23 if you do not need this. Otherwise, check the second box if you want the judge to order one or both of you to keep your insurance the same. Then check to show if you want this to apply to one or both of you.

**13. Other immediate orders.** Most people will not use this space.

*I ask the court to approve these Temporary Family Law Orders at the hearing:*

**14.** Do not make any changes to this section.

**15. Prohibit weapons and order surrender.** Check the first box and skip to 16 if you checked the first box in 9. Otherwise, check the second box. Then check **the police chief or county sheriff**. Get [Get a Court Order for the Surrender of Weapons: Family Law Cases](#) to fill out a proposed Order to Surrender Weapons Issued without Notice.

**16. Care and safety of children.** Check the first box and skip to 17 if you do not want a court order about custody and/or visitation. Otherwise, check the boxes showing what you want. You must check the third box here if you checked the second box in 10.

**17. Provide support.** Check the first box and skip to 18 if you do not want a support order. Otherwise, check the boxes and fill in blanks as needed showing what you want.



**18. Family home.** Check the first box and skip to 19 if you do **not** want an order about the family home. Otherwise, check the boxes showing what you want. If you check the **move out** box, put the date you want the other party out.

**19. Use of property.** Check the first box and skip to 20 if you do not want an order about your personal property. Otherwise, check the boxes showing what you want. Fill in blanks as appropriate. If you list a vehicle, give its Vehicle Identification Number (VIN), if you have it.

**20. Household expenses.** Check the first box and skip to 21 if you do not want an order about household expenses. Otherwise, check the boxes showing what you want.

**21. Divide debts.** Check the first box and skip to skip to 22 if there are no debts of the marriage for the judge to divide. Otherwise, check the second box. Then check the box underneath. If you check **Divide our debts as follows**, fill the table out underneath with the information requested.

**22. Pay for insurance.** Check the first box and skip to 23 if you do not want any court orders about insurance. Check the second box if you want a court order about who should pay insurance premiums. Then fill out the table below.

**23. Pay fees and costs.** Check the first box and skip to 24 if you do not want a court order about this. Otherwise, check boxes and fill in blanks as needed showing what you want.

**24. Other Temporary Family Law Orders.** Most people will not put anything here.

***Reasons for my requests.***

**25. Why are you asking the court for the orders you checked above?** Follow the instructions. Be as specific as possible. Check the boxes at the bottom of page 8 and top of page 9 and fill in blanks as appropriate if you want a party to turn in their weapons. Get [Get a Court Order for the Surrender of Weapons: Family Law Cases](#) if you need to fill out a proposed Order to Surrender Weapons Issued without Notice.

**Person asking for this order fills out below:** Date the form and sign where it says. Print or type your name in the blank next to that. Check the second box. Put your name and address.

## B. Immediate Restraining Order (Ex Parte) and Hearing Notice – FL Divorce 222

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- ❖ **Getting a Hearing Date.** Ask the court clerk for possible hearing dates. Choose one giving you time to give the other party enough notice. In most counties, you must give the other party at least 5 business days' notice, not including the date the other party gets the papers. Some counties require much more notice. Many courts have special days, times, and courtrooms where they hear family law motions. If you want the court to schedule the hearing more than 14 days away, you must show "good cause" (a good reason) for this. Ask the facilitator or clerk how much notice to give for a family law motion, what time to schedule your hearing, and the courtroom number where it will take place.
- 

**Caption.** Fill out the caption.

1. Do not change this section.

2. **Hearing Notice:** In the blanks, put the hearing date (**example:** Wednesday, February 10, 2023) and time. Check the time of day (a.m. or p.m.) the clerk gives you. Put the court's street address where it says. **Room or department:** put the courtroom number.

3. **This Order restrains.** Put the other party's name. Read the **Warning!**

4. **This Order protects.** In the blank, put your name. In the table, list the names and other information for any children you want this Order to protect.

5. **Findings.** In the blank, put any other evidence you gave the court as part of your Motion for Immediate Restraining Order. Check the first box and fill in the blank underneath if it applies.

**Court Orders to the Restrained Person listed in 3.** Look at your Motion for Immediate Restraining Order. The paragraphs are numbered the same from 6 through 12. Check the boxes showing what your Motion asked for. Fill in the blanks and appropriate boxes inside any paragraph you have checked. **Read each item to mark the correct ones.**

6. **Do not disturb.** Check the first box and skip to 7 if you did not ask for this.

Check the third box to stop your spouse from bothering or harassing you or a child (called "disturbing the peace").

7. **Stay away.** Check the first box and skip to 8 if you did not ask for this.



Otherwise, check the third and maybe the fourth box, depending on what your Motion asked for. A common distance to put is 500 feet, about the length of a football field.

**8. Do not hurt or threaten.** Check the first box and skip to 9 if you did not ask for this.

Check the third box if you want this.

**9. Surrender weapons.** Check the first box and skip to 10 if you do not want this.

Check the third box if the other party has a concealed pistol license, guns, knives or other deadly weapons, and you fear they may use the weapons to harm you, the child or someone else. Follow the instructions. Use our [Get a Court Order for the Surrender of Weapons: Family Law Cases](#) packet.

**10. Service on the Restrained Person.** Check **required** if you need to have a copy of this order delivered to your spouse. Then check the **law enforcement agency** option and put the name of the police department or sheriff's office where you live (sheriff if you live outside the police department's jurisdiction).

**11. Washington Crime Information Center (WACIC) and Other Data Entry.** Put the name of the police department or sheriff's office where you live (sheriff if you live outside the police department's jurisdiction).

**12. Care and safety of children until the hearing.** Check the boxes showing what you want the judge to order.

**13. Protect property.** Check the third box if you want an order keeping one or both of you from selling any of your property (with some exceptions. Read this section). Then check the boxes showing if you want this to apply to one or both of you.

**14. Do not change insurance.** Check the third box if you want the judge to order one or both of you to keep your insurance the same. Then check the boxes showing if you want this to apply to one or both of you.

**15. Bond.** Check the first box and skip to 16 if you do not want the judge to order someone to pay a bond or security. Otherwise, check the second box. Check the box showing who you want to pay. Put in the blank the amount you want paid.

**16. Other immediate orders.** The judge may put something here.

**So Ordered.** LEAVE THIS FOR THE JUDGE.

**Presented by:** Check the box showing which party you are. Sign and print your name.



## C. Law Enforcement Information and Confidential Information Form – PO 003

This form goes to your local law enforcement agency so they can enter your restraining order into the police computer. **Do not give this form to any other party.** Do not put it in with the papers you will have served.

### Page 1

Put the name of the court, county where the case is filed, and your case number in the box in the top left-hand corner.

**Restrained Person’s Info:** Fill out as much as you can.

**Where can the Restrained Person be served?** Again, fill out as much as you can.

### Page 2

**Does the Restrained Person Have a Disability, etc. ?** If you check **yes**, give a description that will help law enforcement in serving the order.

**Hazard Information.** Check each box that applies. This will also help law enforcement know what to expect when they try to serve the order.

If you think the restrained person might use weapons, check the type of weapon. Check the box showing where they usually keep the weapon. Put details at the end of the item.

**Current Status.** Read each question. Check the appropriate answer.

**Protected Person’s Info:** Put the information requested.

- If the other party already knows your contact info, put it in the blank under **If your information is not confidential.**
- If you do not want the other party to know your contact info, put under **If your info is confidential** the name, address and phone number of a “contact” where you can be safely and reliably contacted. **Examples:** a friend, relative, or post office box.

**Minor’s Info.** If you have children, put each child’s information in the blanks.

**Protected Household Members or Adult Children.** Put the information for any of these protected by the order.

**I declare under penalty of perjury...** If you have had to attach any pages, put how many in “I have attached...” Put where and when you are signing this form. Sign and print your name where it says.



## D. Declaration of: – FL All Family 135

At your hearing, you will probably have 10 minutes or less to give a summary of your reasons for your motion. The judge usually will not let you testify. You must explain in the papers you file with the court why you need these orders. The judge decides whether to grant your orders based mainly on the papers you have filed. You must also include all your evidence in support of your motion with the motion papers so the other party has a chance to read your papers before the hearing and write a response to the judge. The best way to get evidence to the court and other party is by using Declarations.

A declaration is a statement, sworn to be true, by someone with direct knowledge about the issues in your case. **Declarations are important in custody cases. They give the court detailed information about the issues. You or your witnesses can tell the court**

- **what has happened**
- **what you have done**
- **what you or they have observed that relates to the case**

You can also attach documents, such as police reports, to prove your case. (See the “General Instructions” section for a summary). Call the papers you attach to your declaration Exhibits and number them (1, 2, 3) or letter them (A, B, C). If the person writing the declaration refers to private health or financial information in a declaration or wants to include it with the declaration, do not attach the exhibit directly. The procedures for sealed cover sheets are in the General Instructions and below.

You should also make your Declaration to give more information about why the judge should approve your other Temporary Family Law Orders. Start by explaining why you need a court order before the other party has a chance to respond. **Put your most important points first.** You should also try to get Declarations from relatives, friends, teachers, counselors, or other people who have directly seen, heard or otherwise witnessed important events affecting your situation.

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❖ 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 child.

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### 1. Some brief rules about witness Declarations

Put the most important points first. Less important points should come later.

Base the statement on the writer's own personal knowledge (what they saw or experienced firsthand), not what someone else told the writer. **Exception:** the writer may talk about what a party has said.

The writer 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 fifteen years. I see him almost every day at the office. Our sons are on competing soccer teams. I have also seen him coaching his son's games 3 or 4 times this season. I have been invited into his home 2 or 3 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**. If the declaration is hard to read, the judge may not try.

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❖ Do not make the declaration too long.

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

**Example:** general statements, such as "she is a bad mother," or "the children are much safer now living with me," are not helpful. The declaration should describe specific things, and state when and where incidents took place. **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 3 other times this year."

Attach extra pages to the declaration if you need more space. The declaration writer must sign and date the declaration after, "I declare under penalty of perjury..." Any extra pages should have margins of at least one inch. You should number all the pages at the bottom.

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❖ Some courts limit the number of pages you can file with a motion or response. Ask the court clerk or facilitator about this.

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You may attach documents to a declaration, such as printouts of bills, school records, medical or treatment records, police records, and so on. You must number them Exhibit Number 1, 2, and so on, and refer to them that way in the declaration.

- 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 information, or financial records, or confidential court reports, put an exhibit number or letter on



each paper you are attaching. When the declaration mentions that paper, the declaration writer 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 the paper to the appropriate Sealed Cover Sheet form before you file and serve it.

- We describe the sealed cover sheet forms elsewhere in this packet. (Also, see the General Instructions section about the types of papers to keep out of the public file.)

## 2. Filling out the Declaration form

**Caption.** Fill out the caption. Make as many copies of this form as you will need before adding other information. This way, you 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 needed.

On the right side of the caption, after “declaration of...,” put the witness’s name.

Declaration of: The witness puts their name here.

1. In the first blank, the witness puts their name again. Then they put their age and check the box showing what they are.

2. This is where the witness tells their story.

**Signed at (*city and state*).** The witness must sign, date, and print their name where it says.

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

Unless a local procedure requires otherwise, you must use this form whenever you file any records or correspondence with information relating to someone’s past, present, or future physical or mental health condition, including past, present, or future payments for health care.

Some of the papers you should use this cover sheet for are:

- Medical or mental health records and bills
- Letters or 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.

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

Attach the confidential personal health care records to this form.

**Caption.** 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.

## **F. Sealed Confidential Reports (Cover Sheet) – FL All Family 013**

This is the cover 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 just the materials or information reviewed, the individuals contacted, the tests conducted or reviewed, and the conclusions or recommendations reached.

### **Instructions for the Sealed Reports form:**

1. **Caption.** Fill out the caption.
2. Check the boxes next to the type of report.

3. 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 that identifies place and address on the copies you file with the court and deliver to the other parties.
4. **Submitted by:** Check the box that applies to you. Sign and print your name.

## G. Financial Declaration – FL All Family 131

The Financial Declaration tells the court how much income you make, and how much you must pay in monthly expenses and bills. Use this form if your motion asks for maintenance, child support, attorney's fees, or any type of financial relief.

**Caption.** Fill in the caption.

**1. Your personal information.** After **Name:** put your name. Fill in the other information requested.

If you check **yes**, fill in the information requested and skip to 2. If you check **no**, give the information requested.

**2. Summary of your financial information.** Skip this section. Come back to it after you have filled out the rest of the form.

**3. Income.** Fill in the income information and income deduction information requested. You must use the correct column for each party named at the top of the column. **Do not include income from needs-based public assistance** (TANF, SSI, VA benefits, food stamps) in section A. If a parent gets Social Security Disability (SSDI) or workers' compensation (L&I, or other disability benefits from an employer), put that amount in under 4.

**B. Monthly Deductions.** If you include deductions from income other than income tax, FICA, and L&I payments, you should also provide documents proving each deduction. Pay stubs may show union and pension plan deductions. You will need extra proof (such as pages from a collective bargaining agreement or employee handbook, or a letter from the employer) that these deductions are required. If pension deductions are voluntary, you must have documents proving you have taken the deduction for at least 2 years. If you are claiming business expenses, be ready to present business records and receipts showing your expenses if the other party disputes your claims.

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❖ The instructions at the end of the Financial Declaration Form explain how to submit private financial information.

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**C. Net Monthly Income.** Follow the instructions.

**4. Other Income and Household Income.**



**A. Other income** - Fill in any money you get regularly. Describe it in the blanks. This is where you put how much TANF, SSI, and/or food stamps you get.

**B. Household Income** - Put any gross monthly income of any other adults in the household. That income will not be included in calculating the basic child support obligation. The court may look at it if someone asks for a deviation from the standard child support amount.

**5. Disputed income.** Read the instructions. Use this space if you need to.

**6. Available Assets.** Follow the instructions in this section.

**7. Monthly Expenses after Separation.** Put your best estimate of each expense. If there are expenses you do not pay every month, put the monthly average. **Example:** You pay your car insurance every six months. Take the amount you pay and divide it by 6. Put that amount in F (*auto insurance*).

Your total monthly expenses may end up being more than your monthly take-home household income. When you do not have enough to meet all your expenses, you might put off paying a certain bill. You might make other cutbacks in your expenses.

Your monthly expenses do not need to be equal to or less than your income. On the other hand, if your expenses are much more than your income, the court might ask how you are meeting your expenses. Be ready to answer that question.

**8. Debts included in Monthly Expenses listed in section 7 above.** This is for more details about expenses you already listed in section 7. **Example:** You would put your mortgage and your car loan here, even though you should already have included them as expenses in 7A and 7B.

**9. Monthly payment for other debts.** This is for any other debts you have, such as credit card debts that you have not already listed in section 7.

**10. Explanation of expenses or debts (if any).** Use this if needed.

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❖ **Work-Related Disability Benefits:** If the children get dependent benefits because of a parent's disability (the parent gets SSDI, L&I or some employer-paid disability benefits) or Social Security retirement, **you should explain that here so the paying parent gets credit for benefits as child support paid by the parent.** The paying parent's support should go down dollar for dollar by the amount of the dependent benefits their children get directly for current child support.

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**11. Attorney Fees.**



Complete this section

- if you hired a lawyer for this case
- to list any costs (for serving the other party, mailing, filing fees, and so on)

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❖ If you owe a lawyer for another case, put that in section 9.

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**Signed at.** Put the city or town and state where you are signing this form, and the date. Sign and print where it says.

## H. Sealed Financial Source Documents (Cover Sheet) – FL All Family 011

You must use this form whenever you file private financial documents with the court. Keep a blank copy in case you must file more financial documents later. You may 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. The instructions to the support worksheets tell you which documents you need to file if you are submitting worksheets.

If you are afraid for your safety or the children’s safety, you can block out information that identifies your location on the copies you file with the court and deliver to the other parties.

Check the box that applies to you. Sign and print your name.

## I. Temporary Family Law Order – FL Divorce 224

You ask the judge to sign this at your Temporary Family Law Orders hearing. This is your proposal. After the hearing, the judge may change it.

Your proposed order should list everything your Motion asked for. Look back at your Motion. Check the same items. Fill in blanks as needed. **The Order boxes are not in the same order as the Motion boxes. The restraints may be in a different paragraph of the Temporary Family Law Order. Read each item to mark the correct ones.**

You may also need a Restraining Order, Temporary Parenting Plan, Child Support Order, and an Order Appointing Guardian ad Litem (or Parenting Evaluator).

If this is your proposed order, have it show what you want the judge to order. If you are filling this out after the Temporary Family Law Orders hearing, have it show what the judge ordered.



**Caption.** Fill out the caption. If you propose a safety restraining order (see paragraph 13) OR the order includes a money judgment, check **Clerk's Action Required**.

**1. Money Judgment Summary.** Check the first box and skip to 2 if there will be no money judgment.

Check the second box AFTER filling out section 12 if the judge will order one party to pay the other a lump sum (such as for attorney's fees). Fill out the table.

**2. Findings.** Check the box showing who you are.

**3. Active duty military.** Check the first box and skip to 4 if the other party is not in the military or a military dependent. Check the second box if the other party is on active duty in the military or a military dependent as described in this section. The judge fills out the rest. You may need to fill out and submit the **Order re Service members Civil Relief Act, FL All Family 170**, available at [courts.wa.gov/forms](https://courts.wa.gov/forms).

**4. Care of children.** Check the first box and skip to 5 if the order does not cover any children. Check the second box if the order covers any children. List their information in the table. Check the first box immediately underneath the table if you want a parenting plan or the judge ordered one. Check the second box immediately underneath the table if you want the judge to order that the children not leave Washington State, or the judge did order this. Check the third box immediately underneath the table if you want a Guardian ad Litem or evaluator, or the judge appointed one. Check the box underneath that showing which one you want or which one the judge appointed.

**5. Provide support.** Check the first box and skip to 6 if no one asked for a support order.

Check the second box if the other party asked for a support order but you do not want one, or the judge denied this request after hearing.

Check the third box if you want the judge to sign your proposed child support order, or the judge did sign it after hearing.

Check the fourth box if you want the judge to order spousal support or the judge did order this. Check the box showing who will pay spousal support. Put the amount. Put the date the first payment is due. Put the day each payment is due after that. Check the box showing how the party will make the payment.

**6. Family home.** Check the first box and skip to 7 if no one asked for an order about this. Check the second box if the other party asked for such an order but you do not want one or the judge denied the request after hearing. Check the third box if you want an order temporarily granting the family home to a party, or the judge ordered this. Check the box showing which party. Check the fourth box if you want the judge to order a party to move



out, or the judge ordered this. Check the box to show which party and put the move-out deadline.

**7. Use of property.** Check the first box and skip to 8 if no one asked for an order about this.

Check the second box if the other party asked for an order about personal property but you do not want one, or the judge denied the request after hearing.

Check the third box if you asked for an order granting Petitioner certain property, or the judge ordered this. Check the boxes immediately underneath to show which property. If you are listing a vehicle, put the Vehicle Identification Number (VIN), if you know it. If you check **other**, use the blank to say what.

Check the fourth box if you asked for an order granting Respondent certain property, or the judge ordered this. Check the boxes immediately underneath to show which property. If you are listing a vehicle, put the Vehicle Identification Number (VIN), if you know it. If you check **other**, use the blank to say what.

**8. Protect property.** Check the first box and skip to 9 if no one asked for an order about this.

Check the second box if the other party asked for such an order but you do not want one or the judge denied the request.

Check the third box if you did ask for such an order or the judge ordered this. Check the boxes showing who the order applies to.

**9. Household expenses.** Check the first box and skip to 10 if no one asked for an order about this.

Check the second box if the other party asked for this order but you do not want one or the judge denied the request.

Check the third box if you asked for an order dividing household expenses or the judge ordered this. Fill out the table to show what you asked for or what the judge ordered.

**10. Divide debts.** Check the first box and skip to 11 if no one asked for an order about this.

Check the second box if the other party asked for an order dividing your debts but you do not want one or the judge denied the request.

Check the third box if you want an order dividing your debts or the judge ordered this. Then check the box underneath that applies. If you check the second box immediately underneath, fill out the table.



**11. Do not change insurance.** Check the first box and skip to 12 if no one asked for an order about this.

Check the second box if the other party asked the judge to order you not to change insurance and you do not want this order OR the judge denied the request for this order.

Check the third box if you want the court to order one or both of you not to change insurance, or the judge ordered this. Check the boxes showing whom this part of the order should cover. Then fill out the table.

**12. Pay fees and costs.** Check the first box and skip to 13 if no one asked for an order about this.

Check the second box if the other party asked the judge for an order about fees and costs but you do not want this or the judge denied the request.

Check the third box if you want the judge to put off deciding this issue, or the judge put it off after hearing.

Check the fourth box if you want the judge to order someone to pay fees and costs, or the judge ordered this. Check the boxes immediately underneath and fill in blanks as needed showing what you want or what the judge ordered.

**Money judgment:** The judge fills this out.

**13. Restraining order.** Check the first box and skip to 14 if no one asked for this.

Check the second box if the other party asked for a restraining order but you do not want one OR the judge denied the request.

Check the third box if you want a restraining order, or the judge granted the request for one. Then check the box immediately underneath showing if you want or the court ordered payment of a bond or security, and who should pay it. Put the amount and the deadline by which to pay.

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❖ If your Motion asked for a Restraining Order, you should also fill out a proposed Restraining Order form, FL All Family 150. See the next form in this packet.

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Check the fourth box if you want the judge to end a Restraining Order previously issued in this case, or the judge did this after hearing. In the first blank, put the name of the party that Order restrained. Then, put the police department or sheriff's department that enforced that Order.

**14. Other Temporary Orders.** The judge may put something here.



**So Ordered.** LEAVE THIS FOR THE JUDGE.

**Petitioner and Respondent or their lawyers fill out below:** There are 2 columns of boxes to check, one column for each party. You should check **is presented by me** in your column. Sign and print your name and the date where it says.

## J. Restraining Order – FL All Family 150

Use this only if your motion asked for a Restraining Order (you checked the third box in section 9 of the Motion). Otherwise, skip this form.

Have your Motion for Temporary Family Law Order, turned to section 13, in front of you while filling this out.

- 1. This Order restrains.** Put whom your motion asked the court to restrain. Give the information requested.
- 2. This Order protects.** Put your name. If you want this order to cover any of your children, fill out the table underneath with the information requested.
- 3. To the Restrained Person listed in 1.** The judge puts the date this Order expires (ends).
- 4. Findings.**

Authority: Do not make any changes to this.

Notice: Check the boxes showing how the other party got notice and whether they were at the temporary family law orders hearing.

Credible Threat: Check this only if you want the judge to order the other party to surrender weapons.

Intimate Partner: Check this if true in your case.

Military: Check **Petitioner** if true of Petitioner. Check **Respondent** if true of a respondent.

### 5. Court Orders to the Restrained Person listed in 1.

Do not disturb: Check this if your motion asked for this.

Stay away: Check this if your motion asked for this. Home addresses: check the first box if you do not want your address to be part of the court record. Check the second box if you can list your address, and put it here. Distance: Check this box if your motion asked to keep your spouse a certain distance from you. Put that distance.



Do not hurt or threaten: Check this if your motion asked for this.

Prohibit weapons and order surrender: Check this if your motion asked for this. You will also need [Get a Court Order for the Surrender of Weapons: Family Law Cases](#).

**Findings:** Check **must** if you can check either box immediately underneath. Otherwise, check **may** and all boxes immediately underneath that apply.

**6. Service.** Check “the other party does not need to be served” if true. Otherwise, check “the other party must be served” and everything underneath that applies.

**You have a right to have law enforcement serve this order free of charge:** Most people will check the first box underneath this.

**The other party does not have to be served:** check this only if true.

**7. To the clerk.** Put the name of the sheriff department or police department that will enforce this order.

**Petitioner and Respondent or their lawyers fill out below:**

There are 2 columns of boxes to check, one for each of up to 2 petitioners and 2 other parties. You should check **is presented by me**. You should sign and print your name and the date where it says.

## **K. Order Appointing Guardian Ad Litem for a Child – FL All Family 146**

Use this if your motion asks the judge to appoint a Guardian Ad Litem for your children, or the judge appointed one at your hearing. If you have no children in common with the other party, or you do not want a GAL, skip this form.

The judge can appoint a GAL if there are concerns about the children’s safety and well-being, and the judge believes a GAL is needed to make recommendations about what is in the children’s best interests. Some judges routinely order custody evaluations or investigations.

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❖ If the court orders an evaluator or investigator instead of a GAL, or that is what you asked for, use the next form in this packet.

---

**Caption.** Fill out the caption.

1. Check the box to show who asked for the GAL. Put the full names and ages of the children this order covers.



2. Check the divorce box.

***The court orders:***

3. You usually will not put the name of the GAL before your hearing. If you have someone you want the court to appoint, put their name. That person must agree to be GAL and the other party must agree to that GAL. Otherwise, the court will choose the GAL. Most counties usually just appoint the next name off a rotating list of available GALs.

4. **GAL's Rights.** Read this section.

5. **GAL's Duties.** The first paragraph explains the GAL's duties.

If this is a proposed order, check all boxes showing what the GAL should investigate and make recommendations about. Check boxes showing which party you want the GAL to investigate in a particular area. You can check the first box if you want the investigation to be broad. You can check the second box, "only the issues that are checked below," and all boxes that apply underneath if you want to ask the investigation to be more specific.

**Other:** The judge may put something here.

6. **GAL's Report.** The due date for the GAL report is in this section. The judge might order a specific date. Otherwise, the report is due to you and all parties or your lawyers at least 60 days before trial.

7. **Access to the children and information.** This lists organizations holding information that the GAL should be able to access, including health records, CPS records, criminal records, and school records. The GAL has court permission to talk to anyone with information needed for your case, and to meet with you, the other party, and your children with or without either parent.

8. **Release of Information.** If you have no children aged 12 or older, skip to 9. Otherwise, read this section. **Do not make any changes to it.** The GAL needs the consent of a child 12 or older to get medical, psychiatric, or other information from experts who have treated the child. If possible, ask the child to sign this order at the bottom of the last page.

9. **Confidentiality.** Read this.

10. **GAL's Fees.** Fill out the first blank if you know the GAL's hourly fee. Otherwise, the judge should fill out that and the next blank.



The next paragraph is about who pays for the GAL and how much. Check the first box if you believe the parties can pay and put the percentage each should pay (the blanks are for the parties' names) OR the judge ordered this. Check the second box if you believe the parties need help paying OR the judge ordered this. Put how much the county should pay.

Usually, the judge will do one of these:

- A. Have each parent pay their share according to the child support worksheets
- B. Have them split it 50/50

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❖ If one party cannot afford to pay the GAL, you can put that the other party should pay 100%. **The judge may change this.**

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11. **Appointment Ends:** Check the first box if you want the GAL's appointment to end when the court enters a final parenting plan, or that is what the judge ordered.

Check the second box if you want the GAL's appointment to end on some other date or this is what the judge ordered. Put the date in the blank.

12. **Other orders (if any).** The judge may put something here.

**So Ordered:** Leave this for the judge.

**Petitioner and Respondent or their lawyers fill out below:** There are 2 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.

## L. Order Appointing Parenting Evaluator/Investigator - FL All Family 148

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❖ If the court appoints a GAL instead of a parenting evaluator or investigator, or that is what you asked for, use the form before this one.

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**Caption.** Fill out the caption.

1. Check the box showing which party you are. Put the children's names and ages.
2. Check the box showing which type of case this is.

**3.** You usually will not fill this in before your hearing. Fill in the blank if you know who you want the judge to appoint. **That person will have to agree to the appointment.** Also, either the other party will have to agree to that person or the court will choose the specific person for your case.

**4. Duties.** Check everything you want the evaluator or investigator to do. Check which party you want them to look into regarding the particular issue. If you want them to look into, for example, a member of a party's household, check **Other** and put that household member's name.

**5. Report.** The judge will fill this out.

**6 – 8.** Read these.

**9. Fees.** If you know the investigator's hourly fee, put it in the blank. Otherwise, the judge should fill out this and the next blank.

In the second paragraph in this section, check the box and fill out the blanks showing who you want to pay the fees and costs, and how.

**10. Appointment Ends.** Check the box showing when you want the evaluator's appointment to end.

**11. Other orders.** The judge may add something here.

**Ordered.** LEAVE THIS FOR THE JUDGE.

**Parties or their lawyers fill out below.** There are 2 columns of boxes to check, one for Petitioner and one for Respondent. You should check **is presented by me**. You should each sign and print your name and the date where it says.

**Children age 12 or older** must sign at the bottom.



## Part 8. How to file forms with the court

After filling out the forms, you must file them with the court and have them served on the other parties. This section explains how. **Before filing and serving your papers, make sure you have completed all the needed forms, including forms from any other packets. Example:** many people need forms from [Make a Parenting Plan](#). Use the checklists in this packet to make sure you have what you need.

File the **originals** in court. You must have already filed your Petition (or have it with you to file immediately) when you ask the judge to sign your Immediate Restraining Order.

If the petition has already been filed, follow the instructions below to present your Motion for Immediate Restraining Order to the judge.

If you are filing the Petition and Motion for Immediate Restraining Order at the same time, follow the steps below **and** the steps for filing your Petition in [File for Divorce](#).

Have a judge sign your Immediate Restraining Order before filing and serving it.

- Make at least 2 copies of every paper**, including the proposed orders and financial documents. One copy is for the other party, and one is for you, **except** make just one copy of the Law Enforcement Information Sheet. (You do not give the other party this form.) If there is more than one other party to the case, or you must give the judge working papers, make extra copies.
- Organize your forms into 3 full sets (one set of originals and 2 sets of copies)**. Compare each set with the checklists of forms in this packet. Make sure each set has the appropriate forms. (Do not have the LEIS and Confidential Information sheet served on any party.)
- Ask the clerk** or facilitator where and what days and times to get your Restraining Order and Hearing Notice signed.
- Notify the other party or their lawyer if you are giving them notice of the Immediate Restraining Order.** Tell the other party or the lawyer the date and time you are going to get your order signed. It is best to do this in writing so you have proof. You can use fax or email. If you gave written notice, attach a copy of your email or fax or letter to the Motion. If the other party comes to court when you request your Immediate Restraining Order, give them a set of your motion papers (but not the Law Enforcement Information Sheet). If you do not give advance notice, or the party does not come to court at this time, have them served



with this set. See below.

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❖ If you are not giving notice, your Motion must explain why.

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- Go to the right courtroom at the time the clerk gave you.** Look for a clerk or bailiff so you can sign in (usually someone sitting at a desk near the judge). Give the clerk the set of the originals. Sit down to wait for your turn. When they call your case, tell the court you are there. When told to come forward, tell the court you want an Immediate Restraining Order (and Order to Surrender Weapons Issued without Notice, if true). The judge may ask why you need the restraining order and, if you did not notify the other party, why you should not have to notify the other party before signing it. You can write out a list beforehand of what you plan to say at the hearing to refer to when talking with the judge. You will have only five to ten minutes to explain why you need the order. Be ready. The judge may make changes to your order before signing it. The judge should then give back all your papers, including the signed order. **Do not make any changes to the signed Immediate Restraining Order (and Order to Surrender Weapons Issued without Notice, if you asked for this). Do not leave the courthouse with the original order. If the judge changed the Immediate Restraining Order you requested, and you prepared a proposed temporary family law order that checked the box keeping the previous restraining order in effect, write a new proposed temporary family law order. In the new one, check the box that replaces the restraining order with a new order. Then show the restraints you want the court to order at the Temporary Family Law Orders hearing.**
- Go to the court clerk's office to file your papers.**
  - Make copies of the signed Immediate Restraining Order and Hearing Notice showing the judge's signature. If it includes safety restraining orders, ask the clerk for 2 certified copies of the Restraining Order. You will keep one with you at all times, in case you need to call the cops to enforce the order. You will have served on the restrained party). You pay for certified copies. **Many clerks' offices do not take personal checks.**
  - Ask the clerk to file the originals of your motion, declarations, Restraining Order and Hearing Notice, and so on. Ask the clerk what to do with any proposed orders you have prepared (Temporary Family Law Order, Parenting Plan, Restraining Order, Order to Surrender Weapons, Child Support Order, and Order Appointing Guardian ad Litem or Parenting Evaluator, if you have completed these). Usually, you will keep the original proposed orders and bring them to the Temporary Family Law Orders hearing for the judge to sign



then. If your county requires working papers, you must give the judge copies of these proposed orders as part of the working papers (also called working copies). [What are Working Copies](#) can help.

- Have the clerk stamp your copies of the papers you filed (motion, declarations, and so on) to show the date you filed them and to show the judge's signature on any order(s) the judge signed. Take the stamped copies back from the clerk. The clerk keeps the originals.
- If you must deliver working papers to the judge** for your Temporary Family Law Orders hearing, do so before leaving the courthouse.





## Part 9. How to serve forms

### A. After the judge has signed your restraining order:

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. **You cannot serve the papers yourself.** This section explains the rules for service. **Follow them carefully. If you do not, your court orders could be set aside, even years later.**

**Who to serve:** Every other party in the case. Have the other party served now, even if you gave no advance notice before the judge signed the Immediate Restraining Order and Hearing Notice.

**What to serve:** You must have all papers you filed served, **except** the Confidential Information form and any attachment, and Law Enforcement Information Sheet, if you used these. The forms to have served will include the Immediate Restraining Order and Notice of Hearing, Order to Surrender Weapons Issued without Notice (if you asked for this), Motion, any declarations you filed, any proposed orders you filled out, and any other documents filed with your motion.

**When to serve:** You must have your papers served in time to give the other party the amount of notice of the hearing your county requires. The civil rules require five court days (not counting the date of service, weekends, or holidays) before the hearing date. Many counties require more than five days. Have all the parties served before the deadline you calculated in setting the date for the Temporary Family Law Orders hearing when you filled out the Restraining Order.

**How to Serve:** You cannot serve the papers yourself. Arrange to have the papers personally served. We explain below.

- **If you are filing the Petition with your motion, and having both served at the same time,** follow the instructions for personal service in the *Filing* packet you are using. If the judge has signed your Immediate Restraining Order, have it and the related papers (motion, proposed orders, and so on) served with the petition, summons, and other starting paperwork. **Remember:** you must have the petition and summons hand delivered to the other party. Make sure the Immediate Restraining Order you serve (and Order to Surrender Weapons Issued without Notice, if you asked for this) is a certified copy. The Proof of Personal Service must include this paperwork on the list of documents served.



- **Even if you have already had the Petition personally served on the other party, or you are the respondent,** you should have the other party personally served with this motion. Otherwise, the other party may not have to obey the Immediate Restraining Order. Follow the instructions below.

## **B. How to copy and organize your papers for service:**

**Make any extra copies of the papers as needed. You will need:**

- \_\_\_ one set for you
- \_\_\_ one set for each other party (1 x \_\_\_ number of other parties = \_\_\_)(except you will not serve the Confidential Information Form and attachment or LEIS (if you have a restraining order) on any other parties.) The Restraining Order/Hearing Notice must show the date the order was filed in court and the judge's signature.
- \_\_\_ one for the judge ("working papers" or "working copies")
- \_\_\_ one for the State (if you are serving them)
- \_\_\_ one for the Guardian ad Litem, if the case has one
- \_\_\_ Total = This is how many copies you need of each document

**Organize the papers:**

- 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 and Law Enforcement Information Sheet.
- Compare each set with the checklists in this packet. Make sure you have the forms you need.
- Put one certified copy of the Immediate Restraining Order and Hearing Notice in the set for the restrained party. Keep the other with you.
- Keep a full set of copies for yourself. Put any Confidential Information form and Law Enforcement Information Sheet into the set you are keeping. Do not serve these forms.
- Put each of the other parties' sets of papers in an envelope, addressed to that party, with your return address.



## C. Instructions for Personal Service and the Proof of Personal Service

### 1. Instructions for personal service in Washington

**You must properly follow these instructions.** Do not serve the documents on the other parties yourself. Find someone age 18 or over to do it for you.

- **Think about hiring a professional process server** or the sheriff to serve the papers for you. It usually costs \$30-\$80. A professional process server may be better. The sheriff may not try more than once to serve the other party if they are not home. You can find process servers by searching the web.
- **Ask an adult friend to be your process server.** If you cannot afford a process server or the sheriff, anyone competent who is age 18 or over and not a party in the case can do it. Your server must understand how important it is to correctly serve the papers and fill out the Proof of Personal Service form. If you do not serve the other parties properly, the court could set your orders aside, even years later.

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❖ If you are using a friend as server, let the friend know putting the papers in the other party's hand (hand-to-hand service) is best.

The other party may refuse to accept the papers. Let your server know to use her best judgment about how to leave the papers.

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#### Here are some common situations in service:

**Example 1:** The other party may be expecting you to serve them. They are avoiding people who look like servers. Your server can, for example, pretend to be delivering an innocent package.

**Example 2:** The other party may let your server in but refuse to take the papers. The server can probably leave the papers on the floor in the other party's home. Your server should always try to hand the server the papers, unless it would be unsafe to try.

**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. Your server can leave the papers in the doorway or just outside.

**Example 4:** The other party may be home but refuse to get the door when your server knocks. Your server may have to visit the other party's home a few times before you ask the court for help. Tell your server **do not leave the papers outside.**



## 2. Instructions for the Proof of Personal Service form – FL All Family 101

Your server must complete a separate Proof of Personal Service for each party served. After your server has completed service and signed the Proof of Personal Service form(s), file it with the court.

**Caption.** Fill out the caption.

1. The server puts their name here.

2. **Personal Service.** In the blank, the server puts the other party's name. The server checks the first box if they served the other party directly. The server checks the second box if they served another adult living in the other party's home.

3. The server should put the date, time (checking a.m. or p.m.) and address where the papers were served.

4. **List all documents you served.** The server should check the boxes showing all the papers served and fill in blanks to complete the papers' titles where appropriate.

5. **Fees charged for service.** Check the first box if your server did not charge you and skip to 6. Check the second box if you paid your server. Fill in the blanks.

6. **Other information.** Your server may put other info. **Examples:** if your server tries several times but the other party is never home or cannot be found, the server should put the dates, times, and descriptions of each time they tried to serve the other party. If the server gave the papers to someone living with the other party who would not give their name, the server should put what the person who took the papers looks like.

**Signature.** The server should put the city and state where they signed the form and the date, sign where it says, and then print or type their name where it says.

**To the Server:** Fill this section out in front of a notary public only if you served the other party outside of Washington State.

### D. Filing Your Proof of Personal Service

Gather your original signed Proof(s) of 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.



Gather your original signed Proof(s) of 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 and take them with you to your hearing(s). You may need them to prove to the judge that you served the other party.

### **E. If you do not Serve the Other Parties on Time**

**If you do not correctly serve the papers on the other party in time**, you should still get ready for and go to the hearing. If the other party appears and does not object, the court may go ahead with the hearing. If the other party does not show up, or shows up and objects to the hearing, ask the court to postpone (delay) or "continue" the hearing to a later date. Ask the judge for an order continuing the hearing date and extending your restraining order until the new hearing date. You will still need to complete proper service.



## Part 10. Getting ready for and going to your temporary family law orders 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. 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.

Ask the facilitator or clerk what the rules are for working papers and confirming the hearing.

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

### B. Replying to 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 their response to you and the court no later than one court day before the hearing.

**If the other party sends no response**, go to the hearing anyway. If the other party does not show up, ask the judge to sign your proposed orders. (See *Going to the Hearing*, below and the checklists at the end of this packet.) If the other party shows up, tell the judge the other party did not give you a written response on time. The judge may decide not to consider the other party’s papers or to reschedule the hearing to a later date. If the judge reschedules your hearing, ask for an order extending your Restraining Order (and Order to Surrender Weapons Issued without Notice, if the judge granted it) until the new hearing date.

**If the other party sends a response**, read it carefully. If you do not get to file a reply, be ready to tell the judge what you disagree with in the other party’s response.

**Filing a Reply.** Most counties do not let you file a written reply to the other party’s response. If local court rules do let you reply, use the Declaration form. Put *Declaration of*



*(Petitioner or Respondent) In Reply* under the title of the declaration form. Explain what you disagree with in the other party's response, and why. **Do not bring up new issues.** Respond only to the other party's response. If needed, give the court more papers or declarations from other witnesses.

When you have finished your declaration, make a copy of it (and every other paper 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 clerk. Have the clerk stamp the copy that you keep, so you can prove when you filed it.

Deliver a set of the papers to each of the other parties (and the judge if you need working papers. See the instructions for working papers). **You must file and serve the papers by the deadline for your reply.** Check local rules or ask the facilitator or clerk for the reply deadline. If you do not serve your reply by the deadline, the judge may not read it. If you have the reply personally served, the server can fill out another Proof of Personal Service. If the server mails it, the server can use a Proof of Mailing or Hand Delivery form to show the reply has been properly served. The Proof of Mailing or Hand Delivery form is in our Responding and Finalizing – divorce packets.

### C. Going to the Hearing

- **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 want to get one yourself. If so, tell the lawyer and judge you need to postpone or delay (continue) your hearing. Do not panic. The lawyer may ask you to sign some documents. **Do not sign anything you do not understand.** If the judge reschedules your hearing, ask for an order extending your Restraining Order until the new hearing date.
- **Get Ready for the Hearing.** Try to go to court before the day of your hearing. Watch how hearings generally go. Make some notes to yourself about the main points to make when it is your turn to talk at the hearing.
- **Get to Your Hearing Early.** Try to dress neatly. Bring a pad of paper and black 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 can help it. The judge will usually not let them sit in the courtroom. If you are not there on time, the court will cancel the hearing, or the other party may win.
- **When You Get to the Courtroom.** Tell the person in charge in the courtroom (the clerk or the 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 them you are there. Stay in the courtroom until they call your case for hearing.

When they tell you to come forward, do so. Give the court the originals of your orders. You will have a Temporary Family Law Order. You may also have an Order Appointing GAL or Evaluator, a Temporary Parenting Plan, a Restraining Order, and/or Child Support Order and worksheets.

- **Getting an order.** If the other party does not appear, show the judge your Proof of Personal Service. Ask the judge to sign your orders. Tell the clerk or bailiff that you need a copy of them.
- **Presenting Your Case.** If the other party shows up at the hearing, you each get a chance to tell your side of the case. Stand while speaking. Tell the judge briefly what you want and why. You may have only five minutes. Try to keep it short. Only outline your main points. In most cases, the judge will have read your papers before the hearing. Do not repeat everything in your papers.
- **Do not interrupt the judge.**
- **Hearing the Judge’s Decision.** After the judge has heard both sides, the judge will decide. Listen carefully. Make notes. The judge may make changes to the orders you filled out, or may direct you, the other party, or other party’s lawyer to do it. If the other party’s lawyer makes changes to the orders, read them carefully. Make sure they say what the judge said. If you are not sure about any changes, do not sign anything. Ask the lawyer to go back before the judge to make sure the order says what the judge said. **Usually you want to have your court orders signed the day of your hearing. Some counties require the judge sign them before the parties leave the courthouse.**
- **Do not leave the courthouse with (or change or destroy) court orders the judge has signed.** If the clerk in the courtroom gives you the original orders the judge has signed, file them with the court clerk’s office.
- **Getting Copies of the Orders.** You will need copies of the orders signed by the judge. You need certified copies of any order with a safety restraint. (Get one certified copy for yourself and one for each restrained party you need to serve.) Get conformed copies of other orders.
- Ask the clerk how to get the conformed and certified copies you need.
  - Certified copies: the clerk makes them. There may be a fee (**Example:** \$5 for the first page, \$1 for every extra page)



- Conformed copies:
  - The clerk may let you take the original orders and make copies in the library or at the clerk's office.
  - **If the copies of proposed orders you brought to court are the same as the orders the judge signed**, the clerk may let you stamp those copies with the date filed stamp and the judge's signature stamp.
- **If the judge signed the orders you presented**, all parties must get copies of the orders showing the judge's signature as follows:
  - If your orders have no safety restraints, or if the restrained party or their lawyer appeared and/or signed the orders, you must mail conformed copies of the orders the judge signed to the other parties. Mail conformed copies to any other parties you have no restraining orders against. Use the Proof of Mailing or Hand Delivery procedure explained in our Filing a Motion for Temporary Family Law Orders packets.
  - You must have the other party personally served if **all** of these are true:
    - The order includes safety restraints, and you are the protected party.
    - Neither the restrained party nor lawyer appeared for the hearing.
    - Neither the restrained party nor lawyer signed the order.
  - You must serve a certified copy of the order with safety restraints. Conformed copies of any other orders will do. File a new Proof of Personal Service with the court showing service of these orders. Deliver a copy of the Proof of Personal Service to the law enforcement agency named in the order.

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❖ **WARNING:** The safety restraints may not be effective until you have had the other party personally served with the order.

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## D. Getting an Agreed Temporary Family Law Order

If you have reached an informal agreement with the other party, try to get an Agreed Temporary family law order. In cases with children, you may also need an agreed Temporary Parenting Plan, Restraining Order, Order to Surrender Weapons, Order Appointing Guardian ad Litem, Child Support Order, and/or support worksheets. You and the other party must agree about what should happen to any children, your property, child support, and any other issues discussed in your paperwork before getting your Agreed orders.



**All parties must sign the order(s). A judge must also sign them.**

After you and the other parties have signed all the agreed orders, you may strike (cancel) the hearing. Call the clerk. Tell them you have reached agreement, and want to strike your hearing. Ask the court clerk how to have the judge sign agreed orders.

Get a copy of the order(s) signed by the judge for your records. Give the other party a copy showing the date filed and judge's signature.

**E. If you disagree with the Court's Order**

If you disagree with the court's Temporary Family Law Orders hearing decisions, your options are limited. **If a court commissioner decided the motion**, you can file a Motion for Revision. A judge hears a motion for revision. That judge can hold a "new hearing" on the evidence the commissioner considered. You have 10 days from the date the court commissioner signed the order to file a Motion for Revision. Local court rules may require you to serve the other parties within the same deadline. If you will serve by mail, mail your motion at least 3 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. Blank Forms**

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 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 at [courts.wa.gov/forms](https://courts.wa.gov/forms).