

## How to Ask for a Legal Separation

There are **NO** dependent children of this marriage

The parties are **NOT** signing the papers together

The parties are **NOT** in agreement

Service of the other party is **REQUIRED**

Forms may be downloaded for free at [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms) or you may purchase them at the Clerk's Office

### Step 1: Fill out these forms

| Completed | Form Name                   | Form #                                     | Notes |
|-----------|-----------------------------|--|-------|
|           | Case Information Coversheet | Facilitator or clerk's office will provide |       |
|           | Confidential Information    | FL All Family 001                          |       |
|           | Vital Statistics Form       | Facilitator or clerk's office will provide |       |

### Step 2: Fill out these forms and make copies

| Completed | Form Name  | Form #            | Notes                             |
|-----------|--|-------------------|-----------------------------------|
|           | Summons: Notice About a Marriage or Domestic Partnership | FL Divorce 200    |                                   |
|           | Petition for Legal Separation                            | FL Divorce 203    |                                   |
|           | Financial Declaration                                    | FL All Family 131 | If requesting spousal maintenance |
|           | Sealed Financial Source Docs                             | FL ALL Family 011 | If requesting spousal maintenance |

\*If you need temporary orders, please refer to **HOW TO ASK FOR TEMPORARY ORDERS**

### Step 3: Copies needed

Originals to be filed with the Clerk

1 copy for your records

1 copy to give to the other party

## Step 4: File your originals with the Clerk's Office and pay the filing fee

If you cannot afford to pay the fee,  
Fill out these forms

| Completed | Form Name  | Form #            | Notes |
|-----------|--|-------------------|-------|
|           | Motion and Declaration for Waiver of Civil Fees and Surcharges | WPF GR<br>34.0100 |       |
|           | Financial Statement  | WPF GR<br>34.0300 |       |
|           | Order re Waiver of Civil Fees and Surcharges                   | WPF GR<br>34.0500 |       |

The forms are also available for download at [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms).

Turn in the Motion, financial statement and order, along with all of your completed paperwork to the Clerk's Office prior to 11:00 am, your case will be heard at 1:00 pm (same day) and you must be present.

Payment can be made in the form of cash, cashier's check, money order, debit/credit card. NO PERSONAL CHECKS.

## Step 5: Serve the other party

The other party must be served with a copy of the Summons and Petition. YOU CANNOT SERVE THE OTHER PARTY. Someone else over the age of 18 must serve.

The person who serves your spouse must complete, sign and give back to you this form:

| Completed | Form Name                 | Form #               | Notes |
|-----------|---------------------------|----------------------|-------|
|           | Proof of Personal Service | FL All Family<br>101 |       |

Make a copy for yourself.

## Step 6: After the other party has been served

File the ORIGINAL Proof of Personal Service form with the Clerk. Put the Date stamp on your copy.

## Step 7: Follow your case

Wait to see if the other party files a response. Response deadlines are:

|         |   |
|---------|---|
| 20 days | If the other party was served in person in Washington State.                            |
| 60 days | If the other party was served in person outside of Washington State, or by publication. |
| 90 days | If the other party was served by mail.  |

## Step 8a: If No Response is filed:

See instructions for Finalizing a Divorce by Default.

## Step 8b: If a Response is filed

The other party AGREES with everything. To set a court date, Fill out this form

| Completed | Form Name         | FORM #            |
|-----------|-------------------|-------------------|
|           | Notice of Hearing | FL All Family 185 |

## Step 8c: If a Response is filed

The other party is NOT in agreement, Fill out these forms

| Completed | Form Name                       | Form #   | Notes   |
|-----------|---------------------------------|--|---|
|           | Notice to Set for Trial         | <a href="http://www.clark.wa.gov/courts/documents.html">http://www.clark.wa.gov/courts/documents.html</a>  | This will set a mandatory settlement conference |
|           | Settlement Conference Affidavit | <a href="http://www.clark.wa.gov/courts/documents.html">http://www.clark.wa.gov/courts/documents.html</a><br>Fill out this form completely and file the Original. Keep one for yourself, give one to the other party and provide one to the Judicial officer presiding at your settlement conference at least one week in advance. |   |

If you settle the case at settlement conference, you will need to set a hearing to enter the final paperwork.

To set a hearing, Fill out this form

|           |                   |                   |
|-----------|-------------------|-------------------|
| Completed | Form Name         | FORM #            |
|           | Notice of Hearing | FL All Family 185 |

### **File original with the clerk's office**

Give a copy to the other party

If you do not settle the case at settlement conference, you will be contacted with a trial date. At the conclusion of the trial, the Judge will set a time for entry of the final paperwork.

### **Step 9: Fill out these forms and take to your final hearing**

| Completed | Form Name                                 | Form #  | Notes |
|-----------|---|---|-------|
|           | Findings and Conclusions About a Marriage | FL Divorce 231  |       |
|           | Legal Separation Order                    | FL Divorce 241  |       |
|           | Certification                             | <a href="http://www.clark.wa.gov/courts/documents.html">http://www.clark.wa.gov/courts/documents.html</a> |       |

### **Step 10: Go to court hearing to finalize your Legal Separation**

Take all your paperwork with you

These instructions are legal information, not legal advice.

All of the above mentioned forms can be found on the Washington State Court website: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms).