

How to Ask for a Divorce

There **ARE** 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 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 Dissolution	FL Divorce 201	
	Parenting Plan	FL All Family 140	
	Information for Temp Parent Plan	FL All Family 139	
	Child Support Worksheets	WSCSS-Worksheets	
	Financial Declaration	FL All Family 131	
	Sealed Financial Source Docs	FL All Family 011	
	Declaration	FL All Family 135	

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

Step 3: Copies needed

Original set to file with the Clerk

1 copy for your records

1 copy to give to the other party

1 copy to the Prosecuting Attorney's Office, if you have children who have ever received public assistance

Step 4: File your original forms with the Clerk's office and pay the filing fee

If you cannot afford to pay the filing fee:

Fill out these forms

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

The forms are also available for download at 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.

If no fee waiver requested or fee waiver not granted.

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 a copy of **ALL** documents you file (except those in Step 1 above). YOU CANNOT SERVE YOUR SPOUSE. Someone else over the age of 18 must serve for you.

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

Completed	Form Name	Form #	Notes
	Proof of Personal Service	FL All Family 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

You must wait:

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, set a court date (at least 90 days after date petition filed and other person has been served) by filling out and filing 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 – Family Law	http://www.clark.wa.gov/courts/documents.html	This will set a mandatory settlement conference
	Pretrial Settlement Conference Affidavit	http://www.clark.wa.gov/courts/documents.html 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. You can set the hearing by filling out this form:

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

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 court 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	
	Final Divorce Order	FL Divorce 241	
	Parenting Plan	FL All Family 140	
	Child Support Order	FL All Family 130	
	Child Support Worksheets	WSCSS - Worksheets	
	Certification	http://www.clark.wa.gov/courts/clerks	

Step 10: Go to your court hearing to finalize your divorce

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.