

# How to ask for your Marriage to be Invalidated (Annulled)

## For spouses/registered domestic partners *who agree*

Use this packet only if:

- You and your spouse/registered domestic partner **agree** on the terms of the invalidity, and
- Your spouse/registered domestic partner **will sign** the court papers to show that s/he agrees.

### **WARNINGS!**

- If one of you is pregnant, or a child was born after separation but before the marriage is declared invalid, the other spouse is considered the *legal* parent. If you do not think the other spouse/registered domestic partner is the parent, you may need to file a parentage case before you finalize the case. If you are in this situation, talk to a lawyer.

### **Talk to a lawyer if you can**

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

**Facilitators cannot provide legal advice or complete your forms for you.** It's a good idea to talk to a lawyer before you file any forms.

You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>

## Step 1: Fill out these forms

All these forms in Step 1 can be downloaded at: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms>

Form Name	Form Number	Notes	Completed
<a href="#">Case Assignment Area Form and Case Information Cover Sheet</a>		Family Law	<input type="checkbox"/>
<a href="#">Confidential Information</a>	FL All Family 001	<a href="#">Attachment to Confidential Information form (for additional children)</a>	<input type="checkbox"/>
<a href="#">Certificate of Dissolution-Vital Statistics form</a>		For registered domestic partnerships, use <a href="#">Domestic Partners-Vital Statistics form</a>	<input type="checkbox"/>
Notice of Court Date (Judges) ( <a href="#">Kent</a> or <a href="#">Seattle</a> )		See step 6 for information on how to fill this out.	<input type="checkbox"/>

## Step 2: Fill out these forms, then make copies

All these forms in Step 2 can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Petition to Invalidate (Annul) Marriage</a>	FL Divorce 205	Use FL Divorce 206 For <a href="#">registered domestic partnerships</a>	<input type="checkbox"/>

If you have children under the age of 18 born during your marriage, you will also need these forms.

Form Name	Form Number	Notes	Completed
<a href="#">Parenting Plan</a>	FL All Family 140		<input type="checkbox"/>
<a href="#">Declaration About Public Assistance</a>	FL All Family 132		<input type="checkbox"/>

### How many copies do I need?

- **Original** set to file with the Clerk's office.
- Copy **1** is for your records.
- Copy **2** is to give to the other party.
- Make a **3rd** copy if you have a child(ren) who has received public assistance at some point. You must deliver copies of your filed forms to the King County Prosecuting Attorney's Office, Family Support Unit.

### **Step 3: Start (file) your case**

You can start (file), your case by either bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

#### **OR**

You can file your case online on the Clerk's website at:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing> If you have questions about e-filing call 206-477-3000, or email [eServices@kingcounty.gov](mailto:eServices@kingcounty.gov).

### **Step 4: Pay the fee**

To start the case, the Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, apply to waive the fee. This application is available here:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver>

### **Step 5: You and your spouse/registered domestic partner must complete family law classes**

Self-represented parties must complete the Family Law Orientation by the deadline listed on your Case Schedule. You can register online at:

<https://kcscfamlaworientation.eventbrite.com>. If you have questions or need to waive the fee, email [FamLawOrientation@kingcounty.gov](mailto:FamLawOrientation@kingcounty.gov).

If you have children under 18, you must also complete the parenting seminar "What About the Children," by the deadline listed on your Case Schedule. You can register online at:

<https://kcscparentseminar.eventbrite.com>. If you have questions or need to waive the fee, email [Parentseminar@kingcounty.gov](mailto:Parentseminar@kingcounty.gov).

### **Step 6: Schedule a hearing to finish the case**

#### **Scheduling before the Assigned Judge**

The name of your judge is listed on the first page of the case schedule, which the Clerk's Office gave you the day you started the case.

You must contact the judge's bailiff to request a date and time, and you should ask how the judge wants to receive the "working copies" you need to provide in Step 8. Please go to <https://kingcounty.gov/en/court/superior-court/about-superior-court/judges-staff/judges> to find contact information for your judge.

Note: It is possible that your assigned Judge changes. If you receive an "Order on Change of Judge" then you should schedule your hearing in front of your new assigned Judge, according to that notice.

Once the bailiff has given you a date and time, fill out the *Notice of Court Date (Judges)* (Kent or Seattle) form.

Next to “**Nature of Motion,**” write “*Presentation of Final Orders of Invalidity*”. Inside the box labeled “**Cases Assigned to Individual Judges**” check the box next to “With Oral Argument Hearing”.

Write the date you select next to “**Calendar Date**” and “**Date/Time**”.

You must file the *Notice of Court Date (Judges)* with the Clerk’s Office at **least nine court days** before the hearing date, and if Step 9 says that you need to notify the other party, then you need a court date that allows you time to serve him/her. See Step 9.

**Important!** If you are not ready to finish your case, you do not have to schedule a hearing. You will need to meet the deadlines in your case schedule until the case is finalized.

## Step 7: Prepare your proposed final orders

Fill out the following forms. You do **not** file these forms with the Clerk’s Office.

All the forms can be downloaded at: [www.courts.wa.gov/forms/](http://www.courts.wa.gov/forms/)

Form Name	Form Number	Notes	Completed
<a href="#">Findings and Conclusions About a Marriage</a>	FL Divorce 231	Use FL Divorce 232 for <a href="#">Registered Domestic Partnership</a>	<input type="checkbox"/>
<a href="#">Final Invalid Marriage Order (Annulment Decree)</a>	FL Divorce 241	Use FL Divorce 242 for <a href="#">Registered Domestic Partnership</a>	<input type="checkbox"/>

If you have children under the age of 18 you will also need:

Form Name	Form Number	Notes	Completed
<a href="#">Parenting Plan</a>	FL All Family 140		<input type="checkbox"/>
<a href="#">Child Support Order</a>	FL All Family 130		<input type="checkbox"/>
<a href="#">Child Support Worksheets</a>	WSCSS-Worksheets		<input type="checkbox"/>
<a href="#">Child Support Schedule &amp; Instructions</a>	Use this information to calculate Child Support Worksheets. Online Child Support Calculation software is available at <a href="https://fortress.wa.gov/dshs/dcs/SSGen/Home">https://fortress.wa.gov/dshs/dcs/SSGen/Home</a>		

You may also need these forms:

Form Name	Form Number	Notes	Completed
<a href="#">Restraining Order</a>	FL All Family 150		<input type="checkbox"/>
<a href="#">Law Enforcement Information Sheet</a>	PO 003		<input type="checkbox"/>

## Step 8: Judge's Copies

The judge needs copies of the Notice of Court Date form that you used to schedule the hearing and the forms you completed in Step 7. You may provide these copies to the judge by email (with permission from the assigned judge), in-person delivery, or electronically through the Clerk's Office.

### Email

Some assigned judges will accept copies via email. You must receive permission from your assigned judge before emailing him or her your copies.

You can find the email address for your assigned Judge from the Judge's directory in the link below:

<https://kingcounty.gov/en/court/superior-court/about-superior-court/judges-staff/judges>

### In-Person Delivery

Make 1 copy of the Notice of Court Date form that you used to schedule the hearing and the forms you completed in Step 7.

In the top right-hand corner of the first page of the Judge's Copies, write the following:

Judge's Working Copies
Name of Judge: _____
Hearing Date: _____
Presented By (Your name): _____

Deliver the Judge's Copies to the Judge's Mailroom (Room C-203 in Seattle and Room 2D in Kent) at least **nine court days** before your hearing.

### E-working copies

You can also provide electronic copies through the Clerk's Office for a fee. See

<https://kingcounty.gov/courts/clerk/documents/eWC.aspx>.

## Step 9: Look at your Joinder (last page of your *Petition* or separate "*Joinder*" form)

If your spouse or registered domestic partner checked the box "I demand notice of all further proceedings in this matter," he or she must:

- Sign the documents completed in Step 7.

or

- You must serve him or her with the Notice of Court Date used to schedule the hearing and a copy of the completed documents from Step 7, **9 court days** before the hearing date for personal service or 12 court days before the hearing date if mailed.

You must file a completed *Proof of Mailing or Hand Delivery* form prior to your hearing to prove that your spouse/partner was properly served.

<a href="#">Proof of Mailing or Hand Delivery</a>	FL All Family 112	Download form at <a href="http://www.courts.wa.gov/forms/">www.courts.wa.gov/forms/</a>	<input type="checkbox"/>
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If the Joinder “waives notice,” you are not required to serve the other party.

## Step 10: Participate in the court hearing

- For hearings before the assigned judge, follow the bailiff’s instructions on how to participate. Hearings can be by phone or video conferencing, e.g. Zoom.
- **IF** the bailiff directs you to come in person, arrive at least 30 minutes early. You will need time to go through security and find the correct courtroom.
- **IF** the bailiff directs you to come in person, take your original orders from step 6 and a copy of all the other forms you filed.
- If you want copies of the signed orders on the day of your hearing, please tell the clerk.