

How to finish your Invalidity by Default

Use these instructions if:

- Your spouse/partner was properly served with a Summons, Petition, Case Schedule (and proposed parenting plan if a child or children are involved); and
- The other person did not appear at any court hearings; and
- The other person did not file **any** documents in your case, such as a Response, Notice of Appearance, or a Declaration.

Important! If one of you is pregnant now, or a child was born after you separated, the other spouse/registered domestic partner is considered the *legal* parent. If you do not think the other spouse/registered domestic partner is the parent, parentage needs to be determined for any child born during the marriage **before** your case is finalized. 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 can be downloaded at: www.courts.wa.gov/forms

Form Name	Form Number	Notes	Complete
Motion for Default	FL All Family 161	Complete all provisions of this form.	☐
Order on Motion for Default	FL All Family 162	Fill this out the way you would like the Judge to sign it.	☐
Findings and Conclusions About a Marriage	FL Divorce 231	Use FL Divorce 232 for Registered Domestic Partnership	☐
Invalid Marriage Order (Annulment Decree)	FL Divorce 241	Use FL Divorce 242 for Registered Domestic Partnership Order	☐

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

Parenting Plan (Proposed)	FL All Family 140	You must use the same proposed parenting plan that was already served to the other party.	☐
Child Support Worksheets	WSCSS-Worksheets		☐
Child Support Schedule & Instructions	Use these instructions to calculate the Child Support Worksheets. Online Child Support Calculator at https://fortress.wa.gov/dshs/dcs/SSGen/Home		
Child Support Order	FL All Family 130	Fill this out the way you would like the Judge to sign it.	☐

If you requested a Restraining Order in your Petition you will also need

Restraining Order	FL All Family 150		☐
Law Enforcement Information Sheet	PO 003		☐

Step 2: Make Copies

Which documents do I need copies of?

- Motion for Default
- Order on Motion for Default
- Findings and Conclusions about a Marriage
- Invalid Marriage Order (Annulment Decree)
- Parenting Plan (if there are dependent children)
- Child Support Order and Worksheets (If there are dependent children)

How many copies do I need?

- **Keep the originals. (Do not file these with the clerk)**
- Copy 1 will go to the Judge for the hearing

Reminder: If the child(ren) have ever received public assistance. You must deliver copies of forms listed above to the King County Prosecuting Attorney's Office, Family Support Division.

Step 3: Determine the other party's deadline for filing a response

The hearing date you pick cannot be before the other's party's deadline for responding. The other person has the following amount of time to respond:

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 when the court has given you permission to serve by publication.
90 days	If the other party was served by mail when the court has given you permission to serve by mail.

Step 4: You 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://www.eventbrite.com/o/family-law-orientation-17454807311>. If you have questions or need to waive the fee, email 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.

Step 5: Choose a date to go to court to finish your invalidity and file the *Notice of Court Date (Judges)* with the Clerk's office.

Form Name	Form Number	Notes	Complete
Notice of Court Date (Judges) Kent or Seattle		Download this form at http://www.kingcounty.gov/courts/clerk/forms.aspx	☐

You will need to schedule a hearing in front of your assigned judge to finalize your 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. 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.

Step 6: Deliver the Judge’s Working 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 1. 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.

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 1.

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 7: 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 1 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.