

How to Ask for an Immediate Restraining Order For People Who Are Married

These instructions explain how to ask for an immediate order to protect you, your child, or your property from your spouse.

WARNING!

Use this packet **ONLY** if you have a pending dissolution, legal separation, or invalidity case.

Parties must have an open, active family law case to request a Restraining Order. If you do not have an open family law case, you must file one.

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: What kind of Immediate Restraining Order hearing do you need?

Do you need a SAME DAY EMERGENCY hearing for an Immediate Restraining Order?

YES – SAME DAY EMERGENCY

To request a SAME DAY hearing...

1. Your documents MUST prove threat(s) of imminent harm or it is not possible to schedule a hearing in advance due to the circumstances of your issue; AND
2. Complete the entire process outlined in these instructions by 11am of your SAME DAY hearing. SAME DAY hearings are heard at 1:30pm.

NO – NOT AN EMERGENCY

To request an immediate hearing...

1. Schedule the immediate restraining order hearing at least two days after the other party is served; AND
2. Complete the process outlined in these instructions by 11am on the day of your hearing.

Step 2: Complete the Immediate Restraining Order paperwork

All these forms can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Motion for Immediate Restraining Order (Ex Parte)	FL Divorce 221		☐
Declaration	FL All Family 135	This form gives you more space to explain why you need an Immediate Restraining Order.	☐

Step 3: Schedule your Immediate Restraining Order Hearing

This form can be downloaded at:

Form Name	Form Number	Notes	Completed
Notice of Court Date Ex Parte Commissioners	Seattle or Kent		☐

Schedule a Same Day Emergency hearing



YOU MUST:

1. Go to <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-calendars-locations-operations/calendars>
2. Click on "Calendar Availability Tool" under the **Ex Parte Calendar** heading. This tool will help you find out when there is availability for your hearing.
3. Select "1:30pm Emergency Motions"
4. Pick the date you want for your SAME DAY hearing.
5. Enter in your case information and click "submit." Write the date you picked on the *Notice of Court Date Ex Parte Commissioners* form or allow the system to auto fill the form.
6. For more guidance, visit the Ex Parte Department's website:
<https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/ex-parte-probate>

Schedule an Immediate Restraining Order Hearing



YOU MUST:

1. Go to <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-calendars-locations-operations/calendars>
2. Click on "Calendar Availability Tool" under the **Ex Parte Calendar** heading. This tool will help you find out when there is availability for your hearing.
3. Select "1:30pm Emergency Motions"
4. Pick the date for your hearing that is AT LEAST TWO DAYS AFTER the other party is to be served.
5. Enter your case information and click "submit." Write the date you picked on the *Notice of Court Date Ex Parte Commissioners* and complete the rest of the form or allow the system to auto fill the form.

Step 4: Complete the Restraining Order paperwork.

All these forms can be downloaded at: www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Law Enforcement and Confidential Information (LECIF)	All Cases 01.0400		☐
Restraining Order	FL All Family 150	Fill this out the way you would like the Commissioner to decide	☐

Step 5: Schedule your Restraining Order Return hearing

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms>

Form Name	Form Number	Notes	Completed
Notice of Court Date Family Law Commissioners	Seattle or Kent		☐
Immediate Restraining Order (Ex Parte) and Hearing Notice	Seattle or Kent	FL Parentage 322	☐

How to Choose a Court Date

1. Picking a Hearing Date and Time:

The motions calendar is limited to a certain number of hearings per day. You must go to <https://superiorcourt.kingcounty.gov/famlaw/scheduling/calendar> to view availability and schedule your motion with the family law department.

Please note that you must schedule each motion individually. You cannot make one reservation for multiple motions (Example- Contempt/Temporary Orders or temporary orders/Motion to Enforce). Only the motions properly scheduled will be heard.

2. Pick the Correct Calendar:

You will pick “Attorney Represented Motions” if there is an attorney on the other side or “Self Represented Motions” if there are no attorneys involved. Make sure to pick the correct calendar on the calendar tool.

You will need your case number, contact information and information for the other party to complete the reservation.

3. Filing your documents:

Once you have reserved your spot on the calendar, the reservation system will give you the *Notice of Court Date* to file, or you can download the form at <https://kingcounty.gov/courts/clerk/forms.aspx>. you must file a *Notice of Court Date* and your motion within 3 calendar days of making your reservation online.

If you make a reservation but fail to file the Motion and Notice of Court date within 3 days, your reservation may be stricken.

IMPORTANT! If the court determines that you are reserving space on the calendar in bad faith, you may be subject to sanctions. You should only reserve a hearing date when you intend to move forward with the motion.

4. Cancelling or Rescheduling a Hearing:

If you need to cancel or reschedule your hearing, you must immediately contact:

- FamilyLawStaffMRJC@kingcounty.gov or 206-477-1523 for motions noted in Kent, or

- FamilyLawStaffSeattle@kingcounty.gov or 206-477-2750 for motions noted in Seattle

Please do not reserve more than one slot per motion. Important! If you are rescheduling court staff will move your reserved time to the new date. If you fail to timely strike your hearing, or re-note the motion without alerting family law staff, you may be subject to sanctions.

Step 6: Complete Temporary Orders paperwork

If you are not requesting temporary orders skip to step 7

All these forms can be downloaded at: <http://www.courts.wa.gov/forms/>

Declaration	FL All Family 135		☐
Temporary Family Law Order	FL Divorce 224	Fill this out the way you would like the Commissioner to decide	☐

Fill out these forms if you are asking for a temporary parenting plan at your Return Hearing:

Parenting Plan	FL All Family 140		☐
Information for a Temporary Parenting	FL All Family 139		☐

Fill out these forms if you are asking for temporary child support at your Return Hearing:

Child Support Worksheets	WSCSS-Worksheets	Online Child Support Calculation software is available at: https://fortress.wa.gov/dshs/dcs/SSGen/Home/QuickEstimator	☐
Child Support Schedule & Instructions	Use this information to calculate Child Support Worksheets.		
Child Support Order	FL All Family 130	Fill this out the way that you would like the Commissioner to decide	☐

Fill out these forms if you are asking for temporary child support and/or maintenance at your Return Hearing:

Financial Declaration of	FL All Family 131		☐
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Sealed Financial Source Documents	FL All Family 011		☐
For the court to decide on financial issues, you must provide copies of financial documents, including: ▪ Your W-2s and complete personal tax returns for the past 2 years ▪ Your most recent pay stubs (at least 6 months) ▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more ▪ Statements from all your banks and financial institutions for the past 6 months <i>Note:</i> The other parent can ask you for a copy of your check register. If this happens, you will have 14 days to provide it.			

Step 7: Make copies

- **Original** set of forms to file with Clerk's Office
- Copy **1** is to serve the other party
- Copy **2** you will keep for your records

Step 8: Notify other party of Immediate Restraining Order Hearing

The Respondent **MUST** be notified of the Immediate Restraining Order hearing, and you must **PROVE** you notified the other party as explained in Local Family Law Rule 8(b):

“the party asking for an Ex Parte Restraining Order (the moving party) **shall give prior written or oral notice to the opposing party. The moving party shall certify to the court in writing the efforts which have been made to give notice to the opposing party.** Such notice is required in all cases unless the moving party clearly shows by sworn declaration that immediate injury, loss or damage will result if notice is given.”

If you gave written notice, attach a copy of your email or fax or letter to the FL 221 Motion for Immediate Restraining Order. Email or give the other party/their attorney a set of your motion papers before the hearing and include a copy of the [Zoom Hearing Instructions](#).

For more guidance, please view Ex Parte's website:
<https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/ex-parte-probate>

Step 9: File paperwork with the Clerk's Office

To file with the Clerk's Office, you may mail or deliver the complete forms to 2C in Kent, E-609 in Seattle, or you may e-file your documents:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing>

File the following documents:

- FL 221 Motion for Immediate Restraining Order (Ex Parte)
- FL 135 Declaration (Optional)
- Notice of Court Date Ex Parte Commissioners
- Notice of Court Date Family Law Commissioners
- Proof opposing party was notified of hearing (see step 8)
- Ex Parte Submission List (see step 9)

If you are also asking for Temporary Orders, you will also need to file...

- FL 135 Declaration
- FL 140 Proposed Parenting Plan
- FL 139 Information on Temporary Parenting Plan
- FL 131 Financial Declaration
- Sealed Financial Coversheet

Step 10: Submit Working Papers to Ex Parte Department

Working Papers are the Commissioner's copies of your paperwork. Working papers can be e-filed using E-Working Copies here:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing/e-working-copies>

Self-Represented parties with active fee waivers may email to SCEXPORTEORDERS@KINGCOUNTY.GOV or to the Clerk's office via mail or drop-box at the appropriate courthouse. The subject line of their email should read: URGENT/CASE NUMBER/HEARING REQUEST. Staff will respond with instructions.

Working papers include ALL the documents filed with the Clerk's Office (step 10) AND:

- Copies of modification or case initiating documents (e.g. Petition for Dissolution);
- Law Enforcement Information Sheet (LEIS)
- FL 222 Immediate Restraining Order and Hearing Notice*

*If possible, send document in WORD format.

Step 11: Notify Ex Parte Department

Email (SCEXPORTEORDERS@KINGCOUNTY.GOV) or call (206-477-2517) the Ex Parte Department before 11am on the day of your hearing and give them the following information:

- 1) The date and time of hearing;
- 2) How working papers were submitted; and
- 3) The case number and names of the parties.

If you do not have email you may deliver documents in person to the Court mailroom and confirm via phone (206) 477-2517.

The Court mailroom in Seattle is located on the second floor, C-203.

The Court mailroom in Kent is located on the second floor, 2-D.

Step 12: Virtual Immediate Restraining Order Hearing

ALL PARTIES SHOULD PLAN TO APPEAR BY VIDEO; meaning, the Court should be able to see all parties. Please log into your hearing a few minutes early to test mic and video connections. ***When asked for your name, please type your FIRST and LAST*** name so the court may identify you properly. Please mute your microphone until the court calls upon you to speak.

Join Zoom Meeting by Clicking this Link:

<https://kingcounty.zoom.us/j/95589486575>

Meeting ID: 955 8948 6575

Passcode: NONE

IMPORTANT: If notice is being given to the opposing party, it is the moving party's responsibility to provide this information.

THIS HEARING WILL BE HELD USING ZOOM. During the COVID-19 outbreak, in most cases, no person will be permitted inside the courtroom for hearings. All individuals, including interpreters, must attend using the [Zoom platform](#). Please select the "Join A Meeting" link and then enter the Meeting ID to access the hearing. Zoom is FREE. Information about Zoom may be found at its website, <https://www.zoom.us>. If you are unfamiliar with the Zoom platform, please go to the ZOOM training page website at <https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials> to learn how to access the platform for use.

Additional resources for video hearings are located online here:

<https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-calendars-locations-operations/virtual-hearings-trials/video-participation>

[If you wish to arrange for an interpreter](#) please call or email: Phone: (206) 477-1415  Email: scinterp@kingcounty.gov

Case information may be obtained by contacting the Ex Parte and Probate Department at (206) 477-2517. Please contact the department at as soon as possible prior to your hearing if you are unable to appear by Zoom or have other administrative issues for consideration. Email to: SCEXPORTEORDERS@KINGCOUNTY.GOV is preferred.

Step 13: Have the other party served with Restraining Order Return Hearing and Temporary Order paperwork

If the court has signed your *Immediate Restraining Order (Ex Parte)*, serve the other party with a copy of all your completed forms under Steps 4, 5 and 6.

How to serve

Someone over 18 – **not you** - must serve (give) the other party copies of your court papers. After serving, the server fills out a [Proof of Personal Service](#) form and gives it to you. Keep a copy for your own records and file the original with the Clerk's Office.

If you have questions about serving, ask the facilitators for the packet of information about service.

Step 14: Submit your proposed orders to Family Law motions for Return Hearing

Your "Proposed Orders" are the following forms (as needed): Temporary Family Law Order, Parenting Plan, Child Support Order, Child Support Worksheets, Restraining Order, Law Enforcement Information Sheet.

You can submit your proposed order online through the [Clerk's Office eFiling System](#) <https://dja-efsp.kingcounty.gov/EFiling/Logon/Logon.aspx> via the "Proposed Orders (Family Law)" link.

If you are not represented by an attorney, you can submit paper copies of proposed orders to the Judge's Mailroom in an envelope marked "Attn: Family Law Commissioner" with their full name, case number and hearing date. Orders for cases with a "KNT" designation should be dropped off in room 2D in Kent. Orders for cases with an "SEA" designation should be dropped off in room C-203 in Seattle.

If you are the person asking for the motion, submit your proposed order at least 14 calendar days prior to the hearing. If you are the person responding to the motion, the proposed order is due 5 court days prior to the hearing.

Step 15: Submission List/Confirm Hearing for Restraining Order Return Hearing

Find this form here: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms>

Form Name	Completed
Working Paper Submission List	☐

All documents that will be considered **must** be filed in the clerk's office (either e-filed or physically delivered) and served on the other party. Once you have filed the documents you must file a *Working Papers Submission List*. The Working Papers Submission List accomplishes two purposes:

1. **It confirms that you want your hearing to move forward**-The *Working Papers Submission List* is due by the reply deadline for the moving party (noon 3 court days prior) and the response deadline for the responding party (noon 5 court days prior). If you fail to file your submission list by the deadlines listed above, your hearing will not take place. It is suggested that the submission list be filed electronically to avoid processing delays.
2. **It lets the Commissioner know what to read to prepare for the hearing.** The submission list shall list all documents that the parties want the court to consider. It must list your motion. If the submission list does not list required documents, such as the motions, your hearing may not go forward.

If you have filed multiple motions for one case, and have reserved a spot for each motion, you may file one submission list for all properly reserved motions.



Important! If you do not turn in a Submission List your hearing will be stricken or cancelled. If the Responding party files a Submission List, but you do not, your hearing will still be stricken or cancelled. Do not leave the submission number column blank on the Submission List. The submission number is the number each document is assigned when it is filed. The submission numbers are located at <https://dja-prd-ecexap1.kingcounty.gov/> by entering your case number, clicking on the document list, and referring to the Sub Number Column.

Step 16: Reply (if applicable)

If the other party chooses to respond to your motion, they must do so by 12 noon 5 court days before the hearing. If you wish to reply to the other party's response, you must do so by **12 noon 3 court days** before the hearing by filing an additional declaration form. You will make copies of the reply declaration and file the original with the Clerk's office and serve a copy to the other party. If you have already filed

the Submission List, you must file a second Submission List to alert the Court of the new document to review for the hearing.

Step 17: Virtual Hearing

All family law motions are being heard virtually via Zoom. Two days before your hearing:

- Go to <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-calendars-locations-operations/superior-court-calendars-schedules/virtual-family-law-hearings>
- Click on the green button that says "Virtual Hearing Links- 1:00 p.m. Calendar"
- Find the name of your case. The zoom link you will use to appear for your hearing will be to the right of your case number.

If you cannot access Zoom for your hearing, you may also use the phone number provided to appear by phone. If you cannot go online to get the hearing information, at least two days before your hearing, call and leave a message at:

- 206-477-1523 for motions noted in Kent, or
- 206-477-2750 for motions noted in Seattle

Court staff will contact you back to let you know how to appear.

For more guidance on Video Hearings, please visit:

<https://kingcounty.gov/courts/superior-court/get-help/Video.aspx>

Important tips for your Zoom hearing:

1. If you are on time for your hearing and you are not let into the meeting within 15 minutes after your scheduled hearing time, please email

- a. FamilyLawStaffSeattle@KingCounty.gov for Seattle cases or,
- b. FamilyLawStaffMRJC@KingCounty.gov for Kent cases.

Do not leave the waiting room. If you cannot email the court, call 206-263-0635 for assistance.

2. Once in the meeting please:

- a. Mute yourself and turn off your camera until you are called on.
- b. Rename yourself with your last name, first name (example: "Doe, Jane").
- c. If you get disconnected on accident you can click the link again or call the associated phone number and you will be let back into the meeting.

3. The coordinator will perform a check-in. Please remain muted and do not speak until your name or case number is called.

4. **After check-in, wait and remain muted with your camera off until the court is ready for your hearing.** Your hearing may start at any time between 1:00 and 4:00 pm. When called, identify yourself each time you speak and conduct yourself as you would if you were in a physical courtroom, meaning there are other people present for their hearings too.

5. **After your hearing is over you are welcome to leave the meeting.**



IMPORTANT! If you do not turn in a submission list, or you do not appear for your hearing on-time, the hearing may be conducted without you or stricken.