

How to Set Aside a Dismissal and Reinstate Case

For parties *who agree*

DO NOT use these instructions if the other party does not agree to reinstate the case. **Both Parties** must sign the forms

Talk to a lawyer, if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They are not intended to be a substitute for legal advice. They provide only legal *information*. It's a good idea to talk to a lawyer before you file any forms.

If you **cannot** afford a lawyer, you can:

- You can obtain a list of low-cost and free legal resources. <https://kingcounty.gov/~media/courts/superior-court/docs/family/facilitator/family-law-resources.ashx?la=en>
- Get help from the Family Law Facilitators office. You can get information about their services at <https://kingcounty.gov/courts/superior-court/family/facilitator.aspx>.

Step 1: Fill out these forms.

This form can be downloaded at: <http://www.kingcounty.gov/courts/clerk/forms.aspx>

Form Name	Form Number	Notes	Completed
Notice of Court Date (Judges)	Seattle or Kent	See Step 2	<input type="checkbox"/>

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

Motion	FL All Family 181	Tell the Court what you are requesting. Both parties must sign this form.	<input type="checkbox"/>
Declaration	FL All Family 135	Explain why the Court should agree with your request. Both parties must sign this form.	<input type="checkbox"/>
Order	FL All Family 182	Fill this out the way you would like the Judge to decide. Both parties must sign this form.	<input type="checkbox"/>

Step 2: How to choose a court date.

To set your court date, you must fill out and file the *Notice of Court Date (Judges)*, Kent or Seattle. The date you choose must be at least **nine court days** from the date you plan to file the documents. Next to "Nature of Motion" write "Agreed Motion to Set Aside Dismissal and Reinstate Case."

If your case has been assigned to an individual judge, and that judge is still in the same case assignment area (Kent or Seattle), locate the section labeled "Cases Assigned to Individual Judges" check the box "Without Oral Argument" and below that write the Judge's name and the trial date from your case schedule.

OR

If your case has not been assigned to an individual judge, or if your case was assigned to an individual judge but that judge has now been assigned to a different case assignment area, locate the section labeled "Chief Civil Department." Under "Non-Assigned Cases," check the box labeled "Non-Dispositive Motions M-F (without oral argument)."

OR

If the trial date has passed and your case involves children, locate the section labeled "Cases Assigned to Individual Judges" and check the box "Without Oral Argument." Below that, list the Judge's name as "Chief UFC Judge" and the trial date that was listed on your case schedule.

Make 3 copies.

- **Original** set to file with Clerk's office
- Copy 1 will go to the Judge for the hearing (step 5)
- Copy 2 is to provide to other party
- Copy 3 you will keep for your records

Step 4: Take your completed forms to the Clerk's office and file them.

File with the Clerk (2C in Kent and E-609 in Seattle) the originals of all papers from Step 1 **except** the Order.

Or

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

<https://www.kingcounty.gov/courts/clerk/documents/efiling.aspx>. The clerk's office is responsible for the e-filing system. If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov

Step 5: Deliver the Judge's Copy.

The Judge's copy is a set of **all** forms from Step 1 including the Order. Take this set of copies to the Judge's Mailroom (C203 in Seattle and 2D in Kent) and turn it in any time before **12:00 noon at least 4 court days** before your hearing date.

NOTE: You must include a stamped envelope addressed to **each** party so the Judge can mail each party a copy of the final Order with the Judge's decision.

NOTE: The judge will tell you how they like to receive working copies. Make sure to follow all instructions from the judge. If the judge does not specify how they would like to receive working copies, you may:

1. E-file the Judge's working copies via the Clerk's Office E-Working Copies:
<https://www.kingcounty.gov/courts/clerk/documents/eWC.aspx>;

OR

2. Take this set of copies to the Judge's Mailroom (C203 in Seattle and 2D in Kent) and turn it in any time before **12:00 noon at least 4 court days** before your hearing date.

Copy and complete the chart below on the upper right-hand corner of the first page of the set of forms you are delivering to the Judge.

Write the following on the top right.

Judge's Working Copies

Name of Judge: _____

(Write "Chief Judge". "Chief Civil" or the Judge's name if one was assigned)

Hearing Date: _____

Presented By (Your name): _____

Or

[submit working copies electronically](#) through the Clerk's Office [e-filing application](#) (except for any document of 500 pages or more in length which must be delivered in paper form)

Step 7: Wait for the Judge's Decision.

Since this motion is heard without oral argument, the parties will be informed of the Judge's decision by mail in the pre-addressed, stamped envelopes you provided or by email.