

## How to **Ask for a Contempt Order** If the other party does not obey a court order

You should **only** use these instructions if the order you want the other party to follow is about:

- Visitation or residential time with the children (Parenting Plan, Residential Schedule, Custody Order, etc.)
- Child Support
- Maintenance (i.e. alimony or spousal support)

When you ask for a Contempt Order, the other party may have the right to a Public defender. That means the hearing could be postponed for several weeks.

### **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. These forms explain the contempt.**

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

| Name of Form                                | Form No.          | Notes   |
|---|-------------------|---|
| <a href="#">Motion for Contempt Hearing</a> | FL All Family 165 | <b>Attach a copy of the Order that the other party disobeyed.</b> If the Order is from another county, talk to a lawyer first.              |
| <a href="#">Declaration</a>                 | FL All Family 135 | Use this form to explain further if you need.   |
| <a href="#">Contempt Hearing Order</a>      | FL All Family 167 | Fill out the way you want the Commissioner to decide. Write <b>“PROPOSED”</b> at the top of each <b>copy</b> , but <b>not</b> the original. |

**If the motion involves financial issues, you will also fill out these forms**

|  |                   |   |                          |
|--|-------------------|---|--------------------------|
| <a href="#">Financial Declaration of (Name) ____.</a>  | FL All Family 131 |   | <input type="checkbox"/> |
| <a href="#">Sealed Financial Source Documents Cover Sheet</a>  | FL All Family 011 | Attach the documents listed below to this cover sheet | <input type="checkbox"/> |
| <p>For the court to decide on financial issues, you must provide copies of financial documents, including:</p> <ul style="list-style-type: none"> <li>▪ Your W-2s and complete personal tax returns for the past 2 years</li> <li>▪ Your most recent pay stubs (at least 6 months)</li> <li>▪ Complete partnership/corporate tax returns for the past 2 years if you have a 5% interest or more</li> <li>▪ Statements from all of your banks and financial institutions for the past 6 months</li> </ul> |                   |   |                          |

**Step 2: Complete the above forms *before* choosing a court date, then choose a court date. Use these forms.**

|   |   |  |
|---|---|--|
| Order to Go to Court for Contempt Hearing (Order to Show Cause) | <a href="#">Seattle</a> or <a href="#">Kent</a> | You must use the form associated with your case location: SEA or KNT |
| Notice of Court Date Family Law (Commissioners)                 | <a href="#">Seattle</a> or <a href="#">Kent</a> | You must use the form associated with your case location: SEA or KNT |

**The same court date goes on both the above documents.**

**1. Picking a Hearing Date and Time:**

- Go to <https://superiorcourt.kingcounty.gov/famlaw/scheduling/calendar>
- Pick the correct location for your case: Seattle or Kent.
- Select Self-Represented if there are no attorneys or Attorney Represented if there is an attorney representing anyone.
  - Hearing type is Family Law Motion.

- Subtype is Contempt. If contempt is grayed out, you must find another date.
- Complete the information for both parties.
- Submit request.
- Once you have reserved your spot on the calendar, the reservation system will give you the *Notice of Court Date* (Family Law Commissioners) to file, or there is one linked above. Complete all sections.
- Only schedule one motion at a time.
- The same court date goes on **both** of the above documents in Step 2.
- **Cancelling or Rescheduling a Hearing:**  
If you need to cancel or reschedule your hearing you must immediately contact:
  - [FamilyLawStaffMRJC@kingcounty.gov](mailto:FamilyLawStaffMRJC@kingcounty.gov) or 206-477-1523 for motions noted in Kent, or
  - [FamilyLawStaffSeattle@kingcounty.gov](mailto: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 3: Make Copies.

#### What do I copy?

- Motion for Contempt Hearing
- Declaration
- Contempt Hearing Order
- Financial Declaration (if applicable)
- Sealed Financial Source Documents (if applicable)
- Order to Go to Court for Contempt Hearing (Order to Show Cause)
- Notice of Court Date Family Law (Commissioners)

#### How many copies?

- **Original** set to file with the Clerk’s Office **except** the Contempt Hearing Order (see Step 5)
- Copy 1 is to serve the other party **including** the Proposed Contempt Hearing Order **IF** the commissioner finds good cause to hold a hearing.
- Copy 2 you will copies of all the documents for your records

### Step 4: Submit your documents Ex Parte via the Clerk.

#### Use this cover sheet on top of your documents:

|                                    |  |   |
|------------------------------------|--|---|
| Ex Parte Via the Clerk Cover Sheet | <a href="#">Ex Parte Via the Clerk</a> | Click “Miscellaneous Forms” and scroll down |
|------------------------------------|--|---|

File all the documents you completed in Steps 1 and 2 with the cover sheet on top **except** the Contempt Hearing Order Ex Parte Via the Clerk (Room 2C in Kent or E-609 in Seattle).

**OR**

File electronically to Ex Parte via the Clerk at:

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

**DEADLINE:** File within **3 calendar days** of reserving your hearing date.

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

**There is a fee:** if you cannot afford to pay the fee, apply to waive the fee. Forms and instructions are at : <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver>.

### What happens next?

A clerk will give your *Order to Go to Court for Contempt Hearing (Order to Show Cause)* and your supporting documents that explain the contempt to a commissioner to sign and return a copy to you **if** you have shown good cause.

**IMPORTANT:** If you receive the Order to Go to Court for Contempt Hearing signed by a commissioner, your hearing will go ahead on the date you selected. Follow the directions below.

If your order is denied, your case for contempt ends here.

### Step 5: Submit Proposed Orders to Family Law Department

- Your proposed order is the *Contempt Hearing Order* from Step 1 (FL All Family 167).\
- You can efile 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," your full name, case number, and hearing date.
  - Orders for cases with a "KNT" designation go to Room 2D in Kent.
  - Orders for cases with an "SEA" designation go to Room C-203 in Seattle.

**DEADLINE:** If you are the person asking for the motion, submit your proposed order at least 14 calendar days prior to the hearing.

**DEADLINE:** If you are the person responding to the motion, your proposed order is due 5 court days prior to the hearing.

## Step 6: Have the other party served.

Use this document for service:

|   |                   |   |
|---|-------------------|---|
| <a href="#">Proof of Personal Service</a> | FL All Family 101 | This is for the server to fill out after copies of the court papers are served to the other party |
|---|-------------------|---|

**SERVICE DEADLINE:** The other party must be served a copy of **all** your court papers (except the *Return of Service*) at least **14 days** before the hearing.

### How to Serve:

- Someone over 18 – **not you** – must serve (give) the other party copies of your court papers.
- Serve the other party **AND** their attorney if they have one.
- After serving, the server fills out the *Proof of Personal Service* form above and gives it to you. (If the other party is personally served outside Washington State, fill out and file form FL All Family 102 also.)
- File the original *Proof of Personal Service* with the Clerk. Keep a copy. You will need it at your hearing.

## Step 7: Submission List/Confirm Hearing

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

| Form Name                                     | Completed                |
|---|--------------------------|
| <a href="#">Working Paper Submission List</a> | <input type="checkbox"/> |

All documents that will be considered **must** be filed in the clerk's office and served on the other party. Once you have filed the documents, you must complete and file a *Working Papers Submission List*. This document lists all the documents you want the commissioner to consider for your case.

**WORKING PAPERS DEADLINE:** 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).

The Working Papers Submission List accomplishes two purposes:

1. **It confirms that you want your hearing to move forward.** If you fail to file your submission list by the deadlines listed above, your hearing will not take place. Filing electronically can 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!** The “sub” number is the number each document is assigned when filed. You must put in either the sub number or the date you filed the documents so the commissioner can find the correct documents. The submission numbers are located at <https://dja-prd-ecexap1.kingcounty.gov/>.

## Step 8: 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/virtual-hearings-trials>
- 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](mailto:FamilyLawStaffSeattle@KingCounty.gov) for Seattle cases or,
  - b. [FamilyLawStaffMRJC@KingCounty.gov](mailto: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.