

# How to Schedule a Motion before an Assigned Judge *Without* Oral Argument

## WARNINGS!

- These instructions are for motions without oral argument to be heard by your assigned trial Judge. Only specific types of motions are heard by trial judges. Please contact the Family Law Facilitators or visit their web page below for help determining if your motion should be heard by a Judge.
- Due to COVID-19, all hearings are being done by phone or video and most offices are only providing remote services. You should consult the King County Superior Court webpage for the most up to date information. <https://www.kingcounty.gov/courts/superior-court.aspx>.

### **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)	<a href="#">Seattle</a> or <a href="#">Kent</a>	See Step 2	<input type="checkbox"/>

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

<a href="#">Motion for Order for: _____</a>	FL All Family 181	Tell the Court what you are requesting	<input type="checkbox"/>
<a href="#">Declaration of (name): _____</a>	FL All Family 135	Explain why the Court should agree with your request	<input type="checkbox"/>
<a href="#">Order: _____</a>	FL All Family 182	Fill this out the way you would like the Judge to decide	<input type="checkbox"/>
<a href="#">Proof of Personal Service</a>	FL All Family 101	This is for the server to fill out after copies of your court papers are served on the other party	<input type="checkbox"/>
<a href="#">Proof of Mailing or Hand Delivery</a>	FL All Family 112		

## 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.

- Write the date next to “**Calendar Date**”. The date you choose must be at least **9 court days** from the date you plan to have the other party served.
- Next to “**Nature of Motion**” write a brief title for your motion.
- Inside the box labeled “**Cases Assigned to Individual Judges**” check the box next to “*Without oral argument hearing*” and write your Judge’s name and your current trial date.
- Write the name of your assigned judge next to “**Judge’s Name**”.
- Write the trial date (listed on your *Order Setting Domestic Case Schedule*), next to “**Trial Date**”.
- Be sure to also write in the names of the parties and the case number on the top of page 1; you will also need to sign and provide your contact information on the bottom of page 1.
- On page 2, write all other parties’ names and contact information.

### How many copies do I need?

- **Original** set to file with the Clerk’s Office
- **Copy 1** is to be served to the other party
- **Copy 2** is for your records
- **Copy 3** is for the Judge

### Step 3: 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.

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](mailto:eServices@kingcounty.gov).

### Step 4: Deliver the Judge's Copy.

The Judge's copy is a set of **all** forms from Step 1, including the Order.

**NOTE:** Your assigned judge will tell you how they like to receive working copies. Make sure to follow all instructions from your assigned judge (which are generally provided via email). 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 to the upper right-hand corner of the first page of the set of forms you are delivering to the Judge:

<b>Judge's Copies</b> Name of Judge: _____ Calendar Date: _____ With Oral Argument Presented By: (your name): _____, Moving Party
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### Step 5: Have the other party served.

#### What to serve

Copies of all the forms from step 1 need to be served on the other party.

#### Deadline for service

If the documents will be delivered or personally served, the documents must be served at least **9 court days** before the hearing you scheduled.

If the documents will be mailed, generally you must add 3 days to the above deadline. (See Washington State Superior Court Civil Rule 6 for specific information.)

### **How to serve**

You may hand deliver, mail or email the documents yourself (provided that no order restrains you from having contact). If the other party has an attorney, deliver or mail the forms to the attorney instead. After you have delivered the forms to the other party or attorney, fill out the *Proof of Mailing or Hand Delivery (for documents after Summons and Petition)* (FL All Family 112) form.

You may also have someone else serve the other party or his/her attorney for you. The server must be over 18. After serving, the server fills out the *Proof of Personal Service* (FL All Family 101) form and returns it to you.

Make one copy of the *Proof of Mailing or Hand Delivery (for documents after Summons and Petition)* form for your records and one copy for the Judge. File the original form with the Clerk's Office and bring the copy you made for your records to the hearing.

### **Step 6: Reply to any Response (if applicable)**

If the other party chooses to respond to your motion, they must do so **by 12 noon 4 court days before** the hearing. If you wish to reply to their response, you must do so **by 12 noon 2 court days before** the hearing. Please ask the Facilitators or visit the website for the appropriate instructions.

### **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.