

How to Ask to Change Your Trial Date

If you would like to ask that your trial date be changed, you must do so in writing by the deadline in your Case Schedule.

Do not use these instructions if you are asking to continue a Trial by Affidavit (Child Support Modification) trial date. Ask the facilitator for instructions for filing a motion before the Trial by Affidavit Commissioner.

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) | Seattle or Kent | See Step 2 | <input type="checkbox"/> |

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

| | | | |
|---|-------------------|---|--------------------------|
| Motion for Order for: | FL All Family 181 | Tell the Court what you are requesting. | <input type="checkbox"/> |
| Declaration of (name): | FL All Family 135 | Explain why the Court should agree with your request. | <input type="checkbox"/> |
| Order: | FL All Family 182 | Fill this out the way you would like the Judge to decide. This is your Proposed Order. Do not file with the Clerk's Office. | <input type="checkbox"/> |
| Proof of Mailing or Hand Delivery | FL All Family 112 | This is filled out by the person who mails or delivers your court papers to the other party. See Step 5. | <input type="checkbox"/> |

Step 2: Fill out the Notice of 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 **nine court days** from the date you plan to have the other party served.
- Next to “**Nature of Motion**” write “*Motion to Change Trial Date*”.
- Inside the box labeled “**Cases Assigned to Individual Judges**” check the box next to “*Without oral argument hearing*”.
- Write the date you chose next to “**Date/Time**”. There is no “Time” for hearings without oral argument.
- 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.

Step 3: Make copies and file with the Clerk's Office.

How many copies?

- Original set to file with the Clerk's office.
- Copy 1 is for your records.
- Copy 2 is to serve the other party.
- Copy 3 is for the Judge.

Deadline for Filing

File the original forms in Step 1 in the Clerk's Office (Seattle: E-609, Kent: 2C) at least **9 court** days before the hearing date. **Do not** file the (proposed) 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.

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:

| |
|---|
| <p>Judge's Copies Name of Judge: _____ Calendar Date: _____ Without Oral Argument Presented By: (your name): _____</p> |
|---|

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 directly to the other party, 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 deliver or mail 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)* or *Proof of Personal Service* form for your records and one copy for the Judge. **Note:** if you did not include a copy of the form with the first set of papers you delivered to the Judge's Mailroom (see Step 4), deliver a copy to the Judge's Mailroom as soon as possible, following the same information in Step 4.

File the original form with the Clerk's Office.

Step 6: Wait for the Judge's Decision.

This motion is heard without oral argument, which means that the parties will be informed of the judge's decision by mail in the pre-addressed, stamped envelopes you provided.

If the trial date is changed, the judge may amend the case schedule. If you do not receive an amended case schedule from the judge, you can get one from the Clerk's Office.