

How to

# Respond to the Other Party's Motion before Your Assigned Judge

Use these instructions if the other party has filed a motion before a judge and you need to respond to that motion.

**Do not use these instructions for motions before a Commissioner.**

## 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

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

| Form Name                              | Form Number       | Notes   | Completed                |
|--|-------------------|---|--------------------------|
| <a href="#">Declaration of (name):</a> | FL All Family 135 | Tell the Court your side of the story and explain what you are asking the court to do. Attach any documents that support your case, if any. | <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"/> |

If the motion involves financial issues, you will also need to fill out these forms:

|  |                   |  |                          |
|--|-------------------|--|--------------------------|
| <a href="#">Financial Declaration</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"/> |
| For the court to decide financial issues, you <b>must</b> provide the following:   |                   |  |                          |
| <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 your accounts in banks and financial institutions for the past 6 months.</li></ul> <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. |                   |  |                          |

After the other party is served, you will need:

| Form Name   | Form Number       | Notes       | Completed                |
|---|-------------------|-------------|--------------------------|
| <a href="#">Proof of Mailing or Hand Delivery</a> | FL All Family 112 | See Step 4. | <input type="checkbox"/> |

## Step 2: Make copies and file your original forms at the Clerk's Office

### How many copies do I need?

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

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](mailto:eServices@kingcounty.gov)

## Step 3: Deliver 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><b>Judge's Copies</b></p> <p>Name of Judge: _____</p> <p>Calendar Date: _____</p> <p>Without Oral Argument</p> <p>Presented By: (your name): _____, Moving Party</p> |
|---|

## Step 4: Have the other party served

### What to serve

A copy of all forms from step 1 need to be served on the other party, including the proposed Order.

### Deadline for service

If the documents will be delivered directly to the other party, the documents must be delivered by **noon 4 court days** before the hearing.

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* form. File the original with the Clerk's Office, keep a copy for your records, and bring it with you to the hearing.

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 Mailing or Hand Delivery* form and returns it to you. File the original with the Clerk's Office, keep a copy for your records, and bring it with you to the hearing.

## Step 5: Prepare for your hearing if the motion is WITH oral argument

Please contact the Judge's Bailiff to ask if your hearing will be virtual or if you will be required to appear in person.

## Step 6: If the motion is WITHOUT oral argument:

You must wait for the judge's decision via mail/email. The judge will mail/email his or her decision to you and the other party *usually* within 10 business days from the date the decision was made. You can contact the bailiff if you do not receive a copy of the judge's order.