



Northwest Justice Project

# **Filing a Motion for Contempt in a Dissolution Case**

**Instructions and Forms  
October 2009**

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## Section 1: Introduction

This packet's intended to help you fill out and file the forms and papers that you need if you already have a temporary or permanent parenting plan, child support order, or other family law order in a dissolution (divorce) case, and you want to ask the court in the same Washington county for an order holding the other party in contempt for violating it. Read this packet together with our publication [\*Contempt of Court in Family Law Cases – The Basics\*](#).

◆ **Note on reading this packet:** You'll see footnotes in this packet. Footnotes will tell you the law or court case that supports the statement that comes before the footnote, or will give you special tips, links to relevant websites, or other additional information. Use the legal references in the footnotes to look up the law at your local law library, or to tell the court when you're trying to make a legal argument. CR is the Civil Rules of Washington. GR stands for General Rules. RCW stands for Revised Code of Washington, which is the law of Washington State. Court cases have names, such as *In re Custody of Child*. The references to the law are up to date as of the date this packet is published. The law sometimes changes before the packet can be updated.

**Before you use this packet**, we strongly recommend that you talk with an attorney. See the item below, "What If I Have Questions?" for free and reduced cost referrals.

Even if you can't afford to pay an attorney to handle your case for you, an attorney may advise you about important legal rights that may be affected by your action. For example, if you file for contempt, the other party may file for contempt against you or may file to modify (change) earlier court orders in your case. If you file for contempt, the court won't necessarily give you what you ask for and may instead grant the other party's requests. Or perhaps your parenting plan requires you to use a dispute resolution procedure before you return to court. An attorney can help advise you about the necessary steps to take and about whether it's wise to file or whether there are better choices available to you.

If the Division of Child Support (DCS) is handling collection of your child support, you could ask them about the possibility of a contempt motion for back due child support in your case. The benefit to asking the State to help is that the Prosecuting Attorney's office will complete a lot of the paperwork, file the case, serve the other party, and help the case move through the court. **However**, the prosecutor won't be your attorney (and won't represent either parent in the case) – the prosecutor will represent the child's interest in support, as well as the State's interest in child support that may be owed to the State if public assistance (welfare) was paid. Asking for the State's help may also delay the filing of your case and will require that the prosecutor agree with any final settlement that you want to make with the other party.

### **A. How much does a Motion for Contempt cost?**

Many counties charge photocopying fees, and (sometimes) fees for service (delivering the papers to the other parent or other parties).

You shouldn't have to pay any new filing fee because the contempt motion's filed as part of your existing case in the same court.

**B. Where should my motion be filed?**

**In most cases you should file your motion in the Superior Court of the county where your original court order was entered. This packet covers only this type of case.** If you decide to file in another county or if you're trying to enforce an order from another state or from an administrative law judge, then you'll must take additional steps and file additional papers to register your original order. You must also pay the filing fee for new cases or go through the steps to have the filing fee waived.

**C. What if I have questions that aren't answered in this packet?**

It's always a good idea to talk with an attorney familiar with family law before you file anything with the court. Many counties have family law facilitators who can help you fill out forms, or have free legal clinics where you may get specific legal advice about your case. If you're low-income and don't live in King County, call CLEAR at 1-888-201-1014. If you live in King County, call the King County Bar Association's Neighborhood Legal Clinics at (206) 267-7070 between 9:00 a.m. and noon, Monday – Thursday, to schedule a free half-hour of legal advice (ask for a family law clinic). Or go to the website ([www.washingtonlawhelp.org](http://www.washingtonlawhelp.org)) to read our legal information publications about your particular family law case and information about legal aid programs in your area.

**D. What if the other party is in the military or the dependent of someone in the military?**

If the other party is a member on active duty in the military<sup>1</sup> or is the dependent<sup>2</sup> of a service member who is a resident of Washington on active duty and a National Guard member or a Reservist, we recommend that you talk with an attorney before filing your request with the court. There are special rules for members of the military and certain dependents. Those rules may limit the court's ability to make any orders adversely affecting the rights of the service member or his/her protected dependent.

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<sup>1</sup> Service members who are protected by the federal Service Members Civil Relief Act, 50 U.S.C. App. Sections 501 et seq. include all members on Federal active duty, including regular members of the Armed Forces (Army, Navy, Air Force, Marine Corps and Coast Guard); Reserve, National Guard and Air National Guard personnel who have been activated and are on Federal active duty (whether as volunteers or as a result of involuntary activation); inductees serving with the armed forces; Public Health Service and National Oceanic and Atmospheric Administration Officers detailed for duty with the armed forces; persons who are training or studying under the supervision of the United States preliminary to induction; and National Guard and Air National Guard personnel on duty for training or other duty authorized by 32 U.S.C. §502(f) at the request of the President, for or in support of an operation during a war or national emergency declared by the President or Congress. U.S. Coast Guard Legal Assistance Service Members Civil Relief Act Guide at [http://www.uscg.mil/legal/la/topics/sscra/sscra\\_guide.htm#coverage](http://www.uscg.mil/legal/la/topics/sscra/sscra_guide.htm#coverage). For Washington State's Service Members Civil Relief Act, see [RCW 38.42.010 et seq.](#)

<sup>2</sup> Dependents are usually spouses or minor children, although they may also be people for whom the service member provided most of the support for the last six months. [RCW 38.42.010](#).

## **Section 2: Words You May Need to Know**

Attachment: A document stapled to a court form and referred to in the form. Attachments should follow the format rules for court forms. (Basic information about the format rules is in the General Instructions of this packet.)

Bailiff: The member of the judge's staff in charge of courtroom procedure and security. The bailiff may sometimes be the same person as the clerk.

Calendar: The court's schedule of cases to be heard; also called a Docket.

Caption: The heading of each legal document, which contains the name of the court, the names of the parties, the case number, the name of the document itself, and sometimes, the type of case.

Certified Copy: A copy of a document from the court file made by the court clerk that has an official stamp on it stating it is a true copy. Usually, you must pay for a certified copy.

Clerk of the Court: An officer of the court who handles clerical matters like keeping records, entering judgments and providing certified copies. In each courthouse, there is a Superior Court Clerk's Office. Someone from the clerk's office staff is also usually in the courtroom during hearings.

Commissioner/Court Commissioner: This person is similar to a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide cases only about family law<sup>3</sup>.

Confirm a Hearing or Trial: Notifying the court that you still plan to have the hearing or trial scheduled in your case. The way to confirm your hearing or trial differs from county to county, and is not required in all counties. Often a phone call to the court a few days before the hearing or trial is required. Local rules explain each county's requirements. If notice is required and not given, the hearing or trial may be cancelled.

Conformed Copy: A copy of any court document that's been filed with the clerk. It must be stamped with the date filed. If the document is an order, it must also have the name of the judge who signed it written or stamped on it.

Continuance: Delaying your court hearing to a later date. In some counties, the judge must approve any request for a continuance.

Custodian: The person the children live with most of the time.

DCS: Division of Child Support. The state office (part of DSHS) that establishes, enforces and sometimes modifies child support obligations in many cases. DCS used to be called CSD, OSE and SED.

Declaration: A written statement made to the court under oath.

Default: The failure to respond to court papers within the legal deadline

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<sup>3</sup> Many decisions in family law cases are made by court commissioners instead of judges. However, to make this packet simpler, in most places we just use "judge."

Dispute Resolution: The part of the parenting plan that states how the parties will try to resolve disagreements about the parenting plan (for example, mediation, counseling, court action). A Residential Schedule form usually doesn't have a dispute resolution provision.

Dissolution: The legal word for divorce.

Docket: The court's schedule of cases to be heard on a particular day.

Exhibit: Documents, records, and photographs introduced into evidence at trial or hearing. Attachments to legal forms might also be called exhibits, and if so, they should follow the format rules for court forms. (Basic information about the format rules is in the General Instructions section of this packet.)

Ex Parte: Going before the court without notifying the other party. Sometimes also refers to the courtroom where you see a judge without notifying the other party.

Filing: Giving court papers to the Court Clerk to place in the case file.

Hearing: Going before a judge to request a court order or to defend against another party's request. Hearings usually take place before the trial date and concern specific issues for example, temporary relief. In many counties the court limits or doesn't allow live witness testimony at hearings, but the parties are expected to file and serve materials in advance in writing.

Judgment: One type of final court order.

Jurisdiction: The court's authority to make decisions about certain people and issues. If a court doesn't have jurisdiction, it doesn't have the authority to make orders over the person or subject affected.

Maintenance: (used to be called "alimony"): The amount one spouse is ordered to pay for the support of the other spouse while the case is pending and/or after it's over. [RCW 26.09.090](#) lists some factors to use when deciding if maintenance is to be ordered and, if so, in what amount and for how long. [RCW 26.09.060](#) authorizes the court to order temporary maintenance where appropriate

Motion: A formal request to the court for an order.

Motion Docket: The court's schedule of motions to be heard.

Moving Party: The person who files the motion for contempt. The moving party can be either a Petitioner or a Respondent in the original case. Some court forms have been changed to say "requesting party" rather than "moving party."

Nonmoving party:

- in modification/adjustment cases, the nonmoving party is the party who did **not** file the petition for modification/adjustment.
- in motions, the nonmoving party is the person who did **not** file the motion.

The nonmoving party can be either a Petitioner or the Respondent in the original case. Depending on the case, there could be one or more than one nonmoving parties, such as your spouse, the other parent, the State of Washington, a Guardian ad Litem, or someone with custody

of a child in the case. Some court forms have been changed to say “nonrequesting party” rather than “nonmoving party.”

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The nonrequesting party can be either a Petitioner or the Respondent in the original case. Depending on the case, there could be one or more than one nonrequesting party, such as your spouse, the other parent, the State of Washington, a Guardian ad Litem, or someone with custody of a child in the case. Some court forms use “nonrequesting party” rather than “nonmoving party.”

Notice of Appearance: A paper filed with the court and served on the other parties showing that a party wants to participate in the case and where to send papers filed about the case in the future.

Order: A court document signed by a judge that requires someone to do or not do something. Restraining orders, orders re adequate cause, Residential Schedules or decrees, are all examples of orders, if the judge has signed them. If you disobey an order of the court, you may be held in contempt of court. It’s important to notice if an order you’re served with is only a proposed order or if the judge has actually signed it. An order isn’t in effect until a judge has signed it. (See “proposed order” definition.)

Order to Show Cause: A court order scheduling a hearing and requiring a person to come to court at the time and place set for the hearing.

Order on Show Cause: The order that will be signed after your contempt hearing.

Other party: Every party to the case, other than yourself. In court forms, the “other party” can also mean one particular party. For example when the Motion for Default says “other party,” it means the party you believe is in default.

Paternity (or Parentage): A legal determination of who the father of a child is, generally either through a court order in a paternity case, or with a valid paternity affidavit or by an un rebutted presumption of paternity (the presumption usually appears where a man and woman were married to each other when the child was born or shortly before or after the child’s birth). See [RCW 26.26.101\(2\)](#) for a complete definition.

Parentage Case: A court case to determine parentage (paternity) of a child of unmarried parents, or a court case to establish a parenting plan/residential schedule for a child whose paternity was established by paternity affidavit, or a modification of a parenting plan/residential schedule order in one of these types of cases.

Parenting Plan: A proposal or, if signed by a judge, a court order which states when the child will be with each party, who will make major decisions about the child, and how future disputes about the child will be resolved. In parentage cases, the parties may ask the court for either a parenting plan or a residential schedule. (The residential schedule form doesn’t include the dispute resolution or decision-making parts of a parenting plan form).

Party: Anyone who is a Petitioner or Respondent. GAL’s and the State of Washington may also be parties.

Personal Service: Giving court papers to the other party personally, by having someone over age 18 who isn't a party to the case hand the papers to the other party or, where the law allows, deliver them to another person "of suitable age and discretion" who lives with them at their home.

Petition for contempt: The document that begins a court case when the order being enforced is from an administrative agency or from another county. These types of cases aren't discussed here – talk with an attorney if this is your situation.

Petitioner: The person who first files the legal case. The petitioner in the caption of a form does not change even when motions are filed later by the other party

Proposed Order: A document one party will be asking the judge to sign. It won't yet have the judge's signature on it. Many counties require the parties to file and serve proposed orders with motions or responses to motions to show how that party wants the court to decide the motion. Even where proposed orders are not required, we recommend that you prepare and serve them and deliver copies to the court. A proposed order becomes an order if the judge signs it.

Pro Se: Acting without an attorney; representing yourself in court

Public Defender: An attorney paid by the State of Washington to represent low income people in certain kinds of criminal cases, and some civil contempt cases.

Requesting Party:

- in modification/adjustment cases, the requesting party is the person who files the petition for modification/adjustment.
- in motions, the requesting party is the person who filed the motion.

The requesting party can be either a Petitioner or the Respondent in the original case. Some court forms have been changed to say "requesting party" rather than "moving party."

Residential Schedule: A proposal or, if signed by a judge, a court order which states when the child will be with each party.

- In dissolution cases, the Residential Schedule is one part of the Parenting Plan.
- In parentage cases, the parties may have a Residential Schedule but not the decision-making or dispute resolution parts of a Parenting Plan, or the parties may have a full Parenting Plan.
- In nonparental custody cases, if the nonparent is awarded custody, the parties may have a Residential Schedule.

Respondent: The person against whom a legal case was originally filed.

Response: A formal written answer to a Petition filed with the court. The term can also be used to describe the papers a person files in response to a motion, so it can be confusing. We'll use the word "Response" with a capital "R" to refer to the Response form. We'll say "response" with a small "r" to refer to all types of responses, for example, responses to motions.

Restraining Order: A court order to prevent a party from doing some act that may harm the other party or child.

Ruling: A decision by the court.

Service: Giving court papers to the other party. The law defines the ways of service that are legally correct.

Temporary Order: An order entered after a case is filed and before it's finished which is only in effect while the case is going on. In some counties, temporary orders may end at a fixed time, even before the case ends.

Time to Respond (or deadline to respond): The length of time a party has to respond to something filed by another party. The length of time to file a Response to a Summons is 20 to 90 days after service, depending upon the type and location of service. The length of time to respond to motions is usually much shorter.

Transfer Payment: The amount of money one parent is ordered to pay as that parent's share of basic child support

## Section 3: Steps to Take to File and Argue a Motion for Contempt

The following are the steps, in order, to follow in filing a Motion for Contempt. Use this as a checklist as you go through your case. Many of the steps are explained in more detail later in this packet.

1. **Learn About Contempt Law in Washington.** If you're filing a motion for contempt on your own, try to learn more about the laws in Washington. Go to the website [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) and read our publication called *Contempt of Court in Family Law Cases — The Basics*. Contempt isn't always the appropriate or the best remedy, even when a court order's being violated. Also, filing for contempt may place you at risk to defend a contempt motion or a motion to modify.
2. **Check for and use Special Local Forms, Procedures and Rules.**

- Learn about Local Requirements.** Local court requirements will affect how to handle your case. Many counties have special forms, or have other local rules you must follow. Many counties require case schedules, classes, or settlement conferences. **You must learn and follow local court requirements.**

Call the court clerk's office or family law facilitator for the court where your case is taking place to find out about these local requirements. Tell them the kind of family law case you have (examples: dissolution with or without children, nonparental custody petition, parentage case, contempt, modification of child support or parenting plan, a motion for \_\_\_\_). Requirements may differ, based upon the type or stage of your case.

Read your local court rules. They're available at your county's law library and often online at [http://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.local&group=superior](http://www.courts.wa.gov/court_rules/?fa=court_rules.local&group=superior)

Look at the "Words You may Need to Know" section of this packet if you don't know any words used here.

Find out about at least the following:

- whether the county has its own packets or forms for your type of family law case. If so, use those instead of ours. If you use our packet, get any additional local forms that you'll need
- whether case schedules are used (and whether the court requires the person filing the case to serve the schedule on the other parties)
- whether parenting classes, mediation, or settlement conferences are required
- what the deadlines are for filing and serving motions and responses to motions
- whether there is a limit on the number or length of documents you file with motions or responses
- whether your county allows parties and/or witnesses to testify at the hearing and, if so, what you need to do before the hearing to ask to be allowed to testify – sometimes called "live testimony" or "oral testimony" – and to subpoena witnesses.
- how much advance notice of the contempt hearing you must give the other party.

3. **Make Sure You Know Who Must be Served or is a Party.** In many cases the party you believe is in contempt is the only other party. Often, the caption of the order you're trying to enforce will show all the parties. However, if child support's affected by the motion and your child has ever received public assistance (TANF) or Medicaid, or if the child's in foster care or out of home placement or if DCS is trying to collect support in your case, you'll need to serve copies on the State of Washington. (For more information on serving the State through the prosecuting attorney, see our packet [Serving Papers on the State](#)). If someone besides the parents has custody of one of the children in the parenting plan, that person may also be a party. If there's a GAL in your case, s/he needs to be served.
4. **Make sure you know how to locate the Other Parties.** You'll need to know where the other parties can be located (home address, or place or work for example) to arrange to serve them with your papers.
5. **Get a certified copy of the court order you're trying to enforce.** It's available at the Superior Court Clerk's office in the county where your case was decided. Read that order carefully to make sure it clearly states the duty being violated and to make sure that you're meeting your responsibilities under the order. Make sure there's no later order changing the order you want to enforce. Make sure the order hasn't ended (for example, many restraining orders end on a certain date or when final orders are entered).
6. **Complete the Forms for Filing for Contempt.** .
7. **Make the Necessary Copies of Each of the Completed Forms** that you're filing with the court.
8. **Go to the courthouse to:**
  - File your papers with the Superior Court Clerk's office
  - Obtain the judge's signature on the Order to Show Cause.
  - Obtain a certified copy of the order you're trying to enforce from the clerk's office. (This will cost a few dollars).
  - Have the clerk "conform" copies of all the documents you're filing.
9. **Organize** your copies for service.
10. **Arrange to serve the Papers on the Other Parties.**

Arrange for service on each other party. The party you believe is in contempt must be personally served, or your motion may not be able to proceed. **You can't serve the papers yourself.**

If the State's a party to your case or if the Child Support Division's collecting or trying to collect support in your case, and your Motion for Contempt concerns child support, make sure you serve them with the Papers. Our packet [Serving Papers on the State](#) describes how to do this.
11. **File the Completed Return of Service after the papers have been served.**
12. **Deliver working papers and confirm the hearing if required in your county.**

13. **Wait until the Other Party's Time to File a Response to Your Motion ends and read whatever they file.** In a Motion for Contempt, the other party has several days to file and serve a response to your motion. What the other party files will help you decide what steps you need to follow to finish your motion.
14. **If the other party's served you with a response or with other documents, read them, and prepare and file your own documents in reply, if a reply's permitted in your county.**
15. **Go to your hearing.**
16. Prepare the Order on Show Cause so that it correctly describes the judge's decision on your motion, have that order signed by the judge, file it with the court, and provide a copy to the other party..
17. **Decide whether to ask for Reconsideration, Revision or Appeal, if necessary.**

## Section 4: Forms in this Packet

**A. To file for contempt, you'll need the following forms from this packet:**

<b>Form Title</b>	<b>Form Number</b>
Motion and Declaration for an Order to Show Cause Re: Contempt/Judgment	WPF DRPSCU 05.0100
Order to Show Cause re Contempt	WPF DRPSCU 05.0150
Order on Show Cause Re: Contempt/Judgment	WPF DRPSCU 05.0200
Pro Se Notice of Appearance	WPF DRPSCU 01.0320
Return of Service	WPF DRPSCU 01.0250

**B. Depending upon the case and the evidence, you may also need:**

<b>Form Title</b>	<b>Form Number</b>
Declaration	WPF DRPSCU 01.100
Confidential Information Form and Addendum	WPF DRPSCU 09.0200 & WPF DRPSCU 09.0210
Sealed Personal Health Care Records (Cover Sheet)	WPF DRPSCU 09.0260
Sealed Confidential Reports (Cover Sheet)	WPF DRPSCU 09.0270
Sealed Financial Source Documents (Cover Sheet )	WPF DRPSCU 09.0220

## Section 5: **What Other Forms And Documents Will I Need That Aren't In This Packet?**

You may need other packets and forms for the motion. How many other packets you need depends on the facts of your case. Read the following list and check off the boxes next to the other packets you think you'll need. Get those documents or packets before filling out your forms. Download our other packets on the internet at [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) before filing your forms for this packet.

- Local County Court Forms and Rules** - Some counties have other special forms that you'll need that aren't in this packet, and most will have special "local rules" that you'll need to know about to file your motion. Check with the Court Clerk's office or Family Law Facilitator in your county for more information.

◆ **Some county clerk's offices have forms and local rules available online.**  
Check whether your county's local rules or forms are available online at the OAC website <http://www.courts.wa.gov/rules/local.cfm?group=superior>.

- Contempt of Court in a Family Law Case: The Basics**. This publication gives general information about the law concerning contempt in family law cases. It covers only the type of contempt most commonly used in family law cases, here called "coercive civil contempt."
- How to Subpoena Witnesses and Documents**. If you're going to an evidentiary hearing or trial at which live testimony is allowed, and you need to make sure that a witness shows up, or that someone brings documents or other items, you can have the person served with a subpoena issued by the court clerk. Before you use this packet, find out whether live witness testimony will be allowed at your contempt hearing.
- Serving Papers on the State** - if any party's asking for an order regarding child support, and any of the children has received public assistance (TANF), or medical coupons/Medicaid or is in foster care or out of home placement, get this packet. You'll need to include the state as a party and serve them with papers you file.

In addition to these packets, we also offer many other publications, both in family law and other areas of law. Visit [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) for a complete listing of publications available.

## Section 6: Follow These General Instructions Before You Begin To Fill Out Any of The Forms

These general instructions will apply to all the forms you complete. The instructions cover all types of family law cases, so some of the information may not be used in your particular case. A Sample form at the end of this section may help you understand these instructions better.

**The caption.** The caption includes the name of your case, the case number, the name of the court, the title of the court paper, and sometimes, the type of case. It appears at the top of the first page of every form. Use the caption on the order you're trying to enforce.

**Name of the court:** Write in the name of the county where the case was filed in the blank space where the form reads "Superior Court of Washington County of \_\_\_\_\_."

**Case name.** Copy the case name from the order you're trying to enforce.

**Case number.** When the petitioner first files the papers to begin the case and pays the filing fee (or has the fee waived), the court clerk will assign a case number. All parties must write that case number on every paper they file with the court and serve on the other parties during the case. Write the case number near the top on the right hand section of the first page of every form after "No." (abbreviation for "number"). When the petitioner first files the case, s/he may be able to use a special stamp at the court clerk's counter to stamp the case number on each paper. It does not matter if the case number is written or stamped. If you are filing a modification/adjustment case in the same court that entered the order you are asking to modify/adjust, you may use the case number on that order.

◆ You must write or stamp the case number on the first page of every copy of every paper you file with the court and on the copies you make for other parties. If you do not, your papers may be lost, or they may be returned to you. Some courts will also fine you for filing incorrect forms.

**Title.** Each form has a title. The title is on the right-hand side of the form under the case number. Sometimes the full title is pre-printed on the form, and sometimes you must add more information to complete it (for example, on a declaration, you write in the name of the person completing the declaration).

◆ **Format:** Pleadings (legal forms) that you file with the court and attachments to those pleadings must follow the court rules about size and margins (GR 14(a)). You must use regular size (8 ½ x 11") white paper and you may write on only one side of the paper. The first page of each paper that you file must have a 3 inch margin (3 inches of space) at the top. The other margins (left, right and bottom, and the top from the second page on) must be at least one-inch wide. You should use black or dark blue ink. If your forms do not follow these rules, the court clerk may refuse to file them or may make you pay a fine.

**The contents.** Fill out each form according to the instructions for that form. In most counties you may print or type the information, but it must be readable and you must use **BLACK OR DARK BLUE INK**. A few counties require that all documents be typed. After filling out each form, re-read it to be sure you have correctly filled in all the blanks you need to. If you have to make corrections, be sure the correction is neat and readable. Do not write in the margins of any page or the clerk may reject your form.

**Dates.** On the last page of most forms (not including orders), there is a space for the person who completes a form to write the date that the form is signed. Dates in orders will be filled in by the judge when s/he signs the order.

**Signatures.**

- **Your signature**

After you fill out a form, look for the place(s) requiring your signature:

- Some forms have one signature line for “petitioner” or “respondent.” After you fill out a form such as the petition, sign at the place that applies to you. Some forms require you to sign in more than one place, so look carefully. Some forms require a date, and the place (city, state) that you signed the form, as well as a signature.
  - When you prepare and file motions, you are the moving party. After you prepare a motion look for each place marked “signature of moving party or lawyer.” Some forms require you to sign in more than one place, so look carefully. Some forms require a date, and the place (city, state) that you signed the form, as well as a signature.
  - When you prepare an order and plan to present it for the judge to sign, look for each place marked “presented by,” and sign in the space underneath.
- **Judge’s Signature:** Leave the judge’s signature line and the date blank.
  - **Other party’s signature:** Certain forms you prepare have a place for other parties to sign. You cannot force another party to sign a court paper – he/she can choose to sign, or not. However, if you have prepared an order after a hearing, the other party may be willing to sign the form you have prepared if s/he agrees it accurately states the judge’s decisions, (or the judge may require the other party to sign), even if the party is not happy with the decision itself.
    - Agreed orders. If the other party agrees with the orders you have written, that party should sign in the appropriate place (petitioner/respondent/moving or nonmoving party) on each court order that is agreed.
    - Approved for entry/Notice of Presentation Waived. If you are the respondent or nonmoving party, or if you did not prepare the order, you may be asked to sign in a blank under these words. If you check “Approved for entry,” this means that you are agreeing that the judge should sign the order as it is written. If “Notice of Presentation Waived” is checked, that means that you are agreeing that the other party can give the order to the judge for him/her to sign without letting you know when the other party is going to take that order to the judge.
  - **Other signatures/Declarant’s Signature:** If someone else must sign a form (such as a

witness or the person serving papers), be sure they fill out all information correctly and sign in the proper space provided. In a declaration form, the “declarant” is the person who is writing the declaration.

**Place signed.** Declarations and Returns of Service must include the place they are signed, as well as the date (example: Signed this 10th day of October 2005 at Seattle, WA).

**Identifying Information.** Court rules try to protect privacy but also allow for public access to certain information in court files. The three boxes discuss these rules: [GR 15](#), [GR 22](#) and [GR 31](#).

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### Box #1

#### Things You Should Not Write in Most of Your Court Papers:

General Rules [22](#) & [31](#) try to protect privacy in family law cases. Almost all pleadings, orders and other papers filed with the court are available to the public (except for some aspects of parentage cases), and may be available to the public on the internet.

Except where instructions about a specific form tell you otherwise (for example the forms in Box #3), use these rules for papers you file with the court.

**Residence Address (Where you Live) and Telephone Number:** You do not have to write these in court papers; however, you do need to write in an address where you can get mail from the court, and it is a good idea to give the court a phone number where you can be reached.

**Social Security/Driver’s License, ID Numbers of Adults and Children:** You are not required to write these in court papers; if you do, you should write only the last four digits, not the whole number.

**Dates of Birth of Children:** Do not write them in court papers.

**Bank Account, Credit Card Numbers:** Write the bank name, type of account (savings, checking, etc.), and only the last four digits of the account number.

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### Box #2:

#### Private Information That Should Be Filed With Sealed Cover Sheets:

If a sealed cover sheet is used, this information is usually available to the other party and the court but it is not placed in the public file.

**Financial Information:** If you file paystubs, checks, loan applications, tax returns, credit card statements, check registers, W-2 forms, bank statements, or retirement plan orders, attach them to a Sealed Financial Source Documents form to ensure that they will not be available to the public.

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**Medical or Mental Health Records or Information:** If you file papers containing health or mental health information (information about past, present, or future physical or mental health of a person, including insurance or payment records), you must attach the papers to a Sealed Personal Health Care Records form so that they will not be available to the public.

**Confidential Reports:** Reports such as Parenting Evaluations, CPS Reports, Domestic Violence Assessments, and Guardian ad Litem Reports that are intended for court use must have two sections, a public section and a private section. The private section of the report should be attached to a Sealed Confidential Reports Cover Sheet.

**Retirement Plan Orders:** Certain retirement information belongs in the public file, but “Retirement Plan Orders” do not. Use the Sealed Financial Source Documents Cover Sheet for the Retirement Plan Order. See [GR 22](#) for the definition or see an attorney if this affects your case.

**Other Kinds of Confidential or Embarrassing Information Not Mentioned Above.** If the paper that you want to keep confidential is not in the above list, you may need to file a motion with the court to ask permission to have that paper, or part of a paper, sealed under General Rule [\(GR\) 15](#). We do not have a packet that tells you how to do this and there are presently no mandatory forms for this type of motion; you will need to talk to an attorney.

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### **Box #3**

#### **When You Should Write Private Information In Court Forms:**

These forms are not placed in the public file, and information in them is usually not available to the other party.

You are required to fill in your personal information completely (including children’s full names, dates of birth, your residence address, social security numbers, etc.): Confidential Information Form, Vital Statistics Form, Domestic Violence Information Form, Foreign Protection Order Form, and Law Enforcement Information Sheet. If you are afraid to give your address on these forms, consult an attorney, or call CLEAR at 1-888-201-1014.

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**SAMPLE FORM**

Fill in the name of the Petitioner here.

**or Court of Washington**  
**County Of Evergreen**

In re the Marriage of:

**JANE DOE,**

and

**JOE DOE,**

Fill in the county where you are filing or where your case was already filed.

This sample case name is for dissolution cases. This information may be different depending upon the type of case.

Your court case number. Assigned by the court when you file your case.

Form title.

**NO. 08-3-99999-9**

**Note for Motion Docket**

**(No Mandatory Form Developed)**

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Petitioner,  
Opposing party.

TO THE CLERK OF COURT AND TO: **Joe Doe**  
**99 Railway Lane**  
**Treelane, WA 98000**

Please take notice that this case will be heard on the date below and the clerk is requested to note this issue on the docket for that day.

HEARING DATE: **Monday, October 4, 2008**

HEARING TIME: **10:00 a.m.**

LOCATION: **Treelane Superior Courthouse**

COURTHOUSE ROOM: **2**

ADDRESS: **102 West Broadway**  
**Treelane, WA 98000**

NATURE OF MOTION: **Temporary Orders regarding parenting plan, child support, and restraining orders.**

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Jane Doe, Petitioner

## Section 7: Instructions on Filling Out Required Forms

### A. Motion/Declaration for an Order to Show Cause re Contempt WPF DRPSCU 05.0100

This document explains why the person is in contempt and shows your requests to the court.

**Caption.** Fill out the caption as shown in the General Instructions.

#### Section I. Motion

On the first line of the text, under the word “Motion,” print your name. In the second blank, print the name of the party you believe is in contempt.

#### Paragraph 1.1. Finding Contempt.

Check the box marked “Finding Contempt...” AND check the box for each order you believe is being violated and for which you’re asking the court to make a contempt finding. If your order isn’t named on this list, check the box “other” and write in the title of your order.

After “signed by the court on,” insert the date, the county, and state of the order you’re trying to enforce.

#### Paragraph 1.2. Establishing a Judgment:

If your motion for contempt doesn’t concern child support or spousal maintenance, check the box “does not apply.”

If your motion for contempt concerns child support, medical support, spousal maintenance, or other expenses, and if you want to ask for a judgment for back support, maintenance, or expenses, fill out this section and

- Check the appropriate box or boxes in this paragraph (support or maintenance).
- Fill in the amounts still due.
- Fill in the dates for which the support/maintenance/other obligation is due. If DCS has tried to collect support for you or if anyone in your family receives TANF, DCS can help provide you with this information.

#### Paragraph 1.3 Granting Sanctions:

Check the box “granting sanctions for contempt...”

Decide whether you want to check the box “imprisonment is sought as a sanction.”

Imprisonment might be available if the other party is found in contempt, but it’s ordered usually only in serious cases or where the person has been found in contempt before. In addition, if you ask for imprisonment, and the other party can’t afford to hire their own attorney, s/he’s entitled to a court-appointed attorney at a hearing that might result in jail. As the requesting party, you’re NOT eligible for a court-appointed attorney.

#### Paragraph 1.4. Other:

If you have additional requests, make them here.

If the court finds the other party in contempt, it can order many different remedies designed to require the other person to follow the order in the future. If you know of a special remedy you think could be effective, request it here. Example: if you want the court to order a series of hearings to make sure the other party's following the order, request that here.

**Date and Signature.** Date the form and sign where it says "Signature of Requesting Party or Lawyer" and then print or type your name in the blank below that.

## **Section II. Declaration:**

THE DECLARATION IS YOUR STATEMENT TO THE COURT OF HOW THE OTHER PARTY HAS VIOLATED THE COURT ORDER. At your hearing, you and the other party won't be given much time to speak – usually 10 minutes or less. The judge may not let you add facts in your case. Because of this, you must explain all the important facts on the forms you're filing with the court. Another reason you must include all of your evidence in support of your motion with the motion papers is that the other party must be given a chance to read your papers before the hearing and write a response to the judge.

**On the first line**, under "declaration," print the name of the party in contempt.

In the following paragraphs, check each box that applies to the violations (child support, medical support, other expenses, spousal maintenance, parenting plan, restraining order). Then fill in the blanks in the items you checked. Ignore the boxes that don't apply to violations.

Wherever you check a box, you'll need to provide details of the violation. Your details should explain:

- What the order requires (example: the amount of support due each month if you're claiming contempt for failure to pay child support);
- How the other party knows of the order (example: the other party "was present in court the day the order was signed" or "the other party was served with the order on [DATE]");
- How the other party violated the order;
- What you've tried to do to solve the problem; AND
- What you want the court to do to enforce the order.
- Give dates, places, and ways problems have occurred. Be as specific as possible. Use only information you have from your own knowledge. Don't use hearsay information. If other family or friends have first-hand information about the contempt, ask them to write their own declarations (see the instructions for the Declaration form, below).

You may attach documents to your Declaration, such as printouts of bills, school records, medical or treatment records, police records, etc. If you're filing a motion for contempt for failure to pay child support, and DCS collects support for you, attach a copy of your Case Payment History or Debt Calculation as an Exhibit. To get these documents, contact your DCS Support Enforcement Officer. Call the papers that you attach to your declaration "Exhibits" and either number them (1,2,3) or letter them (A,B,C). If the attachments contain confidential information, attach the exhibits to the appropriate confidential information cover sheet rather than to the declaration itself. Instructions for doing this are with the information for the sealed

cover sheets below, and information about what information is confidential is in the **General Instructions** section above.

Make your most important points first, less important points later. If you need more space for your statement, attach additional pages to the form. On each additional page on the bottom left side, print “declaration of (insert your name)” and write the page number. The judge will decide whether or not to grant your orders based mainly on the written information you’ve given to the court.

See the instructions for the Declaration of Witness form, below, for additional tips on writing declarations.

**Signature block:**

At the end of the declaration, print the city and state where you sign the declaration, the date you sign it, and your name. Sign your name on the line marked “signature.”

**B. Order to Show Cause WPF DRPSCU 05.0150**

This is the form the court will sign to schedule your contempt hearing.

1. Fill in the caption.
2. On the line following “IT IS ORDERED,” print the other party’s name.
3. Leave the date, time, place and Room/Department lines blank unless the court clerk or facilitator gives you specific dates to use. The judge will usually fill in this information. If you have a choice about the hearing date, try to choose a date that allows you enough time to have the other party (parties) served. (Example: if your county requires six court days’ advance notice to the other party of a hearing and you’re not sure that the party can be served immediately, you might want to set the hearing date 14 days away to give your server enough time to complete service of process).
4. Leave the “dated” and “Judge” line blank.
5. After “presented by” sign your name above the word “Signature” and print your name on the next line.

**C. Pro Se Notice of Appearance WPF DRPSCU 01.0320**

**Do I need this form?** Yes, it will tell the other party where they should send you notice about the case.

**Caption.** Complete the caption.

**Service Address.** Write in your mailing address. If you’re afraid to give your address to the other party, use a different mailing address, but make sure it’s one where you’ll know immediately if papers arrive about your case.

**Signature.** Date the form and sign where it says “Signature of Party Appearing” and then print or type your name on the line below it.

◆ If the mailing address you use in the Notice of Appearance later changes, prepare an updated Notice of Appearance. Use the Notice of Appearance form in this packet. Write “Amended” above “Notice of Appearance.” State the new address the court and other parties should use. File this notice with the court and provide a copy to the other parties. Use the Certificate of Mailing or Personal Delivery form and procedure<sup>4</sup> to show that notice has been given.

**D. Order on Show Cause Re: Contempt/Judgment WPF DRPSCU 05.0200**

This is the form you’ll ask the judge to sign on the day of the contempt hearing. If required in your county, prepare a “proposed order” before the hearing, give it to the other parties in advance, and deliver a copy as part of the working papers. Take a blank copy with you to court.

Use this form to show what happens at the contempt hearing itself. Its purpose is to put the judge’s decision in writing. Usually the person who succeeds at the hearing will present an order for the judge to sign.

If you prepare a proposed order before you go to the hearing, use the information in your Motion and Declaration to help you state what you want the judge to order in this form. When you write a proposed order, prepare the form to show the decision you’re asking the judge to make

**Caption:** fill in the caption. If the judge orders a new hearing date, write in the new hearing date in the space on the upper right side after “Next Hearing Date:” If a judgment was entered, or if the court sets a review date, check the box “Clerk’s action required.”

**Section I. Judgment Summary.**

In this section, you fill in a summary of money judgment. A money judgment might include money owed for back support, or attorney's or GAL fees, or any other money the court orders paid because of the contempt. **If you’re not entering a money judgment, check the box “does not apply,” and skip to paragraph 2.1.**

If you’re entering a judgment, check the second box (“Judgment summary is as follows”) and fill in the following:

*A. Judgment Creditor:* Write in the name of the person to whom money is owed.

*B. Judgment Debtor:* Write in the name of the person who owes the money.

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<sup>4</sup> The Certificate of Mailing or Personal Delivery form and instructions are found in the packet [Responding to a Motion for Contempt](#). We do not include it in the filing packet because most people do not change their address between the time they file for contempt and the time the court makes a decision on the motion.

*C. Principal Judgment Amount:* Write the total amount owed for back child support, medical support, other expenses, and/or spousal maintenance, without interest. Fill in the dates for which it's owed.

*D. Interest to Date of Judgment:* Write the total amount of interest, if any, which will be owed by the date the court will sign the order.

*E. Attorney Fees:* Write in the total amount of any attorney fees owed by one party to the other.

*F. Costs:* Write in the total amount of costs owed by one party to the other.

*G. Other recovery amount:* Write in any additional money the judge decides is owed to the judgment creditor (the person in line A).

*H. Principal Judgment shall bear interest at:* Enter any amount up to 12%.

*I. Attorney fees, costs and other recovery amounts shall be interest at:\_\_\_\_\_.* Enter any amount up to 12%.

*J. Attorney for judgment creditor:* If the person to whom money is owed has an attorney in this case, write in the attorney's name.

*K. Attorney for judgment debtor.* If the person who owes money has an attorney in this case, write in the attorney's name.

## Section II. Findings and Conclusions

- **Paragraph 2.1. Compliance with court order:** Print the name of the party claimed to be in contempt. Check either the box "did comply" or "intentionally failed to comply" depending upon whether the judge found that person obeyed the order or not. If you're writing a proposed order before your hearing, fill in this and the other paragraphs to show the decision you're asking the judge to make. Print in the date of the order you were trying to enforce.
- **Paragraph 2.2. Nature of the Order:** Check each necessary box.
- **Paragraph 2.3 How the Order was Violated:** If the judge decided the nonrequesting party (the party against whom the contempt motion was filed) **did not** violate the order, check the first box. If the judge decided that the nonrequesting party **did** violate the order, check the second box. Then, in the blank at the end of the text, print the judge's decision about how and when the order was violated (or, if you're writing a proposed order, your brief statement about how the order was violated).
- **Paragraph 2.4 Past Ability to Comply with the Order:** Print the name of the nonrequesting party. If the judge decided that person had the ability to obey the order in the past, check the first box. If the judge decided s/he did not have the ability to comply with the order, check the second box. After "as follows," print the explanation the judge gave (or, if you're writing a proposed order, your explanation about the party's past ability to comply).
- **Paragraph 2.5 Present Ability and Willingness to Comply with the Order:** Print the name of the nonrequesting party. If the judge decided that the nonrequesting party now has the **ability** to obey the order, check the first box. If the judge decided s/he does not

now have the ability to comply with the order, check the second box. After “as follows,” print the explanation the judge gave. Follow the same procedure with the second part of the paragraph, dealing with “**willingness**” to follow the order. After “as follows,” fill in the explanation the judge gave. If you’re writing a proposed order, fill in the decision you’re asking the judge to make.

- **Paragraph 2.6 Back Child Support/Medical Support/Other Unpaid Obligations/Maintenance:**
  - If the contempt motion didn’t ask for back child support, medical support, other expenses, or spousal maintenance, or if the judge made no decision about this, check the first box.
  - If back child support, medical support, other expense or spousal maintenance was requested, but the judge decided none was owed, check the second box.
  - If the judge decided that back child support was owed, check the third box. Then write in the name of the person who owes the child support, the amount due plus any interest, and the dates for which it’s due.
  - If the judge decided that back medical support was owed, check the fourth box. Then write in the name of the person who owes the medical support, the amount due plus any interest, and the dates for which it’s due.
  - If the judge decided that other obligations (listed after the fifth box) were owed, check the fifth box. Then write in the name of the person who owes those obligations, the amount due plus any interest, and the dates for which it’s due.
  - If the judge decided that maintenance was owed, check the sixth box. Then write in the name of the person who owes maintenance, the amount due plus any interest, and the dates for which it’s due.
  
- **Paragraph 2.7 Compliance with Parenting Plan/Residential Schedule:** If the contempt motion didn’t claim any violation of the parenting plan, check the first box. If the requesting party claimed a violation, but the judge disagreed, check the second box. If the motion claimed a violation and the judge found the plan was violated, check the third box and write in name of the party who violated the plan and the items that were violated. Make sure to note whether the violation was in bad faith. If the judge made other findings about the parenting plan, check the “other” box and write in the judge’s decision.
  
- **Paragraph 2.8. Attorney Fees.** Write in the judge’s decision about attorney’s fees.

### ***III. Order and Judgment***

This is the part of the form where the judge describes the legal consequences of the motion for contempt.

- **Paragraph 3.1. Contempt Ruling.** Write in the nonrequesting party’s name and check the appropriate box, depending upon whether the judge found him/her in contempt or not.
- **Paragraph 3.2 Imprisonment.** If the judge ordered jail time, check the second box, and the appropriate indented box, and fill in the details. If no jail time was ordered, check the first box, “does not apply.”

- **Paragraph 3.3 Additional Residential Time.** If the judge ordered additional residential time, check the second box, write in the name of the person who will have the additional time, and write in the additional time given. If there is no additional residential time, check the first box.
- **Paragraph 3.4 Judgment for Past Child Support.** If the judge denied back child support, check the first box. If the motion didn't ask for back child support, check the second box. If the judge awarded back child support, check the third box. Then write in the name of the person who'll receive the back child support, the name of the person who owes it, the amount found due, the interest due, and the period it covers.
- **Paragraph 3.5 Judgment for Past Medical Support.** If the judge denied back medical support, check the first box. If the motion didn't ask for back medical support, check the second box. If the judge awarded back medical support, check the third box. Then write in the name of the person who'll receive the back medical support, the name of the person who owes it, the amount due, the interest due, and the period it covers.
- **Paragraph 3.6. Judgment for Other Unpaid Obligations.** If there's no judgment for unpaid obligations such as past child care, educational expenses, transportation expenses, or other expenses, check the first box. If the motion didn't ask for any of these, check the second box. If the judge awarded a back judgment for any of these, check the third box. Then write in the name of the person who'll receive the judgment, the name of the person who owes it, the amount due, the interest due, and the period it covers.
- **Paragraph 3.7. Judgment for Past Maintenance.** If there's no judgment for back maintenance, check the first box. If the judge awarded back maintenance, create a second box just to the left of the word "name," place a check in the box you've created, and write in the name of the person who'll receive the back maintenance, the name of the person who owes it, the amount found due, the interest due, and the period it covers.
- **Paragraph 3.8. Conditions for Purging the Contempt.** If the judge didn't find the person in contempt, check the first box. If the judge found contempt, check the second box and write in the ways the judge said the person could purge (cure) the contempt. Examples: the judge might have ordered payment of support, attending all review hearings, notifying the court of job searches, etc.
- **Paragraph 3.9. Attorney Fees and Costs** If the judge awarded attorney fees and/or costs, check the second box, write in the name of the person to whom the fees/costs were awarded, the person ordered to pay them, and the amounts of fees and costs the judge stated. If no fees/costs were awarded, check "does not apply."
- **Paragraph 3.10. Review Date** If the judge ordered the parties to return to court later to see if the order is being obeyed, check the second box and write in the date and time of the next hearing. If no new hearing was ordered, check "does not apply."
- **Paragraph 3.11. Other.** If the judge ordered something not listed elsewhere in Paragraph 3, write in the judge's order here.
- **"Dated" and judge's signature:** leave these blank.
- **"Presented by":** the person who wrote out the order should sign here and print his/her name below.

- **“Approved for entry”**: the person who didn’t write the order should sign here if s/he agrees that the order accurately describes the judge’s decision. If s/he refuses to sign, the judge may sign the order when it’s properly presented to the court, or the judge may make changes if s/he thinks the order as written wasn’t accurate.

## Section 8: Forms You May Need That Are In This Packet

### A. Declaration – WPF DRPSCU 01.0100

**Do I need this Form?** Use this form if you have people adding evidence to help you show that the other person is in contempt; or if, after receiving a response from the other party, to add more evidence of your own or from another person.

A Declaration is a statement, sworn to be the truth under penalty of perjury, by any person who has direct knowledge about the issues in your motion. People who might make declarations for you include family members, friends, teachers, counselors, or other people who have directly seen, heard or otherwise witnessed important events in your case.

The declaration should give the important facts this person adds to your case. Remember: at your hearing, you and the other party won't be given much time to speak, and the judge may not let you add facts in your case. So, you must explain all the important facts on the forms you file with the court.

**Some courts allow live testimony upon request; some require live testimony. Other courts consider only written evidence. Find out the practice in your county.** If live testimony is required (or is allowed and has been requested), you'll need to also have your witnesses present in court the day of the hearing.

Caution: by presenting a declaration from a witness, you may be giving up the right to keep confidential other information that witness may have about you or the child/ren.

#### a) **Some brief rules about witness Declarations**

Put the most important points at the beginning. Less important points should come later.

Base the statement on the writer's own personal knowledge (what s/he saw or experienced firsthand), not what someone else told the writer. Exception: the writer may talk about what one of the other parties has said.

The writer should explain how well s/he knows you or the people s/he is writing about, how often s/he sees the people, and in what situations. Example: "Mr. Jones has worked for me at Acme Plumbing for 15 years. I see him almost every day at the office. In addition, because our sons are on competing soccer teams, I have seen him coaching his son's games three or four times this season. I've been invited into his home a two or three times for dinner with his family over the years I've known him."

The writer must type the declaration or print it neatly in **black or dark blue ink**. (A few courts require that all declarations be typed.) If the declaration is difficult to read, the judge may not try.

Don't make the declarations too long.

Stick to the issues the judge will be deciding. Be specific on those issues.

- Example: in a parenting dispute, general statements, such as "she is a bad mother," or "the children are much happier now living with Mary," aren't helpful. Instead, the declaration should describe specific things, and state when and where incidents

occurred, such as, “I live on the same street as Joe. About a year ago, Joe knocked over our mailbox while driving. I ran out to the street to see what had happened. Joe was standing next to his car. I smelled liquor on his breath. I’ve seen him weaving down the road in his car three other times this year.”

- In a child support dispute without parenting issues, the statement above may not be relevant to the issues before the court. If it’s not relevant, don’t include it.

Attach extra pages to the declaration if you need more space. However, make sure that the writer of the declaration signs and dates the declaration in the space that says “I declare under penalty of perjury...” Your extra pages should also have margins of at least one inch, and you should number all the pages at the bottom.

**Some courts (such as King Co.) limit the number of pages that you can file with a motion or response. Check your local rules, or ask the court clerk’s office or the facilitator.**

If you attach documents to declarations, such as printouts of bills, school records, medical or treatment records, police records, etc., refer to them in the declaration and call the attached documents exhibits and number them Exhibit Number 1, Exhibit Number 2, etc.

- If the papers to be attached don’t require a sealed cover sheet (see the General Instructions section if you’re not sure), staple them to the declaration.
- If the papers to be attached do have personal medical or mental health information, or financial records, or confidential court reports, write an exhibit number or letter on each paper that will be attached. When the person writing the declaration mentions that paper, they should use that exhibit number or letter & write it’s “filed with the Sealed Personal Health Care Records cover sheet on \_\_\_\_\_ (date).” Don’t staple the paper to the declaration. Instead, attach the paper to the appropriate Sealed Cover Sheet form before you file and serve it.

The sealed cover sheet forms are described elsewhere in this packet. (Also see the General Instructions section about the types of papers to keep out of the public file.)

If the declaration talks about personal medical or mental health information, or financial records, attach the declaration to the appropriate Sealed Cover Sheet form before you file and serve it. The sealed cover sheet forms are described elsewhere in this packet. (Also see the General Instructions section of this packet about the types of papers to keep out of the public file.)

## **b) Filling out the Declaration form**

### **Caption.**

Fill out the caption and make as many copies of this form as you’ll need before any other information is added. This way, you’ll have blank forms with just the caption on them, so that you may give a copy to each witness to fill out and have one for you to use, where necessary.

On the right side of the caption, after the words “declaration of...,” write in the witness’s name.

### **This declaration is made by.**

Write in the name, age and the relationship to the parties in the case (example: “Maria Garcia” “29,” “petitioner’s friend,” mother’s counselor,” “child’s daycare provider”) in the blanks.

### **Blank Lines**

On the blank lines, after the words “I declare,” the person writing the declaration should type or

print neatly in black ink the information that s/he wants to tell the judge. (A few courts require all declarations to be typed.) Follow the suggestions in the paragraphs above.

### **Signature Line**

Have the witness date and sign at the signature line, and print his/her name and the city and state where s/he signed the declaration. Declarations don't have to be notarized because the witness is swearing the statements are true under the penalty of perjury.

### **B. Confidential Information Form and Addendum – WPF DRPSCU 09.0200 & 09.0210**

Do I need this form? Yes, if you haven't already filed one in your case, or if the information you provided before has changed.<sup>5</sup> If you've filed this form before in your case and if the information hasn't changed, skip to the next form.

In family law cases, you must give the court information about your address and telephone number, your social security number, date of birth, driver's license, and the name and address of your employer, as well as certain information about the other people involved in the case.<sup>6</sup>

Complete this form. File it with the court clerk. Keep a copy for yourself. **Don't serve the Confidential Information Form and Addendum upon the other parties.**

The Confidential Information Form is normally not available to the other parties or the other parties' attorneys. However, note: the form could be provided to DCS (Division of Child Support) and to other divisions of DSHS (Washington State Department of Social and Health Services). Under some circumstances, they may release information in this form to another party. In addition, another party could get access to the Confidential Information Form by following certain court procedures.

◆ Update the court by filing a new Confidential Information Form when your address changes, even after your case is finished. If you don't, legal papers may be sent to you at your old address and orders may be entered against you without actual notice to you.<sup>7</sup>

1. Write in the county where the case is filed and the case number. If you have no case number yet, write in the case number when the clerk gives it to you.
2. Check the first box (*divorce/separation...nonparental custody/paternity/modification...*). If you're updating a form you filed earlier in the same case number, check the box "Information Change."
3. If restraining orders or protection orders are in place, check the related boxes on the form. Show who is protected. If they go into effect later, file a revised and updated form.
4. If you believe the safety of an adult or child would be in danger by giving out address information, even if you don't have a restraining order or a protection order, check

<sup>5</sup> [RCW 26.23.055](#), [RCW 26.26.130](#).

<sup>6</sup> [RCW 26.23.050\(5\)\(l\) & \(7\)](#); [GR 22\(g\) & \(h\)](#).

<sup>7</sup> [RCW 26.23.055\(2\) & \(3\)](#).

the box “[t]he health, safety, or liberty...” Explain the risk of harm.

5. The law requires a residential address on page 2 of the Confidential Information Form. If you’re afraid to give your residential address, try to give an alternate address and see if the court clerk will accept it. If the court clerk won’t accept your Confidential Information Form, talk with an attorney, your local domestic violence program, or call CLEAR at 1-888-201-1014.
6. Write in the information requested on the form concerning the petitioner and respondents and the child/ren. Fill in the information about yourself, including your driver’s license number and social security number (if you have one). If you’re filing this form as part of a nonparental custody case, list the other adults in petitioner’s household on page 2 in the place indicated.
7. Fill out the information requested about the adults the child/ren have lived with in the last 5 years (and the current address of each of those adults), and the names and current addresses of people besides petitioners and respondents who have custody or who claim rights to custody or visitation with the children.
8. If there is any information you don’t have, explain why you couldn’t provide it in the space after “This information is unavailable because...” right above the signature line.
9. If there are more than 2 children in your case, or there is more than one petitioner or more than one respondent, write the information about those children or parties in the Addendum. Check the box near the bottom of the second page of the Confidential Information form next to “Addendum to Confidential Information Form Attached.”
10. Sign and date the form and write in the place it was signed.

◆ If you’re afraid to fill in any of the information requested in this form, talk with an attorney about what to do.

**C. Sealed Personal Health Care Records (Cover Sheet) – WPF DRPSCU 09.0260**

Unless you learn that a local procedure requires otherwise, use this form whenever you file any papers with the court that mention health care of any kind -- mental health care, physical health care, health insurance, or medical bills -- to make sure the records aren’t available to the public. Use this cover sheet on any records or correspondence containing information that relates to the past, present, or future physical or mental health condition of an individual, including past, present or future payments for health care.

Some of the papers that should be filed with this cover sheet are:

- medical and mental health records and bills
- letters or declarations from doctors and counselors
- medical bills & statements of medical coverage (or denial)
- cost estimates for medical care
- social security and L&I and other disability program letters and records

- medical evaluations
- medical insurance records
- dental records
- records of alternative health care practitioners such as massage therapists, acupuncturists or chiropractors
- genetic parentage testing.

Put this cover sheet on declarations that mention medical or mental health conditions.

Keep a blank copy of this form in case you need to file more health care records later.

Attach the confidential personal health care records to this form.

Fill out the caption.

Check the boxes next to each type of paper that you're filing. Usually this will be only the box before "relates to the past, present, or future..."

**D. Sealed Confidential Reports (Cover Sheet) – WPF DRPSCU**  
**09.0270**

This form is used whenever certain confidential reports are filed with the court. These include reports such as the following when intended as reports to the court in a family law case:

- Parenting evaluations
- Domestic Violence Assessment Reports created by certain qualified people
- CPS reports
- See the form for other types of reports

In addition to the private part of the report, the person preparing the report needs to file a public portion that simply lists the materials or information reviewed, the individuals contacted, the tests conducted or reviewed, and the conclusions or recommendations reached.

Instructions for the Sealed Reports form:

1. **Caption.** Fill out the caption.
2. Check the boxes next to the type of report.
3. At the top of the first page of the report, about one inch from the top of the paper, write "Sealed."
4. Attach the confidential part of the report to this form. If you're afraid for your safety or the safety of the children, block out information that identifies location and address on the copies that you file with the court and deliver to the other parties.
5. The person submitting the records should sign on the line under "submitted by."

**E. Sealed Financial Source Documents (Cover Sheet) – WPF**  
**DRPSCU 09.0220**

Petitioners and respondents must use this form whenever they file private financial documents with the court. Keep a blank copy of this form in case you need to file more financial documents later. You may attach one form to a stack of documents.

1. **Caption.** Fill in the caption.
2. **Check the boxes next to each type of paper that you are filing.** The instructions to the child support worksheets tell you which documents you need to file if you are submitting child support worksheets.
3. If you are afraid for your safety or the safety of the children, you may block out information that identifies location on the copies that you file with the court and deliver to the other parties.
4. The person submitting the form should sign under “submitted by.”
5. At the top of the first page of each set of financial papers, about one inch from the top of the paper, write “Sealed.”

## Section 9: Instructions for Filing and Serving Papers

After you've filled out the forms, you need to

- file them with the court,
- ask the judge to sign your Order to Show Cause, and then
- have the papers served on the other parties.

This section explains these steps. **Before filing and serving your papers, make sure you've completed the forms you need.**

### A. Filing your Motion with the Court and Asking the Judge to Sign Your Order

You must file your Motion and have the Order to Show Cause signed by the judge (and filed with the clerk) **before** you serve the other party.

You'll need a certified copy of the order you're trying to enforce. If that order was entered at the courthouse where you're filing your motion, get a copy when you file your papers. If it was entered at a different courthouse, get the certified copy in advance. (**Note:** This packet doesn't describe how to file a motion for contempt in any county other than the one where the order you're trying to enforce was entered.)

- ❑ **Make at least two copies of every paper**, including the proposed orders and the order you're trying to enforce – one copy's for other party, and one's for you, **except** make only one copy of the Confidential Information Form and addendum (this form is **not** given to the other party). If there's more than one other party to your case, or you must give the judge working papers, make additional copies.

Make sure that you included everything. You'll need at least the following, depending upon your case:

- the Motion/Declaration for an Order to Show Cause re Contempt,
  - the Order to Show Cause,
  - each witness's declaration used with your motion for contempt,
  - a copy of the order you're trying to enforce (put the Certified copy of the Order you're trying to enforce into the packet for the party in contempt),
  - Pro Se Notice of Appearance,
  - a proposed Order On Show Cause if your court requires you to serve proposed orders, and
  - Confidential Information Form and Addendum, if your information's changed since you last filed this form (**don't serve this form**).
- ❑ **Make full sets of your forms (one set of originals and sets of copies)**. Organize your forms into sets by placing all the originals in one set and making sets of copies.

- The set of originals will be for the court.
  - One set of copies is for you. Put the Confidential Information Form and Addendum copy into your set.
  - The other set(s) are for the other party. Put the certified copy of the order you are enforcing into the set for the party you believe is in contempt.
  - Make sure each set includes the appropriate forms.
- Call the Superior Court Clerk’s office or Family Law Facilitator** to find out where you go to get your Order to Show Cause signed by the judge, and what days and hours you do that.
- Go to the courthouse courtroom number at the time given to you by the clerk’s office.** Look for a clerk or bailiff so you can sign in (usually someone sitting at a desk near the judge). Give the clerk the set of the originals of your papers and sit down to wait for your turn. When your case name is called, tell the court that you’re present. When you’re told to come forward, tell the court that you want an Order to Show Cause re Contempt. The court may ask you why you believe the other party is in contempt and what steps you’ve already taken to try to have the other party follow the order you’re trying to enforce. If you think you’ll be nervous, try to write out a list of the things you plan to say at the hearing beforehand, and carry that list with you when you talk with the judge. You’ll have only 5-10 minutes to explain why you need the order, so be prepared. The judge may make changes to your order, and then may sign it. The judge should then give you all of your papers back, including the signed order.
- Go to the court clerk’s office to file your original papers and get conformed copies.** Make at least one copy of the signed Order to Show Cause re Contempt. **Ask the clerk to stamp your copies of the other papers you’re filing (motion, declarations, etc.)** to show the date that you filed the originals of your other forms and to show the judge’s signature on the order. Take the stamped copies back from the clerk. The clerk keeps the originals.
- Ask the clerk to file the originals of all of your papers except** ask the clerk where the proposed order (Order on Show Cause) should be delivered, and follow those instructions. In some counties, the clerk takes the proposed order; in other counties it’s delivered to a different office, or you may be told just to bring it to the hearing.<sup>8</sup>
- If you need to deliver working papers for the judge for your upcoming hearing, try to do that before you leave the courthouse.

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<sup>8</sup> The definitions in the Words You May Need to Know section explain the difference between a proposed order and a signed order. Signed orders must always be filed with the clerk.

## **B. Preparing to Serve Your Ex Parte Order/Order to Show Cause and Related Papers**

In addition to filing your papers, **you** must have them properly served on (delivered to) the other parties. **The court doesn't serve the other parties.** You must arrange for service and make sure your server delivers the papers properly. **You can't serve the papers on another party yourself.** The following paragraphs explain the rules for service. **Carefully follow the rules. If you don't do service properly, your court orders could be set aside, even years later.**

**Who to serve.** Every other party in the case. If your case is ongoing (no final orders have been entered) and the other party's represented by an attorney in this case, serve the party as explained in this packet, **and** provide an additional courtesy copy of the papers to the party's attorney. Remember to also serve the state if it's a party, and any GAL in your case.

**What to serve.** All the papers you filed must be served **except don't serve** the Confidential Information form and addendum, if you've prepared these forms.

**How to serve.** You can't serve the papers yourself. Arrange to have someone else personally the papers, as explained below.

Our packet [Serving Papers on the State](#) describes how to serve the state, if the state's a party in your case.

**When to serve.** Your papers must be served in time to give the other parties the amount of advance notice of the contempt hearing legally required in your county. When counting, don't count the day of service, weekends, or court holidays. Many counties require more than 5 court days notice. You must serve all the parties before the deadline in your county.

### **How to copy and organize your papers for service**

Be sure you have the necessary copies of the papers. Make any additional copies you need so that you have:

- \_\_\_\_\_ one set for you
- \_\_\_\_\_ one set for each other party (1 x \_\_\_\_\_ number of other parties = \_\_\_\_\_) except you don't serve the Confidential Information Form and addendum (if you have prepared this form) on any other parties.) Make sure the copies of the Order to Show Cause have the judge's signature and the date of filing with the court
- \_\_\_\_\_ one set for the judge if you need to or choose to deliver "working papers"<sup>9</sup>
- \_\_\_\_\_ one set for the State (if you're serving the State)
- \_\_\_\_\_ one set for the Guardian ad Litem if there is a Guardian ad Litem in your case<sup>10</sup>
- \_\_\_\_\_ Total = This is how many copies you need of each document

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<sup>9</sup> We recommend you always make a copy for the judge. Even if the local court doesn't require you to give the judge a copy (sometimes called "working papers"), take the papers with you to your hearings because sometimes the judge doesn't have the case file in the courtroom, or papers you've filed in the clerk's office have not yet been placed in the court file.

<sup>10</sup> A guardian ad litem doesn't participate in every case but may have been appointed to assist the court in determining the best interests of the children in your case.

### Organize the papers:

- Organize the forms into sets. Each set should have a copy of each form you have filled out, except for any Confidential Information form and addendum. Don't give the Confidential Information form and addendum to any other party.
- Check each set to be sure you have the forms you need.
- Keep a full set of copies for yourself. Put any Confidential Information form and addendum into the set you'll be keeping,
- Put the certified copy of the order you're trying to enforce into the set that goes to the party you believe is in contempt.
- Put each of the other parties' sets of papers in an envelope, addressed to that party, with your return address.

### **C. Instructions for Personal Service in Washington**

- **It's very important to carefully follow the rules when you're having the other parties personally served. You can't serve the documents on the other parties yourself.** You need to find a person who's over age 18 to serve for you.
- **Consider hiring a professional process server.** The cost of a professional process server or the sheriff is usually \$30-\$80. Using a professional process server may be best because the sheriff may not be willing to try to serve again if someone wasn't at home the first time. Process servers are listed in the yellow pages of the telephone book.
- **Ask an adult friend to be your process server.** If you can't afford a process server or the sheriff, any adult over age 18, who isn't a party in the case and who doesn't have a mental disability that makes that person incompetent, may serve the papers for you. Make sure that person understands how important it is to serve the papers and fill out the return of service form correctly. If you don't serve the other parties properly, then your court orders could be set aside, even years later.
- Give your server (the sheriff, a process server, or the adult friend who has agreed to serve the papers for you) the envelope of papers you prepared for service on the other party, together with the other party's home and work address, a physical description of the other party, and any other information to help the server locate the other party for service.  
  
Give your server a Return of Service form to fill out and return to you once service is complete. (Some process servers have their own Return of Service form that they'll fill out and give to you instead.)
- **Your process server should hand the papers directly to each party.** Your server may hand the papers to each party at home, work, or anywhere else that s/he can be found. **If the State of Washington's a party, see our packet [Serving Papers on the State](#) for details on how to deliver the papers to the state.**
- **If a party other than the person in contempt is home, your process server may do**

**abode service by delivering the papers at the party's home to any adult (who is not mentally disabled) who lives in that home with the other party.** If your server does this, your server should ask that person for his/her name and age and whether s/he lives at that address and whether the other party also lives at that address. This is called "Abode Service." **Warning: Abode service upon the party in contempt may or may not be allowed under local court rules and may not be enough to allow for criminal enforcement of the order to show cause.**

- **If your family law case is pending when you serve your contempt motion and no final order's been entered, and if the person to be served is represented by an attorney in the case, we recommend you serve both the party and the attorney. Serve the attorney by having your server leave a set of the papers at the attorney's office. The server doesn't need to hand the papers directly to the attorney. It's enough to hand the papers to an office worker at the attorney's office.**
- **The process server must complete a separate Return of Service form for each party served.** After the papers have been served upon a party, your server must sign a Return of Service for that party and give this form to you. You must then file this with the court clerk to prove that the papers were delivered properly.

If the other party's served outside the State of Washington, you may need to follow additional procedures not explained in this packet. See an attorney for more information. .

## **1. Instructions for Return of Service WPF DRPSCU 01.0250**

Your server will need to complete a separate Return of Service for each party s/he serves. After your server's completed service and signed the Return of Service form(s), follow the instructions in this packet for filing this form with the court.

**Caption.** Fill out the caption.

**Paragraph 2.** Write the name of the party being served in the blank. Read the list of forms and check the box to the left of each form served on that party. Sometimes you must fill in a blank to better describe a form (example: if you check the box after "declaration," write in the name of the person who wrote the declaration). If you had the other party served with any forms that aren't listed, check the box marked "other" and write in the names of those additional forms, for example: "Motion/Declaration for an Order to Show Cause re Contempt," Order to Show Cause re Contempt." You **MUST** list all the forms that were served on the other party. If you leave a form off your list, you'll have no proof that the other party received it.

**Paragraph 3.** The server should fill in the date, time (show a.m. or p.m.) and address where the papers were served.

**Paragraph 4.** If the server gave the papers directly to the other party, check the first box. If the server did abode service<sup>11</sup>, check the second box and fill in the name of the person to whom the papers were given. **Warning: abode service may not be proper service for the party you believe is in contempt under a local rule or if the party doesn't appear for the hearing and you ask the court to issue a bench warrant.**

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<sup>11</sup> The explanation for "abode service" can be found in the instructions for personal service section.

**Paragraph 5.** If your server didn't include this form, skip this paragraph.

**Paragraph 6.** In the "Other" section, your server may write additional information. Example: if your server tried several times to serve the other party but s/he's never home or can't be found, the server should write the dates and times and descriptions of each time the server tried to serve the other party. Or, if the server gave the papers to an adult living with the other party who wouldn't give his/her name, the server should write what the person who received the papers looks like.

**Signature.** The server should write the city and state where s/he signed the form, write in the date, and sign where it says "Signature" and then print or type his/her name where it says "Print or Type Name."

Usually, only professional servers will use the box for fees and mileage.

## **2. Filing Your Proof of Service**

Gather your original signed Return(s) of Service. Have one for each of the other parties. Make one copy of each original. Take the originals and the copies to the court clerk's office. Give the originals to the clerk, and ask the clerk to stamp the date of filing on your copies. Keep the copies in a safe place and take them with you to your hearing(s). You may need them to prove to the judge that you served the other party.

### **D. If You Don't Serve the Other Parties on Time**

**If you don't correctly serve the papers on the other party in time**, you should still prepare for and go to the hearing. If the other party appears and doesn't object to holding the hearing on that date, the court may go ahead with the hearing. If the other party shows up and objects to the hearing, ask the court to postpone or "continue" the hearing to a later date.

## Section 10: Preparing For Your Hearing

### A. Judge's Working Papers/Confirmation (required in some counties)

In many counties, you must:

- deliver an extra copy of all of papers (including proposed orders) for your hearing for the judge to read. This set of copies is called Working Papers.
- confirm the hearing a few days before the hearing date. “Confirming the hearing” means telling the court that the hearing will take place as scheduled.

To learn the rules for working papers and confirming the hearing in your county, read local court rules, and check with the Family Law Facilitator or court clerk.

◆ If you don't give the judge working papers and don't confirm your hearing in a county where required, the court may cancel your hearing, or the judge might not consider any of your papers.

### B. Replying to the Other Party's Response

The other party should respond in writing to your motion before the hearing. In most counties, the other party must deliver a response to you and the court no later than one court day before the hearing. **Even if the other party sends no response**, go to the hearing. If the other party comes to the hearing, tell the judge that the other party didn't respond in time. The judge may decide not to consider the other party's papers, proceed with the hearing, or reschedule the hearing to a later date.

**If the other party responds**, read the other party's response carefully. If you get no chance to file a written reply, then be prepared to tell the judge verbally why you disagree with the other party's response.

**Filing a Reply.** In some counties you'll have a chance to file a written Reply to the other party's response. However, in other counties, you'll have no chance to file a Reply. If your county gives you a chance to reply, use the Declaration form to write your Reply. Write *Declaration of (Petitioner or Respondent) In Reply* under the title of the declaration form. In the declaration, state which points in the other party's response you disagree with and why. If necessary, give the court additional papers or declarations from other witnesses to reply to evidence the other party's given. When you've completed your declaration, make a copy of it (and every other paper that you need to reply to the other party's response) for each of the other parties, yourself, and the judge (if you need working papers). File a set of the papers with the court clerk. Have the clerk stamp the copy that you keep, so you can prove when you filed it. Deliver a set of the papers to each of the other parties (and to the judge if you need working papers – see the instructions for working papers, above). **Make sure to file and serve the papers by the deadline for your reply.** Check with your Family Law Facilitator, Superior Court Clerk, or local rules for the Reply deadline. If you don't serve your reply by the deadline, the judge may not read it.

### C. Going to the Hearing

**Live testimony** (also called oral testimony) If a party has requested live testimony in a county that allows it, or if your case is in a county that requires live testimony at all contempt hearings, then you and your witnesses will need to be present in person at the hearing. In these circumstances, the court may not consider written statements in declarations but may require the witnesses to testify in person. If live testimony won't be used, then make sure all your written evidence has been filed and served in advance. NOTE: Live testimony may be required in some counties and not allowed (or allowed only with advance court order) in others. Learn the practice in your county.

- **If the Other Party Gets an Attorney.** If at any time before the hearing another party's attorney contacts you or an attorney for the other party shows up at a hearing, you may decide to get an attorney yourself. If so, tell the attorney and the court that you need to postpone (continue) your hearing. Don't panic. The attorney may ask you to sign some documents: **Don't sign any documents you don't understand.** If you asked that the other party be sent to jail for contempt, and the other party is low income, the other party may receive a public defender to represent him/her at the contempt hearing. In that case, the public defender may appear on the day of the hearing for the first time.
- **Prepare for the Hearing.** Try to go to court before the day of your hearing and watch how hearings are generally done. Also, try to make some notes to yourself about the main points that you want to make when you have a chance to talk during the hearing.
- **Get to Your Hearing Early.** Try to dress neatly. Try to bring a pad of paper and black or dark blue pen to write notes with. Bring your set of the papers, as well as your copies of any papers the other parties gave you in response. It's better not to bring your children if you can help it – the judge will usually not let them sit in the courtroom. If you're not there on time, the hearing will be cancelled (or the other party may win). Make sure you bring along any proposed Order on Show Cause that you have prepared, and bring a blank Order too.
- **When You Get to the Courtroom.** When you get there, tell the person in charge in the courtroom (often called the clerk or the bailiff) your name and the name and number of your case. Take a seat. When the judge walks in the room, stand up. When your case name is called, tell the court that you're present. Stay in court until your case is called for hearing.
- **If the other party doesn't show up, and if s/he was properly served with the contempt papers, the court might order that a bench warrant be issued for the other party's arrest.** You may ask for this if you still want to pursue your Motion for Contempt.
- **Presenting Your Case.** If the other party shows up at the hearing, each of you will have a chance to tell your side of the case. Stand while speaking. Talk to the judge, not to the other party. Tell the judge briefly what you want and why. Try to keep your argument short and only outline your main points. In most cases, the judge will have read your papers before the hearing, so you don't repeat everything in your papers. Try to make notes to use at the hearing. If live testimony's allowed, have your witnesses ready to

testify. For information about testimony, see our publication [Basic Tips on How to Prepare for a Hearing or Trial](#).

- **DON'T INTERRUPT THE JUDGE.**
- **Hearing the Judge's Decision.** After the judge has heard both sides, s/he'll decide on your requests. Listen carefully and take notes. Show the judge the Order on Show Cause if you've prepared one. The judge may make changes to the Order you prepared, or s/he may direct you, the other party, or the other party's attorney to do it or to write a new Order. If the other party's attorney makes changes to the Order, read them carefully and make sure that they say what the judge said. If you're unsure about any of the changes, don't sign the Order. Ask the attorney to go back before the judge to make sure that the Order says what the judge said. **Usually you want to have your court orders signed the day of your hearing. Some counties require they be signed before the parties leave the courthouse.**
- **Getting Copies of the Orders.** Make sure you get a copy of the Order on Show Cause as signed by the judge. Ask the clerk how to do this. The clerk may give you the originals and tell you to go make copies in the library or at the clerk's office. **DON'T LEAVE THE COURTHOUSE WITH OR CHANGE OR DESTROY COURT ORDERS THAT HAVE BEEN SIGNED BY THE JUDGE.** If you don't know what to do with the originals, ask. Make sure the other parties to your hearing also get a copy of the Order.
- **What if the Judge Schedules a Review Hearing?** It's fairly common for a judge to give the nonrequesting party in a contempt motion another chance to comply with the court's orders. The judge may order the other party to do certain things, and then set a "review hearing" – another court date several weeks in the future. You'll need to prepare for your review hearing much in the same way that you prepared for the Motion for Contempt. This may include needing to file and serve a declaration before the hearing about whether the nonrequesting party has done what the court ordered, preparing working papers, or confirming the hearing. If you're not sure how to prepare for the review hearing, talk with an attorney or your Family Law Facilitator well before the next hearing date.

## Section 11: If you Disagree with the Court's Order

If you disagree with the court's decision on the motion, you may have a chance to appeal. There are three possibilities, listed below. Try to talk with an attorney before deciding what to do.

- **Motion for Reconsideration.** If a court commissioner or judge decided the motion, and you believe that there's new evidence or another legal reason that could change the commissioner or judge's mind, you may file a Motion for Reconsideration. See [CR 59\(a\)](#). You have 10 days from the date the court signed the order to file a Motion for Reconsideration.<sup>12</sup> Local court rules may require you to also serve the other parties within the same deadline – if you plan to serve by mail, mail your motion at least 3 days earlier. Motions for Reconsideration aren't usually easy to win. Consult with an attorney, if possible, before filing one.
- **Motion for Revision.** If a court commissioner decided the motion, and you don't want to try to give the commissioner more evidence, you may file a Motion for Revision. A motion for revision is heard by a judge. That judge can hold a "new hearing" on the same evidence that the commissioner considered. You have 10 days from the date the court commissioner signed the order to file a Motion for Revision.<sup>13</sup> Local court rules may require you to also serve the other parties within the same deadline – if you plan to serve by mail, mail your motion at least 3 days earlier. Motions for Revision aren't usually easy to win. Consult with an attorney, if possible, before filing one.

If you choose not to file either of the above motions or if you lose these motions, then your only remedy is to file an appeal with the Court of Appeals (or, in some cases, a request for discretionary review) and properly notify the other parties. Generally, you have 30 days from the date the court signed the order to do this.<sup>14</sup> However, there are other requirements for filing in the Court of Appeals, not all decisions can be appealed, and few cases are successful. Definitely talk with an attorney before filing an appeal/request for discretionary review

◆ We don't yet have packets on how to file a Motion for Reconsideration, a Motion for Revision, or a Notice of Appeal. Check with your local court clerk or Family Law Facilitator to see if they have a packet.

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<sup>12</sup> [CR 59\(b\)](#).

<sup>13</sup> [RCW 2.24.050](#).

<sup>14</sup> [Rules of Appellate Procedure \(RAP\) 5.2\(a\)](#).

## **Section 12: Blank Forms**

The rest of this packet contains blank forms for you to complete. You may want to make a copy of each form so that you have an extra in case your first draft needs a lot of changes. You may need forms from other packets, and you may not need all the forms in this packet.

**Superior Court of Washington  
County of**

In re:

and

Petitioner,

Respondent.

No.

**Motion/Declaration for an  
Order to Show Cause re  
Contempt  
(MTSC)**

**I. Motion**

(Name of requesting party) \_\_\_\_\_ moves the court for an order directing (name of other party) \_\_\_\_\_ to appear personally before the court and show cause why an order should not be entered:

**1.1 Finding Contempt**

- Does not apply.
- Finding contempt for failure to comply with:
  - the order of child support
  - the order of maintenance
  - the parenting plan/custody order
  - the restraining order
  - other:

Signed by the court on (date) \_\_\_\_\_ in (county and state) \_\_\_\_\_.

**1.2 Establishing a Judgment**

- Does not apply.
- Establishing a judgment in the amount of \$ \_\_\_\_\_ plus \$ \_\_\_\_\_ interest for delinquent child support and \$ \_\_\_\_\_ costs for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.

- Establishing a judgment in the amount of \$ \_\_\_\_\_ plus \$ \_\_\_\_\_ interest for delinquent medical support and \$ \_\_\_\_\_ costs for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.
- Establishing a judgment in the amount of \$ \_\_\_\_\_ plus \$ \_\_\_\_\_ interest for delinquent child care, educational expenses, transportation expenses, or other special expenses and \$ \_\_\_\_\_ costs for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.
- Establishing a judgment in the amount of \$ \_\_\_\_\_ plus \$ \_\_\_\_\_ interest for delinquent maintenance and \$ \_\_\_\_\_ costs for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.

**1.3 Granting Sanctions**

- Does not apply.
- Granting sanctions for contempt, including a forfeiture for each day the contempt of court continues, and establishing conditions by which the contempt may be purged and granting any other relief, including reasonable attorney fees and costs and make up residential time, as may be appropriate under Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040.
- Imprisonment is sought as a sanction.

**1.4 Other**

This motion is based upon the declaration which follows.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Requesting Party or Lawyer/WSBA

No.

\_\_\_\_\_  
Print or Type Name

**II. Declaration**

(Name) \_\_\_\_\_ should be held in contempt for the following reasons:

- Failure to comply with the provision of the child support order which directed payment of:
  - current child support in the amount of \$ \_\_\_\_\_ per month.
  - medical support, including health insurance coverage and cash medical support as described below:
  
- child care, educational expenses, transportation expenses, or other special expenses as described below:

Other:

Failure to comply with the maintenance order which directed payment of maintenance in the amount of \$ \_\_\_\_\_ per month as described below:

Failure to comply with the parenting plan as follows:

Failure to comply with the restraining order as which required:

This order was violated in the following manner:

Other:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_ (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature of Requesting Party

\_\_\_\_\_  
Print or Type Name

**Superior Court of Washington  
County of \_\_\_\_\_**

In re the Marriage of:

\_\_\_\_\_

Petitioner,

and

\_\_\_\_\_

Respondent.

No. \_\_\_\_\_

**Order to Show Cause re  
Contempt  
(ORTSC)**

**Clerk's Action Required**

***It is Ordered:***

(Name of nonrequesting party) \_\_\_\_\_ shall appear in person before this court at the place and time below and show cause why the relief requested in the motion should not be granted.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ a.m./p.m.

Place: \_\_\_\_\_ Room/Department: \_\_\_\_\_

If you fail to appear in person and defend at these proceedings the court may grant all of the relief requested and/or issue a bench warrant for your arrest without further notice to you.

If imprisonment is requested in the motion and you cannot afford an attorney, you may request the court to appoint an attorney to represent you.

Other:

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Presented by:

\_\_\_\_\_  
Signature of Requesting Party or Lawyer/WSBA No.

\_\_\_\_\_  
Print or Type Name

**Superior Court of Washington  
County of \_\_\_\_\_**

In re the Marriage of:

\_\_\_\_\_

Petitioner,

and

\_\_\_\_\_

Respondent.

No. \_\_\_\_\_

**Pro se Notice of Appearance  
(APPS)**

The undersigned enters an appearance in this action, and demands notice of all further proceedings. The Clerk of the Court and the opposing party will be informed of any change in address. Any notices may be sent to [You may list an address that isn't your residential address where you agree to accept legal documents.]

Service Address:

\_\_\_\_\_  
\_\_\_\_\_

Any time this address changes while this action is pending, you must notify the opposing parties in writing and file an updated Confidential Information Form (WPF DRPSCU 09.0200) with the court clerk.

Phone Number: Listed on Confidential Information Form.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party Appearing

\_\_\_\_\_  
Print or Type Name

**Superior Court of Washington  
County of \_\_\_\_\_**

In re the Marriage of:

\_\_\_\_\_

Petitioner,

and

\_\_\_\_\_

Respondent.

No. \_\_\_\_\_

**Return of Service  
(Optional Use)  
(RTS)**

***I Declare:***

1. I am over the age of 18 years, and I am not a party to this action.
2. I served the following documents to (name) \_\_\_\_\_:
  - summons, a copy of which is attached
  - petition in this action
  - proposed parenting plan or residential schedule
  - proposed child support order
  - proposed child support worksheets
  - sealed financial source documents cover sheet and financial documents
  - financial declaration
  - Notice Re: Dependent of a Person in Military Service
  - notice of hearing for \_\_\_\_\_
  - motion for temporary order
  - motion for and ex parte order
  - motion for and order to show cause re: \_\_\_\_\_
  - declarations of \_\_\_\_\_
  - temporary order
  - other:

3. The date, time and place of service were (if by mail refer to Paragraph 4 below):

Date: \_\_\_\_\_ Time: \_\_\_\_\_ a.m./p.m.

Address: \_\_\_\_\_

\_\_\_\_\_

4. Service was made pursuant to Civil Rule 4(d):
- by delivery to the person named in paragraph 2 above.
  - by delivery to (name) \_\_\_\_\_, a person of suitable age and discretion residing at the respondent's usual abode.
  - by publication as provided in RCW 4.28.100. (File Affidavit of Publication separately.)
  - (check only if there is a court order authorizing service by mail) by mailing two copies postage prepaid to the person named in the order entered by the court on (date) \_\_\_\_\_. One copy was mailed by ordinary first class mail, the other copy was sent by certified mail return receipt requested. (Tape return receipt below.) The copies were mailed on (date) \_\_\_\_\_.

5. Service of Notice on Dependent of a Person in Military Service.
- The Notice to Dependent of Person in Military Service was  served on  mailed by first class mail on (date) \_\_\_\_\_.
  - Other:

6. Other:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) \_\_\_\_\_, (state) \_\_\_\_\_ on (date) \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

Fees:

Service \_\_\_\_\_

Mileage \_\_\_\_\_

Total \_\_\_\_\_

(Tape Return Receipt here, if service was by mail.)

File the original Return of Service with the clerk. Provide a copy to the law enforcement agency where protected person resides if the documents served include a restraining order signed by the court.

**Superior Court of Washington  
County of**

<p>In re:</p>  <p style="text-align: center;">Petitioner,</p>  <p style="text-align: center;">Respondent.</p>	<p><b>No.</b></p>	<p><b>Order on Show Cause re Contempt/Judgment (ORCN) Next Hearing Date:</b></p> <p><b>[ ] Clerk's Action Required, ¶ 3.8</b></p>
---	-------------------	---

**I. Judgment Summary**

- Does not apply.
- Applies as follows:
  
- A. Judgment creditor \_\_\_\_\_
- B. Judgment debtor \_\_\_\_\_
- C. Principal judgment amount (back child support/medical support/other obligations/  
maintenance) from (date) \_\_\_\_\_ through (date) \_\_\_\_\_ \$ \_\_\_\_\_
- D. Interest to date of judgment \$ \_\_\_\_\_
- E. Attorney fees \$ \_\_\_\_\_
- F. Costs \$ \_\_\_\_\_
- G. Other recovery amount \$ \_\_\_\_\_
- H. Principal judgment shall bear interest at \_\_\_\_\_% per annum
- I. Attorney fees, costs and other recovery amounts shall bear interest at \_\_\_\_\_% per annum
- J. Attorney for judgment creditor \_\_\_\_\_
- K. Attorney for judgment debtor \_\_\_\_\_
- L. Other: \_\_\_\_\_

**II. Findings and Conclusions**

***This Court Finds:***

**2.1 Compliance With Court Order**

(Name) \_\_\_\_\_  did comply  intentionally failed to comply with a lawful order of the court dated on \_\_\_\_\_.

**2.2 Nature of Order**

The order is related to  child support  medical support  child care, educational expenses, transportation expenses, or other special expenses  spousal maintenance  parenting plan (custody/visitation)  a restraining order.

**2.3 How the Order was Violated**

- The order was not violated.
- This order was violated in the following manner (include dates and times, and amounts, if any):

**2.4 Past Ability to Comply With Order**

(Name) \_\_\_\_\_  had  did not have the ability to comply with the order as follows:

**2.5 Present Ability and Willingness to Comply With Order**

(Name) \_\_\_\_\_  has  does not have the present ability to comply with the order as follows:

(Name) \_\_\_\_\_  has  does not have the present willingness to comply with the order as follows:

**2.6 Back Child Support/Medical Support/Other Unpaid Obligations/Maintenance**

- Back child support/medical support/ child care, educational expenses, transportation expenses, or other special expenses/maintenance is not addressed in the contempt motion.
- No back child support, medical support, child care, educational expenses, transportation expenses, or other special expenses, or maintenance is owed.
- (Name) \_\_\_\_\_ failed to pay the other party the sum of \$\_\_\_\_\_ for child support and interest to date in the amount of \$\_\_\_\_\_ for the period from \_\_\_\_\_ through \_\_\_\_\_.
- (Name) \_\_\_\_\_ failed to pay the other party the sum of \$\_\_\_\_\_ for medical support and interest to date in the amount of \$\_\_\_\_\_ for the period from \_\_\_\_\_ through \_\_\_\_\_.
- (Name) \_\_\_\_\_ failed to pay the other party the sum of \$\_\_\_\_\_ for child care, educational expenses, transportation expenses, or other special expenses and interest to date in the amount of \$\_\_\_\_\_ for the period from \_\_\_\_\_ through \_\_\_\_\_.
- (Name) \_\_\_\_\_ failed to pay the other party the sum of \$\_\_\_\_\_ for maintenance and interest to date in the amount of \$\_\_\_\_\_ for the period from \_\_\_\_\_ through \_\_\_\_\_.
- Other:

## 2.7 Compliance With Parenting Plan

- Does not apply.
- (Name) \_\_\_\_\_ has complied, and is currently willing to comply, with the parenting plan.
- (Name) \_\_\_\_\_ has not complied with
  - the residential (visitation) provisions of the parenting plan and had the ability to comply with the parenting plan, and is currently unwilling to comply. The noncompliance with the residential provisions  was  was not in bad faith.
  - decision making provisions of the parenting plan and had the ability to comply with the parenting plan, and is currently unwilling to comply.
  - dispute resolution provisions of the parenting plan and had the ability to comply with the parenting plan, and is currently unwilling to comply.
- Other:

## 2.8 Attorney Fees and Costs

- Does not apply.

- The attorney fees and costs awarded in paragraph 3.7 below have been incurred and are reasonable.

### III. Order and Judgment

***It is Ordered:***

#### 3.1 Contempt Ruling

(Name) \_\_\_\_\_  is  is not in contempt of court.

#### 3.2 Imprisonment

Does not apply.

(Name) \_\_\_\_\_ is to be confined in the (name of county) \_\_\_\_\_ County Jail.

Confinement shall commence immediately and shall continue until (date) \_\_\_\_\_ or until the contempt is purged as set forth in paragraph 3.6 below, in which case the contemnor shall be released immediately.

Confinement is suspended as follows:

Other:

#### 3.3 Additional Residential Time

Does not apply.

(Name) \_\_\_\_\_ shall have additional residential time as follows:

#### 3.4 Judgment for Past Child Support

Does not apply.

No judgment for past child support was requested.

(Name) \_\_\_\_\_ shall have judgment against (name) \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for unpaid child support arrearages and \$ \_\_\_\_\_ interest thereon for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.

### 3.5 Judgment for Past Medical Support

- Does not apply.
- No judgment for past medical support was requested.
- (Name) \_\_\_\_\_ shall have judgment against (name) \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for unpaid medical support arrearages and \$ \_\_\_\_\_ interest thereon for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.

### 3.6 Judgment for Other Unpaid Obligations

- Does not apply.
- No judgment for past child care, educational expenses, transportation expenses, or other special expenses was requested.
- (Name) \_\_\_\_\_ shall have judgment against (name) \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for unpaid child care, educational expenses, transportation expenses, or other special expenses arrearages and \$ \_\_\_\_\_ interest thereon for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.

### 3.7 Judgment for Past Maintenance

- Does not apply.
- No judgment for past maintenance was requested.
- (Name) \_\_\_\_\_ shall have judgment against (name) \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for unpaid maintenance arrearages and \$ \_\_\_\_\_ interest thereon for the period from (date) \_\_\_\_\_ through (date) \_\_\_\_\_.

### 3.8 Conditions for Purging the Contempt

- Does not apply.
- The contemnor may purge the contempt as follows:

### 3.9 Attorney Fees and Costs

- Does not apply.
- (Name) \_\_\_\_\_ shall have judgment against (name) \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for attorney fees and \$ \_\_\_\_\_ for costs.

### 3.10 Review Date

- Does not apply.  
 The court shall review this matter on (date) \_\_\_\_\_ at (time) \_\_\_\_\_.

### **3.11 Other**

### **3.12 Summary of RCW 26.09.430 - .480, Regarding Relocation of a Child**

This is a summary only. For the full text, please see RCW 26.09.430 through 26.09.480.

If the person with whom the child resides a majority of the time plans to move, that person shall give notice to every person entitled to court ordered time with the child.

If the move is outside the child's school district, the relocating person must give notice by personal service or by mail requiring a return receipt. This notice must be at least 60 days before the intended move. If the relocating person could not have known about the move in time to give 60 days' notice, that person must give notice within 5 days after learning of the move. The notice must contain the information required in RCW 26.09.440. See also form DRPSCU 07.0500, (Notice of Intended Relocation of A Child).

If the move is within the same school district, the relocating person must provide actual notice by any reasonable means. A person entitled to time with the child may not object to the move but may ask for modification under RCW 26.09.260.

Notice may be delayed for 21 days if the relocating person is entering a domestic violence shelter or is moving to avoid a clear, immediate and unreasonable risk to health and safety.

If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.

A relocating person may ask the court to waive any notice requirements that may put the health and safety of a person or a child at risk.

Failure to give the required notice may be grounds for sanctions, including contempt.

If no objection is filed within 30 days after service of the notice of intended relocation, the relocation will be permitted and the proposed revised residential schedule may be confirmed.

A person entitled to time with a child under a court order can file an objection to the child's relocation whether or not he or she received proper notice.

An objection may be filed by using the mandatory pattern form WPF DRPSCU 07.0700, (Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan/Residential Schedule). The objection must be served on all persons entitled to time with the child.

The relocating person shall not move the child during the time for objection unless: (a) the delayed notice provisions apply; or (b) a court order allows the move.

If the objecting person schedules a hearing for a date within 15 days of timely service of the objection, the relocating person shall not move the child before the hearing unless there is a clear, immediate and unreasonable risk to the health or safety of a person or a child.

**Warning:** Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Presented by:

Approved for entry:  
Notice of presentation waived:

\_\_\_\_\_  
Signature of Party or Lawyer/WSBA No.

\_\_\_\_\_  
Signature of Party or Lawyer/WSBA No.

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Name

**Superior Court of Washington  
County of \_\_\_\_\_**

In re the Marriage of:

\_\_\_\_\_

Petitioner,

and

\_\_\_\_\_

Respondent.

No. \_\_\_\_\_

**Declaration of**

\_\_\_\_\_  
**[Name]  
(Optional Use)  
(DCLR)**

This declaration is made by:

Name: \_\_\_\_\_

Age: \_\_\_\_\_

Relationship to the parties in this action: \_\_\_\_\_

***I Declare:***

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Confidential Information Form (INFO)

County:	Cause Number:	<b>Do not file in a public access file.</b>
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**Court Clerk: This is a Restricted Access Document**

<input type="checkbox"/> Divorce/Separation/Invalidity/Nonparental Custody/Paternity/Modifications <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Other <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Antiharassment <input type="checkbox"/> Information Change (Check if you're updating information)		
<input type="checkbox"/> A restraining order or protection order is in effect protecting <input type="checkbox"/> the petitioner <input type="checkbox"/> the respondent <input type="checkbox"/> the children.		
<input type="checkbox"/> The health, safety, or liberty of a party or child would be jeopardized by disclosure of address information because: _____ _____ _____		

**The following information about the parties is required in all cases:  
(Use the Addendum To Confidential Information Form to list additional parties or children)**

Petitioner Information	Type or Print Only	Respondent Information
Name (Last, First, Middle)		
Race	Sex	Birthdate
Driver's Lic. or Identocard (# and State)		
Mailing Address (P.O. Box/Street, City, State, Zip)		
Relationship to Child(ren)		

**The following information is required if there are children involved in the proceeding.** (Soc. Sec. No. is not required for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault).)

1) Child's Name (Last, First, Middle)
Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts
2) Child's Name (Last, First, Middle)

Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts
List the names and present addresses of the persons with whom the child(ren) lived during the last five years:
List the names and present addresses of any person besides you and the respondent who has physical custody of, or claims rights of custody or visitation with, the child(ren):

<b><u>Except for petitions in protection order cases (Domestic Violence/Antiharassment/ Sexual Assault), the following information is required:</u></b>	
<b>Petitioner's Information</b>	<b>Respondent's Information</b>
Soc. Sec. No.:	Soc. Sec. No.:
Residential Address (Street, City, State, Zip)	Residential Address (Street, City, State, Zip)
Telephone No.: (    )	Telephone No.: (    )
Employer:	Employer:
Empl. Address:	Empl. Address:
Empl. Phone No.: (    )	Empl. Phone No.: (    )
<b>For Nonparental Custody Petitions only, list other Adults in Petitioner(s) household (Name/DOB):</b>	

Additional information: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Addendum(s) To Confidential Information Form attached. List other parties or children in Addendum(s).

I certify under penalty of perjury under the laws of the state of Washington that the above information is true and accurate concerning myself and is accurate to the best of my knowledge as to the other party, or is unavailable. The information is unavailable because \_\_\_\_\_  
 \_\_\_\_\_.

Signed on \_\_\_\_\_ (Date) at \_\_\_\_\_ (City and State).

\_\_\_\_\_  
 Petitioner/Respondent

<b>Addendum to Confidential Information Form (AD)</b>						
County:		Cause Number:			<b>Do not file in a public access file.</b>	
<b><i>Court Clerk: This is a Restricted Access Document</i></b>						
<b>The following information about additional parties is required in all cases.</b>						
<b>Additional Petitioner Information</b>			<b>Type or Print Only</b>	<b>Additional Respondent Information</b>		
Name (Last, First, Middle)			Name (Last, first, Middle)			
Race	Sex	Birthdate	Race	Sex	Birthdate	
Drivers Lic. or Identicard (# and State)			Drivers Lic. or Identicard (# and State), (or, if unavailable, residential address)			
Mailing Address (P.O. Box/Street, City, State, Zip)			Mailing Address (P.O. Box/Street, City, State, Zip)			
Relationship to Child(ren)			Relationship to Child(ren)			
<b>The following information is required if there are additional children involved in the proceeding.</b> (Soc. Sec. No. is <u>not required</u> for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault).)						
3) Child's Name (Last, First, Middle)						
Child's Race/Sex/Birthdate						
Child's Soc. Sec. No. (If required)						
Child's Present Address or Whereabouts						
4) Child's Name (Last, First, Middle)						
Child's Race/Sex/Birthdate						
Child's Soc. Sec. No. (If required)						
Child's Present Address or Whereabouts						
<b><u>Except for petitions in protection order cases (Domestic Violence/Antiharassment/Sexual Assault), the following information is required:</u></b>						
<b>Additional Petitioner Information</b>			<b>Additional Respondent Information</b>			
Soc. Sec. No.:			Soc. Sec. No.:			
Residential Address (Street, City, State, Zip)			Residential Address (Street, City, State, Zip)			
Telephone No.: ( )			Telephone No.: ( )			
Employer:			Employer:			
Empl. Address:			Empl. Address:			
Empl. Phone No.: ( )			Empl. Phone No.: ( )			

**Superior Court of Washington  
County of \_\_\_\_\_**

In re the Marriage of:

\_\_\_\_\_

Petitioner,

and

\_\_\_\_\_

Respondent.

No. \_\_\_\_\_

**Sealed Personal Health Care  
Records  
(Cover Sheet)  
(SEALPHC)  
Clerk's Action Required**

---

**Sealed Personal Health Care Records**

(List documents below and write "Sealed" at least one inch from the top of the first page of each document.)

Records or correspondences that contain health information that:

- Relates to the past, present, or future physical or mental health condition of an individual including past, present, or future payments for health care.
- Involves genetic parentage testing.

Submitted by:

\_\_\_\_\_

**Notice: The other party will have access to these health care records. If you're concerned for your safety or the safety of the children, you may redact (block out or delete) information that identifies your location.**

**Superior Court of Washington  
County of \_\_\_\_\_**

In re the Marriage of:

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

No. \_\_\_\_\_

**Sealed Confidential Reports  
(Cover Sheet)  
(SEALRPT)  
Clerk's Action Required**

---

**Sealed Confidential Reports**

(List documents below and write "Sealed" at least one inch from the top of the first page of each document.)

This cover sheet shall be used to file the sealed portion of the following reports:

- Parenting evaluations
- Domestic Violence Assessment Reports created by Family Court Services or a qualified expert appointed by the court
- Risk Assessment Reports created by Family Court Services or a qualified expert
- CPS Summary Reports created by Family Court Services or supplied directly by Children's Protective Services
- Sexual abuse evaluations
- Reports of a guardian ad litem or Court Appointed Special Advocate
- Other:

The sealed portion of these reports include: 1) Detailed descriptions of material, or information gathered or reviewed; 2) Detailed descriptions of all statements reviewed or taken; 3) Detailed descriptions of tests conducted or reviewed; 4) Analysis to support the conclusions and recommendations.

Submitted by:

\_\_\_\_\_

**Notice: The other party will have access to these confidential reports. If you're concerned for your safety or the safety of the children, you may redact (block out or delete) information that identifies your location.**

**Superior Court of Washington  
County of \_\_\_\_\_**

In re:

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

No. \_\_\_\_\_

**Sealed Financial Source  
Documents  
(Cover Sheet)  
(SEALFN)  
Clerk's Action Required**

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**Sealed Financial Source Documents**

(List documents below and write "Sealed" at least one inch from the top of the first page of each document.)

- Income Tax records
- Pay Stubs
- Credit Card Statements
- Bank statements
- Checks or the equivalent
- Check registers
- Loan application documents
- Retirement plan orders
- Other

Submitted by:

\_\_\_\_\_

**Notice:** The other party will have access to these financial source documents. If you're concerned for your safety or the safety of the children, you may redact (block out or delete) information that identifies your location.

**Filing for Contempt in a Dissolution Case 10/09**  
**EVALUATION FORM**

Your comments are appreciated and will help to make this packet more useful to others. Please take a moment to complete this form and return it to:

Danielle Rebar  
Northwest Justice Project  
500 W. 8<sup>th</sup>, Suite 275  
Vancouver, WA 98660

1. Where did you get this packet? \_\_\_\_\_
2. What is your primary language? \_\_\_\_\_
3. Are you a \*low-income person?  yes  no  
[\*\$1200 per month for household of 1; \$1500 for 2; \$1900 for 3; \$2200 for 4; \$2400 for 5]
4. What is the last grade you completed in school? \_\_\_\_\_
5. Did you read the instructions?  yes  no
6. Did you also need the help of an agency, court facilitator, or advocate to complete your case?  
 yes  no  
6a. If yes, what agency or individual helped you? \_\_\_\_\_
7. Did you use the legal forms?  yes  no
8. Did you find anything difficult to understand?  yes  no  
8a. If yes, please tell us what. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Did you find any mistakes?  yes  no  
If yes, what mistakes were found? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Today's Date: \_\_\_\_\_
11. Other Comments or Suggestions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_