

# Why are you attending Orientation?

You are attending Orientation because the court wants to help you better understand some of the parts of the court process in a family law case.

The process can be intimidating or confusing, and overwhelming, especially at the beginning of your case when everything is new. We hope to give you information that can make the process go more smoothly.

The background features abstract, overlapping green geometric shapes in various shades, creating a modern and dynamic feel. The shapes are primarily triangular and polygonal, with some areas appearing more translucent than others.

# NAVIGATING THROUGH THE COURTHOUSE

IN PERSON AND VIRTUALLY

# Family Court Judges and Commissioners

- ▶ Family and Juvenile Court (FJC) is a separate building but is part of Thurston County Superior Court. FJC has 4 courtrooms, all on the upper floor of the building.
- ▶ There are 3 monitors in the building, one downstairs after you go through security, and 2 upstairs located at the top of the stairs.
- ▶ You can find your assigned courtroom on one of these monitors; if you do not see your case listed on a monitor, you can ask for assistance at Court Administration, located upstairs.
- ▶ There are 2 full time judges and 3 Court Commissioners serving at FJC. A Judge is elected to their position (sometimes first appointed by the Governor) and the elected Judges appoint the Court Commissioners. Judges can preside over all types of cases at Superior Court. Court Commissioners may hear motions for temporary orders and some other matters at FJC. Many FJC matters are heard by Court Commissioners. When your case is heard by a Court Commissioner, their decisions can be reviewed by a Judge—that review is called a revision hearing.

# THE DIVORCE PROCESS

# STARTING YOUR CASE

- ▶ The first step in your case is to file your paperwork with the Clerk's Office. Filing means delivering your papers to the Clerk's office. Your divorce case is called a Dissolution of Marriage and the document you file that begins the case is called a Petition of Dissolution of Marriage.
- ▶ The law allows the Clerk to charge a fee (filing fee) to start your case. If you cannot afford to pay that fee you can ask that the fee not be required in your case (waived) by setting a motion in front of a Judge. The form for making this request can be obtained through the Clerk's Office.
- ▶ You must use specific forms (mandatory forms) in a family law case. You can find all these forms, and instructions for many of them, for free [HERE](#). You can also purchase forms, and instructions, from the Clerk's office. You can find the Clerk's forms [HERE](#).

# SERVICE

- ▶ Your spouse must be given all of the documents you file with the clerk and want the court to see. That is called SERVICE.
- ▶ Service can be accomplished in different ways:
  - ▶ 1. JOINDER: your spouse agrees with your Petition and agrees with everything you are asking for in your case.
  - ▶ 2. ACKNOWLEDGEMENT: your spouse acknowledges in writing that they received all of your paperwork. There is a special form for this.
  - ▶ 3. Personal Service: someone over the age of 18 and not a party to your case (in other words not you) must give the other side all of the paperwork and then state under oath (declare) that they did that. There is a form to use for this.

# RESPONDING TO THE DIVORCE PAPERWORK

- ▶ Even if you agree on everything, the soonest any party in Washington can be divorced is 90 days after filing the paperwork or service on the other party.
- ▶ Your spouse may not agree with some or all of what you are asking for and if so will file a document called a Response.
- ▶ If your spouse files a Response you should ask the court to schedule a Settlement Conference and trial. There is a form for that request that can be found [HERE](#). A settlement conference is a time where both sides sit down with a judge or court commissioner to discuss whether you can agree to some or all disputed matters in your case. If you agree on everything, you will need to fill out all of the final papers (more mandatory forms) before the judge can finish your case and you will be divorced.
- ▶ If you represent yourself you will need to have the final papers reviewed by the [Facilitator](#) at the Clerk's office or have an attorney or legal services provider review them for completeness.

# TEMPORARY ORDERS

- ▶ You and your spouse may need or want the court to make decisions in your case before your divorce is final. There are different ways that can happen.
- ▶ **Emergency orders:**
  - ▶ any party has the right to ask the court for temporary orders about children, finances, property and more, and if there is an emergency, to see a judge quickly. For information about getting emergency orders you can review [HERE](#). If you believe you or your family members are in danger, you should call 911 or see these community resources [HERE](#).
  - ▶ The Court has times set aside every day at 4:00pm for emergency hearings.



# Other kinds of temporary orders:

- ▶ **1. Temporary parenting plans:** if you and your spouse do not agree about where your children should live, or the contact each of you should have with them, you can have a hearing and ask the court to decide that.
- ▶ **2. Guardian ad Litem(GAL):** if you and your spouse do not agree about where the children should live and what kind of schedule they should have, you can ask the court to appoint a GAL. A GAL is someone who represents the best interests of the child(ren) and will do an investigation and write a report to share with you and the court. The court will have a hearing to review the report when it is finished.
- ▶ **2. Temporary child support:** if you need child support for your children and there is no agreement about whether or how much support should be paid, the court can order a temporary amount to be paid while you are waiting for your trial.
- ▶ **3. Other financial support:** the court can also order spousal support, payment of bills, payment of other expenses while your case is waiting for trial.

# Special requirements when you have minor children

- ▶ Mediation: this is required in most family law cases where there are children who need a parenting plan unless the court orders otherwise. If there is domestic violence or other good reasons mediation cannot occur, the court will sign an order that waives mediation. There are good local resources for mediation that can be found [HERE](#). If you have children and the court does not waive mediation, you cannot get your divorce without first going to mediation to try to make agreements about your parenting plan.
- ▶ Mediation is an excellent resource for parents who are separating. Please watch this short video about parenting plan mediation [HERE](#). The Video was created by the Thurston County Dispute Resolution Center, Mediation Services ([mediatethurston.org](http://mediatethurston.org)).
- ▶ Consider the Children: the court requires that all parents who have children involved in the divorce case to take a 4-hour class called Consider the Children. That class is currently being offered remotely by Zoom. Information about the class can be found [HERE](#). Most Parents really appreciate taking this class even if they do not want to do so at first.

# Finishing (finalizing) your divorce

- ▶ There are mandatory forms you will need to complete and give to the court at the time of your final hearing for your divorce. A link to all of the forms that you can download for free can be found [HERE](#). You can also purchase all of the needed forms from the Clerk's Office [HERE](#).
- ▶ Before you can see a judge to finalize your divorce you must either see the Facilitator at the Clerk's office or have all of your paperwork reviewed by an attorney or legal services provider. You can make an appointment to see the Facilitator at the Clerk's office at this link [HERE](#); you can get information on other legal services providers [HERE](#).
- ▶ You can schedule a hearing for your divorce to be finalized on a Commissioner's calendar (final dissolution calendar) ONLY if:
  - ▶ You both agree to all the paperwork and have signed it OR
  - ▶ Your spouse didn't file a Response within 20 days if in-state and 60 for out-of-state; if that has happened you can ask the court for an Order of Default.



