

Family Law Orientation
information for parties to
family law cases during
limited court operations
resulting from COVID-19
related public health
requirements

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, confusing and/or 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 and help you feel more comfortable.

- ▶ You may still have questions after you complete Orientation. Please review this information as often as you need to; after the Court returns to normal operations we will once again offer in person orientation and you may attend that. We also plan to create a video to better explain the process.
- ▶ Please check the court's webpage for updates on the video including when in-person Orientation will start again.

NAVIGATING THROUGH THE COURTHOUSE

IN PERSON AND VIRTUALLY

Family Court Judges and Commissioners

- ▶ Family and Juvenile Court (FJC) has 4 courtrooms, all on the upper floor of the building. FJC is a separate building but is part of Thurston County Superior Court.
- ▶ There are 3 monitors (television screens) at FJC, one (1) downstairs after you go through security, and two (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 two (2) full time judges and three (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 hear all case types 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, something that is done either in person or electronically (see the Clerk's webpage [HERE](#) for information about filing). 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.
- ▶ During limited operations, we ask that you use the Clerk's office for e-filing on their website [HERE](#) to file any documents.
- ▶ 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); the forms you need to give to the judge to waive your filing fee can be found on the Washington Courts Form website which is linked [HERE](#). Use Form numbers WPF GR 34.0100-34.0500.
- ▶ 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 on the Washington Courts Form website which is linked [HERE](#). You can also purchase forms, and instructions, from the Clerk's office. You can find the Clerk's forms on their website [HERE](#).

SERVICE

- ▶ Your spouse must be given all 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. Use form FL 117 called Service Accepted.
 - ▶ 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 the paperwork and then state under oath (declare) that they did that. Use form FL 101 called Proof of Personal Service.
 - ▶ Link to the WA Court Forms page can be found [HERE](#).

RESPONDING TO THE DIVORCE PAPERWORK

- ▶ 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 need to ask the court to schedule a Settlement Conference and trial. There is a form to use to make that request and you can find it [HERE](#). Even if you and your spouse agree on everything, the soonest any party in Washington can be divorced is 90 days after filing the Petition and joinder are signed or service is made on the other party.
- ▶ 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. There may be a charge by the facilitator, but you can have your documents reviewed for free if you qualify for legal services. More information for available services found [HERE](#).

TEMPORARY ORDERS

- ▶ You and/or 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 do that quickly. For information about getting emergency orders you can review our Family Law Emergency Motions Process [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 4:00 pm 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 conduct 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 waiving mediation. For more information on mediation and where you can do that, visit our website [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. The Video was created by the Thurston County Dispute Resolution Center.
- ▶ Consider the Children: the court requires that all parents who have minor 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 file with the Clerk's office before your final hearing for your divorce. You should file your final orders with a cover sheet and write "proposed orders" on the cover sheet.
 - ▶ A link to all the forms that you can download for free-- can be found [HERE](#). You can also purchase all the needed forms from the Clerk's Office [HERE](#).
- ▶ Before the court can finalize your divorce you must **either** meet with 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](#). Some of these providers do not charge for this service.
- ▶ You can schedule a hearing for your divorce to be finalized on the Family Law Agreed Orders Calendar (Decided without a hearing) ONLY if:
 - ▶ You both agree to all the paperwork and have signed it OR
 - ▶ Your spouse didn't file a Response; if that has happened you can ask the court for an Order of Default. Forms can be found on the WA Courts Form website which is linked [HERE](#). Use Form numbers FL 161 and 162.
 - ▶ You will also need to request a Judicial Information Systems (JIS) background check to be run for the parties IF YOU HAVE CHILDREN-- The form can be found [HERE](#). For more information on the Family Law Agreed Orders Process click [HERE](#).

HANDOUTS

- ▶ [Dispute Resolution Center](#)
 - ▶ For more information see their website [here](#) or call (360) 956-1155.
- ▶ [Family Court Facilitator Program](#)
 - ▶ For more information see their website [here](#) or call (360) 709-3260.
- ▶ [Preparing for Court-Family Law Motion Filing Information](#)
- ▶ [Self Represented Parties Resource Sheet](#)

Thurston County Family & Juvenile Court Website

- ▶ [Home page](#)
- ▶ [Family & Juvenile Court Information during COVID](#)
- ▶ [How to Find an Attorney or Legal Assistance](#)
- ▶ [Court Calendars](#)
- ▶ [Visiting the Court](#)
- ▶ [Scheduling Court Hearings](#)
- ▶ [Judge's Copies](#)
- ▶ [Local Court Rules](#)
- ▶ [Mediation](#)
- ▶ [Parenting Seminar](#)
- ▶ [Ordering a Copy of Electronic Recorded Hearing & Transcript Proceedings](#)
- ▶ [Helpful Links and Resources](#)
- ▶ [Orientation Page](#)