

# How to Ask for a Divorce

## *For spouses/registered partners who agree*

You can use these instructions ONLY if:

- You and your spouse or registered domestic partner **agree** on the terms of your divorce, and
- Your spouse or registered domestic partner **will sign** the court papers to show that s/he agrees.

**Important!** If one of you is pregnant now, the other spouse/registered partner is considered the *legal* parent. If you do not think the other spouse/registered partner is the parent, you have **4 years** after the child is born to ask the court to determine who the legal parents are (paternity). If you are in this situation, talk to a lawyer.

### **Talk to a lawyer, if you can.**

These instructions are legal *information*, not legal *advice*. It's a good idea to talk to a lawyer before you file any forms. You can contact the King County Bar Association to ask for a referral. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court, and confirming this is the best legal action for your case. This will cost less than hiring a lawyer for your whole case.
- Ask the Family Law Facilitators' office for a list of low-cost and free legal resources for low-income people.

## Step 1: Fill out these forms (and any attachments):

Form Name	Form Number	Notes
Case Information Cover Sheet		
Confidential Information Form	DRPSCU 09-200	
Vital Statistics form		
Declaration about Public Assistance	DRPSCU 01-600	
Divorce Petition	DR 01-100	Your spouse/partner must sign the last page of this form.
* Findings about a Marriage	DR 04-300	
* Divorce Order	DR 04-400	
Notice of Court Date ( <i>Choose the form for Kent or Seattle</i> )	If you do not know the date you want your divorce to be final, you do not have to file this form yet. See <b>Step 5</b> below.	

## Step 2: If you have children under 18, also fill out these forms:

Parenting Plan (signed)	DR 01-400	
* Parenting Plan (extra copy, not signed)	DR 01-400	
* Child Support Order	DR 01-500	Even if there is no child support in your case, you <b>must</b> fill out these forms.
* Child Support Worksheets (CSW)	WSCSS-Worksheets	
Declaration about Public Assistance	DRPSCU 01-600	

## Step 3: Take your completed forms to the Clerk's Office and pay a fee.

Take your completed forms to the Clerk's Office for filing. (You do not have to file the forms marked with \* yet. But you must take them to your court hearing.)

*Important!* Make 2 copies of all of your completed forms. (If any child in your case has received public assistance, make an extra copy for the Prosecuting Attorney's Office.)

**The Clerk will ask you to pay a filing fee.** If you cannot afford to pay the fee, ask for an application to let you file for free. This application is called a *Motion and Declaration for Waiver of Civil Filing Fees and Surcharges*.

## Step 4: Choose a date to go to Court to finalize your divorce.

To finalize your divorce, you must fill out and file the *Notice of Court Date*. That form lets you choose a date for your court hearing. The date you choose **must** be at least **14 days** after the day you file the *Notice of Court Date* **and** at least **91 days** after the date:

- You filed your *Divorce Petition*, or
- Your spouse or registered domestic partner signed the *Divorce Petition* (if s/he signed after you filed the *Petition*).

*Important!* If you are not ready to finalize your divorce, you can file your other papers, and file this form when you are ready.

### Step 5: You and your spouse/registered partner must go to a family law class.

You **must** both go to a special class, called *Family Law Orientation*. This class will explain how the courts handle divorces. And it will tell you where you can find information and help.

To sign up and pay for the class, see Step 6. The deadline to complete this class is listed on your *Case Schedule*.

*Exception:* If you have a lawyer, you do not have to go to this class

### If you have children under 18, you must both go to a parenting class.

Both parents **must** go to a parenting class called *What About the Children*. To sign up and pay for the class, see Step 6. You must complete the class by the deadline listed on your *Case Schedule*.

### Step 6: Sign up and pay for your class.

Contact:

<b>Family Law Facilitators' Office</b> Insert street address Insert tel # Insert url here	<b>OR</b>	<b>Family Court Services</b> Insert street address Insert tel # Insert url here
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### Step 7: Go to your court hearing to finalize your divorce.

If you already filed your *Notice of Court Date*, go to your hearing on the date listed on that form. All divorce hearings are at 1:30 p.m.

If you have not asked for a hearing date yet, and you are ready to finalize your divorce, fill out and file the *Notice of Court Date* now.

Take 2 completed copies of these forms to your hearing:

<b>If you have <u>no</u> children under 18:</b> * Findings about a Marriage * Divorce Order	<b>If you <u>have</u> children under 18:</b> * Parenting Plan (extra copy, not signed) * Child Support Order and Child Support Worksheets (CSW)
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### Step 8: If your spouse/partner asked for notification about the hearing...

If your spouse or registered domestic partner checked the box asking for notification about the hearing, you must have him/her served the *Notice of Court Date* along with the same documents listed in Step 6 above.

**Deadline:** 14 days before the hearing date for **personal** service, **or**  
17 days before the hearing date for service by **mail**.

You must take a completed *Declaration of Mailing* to your hearing to prove that your spouse/partner was properly served.