

How to Ask for a Legal Separation

For spouses/registered domestic partners *who agree*

Use this packet only if:

- You and your spouse or registered domestic partner **agree** on the terms of your legal separation, and
- Your spouse or registered domestic partner **will sign** the court papers to show that they agree.

WARNINGS!

- If one of you is pregnant, or a child was born before the legal separation, the other spouse is considered the *legal* parent. If you do not think the other spouse/registered domestic partner is the parent, you may need to file a parentage case before you finalize the case. If you are in this situation, talk to a lawyer.

Talk to a lawyer if you can

These instructions have been developed by the King County Superior Court Family Law Information Center. They provide *legal information* only and **are not intended** to be a substitute for legal advice.

Facilitators cannot provide legal advice or complete your forms for you. It's a good idea to talk to a lawyer before you file any forms.

- You can get information about their services and a list of low-cost and free legal resources at <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/family-law-facilitators>.

Step 1: Fill out these forms

All these forms can be downloaded at: <https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/forms> and www.courts.wa.gov/forms/

Form Name	Form Number	Notes	Completed
Case Assignment Area Form and Case Information Cover Sheet			<input type="checkbox"/>
Confidential Information	FL All Family 001	Attachment to Confidential Information (for additional parties or children)	<input type="checkbox"/>
Certificate of Dissolution-Vital Statistics form			<input type="checkbox"/>
Petition for Legal Separation (Marriage)	FL Divorce 203	Use FL Divorce 204 Petition to End Registered Domestic Partnership (Dissolution) for Registered Domestic Partnership "Joinder" on the last page of the petition needs to be signed by the Respondent or a separate "Joinder" form should be filed to indicate that there is an agreement.	<input type="checkbox"/>

If you have children under the age of 18 born during your marriage, you will also need these forms

Parenting Plan (Proposed)	FL All Family 140		<input type="checkbox"/>
Declaration about Public Assistance	FL All Family 132		<input type="checkbox"/>

Step 2: Make Copies

Which documents do I need copies of?

- Petition for Legal Separation
- Proposed Parenting Plan (only if there are dependent children)

You do not need copies of the Case Assignment Area Form, Confidential Information or Vital Statistics. The originals will be filed with the Clerk.

How many copies do I need?

- **Original** set to file with the Clerk's office.
- Copy 1 is for your records.
- Copy 2 is to give the other party.

Step 3: Start (file) your case

You can start (file), your case by either bringing your original forms to the Clerk's Office (room 2C in Kent and E-609 in Seattle),

OR

You can file your case online on the Clerk's website at:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/court-forms-document-filing/filing> If you have questions about e-filing call 206-477-3000, or email eServices@kingcounty.gov.

Step 4: Pay the fee

While starting the case, the Clerk will ask you to pay a filing fee. If you cannot afford to pay the fee, apply to waive the fee. This application is available here:

<https://kingcounty.gov/en/dept/dja/courts-jails-legal-system/courts-financial/fees-payments/fee-waiver>

Step 5: You must complete the family law class(es)

Self-represented parties must complete the Family Law Orientation by the deadline listed on your Case Schedule. You can register online at: <https://kcscfamlaworientation.eventbrite.com>. If you have questions or need to waive the fee, email FamLawOrientation@kingcounty.gov.

If you have children under 18, you must also complete the parenting seminar "What About the Children," by the deadline listed on your Case Schedule. You can register online at: <https://kcscparentseminar.eventbrite.com>. If you have questions or need to waive the fee, email Parentseminar@kingcounty.gov.

Step 6: Look at your Joinder (last page of your *Petition* or separate "*Joinder*" form)

If your spouse or registered domestic partner checked the first box indicating that they "waive notice", you are not required to serve the other party to finalize your case.

If your spouse or registered domestic partner checked the second box stating, "I ask the Petitioner to notify me about any hearings in this case," they must:

- Sign the completed documents in Step 7, **or**
- You must serve them the completed documents in Step 7. You can personally deliver the forms to the other party 14 days or mail the documents 17 days before the facilitators are scheduled to present your final documents to a judicial officer.

You must file a *Proof of Mailing or Hand Delivery* form with the Clerk's office to prove that your spouse/partner was properly served.

Proof of Mailing or Hand Delivery	FL All Family 112	Download form at www.courts.wa.gov/forms/	<input type="checkbox"/>
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Step 7: How to Finalize your Case

Default

If the other party does not file a Response to the Petition by the deadline, you may be able to finalize your case by default. There are instructions called “How to Ask for an Order of Default” under the “Motions and Orders” section here: <https://kingcounty.gov/en/court/superior-court/courts-jails-legal-system/court-programs-children-families/divorce-custody-adoption/how-to-resources-family-law>

Agreement

If you come to an agreement before trial, you can finish your case after your 90-day waiting period has elapsed. You may bring your signed final documents to the Facilitator’s office during walk-in hours or email to facilitators@kingcounty.gov.

Step 8: Complete Final Documents

Completely fill out and sign the forms below. As a self-represented party, you are responsible for filling out all final documents as you want the Court to sign them.

General Tips:

- 231 Findings and Conclusions and 241 Final Separation Order are twin documents. Any information in 231 must be repeated or referenced in 241.
- The other party must sign the final documents if they “Demanded Notice” on the Joinder or if they are the Petitioner.
- If the other party “waived notice,” they do not need notice of the final documents or to sign the final documents AS LONG AS the final documents contain the same information as the Petition for Legal Separation.

Form Name	Form Number	Notes	Completed
Declaration in Lieu of Formal Proof	Facilitators	This form allows the Facilitators to finalize your case on your behalf.	<input type="checkbox"/>
Findings and Conclusions About a Marriage	FL Divorce 231	Use FL Divorce 232 Findings and Conclusions About a Registered Domestic Partnership for Registered Domestic Partnership	<input type="checkbox"/>
Final Divorce Order (Dissolution Decree) / Legal Separation Order (Decree) / Invalid Marriage Order (Annulment Decree) / Valid Marriage Order (Decree)	FL Divorce 241	Use FL Divorce 242 Final Order Ending Registered Domestic Partnership (Dissolution Decree) for Registered Domestic Partnership	<input type="checkbox"/>

If you have children under the age of 18 you will also need:

Parenting Plan (Final)	FL All Family 140	<input type="checkbox"/>
Child Support Order	FL All Family 130	<input type="checkbox"/>

Child Support Worksheets	WSCSS-Worksheets		<input type="checkbox"/>
Child Support Schedule & Instructions	Use this information to calculate Child Support Worksheets. Online Child Support Calculation software is available at https://fortress.wa.gov/dshs/dcs/SSGen/Home		

You may also need these forms:

Restraining Order	FL All Family 150		<input type="checkbox"/>
Law Enforcement Information Sheet	PO 003		<input type="checkbox"/>

REMINDER:

All final documents must be filled out (see step 7 for the list of final documents). Your final documents are different than the documents you filed to start your case.

Documents must be signed by both parties: Unless the respondent waived notice, or you are finalizing by default both parties must sign all final documents.