

How to Ask for a Legal Separation

There **ARE** dependent children of this marriage
The parties are **NOT** signing the papers together
The parties are **NOT** in agreement
Service of the other party is **REQUIRED**

Forms may be downloaded for free at www.courts.wa.gov/forms or you may purchase them at the Clerk's Office

Step 1: Fill out these forms

Completed	Form Name	Form #	Notes
	Case Information Coversheet	Facilitator or clerk will provide	
	Confidential Information	FL All Family 001	
	Vital Statistics Form	Facilitator or clerk will provide	

Step 2: Fill out these forms and make copies

Completed	Form Name	Form #	Notes
	Summons: Notice about a Marriage or Domestic Partnership	FL Divorce 200	
	Petition for Legal Separation	FL Divorce 203	
	Parenting Plan	FL All Family 140	
	Child Support Worksheets	WSCSS - Worksheet	

- If you need temporary orders, please refer to HOW TO ASK FOR TEMPORARY ORDERS

Step 3: Copies needed

Originals to be filed with the Clerk

1 copy for your records

1 copy to give to the other party

1 copy to the Prosecuting Attorney's Office, if you have children who have ever received public assistance

Step 4: File your originals with the Clerk’s office and pay the filing fee

If you cannot afford to pay the fee,
Fill out these forms

Completed	Form Name	Form #	Notes
	Motion and Declaration for Waiver of Civil Fees and Surcharges	WPF GR 34.0100	
	Financial Statement	WPF GR 34.0300	
	Order re Waiver of Civil Fees and Surcharges	WPF GR 34.0500	

The forms are also available for download at www.courts.wa.gov/forms.

Turn in the Motion, financial statement and order, along with all of your completed paperwork to the Clerk’s Office prior to 11:00 am, your case will be heard at 1:00 pm (same day) and you must be present.

Payment can be made in the form of cash, cashier’s check, money order, debit/credit card. NO PERSONAL CHECKS.

Step 5: Serve the other party

The other party must be served a copy of **ALL** documents you file (except those in Step 1 above). **YOU CANNOT SERVE YOUR SPOUSE.** Someone else over the age of 18 must serve for you. The person who serves your spouse must complete, sign and give back to you:

Completed	Form Name	Form #	Notes
	Proof of Personal Service	FL All Family 101	

Make a copy for yourself.

Step 6: After the other party has been served

File the ORIGINAL Proof of Personal Service form with the Clerk. Put the Date stamp on your copy.

Step 7: Follow your case

You must wait:

20 days	If the other party was served in person in Washington State.
60 days	If the other party was served in person outside of Washington State, or by publication.
90 days	If the other party was served by mail.

Step 8a: If No Response is filed:

See instructions for Finalizing a Divorce by Default.

Step 8b: If a Response is filed

The other party AGREES with everything. To set a court date, Fill out this form

Completed	Form Name	FORM #
	Notice of Hearing	FL All Family 185

Step 8c: If a Response is filed

The other party is NOT in agreement, Fill out these forms

Completed	Form Name	Form #	Notes
	Notice to Set for Trial	http://www.clark.wa.gov/courts/documents.html	This will set a mandatory settlement conference
	Settlement Conference Affidavit	http://www.clark.wa.gov/courts/documents.html Fill out this form completely and file the Original. Keep one for yourself, give one to the other party and provide one to the Judicial officer presiding at your settlement conference at least one week in advance.	

If you settle the case at settlement conference, you will need to set a hearing to enter the final paperwork. To set the hearing, Fill out this form

Completed	Form Name	FORM #
	Notice of Hearing	FL All Family 185

File original with the clerk's office
Give a copy to the other party

If you do not settle the case at settlement conference, you will be contacted with a trial date. At the conclusion of the trial, the court will set a time for entry of the final paperwork

Step 9: Fill out these forms and take to your final hearing:

Completed	Form Name	Form #	Notes
	Findings and Conclusions About a Marriage	FL Divorce 231	
	Legal Separation Order	FL Divorce 241	
	Parenting Plan	FL All Family 140	
	Child Support Order	FL All Family 130	
	Child Support Worksheets	WSCSS - Worksheets	
	Residential Time Summary Report	FL Divorce 243	
	Certification	http://www.clark.wa.gov/courts/clerks	

Step 10: Go to your court hearing to finalize your legal separation

Take all your paperwork with you.

These instructions are legal information, not legal advice.

All of the above mentioned forms can be found on the Washington State Court website: www.courts.wa.gov/forms.