

Outline
Chelan County

CONTEMPT

This list of instructions is not a substitute for legal advice. Before starting any legal action, it is always wise to consult an attorney regarding your rights and responsibilities. Many attorneys offer consultations. The Family Law Court Facilitator and the Clerk's Office cannot give legal advice.

Your specific situation may require additional forms and procedures which may not be listed on this outline. Attached to this outline is a list of the forms contained in the complete packet available at the Chelan County Clerk's Office for a fee of \$10.00.

1. **FORMS:**

Obtain the forms listed in this outline. The Chelan County Superior Court Clerk sells **Contempt** packets which include the required state and local forms. The packet costs \$10.00. You may also download the forms for free at the Washington State Court website: www.courts.wa.gov/forms. Chelan County Local Court Rules and local forms are available for review or download at www.co.chelan.wa.us/superior-court or you may purchase individual local forms at the Chelan County Clerk's Office.

2. **HELP:**

If you need help understanding forms or procedures, the Family Law Court Facilitator can review your papers you have prepared yourself, answer questions and help you with procedures. The Family Law Court Facilitator cannot give legal advice, does not represent you, may assist but cannot fill out your papers for you and may also help the other party. There is a \$40 fee per 45-60 minute appointment. To see a Family Law Court Facilitator you must make an appointment by calling (509) 667-6380 or (509) 667-6236.

3. **COMPLETE THE FORMS:**

Complete the following forms. The Declaration form is used to fully explain the reason you are requesting the Court find the other party in contempt by failure to comply with a prior court order regarding a parenting plan or residential schedule, child support or spousal maintenance.

- *Motion for Contempt Hearing (FL All Family 165);
- *Declaration (FL All Family 135)
- *Order to Go to Court for Contempt Hearing (FL All Family 166)
- *Proof of Personal Service (FL All Family 101)
- *Contempt Hearing Order (FL All Family 167)

Make two copies of the completed forms. One set of copies is to be served on the other party and the other set is for you to keep for your records.

4. **OBTAIN A HEARING DATE:**

Bring the original and 2 copies of your Motion for Contempt Hearing, Declaration and Order to Go to Court to the Clerk's Office. There is a \$30 ex parte fee to present your Order to Go to Court to the Judge who will review your paperwork and set a hearing date. You will receive instruction from the Clerk to call 24 to 48 hours later to find out if the Judge signed the Order to go to Court that sets the hearing date.

When the Order to Go to Court is signed by the Judge, your Motion, Declaration and Order to Go to Court will be filed by the Clerk and your completed Contempt Hearing Order will be held by the Clerk for your hearing. The Clerk will conform your copies by stamping the "filing date" and the Judge's name stamp on your papers. You will need to come into the Clerk's Office to pick up your copies.

5. SERVICE:

You cannot serve your own Contempt papers. The person serving the papers must be 18 years or older and cannot be a party to the action. You may arrange to have law enforcement or a private process server serve your papers for a fee. The person serving the papers must complete and sign a Proof of Personal Service. Make sure that all the documents that were served are listed on the **Proof of Personal Service** and the date, time and place of service are filled in. This is your proof that the other party was properly served.

6. FILE THE PROOF OF PERSONAL SERVICE :

File the Proof of Personal Service at the Clerk's Office. It must be in the file for the Judge to proceed with your Contempt hearing.

7. PREPARE FOR HEARING:

- Review and study copies of your paperwork and any papers you may have received from the other party.
- Prepare a short statement to read to the judge that includes your name, your relationship in the case and the reasons you are asking the judge to sign your papers.
- Attend the Hearing.
- If the other person does not come to Court, you may ask the Court for a Bench Warrant. Forms for this motion are available in the Chelan County Clerk's Office.

Helpful Phone Numbers and Websites

Chelan County Superior Court Clerk's Office (509) 667-6380

Volunteer Lawyer Program of Chelan County (509) 663-2778

CLEAR line for a referral to the Volunteer Legal Professional (888) 201-1014

State Prosecuting Attorney – Family Support Division (360) 336-9461

www.courts.wa.gov/forms to download standard family law forms

www.washingtonlawhelp.org for general information on a variety of legal topics

www.nwjustice.org for general information and resources

www.co.chelan.wa.us/superior-court Superior Court website

www.co.chelan.wa.us/clerk Chelan County Clerk website.

www.dshs.wa.gov/dcs Washington Division of Child Support (forms and information)

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Steps 1 – 3 CONTEMPT PACKET

Step 1 – Contempt Motion

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| Motion for Contempt Hearing |
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| Declaration Form |
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| Order to Go to Court for Contempt Hearing |
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Step 2 – Serving the papers

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| Proof of Personal Service |
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Step 3 – Contempt Hearing

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| Contempt Hearing Order |
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