

OUTLINE
CHELAN COUNTY

PARENTAGE
(child in common and not married to the other parent)
TEMPORARY ORDERS

Use this outline if you need Temporary Court Orders for a residential schedule/parenting plan, child support and/or temporary restraining orders.

If you have not already filed petition for a residential schedule/parenting plan and/or child support, you must first file a new case with this motion. You may not file a Motion for Temporary Orders unless you have a pending family law case or you are filing a family law case at the same time that you are filing this motion.

Local Court Rule 94.04 requires that all pro se (self-represented) people have their proposed Temporary Orders and all Final Orders reviewed and approved by the Family Law Court Facilitator, Navigator, Limited License Legal Technician or private attorney before the Clerk can set a hearing date. You may call the Chelan County Clerk's Office at (509) 667-6380 or (509) 667-6236 to make an appointment with the Family Law Court Facilitator. The fee for a 45-60 minute appointment is \$30.00. The Court Facilitator will review your forms, answer questions, help you complete the process and set the hearing date.

1. **FORMS:** Obtain the forms listed in this outline. The Chelan County Superior Court Clerk sells *Parentage Temporary Order* 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 view and 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 completed 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 your papers out for you and may also help the other party. There is a \$30 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:**
Fill out:
 - ***Motion for Temporary Family Law Order [] and Restraining Order (FL Parentage 323)**
 - ***Declaration (FL All Family 135)**
 - ***Note for Motion Calendar (a Local Court Form in the packet or available at the Clerk's Office)****OR**
 - ***Notice of Hearing (FL All Family 185)**

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

4. **FILE YOUR PAPERS:** File your papers with the Chelan County Superior Court Clerk. There is no fee to file these papers, however you must have an open family law case or file these documents at

the same time you open a new family law case. For example if you need temporary court orders you must have already filed a summons and petition for residential schedule/parenting plan and/or child support or you must file a new case at the same time as this motion. If you are filing a new case at the same time as the motion the filing fee is \$260. If the filing fee causes a financial hardship you may apply for a "Fee Waiver" by requesting a "Fee Waiver Packet" from the Clerk. If the case has already been filed, there is no additional fee to file your motion.

5. **SETTING THE HEARING DATE:** At the time you file your **Motion for Temporary Family Law Order**, you must also provide pre-approved **Proposed Temporary Orders** for the Judge to sign at the hearing. Depending upon your requests in the motion the Proposed Temporary Orders may include:

- ***Temporary Family Law Order (FL Parentage 324)**
- ***Residential Schedule (FL Parentage 303) or Parenting Plan (FL All Family 140)**
- ***Child Support Worksheets (WSCSS)**
- ***Child Support Order (FL All Family 130)**
- ***Restraining Order (FL All Family 150)**
- ***Law Enforcement Information Sheet (WPF All Case 01.0400)**

6. **SERVICE:** Have the other party served. Although this Motion by itself does not require personal service, if you are filing this motion at the same time you file a Summons and Petition you may have the papers listed in #3 above served at the same time. The person personally serving your papers must be 18 years or older and cannot be a party to your case. The papers must be personally handed to the other party. You cannot serve the other party yourself. The person serving the papers must completely fill out and sign a **Proof of Personal Service (FL All Family 101)**. Make sure that all the papers that were served are listed on the **Proof of Personal Service** and that the date, time and address of service are filled in. This is your proof that the other party was properly served. File the **Proof of Personal Service** at the Clerk's Office.

If you are filing this motion AFTER the Summons and Petition have been served to the other party, you may give notice of your request for temporary orders by mailing or hand delivering the other party a copy of the papers listed in #3 above. If you choose to have the papers mailed, they must be mailed at least 8 days prior to the hearing date. If you choose to have the papers hand delivered, they must be provided to the other party at least 5 days prior to the hearing date. You cannot mail or hand deliver the papers, you must have someone who is 18 or older do so, who will complete a **Proof of Mailing or Hand Delivery (FL All Family 112)**. Make sure all the papers mailed or hand delivered are listed on the **Proof of Mailing or Hand Delivery** and the form is completely filled out. This is your proof the other party received notice of your request for temporary orders and the hearing date. File the completed **Proof of Mailing or Hand Delivery** at the Clerk's Office. The Judge cannot consider your request for temporary orders if there is not proof in the file that the other party received notice.

7. **ATTEND THE HEARING:** The Judge will make an order based on the paperwork you filed, any responding papers filed by the other party and any other information provided at the hearing. Your Proposed Temporary Orders will be used by the Judge to set out the Court's Order. Once the Temporary Orders are signed by the Judge, they become effective immediately and will remain in effect until further order of the Court.

<p>If you need help understanding the forms or procedures, the Family Law Court Facilitator can review your papers you've completed, answer questions and help you with procedures. There is a \$30 fee for a 45 to 60 minute appointment. You must make an appointment by calling (509) 667-6380 or (509) 667-6236. Fill out the forms to the best of your ability and bring all the forms listed above with you to the appointment. The Court Facilitator will review your papers, answer questions and help you set a hearing date.</p>
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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. Your specific situation may require additional forms and procedures which may not be listed on this outline. The Family Law Court Facilitator and the Clerk's Office cannot give legal advice.

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)

Steps 1 – 2 PARENTAGE TEMPORARY ORDERS

Step 1 – Temporary Orders

Motion for Temporary Family Law Order and Restraining Order
Declaration
Note for Motion/Notice of Hearing
Proof of Mailing or Hand Delivery (for documents after Summons and Petition)

Step 2 – Temporary Hearing

Temporary Orders: Temporary Family Law Order Additional Temporary Orders may include: *Temporary Residential Schedule/Parenting Plan *Temporary Order of Child Support *Child Support Worksheets
Temporary Restraining Order
Law Enforcement Information Sheet

***You may use your Proposed Residential Schedule/Parenting Plan, Proposed Child Support Worksheets and Proposed Child Support Order as Temporary Orders.**