

# COVID MOTION INSTRUCTIONS FOR MATTERS SCHEDULED WITH A FAMILY LAW MOTIONS CALENDAR NOTE

\*\*\*\*\*THESE INSTRUCTIONS ASSUME THAT YOU HAVE ALREADY FILED YOUR UNDERLYING CASE AND HAVE A CASE NUMBER\*\*\*\*\*

**COMPLETELY FILL OUT FORMS:** Make sure that your caption is correct (names of parties and case number)

## **A. FILING YOUR PAPERS**

1. Make at least 3 sets of copies (you will now have the originals and 3 additional sets of copies). *Make sure that each document is separately stapled after you make copies and before you file.*
2. File your ORIGINALS with the Clerk's Office, 2<sup>nd</sup> Floor, Room M206 with any applicable filing fee. The Clerk's Office is currently taking cashier check or money order. You can either mail your documents to the Clerk's Office at 3000 Rockefeller M/S 605 Everett 98201 or deposit your documents in the slot in the Clerk's Office door.
3. One copy is a "Working Copy" for the Court Commissioner. Put the hearing date and time at the top of this copy and deliver it to Room 1523 (previously Room C-123), on the 1st Floor of the Courthouse. **You should also include your proposed orders for the court to sign if your motion is approved.**
4. One copy is for your records.
5. One copy must be served on all other parties or their attorney no later than at least 12 calendar days before the hearing.
6. One copy must be served on the State (if applicable\*).

[\* It is necessary to serve the State (Prosecuting Attorney's Office-Family Support Unit currently receiving documents at the reception desk in the Criminal Division of the Prosecutor located on the 1<sup>st</sup> floor of the courthouse Mission Building) on any matter where the State of Washington has been involved or where the children have ever received public assistance. I.E. State initiated action, AFDC, TANF, medical benefits, etc. unless they have filed a notice of withdrawal.]

7. You are responsible to see that service and proof of service is correct. After service on the other party, your server will complete the Proof of Service (clearly indicating the documents that were served, the date and time of service, the address of service and signed by the server) and give it back to you. You need to file this completed form with the Clerk's Office, M206 (no charge). Keep a copy for your records. The court will be unable to proceed with your hearing without proof of service

*The person serving must be 18 years or older and someone other than you.*

## **B. CONFIRM HEARING**

Parties are required to confirm their hearing by Noon, Two (2) Court days BEFORE your hearing. Parties may submit their confirmation [here](#).

## [Confirmation Frequently Asked Questions](#)

*IF YOU DO NOT CONFIRM YOUR HEARING, YOUR MOTION WILL NOT BE HEARD AND YOU WILL NEED TO START THIS PROCESS AGAIN.*

### **C. HEARING**

After confirmation, the judicial officer will decide if they will hear argument or make a ruling on the submitted materials only. Parties should check [Superior Courts website](#) to determine if argument has been requested. If argument is requested, parties can connect to the hearing remotely by through these [Zoom links](#). At the hearing, you can present your position, but you cannot present new facts not in the documents filed and you cannot present anyone's testimony.

### **D. OBTAINING YOUR ORDERS**

If your hearing was without oral argument, the court will file any signed orders. Those may be obtained by visiting the Clerk's office, [the Washington State Digital Archives or Odyssey Portal](#) (if you have a subscription). Please note that on average it takes 2 – 3 court days for documents to be available for viewing and/or obtaining copies.

The commissioner may modify your order(s) or not sign them due to procedural error or are otherwise found to not be acceptable. Information regarding the court's decision is also available through the options listed above.