

HOW TO OBTAIN TEMPORARY ORDERS (Unmarried Parents)

SPOKANE COUNTY FAMILY COURT FACILITATOR

Temporary Orders can provide restraining provisions, temporary use of the home, vehicles, and property, responsibility for debts, as well as the temporary placement of the minor children and child support.

File and serve the following documents either at the SAME time you initiate the legal action or at ANY time throughout the action. Be sure to put the case number on the front page of each document.

Checklist of Steps to Complete:

_____1. Fill out the following papers completely and sign. Print clearly in black ink or type.

- () *Notice of Hearing of Family Law Motion Calendar*
(<http://www.spokanecounty.org/DocumentCenter/Home/View/3627>)

(You must schedule any hearings before the Commissioner assigned your case. To determine if your case has been assigned to a Court Commissioner and/or to determine which day your assigned Commissioner is scheduled to hear motions, please see the Court's web page:

<http://www.spokanecounty.org/DocumentCenter/View/4266>)

or call the Superior Court Clerk's Office at 509-477-2211.)

(You must choose the day that is appropriate for your matter. The date should be at least 14 days from the date you file the documents in court and serve them on the other party, not including the date of service on the other party.)

- () *Motion for Temporary Family Law Order and Restraining Order (FL Parentage 323)*

- () *Information for Temporary Parenting Plan (FL All Family 139) (if children and placement/contacts are at issue)*

- () *Your Declaration (FL All Family 135) and those of others who can support your position, if needed. Be specific in providing details, avoid stating what someone else has told you, and be certain everything has been personally observed. You should type or print very clearly in black ink.*

- () Your *Financial Declaration (FL All Family 131)* if there are finances at issue, such as payment of bills, appointment of a Guardian ad Litem, payment of attorney fees.
- () Proposed *Parenting Plan (FL All Family 140)*, *Child Support Worksheets (SCSS Worksheets)* and Proposed *Child Support Order (FL All Family 130)*, if these are issues needing to be addressed and have not already been filed.

_____2. Make two copies (original and two copies) of documents before going to court and staple each separate document.

_____3. File the original of each document with the Spokane County Superior Court Clerk, Room 300, between the hours of 8:30 a.m. – 12:00 noon and 1:00 p.m. – 4:00 p.m., Monday through Friday and put the date stamp on the top, front page of each of your copies.

_____4. A copy of all documents filed with the court must be personally served on the opposing party by a third person. **YOU** cannot serve the opposing party. The person who serves the opposing party, must complete and sign the *Proof of Personal Service (FL All Family 101)* form. Make a copy for yourself.

_____5. After the opposing party has been served, file the *Proof of Personal Service* form with the Superior Court Clerk. Put the date stamp on your copy.

_____6. The party seeking temporary orders must call in the case as “ready,” **three court days prior to the hearing**, using the Family Law Coordinator’s Office main line of 509-477-5702 extension 0, or by emailing familylaw@spokanecounty.org, and provide a copy of the signed mandatory local form Family Law/Paternity Motion Status Report:

<https://www.spokanecounty.org/DocumentCenter/View/3675/Family-Law-Paternity-Motion-Status-Report-PDF?bidId=>

Please see the court’s local rules:

<https://www.spokanecounty.org/DocumentCenter/View/34440/2020-Local-Court-Rules-Effective-912020?bidId>

_____7. Attend your scheduled hearing for temporary orders.

Be prepared to tell the Court why the proposed temporary orders are necessary.

If you are participating in the hearing via Zoom, instructions can be found on the Superior Court’s website at:

<https://www.spokanecounty.org/DocumentCenter/View/33364/Participant-Instructions-for-Zoom---Family-Law>

_____ 8. If you and the other party reach agreement on a *Temporary Family Law Order (FL Parentage 324)* or Continuance: 1) Complete the Temporary Family Law Order or Continuance and both parties sign it; 2) Copies can be made for a fee in the Clerk's Office on the third floor of the courthouse; 3) The original Temporary Family Law Order (by agreement) or Continuance should be handed to the courtroom clerk in courtroom 202 and when it has been signed by the Court, you should return to Room 300, between the hours of 8:30 a.m. – 12:00 noon and 1:00 p.m. – 4:00 p.m., to stamp your copies with the name of the Commissioner/Judge who signed the order and place the filing stamp in the upper right hand corner of the documents; 4) Provide a copy to the other party.

_____ 9. At your hearing: You should take notes when the decision is stated so you do not forget any of the provisions ordered when you write out the order; You will need to complete the *Temporary Family Law Order (FL Parentage 324)* form to show what the Court ordered or decided and follow the judicial officer's instructions on submitting the order.

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

The Family Court Facilitator, Room 200, Family Law Center, is available to review your documents and answer procedural questions. It is recommended you have all documents reviewed before filing and presenting to the court.