

INSTRUCTIONS-DIVORCE WITH CHILDREN WHEN THE PARTIES AGREE

1. Obtain the forms listed in this outline. The Skagit County Superior Court Clerk sells a packet for ***Divorce with Children, which*** includes the required state and local forms. You may also download the forms for free at www.courts.wa.gov/forms . **Skagit County Local Court Rules** and local forms are available for purchase at the Clerk’s Office or can be downloaded at www.skagitcounty.net (see links to Superior Court).
2. If you need assistance with forms or procedures, the Court Facilitator can review forms you have prepared yourself, answer questions, or help you with procedures. ***You may need more than one appointment.*** The Facilitator cannot give legal advice and does not represent you. The Facilitator may also assist your spouse. There is a \$20 fee per 30 minute appointment. Make an appointment by calling (360)416-1200.
3. Fill out:
 - **Petition for Divorce (FL Divorce 201);**
 - **Parenting Plan (FL All Family 140)** filled out as a “Proposal”;
 - **Child Support Worksheets (WSCSS Worksheets);**
 - **Confidential Information (FL All Family 001);** and
 - **Certificate of Dissolution.**

Both parties must sign the **Petition for Divorce**, the **Parenting Plan**, and the **Child Support Worksheets**. Make 2 copies of the documents so that each party has a copy. One way to create the Child Support Worksheets is to use the Child Support Calculator found at: <https://fortress.wa.gov/dshs/dcs/SSGen/Home>

4. File your documents with the Skagit County Superior Court Clerk. The filing fee is \$314 payable in cash, money order, Cashier’s Check, MasterCard, Visa, Discover or American Express. There is an additional fee if a credit or debit card is used. You can have the filing fee waived if you qualify. The Clerk’s Office has a free “**Fee Waiver Packet**” that explains this process.
5. At the time of filing, an **Automatic Temporary Restraining Order (TMRO)** is entered by the Court. This Court Order limits what both parties can do financially and with children while the case is pending. Review the **TMRO** carefully. ***This is not a restraining order that prohibits the parties from contacting each other.*** You must have your spouse served (by a third party) with a copy of the **TMRO** and file a **Proof of Personal Service (FL All Family 101)**, or you may hand the **TMRO** to your spouse and have your spouse sign a **Service Accepted (FL All Family 117)** and file that.

Local Court Rules require all persons involved in a custody/visitation action to complete an approved parenting seminar before final orders are entered. Your early completion of any one of these programs may decrease the stress for you and your child or children and speed up the resolution of your legal proceeding. The following parenting seminars are accepted in Skagit County: “**Successful Co-Parenting**” in person class www.SuccessfulCo-Parenting.com (360) 399-6429 (Available in English and Spanish); “**Two Families Now**” at www.TwoFamiliesNow.com (541)343-4747 (Select 4 hour class-Available in English and Spanish); “**Children in Between**” Class at online.divorce-education.com (Select the 4 hour class-Available in English and Spanish); and “**Co-Parenting**” Class at

www.OnlineParentingPrograms.com (Select the 4 hour class-Available in English and Spanish). You must file proof that you have completed a parenting seminar.

6. You cannot finish your divorce sooner than 90 days after you filed it. During your 90 day waiting period, finish the following 7 documents but ***do not file them:***
 - **Findings and Conclusions About a Marriage (FL Divorce 231);**
 - **Final Divorce Order (FL Divorce 241);**
 - **Child Support Order (FL All Family 130);**
 - **Child Support Worksheets (WSCSS Worksheets);**
 - **Parenting Plan (FL All Family 140);**
 - **Affidavit in Support of Entry of Decree (local court form) (*Must be signed by one party in front of notary*)**
 - **JIS Form (local court form).**
7. ***Local Court Rules require that you meet with the Court Facilitator prior to finalizing your divorce.*** Make an appointment with the Facilitator and bring your completed final documents listed above. The Facilitator will review your final documents and help you set your final divorce hearing.
8. Both parties must sign the final orders. The Court could decide not to sign final orders if one party has not signed.
9. One party must sign an affidavit in support of entry of decree in front of a notary prior to your hearing. The affidavit will be provided to you at your final appointment with the court facilitator.
10. You will **NOT** go to the final hearing, as it will be scheduled for the Agreed non-appearance calendar. A Judge or Commissioner will sign your final papers if they are all in order and you can get copies of the final documents after the hearing from the Clerk's Office for a fee.

Helpful Phone Numbers and Websites:

Skagit County Superior Court Clerk's Office (360) 416-1800
Skagit County Superior Court Administration (360) 416-1200
Skagit County Law Library (360) 416-1290
Volunteer Lawyer Program of Skagit County (360) 416-7585
CLEAR line for a referral to the VLP (888) 201-1014
State Prosecuting Attorney – Family Support Division (360) 416-1161

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.skagitcounty.net Skagit County website (follow the links to Superior Court).

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

<https://fortress.wa.gov/dshs/dcs/SSGen/Home> DCS Support Calculator (use to create a child support worksheet).

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 Facilitator and the Clerk's Office cannot give legal advice. Only an attorney can give legal advice.