

**DIVORCE
(DISSOLUTION OF MARRIAGE)
WITH CHILDREN
For Agreed Cases**



Prepared by the Office of the Courthouse (Family Law) Facilitator

This kit contains forms and instructions for obtaining an **agreed** divorce (dissolution of marriage) from Clallam County Superior Court. This kit is designed for those with dependent children of the marriage being dissolved and who are acting pro se (without an attorney).

The information contained in this kit is not intended to be, nor should it be taken as legal advice.

INFORMATION ABOUT DIVORCE (DISSOLUTION OF MARRIAGE)

In the State of Washington a person may get a divorce (dissolution of marriage) without having to prove any wrongdoing; rather, either spouse may petition the court to end his or her marriage because it is irretrievably broken. The Court will decide how to divide property and debts and whether to order spousal maintenance (alimony), if it is requested. The Court must also establish a parenting plan and child support for any dependent children of the marriage.

Starting the Case

This kit is designed for those who are in complete agreement as to all terms of the divorce (dissolution of marriage), including property and debt division, spousal maintenance (if desired), provisions for residential placement of and visitation with the children, and child support. Use of this kit requires both spouses to cooperate in completing and signing all of the necessary paperwork. It does NOT contain instructions or forms for serving a spouse, for obtaining temporary orders or a default order, or for scheduling a settlement conference and trial date.

An **agreed** divorce (dissolution of marriage) is started by filing a Confidential Information Form, Case Information Cover Sheet, Vital Statistics Certificate of Dissolution, and Petition for Divorce (Dissolution of Marriage) at the Clallam County Clerk's office on the second floor of the Clallam County Courthouse.

The spouse filing the Petition is the "petitioner" or "moving party"; the other spouse is the "respondent" or "nonmoving party."

The Petition also tells the Court what the petitioner would like the court to order concerning the parties' property, debts, and children. The Petition can be filed by any person who is a resident of Washington or is a member of the armed forces and is stationed in Washington, or is married to a resident of Washington or to a member of the armed forces who is stationed in Washington. Assuming your divorce is agreed, both spouses will sign the Petition before it is filed.

There is a \$364 filing fee for filing the Petition. An application for deferral of payment or waiver of the filing fee can be made to Clallam County Superior Court in cases of indigency (low income status).

Washington State has a 90-day waiting period for divorces. The court cannot enter a Divorce Order (Dissolution Decree) until 90 days have passed since the agreed Petition was filed. The 90-day waiting period cannot be shortened, even if both spouses agree.

Forms to Be Used

Washington State has forms approved by the Administrative Office of the Courts that must be used in a divorce proceeding. The forms are identifiable by the title and number in the lower left-hand corner of each page of every form. This kit contains the forms you will likely need for your situation. If you need a Washington Pattern Form that is not in this packet, you can obtain it from a variety of sources, including the Family Law Facilitator, The local Northwest Justice Project office, WashingtonLawHelp.org or at Washington Court Forms website (<https://www.courts.wa.gov/forms>).

The forms you or your spouse files with the court become part of a permanent public record. You may hear these forms referred to as pleadings, filings, pattern or mandatory forms, documents, or court papers. You can view your court file and obtain copies (for a charge) of any documents in the file at the Clallam County Superior Court Clerk's office.

It is a good idea to make your own copies of documents before they become part of the court file. The Clallam County Superior Court Clerk's office has stamps to show the date you filed a document and the name of the judge or court commissioner who signed an order. Stamping your copies in this manner is called "conforming copies." Ask the clerk if you need help conforming your copies.

Keep an organized file of copies of all forms you have filed and which you have received from your spouse. In addition, keep dated notes of all conversations with your spouse, your spouse's attorney, or others involved in your case. Keep letters and other documents concerning your case, even if they are not part of your court file.

Note about Property Division

The Court must make a fair and equitable division of your property and debts.

Everyone has property to be divided. Even if you and your spouse do not own a house, you have personal property that either has been divided already or needs to be divided. At a minimum, the Court will expect to see a statement that the parties have

fairly and equitably divided their property or that each party will keep the personal property in that party's possession.

Although the general rule is that property and debt division must be fair and equitable, sometimes the division is not equal because of a higher future earning power of one spouse, or because one spouse may have devoted time raising children instead of pursuing a career, or because of other factors. Another general rule is that property and debt division is permanent and final and cannot be modified at a later date.

Property settlement issues can be complex. This is especially true if there are retirement benefits to be divided, if real estate will be sold and the proceeds divided after the dissolution is final, or if either spouse is considering bankruptcy. It is always a good idea to consult with an attorney to get advice about your rights and responsibilities. If your case has complex property issues, consulting an attorney is extremely important.

Note about Children

If you and your spouse have dependent children from this marriage, you will be required to attend a four-hour parenting class which focuses on keeping the children out of the middle of your family law action and positively supporting children through family changes. There are two classes to pick from (see flyers in this packet); you will need to complete your class and submit your Certificate of Completion prior to entry of your final parenting plan. You will also need to complete a Parenting Plan and Child Support Order, including Child Support Worksheet. The Parenting Plan should be in the child/ren's best interest, not the parents'. Child support must be calculated according to the Washington State Child Support Guidelines. The Family Law Facilitator or an attorney can calculate child support based on the financial information you provide, or you can calculate support using the worksheets and instructions included in this kit. Only an attorney can provide legal advice as to your rights and responsibilities with regard to your children.

If you or your spouse now receive public assistance for the children of this marriage, or if benefits were received in the past and child support is owed to the State of Washington, you must tell the Prosecuting Attorney about the divorce and get approval for the child support orders. More information about what you must do is outlined in the document entitled "Declaration about Public Assistance."

If a child has been born to a party during the marriage, or if one party is pregnant now, and the other spouse is not the parent, you should immediately consult an attorney for

Agreed Divorce (Dissolution of Marriage) with Children - Pro Se Instruction Packet

Updated 7/25/2025

Page | 4

legal advice. You, your spouse, and the child's father/other parent have rights and responsibilities that can be affected by a dissolution. The Court will act in the child's best interest and will make sure the child's rights are protected. Only an attorney can advise you as to what is best for you.

The Courthouse (Family Law) Facilitator

The Family Law Facilitator is available to answer limited questions regarding your divorce action and other family law matters. The Facilitator cannot give you legal advice or act as your attorney, but can help identify the forms you need, give some help completing the forms, calculate child support per your figures, provide procedural guidance in scheduling hearings, and review forms for completeness. You may visit the Facilitator at any stage in your case. You may have the Facilitator review your final documents before presenting them to the Court.

There is a \$35.00 fee for the Facilitator's help, per session. Most folks who are working on a pro se divorce (involving children) will visit with the Facilitator two to three times, from beginning to end.

Keep in mind that the Family Law Court Facilitator is not your attorney. Your conversations with the Facilitator are not confidential. The Facilitator may be assisting your spouse. The Facilitator's help is not designed to take the place of the advice of an attorney. You should consult an attorney if you need legal advice.

The Court may make decisions that can have a significant impact on you, such as requiring you to pay money to your spouse, garnishing your wages, or limiting when you can see your children. If you represent yourself pro se, you will be expected to know all the laws and court rules that apply to your case as if you were a lawyer. Getting legal advice is an important step any time you are involved in a legal proceeding. To find an attorney, ask a friend or family member for a referral, use the yellow pages, or call your local or state bar association. Those with low income may obtain free legal services through the Northwest Justice Project's CLEAR line at (888) 201-1014.

How to obtain a divorce (dissolution of marriage)

This kit contains one set of the forms you will need to complete your divorce in Clallam County Superior Court. It is a good idea to read all of the instructions before you begin filling out the forms. It is not unusual for the forms to ask for information you have already supplied in another form. Provide the information each time it is requested. If you do not understand what the form is asking for, you can get help from the Courthouse Facilitator.

Step 1: The basics of filling out forms

General Guidelines for Completing Legal Forms

- PRINT NEATLY IN INK OR TYPE THE FORMS
- USE BLUE INK FOR SIGNATURES
- PHOTOCOPY EACH COMPLETED FORM BEFORE FILING IT

The Caption

The top portion of each form is called the caption. The caption will be filled out the same way on each form. A sample caption is shown below. The underlined portions will be completed, using the names or case number appropriate in your case.

Superior Court of Washington, County of _____	
In re the marriage of: Petitioner <i>(person who started this case)</i> : _____ And Respondent <i>(other spouse)</i> : _____	No. _____ Petition for Divorce (Dissolution) (PTDSS)

Step 2: Complete and file the forms to start your case

To start your ***agreed*** divorce, complete these documents:

- Case Information Cover Sheet – Domestic Cases
- Confidential Information Form -- FL All Family 001
- Dept. of Vital Statistics Certificate of Dissolution -- DOH 422-027
- Summons: Notice About a Marriage or Domestic Partnership -- FL Divorce 200 (if you need to serve the Respondent) or
- Agreement to Join the Petition (Joinder) if the respondent agrees to the Petition
- Petition for Divorce (Dissolution) -- FL Divorce 201. **Note: You and your spouse must sign this form prior to filing**
- Notice Re: Military Dependent -- FL All Family 103
- Financial Declaration -- FL All Family 131
- Sealed Financial Source Documents for each spouse (including: 6 month pay stubs or proof of earnings; 2 years W2s/tax records; latest statement on loans or other debts.) -- FL All Family 011
- Washington State Child Support Schedule Worksheets -- WSCSS - Worksheets

File the originals of these documents (listed above) at the Clallam County Superior Court Clerk's office on the second floor of the Clallam County Courthouse. You may bring photocopies with you, if desired. The filing fee is \$364, payable in cash or with a debit/credit card. Have the date stamped on the upper right-hand corner of the first page of all photocopies and make sure your case number appears on each of the documents. If you don't have copies, you are welcome to purchase them from the clerk's office.

If you cannot afford to pay the \$364, you can request to have the filing fee waived due to indigency (low income status). Bring the originals of your initial documents to the Clerk's Office. Ask the staff for a fee waiver kit. Complete and sign each of the three forms and return to the clerk with your initial documents.

You will need to file all documents with the clerk's office before 11:00 am and come back to court the same day at 1:00pm, and the judge/commissioner will generally review it and make a decision. If denied, you or your spouse will likely be required to pay the \$364.00 before your case will be filed.

Step 3: Mandatory Parenting Class

Pursuant to Washington State law you must attend a Mandatory Parenting Seminar prior to finalizing your divorce. Information regarding the class can be found in this packet. (<https://www.onlineparentingprograms.com/>)

Print out your Certificate of Completion and file it in your court file.

Step 4: Complete Your Final Dissolution Documents

During your 90-day waiting period, prepare these forms for presentation to the court:

- Child Support Worksheets – WSCSS - Worksheets
 - The Family Law Facilitator can calculate child support for you, using your financial information.
- Child Support Order -- FL All Family 130
 - **Note:** If either parent is receiving Public Assistance, or if a parent has previously received Public Assistance and a debt is owed to the State for the past assistance, the Prosecuting Attorney's Office, Child Support Division, **must** approve the order before it is presented to the court. See the form entitled "Declaration about Public Assistance" included in this kit.
- Parenting Plan (Final Order) -- FL All Family 140
- Findings and Conclusions About a Marriage -- FL Divorce 231
- Final Divorce Order (Dissolution Decree) -- FL Divorce 241
- Residential Time Summary -- FL Divorce 243

You and your spouse must sign each of these forms.

Step 5: See the Courthouse (Family Law) Facilitator for a Review of Your Final Documents

The Family Law Court Facilitator can review your final documents from Step 4 above for accuracy and completeness before your paperwork can be presented to the judge/commissioner. Additionally, they will also check that the parents have taken the Children in Between course. They will double-check that 90 days have passed since the filing of the agreed petition. At this time, the Facilitator will make arrangements with you to get your case and paperwork before the judge, whether by setting a hearing date or preparing for "ex parte" entry. There is no fee for setting and attending court hearings for entry of your final orders.

Step 6: Present Your Final Documents to the Court

IF you scheduled a hearing date: Be on time to your hearing at the Superior Courtroom 3. When your case is called, come forward to the “bench.” Answer the Court’s questions truthfully and completely.

If you selected the Ex Parte method: Drop off your packet of completed paperwork to the Clerk’s office. The judge/commissioner will review and sign your paperwork that same day.

Step 7: Get copies of final orders

You are welcome to stop by the Clerk’s Office any time to purchase copies of the final papers that were signed by the Court.