

INSTRUCTIONS: DIVORCE WITHOUT CHILDREN WHEN THE PARTIES AGREE

1. Obtain the forms listed in this outline. The Skagit County Superior Court Clerk sells a packet for ***Divorce without 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. ***During Pandemic, appointments are conducted telephonically until further notice.***

3. Fill out:

- **Petition for Divorce (FL Divorce 201);**
- **Certificate of Dissolution;** and
- **Confidential Information (FL All Family 001).**

Both the parties must sign the **Petition for Divorce**. Make two copies of the documents so that each party has a copy.

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 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.
6. You cannot finish your divorce sooner than 90 days after you filed it. During your 90 day waiting period, fill out the following documents but ***do not file them:***
 - **Findings and Conclusions About a Marriage (FL Divorce 231);** and
 - **Final Divorce Order (FL Divorce 241).**
 - **Affidavit in Support of Entry of Decree (Local court form) (Must be signed in front of notary)**

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:

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

Helpful Websites

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).

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.