

# Kitsap County Clerk's Office (Superior Court Matters)

Office Hours: 8:00 AM -- 12:15 PM and 1:00 PM -- 4:30 PM, Monday - Thursday,  
8:00 AM -- 12:15 PM Fridays. Closed on all Court Holidays.

## PRO SE LITIGANT INFORMATION (civil cases)

Understanding and making your way through the court process is not easy and can be frustrating, especially for those handling their own legal representation (pro se litigants). There are many state and local court rules and procedures and everyone appearing before the Superior Court is expected to follow them. Although a brief handout can never tell you everything you need to know, it is hoped that the following information will be of some assistance to those who are representing themselves:

### **GENERAL INFORMATION ABOUT PAPERWORK**

You may obtain the correct forms on-line or purchase them from the Clerk's Office, a stationery store or a bookstore. Store-bought forms should be for use in Washington only. **Do-it-yourself forms do not exist for every kind of case**, so you may need to create your own forms or hire an attorney or paralegal to create forms for you. Forms must be completed in ink (written with a pen or typed—no pencils). Documents do NOT need to be signed in front of the Clerk. You may sign them ahead of time. Notarization is only required if the form has a place for a notary to sign. The Clerk's Office does not provide notary services.

Make at least 3 copies of your completed forms. Keep 1 set of copies for your personal records, and 1 set for when you have a hearing—you will provide them to the judge as bench copies. You must also have at least 1 set of copies for serving on the other party.

The Clerk's Office only takes original documents with original signatures for filing in your court file. Be sure to bring the copies of what you are filing to conform them (stamp it to match the original document). **Always remember and keep a record of your case number (i.e. 11-2-00123-4).**

Once you give the Clerk's Office any paperwork to file, they are required by law to charge you for copies made from your file. The fee is \$0.50 per page for non-certified copies from paper records and \$0.25 per page for non-certified copies from imaged (electronic form) records. Certified copies are \$5.00 for the first page and \$1.00 per page thereafter for each document copied from your court file.

### **STARTING AN ACTION AGAINST SOMEONE ELSE:**

If you are starting an action, you are the "petitioner" or "plaintiff" or "moving party".

1. Before anything can happen in court, you need to fill out the paperwork, file your case, and pay the filing fee (cash or money order only). The first forms you fill out are a "Petition" or a "Complaint". You must also fill out a "Summons" if your case is contested. Filing these forms and serving copies on the defendant/respondent starts your case.
2. You will need to serve the other party (through law enforcement, a process server, or an adult other than yourself who is not involved in your case) and file a Declaration or Return of Service form to prove that the other party has been served.
3. You then wait to see if the other party responds to your petition or complaint. If the other party does NOT respond within the prescribed time, you need to obtain a court order stating that the other party is in default, allowing you to finish your case without further notice to the other party. The final orders you enter in court must be consistent with the petition or complaint that you filed.
4. If the other party responds in time, then further proceedings, such as motions, a settlement conference, and/or trial, are necessary, unless you and the other party can reach an agreement and enter agreed orders to resolve the case.
5. For most court hearings in Kitsap County, bench copies are required. It is also mandatory to confirm in advance that you will be present for the court hearing. Call Superior Court at 360-337-7140 for specific requirements regarding bench copies and confirmation.

## **DEFENDING YOURSELF FROM AN ACTION STARTED BY SOMEONE ELSE:**

If someone has started an action against you, you are the “defendant” or “respondent” or “responding party”.

1. You must file a document called an “Answer” or “Response” to the complaint or petition filed against you in the Clerk’s Office within the time indicated on the summons. Be SURE to serve a copy on the opposing party.
2. After you have answered the petition or complaint, the other party is required to notify you of any further proceedings.
3. If you do NOT file and serve your answer or response in a timely manner, you may be found in default and lose the right to have your side of the case heard by a judge.

## **WHAT DO I WEAR AND HOW DO I ACT IN COURT?**

Courts are respectful and formal settings. You are trying to present, and win, your side of the issue. Dress, speak, and conduct yourself appropriately:

1. Wear clean, mended clothing that is not too revealing. Do not wear hats, caps, shorts, bare midriffs, or tank tops. Exceptions may be made for religious attire.
2. Turn off and do not use cell phones, beepers, or pagers.
3. Speak clearly and respectfully, but do not ramble. Only address matters to be decided by the Court that day.
4. Do not swear, yell, or use improper language or gestures.

## **LEGAL TERMS YOU NEED TO KNOW:**

<b>Pro se</b>	A Latin phrase meaning ‘for oneself’ (refers to people representing themselves).
<b>Ex parte</b>	A Latin phrase indicating action done for, in behalf of, or on the application of one party only without notice to the opposing party.
<b>Litigant</b>	A general term to describe a party to a legal action.
<b>Motion</b>	A written request made by a party to a court for an order granting relief.
<b>Order</b>	A direction or command delivered by a court and entered into the court record.
<b>Petition/ Complaint</b>	A formal written application to the court requesting a remedy available under law.
<b>Summons</b>	Notice to defendants regarding the commencement of a lawsuit and instructions for answering or responding to the petition or complaint. The summons and complaint are filed together to start a civil lawsuit. The summons and petition are filed together to start a family law case.
<b>Note the matter</b>	To schedule a court hearing by completing and filing a form, such as Note for Hearing or Note for Motion Docket. Hearings are always scheduled by filing a document, never over the phone.
<b>Conform</b>	To make a copy of a document match the original.
<b>Calendar</b>	A list of cases arranged for hearing in court, also sometimes called a ‘docket’.
<b>Bench Copies</b>	Copies of motions, declarations, proposed orders, and other materials you want the Judge to consider for a scheduled hearing. Bench copies must be turned in by noon the day before your hearing.
<b>Settlement Conference</b>	A conference of all parties and a Judge held in chambers for the parties to try and resolve contested issues in a case.

**ADDITIONAL RESOURCES FOR ASSISTANCE:**

Clerk's Office	360-337-7164	<a href="http://www.kitsapgov.com/clerk">www.kitsapgov.com/clerk</a>
Superior Court Office	360-337-7140	<a href="http://www.kitsapgov.com/sc">www.kitsapgov.com/sc</a>
Administrative Office of the Courts (AOC)	360-753-3360	<a href="http://www.courts.wa.gov/index.cfm">www.courts.wa.gov/index.cfm</a>
Northwest Justice Project/CLEAR	1-888-201-1014	<a href="http://www.nwjustice.org">www.nwjustice.org</a>
CLEAR*Sr (People age 60 and over)	1-888-387-7111	<a href="http://www.nwjustice.org">www.nwjustice.org</a>
Dispute Resolution Center	360-698-0968	<a href="http://www.kitsapdrc.org">www.kitsapdrc.org</a>
Kitsap County Attorney Referral Service	360-373-2426	<a href="http://www.kitsaplegalservices.org/ars/">www.kitsaplegalservices.org/ars/</a>
On-line Legal Information	<a href="http://www.WashingtonLawHelp.org">www.WashingtonLawHelp.org</a> or <a href="http://www.lawforwa.org">www.lawforwa.org</a>	
On-line Washington Pattern Forms	<a href="http://www.courts.wa.gov/forms">www.courts.wa.gov/forms</a>	
Washington State and Local Court Rules	<a href="http://www.courts.wa.gov/court_rules/">www.courts.wa.gov/court_rules/</a>	

**Courthouse Facilitators are available by appointment to assist pro se litigants with Family Law forms and procedures (dissolutions/divorce, paternity, and non-parental custody). There is a fee to meet with a Courthouse Facilitator. For current fee and scheduling information, call 360-337-7164.**

**Court staff, including Courthouse Facilitators, are not attorneys and are restricted by law from giving legal advice.**

**Clerk's Office staff cannot tell you if your paperwork is filled out correctly.**

**You will only be able to see or talk to a judge about your case when you appear before the judge in court.**

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