

Filing a Motion to Require or Waive Attendance at a Mandatory Parenting Seminar

Prepared by the Office of the Kitsap County Clerk and the Courthouse Facilitators

This packet is for parties involved in dissolution, legal separation, paternity, or establishment of parenting plan cases where one parent has not attended or is not willing to attend a mandatory parenting seminar. This packet contains brief instructions below, a checklist of all the necessary steps to complete, and all of the necessary forms. The information contained in this packet is not intended to be, nor should it be taken as, legal advice.

Although the court rule allows parties 90 days to complete the mandatory parenting seminar, it is preferable for both parents to get it done sooner rather than later. You should file this motion as soon as you know the other parent is not likely to cooperate, as it may take an additional 2 – 4 weeks to complete the mandatory parenting seminar if they are ordered to go, depending on the provider they choose and class availability.

Checklist

The next page is a checklist of all of the steps you will need to complete in order for the Court to hear your motion. The steps are listed in order. Mark each box as you complete the step to keep track of your progress and to avoid missing any steps.

Completing your forms:

Be sure to fill out **all** of your forms, including the orders. The Court does not fill out your forms for you!

If you are seeking to have the court compel the other parent's attendance, include a deadline date for completing the seminar and filing proof of attendance. Be sure to give the other party a reasonable amount of time to complete the seminar, plus an extra 2–3 days so the Clerk's Office has time to file the certificate of completion in the court file before your final hearing. The deadline should be added to both the **Motion for Order to Show Cause** and the **Order Requiring or Waiving Attendance**.

You will need to pick a court date and write that court date in the **Order to Show Cause**.

- ♦ If you are in the middle of a dissolution (divorce) or legal separation case, the hearings are held on **Fridays**. Check the box for the Domestic Relations Calendar.
- ♦ If you were never married to the other parent and are establishing a parenting plan or paternity, the hearings are held on **Tuesdays**. Check the box for the Paternity Calendar.

Select your court date far enough in advance so you will have time to have the other parent served. The other parent must receive their copies and notice of the hearing at least 1 week before the court date.

If you need help with the forms or procedures, the Courthouse Facilitators are available via appointments or walk-in visits. Current facilitator schedule and fee information is available at the Clerk's Office or on-line at www.kitsapgov.com/clerk/FamilyLaw/facilitat.htm

Check List for Motion to Require or Waive Attendance at a Mandatory Parenting Seminar

As you can see below, many steps are involved in obtaining an Order Requiring or Waiving Attendance at a Mandatory Parenting Seminar. The Courthouse Facilitator can assist you in completing this process. Current facilitator schedule and fee information is available at the Clerk's Office or on-line at www.kitsapgov.com/clerk/FamilyLaw/facilitat.htm

- Complete the ***Motion for Order to Show Cause*** and the ***Order to Show Cause***.
- Make 3 sets of photocopies. (One set to keep, one set to have served on the other parent, and one set to use as bench copies)
- Take the originals and photocopies of your documents to the Office of the Kitsap County Clerk at 8:00 a.m. or 3:15 p.m. on any court day.
- Go to the designated courtroom and be seated until the Judge calls you forward.
- When you are finished in the courtroom, return to the Clerk's Office and stamp your copies. You will also need to purchase a certified copy of the ***Order to Show Cause***. The cost is \$5.00 (cash only). Add the certified copy to the copies that will be served on the other parent.
- Deliver a set of your stamped copies to Room 210 and mark them as bench copies.
- Arrange to have a friend, relative, process server, or law enforcement officer serve one complete set of papers, including the certified copy, on the other parent. **The other parent MUST receive their copies at least 1 week before the next hearing.**
- Make sure that a ***Return of Service***, documenting the details of service, is completed by the person who served the documents on the other parent. Make 2 photocopies: one to keep, and one to use as a bench copy.
- File the original ***Return of Service*** at the Clerk's Office, stamp your copies and deliver the bench copy for the Judge/Commissioner to Room 210. This should be done no later than noon of the court day before your hearing.
- Confirm your hearing by calling the Superior Court Office at 360-337-7140, option 2, no later than noon of the court day before the hearing, but no earlier than 48 hours in advance. You may also confirm your hearing online at supcourtconfirm@co.kitsap.wa.us
- Prepare the ***Order Requiring or Waiving Attendance***. Make 2 photocopies to stamp after your court hearing.
- Prepare your presentation for the court hearing.
- Bring your original orders and copies to the court hearing. Be sure you are sitting in the courtroom 5 minutes before Court begins.
- Return to the Clerk's Office after your hearing. If the Judge has signed your orders, then stamp your copies with the date stamp and Judge's name stamp.
- Keep one copy of the order for your own records and provide a copy to the other parent.



**Superior Court of Washington
County of Kitsap**

In re:

and

Petitioner,

Respondent.

No. _____

**Motion for Order to Show
Cause re: Attendance/Waiver of
Mandatory Parenting Seminar
as Required by KCLFLR 10.
(MTSC)**

I. MOTION

_____ [Name] moves the court for an order directing
_____ [Name] to appear personally before the court
and show cause why an order should not be entered:

- Requiring the **Petitioner** **Respondent** to promptly attend and file proof of attendance at the mandatory Parenting Seminar as required by KCLFLR 10, or
- In the alternative, waiving the **Petitioner's** **Respondent's** attendance at a mandatory Parenting Seminar as required by KCLFLR 10.

This Motion is based upon the Declaration below of the undersigned.

Dated: _____

Signature

Print or Type Name



**Superior Court of Washington
County of Kitsap**

In re:

and

Petitioner,

Respondent.

No. _____

**Order to Show Cause
(ORTSC)**

Clerk's Action Required

It is Ordered:

That _____ [Name] shall appear in person at the place and time stated below and show cause why the relief requested in the Motion for Order to Show Cause re: Attendance/Waiver of Mandatory Parenting Seminar should not be granted.

Date: _____

Time: **9:00 a.m.**

Kitsap County Superior Court

Paternity Calendar

Place: **614 Division Street, Port Orchard, WA**

Domestic Relations Calendar

If you disagree with any part of the motion, you must respond to the motion in writing before the Hearing and by the deadline set by Court Rules. At the Hearing, the Court will consider *written* sworn affidavits or declarations. Oral testimony may *not* be allowed. To respond, you must: (1) file your documents with the court; (2) provide a copy of those documents to the judge or commissioner's staff; (3) serve the other party's attorney with copies of your documents (or have the other party served if that party does not have an attorney); and (4) complete your filing and service of documents within the time period required by the local court rules in effect in your county. If you need more information, you are advised to consult an attorney or a courthouse facilitator.

Failing to appear may result in further action and possible sanction by this Court.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Moving Party or Lawyer/WSBA No.

Print Name



**SUPERIOR COURT OF WASHINGTON
COUNTY OF KITSAP**

Plaintiff/Petitioner,
and

Defendant/Respondent.

No. _____

**DECLARATION OF SERVICE
(AFSR)**

I DECLARE:

1. I am over the age of 18 years, and I am not a party to this action.
2. I served (name) _____ with the following documents:
 Motion for order to show cause re: attendance at a mandatory parenting seminar
 Order to show cause re: attendance at a mandatory parenting seminar
3. The date, time and place of service were (if by mail, refer to Paragraph 4 below):
 Date: _____ Time: _____ AM/PM
 Address: _____

4. Service was made pursuant to Civil Rule 4(d):
 by delivery to the person named in paragraph 2 above.
 by delivery to _____ (name), a person of suitable age and discretion residing at the respondent/defendant's usual abode.
5. Other:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at (place) _____, on (date) _____.

Fees: Service _____
Mileage _____
Total _____

Signature

Print or type name



**Superior Court of Washington
County of Kitsap**

In re:

and

Petitioner,

Respondent.

No. _____

**Order Requiring Attendance
at Mandatory Parenting
Seminar**

**Order Waiving Mandatory
Parenting Seminar**
[KCLFLR 10]

In accordance with the requirement of KCLFLR 10, it is hereby Ordered that _____ shall promptly attend and file a certificate of completion regarding the mandatory Parenting Seminar on or before _____ (date). Failure to do so may result in further action and possible sanction by this Court.

For good cause shown, the requirement of KCLFLR 10 to attend a mandatory Parenting Seminar is hereby waived as it concerns _____
_____.

Dated: _____

Judge / Court Commissioner