

Contempt guide

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When the other person in your family court case won't follow a court order, you can try to enforce it by filing a motion for contempt. (Forms and instructions)

1. What is contempt?

This guide is for family law cases, but some information also applies to other civil court cases in Washington State.

If you have a parenting plan, child support order, or other family law order from a Washington State Superior Court, and the other person in your case purposely won't follow that order, it can be frustrating, and sometimes dangerous. When someone intentionally (on purpose) disobeys a court order, they are "in contempt" of court or of the court order. Contempt applies to both temporary and permanent (final) court orders.

Examples of contempt:

- The other parent won't give you the court-ordered visitation you're entitled to.
- The other parent doesn't make reasonable efforts to require a child to visit you at the times the parenting plan states.
- The other parent doesn't pay child support or spousal support as ordered, and they have the ability to pay.

There are several things you can do to try to get the other person to follow the order. Most of these are different types of court actions, including filing a motion for contempt. This guide discusses alternatives to contempt and how to file

contempt if that makes sense for your situation.

2. Demand letter

If the other party isn't following your court order, you can send them a letter or message explaining their violations of the court order and ask them to fix them. You can send this by mail, email, text, or messaging app – however you know they'll get it. Keep a copy of what you send and any reply they make.

This might lead to an agreed solution. Even if it doesn't, it could be good evidence later if you must file a court motion. A copy of this letter could serve as proof to a judge later that:

- You're being reasonable
- The other party knows about the court order
- You're unhappy with their behavior

Keep your letter specific, polite, and business-like.

Example: As you know, the court ordered you to pay me \$300 spousal support by bank transfer every other week. I haven't received any support from you since (date). You've given me no explanation for why you stopped paying. Please pay the past due support amount immediately.

3. Dispute resolution

Your parenting plan or court order may require you to try an alternative to court first if you disagree about the parenting plan or order. Read your orders carefully to see if this is required.

Even if alternative dispute resolution isn't required, you can always do it voluntarily. Alternatives like mediation can cost less than going to court and give you more control over the outcome. But both parties must be willing to

compromise for it to work.

4. Enforcement and collection

For many kinds of money, support, and property orders, collection actions such as wage assignment, garnishment, or foreclosure are better than contempt. The Child Support Division of DSHS (DCS) (<https://www.dshs.wa.gov/esa/division-child-support>) provides free collection services for child support (and spousal maintenance if there's also a child support order).

If DCS is handling collection of your child support, ask them about filing a contempt motion for back support. They'll do much of the paperwork, file the case, serve the other party, and help the case move through the court.

The prosecutor won't be your lawyer, but will represent the State's interest in children getting support (and getting repayment of any public assistance). Asking for the State's help may make things easier, although it could also slow things down. The prosecutor must agree with any final settlement you make with the other party.

5. Other court actions

Motion to Clarify: You can file this motion if you think the reason the other party isn't following the court order is because the order is vague or unclear. **Example:** The order just says "reasonable visitation" without giving details or a schedule. You and the other parent disagree on what reasonable visitation means.

There isn't specific form for this type of motion, although you can use the general [data-entity-type="media" data-entity-uuid="905df07c-570b-49cb-bfd3-02c9ae4b8955" data-entity-substitution="media" title="Motion for Order for: ">Motion for Order for: _____ \(FL All Family 181\). Talk to a lawyer.](#)

Motion or Petition to Modify: You can file an action asking the judge to change an order instead of asking to enforce an order. Answer a few questions on [Get family law forms](#) to get the right forms for your situation.

A motion is any request you make to the judge while your case is in progress, before or after a trial. Get family forms to find the right motion forms for your situation.

For most motions, you must put all your requests and evidence in writing, schedule a hearing, file your papers with the court clerk, and serve the other party. You can file written statements (called declarations) from yourself and other people supporting your case. The other party can respond in writing.

This is different from a trial where witnesses must testify in person. The judge holds a trial to make a final decision on all issues in your case.

If the other party is on active military duty, or the dependent of someone who is, talk to a lawyer before filing your motion. Special rules may limit the court's ability to do anything that would negatively affect the service member's or protected dependent's rights.

Criminal prosecution: This is an option only for very serious cases. The prosecutor will decide if criminal charges are appropriate.

6. Motion for Contempt

You can go back to the court that issued the order you want the other party to follow, and file a motion asking the judge to hold that person in contempt. If the judge agrees that the other party is purposely violating the order, the judge will want that person to follow it. To make this happen, the judge can, for example:

- Order the person to get counseling.
- Order the person to complete a parenting class.
- Order the person to pay a financial penalty for each day they wait before following the order.

- Order the person to look for work a certain number of hours a week.
- Order future hearings to check that the person is now following the order.

This isn't a complete list. The judge can order whatever they think will work to get the person to follow the court order.

7. Proving contempt

To win your motion for contempt, generally, you must be able to prove all of these:

1. There's a court order in effect
2. The other person knows about the court order
3. The facts show the other person plainly broke or did not follow (violated) the order
4. You've given the person notice of the contempt hearing and a chance to be heard
5. Contempt is an appropriate remedy for the violation

8. Before filing contempt

Contempt is a severe remedy. Don't use it lightly. It might make things worse. Judges don't like to find someone in contempt unless the violation is serious.

Before filling out the contempt forms, ask yourself:

- **Is the order still in effect?** You can't make the other party follow (enforce) an order that has ended. (There's an exception to this: you **can** enforce a child support order through contempt for past due support even after the child becomes an adult.)
- **Does the other person know about the court order?** Have they been served with a copy of it? If not, were they there when the judge signed the order? If the answer to both is no, the judge won't hear your contempt motion.

For protection or restraining orders, a law enforcement officer reading a certified copy of the order to someone counts as giving them notice of the order.

- **Have you met all your own responsibilities under the order?** If, for **example**, the other parent won't let you see the kids, but you get visitation only after finishing drug treatment, the judge will want to know: Did you complete treatment? Did you give the other parent proof of this?

Exception: The other parent can't deny your parenting time just because you didn't pay child support or spousal support.

- **Does the order clearly describe the other person's responsibilities?** If not, you should get the court order made clearer (clarified) or changed. Then you can prove your case.
- **Will the other person deny they violated the order?** Do you have enough proof that they did? If not, a judge won't find contempt.
- **Does the other person have a reasonable excuse for the violation?** Usually, once you've shown the order is valid and the other person knows about the order but has violated it, they must either show a reasonable excuse (for parenting plan violations) or inability to follow the order despite reasonable efforts (child support and parenting plan cases). If they can, a contempt motion may be a waste of time.
- **You can't always use contempt to get what you want.** For **example**, you can't use contempt to force property settlement payments, unless they're related to child support or maintenance.

When deciding if contempt is your best option, it's a good idea to try to talk to a lawyer.

9. Risks of filing for contempt

Before you decide to file a motion for contempt, consider the negative things that could possibly happen if you do it.

You might end up having to fight a modification action. Filing for contempt might cause the other party to file a motion or action to change the court order.

Example: They could file a motion asking to pay less child support. If you're not ready to fight this type of motion, don't file for contempt.

You might end up fighting a contempt motion yourself. If you haven't followed the court's orders yourself, the other party may respond to your contempt motion by filing one against you. Alternatively, they may say your violation of the order prevents them from following it.

The judge might think you're "crying wolf." Judges don't like to hold someone who violates a small, unimportant item in contempt, even if the violation happens more than once.

The emotional cost can be high. Going to court can create hard feelings. It may upset your children. It can increase the risk of the other party behaving destructively.

You risk having to pay fees if you lose. **Example:** You bring a motion for contempt for parenting plan violations. The judge finds you had no reason to do so. The judge orders you to pay the other party's attorney's fees.

10. Contempt procedure step-by-step

Follow these steps to file for contempt.

Ask the court clerk or family law facilitator (if there is one) (https://www.courts.wa.gov/court_dir/?fa=court_dir.facils) about any local requirements you might have to follow on top of the steps we list here.

1. **Fill out the forms** in this guide (except for the Proof of Personal Service).

2. **Make copies.** You need one copy of each completed form for yourself, one for the judge, and one for each other party to your case.

Organize the copies in sets, so there's one set for each person who needs a copy. You don't have to give the other party a copy of the Proof of Mailing or Hand Delivery. Put each set of papers into an envelope addressed to each party, with your return address. You'll use these sets for service.

3. **File your original papers and schedule a hearing.**

Go to the Superior Court Clerk's office. Tell the clerk you're filing a motion for contempt. Give the clerk the originals of all your forms for filing, including your proposed *Order to Go to Court for Contempt Hearing (Order to Show Cause)*. Follow the clerk's instructions to have a judge review your motion. If the judge decides your motion should go forward, they'll sign the *Order to Go to Court* and set a hearing date.

Ask the clerk to stamp your copies to show the date you filed the originals. Take the stamped copies back from the clerk. The clerk keeps the originals.

Ask the court clerk if you'll be allowed or expected to give live testimony at your hearing.

Usually, you must file a motion for contempt in an existing case – in the same county and court that made the original order. In that situation, **you shouldn't have to pay any new filing fee**. But if you decide to file in another county, or you're trying to enforce an order from another state or from an administrative law judge, you may have to register your original order. You must also pay a filing fee or ask the court to waive it.

4. **Deliver working copies** to the judge, if required in your county.

5. **Arrange to have the other party (or parties) personally served** with copies of everything you filed, and any proposed orders. Even though the case has already started, the contempt procedure requires you to follow the rules for personal service, not hand delivery.

Most counties require service at least **14 days** before a hearing. Ask the clerk if your county's deadline is different.

If the motion affects child support and your child has ever gotten TANF or Medicaid, or is in foster care or out-of-home placement, or DCS is trying to collect support, you must serve also serve the State. You must also serve any GAL or evaluator in your case.

6. **File the completed Proof of Personal Service** with the court clerk.
7. **Review any response. Reply if needed and allowed in your county.** The other party must give you a copy of any response they file. You don't have to reply, but you may want to if they bring up new issues or say things that aren't true.

Ask the court clerk or facilitator (https://www.courts.wa.gov/court_dir/?fa=court_dir.facils), if your county has one, if replies are allowed in your county and, if so, when they are due. If allowed, you can file a declaration from yourself or others replying to the other party's response. Limit your reply to addressing issues in the other party's response. Serve a copy of your reply on the other party by the deadline. Deliver working copies to the judge if required in your county.

8. **Confirm your hearing, if needed.** In some counties, you must contact the clerk's office to confirm that you want your hearing to happen on the day it is scheduled. If you don't confirm by the deadline, **your hearing will be canceled**. Ask the court clerk for instructions.
9. **Go to your hearing.** Read chapter 11 for how to get ready for and what to expect at the hearing. You must go to the hearing even if the other party never filed a response.

10. **Get copies of any orders the judge signs.** Ask the clerk how to get the copies you need.

If the other party doesn't show up at the hearing, send them a copy of any orders the judge signed. That way they can't say they didn't know what the judge ordered. Fill out and file a Proof of Mailing or Hand Delivery.

11. **If you disagree with the judge's decision, try to talk to a lawyer right away.**

You might want to file a motion for revision or reconsideration. You must file those motions **within 10 days** of the order you want to change.

11. The Hearing

Get ready for the hearing

Try to go to court before the day of your hearing or check the court clerk's website to see if you can watch a hearing online. Watch how the court generally does hearings. Try to make some notes to yourself about the main points to make at your hearing.

Organize your paperwork. Plan to bring your set of court papers and your copies of any papers the other parties gave you in response. Bring extra copies of any proposed orders you want the judge to sign.

Get to your hearing early. Try to figure out before the day of the hearing how you will get there and how long it will take. Give yourself time to get through security, and to the right courtroom. If you aren't there on time, the judge could cancel the hearing, or the other party may win.

Bring your paperwork, a pad of paper, and a dark pen to take notes. Dress neatly. Try not to bring your children if you can make other arrangements for them. The judge usually won't let them sit in the courtroom.

When you get to the courtroom, tell the person in charge in the courtroom (the clerk or bailiff) your name and your case name and number. Take a seat. When the judge walks in the room, stand.

If your hearing is online, follow these [tips for phone and video hearings](#).

Your case will be one of several that are scheduled for the same time on the court calendar (called a docket). Listen to the judge and wait for them to call your name. When they call your name, tell the court you are present. Stay in court until they call your case for hearing.

When your case is called

In most cases, the judge will have read your papers before the hearing. The judge will make a decision based on the paperwork filed by both parties in advance.

You usually won't be able to testify, have witnesses testify, or otherwise give evidence at the hearing. You'll just get to tell the judge briefly what you want and why. This means you want to prepare beforehand by making notes about the main points you want to say to the judge.

If the other party gets a lawyer: If another party's lawyer contacts you or shows up at a hearing, you may decide to get one yourself. If so, tell the lawyer and the judge you need to postpone (continue) the hearing. The lawyer may ask you to sign some documents. **Don't sign anything you don't understand.**

If the other party shows up at the hearing, each of you will get to tell your side of the case. Stand while speaking. Tell the judge briefly what you want and why. Try to keep your argument short. Only outline your main points. You may have as little as 5 minutes to speak. Don't repeat everything in your papers. If you brought proposed orders, ask permission to hand them up to the judge.

If the judge asks you a question, try to answer it directly. **Don't interrupt the judge.**

If the other party doesn't show up, the judge may ask for your proof of service. Bring a copy of that to show the judge. Ask the judge to sign your proposed orders.

If you couldn't serve the other party in time, or you don't have proof of service, ask the judge to reschedule your hearing.

If you asked the court to send the other party to jail for contempt, and the other party has low income, they may get a public defender to represent her at the contempt hearing. The public defender may appear on the day of the hearing for the first time.

If the other party doesn't come to the contempt hearing or review hearings, the judge may issue a bench warrant for their arrest.

Hearing the judge's decision

After the judge has heard both sides, the judge decides on the requests. Listen carefully. Make notes. Usually, the judge gives their decision out loud, then it must be put in writing in a court order.

It's best to bring **proposed orders** so the judge can sign them at your hearing. If no one brought proposed orders, the judge may tell you, the other party, or the other party's lawyer to write the orders and come back later for the judge to sign. The judge could schedule another hearing in a week or two just for signing orders.

If the other party prepared the orders, read them carefully. Make sure they say what the judge said. If you're not sure, **don't sign the orders**. Ask to go back before the judge to make sure the order says what the judge said.

If the other party didn't show up for the hearing, send them copies of the court orders. Follow the rules to serve papers *after* a case starts.

The judge might schedule a review hearing. It's common for a judge to give a party in a contempt motion another chance to obey the court's orders. The judge

may order the party to do certain things, and then set a “review hearing” several weeks in the future. You must get ready for your review hearing the same way you got ready for the Motion for Contempt. This may include filing and serving a declaration before the hearing about whether the party has done what the court ordered, preparing working papers, or confirming the hearing. If you’re not sure how to get ready for the review hearing, try to talk with a lawyer or your family law facilitator well before the next hearing date.

12. Forms

Form attached:

Motion for Contempt Hearing (FL All Family 165)

Form attached:

Order to Go to Court for Contempt Hearing (Order to Show Cause) (FL All Family 166)

Form attached:

Contempt Hearing Order (FL All Family 167)

Form attached:

Sealed Cover Sheet – Confidential (All Civil 040)

Form attached:

Proof of Personal Service (family law) (FL All Family 101)

Follow the general rules to format and fill out court documents.

Tips for filling out the Motion for Contempt Hearing (FL All Family 165)

Use this form to explain why the other person is in contempt and to ask for relief.

Form section 4. Money judgment requested. Check the first box and skip to 5 if you don’t want a money judgment. Otherwise, check the second box. Then check all the boxes underneath and fill in boxes as appropriate to show what you want.

You must put the dates for which the support, maintenance, or other obligation is due. If DCS has tried to collect support for you, or if anyone in your family gets TANF, DCS can give you this information.

Form section 5. Fines and penalties requested. Check the first box and skip to 6 if you do **not** want the judge to fine or penalize the other party. Otherwise, check the boxes that apply.

Courts usually only order jail time in serious cases, or where it has previously found the person in contempt. If you ask for imprisonment, and the other party cannot afford to hire a lawyer, they're entitled to a court-appointed lawyer at a hearing that might result in jail. As the party making the motion, you are **not** eligible for a court-appointed lawyer.

Tips for filling out the Order to go to Court for Contempt Hearing (FL All Family 166)

Ask a judge to sign this form to schedule your contempt hearing.

Form section 2. The court orders. Put the other party's name. Leave the date, time, place, and Room/Department lines blank, unless the court clerk or facilitator gives you a specific date. The judge usually fills in this part.

If you have a choice about the hearing date, choose one that gives you enough time to have the other party served. (**Example:** Your county requires 6 court days' advance notice to the other party of a hearing. You're not sure you can have the party served immediately. You set the hearing date 14 days away to give your server enough time to complete personal service.)

Form section 3. Other orders (if any). Leave this for the judge.

Tips for filling out the Contempt Hearing Order (FL All Family 167)

This is the form you want the judge to sign at the end of your hearing, finding the other party in contempt.

Bring a blank copy of this Order with you to court.

If you prepare a **proposed order** before the hearing, use the information in your Motion to help you state what you want the judge to order. Fill out the Order to show how you want the judge to decide. If you're not sure about something in the

Order, leave it blank for the judge to complete.

Otherwise, you may fill this out after the hearing to put the judge's decision in writing. Usually the person who wins at the hearing presents an order for the judge to sign at the contempt hearing.

Tips for filling out the Sealed Cover Sheet – Confidential (All Civil 040)

Only use this form if you're filing documents that should be kept **out of the public court file**. Put those confidential documents under this cover sheet when you file them. You still must serve a copy on the other party in your case.

You can only seal certain types of documents with the cover sheet, including:

- Financial source documents (Examples: paystubs, bank records, loan documents, benefit statements)
- Health care records
- Medical or psychological reports
- Guardian ad litem or Court Visitor reports
- Social Security Representative Payee reports

Tips for filling out the Proof of Personal Service (FL All Family 101)

Have your server fill out this form after they've served the other party. Follow the rules for personal service.

Check to be sure your server filled out the date of service, who the papers were delivered to, and how they were delivered. Also be sure the form **lists all documents** that were served. If your server leaves out a form, you won't have proof it was served.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No. _____

Motion for Contempt Hearing
(MTSC)

Motion for Contempt Hearing

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

To schedule a hearing on this motion, you must ask the court to sign the Order to Go to Court for Contempt Hearing (Order to Show Cause) (FL All Family 166). This Order may be signed "ex parte" (without the other party there). Contact the Superior Court Clerk's office for the procedure in your county. You must have this Motion and the Order to Go to Court personally served (by someone else) on the other party.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

I declare:

1. I am a (*check one*): ☐ Petitioner ☐ Respondent in this case.

2. The other party, (name): _____, did **not** obey the orders checked below that were signed by the court on (date): _____ in (county and state): _____:

☐ The child support order including (check all that apply):

- ☐ pay (amount) \$_____ per month.
- ☐ provide health insurance for the children and pay health care costs not covered by insurance.
- ☐ pay for the children's day care, education, long-distance transportation, and other expenses.

*Describe how the order was **not** obeyed, including dates and amounts:*

☐ The spousal support (maintenance/alimony) order to pay (amount) \$_____ per month.

*Describe how the order was **not** obeyed, including dates and amounts:*

☐ The parenting plan, residential schedule or custody order.

*Describe how the order was **not** obeyed including dates and times:*

☐ The restraining order.

*Describe how the order was **not** obeyed including dates and times:*

- ☐ Other order (specify): _____
Describe how the order was **not** obeyed including dates, times, and amounts, if any:

3. Request – I ask the court to:

- Order the other party to go to court to show why the court should not approve the judgment and orders I've requested,
- Find the other party in contempt, and
- Approve the requests checked below.

4. Money judgment requested

- ☐ No request.
- ☐ I ask the court to approve a judgment ordering the other party to pay (check all that apply):

	Amount	Interest	From (date)	To (date)
☐ Past due child support	\$	\$		
☐ Past due medical support (health insurance & health care costs not covered by insurance)	\$	\$		
☐ Past due children's expenses for: ☐ day care ☐ education ☐ long-distance transp. ☐ other	\$	\$		
☐ Past due spousal support	\$	\$		
☐ Other (specify):	\$	\$		

5. Fines and penalties (remedial sanctions) requested

- ☐ Does not apply.
- ☐ Approve other reasonable orders, including ordering the other party to:
- Pay a fine – civil penalty (required for violations of parenting time orders),
 - Pay a fine for each day the court's orders are not followed,
 - Meet certain conditions to stop being in contempt (purge the contempt),
 - Pay my lawyer fees and costs, if any,
 - Give me make-up parenting time, if appropriate, and
 - Any other relief allowed by law (Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040).
- ☐ Send the other party to jail.

6. Other orders requested (if any): _____

Person making this motion fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Person making this motion signs here

Print name here

I agree to accept legal papers for this case at (*check one*):

☐ my lawyer's address, listed below.

☐ the following address (*this does **not** have to be your home address*):

street address or PO box

city

state

zip

(Optional) email: _____

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below:



Lawyer signs here

Print name and WSBA No.

Date

Lawyer's street address or PO box

city

state

zip

Email (*if applicable*): _____

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No.

**Order to Go to Court for Contempt
Hearing (Order to Show Cause)
(ORTSC)**

Clerk's action required: 2

**Order to Go to Court for Contempt Hearing
(Order to Show Cause)**

1. Findings

The court has reviewed the *Motion for Contempt Hearing* filed by the (*check one*):

☐ Petitioner ☐ Respondent and finds there is reason to approve this order.

2. The court orders (*name*): _____ to:

Go to court on: _____ at _____ ☐ a.m. ☐ p.m.
date time

at: _____ in _____
court's address room or department

docket/calendar or judge/commissioner's name

At the hearing, you must show why the court should **not** approve the requests made by the other party and find you in contempt. Follow the instructions at the end of this order about filing a statement or other written proof.

Warning! If you do not go to the hearing, the court may:

- Approve the other party's requests without hearing your side, and
- Issue a warrant for your arrest.

If the other party has asked the court to send you to jail and you cannot afford a lawyer, you may ask the court to appoint a lawyer to represent you.

3. Other orders (if any):

Ordered.

Date

Judge or Commissioner

Presented by: ☐ Petitioner ☐ Respondent

Sign here

Print name (if lawyer, also list WSBA No.) Date

Instructions to both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person requesting this order:

You must have this order, and the paperwork you filed with the court to get this order, personally served on the other party by someone 18 or older who is not a party to this case.

To the person receiving this order:

If you do not agree with the requests in the motion, file a statement (using form *FL All Family 135, Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No.

**Contempt Hearing Order
(ORCN)**

☐ Clerk's action required: 1, 8, 12

☐ Review hearing: see section 12

Contempt Hearing Order

1. Money Judgment Summary

☐ No money judgment is ordered.

☐ Summarize any money judgment from section 8 in the table below.

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
Past due child support from _____ to _____			\$	\$
Past due medical support from _____ to _____			\$	\$
Past due children's expenses from _____ to _____			\$	\$
Past due spousal support from _____ to _____			\$	\$
Civil penalty			\$	\$
Lawyer fees and costs			\$	\$
Other:			\$	\$
Yearly Interest Rate for child support, medical support, and children's expenses: 12% For other judgments: ____% (12% unless otherwise listed)				
Lawyer (name):		represents (name):		
Lawyer (name):		represents (name):		

2. The court has considered the *Motion for Contempt Hearing* and any supporting documents, response from the other party, reply, and other documents from the court record identified by the court. A contempt hearing was held on (date): _____.

➤ **The Court Finds:**

3. **Support Payments** (child support, medical support, children's expenses, spousal support)

- ☐ Does not apply. This contempt hearing did not cover support issues.
- ☐ Support orders were obeyed. No support payments are past due.
- ☐ Support orders were **not** obeyed. (Name): _____
did **not** obey the following order(s) signed by the court on (date): _____
(check all that apply):
- ☐ the child support order to (check all parts of the order that were not obeyed):
 - ☐ pay the monthly child support payment.
 - ☐ provide or pay for medical support for the children (health insurance or health care costs not covered by insurance).
 - ☐ pay for the children's day care, education, transportation, and other expenses.
 - ☐ the spousal support (maintenance) order.

This person did not pay the other party support payments required by court order in the amounts and for the dates described in the Money Judgment in section 8 below.

a. **Ability to follow orders in the past** – This person (check one):

- ☐ **was** able to follow the order/s checked above. The failure to follow the order/s was intentional.
- ☐ was **not** able to follow the order/s checked above. The failure to follow the order/s was not intentional.

Explain: _____

b. **Ability to follow orders now** – This person

(check one): ☐ **is** ☐ is **not able** to follow the orders now.

(check one): ☐ **is** ☐ is **not willing** to follow the orders.

Explain: _____

- ☐ Other findings: _____

4. **Parenting Plan, Residential Schedule, or Custody Order**

- ☐ Does not apply. This contempt hearing did not cover parenting/custody issues.
- ☐ The parenting/custody order was obeyed.
- ☐ The parenting/custody order was **not** obeyed. (Name): _____
did **not** obey the following parts of the parenting/custody order signed by the court on
(date): _____ (check all that apply):
- ☐ Parenting time schedule (residential provisions).
 - ☐ Decision making
 - ☐ Dispute resolution (mediation, counseling, or arbitration requirement for disagreements)
 - ☐ Other parts of the parenting/custody orders

The parenting/custody order was not obeyed as follows (check one):

- ☐ As described in the *Motion for Contempt Hearing*.
- ☐ (Describe how the order was not obeyed, including dates and times):

a. **Ability to follow orders in the past** – This person (check one):

- ☐ **was** able to follow the parenting/custody order. The failure to follow the order was intentional.
- ☐ was **not** able to follow the parenting/custody order. The failure to follow the order was not intentional.

Explain: _____

b. **Bad faith** – When this person did **not** obey the parenting/custody order, they:
(check one): ☐ acted in bad faith. ☐ did **not** act in bad faith.

Explain: _____

c. **Ability to follow orders now** – This person

- (check one): ☐ **is** ☐ is **not able** to follow the parenting/custody order now.
- (check one): ☐ **is** ☐ is **not willing** to follow the parenting/custody order.

Explain: _____

☐ Other findings: _____

5. Restraining Order or Other Order

☐ Does not apply. This contempt hearing did not cover any restraining order or other orders.

☐ The (*check all that apply*): ☐ restraining order ☐ other order (*specify*): _____ was obeyed.

☐ (*Name*): _____ did **not** obey the following order signed by the court on (*date*): _____.
(*Specify order*): _____.

This order was not obeyed as follows (*check one*):

☐ As described in the *Motion for Contempt Hearing*.

☐ (*Describe how the order was not obeyed, including dates and times*):

a. Ability to follow order in the past – This person (*check one*):

☐ **was** able to follow this order. The failure to follow this order was intentional.

☐ was **not** able to follow this order. The failure to follow this order was not intentional.

Explain: _____

b. Ability to follow orders now – This person

(*check one*): ☐ **is** ☐ is **not able** to follow this order now.

(*check one*): ☐ **is** ☐ is **not willing** to follow this order.

Explain: _____

☐ Other findings: _____

6. Lawyer fees and costs

☐ Does not apply.

☐ The lawyer fees and costs listed in the Money Judgment in section **8** below were incurred and are reasonable.

☐ Other findings: _____

➤ **The Court Orders:**

7. Contempt

(Name): _____

(check one): ☐ **is** in contempt. ☐ **is not** in contempt.

8. Money Judgment

☐ Does not apply. No money judgment is ordered.

☐ The court orders the following money judgment (*summarized in section 1 above*):

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
☐ Past due child support from _____ to _____			\$	\$
☐ Past due medical support (health insurance & health care costs not covered by ins.) from _____ to _____			\$	\$
☐ Past due children's expenses for: ☐ day care ☐ education ☐ long-distance transport. ☐ other from _____ to _____			\$	\$
☐ Past due spousal support from _____ to _____			\$	\$
☐ Civil penalty (At least \$100 for 1st violation of a parenting/ custody order; at least \$250 for 2nd violation within 3 years.)			\$	\$
☐ Lawyer fees and costs			\$	\$
☐ Other (specify):			\$	\$

The **interest rate** for child support, medical support, and children's expenses is 12%.
The interest rate for other judgments is 12% unless another amount is listed below.

☐ The Interest rate for other judgments is _____% because (*explain*): _____

☐ Other: _____

9. Make-up parenting time

☐ Does not apply.

☐ (Name): _____ will have make-up parenting time as follows (*specify dates and times*):

10. Jail time

- ☐ Does not apply.
- ☐ (Name): _____ must serve
(number): _____ days in the (name of county): _____ County Jail.
- ☐ Jail time is suspended (postponed) under these conditions:

The court will review compliance with these conditions at the review hearing set in section **12** below.

- ☐ Jail time starts (check one): ☐ immediately ☐ on (date): _____.
They must report to the jail on this date. The detainee must be released from jail as soon as they satisfy the conditions listed in section **11** below.

11. Contempt can be corrected (purged) if:

- ☐ Does not apply.
- ☐ (Name): _____ does the following (specify):

12. Court review

- ☐ Does not apply.
- ☐ The court will review this case on (date): _____ at (time): ____ ☐ a.m. ☐ p.m.
in (Court, Room/Dept.): _____
(If you check this box, also check the "Clerk's action required" box on page 1.)



13. Other orders (if any) _____

Ordered.

Date



Judge or Commissioner

Petitioner and Respondent or their lawyers fill out below.

This document (*check any that apply*):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me

This document (*check any that apply*):

- ☐ is an agreement of the parties
- ☐ is presented by me
- ☐ may be signed by the court without notice to me



Petitioner signs here or lawyer signs here + WSBA No.



Respondent signs here or lawyer signs here + WSBA No.

Print Name

Date

Print Name

Date

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No. _____

Sealed Cover Sheet – Confidential:

(*check one*)

☐ Sealed Financial Source Documents
(SEALFN)

☐ Sealed Personal Health Care Records
(SEALPHC)

☐ Sealed Confidential Report (SEALRPT)

Court Clerk: *This is a Restricted Access Document. Do not file in a public access file.*

Sealed Cover Sheet – Confidential

Important! Use this cover sheet as **page 1** of a separate filing. Check document/s below. Write “Confidential” at least one inch from the top of the first page of each attached document. For use only in family law, guardianship, and protection order cases.

☐ Financial Source Documents (SEALFN) (*describe*) _____

☐ Health Care Records (SEALPHC)

☐ Medical/Psychological Report (SEALRPT)

☐ Court Visitor/Guardian ad Litem Report (SEALRPT)

☐ Social Security Representative Payee Report (SEALRPT)

☐ Other _____

Submitted by:



Signature

Print Name

☐WSBA ☐CPG#

Privacy Notice! All parties, court staff, and authorized volunteers may have access to these documents.

Superior Court of Washington, County of _____

In re:

Petitioner/s (*person/s who started this case*):

And Respondent/s (*other party/parties*):

No. _____

Proof of Personal Service
(AFSR)

Proof of Personal Service

Server declares:

1. My name is: _____. I am **not** a party to this case.
I am 18 or older.

2. Personal Service

I served court documents for this case to (*name of party*): _____
by (*check one*):

- ☐ giving the documents directly to him/her.
☐ giving the documents to (*name*): _____,
a person of suitable age and discretion who lives at the same address as the party.

3. Date, time, and address of service

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

Address:

Number and street *city* *state* *zip*

4. List all documents you served (check all that apply):

(The most common documents are listed below. Check only those documents that were served. Use the "Other" boxes to write in the title of each document you served that is not already listed.)

☐ Petition to/for _____	☐ Notice of Hearing _____
☐ Summons (Attach a copy.)	☐ Motion for Temporary Family Law Order ☐ and Restraining Order
☐ Order Setting Case Schedule	☐ Proposed Temporary Family Law Order
☐ Notice Re: Military Dependent	☐ Motion for Immediate Restraining Order (Ex Parte)
☐ Proposed Parenting Plan	☐ Immediate Restraining Order (Ex Parte) and Hearing Notice
☐ Proposed Child Support Order	☐ Restraining Order
☐ Proposed Child Support Worksheets	☐ Motion for Contempt Hearing
☐ Sealed Financial Documents	☐ Order to Go to Court for Contempt Hearing
☐ Financial Declaration	☐ Motion for Adequate Cause Decision
☐ Information for Temporary Parenting Plan	☐ Notice of Intent to Move with Children (Relocation)
☐ Declaration of: _____	☐ Objection about Moving with Children and Petition about Changing a Parenting/ Custody Order (Relocation)
☐ Declaration of: _____	☐ Other: _____
☐ Other: _____	☐ Other: _____
☐ Other: _____	☐ Other: _____

5. Fees charged for service

☐ Does not apply.

☐ Fees: \$ _____ + Mileage \$ _____ = Total: \$ _____

6. Other Information (if any): _____

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (city and state): _____ Date: _____

Signature of server

Print or type name of server

To the party having these documents served:

- File the original *Proof of Personal Service* with the court clerk.
- If you served a *Restraining Order* signed by the court, you must also give a copy of this *Proof of Personal Service* and a *Law Enforcement Information Sheet* to law enforcement.
- If the documents were personally served outside of Washington state, you must fill out and file form FL All Family 102 (*Declaration: Personal Service Could Not be Made in Washington*).

☐ **To the Server:** check here if you personally served the documents *outside* Washington state. Your signature must be notarized or sworn before a court clerk.

*(For personal service in Washington state, your signature does **not** need to be notarized or sworn before a court clerk.)*

Signed and sworn to before me on *(date)*: _____.

Signature of notary or court clerk

Print name of notary or court clerk

☐ I am a notary public in and for the state
of: _____

My commission expires: _____

☐ I am a court clerk in a court of record in
(county): _____
(state): _____

(Print seal above.)