

Superior Court of Washington, County of \_\_\_\_\_

In re parentage / parenting and support:

Petitioner (person who started this case):

\_\_\_\_\_

And Respondent/s (other party/parties):

\_\_\_\_\_

No. \_\_\_\_\_

Motion for Temporary Family Law Order

and Restraining Order

(MTTMO)

## Motion for Temporary Family Law Order

and Restraining Order

**Use this form** in parentage cases only. For divorce cases, use form FL Divorce 223. For non-parent custody cases, use form FL Non-Parent 423.

### 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](http://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:

You must schedule a hearing on this motion. You may use the *Notice of Hearing* (form FL All Family 185) unless your county's Local Court Rules require a different form. Contact the court for scheduling information.

### 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, and propose your own *Parenting Plan*, *Residential Schedule*, or *Child Support Worksheets*.

1. My name is: \_\_\_\_\_ . I ask the court for temporary orders approving the requests listed below.

2. **Children**

No request.

I want my children under 18 listed below to be included in the court's orders:

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

3. **Active duty military**

(The **federal** Servicemembers Civil Relief Act covers:

- Army, Navy, Air Force, Marine Corps, and Coast Guard members on active duty;
- National Guard members under a call to active service for more than 30 days in a row; and
- commissioned corps of the Public Health Service and NOAA.

The **state** Service Members' Civil Relief Act covers Washington state residents who are National Guard or Reserve members under a call to active service for more than 30 days in a row, and their dependents.)

None of the other parties are covered by the state or federal Service Members Civil Relief Acts.

(Name): \_\_\_\_\_ is covered by the  state  federal Service Members Civil Relief Act.

For persons covered only by the **state** act – Military duty may keep the service member or dependent from responding or coming to the hearing on this motion. I ask the court to approve temporary orders even if the covered person asks for a stay or doesn't respond. It would be very unfair (a manifest injustice) not to make temporary orders now because: \_\_\_\_\_

4. **Care of children**

No request.

Approve the *Parenting Plan* (form FL All Family 140) or *Residential Schedule* (form FL Parentage 304) proposed by (check one):  me  (name): \_\_\_\_\_.

Order (name): \_\_\_\_\_ not to take the children listed in **2** out of Washington State.

Appoint a person to investigate and report to the court about what is in the children's best interest, and order who will pay this person's fees. This person should be a/n (check one):

Guardian ad Litem (GAL) or Evaluator/Investigator as chosen by the court.

Guardian ad Litem (GAL).

Evaluator/Investigator.

(Name): \_\_\_\_\_

Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**5. Provide support**

No request.

Order child support according to the Washington state child support schedule.

**6. Pay fees and costs**

No request.

Order (name): \_\_\_\_\_ to:

Pay my lawyer's fees for this case. Amount: \$ \_\_\_\_\_

Make payments to (name): \_\_\_\_\_

Pay other professional fees and costs for this case. Amount: \$ \_\_\_\_\_

to (name): \_\_\_\_\_

for (purpose): \_\_\_\_\_

**7. Restraining Order**

No request.

The Court already signed a *Restraining Order* on (date): \_\_\_\_\_ in this case.

I am not asking the court to make any changes to this *Restraining Order*.

I ask the Court to remove (terminate) this *Restraining Order*.

I ask the Court to change this *Restraining Order* as follows (specify):

\_\_\_\_\_

\_\_\_\_\_

I ask the Court for a *Restraining Order* (form FL All Family 150) that orders (name/s): \_\_\_\_\_ to obey the restraints and orders checked below. (Check all that apply; also check the "and Restraining Order" boxes in the form titles on page 1):

**Do not disturb** – Do not disturb my peace or the peace of any child listed in **2**.

**Stay away** –

Do not knowingly go or stay within \_\_\_\_\_ feet of my home, workplace, or school, or the daycare or school of any child listed in **2**.

Stay away from my home, workplace, or school, and the daycare or school of any child listed in **2**.

**Do not hurt or threaten** –

▪ Do not assault, harass, stalk or molest me or any child listed in **2**; and

- Do not use, try to use, or threaten to use physical force against me or the children that would reasonably be expected to cause bodily injury.

**Warning!** *If the court makes this order and the parties are intimate partners, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.*

- The Restrained Person and I are intimate partners because (*check all that apply*):
- we are current or former spouses or registered domestic partners.
  - we are parents of a child-in-common.
  - we live/d together as part of a dating relationship.

**Prohibit weapons and order surrender**

- Do not possess or obtain any firearms, other dangerous weapons, or concealed pistol license until the Order ends, and
- Surrender any firearms, other dangerous weapons, and any concealed pistol license that he/she possesses to (*check one*):  the police chief or sheriff.  his/her lawyer.  other person (*name*): \_\_\_\_\_.

**Other:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**8. Other temporary orders**

- No request.
- (*Specify*): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

➤ **Reasons for my requests**

**9. Why are you asking the court for the orders you checked above? (*Explain*):**

- If you need additional space use the *Declaration* form FL All Family 135.
- If you are asking for a parenting plan or residential schedule, also fill out the *Information for Temporary Parenting Plan*, form FL All Family 139, and a proposed *Parenting Plan*, form FL All Family 140, or *Residential Schedule*, form FL Parentage 304.
- If you are asking for child support, also fill out the *Child Support Worksheets* and *Financial Declaration*, form FL All Family 131, and file the required financial records. If you have received public assistance for any child in this case, also fill out the *Public Assistance Declaration*, form FL All Family 132.
- If you are asking to prohibit weapons or order surrender, give your reasons at the end of this section.
- If you are asking to change an earlier temporary order, give the date of the earlier order and explain how circumstances have changed since then

\_\_\_\_\_  
 \_\_\_\_\_



