

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 Default**

(MTDFL)

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**Motion for Default**

**Important!** *The person making this motion must ask the court to sign the Order on Motion for Default (FL All Family 162) either at a hearing or at ex parte.*

- *If you must notify the other side about this motion, you may use the Notice of Hearing form (FL All Family 185) unless local rule requires a different form. Contact the court for scheduling information.*
- *If you don't have to notify the other side, you may ask the court to sign the Order "ex parte" (without the other party there). Contact the Superior Court Clerk's office for the procedure in your county.*

1. My name is: \_\_\_\_\_.

**2. Request**

I ask the court to find the other party, (*name*): \_\_\_\_\_,  
in default, and to approve final orders in this case without the other party's participation  
because the other party has not filed a *Response*.

**3. Notice about the motion (*check one*):**

[ ] I must give the other party a copy of this motion and advance notice of the hearing  
because:

- s/he has filed a *Notice of Appearance* or appeared in this case in some other way,  
OR
- it has been more than one year since s/he was served with the *Summons* and  
*Petition*.

I do **not** have to give the other party a copy of this motion and advance notice of the hearing because s/he:

- has **not** filed a *Notice of Appearance*,
- has **not** appeared in this case in any other way, AND
- was served with the *Summons* and *Petition* less than one year ago.

**Note:** *Even if you do not have to notify the other party, you may choose to do so.*

**4. Service of Summons and Petition**

The other party was properly served on (*date*): \_\_\_\_\_ with a *Summons* and *Petition* for this case and any other documents listed in the proof of service filed with the court.

State (or foreign country) where the other party was served: \_\_\_\_\_

The other party had to be served outside of Washington State because (*explain*):

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

**5. Timing and type of service**

The other party was served with the *Summons* and *Petition* by (*check one*):

- personal service in Washington State, at least 21 days ago.
- personal service outside of Washington State, at least 61 days ago.
- mail, at least 91 days ago.
- publication, at least 61 days ago.
- For a *Petition to Modify Child Support Order* only:**
  - by mail in Washington State. Service was effective at least 21 days ago.
  - by mail outside of Washington State. Service was effective at least 61 days ago.

**6. Correct Court** (venue and jurisdiction)

At the time this case was filed:

The Petitioner lived in (*county and state*): \_\_\_\_\_

The Respondent lived in (*county and state*): \_\_\_\_\_

The children (if any) lived in (*county and state*): \_\_\_\_\_

The *Petition* describes how this court has jurisdiction over this case and the parties.

Other (*specify*): \_\_\_\_\_

**7. 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 or Reserve 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.*

