

ADDITIONAL CHARGES IF YOUR SPOUSE WILL NOT SIGN

Your spouse must be notified in one of the following ways:

1. Service Fee (You may have anyone over the age of 18 serve your spouse at no additional cost); or,
2. Service Fee - We can have them served anywhere in the United States. \$70.00- \$125.00; or
3. Service by certified/registered mail. \$5.50 - \$15.50 (Your spouse will have to sign for the mail; however, if they choose not to then you will have to serve them by either option 1 or 2); or
4. If you do not know where your spouse is living, you must obtain permission from the court to file a notice of the proceedings (Summons) in a local newspaper. If you do not know where your spouse is, you CAN NO LONGER file your documents in Lincoln County as the judge will not approve the notice to publish (unless you happen to reside in Lincoln County, Washington). If filing in King County, the notice of proceedings (Summons) will be published in the Daily Journal in Kent, Washington. If you do happen to live in Lincoln County, the notice of proceedings (Summons) will be published with the Odessa Record (located in Odessa, Washington). When filing your Petition in King County, notice will be published in the Daily Journal in Kent, Washington. Publication costs anywhere from \$100-\$300 depending on the newspaper.

Unlike our competitors, we only charge for your selection and we never mark up any of these costs.



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****Appointments are available before
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Divorce, Annulment and Legal Separation

DO IT YOURSELF DOCUMENTS

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Service Fees:

- No Dependent Children - \$169.00
- With Dependent Children - \$229.00



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ANNULMENT

May I get an annulment instead of a divorce in Washington State? While there is no legal action called an "annulment" in Washington State, there is a little-used action called a "petition for a declaration of invalidity", which is like an annulment in that it declares that the marriage was void (could not legally exist) since the day of its inception. There are very limited circumstances in which you can have your marriage declared invalid (i.e. annulled).

A Washington State Court can declare a marriage invalid if it decides that the parties should never have been married for the reason(s) that:

- one or both parties were underage (under 17);
- the marriage lacked a required parental or court approval for persons under age 18;
- one or both parties was already married when the marriage took place;
- the parties are too closely related by blood;
- one spouse lacked capacity to consent to the marriage (could not give consent) because of either mental incapacity or the influence of alcohol or drugs;
- a party was induced to enter into the marriage by force (or duress) or by fraud involving the essentials of marriage.

Even if the court finds one of these six factors to be true, the court will not declare the marriage invalid unless the petitioner also proves that the parties have not "ratified" their marriage (showed that they wanted to continue the marriage) by voluntarily continuing to live together as husband and wife after turning 18, after having the ability to consent, or after the force (or duress) stopped or the fraud was discovered. In addition, only the spouse who was the victim of force or fraud may petition for a declaration of invalidity.



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DIVORCE

What is a marital dissolution in Washington State? In Washington State, a marital dissolution is another word for divorce. Dissolution is a court action that you may file to end your marriage.

Typically, the state of Washington will recognize your marriage as legal if you are still legally married according to the laws of the state or country in which you were married.

Washington State has a "no fault" dissolution meaning you will not need to prove that either spouse was "at fault" in order to get a divorce. Only one party has to claim there are irreconcilable differences (i.e. you no longer get along with each other).

LEGAL SEPARATION

What is the difference between marital dissolution and legal separation in Washington State? In a Washington State legal separation, the court may grant all of the relief that is available in a marital dissolution; however, the court does not actually end the marriage (i.e. the couple is not divorced at the end).

Why file for legal separation? Sometimes persons will choose to file for a legal separation instead of a divorce because they do not want to end the marriage but they want the relief (such as property and debt division) that is available through a formal legal separation. This may be the case, for example, where a person's religious beliefs discourage him from filing for dissolution.

There are a few important facts about Washington State legal separation that you should keep in mind if you are thinking about filing one:

- In Washington State, you do not need to file a petition for legal separation before filing for marital dissolution; however, if you want to make sure that you are not responsible for the debts of your spouse that he/she may create after one of you moves out of the house, you should file a Petition for Legal Separation.
- In Washington State, if you file a legal separation but your spouse files a counter-petition asking for a marital dissolution, the court will most likely choose to enter a marital dissolution. This is because legally, to get a dissolution, only one spouse must show that there are irreconcilable differences between the spouses.

In Washington State, if you file a legal separation but later change your mind and instead want a marital dissolution (divorce), you will need to file and serve a new petition for dissolution (unless your spouse has cross-petitioned for a dissolution) or wait the six months required and file a **Motion and Order to Convert** (see below).

Additionally, in Washington State, any time after six months have passed since the entry of the decree of legal separation, either spouse may file a **Motion and Order to Convert** with the court to change the decree of legal separation to a decree of dissolution and the court must grant the request. Keep in mind that once the court enters a decree of legal separation, your spouse can also turn it into a divorce without your consent. All of the other parts of your legal separation orders (such as the parenting plan and order of child support) will not be affected and will stay in effect.

WHERE TO FILE & COURT COSTS

Residents of Washington State have the option to file their Petition for Invalidity, Dissolution or Legal Separation in the county in which they reside or in Lincoln County, however BOTH PARTIES MUST BE IN AGREEMENT IF FILING IN LINCOLN COUNTY.

If you choose to file in Lincoln County, you will avoid a court appearance (as required by all other Washington State counties) and, if there are dependent children of the marriage, you will not have to take parenting classes as is required by all other counties. Additionally, if you choose Lincoln County, we will file all your documents for you at no additional cost.

If you choose the county in which you reside, we will complete all your documents but then you will be responsible for filing them and appearing before a judge to obtain your degree.

- All counties charge a \$290.00 filing fee. Depending on combined income and expenses of both parties, the court may waive part of the (or entire) fee. If you believe you qualify for a reduced fee, we will complete this additional paperwork at no additional costs to you.
- Lincoln County charges an additional \$30.00 for the ex parte order.