

**BENTON COUNTY CLERK'S POLICY  
RE: DOCUMENTS RECEIVED FOR FILING**

**1. PURPOSE**

This policy defines the status of documents received by the Clerk's Office for filing.

**2. POLICY**

A document received by the Clerk's Office for filing, no matter how received, is officially filed at the time the official Clerk's file stamp is applied to the document by the Clerk or Deputy Clerk.

**3. PROCEDURE**

An official Clerk's file stamp will be applied as soon as possible to a document received in the Clerk's Office for filing. Upon receipt in the Clerk's Office, a document will not be returned regardless of whether or not an official file stamp has been applied, unless the document does not conform to Washington State Court Rules, or the Revised Code of Washington (RCW) as referenced below.

Reference:

GR30

GR14

CR10

RCW 2.32.050

RCW 26.18.220

RCW 36.23.030

AOC Format Rules

February 1, 2024

***JOSIE DELVIN***

Josie Delvin  
Benton County Clerk

## ELECTRONIC FILING AND SERVICE

**(a) Definitions.**

(1) “Electronic Filing” is the electronic transmission of information to a court or clerk for case processing.

(2) “Electronic Document” is an electronic version of information traditionally filed in paper form, except for documents filed by facsimile which are addressed in GR 17. An electronic document has the same legal effect as a paper document.

(3) “Electronic Filing Technical Standards” are those standards, not inconsistent with this rule, adopted by the Judicial Information System committee to implement electronic filing.

(4) “Electronic signature” is an electronic image of the handwritten signature or other electronic sound, symbol, or process, of an individual; attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the record, including but not limited to “/s/ [name of signatory]”.

(5) “Filer” is the person whose user ID and password are used to file an electronic document.

**(b) Electronic filing authorization, exception, service, and technology equipment.**

(1) The clerk may accept for filing an electronic document that complies with the Court Rules and the Electronic Filing Technical Standards.

(2) A document that is required by law to be filed in non-electronic media may not be electronically filed.

## Comment

Certain documents are required by law to be filed in non-electronic media. Examples are original wills, certified records of proceedings for purposes of appeal, negotiable instruments, and documents of foreign governments under official seal.

(3) Electronic Transmission from the Court. The court or clerk may electronically transmit notices, orders, or other documents to all attorneys as authorized under local court rule, or to a party who has filed electronically or has agreed to accept electronic documents from the court, and has provided the clerk the address of the party’s electronic mailbox. It is the responsibility of all attorneys and the filing or agreeing party to maintain an electronic mailbox sufficient to receive electronic transmissions of notices, orders, and other documents.

(4) A court may adopt a local rule that mandates electronic filing by attorneys and/or electronic service of documents on attorneys for parties of record, provided that the attorneys are not additionally required to file paper copies except for those documents set forth in (b)(2). Electronic service may be made either through an electronic transmission directly from the court (where available) or by a party’s attorney. Absent such a local rule, parties may electronically serve documents on other parties of record only by agreement. The local rule shall not be inconsistent with this rule and the Electronic Filing Technical Standards, and the local rule shall permit paper filing and/or service upon a showing of good cause. Electronic filing and/or service should not serve as a barrier to access.

## Comment

When adopting electronic filing requirements, courts should refrain from requiring counsel

to provide duplicate paper pleadings as “working copies” for judicial officers.

**(c) Time of Filing, Confirmation, and Rejection.**

(1) An electronic document is filed when it is received by the clerk’s designated computer during the clerk’s business hours; otherwise the document is considered filed at the beginning of the next business day.

(2) The clerk shall issue confirmation to the filing party that an electronic document has been received.

(3) The clerk may reject a document that fails to comply with applicable electronic filing requirements. The clerk must notify the filing party of the rejection and the reason therefor.

**(d) Authentication of Electronic Documents.**

(1) *Procedures*

(A) A person filing an electronic document must have received a user ID and password from a government agency or a person delegated by such agency in order to use the applicable electronic filing service.

Comment

The committee encourages local clerks and courts to develop a protocol for uniform statewide single user ID’s and passwords.

(B) All electronic documents must be filed by using the user ID and password of the filer.

(C) A filer is responsible for all documents filed with their user ID and password. No one shall use the filer’s user ID and password without the authorization of the filer.

(2) *Signatures*

(A) Attorney Signatures--An electronic document which requires an attorney’s signature may be signed with an electronic signature or signed in the following manner:

s/John Attorney  
State Bar Number 12345  
ABC Law Firm  
123 South Fifth Avenue  
Seattle, WA 98104  
Telephone: (206) 123-4567  
Fax: (206) 123-4567  
E-mail: John.Attorney@lawfirm.com

(B) Non-attorney signatures--An electronic document which requires a non-attorney’s signature and is not signed under penalty of perjury may be signed with an electronic signature or signed in the following manner:

s/John Citizen  
123 South Fifth Avenue  
Seattle, WA 98104  
Telephone: (206) 123-4567  
Fax: (206) 123-4567  
E-mail: John.Citizen@email.com

(C) Non-attorney signatures on documents signed under penalty of perjury--Except as set forth in (d)(2)(D) of this rule, if the original document requires the signature of a non-attorney signed under penalty of perjury, the filer must either:

(i) Scan and electronically file the entire document, including the signature page with the signature, and maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter; or

(ii) Ensure the electronic document has the electronic signature of the signer.

(D) Law enforcement officer signatures on documents signed under penalty of perjury.

(i) A citation or notice of infraction initiated by an arresting or citing officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1 and 2.2 is presumed to have been signed when the arresting or citing officer uses their user id and password to electronically file the citation or notice of infraction.

(ii) Any document initiated by a law enforcement officer is presumed to have been signed when the officer uses their user ID and password to electronically submit the document to a court or prosecutor through the Statewide Electronic Collision & Traffic Online Records application, the Justice Information Network Data Exchange, or a local secured system that the presiding judge designates by local rule. Unless otherwise specified, the signature shall be presumed to have been made under penalty of perjury under the laws of the State of Washington and on the date and at the place set forth in the citation.

(E) Multiple signatures--If the original document requires multiple signatures, the filer shall scan and electronically file the entire document, including the signature page with the signatures, unless:

(i) The electronic document contains the electronic signatures of all signers; or

(ii) For a document that is not signed under penalty of perjury, the signator has the express authority to sign for an attorney or party and represents having that authority in the document.

If any of the non-electronic signatures are of non-attorneys, the filer shall maintain the original signed paper document for the duration of the case, including any period of appeal, plus sixty (60) days thereafter.

(F) Court Facilitated Electronically Captured Signatures--An electronic document that requires a signature may be signed using electronic signature pad equipment that has been authorized and facilitated by the court. This document may be electronically filed as long as the electronic document contains the electronic captured signature.

(3) An electronic document filed in accordance with this rule shall bind the signer and function as the signer's signature for any purpose, including CR 11. An electronic document shall be deemed the equivalent of an original signed document if the filer has complied with this rule. All electronic documents signed under penalty of perjury must conform to the oath language requirements set forth in RCW 9A.72.085 and GR 13.

**(e) Filing fees, electronic filing fees.**

(1) The clerk is not required to accept electronic documents that require a fee. If the clerk does accept electronic documents that require a fee, the local courts must develop procedures for fee collection that comply with the payment and reconciliation standards established by the Administrative Office of the Courts and the Washington State Auditor.

(2) Anyone entitled to waiver of non-electronic filing fees will not be charged electronic

filing fees. The court or clerk shall establish an application and waiver process consistent with the application and waiver process used with respect to non-electronic filing and filing fees.

[Adopted effective September 1, 2003; Amended effective December 4, 2007; September 1, 2011; December 9, 2014; February 1, 2021; January 1, 2023.]

**FORMAT FOR PLEADINGS AND OTHER PAPERS**

**(a) Format Requirements.** All pleadings, motions, and other papers filed with the court shall be legibly written or printed. The use of letter-size paper (8-1/2 by 11 inches) is mandatory. The writing or printing shall appear on only one side of the page. The top margin of the first page shall be a minimum of three inches, the bottom margin shall be a minimum of one inch and the side margins shall be a minimum of one inch. All subsequent pages shall have a minimum of one inch margins. Papers filed shall not include any colored pages, highlighting or other colored markings. This rule applies to attachments unless the nature of the attachment makes compliance impractical.

**(b) Exception for Trial or Hearing Exhibits.** This rule is not mandatory for trial or hearing exhibits, but the use of trial or hearing exhibits that comply with this rule is encouraged if it does not impair legibility.

**(c) Application of Rule.** This rule shall apply to all proceedings in all courts of the State of Washington unless otherwise specifically indicated by court rule.

**(d) Citation Format.** Citations shall conform with the format prescribed by the Reporter of Decisions. (See Appendix 1.)

[Adopted effective September 1, 1990; amended effective April 1, 2001; September 1, 2003; September 1, 2008.]

## FORM OF PLEADINGS AND OTHER PAPERS

**(a) Caption.** Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number if known to the person signing it, and an identification as to the nature of the pleading or other paper.

(1) *Names of Parties.* In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.

(2) *Unknown Names.* When the plaintiff is ignorant of the name of the defendant, it shall be so stated in the plaintiff's pleading, and such defendant may be designated in any pleading or proceeding by any name, and when the defendant's true name shall be discovered, the pleading or proceeding may be amended accordingly.

(3) *Unknown Heirs.* When the heirs of any deceased person are proper parties defendant to any action relating to real property in this state, and when the names and residences of such heirs are unknown, such heirs may be proceeded against under the name and title of the "unknown heirs" of the deceased. In any action brought to determine any adverse claim, estate, lien, or interest in real property, or to quiet title to real property, unknown parties shall be designated as "also all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the complaint herein."

**(b) Paragraphs; Separate Statements.** All averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. Each claim founded upon a separate transaction or occurrence, and each defense other than denials, shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth.

**(c) Adoption by Reference; Exhibits.** Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.

**(d) Format Requirements.** [Reserved. See GR 14.]

**(e) Format Recommendations.** It is recommended that all pleadings and other papers include or provide for the following:

(1) *Service and Filing.* Space should be left at the top of the first page to provide on the right half space for the clerk's filing stamp, and space at the left half for acknowledging the receipt of copies.

(2) *Title.* All pleadings under the space under the docket number should contain a title indicating their purpose and party presenting them. For example:

USE	DO NOT USE
Petition for Dissolution	Petition
Defendant's Motion for Support, etc.	Motion
Order for Support	Order
Plaintiff's Trial Brief	Trial Brief

(3) *Bottom Notation.* At the left side of the bottom of each page of all pleadings and other papers an abbreviated name of the pleading or other paper should be repeated, followed by the page number. At the right side of the bottom of the first page of each pleading or other paper the

name, mailing address and telephone number of the attorney or firm preparing the paper should be printed or typed.

(4) *Typed Names.* The names of all persons signing a pleading or other paper should be typed under their signatures.

(5) *Headings and Subheadings.* Headings and subheadings should be used for all paragraphs which shall be numbered with roman and/or arabic numerals.

(6) *Numbered Paper.* Use numbered paper.

**(f) Personal Identifiers Prohibited.** [Reserved. See GR 31(e).]

**(g) Unpublished Opinions.** [Reserved. See GR 14.1.]

[Adopted effective July 1, 1967; Amended effective September 1, 1990; September 1, 2000; September 1, 2007; April 28, 2015.]

**RCW 2.32.050 Powers and duties of court clerks.** The clerk of the supreme court, each clerk of the court of appeals, and each clerk of a superior court, has power to take and certify the proof and acknowledgment of a conveyance of real property, or any other written instrument authorized or required to be proved or acknowledged, and to administer oaths in every case when authorized by law; and it is the duty of the clerk of the supreme court, each clerk of the court of appeals, and of each county clerk for each of the courts for which he or she is clerk:

(1) To keep the seal of the court and affix it in all cases where he or she is required by law;

(2) To record the proceedings of the court;

(3) To keep the records, files, and other books and papers appertaining to the court;

(4) To file all papers delivered to him or her for that purpose in any action or proceeding in the court as directed by court rule or statute;

(5) To attend, either in person or electronically if the proceeding is virtual, the court of which he or she is clerk, to administer oaths, and receive the verdict of a jury in any action or proceeding therein, in the presence and under the direction of the court;

(6) To keep the minutes of the proceedings of the court, and, under the direction of the court, to enter its orders, judgments, and decrees;

(7) To authenticate by certificate or transcript, as may be required, the records, files, or proceedings of the court, or any other paper appertaining thereto and filed with him or her;

(8) To exercise the powers and perform the duties conferred and imposed upon him or her elsewhere by statute;

(9) In the performance of his or her duties to conform to the direction of the court;

(10) To publish notice of the procedures for inspection of the public records of the court. [2021 c 122 § 2; 2017 c 183 § 1; 2011 c 336 § 45; 1981 c 277 § 1; 1971 c 81 § 12; 1891 c 57 § 3; RRS § 77. Prior: Code 1881 §§ 2180, 2182, 2184.]

**Rules of court:** SAR 16.

**Finding—Intent—2021 c 122:** "The legislature finds that the ability of county elected officials to fulfill their statutory responsibilities through continued conduct of essential functions and services during the current COVID-19 pandemic and potential future public health crises requires updating, and at times temporary waiver, of these requirements in statute. The legislature intends to update the manner in which services may be provided;

maintaining access and opportunity. In addition, the legislature intends to clarify the conditions under which waiver or suspension of specific statutes may be assumed by county elected officials in order to eliminate temporary barriers to continuity of operations." [2021 c 122 § 1.]

**RCW 26.18.220 Standard court forms—Mandatory use.** (1) The administrative office of the courts shall develop not later than July 1, 1991, standard court forms and format rules for mandatory use by litigants in all actions commenced under chapters 26.09, \*26.10, 26.26A, and 26.26B RCW effective January 1, 1992. The administrator for the courts shall develop mandatory forms for financial affidavits for integration into the worksheets. The forms shall be developed and approved not later than September 1, 1992. The parties shall use the mandatory form for financial affidavits for actions commenced on or after September 1, 1992. The administrative office of the courts has continuing responsibility to develop and revise mandatory forms and format rules as appropriate.

(2) A party may delete unnecessary portions of the forms according to the rules established by the administrative office of the courts. A party may supplement the mandatory forms with additional material.

(3) A party's failure to use the mandatory forms or follow the format rules shall not be a reason to dismiss a case, refuse a filing, or strike a pleading. However, the court may require the party to submit a corrected pleading and may impose terms payable to the opposing party or payable to the court, or both.

(4) The administrative office of the courts shall distribute a master copy of the forms to all county court clerks. The administrative office of the courts and county clerks shall distribute the mandatory forms to the public upon request and may charge for the cost of production and distribution of the forms. Private vendors may distribute the mandatory forms. Distribution may be in printed or electronic form. [2019 c 46 § 5025; 2005 c 282 § 34; 1992 c 229 § 5; 1990 1st ex.s. c 2 § 25.]

**\*Reviser's note:** Chapter 26.10 RCW, with the exception of RCW 26.10.115, was repealed by 2020 c 312 § 905. RCW 26.10.115 was repealed by 2021 c 215 § 170, effective July 1, 2022.

**Effective dates—Severability—1990 1st ex.s. c 2:** See notes following RCW 26.09.100.

Certified

**RCW 36.23.030 Records to be kept.** The clerk of the superior court at the expense of the county shall keep the following records:

(1) A record in which he or she shall enter all appearances and the time of filing all pleadings in any cause;

(2) A docket in which before every session, he or she shall enter the titles of all causes pending before the court at that session in the order in which they were commenced, beginning with criminal cases, noting in separate columns the names of the attorneys, the character of the action, the pleadings on which it stands at the commencement of the session. One copy of this docket shall be furnished for the use of the court and another for the use of the members of the bar;

(3) A record for each session in which he or she shall enter the names of witnesses and jurors, with time of attendance, distance of travel, and whatever else is necessary to enable him or her to make out a complete cost bill;

(4) A record in which he or she shall record the daily proceedings of the court, and enter all verdicts, orders, judgments, and decisions thereof, which may, as provided by local court rule, be signed by the judge; but the court shall have full control of all entries in the record at any time during the session in which they were made;

(5) An execution docket and also one for a final record in which he or she shall make a full and perfect record of all criminal cases in which a final judgment is rendered, and all civil cases in which by any order or final judgment the title to real estate, or any interest therein, is in any way affected, and such other final judgments, orders, or decisions as the court may require;

(6) A record in which shall be entered all orders, decrees, and judgments made by the court and the minutes of the court in probate proceedings;

(7) A record of wills and bonds shall be maintained. Originals shall be placed in the original file and shall be preserved or duplicated pursuant to RCW 36.23.065;

(8) A record of letters testamentary, administration, and guardianship in which all letters testamentary, administration, and guardianship shall be recorded;

(9) A record of claims shall be entered in the appearance docket under the title of each estate or case, stating the name of each claimant, the amount of his or her claim and the date of filing of such;

(10) A memorandum of the files, in which at least one page shall be given to each estate or case, wherein shall be noted each paper filed in the case, and the date of filing each paper;

(11) A record of the number of petitions filed for restoration of the right to possess a firearm under chapter 9.41 RCW and the outcome of the petitions;

(12) Such other records as are prescribed by law and required in the discharge of the duties of his or her office. [2011 c 193 § 3; 2002 c 30 § 1; 1987 c 363 § 3; 1967 ex.s. c 34 § 2; 1963 c 4 § 36.23.030. Prior: (i) 1923 c 130 § 1; Code 1881 § 2179; 1863 p 417 § 6; 1854 p 366 § 6; RRS § 75. (ii) 1917 c 156 § 2; RRS § 1372. (iii) 1917 c 156 § 57; Code 1881 § 1384; 1863 p 219 § 118; 1860 p 181 § 85; RRS § 1427. (iv) 1917 c 156 § 72; Code 1881 § 1411; 1863 p 221 § 130; 1860 p 183 § 97; RRS § 1442.]

**Administrative Office of the Courts**  
**Format and Style Rules for Mandatory Forms**  
**Developed Pursuant to RCW 26.18.220**  
(September 2022)

➤ **Form and Pleading Standards**

The following standards apply to written forms, to printed forms, and to the electronic reproduction of forms and pleadings required by RCW 26.09.006, RCW 26.10.015 and RCW 26.26.065.

**1. Required Format Standards**

The format standards in this section are required for all forms, pleadings, motions, and other papers filed with the court pursuant to GR 14. The rule applies to all proceedings in all courts of the state of Washington unless otherwise specifically indicated by court rule.

❖ ***Paper Size***

Paper size is 8-1/2" x 11".

❖ ***Writing or Printing***

Forms and pleadings must be legibly written or printed on one side of each page only.

❖ ***Font***

- ***Font:*** Forms and pleadings must be printed in standard text fonts. Use a Sans Serif font, such as Arial.
- ***Font size:*** Use the following fonts sizes for the:
  - caption: 11 or 12 point font, as explained in **3**, below;
  - form title repeated immediately below the caption: 14 point font, as explained in **4**, below;
  - section headings: bold, 11 point font;
  - section text: 11 or 12 point font;
  - footers: 9 point font. Other point sizes may be used for footers so long as the footers are legible when faxed, photocopied or scanned.
- ***Text enhancement:*** Bold, underlined, and italicized type are acceptable where appropriate.

❖ **Margins**

- First page:
  - Top Margin: Three inches.
  - Left Side Margin: One inch.
  - Right Side Margin: One inch.
  - Bottom Margin: One inch.
- Subsequent pages:
  - Top Margin: One inch.
  - Left Side Margin: One inch.
  - Right Side Margin: One inch.
  - Bottom Margin: One inch.

❖ **No Color**

Filed forms and pleadings must not include any colored pages, highlighting, or other colored markings.

❖ **Exhibits**

The required format standards are not mandatory for exhibits, but encouraged if they do not impair legibility.

## 2. Recommended Format Standards

Check local court rules for any formatting requirements. The format recommendations in CR 10(e) must be followed in the absence of local rules concerning use of numbered paper, spacing, and related formatting standards.

- ❖ **Footers** must be placed at the left side and middle of the bottom of each page, *in* the one inch bottom margin.
- ❖ **Attorney or firm name**, mailing address, telephone number, and URL may be present in the right side of the one inch bottom margin.
- ❖ **Line numbers** may be present in the one inch left side margin.
- ❖ **Vertical lines** may be present in the one inch side margins.

The margin requirements in Section 1 are required for scanning purposes. Anything present in the margins might not be scanned and might not become a part of the court's or county clerk's electronic archive.

### 3. Captions

Captions must include the following:

- ❖ **Name of Court.** The court's name must be in bold, 12 point font and centered at the top of the first page of the pleading or form.
- ❖ **Designation of Parties and Action.** The parties and title of the action must be in 11 point font and designated as required in RCW 26.09.010 and RCW 26.10.020 in the left-hand field of the caption.
- ❖ **Form Title.** The title of the form is designated by the Administrative Office of the Courts. The title must be printed in 11 point font, in the caption in the right hand field. The form title may not be changed or deleted, except to delete inapplicable portions of the title (e.g., the title of the parenting plan may be altered to indicate whether the parenting plan is a proposed, temporary or final parenting plan).
- ❖ **Docket Code.** The docket code is assigned to the form by the Administrative Office of the Courts. Print the docket code underneath the form title. The docket code may not be changed or altered from the assigned code.

### 4. Form Title below the Caption

The form title from the caption should be repeated immediately below the caption, centered and in 14 point font.

### 5. Footers

Footers for the forms are mandatory. The footers must consist of the following components:

- ❖ **In the left cell of the footer, left justify and include:**
  - *Top line.* The Revised Code of Washington or Court Rule citation.
  - *Middle line:* "Mandatory Form" or "Optional Form" followed by the form's revised date "(MM/YYYY)."
  - *Bottom line:* the form number in bold font. Example form number: "**FL Divorce 241.**"
- ❖ **In the middle cell of the footer, center and include:**
  - *Top line:* the form title. If the form title is long, continue the title on the second line.
  - *Bottom line:* the page number and number of pages in the form.
- ❖ **Example Left and Middle Sections of the Footer:**

## 6. Sections

- ❖ **Section Number and Header.** Each section of a form includes a section number and, in most instances, a header. The section number and header must not be changed or deleted.
- ❖ **Section Text.** The text of a section must not be altered, deleted or revised from the text provided in the form or pleading, except where there are check boxes provided in the form or pleading. If there are check boxes in the section, the text above or before the first check box may **not** be altered, deleted or revised. Text following check boxes may be deleted as provided in **7** below. Text may be added to a section only as provided in **8** below.
- ❖ **Example.** The portions of Section 4 of the Petition for Divorce (Dissolution) which are shaded below may not be altered, deleted or revised in any fashion. The text and check boxes following the shaded area may be deleted as provided in **7** below:

### 4. Jurisdiction over the spouses

The court has jurisdiction over the marriage because at least one of the spouses lives in Washington State, or is stationed in this state as a member of the armed forces.

The court **has** personal jurisdiction over the Respondent because *(check all that apply)*:

The Respondent lives in Washington State.

The Petitioner and Respondent lived in Washington State while they were married, and the Petitioner still lives in this state or is stationed in this state as a member of the armed forces.

The Petitioner and Respondent may have conceived a child together in this state.

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

The court does **not** have personal jurisdiction over the Respondent. *(This may limit the court's ability to divide property and debts, award money, set child support or spousal support, or approve a restraining order or protection order.)*

## 7. Delete check boxes that do not apply

- ❖ **Options:** Check boxes are used wherever optional statements exist and

a person may select one or more options. The check boxes are before the options to which they apply.

- ❖ **Delete options:** Check boxes and the statements that follow the check boxes may be deleted if they do not apply to a case. Any instructions in parentheses, such as (*Check all that apply*), may be deleted with the check boxes and statements.
- ❖ **Example:** If the respondent is residing in Washington, the lines of Section 4 of the Petition for Divorce (Dissolution) highlighted below apply:

#### 4. Jurisdiction over the spouses

The court has jurisdiction over the marriage because at least one of the spouses lives in Washington State, or is stationed in this state as a member of the armed forces.

The court **has** personal jurisdiction over the Respondent because (*check all that apply*):

The Respondent lives in Washington State.

The Petitioner and Respondent lived in Washington State while they were married, and the Petitioner still lives in this state or is stationed in this state as a member of the armed forces.

The Petitioner and Respondent may have conceived a child together in this state.

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

The court does **not** have personal jurisdiction over the Respondent. (*This may limit the court's ability to divide property and debts, award money, set child support or spousal support, or approve a restraining order or protection order.*)

**Delete** the check boxes that do not apply so the statements that do apply appear as follows:

#### 4. Jurisdiction over the spouses

The court has jurisdiction over the marriage because at least one of the spouses lives in Washington State, or is stationed in this state as a member of the armed forces.

The court **has** personal jurisdiction over the Respondent because the Respondent lives in Washington State.

### 8. Add text to a form or pleading

- ❖ **Other:** Text may not be added to a form or pleading except where the

word "other" appears as a section heading or a check box option in the form or pleading. Any text that is added to a form or pleading at a check box option must be preceded by the word "other" to identify the text as added text.

- ❖ **Example:** In section 4 of the Petition for Divorce (Dissolution) add an "other" basis for jurisdiction over the respondent as follows:

#### **4. Jurisdiction over the spouses**

The court has jurisdiction over the marriage because at least one of the spouses lives in Washington State, or is stationed in this state as a member of the armed forces.

The court **has** personal jurisdiction over the Respondent because:

Other: The respondent is submitting to the jurisdiction of the court by joining the petition.

### **9. Miscellaneous**

- ❖ **Names of Parties.** The names of the parties may be substituted for petitioner, respondent, husband, wife, mother, father, etc., wherever appropriate in the body of the forms.
  - *Child Support Worksheets:* Names of parties may be substituted for "Column 1" and "Column 2" in the *Worksheets* and *Attachment for Residential Split Adjustment*.
- ❖ **Instructions within boxes.** Instructions and information in boxes are mandatory and must not be altered, deleted, or revised.
- ❖ **Attachments.** Attachments to the forms are permissible.
- ❖ **WSBA Numbers.** Pursuant to APR 13(a) and CR 11, attorneys must include their WSBA number whenever a form or pleading is signed.
- ❖ **Service, Transmittal or Confirmation Stamps on Original Documents.** Do not place stamps in the upper right space of the first page of the document. You may place these stamps in the upper left space of the first page. GR 14 and CR 10.

➤ **Use of Pleadings and Forms not Developed by the Administrative Office of the Courts**

Pleadings and forms, other than those developed by the Administrative Office of the Courts, may be submitted provided:

1. **Authorized by Law.** The pleading or form is authorized under civil rules or statute (e.g., interrogatories and subpoenas, declarations of parties, etc.);
2. **No mandatory form.** A similar pleading or form is not included in the mandatory forms developed by the Administrative Office of the Courts; and
3. **Complies with format and style rules.** The pleading or form complies with these format standards and rules and the caption of the form or pleading contains the notation "No Mandatory Form Developed."

**Administrative Office of the Courts**  
**Format and Style Rules for Mandatory Forms**  
**Developed Pursuant to RCW 13.34.035**  
(September, 2022)

**I. Use of Pleadings and Forms not developed by the Administrative Office of the Courts**

Pleadings and forms, other than those developed by the Administrative Office of the Courts, may be submitted to the court provided:

- (A) The pleading or form is authorized under civil rules or statute (e.g., interrogatories and subpoenas, declarations of parties, etc.);
- (B) A pleading or form for a similar purpose or hearing is not included in the mandatory forms developed by the Administrative Office of the Courts; and
- (C) The pleading or form complies with the format standards and rules set forth below and the caption of the form or pleading contains the notation "No Mandatory Form Developed."

**II. Form and Pleading Standards**

The following standards apply to written forms, to printed forms and to the electronic reproduction of forms and pleadings required by RCW 13.34.035.

**(A) Required Format Standards**

The format standards in this section are required for all forms, pleadings, motions and other papers filed with the court pursuant to GR 14. The rule applies to all proceedings in all courts of the state of Washington unless otherwise specifically indicated by court rule.

**(1) Paper Size**

Paper size is 8-1/2" x 11".

**(2) Writing or Printing**

Forms and pleadings shall be legibly written or printed on one side of each page only. Forms and pleadings shall be printed in standard text fonts. For captions and paragraph headings, use a Sans Serif font, such as Arial, in bold, 10, 11, or 12 point font. For the text, use a Sans Serif font, such as Arial, in 10, 11, or 12 point font. Other point sizes may be used for captions and footers so long as the captions and footers are legible when faxed, photocopied or scanned. Bold, underlined and italicized type is acceptable where appropriate.

**(3) Margins**

a) First page:

- (i) Top Margin: Three inches.
- (ii) Left Side Margin: One inch.
- (iii) Right Side Margin: One inch.
- (iv) Bottom Margin: One inch.

b) Subsequent pages:

- (i) Top Margin: One inch.
- (ii) Left Side Margin: One inch.
- (iii) Right Side Margin: One inch.
- (iv) Bottom Margin: One inch.

**(4) Filed Forms and Pleadings**

Filed forms and pleadings shall not include any colored pages, highlighting or other colored markings.

**(5) Exhibits**

The required format standards are not mandatory for exhibits, but the use of the exhibits that comply with these format standards is encouraged if it does not impair legibility.

**(B) Recommended Format Standards**

Local rules, if any, should be followed with regard to use of numbered paper, spacing, fonts and related formatting standards. The format recommendations set forth in CR 10(e) must be adhered to in the absence of local rules concerning use of numbered paper, spacing and related formatting standards.

- (1) Footers must be placed at the left side of the bottom of each page, *in* the one inch bottom margin.
- (2) Attorney or firm name, mailing address, telephone number, and URL may be present in the right side of the one inch bottom margin.
- (3) Line numbers may be present in the one inch left side margin.
- (4) Vertical lines may be present in the one inch side margins.

The margin requirements in Section II (A)(3) are required for scanning purposes. Anything present in the margins might not be scanned and might not become a part of the court's or county clerk's electronic archive. Litigants are not prohibited from placing the items listed in 2 through 4 clear of the margins.

### (C) Captions

Captions must include the following:

- (1) **Name of Court.** The name of the court. The court's name may be set forth at the left margin of the pleading or form, or centered at the top of the first page of the pleading or form.
- (2) **Form Title.** The title of the form designated by the Administrative Office of the Courts. The title must be printed in the lower portion of the caption in the right hand field. The document title may not be changed or deleted, except to delete inapplicable portions of the title (e.g., the title of the Order of Dependency may be altered to indicate whether the order is agreed, contested or default as to the mother, father, or "other").
- (3) **SCOMIS Codes.** The SCOMIS (Superior Courts Management Information System) code is assigned to the form by the Administrative Office of the Courts. The SCOMIS code is to be printed underneath the form title. The SCOMIS codes may not be changed or altered from the assigned code.
- (4) **Designation of Parties and Action.** The parties, the title of the action, and the child's date of birth. "D.O.B", shall be designated in the left-hand field of the caption.

### (D) Footers

Footers for the forms are mandatory. The footers must consist of the following components:

❖ ***In the left cell of the footer, left justify and include:***

- ***Top line.*** The Revised Code of Washington or Court Rule citation.
- ***Middle line:*** "Mandatory Form" or "Optional Form" followed by the form's revised date "(MM/YYYY)."
- ***Bottom line:*** the form number in bold font. Example form number: "**FL Divorce 241.**"

❖ ***In the middle cell of the footer, center and include:***

- ***Top line:*** the form title. If the form title is long, continue the title on the second line.
- ***Bottom line:*** the page number and number of pages in the form.

❖ ***Example Left and Middle Sections of the Footer:***

**(E) Paragraphs**

- (1) **Paragraph Number and Header.** Each paragraph of a form includes a paragraph number and, in some instances, a header. The paragraph number and header shall not be changed or deleted. If there is a check box to the right of the paragraph number, the box should be checked if the paragraph applies. If the paragraph does not apply, the box should not be checked. The text following the unchecked box may be deleted as provided below under Section (F).
- (2) **Paragraph Text.** The text of a paragraph shall not be altered, deleted or revised from the text provided in the form or pleading, except if there are check boxes provided in the form or pleading. If there are check boxes in the paragraph, the text preceding the first check box may not be altered, deleted or revised. The text following the check boxes may be deleted as provided below under Section (F). Text may be added to a paragraph only as provided in Section (G) below.
- (3) **Example of Rule (E)(2) above** -- The portions of Paragraph 1.4 of the Dependency Petition which are shaded below may not be altered, deleted or revised in any fashion. The text following the check boxes may be deleted as provided below under Section (F):

**1.4 Dependency:** The child should be declared dependent according to RCW13.34.030 as follows:

- (a) the child has been abandoned as defined in RCW 13.34.030;
- (b) the child is abused or neglected as defined in chapter 26.44 RCW; or
- (c) the child has no parent, guardian or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development."

**(F) Deletion of Check Boxes that do not Apply**

- (1) Check boxes in the text are used wherever identifiable alternatives to choices exist and precede the statements (choices) to which they apply.
  - (a) Example -- Paragraph 1.4 of the Dependency states:

**“1.4 Dependency:** The child should be declared dependent according to RCW13.34.030 as follows:

- [ ] (a) the child has been abandoned as defined in RCW 13.34.030;
- [ ] (b) the child is abused or neglected as defined in chapter 26.44 RCW; or
- [ ] (c) the child has no parent, guardian or custodian capable of adequately caring for the child, such that the child is in circumstances which constitute a danger of substantial damage to the child’s psychological or physical development.”

(b) Check boxes and the statements that follow the check box may be deleted if they do not apply to a case.

Example -- If the child is abused or neglected, the check boxes in Paragraph 1.4 which do not apply may be deleted as follows:

**“1.4 Dependency:** The child should be declared dependent according to RCW13.34.030 as follows:

(b) the child is abused or neglected as defined in chapter 26.44 RCW.”

(2) A check box after the paragraph number or paragraph heading and before the text is used when the subject matter in the paragraph may or may not apply in a case. If the box is checked, the statement after the box remains in the form (subject to (F.I. above). If the box is not checked, the text after the box may be deleted and replaced with “N/A”:

(a) Example -- Paragraph 2.3 of the First Dependency Review Hearing Order/Dependency Review Hearing Order/Permanency Planning Hearing Order states:

“2.3 [ ] Pursuant to RCW 13.34.030, the child was found to be dependent as to the [ ] mother [ ] father [ ] guardian/legal custodian and a disposition order was entered.”

(b) The first check box, and any check boxes and statements that follow may be deleted, if they do not apply to a case, and replaced with “N/A”.

Example: If the child was not found to be dependent, the check box and text in paragraph 2.3 may be deleted and replaced with “N/A”:

“2.3 N/A.”

**(G) Adding Text to a Form or Pleading**

(1) Text may be added when the form or pleading contains space in which to write information (such as when a colon is followed by space in which to write information or when text ends with “as follows:” followed by space in which to write the requested information).

(a) Example paragraph 2.1 of the First Dependency Review Hearing Order /Dependency Review Hearing Order/Permanency Planning Hearing Order:

“[ ] The child is an Indian child as defined in 25 U.S.C. 1903(4), and the Indian Child Welfare Act does apply to these proceedings. All notice requirements under the ICWA and RCW 13.34.070(10)(a) have been satisfied as follows:

The tribe was notified on June 10, 2010, by certified mail.”

(2) Text shall not be otherwise added to a form or pleading unless the word "other" appears as a paragraph heading or as a check box option within a paragraph in the form or pleading. Any text that is added to a form or pleading as a check box option must be preceded by the word "other" to identify the text as added text.

(a) Example: - paragraph 2.7 of the First Dependency Review Hearing Order /Dependency Review Hearing Order/Permanency Planning Hearing Order:

“2.7 The child has been in out-of-home care for 15 of the last 22 months since the date the dependency petition was filed and:

Good cause not to require the filing of a termination petition exists because of the following:

(GCF) Other: The mother filed a petition for order appointing Title 13 RCW guardian.”

**(H) Miscellaneous**

(1) **Names of Parties.** The names of the parties may be substituted for the terms mother, father, child, guardian, legal custodian etc., wherever appropriate in the body of the forms.

- (2) **Attachments.** Attachments to the forms are permissible.
- (3) **WSBA Numbers.** Pursuant to APR 13(a) and CR 11, attorneys must include their WSBA number whenever a form or pleading is signed.
- (4) **Service, Transmittal or Confirmation Stamps on Original Documents.** Do not place stamps in the upper right space of the first page of the document. You may place these stamps in the upper left space of the first page. GR 14 and CR 10.