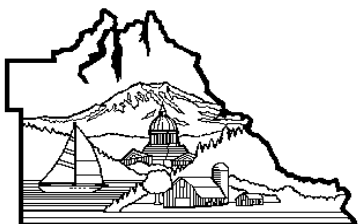


NONREFUNDABLE \$5.00

**MOTION FOR
ORDER
OF DISMISSAL**

8-5

*✓ You Want to Dismiss or Close your
Family Court Case*



THURSTON COUNTY
WASHINGTON

SINCE 1852

Linda Myhre Enlow, Thurston County Clerk
2801 - 32nd Avenue S.W.
Tumwater, WA 98512
(360) 709-3269 or (360) 709-3274

Self-Help Center

**HOW TO FILE A MOTION FOR
ORDER OF DISMISSAL**

CHECKLIST

Use the forms and instructions in this packet only if the following factors apply to your situation:

- ✓ You have a family court case in Thurston County Superior Court;
- ✓ You no longer want to proceed with the action;
- ✓ You want your petition dismissed and the case closed.

If you are not seeking to close your case, but are asking for relief from a judgment or order, please refer back to the self-help center.

README: It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document or get involved with a court case, it is important that you carefully read the document to make sure you are doing the right thing. You may also want to contact a lawyer for legal advice and help with those issues you do not understand. If you need help with the forms, procedures and rules of the court, there is a Family Court Facilitator available to assist you.

Updated 4/1/2025
K:\Facilitator\FORMS\self-service center\8-5_Motion_to_Dismiss.doc

DISMISSAL OF A FAMILY LAW CASE

Forms and Instructions

STEP ONE COMPLETING FORMS

1. Motion for Dismissal

2. Notice of Hearing

Suggestion: Make an appointment with Facilitator for review of paperwork

STEP TWO FILING YOUR PAPERS AND NOTIFYING THE OTHER PARTY

*Instruction: File documents 1 through 2 above
Notify the Other Party*

STEP THREE PRESENT ORDER TO COURT

3. Order on Motion for Dismissal

PLEASE NOTE: There are separate packets available for:

Motion to Reconsider

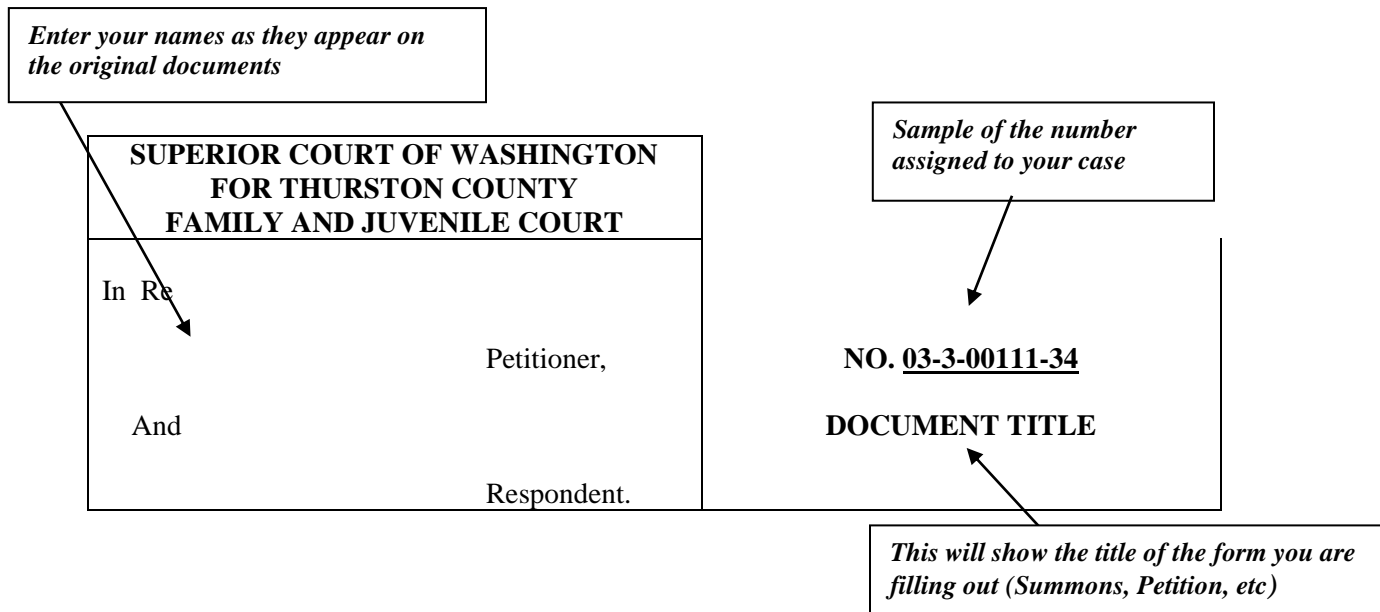
Motion to Vacate

Motion to Revise

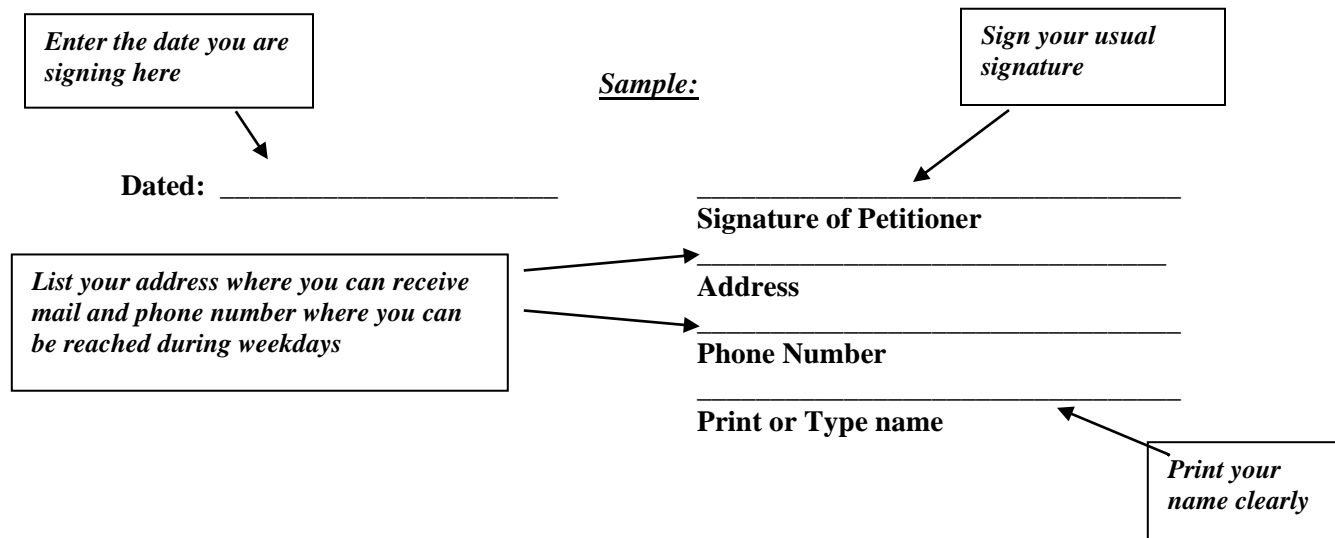
(Please refer back to the self- help center to purchase these packets)

ALL FORMS

Every document must be completed as follows:



- **The contents of the document:** All forms must be completed in dark blue or black ink or be typewritten. Make sure every section is completed. Read through each option for every paragraph and answer each question the best you can. If none of the choices apply to you mark “other” or “does not apply.” Most sections will allow space for you to write in the answer if none of the choices apply to your situation.
- **Dates & Signatures:** Many of the forms require your signature. On some forms you will have to sign twice. On the last page of most forms there is a place to fill in the date you are signing and a place for your signature. Be sure you sign, date and complete any other information it asks for such as address, phone number and printed name. (*See Sample on next page.*)



In some instances there will be the following declaration and place for you to fill in the city and state where you are signing. This is called a “verification” signature block. Even though this may appear to be duplicating the above signature, it is necessary, so be sure you fill in the information it asks for and sign it.

Sample:

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at _____ on _____.

(City and State) (Date)

Enter city and state where you are at the time of signing

Sign your usual signature

Enter the date you are signing here

Signature

Print your name clearly

Print or Type Name

- **NOTE:** On those pages where there is a date line and signature line for the judge to sign, **do not sign or date** in the space provided for the judge.

Sample:

Dated: _____

Court Commissioner/Judge

Presented by: You will be signing the papers as the person presenting them to the judge. Fill in any other information requested such as address, phone, printed name, etc.

Presented by:

Signature

Address

Print Name

Approved for Entry and Notice of Presentation Waived:

Signature

Address

Print Name

Approved for entry (Notice of presentation waived): This is where the other party will sign approving the papers for entry with the court, and it also means the other party is not requiring notice of the date or time you will be presenting these papers to the judge. Fill in other information requested.

STEP ONE

Make an extra copy of the forms before you start so if you make a mistake and need to start over you won't have to buy another form.

Read all the instructions in this packet, then complete the following documents:

- 1. Motion for Dismissal**
- 2. Order on Motion for Dismissal**

*Once you have completed the above forms, it is strongly suggested that you **make an appointment with the Family Court Facilitator** so your paperwork can be reviewed to make sure it is complete.*

*There is a **\$25.00** charge for this service.*

To Schedule an appointment, call (360) 709-3269 or (360) 709-3274.

If both parties agree:

(Document 1) **Motion for Dismissal** asks the court to dismiss your existing case. You must complete the Motion and Declaration by explaining to the Court why this case should be dismissed.

If both parties are in agreement this matter can be presented to a Judge ex parte. Make sure both parties sign the Motion and the Order.

FILING YOUR MOTION: *Be sure to make extra copies of all completed documents before you file them.* When you have all your papers completed you will be ready to see a Judge. Take your documents to the Clerk's Office for filing.

SEEING A JUDICIAL OFFICER: The Thurston County Clerk's Office allows presentation of ex-parte types of orders every day of the week. Follow the instructions on the **Ex-Parte Instructions** included in this packet for the most current check-in times and other requirements. The Judge will decide based solely on your written statement whether or not to grant your requests

- ❖ If both parties do not agree on the dismissal, you must schedule a hearing and notify the other party. If this is the case, proceed with Step Two and Three.

STEP TWO

Complete the Notice of Hearing in addition to the documents in Step One. Be sure to make extra copies of all completed documents before filing.

FILE YOUR DOCUMENTS

Take your completed forms in Step One to the Clerk's Office to file. Mail or deliver a copy of your Motion and Notice of Hearing to the other party.

STEP THREE

ATTEND HEARING: Take the Order of Dismissal to your Court hearing.

4. Order on Motion for Dismissal

Complete the Order as though the Judge has granted your motion. If there are any changes the Judge will make them at the hearing.

It is your responsibility to have this order completed to present to the Judge if your motion is granted.

How do I obtain copies of court documents?

To obtain a copy of publicly available court documents:

- Via in-person: Come to either the main courthouse or to the Family and Juvenile Court facility to obtain copies of documents for ANY case type.
- Via mail: Contact our office to request the cost of the copies. Mail a money order or cashier check, note with the document you are requesting and self-addressed stamped envelope to:
Thurston County Clerk
2000 Lakeridge Drive SW
Olympia, WA 98502
- Via email: Contact us with your request at TCCLerk@co.thurston.wa.us. Once payment has been received, the documents will be sent to you.

Copy costs per document:

- Certified paper copies (with the Clerk's seal affixed) cost \$5 for the first page and \$1 for each additional page.
- Paper copies (without the Clerk's seal) cost \$.50 per page. Advance payment is required.
- eMail copies (without the Clerk's seal) cost \$.25 per page. Advance payment is required.

The Clerk's Office accepts cash, credit, or debit cards.