



## **FAMILY LAW 101 VOCABULARY**

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**About the Kids Parenting Class** (or “About the Children. . .”)– The name of the required class you must take when you file for a dissolution with children in King, Snohomish and Pierce Counties.

**Adequate Cause** – the threshold that must be granted by a court to modify a final parenting plan.

**Acceptance of Process** – a precisely populated pleading signed by the person who accepts service of **process**. This must be filed with the court to count as service.

**Administrative Order for Child Support** – this is an order set forth by DCS, the Department of Child Support. See also “Judicial Order for Child Support”.

**ADR** – Alternative Dispute Resolution is a way of solving problems between the parties without going before a judge or commissioner in court. This can be mediation (where the parties come to an agreement) or arbitration (where an arbitrator makes decisions for you).

**Agreed Order** – An order that both parties agree that they want the court to sign

**Affirmative Defense** – a reasonable defense one can raise.

**Anti-Harassment Petition or Order** – A petition filed to stop harassment between people who have no domestic relationship between them.

**APR 28** – the Admission to Practice Rule that describes what LLLTs (Limited Licensed Legal Technicians) can and cannot do, and more.

**Arbitration** – An ADR (Alternative Dispute Resolution) process that is an alternative to going to court. An arbitrator, like a judge, hands down a binding “award” that can be challenged in court only for a limited time after it’s been filed.

**Arrears** – child support ordered but not yet paid.

**Attorney (or Lawyer)** – A person licensed by the Washington State Bar Association to practice law.

**Calendar Note** (AKA Notice for Hearing) – A local rule specific pleading that tells the court and all interested parties what you want decided, where, and at what time.

**Caption** – the content at the top of a pleading that must conform to local rules. At a minimum it cites the County, Case # (if one has been assigned), full names as originally cited of Petitioner, Respondent and any other Interested Parties, the title of the form. Check local rules for specific requirements.

**Case Law** – the cases that were decided before your case that might provide ruling precedent, or a model for how the judge should decide a case based on the past.

**Case Schedule** – the schedule assigned by order of the court by which the case will progress through the court unless otherwise ordered by a presiding **judge**. It's super important if you have a case schedule that you comply with it, lest you face **dismissal** if you're the **Petitioner** or **default** if you're the **Respondent**.

**Certificate of Confirmation** – documentary evidence of a completed confirmation. See also Certificate of e-filing and Receipt for Working Copies.

**Certificate of e-Filing** – documentary evidence of a completed e-filing. See also Certificate of Confirmation and Receipt for Working Copies.

**Certificate of e-Service**– documentary evidence of completed e-service.

**Clerk** – An employee at the courthouse who checks and processes pleadings. These folks are great at answering your questions about forms and process, and can assist you in getting copies of documents already filed. They're not, however, licensed to provide "legal advice" which indeed may feel like a paradox. See GR 24.

**Commissioner** – Commissioner have authority to decide certain cases. Commissioners are not elected and are junior to Judges.

**Confirmation** – in accordance with local rules, a moving party must confirm their hearing. This is done either by phone call or email. This must be done correctly and in a timely fashion or the hearing will be stricken (not heard at all).

**Contempt** – A finding by a commissioner or judge that a person who had been served with a binding order, who had the power to comply, did not comply.

**Contested Hearing** – A hearing in which the parties do not agree.

**Continuance (or Motion for Continuance)** – asking for a delay or rescheduling of your hearing. This is usually done to allow you more time to prepare to participate or bring new counsel on your team.

**CPS** – Child Protective Services.

**CR 2(a)** – a mediated settlement agreement that can accompany agreed orders.

**CR26 Teleconference** (AKA "meet and confer") – This is a requirement that, when you have asked for certain information in discovery, you meet with the other party (or their attorney if represented) to see if it can be resolved before you can bring a motion to compel them to comply with your request. This can be done on the phone.

**DCS** – the Department of Child support.

**Declaration** – This I signed sworn testimony provided to the court under the penalty of perjury.

**Default (or Motion for Default)** – what happens upon request of a Petitioner when the Respondent fails to Respond in a timely manner. This grants the Petitioner what they asked for in their Petition.

**Deadline** – the latest time you can get something done, like confirm a hearing, or file a Response or Reply.

**Deposition** – Questions asked under oath with a court reporter and/or attorneys present. Either party may depose the other and the person being deposed must answer the questions asked to the best of their ability. It can be used against the person answering at trial.

**Discovery** – Governed by civil rule 26, this is a chance to learn about the other side or the larger situation. Discovery includes prelitigation informal learning AND after the start of a case interrogatories, depositions, requests for production and requests for admission. Discovery can also be informal or formal.

**Dismissal (or Motion to Dismiss)** – what happens upon request of a Respondent or by order of the court when the Petitioner fails to conform to a case schedule or other order of the court in a timely manner. This drops the case.

**DVPO** – Domestic Violence Protection Order. This is an order prohibits one party from having contact with the petitioner and/or their minor children. This is used when the parties are or have been in a domestic relationship (married, living together, parent-child, etc.).

**Electronic Stipulation** (sometimes called “e-Stip”)– A written agreement that the parties will mutually accept service by email. This means that you can email them a motion instead of mailing it or having it personally delivered.

**e-Filing** – Filing your pleadings with the court online. This is only available in select counties. Also see **GR 30**.

**e-Service**– Serving your pleadings online. This is only available in select counties and where the other parties are signed up for e-service. Consult **local rules**.

**ER 408** – the Evidence Rule that if properly used protects a settlement document from being disclosed to the court.

**ER 904** – the Evidence Rule specific to trial preparation in which the OP (opposing party) gets a chance to object to documents intended for use at trial as authenticated exhibits. See local rules for deadlines to file and serve prior to trial.

**Ex Parte** – “Without the other party present.” Check local rules for what can and cannot be heard ex parte and what notice must be provided to the other side.

**Family Law Facilitator** – An employee at the courthouse who is able to make sure you have the right forms for you family law hearing. These folks – when experienced - are invaluable, however they “cannot give legal advice”. It's kind of paradoxical. See GR 27, or General Rule 27.

**Fee Affidavit** (AKA “Affidavit of Legal Fees”) – this is a signed statement signed under penalty of perjury by a licensed legal provider describing the fees

incurred by a client in the service of a specific legal action. Check local rules for other requirements such as a statement of what's considered a "reasonable" fee for that type and tenure of legal professional in the jurisdiction of filing. This is required before asking the court to award "reasonable attorneys fees" which can also be granted for the work of a **LLLT**.

**Fee Waiver** (AKA "In forma pauperis") – a written request of a court to allow a person to file an action without paying the filing fee (usually \$314). This must be requested in person and requires significant written preparation.

**Filing** – Getting copies of your pleadings to the clerk or getting it into the clerk's record electronically.

**Financial Declaration** – available online if you Google "WA COURT FORMS" then control F for "FL 131". This is a snap shot of your situation with money. It's not valid until you sign it. It also requires **Sealed Financial Source Documents** in accordance with **LFLR 10**.

**Footer** – the content at the lower right corner of all pleadings that conforms to local rules describing the authorship and associated contact information of a pleading.

**GAL** – Guardian ad Litem. This is a person appointed by the court to investigate the children's living situation and report back to the court.

**GR 24** – (General Rule 24) is Washington's specific definition of the Practice of Law.

**Guardian Ad Litem (or “GAL”)** – this is a court appointed professional, often a licensed attorney, who speaks and acts in the best interests of a child or children who are subject to a case.

**Hearing** – A proceeding in which the court makes a decision about your case.

**In forma pauperis** (Fee Waivers) – If you can't afford to pay a filing fee, you can ask for the fees to be waived, but first you'll need to prepare a Financial Declaration and Sealed Financial Source Documents.

**Interested Party** – An individual, group or the State who has an interest in a case. Interested parties noted on the caption of a filed case must also be served with all pleadings as if they are a party.

**Interrogatories** – Written questions to the other party to answer within 30 days or by special arrangement. Also known as **ROGS**.

**IOLTA** – Interest on Lawyers Trust Account. This is where an attorney keeps any money you have paid in advance until it is actually earned by the licensed provider.

**Joinder** – a section of the Petition that the OP (opposing party) can sign to agree with what you are asking the court to do. This means your petition is not contested.

**Judge** – An elected official who may decide certain aspects of your case. Judges are senior to Commissioners and preside over trials and other key proceedings.



**Judicial Order of Child Support** – this is a Child Support order set forth by the court. See also “Administrative Order for Child Support”.

**Jurisdiction** – Which court has the authority to hear your case. This is different from **Venue**.

**LFLR 10** – (see also **Local Family Law Rule 10.**) The specific set of financial disclosures required by local rules in any proceeding specific to money including but not limited to child support, spousal maintenance, undifferentiated family support or legal fee awards.

**LINX Portal** – the online portal for court pleadings and other relevant information in Pierce County.

**LLLT – Limited License Legal Technician.** These individuals can assist you in filling out pleadings and give other limited legal advice about certain family law issues.

**Local Family Law Rule 10** (see also **LFLR 10.**) The specific set of financial disclosures required by local rules in any proceeding specific to money including but not limited to child support, spousal maintenance, undifferentiated family support or legal fee awards.

**Local Rules** – the governing practices that must be followed on the County level that touch things like page limits, filing deadlines, confirmation procedures and more. You can check local rules on your courthouse’s website. For example, you can Google “King County Local Family Law Rules”.

**Mediation** (Mandatory) – This is a chance to present your case before a neutral third party who will try to help the parties come to an agreement outside of court. These proceedings are mandatory prior to trial unless there is a finding of Domestic Violence in a case or special leave is granted by court order. These proceedings if successful result in a document called a CR2 (a).

**Meet & Confer** (see CR26 teleconference) – this is a scheduled discussion about when discovery answers will be received. This step is required prior to notice a **Motion to Compel**.

**Minute Record** – This is a document that captures the important things said at a hearing by a judge or commissioner.

**Motion to Compel** – an action taken before the court after other steps are taken (see **Meet & Confer**) to secure compliance from a party who has not complied in a timely manner to discovery requests (see **Interrogatories**).

**Moving Party** – the person who brought a specific motion. This is independent of who brought the initial Petition (who remains the “Petitioner” in a case).

**Motion** – A plea to the court to do something.

**Motion to Compel** – A motion asking the court to force the other party to do something.

**Note for Motion**– (King County) A document letting the court and the other party know what you are asking the court to do and when, where, and at what time the court will hear your motion. Also called a “Calendar Note”.

**Notice of Appearance** – Formal notice that a person or lawyer will be appearing in a case representing a specific party.

**Notice of Limited Appearance** – Notice that a person or lawyer will be appearing in a case representing a specific party for a very narrowly defined purpose, such as a single court appearance.

**Notice of Completion** – Formal written notice that a Limited Notice of Appearance (or Notice of Limited Appearance) has been satisfied.

**Notice of Intent to Withdraw**– Formal written notice that a Notice of Appearance is ending. Unless there is a Limited Notice of Appearance that's coupled with a filed and served Notice of Completion, Notices of Intent to Withdraw take 10 calendar days to take effect. Check local rules for limitations such as in King County, legal professionals under Notices of Appearance (AKA “NOAs”) may not withdraw without the leave of the court.

**Odyssey Portal** – the online portal for court pleadings and other relevant information in Snohomish County.

**Opposing Counsel** (AKA “OC”) – Your opponent's attorney.

**Opposing Party** (AKA “OP”) – Your opponent.

**Oral Argument** – What is said out-loud by each side in court in court.

**Order** – The written decision of the court, signed by the Commissioner or Judge.

**Order to Show Cause** – An order telling someone to appear before the court at a certain time and place to explain why they should not be found in Contempt.

**Page Limits** – set by local rules, this describes what counts as a page in what kind of pleadings and what the limits are that may not be exceeded.

**Paralegal** – while there are college programs, certificates and even national level examinations, paralegals are unregulated (unlicensed) and as such, anyone who wants to assist in a legal matter supervised by a licensed Washington lawyer can serve as a paralegal. Paralegals may not give legal advice.

**Patterned Interrogatories** – King County does a GREAT job, it's public domain and you can use them! These are questions you can customize if and only if you follow the directions. This falls under "Discovery" and is worth learning about.

**Perfected Service** – this is the language we use when process of service is done right and proof of that is entered with the court (see **POS, Proof of Service, Acceptance of Service**).

**Personal Service** – serving a person in person, as opposed to by taping something to their door or sending it in the mail. This is required on original service of process and for contempt actions. Check local rules and/or consult with a family law facilitator or Washington Licensed Attorney.

**Petitioner** – The person starting the case.

**Plain Language Forms** – the family law forms provided for everyone to use by the state that you can get on the internet by typing “WA COURT FORMS” into any browser.

**Pleading** – All legal documents filed with the court.

**Pre-Litigation Hold** – A notice given before a lawsuit is started that you may not destroy evidence.

**Pro Bono** – Free of cost.

**pro se** – A person who represents themselves in court without a lawyer. Also known as an “unrepresented family law litigant”.

**Proceeding** – A legal action being carried out in the court or in ADR (Alternative Dispute Resolution) such as mediation or arbitration.

**Process** – legal pleadings that are served upon your **opposing party** and other interested parties.

**Process Server** – A professional who serves legal documents to the other party

**Proof of Service (POS)** – a court pleading that's signed, filed and by the server (who is an adult who is NOT party to the action). This essential document is often overlooked to the peril of the litigant who may need to try to prove that they served their opponent.

**Proposed Order** – The order you ask the court to sign on your behalf. Check local rules! In King County for example, you must e-file your proposed order as a Word doc so the court can edit it before signing it.

**Purge Mechanism** – behavior set by a judge or commissioner for a person to satisfy and be released from a finding of contempt against them, so as to avoid further penalties.

**Redacted** – means to black out content so that it cannot be read. An example use of redaction would be the social security numbers on tax returns. Best use PDF Xchange, as even a thick black sharpie may not suffice.

**Reconsideration** (or “Motion for Reconsideration”) – Asking a judge or commissioner to change his or her mind about a decision. A motion for reconsideration usually must be filed within 10 calendar days of the order. Check local rules for specifics in your County.

**Reply**– A chance for a moving party to refute the Response their OP (opposing party) filed and served. AKA “strict reply”. Check local rules for deadlines and applicability.

**Requests for Admission** – Asking the other party to admit that certain things are true.

**Respondent** – The person who did not start the case, who must file and serve a timely **Response** or face **Default**.

**Response** – A chance for the other party to respond to a motion.

**Return Hearing** – This is a hearing held within two weeks of a temporary protection order being granted. At this hearing both parties are expected to appear and argue why the court should or should not grant a protection order for a longer period of time.

**Revision (or “Motion for Revision”)** – Asking a judge to review what a commissioner decided.

**RFPs** – Requests for Production. A party asks the other party to produce certain documents.

**RPCs** – Rules of Professional Conduct. These are the rules that guide what an attorney can and cannot do.

**Sanctions** – fines a court can impose on any party and/or their lawyer(s) for failure to follow local rules and/or act in good faith.

**Sealed Financial Source Docs** – preferably marked as SEALED in the upper right-hand corner in accordance with **local rules**, these **LFLR 10** documents **redacted** behind the cover sheet found on “WA COURT FORMS” under FL 011.

**Served** (see also **Service of Process**) – when a person is in proper receipt of filed or soon to be filed legal pleadings in a case.

**Service of Process** –When pleadings are filed with the court, other parties must be served by someone who is at least 18 years old and not a party to the case or in accordance with applicable local rules. (See also **Acceptance of Process**.)

**Shorten Time** – A motion asking the court to hear a motion is less time than is usually required. This requires a demonstration of “exigent circumstances”. See local rules for specifics.

**Show Cause Hearing** – This is a summary proceeding, in which both parties present their side and the court determines if immediate action is necessary and, in the case of an eviction, whether a trial is necessary.

**Statutes** – are actual laws on the books. In Washington for Family Law you can read them under RCW Chapter 26.

**Stricken (AKA “Struck”)** – what happens to a hearing when it’s not properly before the court either because Working Copies have not been filed timely or timely confirmation was not completed, or for some other reason. It means a noted hearing will simply not be heard.

**Sua Sponte** – On its own. This means the court can do something that neither party asked it to do.

**Summons** – This is the document that tells the other party that complaint, how long they have to do so and where they have to send any response.



**Trial** – This happens at the end of very few cases if the parties were unable to settle. It's expensive and risky.

**TRO** (or "Temporary Restraining Order") – an ex parte order sought to protect a party from harm by the other party. TROs are granted or denied, then a return hearing happens in 14 days to allow the accused to defend themselves.

**Vacate** (or "Motion to Vacate") – This is asking the court to undo something. If an order is vacated, it is as if it never happened.

**Venue** – Where the case should be heard (King County vs. Snohomish County). Not to be confused with Jurisdiction.

**Waiver, or Fee Waiver** (see "In forma pauperis"). This is asking to waive – or forgive – payment of filing fees because you can't afford it. Note however that you will need to prove your assertions with an application for waiver, a signed financial declaration, and a sealed financial source document.

**Working Copies** – This is an extra copy of everything you file for the Judge or Commissioner who will hear your case in a noted hearing. This copy must be presented in the right way and at the right time in accordance with local rules. The clerk does not give the judge or commissioner a copy, unrepresented family law or *pro se* litigants need to do that for the court themselves.

Special **My Legal Pit Stop**, *Legal Technicians* terms:

**CHECK** – a virtual or in person service that's designed to help you get heard in a noted court hearing. It's a check list driven experience that discovers and reduces risks.

**DASHBOARD** – a password protected website that holds DIY (Do it Yourself) guidance, pre-populated and numbered **DOC PACKS**, **ROADMAPS**, tickets to **RIDE**.

**DOC PACK** – any of the 30 semi-populated plain language form bundles made available to our clients through a ROADMAP that they can use to manage their own pleadings, better.

**DIGITAL SAFETY AUDIT** – a downloadable self-help guide to securing your digital privacy without violating any other rules.

**ELIGIBLE CLIENT** – any person who has a signed APR 28 contract with My Legal Pit Stop, *Legal Technicians* that has not yet been given a **LETTER OF COMPLETION**.

**GROUND CONTROL** – a virtual service that's available following a CHECK service that provides virtual assistance via phone and text while you're in court.

**HEARING BINDER** – a physical package of documents we recommend you take to court with you.

**LETTER OF COMPLETION** – what you're granted when your APR 28 contract with My Legal Pit Stop, *Legal Technicians* has been satisfied and has ended.

**MAP** – see **ROADMAP**

**PIT STOP** – any location in which you meet a member of the **PIT STOP NETWORK** <sup>TM</sup>.

**PIT STOP NETWORK** <sup>TM</sup> – licensed legal professionals we trust to refer you to hire to get a RIDE ticket performed for you on a predictable flat rate structure.

**PIT STOP PUBLICATIONS** <sup>TM</sup> – a range of DIY content created, authorized & syndicated by My Legal Pit Stop, *Legal Technicians*. Titles include “What is a LLLT?”, “TOP TEN Digital Safety Moves”, “ROADSIDE ASSISTANCE”, “Plain Language Forms & 26 Doc Packs”, “Family Law 101: Vocabulary”, etc. This includes videos, Podcasts, and downloadable content.

**PRE-CHECK LIST** – your “homework” intended to make the best use of a **CHECK** service. It encourages people to collect their receipts for confirmation, filing and serving POSs, working papers, proposed orders and more.

**PRE-GROUND CONTROL CHECKLIST** – your “homework” intended to make the best use of a **GROUND CONTROL** service.

**RIDES** – well-defined, flat fee family law legal services that can be provided to unrepresented clients by licensed legal provider. To support our licensed providers, RIDES are only available when authorized in advance by MLPS.

**ROADMAP** – a custom written plan, signed by a licensed legal provider, that describe what to do, when to do it, and how. This service delivers a ROADMAP, a Digital Safety Audit, up to 4 tickets to **RIDE**, and unlocks eligibility for **CHECK** services, which unlock **GROUND CONTROL**.

**NAV** – a service that bundles a **ROADMAP** with access to **DIY CONTENT**, **CHECK** and **GROUND CONTROL** in support of a specific noted hearing for a flat fee.

**TICKET TO RIDE** – specific written releases to ask our network for flat fee legal services in accordance with your **ROADMAP**. This tells our network that they don't have to reassess your situation (which takes time and would cost more money). This contains your costs as you manage your own matter with small strategic doses of our professional help.