

SELF-SERVICE CENTER

PROCEDURES: MOTION FOR TEMPORARY ORDERS WITHOUT NOTICE

- ◆ You must **not** file a ***“Motion for Temporary Order without Notice”*** solely to get an earlier court hearing, or to harass the other party or the court, or to cause unnecessary delay of court proceedings.
- ◆ If the Judge finds that you filed this ***“Motion”*** without a very good legal reason, the Judge may find you in contempt of court, order payment of money to the court ***or to the other party*** for costs or damages resulting from the wrongful filing of this ***“Motion”***, or other consequences.
- ◆ If you have filed a ***“Motion for Temporary Order Without Notice”*** at one Superior Court location, and a Judge or Commissioner has denied your request, **you may not** use these forms to file another ***“Motion for Temporary Order without Notice”*** at one of the other Superior Court locations. If you have questions, you should see a lawyer for help.

STEPS TO REQUEST TEMPORARY ORDERS WITHOUT NOTICE.

- Before you can file papers for temporary orders one of the parties (either one) **must** file papers for divorce, legal separation or annulment, or to establish custody (or custody along with paternity, visitation, and/or support).
- Temporary Orders without notice **EXPIRE** in a matter of DAYS. **HAVE YOU ALREADY FILED FOR TEMPORARY ORDERS WITH NOTICE?**
If NOT, consider that:
 - If a pre-decree temporary order without notice expires without a “regular” temporary order in place, there IS NO court order;
 - There is *no additional fee* for filing for temporary orders *with* notice if you have already paid a fee to file or respond to the petition (including filing for temporary orders without notice).

STEP 1: Complete the ***“Motion for Temporary Orders Without Notice”***.

STEP 2: **Make copies of all the paperwork.** Make 3 copies of ***“Motion”*** and ***“Order”*** forms. Assemble the copies so that you have 4 SETS of PAPERS: One set of originals and 3 sets of the copies.

STEP 3: **File the papers at the court.** Take the **original and 3 sets of copies to the Clerk of the Court filing counter.**

STEP 4: **WHAT THE CLERK WILL DO:** The Clerk will file the original of the ***“Motion for Temporary Orders Without Notice”***. The Clerk will give you back clerk-stamped copies of the documents to show the documents were filed. The Clerk will then direct you to Family Court Administration or to the Judge who will hear your case.

- STEP 5:** **What the Judge will do:** The Judge will look over the ***“Motion for Temporary Order Without Notice”***. The Judge may sign the ***“Temporary Order Without Notice”***, deny your motion, OR schedule a court hearing.
- STEP 6:** **Serve the court papers.** If the Judge issues the temporary order without notice and/or schedules a hearing, **YOU** must provide the other party with a full set of the court papers.
- STEP 7:** **The court hearing:** If the Judge schedules a hearing, be sure to write down the date, time and place of the court hearing, and come to the hearing. Be prepared to present your evidence about why the Judge should sign your Order.

DO NOT BRING CHILDREN TO COURT.

Do not copy
or file this page