

## NOTICE OF APPEARANCE INSTRUCTIONS

\*\*\*\*\* Detach this page prior to sending to opposing counsel and filing with Court \*\*\*\*\*

1. Timeframe to send
  - a. You must send this notice of appearance within 20 days of being served
  - b. We recommend that you send within 15 days if possible to allow mailing and prevent accidental default
2. Why send a notice of appearance rather than an answer?
  - a. A notice of appearance will prevent a default but does not give away strategy and has no potential to harm your case
  - b. An answer, if not done properly, may waive certain defenses or give away strategy or make admissions that cannot be unmade
  - c. We always advise a notice of appearance over an answer, especially if you have not had a chance to speak with us for your initial phone consultation
3. Print these Instructions and Notice of Appearance form using below steps/instructions
  - a. You will notice the form begins on line 7 of the pleading paper, this is intentional and required by local rules. The court uses the top part for their own purposes and stamping the documents.
4. Fill out each blank line
  - a. County (look to the caption of the complaint that you were served)
  - b. Plaintiff Name (look to the caption of the complaint that you were served)
  - c. Defendant Name (look to the caption of the complaint that you were served)
    - i. Tip: if your name is misspelled, that is to your advantage as it may not show up on a background check, do not correct them at this stage
  - d. Case Number (look to the caption of the complaint that you were served)
    - i. Tip: most complaints in Washington are served blank, meaning they have not been filed with the court yet. This is legal (many states this is not proper) in WA. Treat the case as real and respond accordingly.
  - e. Comes now- insert your name
  - f. Footer- fill out your name, address, and phone on each page
  - g. Forward all mail to: write your address or where you want the mail to go
  - h. Sign, Print, Date the document
5. Always send a copy to Opposing Counsel and if there is a case number, also to the Court
  - a. Opposing attorney's contact information is on the bottom right footer of the complaint
  - b. Print three copies of the completed notice of appearance and keep original for your file
  - c. Send one copy to the attorney certified
  - d. Send one copy first class mail (regular stamp)
  - e. Send one copy via fax (this is important as it proves it was sent and received)
  - f. IF THERE IS A CASE NUMBER, go in person (or use a friend, courier, etc) and file with the court. If there is not a case number, they will not accept the document
6. Send us a completed version of the form and let us know the date you sent it
  - a. By sending this you will avoid default and have time to either discuss your case with us or to allow whatever strategy we recommended to play out
  - b. If you do not send this, you risk a default judgment and the subsequent legal harms

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR \_\_\_\_\_ COUNTY**

Name: \_\_\_\_\_,

Plaintiff(s)

vs.

Name: \_\_\_\_\_,

Defendant(s).

CASE NO.:

**NOTICE OF SPECIAL APPEARANCE OF  
DEFENDANTS RESERVING ISSUES OF  
SUBJECT MATTER JURISDICTION AND  
PERSONAL JURISDICTION, INSUFFICIENT  
AND DEFECTIVE PROCESS AND SERVICE,  
JOINDER.**

COMES NOW \_\_\_\_\_, and makes their appearance and shall henceforth be referred to as 'the defendant'. Substantial issues are presented which dramatically affect standing, service and sufficiency of process, subject matter jurisdiction, joinder, venue, and other strictly procedural and jurisdictional defenses. Affirmative Defenses may be offered at the appropriate time, but are not advanced in this Special Appearance. These issues are not waived, and are expressly reserved for pleading, motion, briefing and action with expedition consistent with orderly procedure, as appropriate. This appearance is intended to give notice that process is under way to either attempt to retain an attorney or in the alternative proceed pro se in the same. Defendant requests reasonable time for this purpose and this process will not require unreasonable time to resolve.

**NOTICE OF SPECIAL APPEARANCE**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_  
**Phone Number** \_\_\_\_\_

1                    **Please take no default herein without advance written notice pursuant to relevant law**  
2 **and procedure.** Forward all documents, notices, pleadings, and/or communication to the below  
3 mailing address:

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Signature: /s/ \_\_\_\_\_

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28 **NOTICE OF SPECIAL APPEARANCE**

**Name:** \_\_\_\_\_

Address: \_\_\_\_\_

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Phone Number \_\_\_\_\_