



King County Law Library

STARTING A CIVIL LAWSUIT IN SUPERIOR COURT

In King County

These instructions are for informational purposes only and are not legal advice. If you do not understand this information, please contact an attorney.

If your specific situation is beyond the scope of this packet, please contact an attorney.

About this packet:

A civil lawsuit can be a long and complicated process. There are many steps involved in a civil lawsuit and there are many court rules to follow. It is important to be prepared and organized.

Washington law requires you to complete several steps to start a civil lawsuit:

- Complete a *Summons*
- Complete a *Complaint*
- Complete a *Superior Court Clerk's Case Information Coversheet*
- File the *Summons*, *Complaint*, and *Information Coversheet* with the Superior Court Clerk
- Serve the *Summons*, *Complaint*, and *Order Setting Civil Case Schedule* on the person(s) being sued
- Have the person who served the documents on the Defendant complete a *Proof of Service*
- File the *Proof of Service* with the Superior Court Clerk

The King County Law Library has helpful videos summarizing and explaining the process on the Law Library's website, located here: <https://kcll.org>.

The Law Library also offers helpful classes that cover the basics of civil lawsuits and things that may be helpful to consider. For more information, check the Law Library's Self-Represented Litigant (SRL) Workshop page, located here: <https://kcll.org>.

Forms included in this packet:

- A - Complaint
- B - Summons (20 Day)
- C - Proof of Service
- D - King County Superior Court Clerk's Case Information Coversheet

WARNINGS

- **ARE YOU TRYING TO START A LAWSUIT AGAINST A COMPANY OR THE GOVERNMENT?** This packet is intended for lawsuits against other people. Special rules apply when starting a case against the government and when serving lawsuit papers on a company.

Special Rules for Suing a Government Agency:

- If you want to sue a government agency or its employee(s), you **MUST** first file a “tort claim” with that agency first. If you are not satisfied with the **FINAL** outcome of that tort claim, **THEN** you can use this packet to file a lawsuit in Superior Court.
 - To file a tort claim against a Washington state agency, follow the instructions found here:
<https://des.wa.gov/policies-legal/risk-management/online-filing/file-tort-claim>.
 - To file a tort claim against a King County agency, follow the instructions found here:
<https://kingcounty.gov/en/legacy/depts/risk-management/claims>.
 - To file a tort claim against the city of Seattle, follow the instructions found here:
<https://www.seattle.gov/city-finance/file-a-damage-claim>.
 - To file a tort claim against a federal agency, use the form and instructions found here:
<https://www.gsa.gov/system/files/SF95-07a.pdf>.

Special Rules for Suing a Company:

- If you want to sue a company, you **MUST** determine who that company's registered agent is. A registered agent is a person who is authorized to receive legal documents (or "service of process") on behalf of a company. If you do not serve the correct person within a company, your lawsuit will most likely be dismissed.
 - To find a company's registered agent, follow the instructions found here:
<https://www.sos.wa.gov/corporations-charities/additional-services/service-processsummons-and-complaint>.
- **HOW LONG DOES A CIVIL LAWSUIT TAKE?** A civil lawsuit is a long and complicated process. There are many steps to take and many court rules you will need to follow. When all the steps are done correctly, all the rules are followed, and the court is running at normal capacity, a typical civil case will have a trial roughly one year after the date it is first filed.
- **WHICH COURT DO YOU NEED TO FILE IN?** The forms and instructions in this packet are intended to be used only for filing in King County Superior Court. These forms and instructions may not work in other courts.
- **HOW MANY DAYS DOES THE DEFENDANT HAVE TO ANSWER YOUR COMPLAINT?** The *Summons* form in this packet gives the defendant 20 days to respond. The usual amount of time is 20 days, but this can change depending on the type of case or how the documents were served to the defendant. Check the statute for your type of case in the Revised Code of Washington, and the court rules. Modify the form if needed.