

LEGAL PROTECTION FROM DOMESTIC VIOLENCE OR HARASSMENT

If you have a court order, it is important to remember:

1. Keep a certified copy of your order with you at all times.
2. The order is enforceable throughout the State of Washington.
3. If there is a violation of your court order, call 9-1-1 or your local police. Tell them you have a court order and it is being violated.

Whether or not you have a court order, if you are being harassed, threatened, or assaulted, call 9-1-1, or your local police!!

	ORDER OF PROTECTION	RESTRAINING ORDER	ANTI-HARASSMENT ORDER	NO CONTACT ORDER
	CIVIL ORDER RCW 26.50	CIVIL ORDER RCW 26.09, 26.26	CIVIL ORDER RCW 10.14	CRIMINAL ORDER RCW 10.99
WHO MAY OBTAIN?	Any person who is a victim of domestic violence or fears violence by a "family or household member." (Persons who are married, have been married, or have a child in common, adult persons who are related or who reside(d) together and persons 16 years and older who have been/are dating.)	Married persons or persons with a child in common who are filing for divorce, legal separation, custody, or to determine parentage. To qualify a person does not need to have experienced assault or threats of violence.	Persons who are seriously alarmed, annoyed, or harassed by conduct which serves no legitimate or lawful purpose. Person does not need to have a relationship with the person harassing them.	A person who has reported an incident to the police. Criminal charges must be pending or filed. May be a condition of sentencing.
WHAT CAN AN ORDER DO?	<ul style="list-style-type: none"> Prohibit contact of any kind. Remove abuser from shared residence and prohibit from entering. Give temporary custody of children and set visitation schedule. Order abuser into treatment/counseling. Can be tailored to individual needs. 	Can do all that an Order for Protection does. May also order child support, order maintenance income, assign property to either party, and establish permanent child custody or use of family home.	<ul style="list-style-type: none"> Prohibit harassment and contact of any kind. Restrain party from coming within a specific distance from petitioner's workplace, school, residence, etc. 	Prohibit contact of any kind while criminal case is active and can be a condition of sentencing. Protects a victim while waiting for trial.
HOW IS AN ORDER OBTAINED?	Can be obtained through Chelan Municipal Court or Chelan County Superior Court. The court will review the paperwork and grant or deny a temporary emergency order effective for up to 14 days. The other party is served with the petition, notice of hearing and temporary order. A hearing is scheduled within 2 weeks at which time the court may deny the petition or grant an order effective for up to one year or more. Forms and instructions are provided by the Clerk's Office.	Can be obtained in superior court as part of a family law action such as a divorce, legal separation, custody action or paternity determination. A temporary restraining order can be filed at the time of a civil petition and signed by the judge effective until the preliminary hearing. Many persons obtain attorneys to represent them for this process. The county prosecutor or attorney general, when involved in paternity actions, may request a restraining order on behalf of the child.	Can be obtained at Chelan County District Court. Person files a petition which involves filling out paperwork. After reviewing your petition the court may grant or deny a temporary emergency order effective for up to 14 days. The other party is served with the petition, notice of hearing and temporary order. A hearing is held within 14 days at which time the court may deny the petition or grant an order effective for up to one year. Forms and instructions are provided by the Clerk's Office.	A crime must first be reported to the police. If the abuser has been arrested or issued a citation, the victim may ask the prosecutor to request a no contact order. (In some jurisdictions, orders are issued via the police or jail.)
WHAT IS THE COST?	There is no cost to petitioner.	Filing fee is \$110.00, but may be waived. Additional costs can include copy, service and attorneys fees.	Filing fee is \$31.00. Additional costs can include copy and service fees. Fees may be waived if you can prove you are unable to pay.	No Cost
WHAT HAPPENS IF THE ORDER IS KNOWINGLY VIOLATED?	Mandatory arrest if abuser violates "restraint" provisions or enters a residence where prohibited from entering. Possible criminal or contempt charges.	Violator may be arrested. Possible criminal or contempt charges.	Violator may be arrested. Possible criminal or contempt charges.	Violator shall be arrested.