

Chelan County Family Law Self Help Center

DOMESTIC VIOLENCE ORDER FOR PROTECTION

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How to File for a Protection Order

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- ❖ **If you are currently experiencing** domestic violence, harassment, stalking, or sexual assault, get help from your local domestic violence shelter or sexual assault center. Shelters provide safety planning, temporary shelter, legal advocacy, counseling, and other services. To find the program nearest you, call the **National Domestic Violence Hotline** at 1.800.799.7233 or the **National Sexual Assault Hotline** at 1.800.656.4673.
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Can I file for a protection order?

Yes, if both of these statements are true:

- ✓ You live or recently lived in Washington State.
- ✓ You are currently experiencing or have recently experienced domestic violence, harassment, stalking, or sexual assault, or you are seeking protection for a vulnerable adult.

What are in these instructions?

Part 1 explains the process of getting a protection order.

Part 2 explains how to fill out the Petition form.

Part 1. The Protection Order Process

How do I ask the court for a protection order?

You must fill out and file the **Petition for Protection Order**, form PO 001. It covers protection from domestic violence, stalking, harassment, and sexual assault, and protection for a vulnerable adult. It lets you ask for a temporary protection order that starts right away, and a full protection order that can last a year or longer, if approved by a judge.

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- ❖ Either a judge or a court commissioner could read your petition. We use “judge” to refer to both.
 - ❖ Some counties may offer online forms or ways to ask for a protection order online. Ask the court clerk for availability.
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What other forms will I need?

- ✓ **Law Enforcement and Confidential Information**, form PO 003 - This form does not go into the public court file and is not given to the restrained person. Law enforcement needs this form to find and identify the restrained person when serving them documents and enforcing your order.
- ✓ If you want immediate protection, fill out the **Temporary Protection Order and Hearing Notice**, form PO 030. Follow the instructions for that form.
- ✓ If you want the restrained person to surrender firearms and other dangerous weapons or be prohibited from buying them, fill out **Attachment E: Firearms Identification**, and the **Order to Surrender and Prohibit Weapons**, form WS 001.

Can I get help filling out these forms?

Ask the court clerk about local victim services organizations with advocates who can help you fill out the forms.

Who can I protect?

If you are an adult (age 18 or older), you can protect:

- ✓ Yourself.
- ✓ Children under age 18 (minor children) if you are their parent, legal guardian, or custodian.
- ✓ Another adult if they qualify as a “vulnerable adult” or cannot otherwise file for themselves because of age, disability, health, or inaccessibility.

For domestic violence, you can also protect:

- ✓ Minor children in your family or household (even if you are not the parent, legal guardian, or custodian).
- ✓ Vulnerable adults in your family or household.

If you are age 15-17, you can protect:

- ✓ Yourself.
- ✓ Minor children in your family or household if the minor chooses you to file on their behalf. You must be capable of pursuing what the minor says they want or need out of the case (their “stated interest”).

If you are under age 15, someone must file for you.

What if I am filing to protect a vulnerable adult?

You must fill out the forms listed above plus an extra form: **Notice to the Vulnerable Adult**, form PO 029. You can get that form at <https://www.courts.wa.gov/forms/> or ask the court clerk.

What protection can I ask for?

The petition lists many types of protections in **section 13**. Choose everything you believe will best protect you and/or anyone else you are petitioning for.

What if the restrained person has firearms or other weapons?

You can ask the court to order the restrained person to surrender their weapons. Fill out **section O. Surrender Weapons**, and the court will decide whether to grant your request. If you request firearm surrender, you also need to fill out **Attachment E: Firearm Identification Worksheet**, and file it with your completed petition. Also bring the **Order to Surrender and Prohibit Weapons**, form WS 001, for the judge to finish filling out and sign.

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- ❖ **Safety Alert!** If you have concerns about firearms, you can ask the court to order the restrained person to surrender weapons at the time the judge issues the temporary order. You can also contact law enforcement where the restrained person lives to let them know you want to be contacted if any firearms are about to be released back to the restrained person.
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What happens after I file the petition?

Your completed petition will be:

- ✓ Filed as a public court record to start a civil court case.
- ✓ Served on the person from whom you need protection. (We call this person the “restrained person”).

The court will use the information to decide:

- ✓ If the court has authority (jurisdiction) over you and the restrained person.
- ✓ If the restrained person's behavior meets the legal definition of domestic violence, sexual assault, stalking, or harassment. Definitions are in the petition on *Attachment A*.
- ✓ For vulnerable adults, if the behavior meets the legal definition of abandonment, abuse, financial exploitation, or neglect. Definitions are in the petition on *Attachment B*.
- ✓ For domestic violence, if the relationship between you and the restrained person meets the legal definition of intimate partner, family, or household member. If it does not, the judge may give you a different type of protection order.
- ✓ What type of protections (restraints) to order, if any.

What if I need protection right now?

You can use the Petition form to ask for immediate protection. On the form, you must explain how you or someone else may be seriously harmed if you do not get protection now, before the restrained person gets notice.

You should file your petition along with any other written statements, printed photos, or documents that help prove what you are saying is true. This is called "supporting evidence". It is helpful, but not required.

A judge will read your petition and any supporting evidence the same day you file, or the next working court day if you file later in the day or when the court is closed.

If the judge decides that serious immediate harm or irreparable injury could occur, the judge may issue a temporary order to start right away. The temporary order will last until the court has a full hearing (within 14 days). Even if the judge does not grant a temporary order, the judge will still set a hearing for a full order if you meet the legal requirements.

You must go to the full hearing. The restrained person must be notified about the full hearing and has a right to go to the hearing.

❖ **If the judge decides you do not meet the legal requirements**, they will not schedule a hearing. You will not get a protection order. You will have 14 days to edit (amend) your petition with more information and ask the judge to review it again.

Your temporary order is in effect from the moment the judge signs it. **But** the police can only enforce the order if there is proof the restrained person was served with a copy of the order.

How will the restrained person find out about the order?

The restrained person should be served as soon as possible. They must be served at least 5 court days before the hearing. They must be served with:

- ✓ your petition
- ✓ temporary order and notice of hearing
- ✓ order to surrender weapons issued without notice (if the judge ordered this)
- ✓ supporting evidence (if you filed any)

Does anyone else need to be served?

If the restrained person is under age 18, their parents or legal guardians must also be served.

If you are filing on behalf of a vulnerable adult, you must also have the notice, petition, and any temporary order and order to surrender weapons served on the vulnerable adult at least 5 court days before the full hearing. If the vulnerable adult has a legal guardian or conservator, that person must also be served.

Who will serve the order, and how will they do it?

Your temporary order will say who should serve the order. A law enforcement agency must hand deliver (personally serve) the order if any of these are true:

- ✓ the judge ordered weapons surrender
- ✓ the judge ordered transfer of child custody
- ✓ you and the restrained person live together and the judge ordered the restrained person to leave the home
- ✓ the restrained person is in jail or prison

❖ **Vulnerable Adult Exception!** Personal service is required if you are filing to protect someone else who is a vulnerable adult. They have the right to know that you are filing on their behalf. This personal service does **not** have to be done by law enforcement.

In other cases, the restrained person may be served electronically or personally by any of these:

- ✓ a law enforcement agency in the county or town where the restrained person lives or works (they will serve for free)
- ✓ a hired professional process server (this costs money)
- ✓ an adult (age 18 or over) who is not a party to the protection order case

For more information on how to serve, including electronically, see the **Instructions for Proof of Service**, form POi 004.

If law enforcement will be serving, the clerk's office will send them a service packet with copies of all the documents to be served. You will also receive a copy of the service packet to keep for your records. Law enforcement will use the information you put in the **Law Enforcement and Confidential Information** form to find and serve the restrained person. Law Enforcement will send proof of service to the court clerk.

If the order says the **protected person shall make private arrangements** for service, the clerk's office will give you the service packet. You must find a process server or another adult to serve the packet on the restrained person.

❖ **Service Tip!** Ask the clerk for a copy of the service packet to keep on hand. If law enforcement is called in an emergency, you can give the service packet to the officer on the scene to serve the restrained person at that time. This is sometimes called a "911 service packet."

How can I prove the restrained person was served?

Whoever serves the restrained person must fill out written proof of service (also called a "return of service" or "affidavit of service"). They can use form PO 004, **Proof of Service**. They may give you the completed Proof of Service form for you to file with the court clerk, or they can file it themselves.

Proof of service must be filed with the court clerk before or at the full hearing. If it is not, the hearing cannot go forward.

How do I know if the Temporary Order was served?

You can register your protection order with WA Protective Order Service. This free, automated service lets you know when an order has been served. Call 1-877-846-3492 or visit www.vinelink.com to learn more.

If you know the restrained person has not been served, but you still want or need the temporary order, you must appear for the hearing and ask for an extension (a continuance) of the temporary order.

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- ❖ **Safety Alert!** Even if you have a temporary protection order, you must continue to take steps for you and your children to remain safe – especially around the time the order is served.
 - ❖ **A note about firearms:** If the court has issued an *Order to Surrender and Prohibit Weapons*, the restrained person is required to immediately surrender their firearms to law enforcement when they are served. If that does not occur for some reason, **this could increase your level of risk**. A domestic violence or other advocate can help you do safety planning around this issue. You may call 911 to report if you believe the restrained person still has weapons.
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How do I get a Protection Order?

After you file your petition, there are at least 2 steps in court.

- ✓ **Step 1: Petition and Temporary Order.** A judge will review your petition and any supporting evidence to see if you meet the requirements for any type of protection order. You may have to appear at the temporary order hearing. This should happen the same day you file, or the next working court day if you file later in the day or when the court is closed. If you meet the legal requirements, the judge will schedule a full hearing. The judge may also issue a temporary order.
- ✓ **Step 2: Full Hearing.** At the full hearing, the judge will decide whether to issue a final Protection Order. Usually a final Protection Order lasts for at least a year. You can ask for a shorter or longer order, based on your needs, in the petition.

How do I get ready for the full hearing?

- ✓ **Make some notes to yourself** about the main points to make when it is your turn to talk at the full hearing. You may have no more than 5 minutes to speak. You can refer to what you wrote in the Petition.
- ✓ **If your hearing is in person, get to the courthouse early.** You can request to attend the hearing remotely. If possible, do not bring your children. Check in advance to see if your court has policies on bringing the children to the hearing.
- ✓ **If your hearing is by phone or video**, make sure you know how you will join the hearing. If you aren't sure, contact your court to ask. Test everything ahead of time, if you can. Check how to mute and unmute your phone or audio.

I cannot make it to the full hearing. What happens if I just don't show up?

If you do not appear at your full hearing, the judge will dismiss your temporary order. If you know in advance that you cannot make the full hearing, contact the court clerk, or the

department listed on the How to Appear information you were given when you filed, to see about rescheduling.

Will the restrained person be at the full hearing?

The restrained person can, but is not required to, go to the full hearing. If the restrained person does not show up, but was properly served at least 5 court days before the full hearing, the judge can go ahead without the restrained person.

If the case is ready for the full hearing, the judge will review the record, let the parties speak, hear from other witnesses if necessary and material, and then make a decision.

What if the restrained person was not served in time?

If the restrained person has not been served 5 court days in advance of your full hearing, you must still go to the hearing if you want the temporary protection order extended to allow time for service. **Even if the respondent didn't receive 5 court days' notice but was served with the order, you may contact the police to enforce the order if there are any violations.**

Can I have witnesses testify at the full hearing to help my case?

Witnesses do not usually testify at protection order hearings. Witnesses can file a declaration form describing what they saw or heard. Use form PO 018 **Declaration**, to make sure it is in the proper format.

You must file witness declarations, and any other documents you want the judge to consider, with the court clerk and have the restrained person served with a copy before the hearing date. If the restrained person does not get these copies in advance, the court may reschedule the hearing to give everyone time to read them. The reverse is also true: the restrained person must provide you with copies of anything they file. You have the same right to ask for more time to review copies of anything served on you at the last minute.

What is a Hope Card and how can I get one?

A Hope Card is a small card you can easily carry that has some details of your protection order. It's one way to show you have a full protection order. You can request one, without cost for the one and a replacement, at <https://www.courts.wa.gov/hopecard/>.

Part 2. How to fill out the Petition form

- ❖ Type or print (write) clearly! If writing, then use *black* or *blue* ink only.
 - ❖ **Privacy Warning!** The restrained person will see this Petition and any other evidence you file with the court. This information is also available to the public for anyone to see.
 - ❖ Before you file any attachments, you can black out/cover up (redact) any sensitive information. Examples: your home address and account numbers (leave last 4 digits).
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Type of Court

At the top left, put "Superior" or "District" in front of/before "**Court of Washington**", depending on where you want to file. If you are unsure, leave it blank.

You can start your case in Superior or District Court, whichever is more convenient. In some cases (such as those involving property, keeping the restrained person from a shared home, and minors), District Court can give you a temporary order, but then must send your case to Superior Court for the full hearing.

County or District

This section is asking for the name of the county or district court you are filing your petition in.

On the next line "**For** _____", put the county or district where you will be filing. You can file in the county where you (or a child to be protected) live, or in any of these counties:

- Where something happened that made you seek this protection order
 - Where you lived before moving, if you moved because of the restrained person's behavior
 - With the court closest to where you live now, or closest to where you lived before moving because of the restrained person's behavior
-

Petitioner and Respondent

Put your name (first, middle initial, last) as the "Petitioner" and your date of birth.

- ❖ **On behalf of...** If you are filing only on behalf of a minor or vulnerable adult (**not** for yourself), you must put your name first on the Petitioner line, then "on behalf of" (or "OBO") their name and their date of birth. If a minor, you may use the minor's initials without the date of birth (you must provide *the full name and date of birth in PO 003 LECIF*). **Example:** Jane Doe OBO Susie Doe 04/01/2010
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Put the restrained person's first, middle initial, and last name, and date of birth as the "Respondent".

The person who needs the protection is the "protected person". This can be you or the person you are filing for. The person you are seeking protection against is the "restrained person".

- ❖ **Filing within a family law case.** If you are filing for a protection order as part of a divorce, parenting plan, or other family law case, list the petitioner and the restrained person's names the same way they are listed in your family law case. You should also put your family law case number.
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Numbered Sections

1. Choose the type of protection order that best fits your circumstances.

Choose just one option. Read the definitions in *Attachment A* and *B* to help you decide. A judge might decide that you do not qualify for the type of order you chose, but you do for a different type, and issue the other type of order. You will not have to file a new petition.

If you are asking for a *Vulnerable Adult Protection Order*, you must also fill out *Attachment B* and file it with your Petition.

2. Is there another type of order that fits your situation?

If you believe so, list it here. This helps the judge know what other type of order may apply, if you do not qualify for your first choice.

3. Who should the order restrain?

Put the name of the person you need protection from. Check the appropriate box for their age. This person is usually the "Respondent," except for some filings within a family law case. (See above.)

4. Who should the order protect?

Check if you are protecting yourself and/or minor children, or someone else.

To protect yourself, put your name. Anyone age 15 or older may file to protect themselves.

For minor children, check the appropriate box for your relationship to the children. Put the children's names and other details.

❖ **Important!** If the restrained person is a parent of any of the children, you should fill out **Attachment C: Child Custody**. If you are **not** a parent of any of the children, you should fill out **Attachment D: Non-parents protecting children (ICWA)**. You must include these Attachments with your Petition if they apply.

❖ **Teenagers age 15 – 17:** You can check "Me" and put your own name to file for yourself. You do not have to fill out the "Minor Children" table about yourself. You can use the Minor Children section to protect other children in your family or household, if they have chosen you to file protection for them and you are capable of pursuing what they say they want in this case.

To protect someone else, check if they are a vulnerable adult or otherwise cannot file for themselves, and put their name. See the definition and fill out *Attachment B* for a vulnerable adult.

If someone is not a vulnerable adult but cannot file for themselves, explain why. This option is only available for sexual assault, stalking, or anti-harassment orders.

5. Service Address

You must give an address where the court and restrained person can serve you documents for this case. You can keep your home address private by giving a different mailing address.

If you agree to be served by email, you should also give an email address. You can set up a separate email account just for this case. Check your mail and email regularly.

❖ **Do not put any confidential addresses or confidential information in the petition or temporary order.** The restrained person will get a copy of these forms.

6. Interpreter

Check if you need an interpreter. If yes, put the language needed. You may still need to request an interpreter separately. You will get instructions about that with your temporary order or other order setting a hearing.

7. Accommodations

You can ask the court for disability accommodations, if needed.

8. How do the parties know each other?

Check all the boxes that apply for any adult or minor protected person's relationship with the restrained person. If none of those apply, then put the relationship under "Other".

9. Why are you filing in this county and state?

Check the appropriate box.

10. Restrained Person's Residence

Check the appropriate box. List the city or county if known and in Washington.

11. Are there other court cases involving the parties or any children?

Check the appropriate box. If yes, then fill out the table below with information about each case.

You, or the minor, and the restrained person may have other court cases together. There may be divorce, parentage, other restraining, protection, or no-contact orders, or criminal cases. The judge needs to know about any other cases to avoid issuing an order that conflicts with an order from another court.

12. Immediate Protection

Check **yes** if you want a temporary order to start right away, before the restrained person is notified. If you check **yes**, briefly explain how you or anyone else might be harmed if you do not get protection now. Use the lines below question 13.

13. Immediate Weapons Surrender

Check **yes** if the restrained person has weapons, or access to weapons, that you want the restrained person to immediately surrender. If you check yes, briefly explain how you or anyone else might be harmed if a weapons surrender order is not issued now. Use the lines below question 13.

14. What protections do you need?

Check the appropriate boxes in **A - Z** for all the protections you want the court to order. **Note: The judge might not order everything you asked for in either a temporary or a final order.** You must ask for all protections you think you need in the petition. You can ask to remove protections you feel you no longer need, when you appear for your full order, but you cannot ask for protections that you did not include in your petition.

You must be clear about which people and places you want protected within each restraint that asks for those details. If you are protecting minor children, you can choose

if you want a restraint to apply to all children covered by the order, or just certain children named in that section.

In section **O. Surrender Weapons**, answer the questions about firearms even if you are not asking for surrender of weapons. State law requires firearm prohibitions for some protection orders, even if you are not specifically asking for that protection. If you answer “Yes” to the restrained person possessing or owning firearms, then complete

Attachment E.

You can leave section **Z. Other** blank or use it to list any other specific restraints you want the judge to order.

15. Do you need help from law enforcement?

Check any appropriate boxes that apply to your situation. You may leave this blank if assistance is not needed.

Even if the court orders law enforcement help, you may still have to contact law enforcement to ask for a civil standby.

16. How long do you need this order to last?

Check the appropriate box. If you want a protection order for something other than 1 year, put how long and explain why.

17. Do you want to be notified if the restrained person petitions for the restoration of firearms in the future?

Check the appropriate box. This only affects a prosecutor’s duty to notify you if there is a criminal case prohibiting firearms rights and the restrained person petitions to have firearm rights restored. Law enforcement has a separate duty to notify you before firearms are returned, if any were surrendered or recovered from the Restrained Person pursuant to this protection order or pursuant to a crime that resulted in the firearm surrender.

18. Most Recent Incident

Give a detailed explanation of what happened most recently that is causing you to seek protection. Include dates and details. (See examples below).

19. Past Incidents

What, if anything, happened in the past? Give a detailed explanation including dates. (See examples below).

Important! Read the instructions for your statement in the black box above question 16 on the petition. This is where you explain why you need a protection order.

The judge does not research other cases or police records to know your history. The judge will not know what happened unless you put it in your written statement. If you do not include a particular incident in your statement, you may not have a chance to tell the judge at the hearing.

You must give details (who, what, where, when, how).

Consider these questions:

- Has the Restrained Person ever strangled or choked you?
- Has the Restrained Person ever shamed you, embarrassed you, or put you down?

- Has the Restrained Person ever blamed you for their actions and abusive behavior?
- Has the Restrained Person tracked you in person, kept track of your whereabouts, kept track of your social media use or social interactions?
- Has the Restrained Person yelled at you or called you names?
- Has the Restrained Person isolated you from your family and/or friends?
- Has the Restrained Person ever prevented you from contacting help (a family member, a friend, or law enforcement), taken your cell phone, or broken your cell phone?
- Has the Restrained Person harmed or threatened to harm your pets or other animals?
- Does the Restrained Person control your money, what you buy, or your bank account?
- Has the Restrained Person been destructive of your personal belongings or home?
- Are you afraid of the Restrained Person?
- Has the Restrained Person ever threatened or acted to put at risk your immigration status (including holding control over your legal documents) or your work?
- Has the Restrained Person ever made threats of self-harm or suicide?

Examples:

- It is better to say “On Sunday, January 12, at 2:00 a.m., Terry slapped my face” rather than “On Sunday Terry assaulted me.”
- It is better to say “Terry threatened to kill me if I left the house. He said ‘You leave and I will kill you’” rather than “Terry threatened me.”
- It is better to say “Terry drives by me while I’m waiting at the bus stop after work every Monday evening” rather than “Terry is stalking me.”
- It is better to say “Terry sends me emails or text messages [include number] times a day. I texted Terry to stop; but Terry keeps sending the messages” rather than “Terry cyber stalks me.”
- It is better to say “Terry used my checking account to pay their credit card bill” rather than “Terry steals from me.”
- It is better to say “On Friday, October 18, around 10 p.m., Erin put their hands down my pants and grabbed my genitals, even though I said, ‘No’” rather than “Erin touched me.”
- It is better to say, “On Saturday, May 5 at 10:00 p.m., Erin held me down with his body weight and forced me to have sex in my living room” rather than “Erin assaulted me.”
- It is better to say, “Erin told me if I didn’t agree to have sex with him, he would hurt me. He said, ‘If you don’t want to get hurt, you better keep quiet’” rather than “Erin threatened me.”
- It is better to say “Erin has sent me 20 messages, including text and email, saying that they will find and harm me.” Rather than “Erin harasses me.”

20. Medical Treatment

If you ever had to get medical treatment for something related to this petition, explain what, when, where, and why. Describe the treatment and any follow up. You can attach copies of treatment records, if you have them, but they will not be kept private. Use a black permanent marker, whiteout, or black pen to black out/cover up (redact) any sensitive information like your home address, ID number, or other details you do not want the public to see.

Example: "I received treatment at the hospital on Sunday, May 6, around 1 or 2 a.m. for my injuries. The treatment included a physical exam and follow-up appointment the next week."

❖ **Important!** See the **privacy warning** below question 22 on the petition.

21. Suicidal Behavior

If the restrained person has a history of suicidal behavior, give details of any threats of self-harm or suicide attempts made, including dates.

22. Restrained Person's Substance Abuse

Check any appropriate boxes.

23. Minors Needing Protection, if any

You can put here any other information about the restrained person's acts towards minors that you have not put somewhere else in the petition.

24. Supporting Evidence

Supporting evidence is anything that helps prove what you are saying is true. You do not have to submit any supporting evidence beyond your statement in the petition, but if you have anything else you want the judge to see, you should submit it with your petition. If you wait until later, the restrained person may ask for more time to respond and the judge may reschedule your hearing.

Check all appropriate boxes and attach the evidence to the petition. Number each page. Clearly identify what each piece of evidence is by adding labels and dates to pictures, texts or emails. This evidence will be filed in a public record. Black out information you do not want anyone to see.

❖ **Important!** See the **privacy warning** below question 24 on the petition.

Count Attached Pages

Count the total number of pages you are attaching to your petition. You must include **Attachment A (Definitions)**. Include *Attachments B, C, D, E, or F* only if they apply. Also, include any supporting evidence in your page count. Put the total number of pages in the "____ pages" space below the **privacy warning** and "I certify under penalty of perjury..."

Sign and Date

Put the city and state where you are signing this. (This can be different than where you live.) Date, sign, and print your name.

Attachments A - E

Attachment **A** gives definitions. There is nothing to fill out.

Fill out Attachment **B**: Vulnerable Adult, if you are asking to protect a vulnerable adult.

Attachments **C** and **D** are for minor children.

- Fill out Attachment **C**: Child Custody, if the restrained person is a parent of any of the children.
- Fill out Attachment **D**: Non-parents protecting children (ICWA), if you are asking to protect a child and you are not the child's parent.

Remove attachments B, C, D, or E if it does **not** apply. (Attachment A always applies.)

Attachment **E** is completed only if the restrained person possesses or owns firearms.

After filling out the forms: Go to Court

Bring your completed petition and temporary order to the clerk's office of the local court. Also, bring the firearms worksheet and order to surrender weapons, if needed. Ask the clerk if it is possible to file electronically, if you are interested in that option. They will direct you further.

Law Enforcement and Confidential Information (LECIF)

**Clerk: Do not file in a public
access file. In criminal
cases, do not file. Give to
law enforcement.**

Superior Court of Washington

County: Chelan

Case No.: _____

Law Enforcement: Do **not** serve or show a **completed** LECIF to the other party.

Instructions – Protected Person must complete this form. Fill out **all** sections as much as you can. If you do not know, write “unknown.” Complete Attachment A if the Restrained Person is under age 18. Type or print clearly! If law enforcement cannot read this form or identify the person, they cannot serve or enforce your order!

1. Restrained Person's Info

Name: First Middle Last			Date of Birth (if unknown give age range)	
Nickname/Alias/AKA (“Also known as”)			Relationship to Protected Person	
Sex	Race		Height	Weight
Eye Color	Hair Color		Skin Tone	Build
Phone/s with Area Code (voice):			Need Interpreter? [] No [] Yes Language:	

2. Where can the Restrained Person be served? List all known contact information.

Last Known Address. Street:			
City:		State:	Zip:
Cell number (text):		Email:	
Social Media Account/s & User Name/s:			
Other:			
Employer	Employer's Address		Employer's Phone
Work Hours	Driver's License or ID number		State
Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year

3. Disability, hazard, and weapon info about the Restrained Person

Law enforcement needs this info to serve the order safely

Does the Restrained Person have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? ☐ No ☐ Yes. If yes, describe (add pages, if needed): _____

Hazard Information Restrained Person's History includes:

☐ Involuntary/Voluntary Commitment ☐ Suicide Attempt or Threats (How recent?) _____

☐ Threats to "suicide by cop" ☐ Assault ☐ Assault with Weapons ☐ Alcohol/Drug Abuse

☐ Other: _____

Concealed Pistol License: ☐ Yes ☐ No

Weapons: ☐ Handguns ☐ Rifles ☐ Knives ☐ Explosives ☐ Unknown

☐ Other (include unassembled firearms and specify): _____

Location of Weapons: ☐ Vehicle ☐ On Person ☐ Residence Describe in detail:

Current Status

Is the restrained person a current or former cohabitant as an intimate partner? ☐ Yes ☐ No

Are you and the restrained person living together now? ☐ Yes ☐ No

Does the restrained person know they may be moved out of the home? ☐ Yes ☐ No ☐ N/A

Does the restrained person know you are trying to get this order? ☐ Yes ☐ No

Is the restrained person likely to react violently when served? ☐ Yes ☐ No

4. Protected Person's Info

(If only minors are protected, list them in 5. Provide contact information in this section for the person filing.)

Name: First Middle Last			Date of Birth	
Sex	Race		Height	Weight
Driver's license or ID number	Eye Color	Hair Color	Skin Tone	Build

If your information **is not confidential**, you must enter your address and phone number/s below.

Current Address. Street:			Phone(s) w/Area Code	
City:	State:	Zip:		
Email address:			Need interpreter? ☐ No ☐ Yes If yes, language:	

If your info **is confidential**, you must give a name, address, and phone of someone willing to be your "contact."
If you filed **for someone else**, list your information as the contact.

Contact Name:	
Contact Address	Contact Phone
Contact Email Address	Date of Birth (if you are Petitioner)

How can law enforcement contact you and other protected household members **if firearms are returned** to the restrained person? (Email/s preferred. Update law enforcement with any changes.)

☐ email above ☐ phone number above ☐ address above ☐ other: _____

5. Minor's Info				
<i>For relationship, use terms such as child, grandchild, stepchild, nephew, or none.</i>				
1	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
2	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
3	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
4	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
[] More than 4 minors are protected. (Attach a page to list more children and their details.)				
6. Protected Household Members or Adult Children				
Name:		birth date:		
Name:		birth date:		
Name:		birth date:		
Name:		birth date:		
Privacy Notice: Only court staff, law enforcement, and some state agencies may see this form. The other party and their lawyer may not see this form unless a court order allows it. State agencies may disclose the information in this form according to their own rules.				
Changes: If any information changes, fill out another copy of this form and file it with the court clerk.				

I declare under penalty of perjury under the laws of the State of Washington that: 1) the information on this form about me is true and correct; 2) the information about the other party is the legitimate, current, or last known contact information.

I have attached ____ pages.

Signed at (*City and State*): _____ Date: _____

Sign here

Print name here

Attachment A: Restrained Person is a Minor

Only complete this attachment if the Restrained Person is under age 18. **If not**, skip or remove this attachment.

1. Restrained Person's PARENT or GUARDIAN's Info			
Name: First Middle Last			Date of Birth (if unknown give age range)
Nickname/Alias/AKA ("Also known as")			Relationship to Restrained Person ☐ Parent ☐ Legal Guardian
Sex	Race		Height
Eye Color	Hair Color		Weight
Phone/s with Area Code (voice):		Need Interpreter? ☐ No ☐ Yes	Language:
2. Where can the Restrained Person's PARENT or GUARDIAN be served?			
List all known contact information.			
Last Known Address. Street:			
City:		State:	Zip:
Cell number (text):			Email:
Social Media Account/s & User Name/s:			
Other:			
Employer	Employer's Address		Employer's Phone
Work Hours	Driver's License or ID number		State
Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year
3. Disability, hazard, and weapon info about Restrained Person's PARENT or GUARDIAN			
Law enforcement needs this info to serve the order safely			
Does the PARENT or GUARDIAN have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? ☐ No ☐ Yes. If yes, describe (add pages, if needed):			
Hazard Information PARENT or GUARDIAN's history includes: ☐ Involuntary/Voluntary Commitment ☐ Suicide Attempt or Threats (How recent?) ☐ Threats to "suicide by cop" ☐ Assault ☐ Assault with Weapons ☐ Alcohol/Drug Abuse ☐ Other:			
Concealed Pistol License: ☐ Yes ☐ No			
Weapons: ☐ Handguns ☐ Rifles ☐ Knives ☐ Explosives ☐ Unknown ☐ Other (include unassembled firearms and specify):			

Location of Weapons: ☐ Vehicle ☐ On Person ☐ Residence Describe in detail:
Current Status
Is the PARENT or GUARDIAN living with the restrained person now? ☐ Yes ☐ No
Are you and the PARENT or GUARDIAN living together now? ☐ Yes ☐ No
Does the PARENT or GUARDIAN know you are trying to get this order? ☐ Yes ☐ No
Is the PARENT or GUARDIAN likely to react violently when served? ☐ Yes ☐ No

Superior Court of Washington, County of Chelan

Petitioner (*Person starting this case*) _____ DOB _____

vs.

Respondent (*Person responding to this case*) _____ DOB _____

No. _____

Petition for Protection Order

Clerk's Action Required: 1

Petition for Protection Order

What kind of protection order do you want? There are different orders based on the type of harm and how the parties know each other. **See definitions in *Attachments A and B*.**

1. Choose the type of protection order that best fits your situation. (*Check only one.*)

- ☐ Domestic Violence – Protection from an intimate partner or family or household member who has committed domestic violence, nonconsensual sexual conduct or penetration, unlawful harassment, or stalking. (PTORPRT)
- ☐ Sexual Assault – Protection from someone who has committed sexual assault. (PTORSXP)
- ☐ Stalking – Protection from someone who has committed stalking. (PTORSTK)
- ☐ Vulnerable Adult – Protection from someone who has abandoned, abused, financially exploited, or neglected a vulnerable adult (or threatened to do so). (PTORVA)

Important! If you are asking for a Vulnerable Adult Protection Order, you must complete **Attachment B: Vulnerable Adult** as part of this Petition.

- ☐ Anti-Harassment – Protection from someone who has committed unlawful harassment. (PTORAH) (*fee may be required*)
- Conduct also includes (*check all that apply*): ☐ stalking ☐ hate crime ☐ single act of violence ☐ threat of violence including malicious and intentional threat or presence of firearm/weapon causing substantial emotional distress ☐ family or household member engaged in domestic violence ☐ nonconsensual sexual conduct or penetration or a sex offense.

2. If more than one of the protection order types listed above fits your situation, list any additional order types here: _____

3. Who should the order restrain? ("Restrained Person")

Name: _____

Restrained Person's age: ☐ Under 13 ☐ 13 to 17 ☐ 18 or over ☐ Unknown

Who should be protected? Check all that apply. Depending on the type of order, you can protect yourself and/or children, or you can file on behalf of a vulnerable adult, or another adult who cannot file for themselves.

4. Who should the order protect? ("Protected Person") (*Check all that apply.*)

☐ **Me.** My name is _____
(*You must be age 15 or older.*)

☐ **Minor Children.**

☐ I am the minor's ☐ parent ☐ legal guardian ☐ custodian.

☐ I am age 18 or older and the minor is a member of my family or household.
(*For domestic violence petitions only.*)

☐ I am age 15 to 17. The minor is a member of my family or household. I have been chosen by the minor and am capable of pursuing their stated interest in this case.

☐ I am with the Department of Children, Youth, and Families filing for a minor not able to consent.
(*For sexual assault protection order only.*)

☐ I am with (*specify law enforcement agency*) _____ law enforcement filing for a minor not able to consent.
(*For temporary sexual assault protection order only.*)

Child's Name	Age	Gender	Race	Lives With	How related to you	How related to Restrained Person

Important! If the restrained person is a parent of any of the children, complete **Attachment C: Child Custody**. If you are **not** a parent of any of the children, complete **Attachment D: Non-parents protecting children (ICWA)**. You must include these Attachment/s with your Petition if they apply.

[] **Someone Else.** (List your name as Petitioner at the beginning of this form. Describe who you are filing for here.) I am filing to protect:

[] a vulnerable adult (name) _____
(See definition and complete Attachment B.)

[] an adult (name) _____
who does not meet the definition of a vulnerable adult, but who cannot file the petition themselves because of age, disability, health, or inaccessibility.
(Do not check this for vulnerable adult or domestic violence petitions.)

What is the age, disability, health, or inaccessibility concern that makes the adult unable to file themselves? (Examples: the adult is hospitalized, temporarily incapacitated, or in jail/prison.)

5. **Service Address.** What is your address for receiving legal documents? You have the right to keep your residential address private. You may use a different mailing address for receiving legal documents.

Mail: _____

Email (if you agree to receive legal documents by email): _____

6. **Interpreter.**

Do you need an interpreter? [] No [] Yes, Language: _____

Important! You may need to request an interpreter separately. You will get instructions with an order setting your hearing.

7. **Accommodations.** You can ask the court for disability accommodations, if needed.

Contact: _____

How do the parties know each other?

8. Check all the ways the protected person is connected or related to the restrained person:

Intimate Partners – Protected Person and Restrained Person are intimate partners because they are:

- [] current or former spouses or domestic partners
[] parents of a child-in-common (unless child was conceived through sexual assault)
[] current or former dating relationship (age 13 or older) who:
[] never lived together [] live or have lived together

Family or Household Members – Protected Person and Restrained Person are family or household members because they are:

- [] parent and child [] stepparent and stepchild
[] grandparent and grandchild [] parent's intimate partner and child
[] current or former cohabitants as roommates

- ☐ person who is or has been a legal guardian
- ☐ related by blood or marriage (*specify how*) _____

Other – (examples: coworker, neighbor, acquaintance, stranger)

Connection to Washington State. This helps decide if the court has authority (jurisdiction).

9. Why are you filing in this county and state? (Check *all* that apply.)

- ☐ The protected person lives in this county now, **or** used to live in this county but left because of abuse, **or** this is the nearest court to where I live or used to live.
- ☐ An incident that made me want this protection order happened in this county or state.

10. Restrained Person's Residence. Where does the restrained person live?

- ☐ In Washington State in (*city or county*): _____
- ☐ Outside of Washington State
- ☐ Unknown

Are there other court cases involving the parties or any children?

11. Other Court Cases. Have there been any other court cases between any of the people involved in this case, or about any children? Include court cases happening now and in the past and requests for protection that were denied or have expired. (*Examples: criminal no contact order, civil protection order, family law restraining order, protection order from another state, tribal order, military orders, parenting plans, divorce, landlord-tenant, employment, property, assault, police investigations. File copies in this court case of everything you want the court to review.*)

☐ No ☐ Yes. If yes, fill out below.

Type of Case (see examples)	Court Location (City or County and State)	Court Type (Superior/District/Municipal/Tribal/Military)	Case Number (if known)	Status (active/dismissed/pending/expired/unknown)

Other details: _____

Do you need immediate protection? If needed, you can ask for a *Temporary Protection Order* that starts now, before the restrained person gets notice. This protection can last up to 14 days or until the court hearing (whichever comes first).

If the court denies your request for immediate protection, you can ask the court to withdraw (dismiss) your petition.

12. Immediate Protection: Do you need a Temporary Protection Order to start immediately, without prior notice to the restrained person? ☐ **Yes** ☐ **No**

13. Immediate Weapons Surrender: Do you want a temporary order that requires the restrained person to give up all firearms, other dangerous weapons, and concealed pistol licenses, and prohibits the restrained person from getting more? ☐ **Yes** ☐ **No**

If Yes to 12 or 13, explain why: What serious immediate harm or irreparable injury could occur if an order is not issued immediately without prior notice to the restrained person? (*Briefly explain how you or anyone else might be harmed if you do not get protection now.*)

What protections do you need? Check **everything** you want the court to order.

14. I ask for a protection order with these restraints against the restrained person:

General Restraints

A. ☐ No Harm: Do not cause any physical harm, bodily injury, assault, nonconsensual sexual conduct or nonconsensual sexual penetration, and do not harass, threaten, or stalk:

☐ protected person ☐ the minors named in section 4 above

☐ these minors only: _____

B. ☐ No Contact: Do not make any attempts or have any contact, including nonphysical contact, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for service of court documents with:

☐ protected person ☐ the minors named in section 4 above

☐ these minors only: _____

☐ these members of the protected person's household: _____

☐ **Exception** (if any). Only this type of contact is allowed: _____

Exceptions about minors, if any, provided in **P** below.

- C. ☐ **Stalking Behavior:** Do not harass, follow, monitor, keep under physical or electronic surveillance, cyber harass (as defined in RCW 9A.90.120), or use phone, video, audio or other electronic means to record, photograph, or track locations or communication, including digital, wire, or electronic communication of:

☐ the protected person ☐ the minors named in section **4** above

☐ these minors only: _____

☐ these members of the protected person's household: _____

- D. ☐ **Exclude and Stay Away:** Do not enter, return to, knowingly come within, or knowingly remain within 1,000 feet or other distance (*specify*) _____ of:

☐ the protected person ☐ protected person's vehicle

☐ protected person's school ☐ protected person's workplace

☐ protected person's residence ☐ protected person's adult day program

☐ the shared residence

☐ the residence, daycare, or school of ☐ the minors named in section **4** above

☐ these minors only: _____

☐ other: _____

Address: The protected person chooses to (*check one*):

☐ keep their address confidential ☐ list their address here:

- E. ☐ **Vacate Shared Residence:** The protected person has exclusive right to the residence that the protected person and restrained person share. The restrained person must immediately vacate the residence. The restrained person may take the restrained person's clothing, personal items needed during the duration of the order, and these items (*specify*): _____
from the residence while a law enforcement officer is present.

- F. ☐ **Intimate Images:** Do not possess or distribute intimate images of a protected person, as defined in RCW 9A.86.010. The restrained person must take down and delete all intimate images and recordings of a protected person in the restrained person's possession or control and cease any and all disclosure of those intimate images.

- G. ☐ **Electronic Monitoring:** The restrained person must submit to electronic monitoring. Example: location tracking via ankle bracelet. (*Restrained Person must be age 18 or older.*)

- H. ☐ **Evaluation:** The restrained person shall get an evaluation for:

☐ mental health ☐ chemical dependency (drugs and alcohol)

- I. ☐ **Treatment:** The restrained person shall participate in state-certified treatment for:

☐ sex offender ☐ domestic violence perpetrator

- J. ☐ **Personal Belongings:** The protected person shall have possession of essential personal belongings, including the following:

- K. ☐ **Assets:** Do not transfer jointly owned assets.

☐ **Finances:** Provide the following financial relief: _____

- L. ☐ **Vehicle:** The protected person shall have use of the following vehicle:

Year, Make, & Model _____ License No. _____

- M. ☐ **Restrict Abusive Litigation:** Do not engage in abusive litigation as set forth in chapter 26.51 RCW or in frivolous filings against the protected person, making harassing or libelous communications about the protected person to third parties, or making false reports to investigative agencies.

- N. ☐ **Pay Fees and Costs:** The restrained person must pay fees and costs of this action. This may include administrative court costs, service fees, and the protected person's costs including lawyer fees.

Firearms and Other Dangerous Weapons

- O. ☐ **Surrender Weapons:** The restrained person must immediately surrender any firearms, other dangerous weapons, or concealed pistol licenses to law enforcement and not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive any of those items.

Important! *The court may be required to order the restrained person to surrender firearms, other dangerous weapons, or concealed pistol licenses even if you do not request it.*

Does the restrained person ☐ own or ☐ have access to firearms?

☐ Yes ☐ No ☐ I don't know

Complete **Attachment E: Firearms Identification** if Yes.

Would the restrained person's use of firearms or other dangerous weapons be a serious and immediate threat to anyone's health or safety?

☐ Yes ☐ No ☐ I don't know

Even if the restrained person does not have firearms now, has the restrained person ever used firearms, other weapons, or objects to threaten or harm you?

☐ Yes ☐ No

If Yes, describe what happened.

Is the restrained person already not allowed to have firearms?

☐ Yes ☐ No ☐ I don't know

If Yes, why? _____

Minors

P. ☐ Custody: *(If the parties have children together.)*

The protected person is granted temporary care, custody, and control of

☐ the minors named in section **4** above.

☐ these minors only: _____

Exceptions for Visitation and Transportation (including exchanges, meeting location, and pickup and dropoff) of Minors (if any): _____

Visitation listed here is an exception to any No Contact and Stay Away provisions about the children, in **B** and **D** above.

Q. ☐ Interference: Do not interfere with the protected person's physical or legal custody of:

☐ the minors named in section **4** above.

☐ these minors only: _____

R. ☐ Removal from State: Do not remove from the state:

☐ the minors named in section **4** above.

☐ these minors only: _____

S. ☐ School Enrollment: Do not enroll or continue attending as a student in the elementary, middle, or high school that a protected person attends: *(name of school)*

(Only if both the restrained person and a protected person are students at the same school. Can apply to students 18 or older. Includes public and private schools.)

Describe any continuing physical danger, emotional distress, or educational disruption to a protected person that would happen if the restrained person attends the same school.

Pets

T. ☐ Custody: The protected person shall have exclusive custody and control of the following pet/s owned, possessed, leased, kept, or held by the protected person, restrained person, or a minor child who lives with either the protected or restrained person. *(Specify name of pet and type of animal.):*

- U. ☐ **Interference:** Do not interfere with the protected person's efforts to get the pet/s named above.
- V. ☐ **Stay Away:** Do not knowingly come within, or knowingly remain within (*distance*) _____ of the following locations where the pet/s are regularly found:
- ☐ Protected person's residence (*home address may be kept confidential.*)
- ☐ Other (*specify*): _____

Vulnerable Adult

- W. ☐ **Safety:** Do not commit or threaten to commit acts of abandonment, neglect, financial exploitation, or abuse, including sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraints, against the vulnerable adult.
- X. ☐ **Accounting:** Provide an accounting of the disposition of the vulnerable adult's income or other resources.
- Y. ☐ **Property Transfer:** Do not transfer the property of ☐ the vulnerable adult ☐ the restrained person. This restraint can last for up to 90 days.

Other

- Z. _____
- _____
- _____
- _____
- _____

Do you need help from law enforcement? They may help you get the things you asked for.

15. **Law Enforcement Help:** Do you want the court to order the appropriate law enforcement agency to help you with any of the things listed below? (*Check all that apply.*)

- ☐ Possession of my residence.
- ☐ Possession of the vehicle I asked for in section **L** above.
- ☐ Possession of my essential personal belongings that are located at:
- ☐ the shared residence
- ☐ the restrained person's residence
- ☐ other location: _____
- ☐ Custody of: ☐ the minors named in section **4** above
- ☐ these minors only: _____
- ☐ Other: _____

How long do you need this order to last?

16. Length of Order

*(The order will last for **at least 1 year** unless you ask for something different. Orders restraining a parent from contacting their own children may not exceed 1 year.)*

I need this order to last for: ☐ 1 year ☐ more than 1 year ☐ less than 1 year (*specify how long*): _____

If you checked more or less than one year, briefly explain why.

Do you want to be notified if the restrained person petitions for the restoration of firearms in the future?

17. Firearms Restoration Notice

(This only applies if there is an existing or future criminal case that prohibits firearm ownership or possession.)

☐ **Notify.** I want the prosecutor to notify me if the restrained person petitions for restoration of firearms and of the court's decision.

☐ **Do Not Notify.** I do not want the prosecutor to notify me if the restrained person petitions for restoration of firearms or of the court's decision.

Why do you need a protection order? What happened? This is your statement where you tell your experience.

Be as specific and descriptive as possible. Put the date, names, what happened, and where. Use names rather than pronouns (he/she/they) as much as possible. If you cannot remember the date, put the time of year it happened (around a holiday, winter, summer, how old your child was), or about how long ago.

For all of the questions below, include details:

- Who did what?
- When did this happen?
- How were any statements made? (in person, mail, text, phone, email, social media)
- How did this make you, the minor, or the vulnerable adult feel?

If you need more space to answer any of the questions below, use form PO 010 *Statement* or attach additional pages.

Privacy Warning! The restrained person will see this Petition and any other evidence you file with the court. This information is also available in a public court file. You should file healthcare records, financial documents, and confidential reports under seal. Use form All Civil 040 *Sealed Cover*. If you want to seal explicit or intimate images, you must file a separate motion asking the court to seal these images. Use form PO 005, *Motion to Redact or Seal*.

-
- This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

-
- This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

- 20. Medical Treatment.** Describe any medical treatment you received for issues related to your request for protection.

- 21. Suicidal Behavior.** Describe any threats of self-harm or suicide attempts by the restrained person.

- 22. Restrained Person's Substance Abuse**

Is substance abuse involved? ☐ Yes ☐ No ☐ Unknown

If yes, what type of substance abuse? ☐ Alcohol ☐ Drugs ☐ Other: _____

- 23. Minors Needing Protection, if any** (*If the information is not already included above.*)

Has there been any violence or threats towards children? How have the children been affected by the restrained person's behavior? Were the children present during any of the incidents described above? Describe and give details.

24. Supporting Evidence *(Include anything else you want the court to see that helps prove what you are saying is true. You are responsible for filing your supporting evidence, including police reports, if any. Before you file any attachments, you can black out (redact) any sensitive information. Examples: your home address and account numbers (leave last 4 digits). If you have audio or video evidence, contact the court for how to submit.)*

☐ I am submitting the following evidence with this Petition (*check all that apply*):

☐ Pictures

☐ Text/email/social media messages

☐ Voice messages (written transcript)

☐ Written notes/letters/mail

☐ Police report

☐ Declaration or statement from witness (*name/s*): _____

☐ Other (*describe*): _____

Privacy Warning! The restrained person will see this Petition and any other evidence you file with the court. This information is also available in a public court file. You should file healthcare records, financial documents, and confidential reports under seal. Use All Civil 040 *Sealed Cover*. If you want to seal explicit or intimate images, you must file a separate motion asking the court to seal these images. Use form PO 005, *Motion to Redact or Seal*.

Before you file any attachments, you can **black out** (redact) any sensitive information. Examples: your home address, account numbers (leave last 4 digits), minor's names (leave minor's initials). Do **not** list your address in this petition or any supporting evidence if you want it to remain confidential.

Hope Card: A Hope Card is a small card you can easily carry that has some details of your protection order. It's one way to show you have a full protection order. You can request one at www.courts.wa.gov/hopecard.

I certify, under penalty of perjury under the laws of the state of Washington, that all the information provided in this petition and any attachments is true and correct.

☐ I have attached (*number*): _____ pages.

Signed at (*city and state*): _____ Date: _____



Sign here

Print name

Attachment A: Definitions (*Always include with petition.*)

"Domestic violence" means:

- (a) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one intimate partner by another intimate partner; or
- (b) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one family or household member by another family or household member.

"Commercial sexual exploitation" means commercial sexual abuse of a minor and sex trafficking.

"Sexual conduct" means any of the following:

- (a) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing;
- (b) Any intentional or knowing display of the genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent;
- (c) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent;
- (d) Any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent or others;
- (e) Any intentional or knowing touching of the clothed or unclothed body of a child under the age of 16, if done for the purpose of sexual gratification or arousal of the respondent or others; or
- (f) Any coerced or forced touching or fondling by a child under the age of 16, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others.

"Sexual penetration" means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person including, but not limited to, cunnilingus,

fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

"Stalking" means any of the following:

- (a) Any act of stalking as defined under RCW 9A.46.110;
- (b) Any act of cyber harassment as defined under RCW 9A.90.120; or
- (c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that:
 - (i) Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling;
 - (ii) Serves no lawful purpose; and
 - (iii) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person.

"Unlawful harassment" means:

- (a) A knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner; or
- (b) A single act of violence or threat of violence directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose, which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner. A single threat of violence must include:
 - (i) A malicious and intentional threat as described in RCW 9A.36.080(1)(c); or
 - (ii) the presence of a firearm or other weapon.

Attachment B: Vulnerable Adult

Only complete this attachment if your case involves a vulnerable adult. **If not**, skip or remove this attachment.

1. What qualifies the adult as a vulnerable adult? The adult (*check all that apply*):

- ☐ Is over 60 years old and does not have the functional, mental, or physical ability to care for himself or herself.
- ☐ Is an individual subject to guardianship under RCW 11.130.265 or an individual subject to conservatorship under RCW 11.130.360.
- ☐ Has a developmental disability as defined in RCW 71A.10.020.
- ☐ Self-directs their own care and receives services from a personal aide under RCW 74.39.
- ☐ Is receiving services from a home health, hospice, or homecare agency licensed or required to be licensed under RCW 70.127.
- ☐ Is receiving in-home services from an individual provider under contract with DSHS.
- ☐ Has been admitted to an assisted living facility, nursing home, adult family home, soldiers' home, residential habilitation center, or any other facility licensed by DSHS.

2. Does the vulnerable adult know you will be filing this petition?

- ☐ Yes ☐ No If no, what efforts did you make to notify the vulnerable adult?

3. Connection to Washington. Does the vulnerable adult live in Washington State?

- ☐ Yes ☐ No If no, are you asking to protect any **family members** of the vulnerable adult who:

- Live in Washington State, and
- Have been affected by the restrained person's actions

☐ Yes ☐ No

4. What is your relationship to the vulnerable adult?

- ☐ I am the vulnerable adult. I am filing this petition for myself.
- ☐ DSHS is filing this petition for a vulnerable adult who ☐ has consented ☐ lacks capacity or ability to consent to this petition.
- ☐ I am the vulnerable adult's guardian/conservator, or limited guardian/conservator.

I was appointed in (*county and state*) _____
in Case Number _____
on or about (*date*) _____
(*Attach a copy of your letters or order appointing guardian/conservator, if available.*)

- ☐ To protect the vulnerable adult, I imposed an **emergency restriction** on the vulnerable adult's right to associate with the restrained person on (*date*) _____

[] I am the vulnerable adult's legal fiduciary. I was appointed [] trustee [] power of attorney on or about (date) _____.
(Attach a copy of your relevant documents, if available.)

[] I am interested in the welfare of the vulnerable adult. I have a good faith belief that the court's intervention is necessary and that the vulnerable adult is unable at this time to protect their own interests, due to incapacity, undue influence, or duress.

What is the nature of your relationship to the vulnerable adult? How long has this relationship lasted? (Describe)

What is the incapacity, undue influence, or duress that makes the vulnerable adult unable to protect their own interests? (Describe)

Definitions For Vulnerable Adult Protection Orders:

"Vulnerable adult" includes a person:

- (a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or
- (b) Subject to a guardianship under RCW 11.130.265 or adult subject to conservatorship under RCW 11.130.360; or
- (c) Who has a developmental disability as defined under RCW 71A.10.020; or
- (d) Admitted to any facility; or
- (e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or
- (f) Receiving services from a person under contract with the department of social and health services to provide services in the home under chapter 74.09 or 74.39A RCW; or
- (g) Who self-directs his or her own care and receives services from a personal aide under chapter 74.39 RCW.

"Abuse," for the purposes of a **vulnerable adult** protection order, means intentional, willful,

or reckless action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish.

"Abuse" includes sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraint against a **vulnerable adult**, which have the following meanings:

- (a) "Improper use of restraint" means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline, or in a manner that:
 - (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter 71A.12 RCW;
 - (ii) is not medically authorized; or
 - (iii) otherwise constitutes abuse under this section.
- (b) "Mental abuse" means an intentional, willful, or reckless verbal or nonverbal action that threatens, humiliates, harasses, coerces,

intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. "Mental abuse" may include ridiculing, yelling, swearing, or withholding or tampering with prescribed medications or their dosage.

- (c) "Personal exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.
- (d) "Physical abuse" means the intentional, willful, or reckless action of inflicting bodily injury or physical mistreatment. "Physical abuse" includes, but is not limited to, striking with or without an object, slapping, pinching, strangulation, suffocation, kicking, shoving, or prodding.
- (e) "Sexual abuse" means any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, molestation, indecent liberties, sexual coercion, sexually explicit photographing or recording, voyeurism, indecent exposure, and sexual harassment. "Sexual abuse" also includes any sexual conduct between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not the sexual conduct is consensual.

"Financial exploitation" means the illegal or improper use of, control over, or withholding of, the property, income, resources, or trust funds of the **vulnerable adult** by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

- (a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, government benefits, health insurance benefits, or trust funds of the

vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

- (b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship or conservatorship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or
- (c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of the vulnerable adult's property, income, resources, or trust funds.

"Neglect" means:

- (a) A pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain the physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or
- (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety including, but not limited to, conduct prohibited under RCW 9A.42.100.

Attachment C: Child Custody

Only complete this attachment if you are asking to protect any of the restrained person's children. **If not**, skip or remove this attachment.

Does a Washington Court have authority over the children? Before the court can protect a child, you must tell the court about the children's connection to Washington State. See instructions for help.

1. Children's Home/s

At any time during the past 5 years, have the children lived:

- ☐ on an Indian reservation,
- ☐ outside Washington state,
- ☐ in a foreign country, or
- ☐ with anyone who is not a party to this case?

☐ No. (*Skip to 2*)

☐ Yes. (*Fill out below to show where the children have lived during the last 5 years.*)

Dates	Children	Lived with	In which state, Indian reservation, or foreign country
From: To:	☐ All children ☐ (<i>Initials</i>):	☐ Petitioner ☐ Respondent ☐ Other (<i>name</i>):	
From: To:	☐ All children ☐ (<i>Initials</i>):	☐ Petitioner ☐ Respondent ☐ Other (<i>name</i>):	
From: To:	☐ All children ☐ (<i>Initials</i>):	☐ Petitioner ☐ Respondent ☐ Other (<i>name</i>):	
From: To:	☐ All children ☐ (<i>Initials</i>):	☐ Petitioner ☐ Respondent ☐ Other (<i>name</i>):	
From: To:	☐ All children ☐ (<i>Initials</i>):	☐ Petitioner ☐ Respondent ☐ Other (<i>name</i>):	

2. Other people with a legal right to spend time with the children

Do you know of anyone besides yourself and Respondent who has or claims to have a legal right to spend time with the children?

☐ No.

☐ Yes. (*Name/s*) _____ has or claims to have a legal right to spend time with the children because:

3. **Authority Over the Children (Jurisdiction)** (RCW 26.27.201 – .221, .231, .261, .271)

The court can make an order protecting the children because:

- ☐ **Exclusive, continuing jurisdiction** – A Washington court has already made a custody order or parenting plan for the children and the court still has authority to make other orders for the children.
- ☐ **Home state jurisdiction** – Washington is the child's home state because (*check all that apply*):
- ☐ The children lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if a child is less than 6 months old, the child has lived in Washington with a parent or someone acting as a parent since birth.
- ☐ There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if a child is less than 6 months old), but those were temporary absences.
- ☐ The children do not live in Washington right now, but Washington was the children's home state sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.
- ☐ The children do not have another home state.
- ☐ **No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for the children **or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:
- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
 - There is a lot of information (substantial evidence) about the children's care, protection, education, and relationships in this state.
- ☐ **Other state declined** – The courts in other states (or tribes) that might be the children's home state have refused to take this case because it is better to have this case in Washington.
- ☐ **Temporary emergency jurisdiction** – The court can make decisions for the children because the children are in this state now **and** were abandoned here **or** need emergency protection because the children (or their parent, brother, or sister) were abused or threatened with abuse. (*Check one*):
- ☐ A custody case involving the children was filed in the children's home state (*name of state or tribe*): _____. Washington should take temporary emergency jurisdiction over the children until the petitioner can get a court order from the children's home state (or tribe).
- ☐ There is **no** valid custody order or open custody case in the children's home state (*name of state or tribe*): _____. If no case is filed in the children's home state (*or tribe*) by the time the children have been in Washington for 6 months, (*date*): _____, Washington should have final jurisdiction over the children.
- ☐ **Other reason (specify)**: _____

Attachment D: Non-Parents Protecting Children (ICWA)

Only complete this attachment if you are asking to protect any children who are **not** your own. **If not**, skip or remove this attachment.

Non-Parents must comply with the Indian Child Welfare Acts (ICWA). If you are not a legal parent of a minor child you are asking to protect, you must find out if the minor is or may be an Indian child. If so, the federal and state Indian Child Welfare Acts will apply to your case. This does not apply to parents.

Parents: You do **not** have to answer these questions about your own children.

1. Tribal Heritage

*If there is a reason to know that a child has **tribal heritage** (including ancestry or familial political affiliation), the court must treat the child as an Indian child unless and until the affected tribe/s decide otherwise or decline to respond after receiving proper notice.*

*An **Indian child** is a child who is a member of an Indian tribe, or who is the biological child of an Indian tribe member and is eligible for membership. Tribes decide their own membership.*

Could any of the children be Indian children? (Check all that apply):

☐ **No.** These children are not Indian children (*name/s*): _____

I know this because (*explain if the children have no tribal heritage, or if any possible tribal heritage has already been explored and decided in another court proceeding that complied with ICWA. Attach orders*): _____

☐ **Yes or maybe.** These children are or may be Indian children. They have or may have heritage from the tribe/s listed below:

Children	Tribes
☐ All ☐ (<i>name/s</i>):	
☐ All ☐ (<i>name/s</i>):	

I will provide the *Indian Child Welfare Act Notice* (form GDN M 401) and a copy of this *Petition* to the tribe/s named above and other necessary people or agencies.

☐ **I do not know** if any of the children are Indian children or have tribal heritage. I have done the following things to find out:

Warning! You must find out if any of these children have tribal ancestry before a full order is issued.

2. Authority Over Indian Children (Jurisdiction)

- ☐ Does not apply. None of the children are Indian children.
- ☐ A state court can decide this case for any children who are or may be Indian children because:
- ☐ (*Children's Initials*): _____ are **not** domiciled or living on an Indian reservation, and are not wards of a tribal court. (25 U.S.C. § 1911)
- ☐ (*Children's Initials*): _____ are domiciled or living on an Indian reservation, and (*check all that apply*):
- ☐ The children's tribe agrees to Washington State's concurrent jurisdiction.
- ☐ The children's tribe decided not to use its exclusive jurisdiction (expressly declined). (RCW 13.38.060)
- ☐ Washington State should exercise **emergency jurisdiction** for Indian children temporarily located off the reservation to protect the children from immediate physical damage or harm. (RCW 13.38.140)

Attachment E: Firearms Identification

Only complete this attachment if the restrained person owns or has access to firearms or other dangerous weapons. **If not**, skip or remove this attachment.

1. Does the restrained person ☐ own or ☐ have access to any firearms? ☐ Yes ☐ No ☐ Unknown
2. Does the restrained person purchase, own, or have access to parts that could be assembled into a working firearm (example: ghost guns)? ☐ Yes ☐ No ☐ Unknown
3. Does the restrained person have a concealed pistol license (CPL)? ☐ Yes ☐ No ☐ Unknown
4. When was the last time you saw the firearm/s? _____
5. Do you know where the restrained person keeps the firearm/s? ☐ Yes ☐ No
If yes, check all that apply:
☐ On their person ☐ In their car ☐ In their home ☐ Storage unit ☐ In a safe
6. To the best of your knowledge, are the guns typically loaded? ☐ Yes ☐ No ☐ Unknown
7. How important are the firearms to the restrained person?
☐ 1 (not very important) ☐ 2 ☐ 3 ☐ 4 ☐ 5 (very important) ☐ Unknown
8. What does the restrained person generally use the firearms for, if known? (*check all that apply*):
☐ Hunting ☐ Collecting ☐ Target Shooting ☐ Protection ☐ Other: _____
9. Does the respondent possess explosives? ☐ Yes ☐ No ☐ Unknown
10. Does the restrained person own or possess any other dangerous weapons you believe should be surrendered? ☐ Yes ☐ No ☐ Unknown. If yes, list them here: _____

The pictures below are examples of the most common guns. If you recognize any of the pictures below as similar to the one/s the restrained person has, please check it and write in how many they have of each.

☐ Handgun (<i>how many</i>) _____ 	☐ Unassembled Firearm (<i>how many</i>) _____ 
---	---

☐ **Semi-automatic Rifle** (*how many*)_____



☐ **Rifle/Shotgun** (*how many*)_____



☐ **Other firearm/s** (*describe*):

Case Name: _____

County: Chelan

Case No: _____

Firearm Identification Worksheet

(You may attach this to the petition.)

1. Does the restrained person own or have access to any firearms? ☐ Yes ☐ No
2. Does the restrained person have a concealed pistol license (CPL)? ☐ Yes ☐ No
3. When was the last time you saw the firearm/s? _____
4. Do you know where the restrained person keeps the firearm/s? ☐ Yes ☐ No
If yes, check all that apply:
☐ On their Person ☐ In their Car ☐ In their Home ☐ Storage Unit ☐ In a Safe
5. To the best of your knowledge, are the guns typically loaded?
☐ Yes ☐ No ☐ I don't know
6. On a scale from 1 to 5 (1 being "not very important and 5 being "very important"), how important are the firearms to the restrained person?
1 2 3 4 5
7. What does the restrained person generally use the firearms for? *(check all that apply)*
☐ Hunting ☐ Collecting ☐ Target Shooting ☐ Protection ☐ Other: _____
8. Does the respondent possess explosives? ☐ Yes ☐ No ☐ I don't know
9. Has the restrained person ever ordered parts of firearms or possess parts that could be assembled into a working firearm? ☐ Yes ☐ No ☐ I don't know
10. Does the restrained person own or possess any other dangerous weapons you believe should be surrendered? ☐ Yes ☐ No If yes, list them here: _____

The pictures below are examples of the most common guns. If you recognize any of the pictures below as similar to the one/s your partner has, please circle it and write in the circle how many your partner has.

Handgun





Semi-automatic Rifle



Rifle



Unassembled Firearms



Signed

Dated

		No.
Petitioner	DOB	Declaration of
v.		(Name)
		(DCLR)
Respondent	DOB	

Name: _____

Relationship to the parties in this action: _____

[illegible]

CHILD CUSTODY INFORMATION SHEET NO: _____

If you are seeking protection for your child(ren) from domestic violence or are requesting custody of your child(ren), please answer the questions and provide the information requested in paragraphs A –E below and check the boxes about the court's jurisdiction that apply to your case:

Information for the courts:

A. Do the child(ren) listed in Paragraph 5 of the petition currently live with you? If not, with whom do the child(ren) currently live?	☐ Yes	☐ No
B. Do you know of <u>any</u> other court cases involving the child(ren)? If known, list: the court _____ the case number _____ the kind of case _____ _____ _____	☐ Yes	☐ No
C. Have you been involved in <u>any</u> other litigation concerning custody or visitation with the child(ren) in this or any other state? If known, list the court, the case number and the date the parenting plan, residential schedule, visitation schedule or custody decree was entered: the court _____ the case number _____ the date _____ _____ _____	☐ Yes	☐ No
D. Do you know of any persons, other than you and the respondent, who claims rights of custody or visitation with, the child(ren)? If known, list their names in the space provided below and their present addresses in the Confidential Information Form: <u>Name</u> _____ <u>Name</u> _____ <u>Name</u> _____	☐ Yes	☐ No
E. List the places where the children have lived during the past five years, the dates they lived there and the persons with whom they lived. (The present addresses of those persons must be listed in the required Confidential Information Form.) _____ _____ _____		

Jurisdiction:

This court has jurisdiction over this proceeding for the reasons below: [Check all the boxes that apply to your case.]	
☐	This court has exclusive continuing jurisdiction. The court has made a child custody, parenting plan, residential schedule or visitation determination in this matter before and retains jurisdiction under RCW 26.27.211.

☐	This state is the home state of the children because: ☐ the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding. ☐ the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth. ☐ any absences from Washington have been only temporary. ☐ Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.
☐	The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and ☐ the children have no home state elsewhere. ☐ the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.
☐	All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.
☐	No other state has jurisdiction.
☐	This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated _____ at _____, Washington

Petitioner

Instructions for Temporary Protection Order and Hearing Notice, PO 030

If signed by the judge, this order will:

- Tell the restrained person what behavior is not allowed and what other orders they must follow; and
- Set the date for the full hearing.

Check with the court clerk before filling out the order.

In some courts, the judge will fill out this order. In other courts, you will be expected to fill out the order. Please check with the court clerk.

- If you are expected to fill out the form, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this form.

The clerk will file the original order in the public court record and distribute copies for:

- You (free certified copies).
- Law enforcement, to enter into the statewide database.
- Service on the respondent and restrained person.

Print Clearly! Use Black or Blue Ink only.

Caption box (above the line):

- Fill in the court (District or Superior) and name of the county in which you are filing the petition.
- Fill in your name (first, middle initial, last) as the Petitioner, and put your date of birth where it says "DOB." If you are filing on behalf of a minor, fill in your name and indicate "on behalf of" as "OBO" or "Minor", and fill in the minor's name. The date filled in for "DOB" will be the minor's date of birth. (Example: Jane Doe OBO Minor, Mary Jane Doe (01/01/2010)).
- The person you want protection from is the "Respondent." Fill in the respondent's name (first, middle initial, last) and date of birth. If you do not know the date of birth, put in the respondent's age. If you do not know this information, leave it blank. If the party you want protection against is a minor, fill in their parent or guardian's name, indicate "on behalf of" as "OBO" or "Minor", and fill in their first and last name in this section. (Example: John Doe OBO Minor, Jimmy Doe (10/18/2011)).
- Check the box next to the type of protection order you are seeking.

Next Hearing

Leave this line blank. The judge or court clerk will write in the next hearing date, time, and place:

- You must attend this hearing to continue protection beyond this temporary order.

- If you do not come to this hearing, then the court will dismiss the petition and you will not have a protection order.
- If the respondent does not come to the hearing and has been served, then the court may still grant a protection order. If the respondent does not come to the hearing and has NOT been served, then the court will reschedule the hearing to give more time to serve the respondent. If so, the temporary protection order will be extended until the full hearing.

Numbered Sections

1. Effective Date

Nothing to fill out.

2. Order Restrains & Restrained Person's Identifiers

- Fill in the name of the person you want protection against. This is the "restrained person." If they go by any aliases, or other names, then list them.
- Describe the restrained person's physical appearance: sex, race, height, weight, hair color, and eye color.
- List any of the restrained person's noticeable features, such as moles, scars, or tattoos.
- Check the box to show if the restrained person has access to weapons.

3. Protected Party & Names of Minors

- Fill in the name of the person who wants protection. This is the "protected person."
- **If no minors are involved**, check the box "No Minors Involved."
- **If minors are involved**, list the name and age of each child involved in this case.
- If you have questions about safety for your children, ask advocate resources for help with filling out this section.

4. Ex Parte Hearing

Leave this blank. The court will fill it out.

5. Basis

Nothing to fill out.

6. Jurisdiction

- If minor children are involved, then check the appropriate box:
 - "Exclusive continuing jurisdiction" means the minor has a significant relationship with this state, and no other state has granted an order that effects the minor/s.
 - "Home state" means the minor/s lived continuously in this state for the 6 months immediately before the commencement of this proceeding. If a minor is less than 6 months old, then this state is the home state if the child was born here and has since lived here with a parent or person acting as parent.

- “Temporary emergency jurisdiction” means this state is where the child was abandoned, or brought to otherwise protect the minor, or a sibling or parent of the minor, who is subject to or threatened with abuse.
- If any of the protected minors are not your children, then check this box and complete PO 030A *Attachment A Non-Parent (ICWA)*.
 - The Indian Child Welfare Act (ICWA) requires the court to determine whether the minor child is Native American and registered, or eligible to be enrolled, as a member in a federally recognized tribe.
 - You are **required** to complete Attachment A if:
 - You are filing this protection on behalf of a minor **AND** are not the minor’s parent, legal guardian, or custodian;
 - You have reason to know or think the child has Native American ancestry; **AND**
 - The child or one of the parents is enrolled in a federally recognized tribe, or has lived, or does live, on federally recognized tribal land.
- If any of the above are true, then you must also provide notice to the child/ren’s federally recognized tribe prior to the full hearing.

7. Other Findings

Leave this blank. The court will fill this out, if needed.

8. Protection Provisions

- Check the same boxes that you checked on the Petition.
- In each provision, be sure to identify the people and places you want protected.
- **Remember:** You have the right to keep your residential address confidential. You do not need to write it down on this form.

9. Assistance by Law Enforcement

- Check the same boxes that you checked on the Petition.

10. Washington Crime Information Center (WACIC) and Other Data Entry

- If your address is confidential, put the city or county where you are filing. Otherwise, you may want to put the city or county where you live.
- Select one of the boxes below that best indicates which law enforcement agency operates in the city or county you listed above. Example: Residents in certain parts of King County live in the unincorporated area where the Sheriff’s Office has jurisdiction rather than the incorporated area where a city police department has jurisdiction.

11. Service

- Check **“Required.”** If law enforcement will serve the restrained person, check that box and fill in the county or city.
- If you will make private arrangements to serve the restrained person, check that box.
- If you request alternative service, the court will check this box.
- If the restrained person appears, the court will check “Not required.”

12. Service on Others (Vulnerable Adult or Restrained Person under age 18)

- Skip this section unless you are filing on behalf of a vulnerable adult, the restrained person is under age 18, or the restrained person has a legal guardian.
- Check the box that correctly identifies the party you want served and write their name on the line provided.
- Check the box that correctly identifies who should complete service. **REMEMBER:** If your situation involves weapons surrender, vacating a shared residence, transfer of child custody, or the restrained person is incarcerated, then law enforcement **must** complete service.
 - Write in the county or city where the respondent lives, and check the agency who would complete service. If you are unsure, then leave blank and let the court know.

13. Other Orders

Leave blank as this is where the court will write in any additional orders it sees fit.

How to Attend the Next Hearing

Leave this section blank. The court will complete it if it grants the temporary order.

Sign the Form

- The judge will fill in the date and time when the order is granted and sign their name.
- Sign the bottom of the form where it says "Signature of Petitioner/Lawyer." If you are represented by a lawyer, then they will sign there.

Attachment A (*if applicable*)

14. Filing Party's Relationship to Children

- Check the appropriate box and fill in the child/ren's name/s.

15. Indian Child Welfare Acts

Leave this blank. The court will fill it in.

Law Enforcement and Confidential Information (LECIF)

You must complete a *Law Enforcement and Confidential Information* (LECIF), form PO 003. This form is confidential and it does not go in the public court file and is not served on the respondent.

- It is used by law enforcement to locate and identify the respondent when serving documents.
- It is also used by law enforcement when entering the order in the statewide database.

Check the box on page 2 about disabilities or impairments if the respondent has any of the conditions listed. This information is helpful to law enforcement when serving the documents. For example:

“Respondent has a brain injury. If respondent is rushed, respondent may freeze up and may not respond quickly, or may become verbally aggressive. Remind respondent to contact a friend.”

“Respondent has epilepsy and diabetes and may have seizures when stressed. Respondent doesn’t respond well to being rushed and will need time to get meds and supplies.”

If you know the respondent has firearms or other dangerous weapons, make sure you specify exactly what types and how many.

Traumatic Brain Injury Information:

Law enforcement responding to any domestic violence incident is encouraged to inform victims about a statewide website containing information about traumatic brain injuries. <https://www.doh.wa.gov/YouandYourFamily/InjuryandViolencePrevention/TraumaticBrainInjuries> and <https://www.dshs.wa.gov/altsa/traumatic-brain-injury/traumatic-brain-injury-advisory-council>

Register for Automatic Notices about your Protection Order:

After the court issues a temporary or full order for protection, you can register for automatic notices.

As authorized by RCW 36.28A.410, WA VINE Protective Order is an automated service that allows you, the petitioner, to track the status of a protective order over the phone or internet. You can also register to be notified by phone and email about changes in the status of a protective order. If you register for notification, you will receive important notifications regarding the service status of your protective order, a 90-day expiration warning, and notification if the respondent in your order attempts to purchase/transfer a firearm while they are prohibited and are denied.

To access protective order information, call 1-877-846-3492 or visit www.vinelink.com/.

Do not rely solely on WA VPO for your safety. If you feel you are in danger, call 9-1-1.

_____ Petitioner, vs.	_____ Date of Birth
_____ Respondent.	_____ Date of Birth

No. _____

Temporary Protection Order and Hearing Notice (TMO-) (*Select only one*)

☐ Domestic Violence (RPRT)

☐ Sexual Assault (RXP)

☐ Harassment (RAH)

☐ Stalking (STKH)

☐ Vulnerable Adult (RVA)

Clerk's Action Required: 5.B, 10, 11, 12

Service: 11

Next Hearing Date and Time:

See ***How to Attend*** at the end of this order

1. This order is effective until the end of the hearing listed above.

2. This order restrains (name): _____
also known as (list any known aliases) _____

Gender	Race	Height	Weight
Eye Color	Hair Color	Skin Tone	Build

Has ☐ access to or ☐ possession of ☐ firearms ☐ other weapons ☐ unknown

Surrender weapons ordered: ☐ Yes ☐ No

3. **This order protects (name):** _____
and the following **children** who are under 18 (if any) ☐ no minors

Child's name	Age	Child's name	Age
1.		2.	
3.		4.	
5.		6.	

There is a rebuttable presumption to include the protected person's minor children.

☐ For good cause, the court is **not** including the protected person's minor children in this order because: _____

Warnings to the Restrained Person



You can be arrested even if the protected person or persons invite or allow you to violate the order. You alone are responsible for following the order. **Only the court may change the order.** Requests for changes must be made in writing.

If you do not obey this order, you can be arrested and charged with a crime.

- The crime may be a misdemeanor, gross misdemeanor, or felony depending on the circumstances. You may also be found in contempt of court.
- You can go to jail or prison, lose your right to possess a firearm or ammunition, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so with the intention of disobeying this order, you can be charged with a federal crime.



Firearms and Weapons. If the court approves a full protection order, you may not be able to get or have a gun, firearm, other dangerous weapon, ammunition, or concealed pistol license for as long as the protection order is in place.



Go to the court hearing scheduled on page 1. If you do not, the court may:

- Make this temporary order effective for 1 year or longer
- Order weapons restrictions, even if that was not requested
- Order other relief requested in the petition
- Order electronic monitoring, payment of costs, and treatment
- Issue a final order that you are required to follow and you may not be served with the order if it is substantially the same as this temporary order

If you are under age 18, your parent/s or legal guardian/s will also be served with this order and should also go to the hearing. The court will decide if someone should be appointed to represent you.

Findings

4. Ex Parte Hearing

☐ The court issues this temporary order without a hearing.

☐ The court held a hearing before issuing this temporary order. These people attended:

☐ Protected Person ☐ in person ☐ by phone ☐ by video

☐ Restrained Person ☐ in person ☐ by phone ☐ by video

☐ Other: _____ ☐ in person ☐ by phone ☐ by video

5. Basis

A. The court finds: Based upon the petition, testimony, and case record, it appears that the restrained person engaged in conduct against the protected person/s that would be a basis for a protection order under chapter 7.105 RCW. This *Temporary Protection Order* should be issued without notice to the restrained person to avoid serious immediate harm or irreparable injury. (*Specify*) _____

B. Antiharassment Temporary Protection Order

☐ No fee required (stalking, hate crime, single act of violence, or threat of violence including malicious and intentional threat, or presence of firearm/weapon causing substantial emotional distress, family or household member engaged in domestic violence, or nonconsensual sexual conduct or penetration or a sex offense. RCW 7.105.105(9)).

6. Jurisdiction

The court has jurisdiction over the parties and the subject matter.

☐ **Minors:** Washington state ☐ has exclusive continuing jurisdiction ☐ is the home state ☐ has temporary emergency jurisdiction over the children.

☐ **Temporary Emergency Jurisdiction:** The petitioner has until (*date*) _____ to return to (*state/court with jurisdiction over the minors*) _____ to seek any court orders about these minors:

The Washington order will terminate on that date for the minors. RCW 26.27.231.

☐ **The person who filed is not a parent** of one or more children listed above. (**Important!** Complete Protection Order Attachment A: Non-Parent (ICWA), PO 030A/PO 040A.)

7. Other Findings (if any)

Temporary Restraints (*Check all that apply*):

8. The Court Orders: To the Restrained Person:**General Restraints**

- A. ☐ No Harm:** Do not cause any physical harm, bodily injury, assault, nonconsensual sexual conduct or nonconsensual sexual penetration, and do not harass, threaten, or stalk:

☐ the protected person ☐ the minors named in section **3** above

☐ these minors only: _____

- B. ☐ No Contact:** Do not attempt or have any contact, including nonphysical contact, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for service of court documents with:

☐ the protected person ☐ the minors named in section **3** above

☐ these minors only: _____

☐ these members of the protected person's household: _____

☐ **Exception** (if any): Only this type of contact is allowed: _____

Exceptions about minors only, if any, provided in **P** below.

- C. ☐ Stalking Behavior:** Do not harass, follow, monitor, keep under physical or electronic surveillance, cyber harass (as defined in RCW 9A.90.120), or use phone, video, audio, or other electronic means to record, photograph, or track locations or communication, including digital, wire, or electronic communication, of:

☐ the protected person ☐ the minors named in section **3** above

☐ these minors only: _____

☐ these members of the protected person's household: _____

- D. ☐ Exclude and Stay Away:** Do not enter, return to, knowingly come within, or knowingly remain within 1,000 feet or other distance (*specify*) _____ of:

☐ the protected person ☐ protected person's vehicle

☐ protected person's school ☐ protected person's workplace

☐ protected person's residence ☐ protected person's adult day program

☐ the shared residence

☐ the residence, daycare, or school of ☐ the minors named in section **3** above

☐ these minors only: _____

☐ other: _____

Address: The protected person chooses to (*check one*):

☐ keep their address confidential ☐ list their address here:

E. ☐ Vacate Shared Residence: The protected person has exclusive right to the residence that the protected person and restrained person share. The restrained person must immediately vacate the residence.

F. ☐ Intimate Images: Do not possess or distribute intimate images of a protected person, as defined in RCW 9A.86.010. The restrained person must take down and delete all intimate images and recordings of a protected person in the restrained person's possession or control and cease any and all disclosure of those intimate images.

G. ☐ Electronic Monitoring: You must submit to electronic monitoring. (*Restrained person must be age 18 or older.*)

Monitoring by (*specify*): _____

Term (*if different from expiration of temporary order*): _____

☐ Restrained Person must pay cost of electronic monitoring.

H. ☐ Evaluation: ☐ To be decided at the full hearing. ☐ Ordered now.

The restrained person shall get an evaluation for: ☐ mental health ☐ chemical dependency (drugs or alcohol) at: _____

The evaluation shall answer the following question/s:

An evaluation is necessary and it is feasible and appropriate to order an evaluation in this temporary order because:

I. ☐ Treatment: ☐ To be decided at the hearing. ☐ Ordered now.

The restrained person shall participate in state-certified treatment as follows:

☐ domestic violence perpetrator treatment program approved under RCW 43.20A.735 at: _____

☐ sex offender treatment program approved under RCW 18.155.070 at: _____

It is feasible and appropriate to order treatment in this temporary order because:

J. ☐ Personal Belongings: The protected person shall have possession of essential personal belongings, including the following:

K. ☐ **Transfer of Assets:** Do not transfer jointly owned assets.

☐ **Finances:** The following financial relief is ordered: _____

L. ☐ **Vehicle:** The protected person shall have use of the following vehicle:

Year, Make, & Model _____ License No. _____

M. **Restrict Abusive Litigation:** To be decided at the hearing, if requested.

N. **Pay Fees and Costs:** To be decided at the hearing, if requested.

Firearms and Other Dangerous Weapons

O. ☐ **Surrender Weapons:** **Important!** Also use form *Order to Surrender and Prohibit Weapons*, WS 001.

The court finds that (*check all that apply*):

☐ Irreparable injury could result if the *Order to Surrender and Prohibit Weapons* is not issued.

☐ The restrained person's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

☐ Irreparable injury could result if the restrained person is allowed to access, obtain, or possess any firearms or other dangerous weapons, or obtains or possesses a concealed pistol license.

The restrained person must:

- Immediately surrender to law enforcement and not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive firearms, other dangerous weapons, or concealed pistol licenses; and
 - Comply with the ***Order to Surrender and Prohibit Weapons***, filed separately.
-

Minors

P. ☐ **Custody:** The protected person is granted temporary care, custody, and control of:

☐ the minors named in section **3** above.

☐ these minors only: _____

Exceptions for Visitation and Transportation, if any (including exchanges, meeting location, pickup, and dropoff): _____

Visitation listed here is an exception only to No Contact and Stay Away provisions about the children in **B** and **D** above.

(*Only for children the protected and restrained person have together.*)

To comply with the Child Relocation Act, anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the child must notify every other person who has court-ordered time with the child. Specific exemptions

from notification may be available if the court finds unreasonable risk to health or safety. Persons entitled to time with the child under a court order may object to the proposed relocation. See RCW 26.09.405 - .560 for more information.

- Q. [] Interference:** Do not interfere with the protected person's physical or legal custody of:
- ☐ the minors named in section **3** above
 - ☐ these minors only: _____
- R. [] Removal from State:** Do not remove from the state:
- ☐ the minors named in section **3** above
 - ☐ these minors only: _____
- S. [] School Enrollment:** Do not enroll or continue attending the elementary, middle, or high school that a protected person attends (*name of school*) _____.
(Only if both the restrained person and a protected person are students at the same school. Can apply to students 18 or older. Includes public and private schools. Complete form PO 040B Attachment B School Transfer.)

Pets

- T. [] Custody:** The protected person shall have exclusive custody and control of the following pet/s owned, possessed, leased, kept, or held by the protected person, restrained person, or a minor child who lives with either the protected or restrained person. (*Specify name of pet and type of animal.*):
- _____
- U. [] Interference:** Do not interfere with the protected person's efforts to get the pet/s named above.
- V. [] Stay Away:** Do not knowingly come within, or knowingly remain within (*distance*) _____ of the following locations where the pet/s are regularly found:
- ☐ Protected person's residence (*home address may be kept confidential*)
 - ☐ Other (*specify*) _____

Vulnerable Adult

- W. [] Safety:** Do not commit or threaten to commit acts of abandonment, neglect, financial exploitation, or abuse, including sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraints against the vulnerable adult.
- X. [] Accounting:** You must provide an accounting of the disposition of the vulnerable adult's income or other resources by (*date*) _____
- Y. [] Property Transfer:** Do not transfer the property of ☐ the vulnerable adult ☐ the restrained person. This restraint is valid for up to 90 days.

Other

Z. _____

Other Orders (*Check all that apply*):

9. ☐ Law enforcement must help the protected person with (RCW 7.105.320(1)):

- ☐ Possession of the protected person's residence.
☐ Possession of the vehicle listed in section **L** above.
☐ Possession of the protected person's essential personal belongings located at:
☐ the shared residence
☐ the restrained person's residence
☐ other location _____

- ☐ Custody of ☐ the minors named in section **3** above
☐ these minors only _____

☐ Other: _____

- ☐ **Law enforcement must be present while the restrained person collects** personal clothing, personal items needed during the duration of this order, and these other items (*specify*) _____
from the shared residence that restrained person has been ordered to vacate in **D** or **E** above. RCW 7.105.320(3).

10. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

11. Service on the Restrained Person

- ☐ **Required.** The restrained person must be served with a service packet, including a copy of this order, the petition, and any supporting materials filed with the petition.

- ☐ The **law enforcement agency** where the restrained person lives or can be served shall serve the restrained person with the service packet and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

- ☐ **Personal service by law enforcement is required because** (*check all that apply*):

- ☐ Order to Surrender and Prohibit Weapons
☐ Restrained person must vacate shared residence
☐ Child custody transfer ordered
☐ Restrained person is incarcerated

☐ Other

☐ Electronic service is authorized by RCW 7.105.150.

☐ The **protected person** (or person filing on their behalf) shall make private arrangements for service and have proof of service returned to this court. (*This is not an option if this order requires: weapon surrender, vacating a shared residence, transfer of child custody, or if the restrained person is incarcerated. In these circumstances, law enforcement must serve unless the court allows alternative service.*)

☐ **Alternative Service Allowed.** The court authorizes alternative service by separate order (*specify*): _____

Clerk's Action. The court clerk shall forward a service packet on or before the next judicial day to the agency and/or party checked above. The court clerk shall also provide a copy of the service packet to the protected person but the protected person is only responsible for service if checked above.

☐ **Not Required.** The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. See section 4 above for appearances. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

12. ☐ Service on Others (Vulnerable Adult or Restrained Person under age 18)

Service on the ☐ vulnerable adult ☐ adult's guardian/conservator ☐ Restrained Person's parent/s or legal guardian/s (*name/s*) _____ is:

☐ **Required.**

☐ The **law enforcement agency** where the person to be served lives or can be served shall serve a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

☐ The **protected person** or person filing on their behalf shall make private arrangements for service and have proof of service returned to this court.

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.

☐ **Not Required.** They appeared at the hearing where this order was issued and received a copy.

13. Other Orders (if any):

How to attend the next court hearing (date and time on page 1).

The hearing scheduled on page 1 will be held:

	In Person Judge/Commissioner: _____ Courtroom: _____ Address: 401 WASHINGTON STREET 5TH FLOOR WENATCHEE WA 98801		
	Online (audio and video) App: _____ [] Log-in: _____ [] You must get permission from the court at least 3 court days before your hearing to participate online (audio and video). To make this request, contact: _____		
	By Phone (audio only) [] Call-in number: _____ [] You must get permission from the court at least 3 court days before your hearing to participate by phone only (without video). To make this request, contact: _____		
	If you have trouble connecting online or by phone (instructions, who to contact) _____		
	Ask for an interpreter, if needed. Contact: _____ _____		Ask for disability accommodation, if needed. Contact: _____ _____
Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!			

Ordered.

Dated: _____ at _____ a.m./p.m. _____
Judge/Court Commissioner

Print Judge/Court Commissioner Name

I received a copy of this Order or attended the hearing remotely and have actual notice of this order. It was explained to me on the record:

▶ _____ Signature of Respondent	_____	_____
	Print Name	Date
▶ _____	_____	_____
Signature of Respondent's Lawyer	WSBA No.	Date
	Print Name	Date



Signature of Petitioner

Print Name

Date



Signature of Petitioner's Lawyer

WSBA No.

Print Name

Date

Important! Protected Person: Law enforcement must notify you before firearms are returned to the Restrained Person. Keep your contact information up to date with the law enforcement agency. The *Proof of Surrender* in the court file should say which agency has the firearms. RCW 9.41.340.

Certificate of Compliance With VAWA. This protection order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice to the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be given notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is enforceable in all 50 states, Indian tribal lands, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam, as if it were an order of that jurisdiction.

Court of Washington, County of Chelan

Petitioner

vs.

Defendant/Respondent

No.: _____

**Order to Surrender
and Prohibit Weapons**

☐ Issued Without Notice (ORWPN)

☐ Temporary/Pre-Trial (ORWPNP)

☐ Final/Post Conviction (ORWPNP)

☐ Compliance Review Hearing (ORCRH)

Next Hearing Date/Time: _____

**At: Chelan County Superior Court
401 Washington Street, 5th Floor
Wenatchee, Washington**

(Clerk's Action Required)

Order to Surrender and Prohibit Weapons

1. Restrained Person

This order restrains the defendant/restrained person (*name*) _____
(Restrained Person), based on the findings in the order issued on (*date*) _____

This order replaces all prior *Orders to Surrender and Prohibit Weapons* issued under this case number.

2. Surrender of Weapons

Restrained Person: You must **immediately surrender** all firearms and other dangerous weapons in your possession, custody, or control, to this local law enforcement agency:

**You must immediately surrender all firearms and other dangerous weapons
subject to this order, including but not limited to the following:**

See the attached sheet if there are more to list.

Other: _____

3. Surrender of Concealed Pistol License

Restrained Person: You must **immediately surrender** any concealed pistol licenses issued under RCW 9.41.070 to this local law enforcement agency:

4. Weapons Prohibition

Restrained Person: You are prohibited from accessing, having in your custody or control, obtaining, possessing, purchasing, receiving or attempting to purchase or receive any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.

5. This Order expires:

☐ at the same time as the protection order entered under this case number.

☐ on (*date*) _____ or until further order of the court.

6. Instructions to Restrained Person

If you have firearms, other dangerous weapons, or concealed pistol licenses:

Step 1: **Immediately** surrender all firearms, other dangerous weapons, and concealed pistol licenses.

Important! If you have notice of this order, **immediately** surrender all firearms, other dangerous weapons, and concealed pistol licenses to the local law enforcement agency listed in section 2 on the same day as the hearing. Contact the local law enforcement agency for directions on how to immediately surrender the firearms, dangerous weapons, and concealed pistol licenses.

If a law enforcement officer serves you, surrender firearms and other dangerous weapons, and your concealed pistol license to the law enforcement officer.

Step 2: **Get a receipt** for the surrender of firearms, other dangerous weapons, and concealed pistol licenses from law enforcement.

Step 3: **Complete** the *Proof of Surrender* form and file it with the receipt, or file other evidence to prove full and timely compliance.

Step 4: **File** your documentation from Step 3 with the court clerk by the deadline for this type of case:

- Civil: within 24 hours.
- Criminal (defendant in custody): before you are released from custody.
- Criminal (defendant not in custody): by the end of your sentencing hearing.

If you do NOT have firearms, other dangerous weapons, or concealed pistol licenses:

Step 1: **Immediately** complete and sign the *Declaration: No Weapons to Surrender* form or gather other evidence that proves full and timely compliance.

Step 2: **File** your documentation from Step 1 with the court clerk by the deadline for this type of case:

- Civil: within 24 hours.
- Criminal (defendant in custody): before you are released from custody.
- Criminal (defendant not in custody): by the end of your sentencing hearing.

If you already surrendered all firearms, other dangerous weapons, and concealed pistol licenses under another order, they must remain in the possession of the law enforcement agency that received them until further order of the court. You must provide proof of previous surrender to the court in this case.

The Law Enforcement Officer serving this order shall inform you that the order is in effect upon service and that you must immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070. The serving officer shall conduct a search for firearms, other dangerous weapons, and concealed pistol licenses as permitted by law. The serving officer shall take possession of:

- **All firearms,**
- **Other dangerous weapons,**
- **Concealed pistol licenses belonging to Restrained Person,**

that are surrendered, in plain sight, or discovered during a lawful search. RCW 9.41.801.

7. ☐ Criminal Case: Law Enforcement To Accompany Defendant for Surrender.

The court finds that surrender of all firearms, dangerous weapons, and any concealed pistol license was not possible before release from custody or conclusion of the sentencing hearing.

The court orders (*law enforcement agency*) _____ to accompany defendant to (*location*) _____. Law enforcement must file the Receipt within 24 hours.

8. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____
(**check only one**): ☐ Sheriff's Office or ☐ Police Department
(*List the same agency that entered the temporary order, if any*)

This agency shall enter this order into WACIC, NCIC, and NICS.

9. Service

☐ **Required.** The **law enforcement agency** where the defendant/restrained person lives or can be served shall prioritize serving the restrained person with a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.

- ☐ **Not Required.** The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

10. Compliance Hearing

To decide if a compliance hearing is needed, the court considered:

- ☐ restrained person's attestation
- ☐ law enforcement verification
- ☐ police report and documentation of firearms or their recovery
- ☐ Department of Licensing firearm records
- ☐ Washington State Patrol firearm records
- ☐ protection order narrative, sections about firearms and dangerous weapons, and attachments
- ☐ affidavits by law enforcement, protected person, or petitioner in response to restrained person's declaration about firearms surrender
- ☐ other: _____

11. The court orders (*check one*):

- ☐ **Respondent: You must attend the hearing listed on page 1 of this order** and show the court that you surrendered your firearm/s and concealed pistol license/s.
- ☐ **Respondent's compliance found: No hearing required.** The court finds a sufficient showing that respondent has timely and completely surrendered all firearms and dangerous weapons in the respondent's custody, control, or possession and any concealed pistol license to a law enforcement agency and is in compliance with this order. The compliance hearing is waived per RCW 9.41.801(6).

12. Warnings!

- If you fail to comply with this order, you may be found in contempt of court and/or be charged with a misdemeanor and punished accordingly.
- You may also be charged with a crime up to and including a **felony** if you are found to own, possess, or control a firearm or other dangerous weapon.
- You have the right to remain silent and not make statements that may incriminate you. Anything you say can be used against you in a court of law. You have the right to consult with a lawyer before responding to this Order.
- This order may be extended pursuant to RCW 10.99.040(3).

13. Protection against self-incrimination

Voluntarily surrendering weapons may not be used against a Restrained Person in any criminal prosecution under chapter 7.105, 9.41, or 9A.56.310 RCW, or in any criminal prosecution pursuant to which this *Order to Surrender and Prohibit Weapons*

was issued, except a prosecution for perjury, giving false statement, or otherwise failing to comply with the order.

Ordered.

Dated _____ at (*time*) _____ a.m./p.m. _____
Judge/Commissioner

I received a copy of this order.

Signature of Restrained Person/Defendant Print Name

Signature of Restrained Person/Defendant's Attorney WSBA No. Print Name

Signature of Protected Person or Attorney WSBA No. Print Name

You may download the forms listed in this order from the Washington Courts' forms website:
<http://www.courts.wa.gov/forms/>.

Court of Washington, County of Chelan

Petitioner

vs.

Respondent/Defendant

No. _____

**Proof of Surrender
(PRSRW)**

Proof of Surrender

The court ordered me to immediately surrender all firearms and other dangerous weapons that I own or have in my possession or control, and any concealed pistol licenses issued to me.

On (date) _____ at _____ a.m./p.m.

I surrendered to (local law enforcement agency) _____ all:

- ☐ firearms
- ☐ concealed pistol licenses, and/or
- ☐ other dangerous weapons

Court case number (if in a different case): _____

Law enforcement agency case number: _____

I filed a copy of the **Receipt for Surrendered Firearms, Other Dangerous Weapons, and Concealed Pistol License** form with the clerk of the court.

I declare, under penalty of perjury under the laws of the State of Washington, that this statement is true and correct and that **I do not possess, control, or have custody of any other** firearms, dangerous weapons, or a concealed pistol license/s.

Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to a protection order may not be used against you in any criminal prosecution under chapters 7.105, 9.41, or 9A.56.310 RCW, or in any criminal prosecution pursuant to which such order to surrender and prohibit weapons was issued, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order.

Warning! You can plead your Fifth Amendment privilege against self-incrimination. In civil cases, the court may make assumptions against you based on your refusal to provide information.

Date: _____ at (*city*) _____, Washington



Signature of Restrained Person/Defendant

Print name

Superior Court of Washington, County/City of Chelan

Petitioner

vs.

Defendant/Respondent

DOB

No.: _____

**Receipt for Surrendered Firearms,
Other Dangerous Weapons, and
Concealed Pistol Licenses**
(Criminal/Civil)
(RCPF)

The defendant/restrained person must file a copy of this receipt and file the ***Proof of Surrender*** form with the court.

Law Enforcement:

List each item surrendered individually with brand, model, serial number, color, concealed pistol license number, and issuing authority, etc. below (*Attach additional sheets if necessary*):

_____	_____
_____	_____
_____	_____
_____	_____

Number of firearms surrendered: _____.

(Name of law enforcement official) _____
received the firearms, other dangerous weapons, and concealed pistol licenses listed above on
behalf of the local law enforcement agency (named) _____.
(*Law enforcement shall file the original receipt with the court within 24 hours after service of this
order, or within 72 hours after service of a temporary or full Extreme Risk Protection Order,
electronically whenever electronic filing is available.*)

I declare, under penalty of perjury under the laws of the State of Washington, that this statement
is true and correct.

Date: _____ at (city) _____, Washington

Signature of Law Enforcement Official

Print Name

Badge No.

Address: _____

Court of Washington, County of Chelan

Petitioner

vs.

Defendant/Respondent

No.: _____

**Declaration: No Weapons to
Surrender
(DCLRNS)**

Declaration: No Weapons to Surrender

If you previously surrendered your firearms, other dangerous weapons, and concealed pistol licenses, use the Proof of Surrender (form WS 100). If you want to plead your Fifth Amendment privilege against self-incrimination, you may use the Declaration of Fifth Amendment Privilege (form WS 105).

I understand that the court has ordered me to surrender all firearms, and other dangerous weapons that I own or have in my possession or control, and any concealed pistol licenses in my name. I have not surrendered any firearms, other dangerous weapons, or concealed pistol licenses pursuant to that order because I do not have any of those items.

I also understand that:

- I am prohibited from accessing, having in my custody or control, obtaining, possessing, purchasing, receiving or attempting to purchase or receive any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license until further order of the court.
- If I fail to comply with the *Order to Surrender and Prohibit Weapons*, I may be found in contempt of court and be charged with a misdemeanor.
- I may be charged with a crime up to and including a **felony** if I am found to own, possess, or control a firearm or other dangerous weapon while the *Order to Surrender and Prohibit Weapons* is in effect.

I declare, under penalty of perjury under the laws of the State of Washington, that this statement is true and correct.

Date: _____ at (city) _____, Washington.

Signature of Restrained Person

Print name

LAW ENFORCEMENT INFORMATION & INSTRUCTIONS FOR SURRENDERING WEAPONS

☐ CHELAN COUNTY SHERIFF

1. Telephone RiverCom **(509) 663-9911** during normal business hours to make an appointment to surrender your firearms, other dangerous weapons, and concealed pistol license if you have one.
2. Prior to transporting firearms, or other dangerous weapons to the Sheriff's Office you must unload them and make them safe for handling.
3. **Do Not** transport ammunition, gun powder, explosives, or any component of ammunition or explosives to the Chelan County Sheriff's Office.
4. When you arrive, **Do Not** bring firearms, or other dangerous weapons, into the Chelan County Sheriff's Office.
5. We will provide you with a receipt to attach to your **Proof of Surrender** form for the court.

☐ WENATCHEE POLICE DEPARTMENT

1. Telephone our main office **(509) 888-4200** during business hours of 9AM to 4PM, Monday through Friday to make an appointment to surrender your firearms, other dangerous weapons, and concealed pistol license if you have one.
2. Prior to transporting firearms, or other dangerous weapons to the Police Department you must unload them and make them safe for handling.
3. **Do Not** transport ammunition, gun powder, explosives, or any component of ammunition or explosives to the Wenatchee Police Department.
4. When you arrive, **Do Not** bring firearms, or other dangerous weapons, into the Wenatchee Police Department Office.
5. Contact our records personnel and someone will assist you in turning in your firearms, and other dangerous weapons. We will provide you with a receipt to attach to your **Proof of Surrender** form for the court.

☐ DOUGLAS COUNTY SHERIFF

1. Telephone Rivercom at **(509) 663-9911** to make an appointment to surrender your firearms, other dangerous weapons, and concealed pistol license if you have one.
2. Prior to transporting firearms, or other dangerous weapons to the Sheriff's Office you must unload them and make them safe for handling.
3. **Do Not** transport ammunition, gun powder, explosives, or any component of ammunition or explosives to the Douglas County Sheriff's Office.
4. When you arrive, **Do Not** bring firearms, or other dangerous weapons, into the Douglas County Sheriff's Office.
5. We will provide you with a receipt to attach to your **Proof of Surrender** form for the court.

☐ EAST WENATCHEE POLICE DEPARTMENT

1. Telephone our office **(509) 884-9511** during normal business hours (Monday through Friday 8:30 to 4:30) to make an appointment to surrender your firearms, other dangerous weapons, and concealed pistol license if you have one.
2. Prior to transporting firearms, or other dangerous weapons to the Police Department you must unload them and make them safe for handling.
3. **DO NOT** transport ammunition, gun powder, explosives, or any component of ammunition or explosives to the East Wenatchee Police Department.
4. When you arrive, **DO NOT** bring firearms, or other dangerous weapons, into the East Wenatchee Police Department.
5. Contact our records personnel and someone will assist you in turning in your firearms, and other dangerous weapons. We will provide you with a receipt to attach to your **Proof of Surrender** form for the court.

How Do I Serve the Restrained Person with my Petition for a Protection Order?

What is “proof of service” and why does it matter?

Service is the act of giving legal papers to someone. Service is how the other party formally learns about the case and lets the court know they can begin making decisions that affect that person (this is called personal jurisdiction).

The law requires that all parties have a fair chance to go to their hearings and to receive all evidence that the court sees. The restrained person must be served with a petition and notice of the hearing (usually contained in the temporary order). **If the restrained person is not served correctly, the court cannot decide the case until they are served correctly.** Also, a protection order cannot be enforced unless the restrained person knows about it. You must prove that the restrained person was properly given the petition, notice of hearing, temporary order, and *Order to Surrender and Prohibit Weapons*, if applicable, and all evidence that you want the court to review. If you don't, your case can be delayed or even dismissed.

After the restrained person is served the petition and temporary order(s), either party may file more evidence they want the court to consider. All parties have a right to see what the other party gave to the court. It is usually okay to serve this additional evidence by electronic or mail service.

Deadline! Protection orders must be served at least 5 court days before the hearing. For example, if your hearing is on a Friday and there are no holidays, papers must be served by Friday the week before. Weekends and holidays do **not** count towards the 5 days. Check with your court clerk for more information on deadlines.

What form do I use?

The form is called “*Proof of Service*.” This form can be used for all protection order cases except for Extreme Risk Protection Orders. You can find the *Proof of Service* form on the Washington Court Forms website here: <http://www.courts.wa.gov/forms/>. You can also search the internet for the form title, “PO 004 Proof of Service,” or ask the court clerk for help.

Who fills out the form?

The person who served the legal papers (the server) must complete the *Proof of Service* form. The person who started the case (the petitioner) cannot serve the petition and temporary order on the restrained person. The server must be over the age of 18. The server may be a police officer, Sheriff's deputy, other law enforcement officer, professional service provider, or any adult whom you trust to do it right and fill out the proof of service.

What are the different ways to serve legal papers?

1. **Personal Service** – The server hands the legal papers directly (in-person) to the person being served. This is the best kind of service and should be done whenever possible for the petition and temporary order(s).
2. **Electronic Service** – The server sends the legal papers by email, text, social media, or other technology. Electronic service can be okay. However, **do not** use electronic service for a petition and temporary order if any of these are true:
 - ✓ the restrained person is in jail or prison
 - ✓ the court ordered the restrained person to surrender firearms
 - ✓ the court ordered transfer of child custody

- ✓ the court ordered the restrained person to leave the residence that they share with the protected person
- ✓ the petition for a vulnerable adult protection order is filed by someone other than the vulnerable adult

For cases involving a restrained person who is in jail or prison, the surrender of firearms, the transfer of child custody or that requires the restrained person to leave the shared residence, only law enforcement can personally serve the petition and temporary order.

For cases involving a petition for a vulnerable adult protection order that is filed by someone other than the vulnerable adult, the petitioner can choose to have someone else serve the petition, temporary order, and notice to the restrained person. The court must allow electronic service in these cases after 2 unsuccessful attempts at personal service.

After the petition and temporary order are served, you may be able to use electronic service for any additional evidence that you want the court to review. If you are not sure if electronic service is allowed in this case, use personal service.

3. **Service By Mail** – For the petition and temporary order, you can ask the court to allow service by mail. Do not serve a petition and temporary order by mail unless you have a court order saying it is okay. The *Order to Allow Service by Mail* (form PO 025) has instructions for how to serve by mail.

For evidence filed after the petition is served, you can always serve by mail.

4. **Service By Publication** – If you cannot serve the restrained person in any other way, you can ask the court to allow service by publication in a newspaper. This costs money and takes more time. The *Order for Service of Summons by Publication* (form PO 026) has instructions for how to serve by publication. If you serve by publication, do **not** use the regular *Proof of Service* form. Instead, attach the newspaper's proof that the Summons was published to the *Proof of Publication (Cover Sheet)* (form All Civil 036).

How Do I Fill Out the Proof of Service Form?

It is important to fill out the whole form. It is important to file this form in the court file even if the other party was not served. Make sure you file this form with the court clerk so the judge can see it and determine next steps for service in your case.

Caption. At the beginning of the form at the top, write the parties' full names with middle initials, date of birth, and case number.

1. **Write the server's full name.** The form needs to be filled out by the person who served the other party.
2. **Able to Serve:** If service was successful, check the box for the type of service used.
 - ☐ **Personal Service:** Write the name of the person who was served, and the date, time, and address where the service happened.
 - ☐ **Electronic Service:** Write the name of the person served and the date service happened. Check the method of electronic service by selecting email, text messaging, social media application, or other technology. Provide the address, number, and any account or username used.

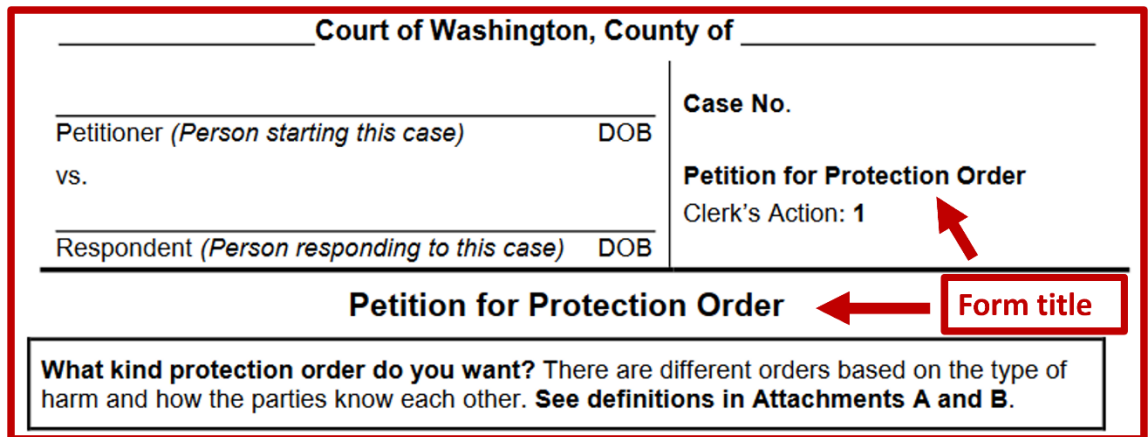
For example: user@gmail.com for email, 206-555-5555 for text, or through Facebook at User Name.

Check whether a “read receipt” or other reply was received.

[] **Service by Mail:** Write the name of the person served and date the documents were mailed. Be sure to mail **2** copies, postage prepaid: one by ordinary, first-class mail and one by other mail with certified or tracking information. Write the address that it was sent to.

3. **Not Able to Serve:** If you are **not** able to serve the other party, explain all the ways that service was tried. Include dates and times. Check whether an attempt at electronic service “bounced back” or was “undeliverable.” Check whether you were not able to mail court documents because you did not know the party’s last known address.
4. **List of Documents:** The server must list **every** document served by checking the box by the name of **each document** that was served **and** by using the “Other documents” section to add the titles of any documents served that are not listed. The title of documents can be found on the right side of the caption in all forms. It is also repeated under the caption in most forms.

Court of Washington, County of _____	
Petitioner (<i>Person starting this case</i>) DOB vs. Respondent (<i>Person responding to this case</i>) DOB	Case No. Petition for Protection Order Clerk's Action: 1
Petition for Protection Order	
What kind protection order do you want? There are different orders based on the type of harm and how the parties know each other. See definitions in Attachments A and B.	

A diagram of a legal form titled "Petition for Protection Order" from the Court of Washington. The form is divided into two main columns. The left column contains fields for the Petitioner (Person starting this case) and Respondent (Person responding to this case), each with a line for the name and a small box for the Date of Birth (DOB). The right column contains fields for Case No., the title of the petition (Petition for Protection Order), and Clerk's Action (1). A red arrow points from the "Form title" label to the "Petition for Protection Order" field. Another red arrow points from the "Form title" label to the "Petition for Protection Order" field. A red box highlights the "Petition for Protection Order" field, with a red arrow pointing to it from the "Form title" label.

If **every** document served is not checked or listed on this form, service may be considered “incomplete” and will likely require other attempts at service. This can cause delay.

5. **Fees Charged for Service:** If you are a professional server, fill out this section about your fees.
6. **Other:** You can write anything else that the court should know about service. If service was not successful, write the reasons. For example, explain if the person was not at the location or the party moved. Also explain any concerning behavior of the restrained person at the time of service and any information they share about the possession of weapons, including any denials about firearm ownership/possession.

At the bottom of the form. Remember that the server, **NOT** the petitioner or respondent, must sign the form. It must be signed and sworn “under penalty of perjury” that the information in the form is true. In addition, the location of the server, the date of signing, and the server’s signature must be included at the bottom.

Superior Court of Washington, County of Chelan

Petitioner _____	Date of Birth _____	No. _____ Proof of Service (RTS) Clerk's Action Required: 2C
vs.		
Respondent _____	Date of Birth _____	

Proof of Service

Important! Promptly file this completed form with the court clerk.

Server declares:

1. My name is _____. I am 18 or older.
I am ☐ a peace officer ☐ **not** a party to this case.

2. **Able to Serve:**

- A. ☐ **Personal Service:** I served the court documents checked in section 4 for this case to (name of party) _____
on (date) _____ at (time) _____
by giving the documents directly to them at this address:

B. ☐ **Electronic Service:**

Important! Do **not** use electronic service if your case involves the surrender of firearms, transfer of child custody, removing Respondent from the parties' shared residence, an incarcerated Respondent, or a petition for a vulnerable adult protection order is filed by someone other than the vulnerable adult. In these cases, after 2 unsuccessful attempts at personal service, you can ask the court to authorize electronic service. Court authorization is not necessary for vulnerable adult protection orders.

I served the court documents checked in section 4 for this case to
(name of party) _____
on (date) _____ at (time) _____ via
☐ email ☐ text ☐ social media applications ☐ other technology

At the following email address/s, phone number/s, social media application and user name, or other address: _____

I received a read receipt or communication from the receiving party (*describe or attach*): _____

- C. ☐ **Service by Mail:** I served the court documents checked in section 4 for this case to (*name of party*) _____ on (*date*) _____ at (*time*) _____.

I sent 2 copies of the documents, postage prepaid: one by ordinary, first-class mail and one by other mail with certified or tracking information (*attach receipts*).

I sent the mail to this/these address/es: _____

Clerk's Action: The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____ (*check only one*): ☐ Sheriff's Office or ☐ Police Department (*List the same agency that entered the temporary order, if any*)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

3. Not Able to Serve:

- ☐ I was unable to make personal service on (*name of party*) _____. I notified the serving party that service was not successful. Personal service was attempted on the following date/s _____.

- ☐ Electronic service was attempted at the following address/es but it bounced back, was undeliverable, or there was no follow-up communication _____

- ☐ I did not mail court documents to (*name of party*) _____ because I do not know the party's last known address.

4. List of Documents:

Important! You must check or write in the title of **every** document that you served. Use the "Other Documents" box to write in the title of any document not already listed.

I served the following documents (*check all that apply*):

New Petition	After a Full Hearing
☐ Petition for Protection Order	☐ Protection Order
☐ Temporary Protection Order and Hearing Notice	☐ Order to Surrender and Prohibit Weapons
☐ Order to Surrender and Prohibit Weapons	☐ Order Realigning Parties
☐ A blank Law Enforcement and Confidential Information Form	☐ Order Extending Order to Surrender and Prohibit Weapons
☐ Order Transferring Case and Setting Hearing	
☐ Reissuance of Temporary Protection Order and Notice of Hearing	
☐ Declaration/s of: _____	

☐ Denial Order ☐ Notice to Vulnerable Adult		
Renewals ☐ Motion for Renewal of Protection Order ☐ Order Setting Hearing on Renewal and Extending Order until Hearing ☐ Order for Renewal of Order for Protection	Motions ☐ Motion to Modify or Terminate Protection Order ☐ Motion for Surrender and Prohibition of Weapons ☐ Notice of Hearing ☐ Motion to Realign Parties ☐ Motion to Set Show Cause Hearing - Contempt ☐ Order on Hearing - Contempt ☐ Order re Adequate Cause	
Weapons Compliance ☐ Findings and Order on Review: Weapons Surrender Compliance ☐ Order on Hearing - Contempt ☐ A blank Proof of Surrender ☐ A blank Declaration of Non-Surrender ☐ Receipt for Surrender Weapons and Concealed Pistol License ☐ Order to Release Weapons	After a Motion Hearing ☐ Order Modifying or Terminating Protection Order ☐ Order to Surrender and Prohibit Weapons	
Other Documents 		

5. Fees Charged for Service:

☐ Does not apply.

☐ Fees: \$_____ + Mileage \$_____ = Total: \$_____

6. Firearms/Deadly Weapons:

If an Order to Surrender and Prohibit Weapons has been issued in this case. Restrained Person:

☐ **surrendered** the ☐ firearms ☐ deadly weapons ☐ CPL.
(file *Law Enforcement Receipt* separately).

☐ **did not surrender** the firearms/deadly weapons specified in the order (provide details related to what happened, including any denials of ownership/possession):

[] **asserted they have no** firearms, deadly weapons, or a CPL.

7. **Other** (*include details such as conduct at time of service, threats, avoidance of service, and statements regarding firearms possession*): _____

I declare, under penalty of perjury under the laws of the State of Washington, that the statements on this form are true.

Signed at (*city and state*): _____ Date: _____



Signature of server

Print or type name of server

Law Enforcement Agency (if any)

Instructions for Full Protection Order, PO 040

If signed by the judge, this order will:

- Tell the restrained person what behavior is not allowed and what other orders they must follow; and
- Set the expiration date.

Check with the court clerk before filling out the order.

In some courts, the judge will fill out this order. In other courts, you will be expected to fill out the order. Please check with the court clerk.

- If you are expected to fill out the form, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this form.

The clerk will file the original order in the public court record and distribute copies for:

- You (free certified copies).
- Law enforcement, to enter into the statewide database.
- Service on the respondent and the restrained person.

Print Clearly! Use Black or Blue Ink only.

Caption box (above the line):

This information will be the same as what is provided in the **Temporary Order**, PO 030.

Numbered Sections

1. Effective Date

If you want the order to be in place for longer than one year, then write in the date you want the order to expire. (For example, if you want the order to be in effect for 5 years from the date of the hearing, and your hearing is Aug. 12, 2022, then you would write in Aug. 12, 2027).

- **Important!** Providing a different expiration date does not guarantee that the court will grant it in the final order.

2. Order Restrains & Restrained Person's Identifiers

- This information will be the same provided in number 2 of the **Temporary Order**.
- **Important!** If you want the restrained person to surrender weapons, then also complete the **Order to Surrender and Prohibit Weapons**, form WS 001, and provide it to the court.

3. Protected Party & Names of Minors

- This information will be the same provided in number 3 of the **Temporary Order**.
- If you only filed for yourself, then check the appropriate box. If you filed on behalf of a minor or vulnerable adult, then also check the appropriate box/es.

4. Notice & Hearing

Leave this blank. The court will fill it out.

5. Basis & Type of Order

- Section A: This information will be the same provided in number 7 of the **Petition**, PO 001.
- Section B: Leave this blank. The court will check the box based on which order it grants.

6. Jurisdiction

Leave this blank. The court will fill it out.

7. Other Findings

Leave this blank. The court will fill it out.

8. Protection Provisions

- This information will be the same provided in the **Petition**.
- **Remember:** You have the right to keep your residential address confidential. You do not need to write it down on this form.

9. Assistance by Law Enforcement

This information will be the same provided in the **Petition**.

10. Washington Crime Information Center (WACIC) and Other Data Entry

This information will be the same provided in the **Temporary Order**.

11. Service

Leave this blank. The court will fill it out.

12. Service on Others

Leave this blank. The court will fill it out.

13. Other Orders

Leave this blank. The court will fill it out.

14. Review Hearing

Leave this blank. The court will fill it out.

Sign the Form

- The judge will fill in the date and time when the order is granted and sign their name.
- Sign the bottom of the form where it says “Signature of Petitioner/Lawyer.” If you are represented by a lawyer, they will sign there.

Attachment A (if applicable)

This information will be the same as provided in Attachment A in the **Temporary Order**.

What happens after the full hearing?

- If the judge grants and signs your final protection order, the clerk's office will give you free certified copies. Some courts may also send you copies by email.
 - You may ask for the number of copies that you need, that way you can always have a copy on you and have one to give to your employer, to your children's school or daycare, or to show law enforcement in the event of a violation, and so on, etc.
- If the restrained person did not go to the hearing and must be served, the clerk's office will send a copy of your new order to law enforcement for them to serve on the restrained person.
- You may register your protection order with WA Protective Order Service. This free, automated service lets you track the status of a protection order over the phone or internet. You can also register to be notified when the order has been served. Call 1-877-846-3492 or visit www.vinelink.com/.

How do I enforce my protection order?

- Your protection order is valid as soon as the judge signs it.
- The order will say if the restrained person must be served with a copy of the order, or not.
 - If the restrained person was at the hearing, further service is usually not required.
 - If the restrained person did not appear but was properly served the temporary protection order and petition, and the protection order does not materially differ from the temporary protection order, additional service is not required.
- If additional service is required, the restrained person cannot be arrested or prosecuted for violating the order until they have been served.
- If you asked that a police officer serve your order, you can call the law enforcement agency responsible for service to see if the restrained person has been served.
- After the order has been served, you must call the police to report any violations of the order.
 - Calling 911 is the best way to report violations of the order.
 - When you call 911, be sure to have a copy of your order with you and, if possible, a copy of the proof of service form showings that the restrained person was served with your order. (This is sometimes called a “return of service” or “affidavit of service.”)

- It is also important to keep a personal record of any violations, in case you want to change (modify) or renew the order.

Register for Automatic Notices about your Protection Order:

As authorized by RCW 36.28A.410, WA VINE Protective Order is an automated service that allows you, the petitioner, to track the status of a protective order over the phone or internet. You can also register to be notified by phone and email about changes in the status of a protective order. If you register for notification, you will receive important notifications regarding the service status of your protective order, a 90-day expiration warning, and notification if the restrained person in your order attempts to purchase/transfer a firearm while they are prohibited and are denied.

To access protective order information, call 1-877-846-3492 or visit www.vinelink.com/.

Do not rely solely on WA VPO for your safety. If you feel you are in danger, call 9-1-1.

_____ Petitioner _____ DOB _____ vs. _____ Respondent _____ DOB _____		No. _____ Protection Order (OR) ☐ Domestic Violence (PRT) ☐ Sexual Assault (SXP) ☐ Harassment (AH) ☐ Stalking (PSTK) ☐ Vulnerable Adult (PRTVA) Service: 11 Clerk's Action Required: 5.B., 10, 11, 12, 15
---	--	---

1. This order is effective immediately and for 1 year from today's date, unless a different end date is listed here (*end date*): _____.

2. **This order restrains (name):** _____
also known as (*list any known aliases*) _____

Gender	Race	Height	Weight
Eye Color	Hair Color	Skin Tone	Build

Surrender weapons ordered: ☐ Yes ☐ No

- Protection Order
p. 1 of 13

Child's Name	Age	Child's Name	Age
1.		2.	
3.		4.	
5.		6.	

The person who filed this petition requested protection for (*check all that apply*):

- ☐ [] Themselves.
- ☐ [] Someone else. The filing party has the right to petition on the protected person's behalf because:
 - ☐ [] The filing party is a parent, legal guardian, or custodian of the minor protected person/s.
 - ☐ [] The filing party is age 18 or older and a family or household member of the minor protected person/s. (*For domestic violence orders only.*)
 - ☐ [] The filing party is age 15 to 17 and filed on behalf of a minor family or household member. The filing party has been chosen by the minor and is capable of pursuing the minor's stated interest in this case.
 - ☐ [] The protected person is a vulnerable adult and the filing party is:
 - ☐ [] the vulnerable adult's guardian, conservator, or legal fiduciary, or
 - ☐ [] an interested person as defined by RCW 7.105.010(19), or
 - ☐ [] WA Department of Social and Health Services.
 - ☐ [] The protected person is an adult who does not meet the definition of a vulnerable adult, but who cannot file the petition themselves because of age, disability, health, or inaccessibility (*Do not check this for vulnerable adult or domestic violence petitions.*)

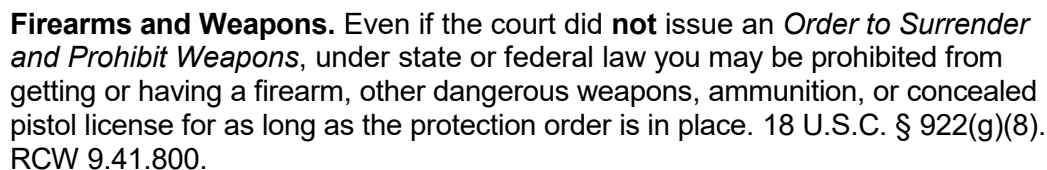
Warnings to the Restrained Person.



You can be arrested even if the protected person or persons invite or allow you to violate the order. You alone are responsible for following the order. **Only the court may change the order.** Requests for changes must be made in writing.

If you do not obey this order, you can be arrested and charged with a crime.

- The crime may be a misdemeanor, gross misdemeanor, or felony depending on the circumstances. You may also be found in contempt of court.
- You can go to jail or prison, lose your right to possess a firearm or ammunition, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.



4. Notice and Hearing

☐ electronic service ☐ personal service ☐ service by mail
☐ service by publication ☐ other _____

The court held a hearing before issuing this full protection order. These people attended:

☐ ☐ Protected Person ☐ in person ☐ by phone ☐ by video
☐ ☐ Protected Person's Lawyer ☐ in person ☐ by phone ☐ by video
☐ ☐ Petitioner (*if not the protected person*) ☐ in person ☐ by phone ☐ by video
☐ ☐ Restrained Person ☐ in person ☐ by phone ☐ by video
☐ ☐ Restrained Person's Lawyer ☐ in person ☐ by phone ☐ by video
☐ ☐ Other: _____ ☐ in person ☐ by phone ☐ by video
☐ ☐ This hearing was held remotely (online or by phone). The court confirmed staff received no contact from any absent party before proceeding without them.

5. Basis and Type of Protection Order

A. The restrained person and protected person/s are (*check all that apply*):

☐ current or former spouses or domestic partners

☐ parents of a child-in-common (*unless child was conceived through sexual assault*)

☐ current or former dating relationship (age 13 or older) who

☐ never lived together ☐ live or have lived together

☐ parent and child ☐ stepparent and stepchild
☐ grandparent and grandchild ☐ parent's intimate partner and child
☐ current or former cohabitants as roommates
☐ person who is or has been a legal guardian
☐ related by blood or marriage (*specify how*) _____

Other (examples: coworkers, neighbors, acquaintances, strangers)

- B. Based upon the petition, testimony, case record, and response, if any, the court finds by a preponderance of evidence that the protected person (or petitioner on their behalf) has proved the required criteria for the following protection order under chapter 7.105 RCW.

(Specify) _____

Check only one!

- ☐ **Domestic Violence Protection Order**– The restrained person has subjected the protected person to domestic violence: physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking. (*For intimate partners or family or household members only*).
- ☐ **Sexual Assault Protection Order**– The restrained person has subjected the protected person to nonconsensual sexual conduct, nonconsensual sexual penetration, or commercial sexual exploitation.
- ☐ **Stalking Protection Order**– The restrained person has subjected the protected person to stalking.
- ☐ **Vulnerable Adult Protection Order**– The restrained person has subjected the protected person to acts of abandonment, abuse, financial exploitation, or neglect. The protected person is a vulnerable adult as defined in chapter 7.105 RCW because the protected person:
- ☐ Is over 60 years old and does not have the functional, mental, or physical ability to care for himself or herself.
 - ☐ Is an individual subject to guardianship under RCW 11.130.265 or an individual subject to conservatorship under RCW 11.130.360.
 - ☐ Has a developmental disability as defined in RCW 71A.10.020.
 - ☐ Self-directs their own care and receives services from a personal aide under RCW 74.39.
 - ☐ Is receiving services from a home health, hospice, or home care agency licensed or required to be licensed under RCW 70.127.
 - ☐ Is receiving in-home services from an individual provider under contract with DSHS.
 - ☐ Has been admitted to an assisted living facility, nursing home, adult family home, soldiers' home, residential habilitation center, or any other facility licensed by DSHS.
- ☐ **Vulnerable Adult Objects.** The petition was filed by someone other than the vulnerable adult and the vulnerable adult objects to some or all of the order. The court finds by clear, cogent, and convincing evidence the petitioner established that there is abandonment, abuse, financial exploitation, or neglect of a vulnerable adult and the vulnerable adult is unable, due to incapacity, undue

influence, or duress, to protect their person or estate in connection with the issues raised in the petition or order based on the following evidence:

☐ **Antiharassment Protection Order**– The restrained person has subjected the protected person to unlawful harassment.

☐ No fee required (*stalking, hate crime, single act of violence, or threat of violence including malicious and intentional threat or presence of firearm/weapon causing substantial emotional distress, family or household member engaged in domestic violence, or nonconsensual sexual conduct or penetration or a sex offense.*
RCW 7.105.105(9).)

6. Jurisdiction

The court has jurisdiction over the parties and the subject matter.

☐ **Minors:** Washington state ☐ has exclusive continuing jurisdiction; ☐ is the home state; ☐ has temporary emergency jurisdiction over the children.

☐ **Temporary Emergency Jurisdiction:** The petitioner has until (*date*) _____
to return to (*state/court with jurisdiction over the minors*) _____
to seek any court orders about these minors:

The Washington order will terminate on that date for the minors. RCW 26.27.231.

☐ **The person who filed is not a parent** of one or more children listed above.
(**Important!** Complete Protection Order Attachment A: Non-Parent (ICWA),
PO 030A/PO 040A.)

7. Other Findings

☐ **Credible Threat:** The restrained person represents a credible threat to the physical safety of the protected person/s.

☐ **The restrained person is under 18 years of age.** The court:

☐ appointed (*name*) _____ as guardian ad litem to
represent the restrained person in this proceeding.

☐ did not appoint someone to represent the restrained person because:

☐ Other: _____

Restraints (*Check all that apply*):

8. The Court Orders: To the Restrained Person:

General Restraints

- A. ☐ No Harm:** Do not cause any physical harm, bodily injury, assault, nonconsensual sexual conduct or nonconsensual sexual penetration, and do not harass, threaten, or stalk:

☐ the protected person ☐ the minors named in section **3** above

☐ these minors only: _____

- B. ☐ No Contact:** Do not attempt or have any contact, including nonphysical contact, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for service of court documents with:

☐ the protected person ☐ the minors named in section **3** above

☐ these minors only: _____

☐ these members of protected person's household: _____

☐ **Exception** (*if any*): Only this type of contact is allowed: _____

Exceptions about minors only, if any, provided in **P** below.

- C. ☐ Stalking Behavior:** Do not harass, follow, monitor, keep under physical or electronic surveillance, cyber harass (as defined in RCW 9A.90.120), or use phone, video, audio, or other electronic means to record, photograph, or track locations or communication, including digital, wire, or electronic communication, of:

☐ the protected person ☐ the minors named in section **3** above

☐ these minors only: _____

☐ these members of the protected person's household: _____

- D. ☐ Exclude and Stay Away:** Do not enter, return to, knowingly come within, or knowingly remain within 1,000 feet or other distance (*specify*) _____ of:

☐ the protected person ☐ protected person's vehicle

☐ protected person's school ☐ protected person's workplace

☐ protected person's residence ☐ protected person's adult day program

☐ the shared residence

☐ the residence, daycare, or school of ☐ the minors named in section **3** above

☐ these minors only: _____

[] other: _____

Exceptions about minors, if any, provided in **P** below.

Address: The protected person chooses to (*check one*):

[] keep their address confidential [] list their address here:

E. [] Vacate Shared Residence: The protected person has exclusive right to the residence that the protected person and restrained person share (as listed in the *Law Enforcement and Confidential Information* form, PO 003). The restrained person must immediately vacate the residence.

F. [] Intimate Images: Do not possess or distribute intimate images of a protected person, as defined in RCW 9A.86.010. The restrained person must take down and delete all intimate images and recordings of a protected person in the restrained person's possession or control and cease any and all disclosure of those intimate images.

G. [] Electronic Monitoring: You must submit to electronic monitoring. (*Restrained person must be age 18 or older.*)

Monitoring by (*specify*): _____

Term (*if different from expiration of order*): _____

[] Restrained Person must pay cost of electronic monitoring.

H. [] Evaluation: The restrained person shall get an evaluation for: [] mental health
[] chemical dependency (drugs and alcohol) at: _____

The evaluation shall answer the following question/s:

An evaluation is necessary because:

I. [] Treatment: The restrained person shall participate in state-certified treatment as follows:

[] domestic violence perpetrator treatment program approved under
RCW 43.20A.735 at _____

[] sex offender treatment program approved under RCW 18.155.070 at:

[] other: _____

J. [] Personal Belongings: The protected person shall have possession of essential personal belongings, including the following:

K. ☐ **Transfer of Assets:** Do not transfer jointly owned assets.

☐ **Finances:** The following financial relief is ordered: _____

L. ☐ **Vehicle:** The protected person shall have use of the following vehicle:

Year, Make & Model _____ License No. _____

M. ☐ **Restrict Abusive Litigation:** Comply with the *Order on Motion to Restrict Abusive Litigation* (FL All Family 155), filed separately.

N. ☐ **Pay Fees and Costs:** The protected person is granted judgment against the restrained person as provided in the *Judgment* (PO 044), filed separately. The court finds that the restrained person is not under active duty in military or SCRA has been complied with. 50 U.S.C. § 3931.

Firearms and Other Dangerous Weapons

O. ☐ **Surrender Weapons:**

Important! Also use form <i>Order to Surrender and Prohibit Weapons</i> , WS 001.
--

Findings. The Court (*check all that apply*):

☐ **must** issue the *Order to Surrender and Prohibit Weapons* because:

☐ the court ordered the **No Harm** restraints above (section **8.A.**) and the court finds that the restrained person had **actual notice** and an **opportunity to participate**. AND:

- the restrained person represents a **credible threat** to the physical safety of a protected person, OR
- this order explicitly prohibits the use, attempted use, or threatened use of **physical force** against any protected person.

Therefore, weapons restrictions are required by state law. RCW 9.41.800(2).

☐ the court finds by a preponderance of the evidence that the restrained person:

☐ has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or

☐ is ineligible to possess a firearm under RCW 9.41.040.

☐ **may** issue the orders referred to above because the court finds by a preponderance of the evidence that the restrained person presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon.

The Restrained Person must:

- Immediately surrender to law enforcement and not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive firearms, other dangerous weapons, or concealed pistol licenses; and
- Comply with the *Order to Surrender and Prohibit Weapons* filed separately.

Minors

Other family law court cases may modify this order about custody and visitation.

- P. [] Custody:** *(If the parties have children together)* The protected person is granted temporary care, custody, and control of:

[] the minors named in section **3** above

[] these minors only: _____

Exceptions for Visitation and Transportation, if any (including exchanges, meeting location, and pickup and dropoff): _____

Visitation listed here is an exception only to No Contact and Stay Away provisions about the children in **B** and **D** above.

To comply with the Child Relocation Act, anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the child must notify every other person who has court-ordered time with the child. Specific exemptions from notification may be available if the court finds unreasonable risk to health or safety. Persons entitled to time with the child under a court order may object to the proposed relocation. See RCW 26.09.405 - .560 for more information.

- Q. [] Interference:** Do not interfere with the protected person's physical or legal custody of:

[] the minors named in section **3** above

[] these minors only: _____

- R. [] Removal from State:** Do not remove from the state:

[] the minors named in section **3** above

[] these minors only: _____

- S. [] School Enrollment:** Do not enroll or continue attending the elementary, middle, or high school that a protected person attends: *(name of school)* _____

(Only if both the restrained person and a protected person are students at the same school. Can apply to students 18 or older. Includes public and private schools. Complete form PO 040B Attachment B School Transfer.)

Pets

- T. [] Custody:** The protected person shall have exclusive custody and control of the following pet/s owned, possessed, leased, kept, or held by the protected person, restrained person, or a minor child who lives with either the protected or restrained person. *(Specify name of pet and type of animal.):*

- U. [] Interference:** Do not interfere with the protected person's efforts to get the pet/s named above.

- V. ☐ **Stay Away:** Do not knowingly come within, or knowingly remain within (distance) _____ of the following locations where the pet/s are regularly found:
- ☐ Protected person's residence (*home address may be kept confidential*)
- ☐ Other (*specify*): _____

Vulnerable Adult

- W. ☐ **Safety:** Do not commit or threaten to commit acts of abandonment, neglect, financial exploitation, or abuse, including sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraints, against the vulnerable adult.
- X. ☐ **Accounting:** You must provide an accounting of the disposition of the vulnerable adult's income or other resources by (*date*) _____
- Y. ☐ **Property Transfer:** Do not transfer the property of: ☐ the vulnerable adult ☐ the restrained person. This restraint is valid until (*specify date, not to exceed 90 days*) _____

Other

- Z. _____
- _____
- _____
- _____
- _____

Other Orders (*Check all that apply*):

9. ☐ **Law enforcement must help the protected person with** (RCW 7.105.320(1)):

- ☐ Possession of the protected person's residence.
- ☐ Possession of the vehicle listed in section **L** above.
- ☐ Possession of the protected person's essential personal belongings located at:
- ☐ the shared residence
- ☐ the restrained person's residence
- ☐ other location: _____
- ☐ Custody of ☐ the minors named in section **3** above
- ☐ these minors only: _____
- ☐ Other: _____

- ☐ **Law enforcement must be present while the restrained person collects** personal clothing, personal items needed during the duration of this order, and these other items (*specify*) _____ from the shared residence that restrained person has been ordered to vacate in **D** or **E** above (RCW 7.105.320(3)).

10. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department
(*List the same agency that entered the temporary order, if any*)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

11. Service on the Restrained Person

☐ **Required.** The restrained person must be served with a copy of this order and any order to surrender and prohibit weapons.

☐ The **law enforcement agency** where the restrained person lives or can be served shall serve the restrained person with a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

☐ **Personal service by law enforcement is required because** (*check all that apply*):

- ☐ Order to Surrender and Prohibit Weapons
- ☐ Restrained person must vacate shared residence
- ☐ Child custody transfer ordered
- ☐ Restrained person is incarcerated
- ☐ Other

☐ **Electronic service by law enforcement** as authorized by RCW 7.105.150.

☐ The **protected person** (or person filing on their behalf) shall make private arrangements for service and have proof of service returned to this court. (*This is not an option if this order requires: weapon surrender, vacating a shared residence, transfer of child custody, or if the restrained person is incarcerated. In these circumstances, law enforcement must serve, unless the court allows alternative service.*)

☐ **Alternative Service Allowed.** The court authorizes alternative service by separate order (*specify*): _____

Clerk's Action. The court clerk shall forward a copy of this order and any order to surrender and prohibit weapons on or before the next judicial day to the agency and/or party checked above. The court clerk shall also provide a copy of these orders to the protected person upon request.

☐ **Not required.** See section 4 above for appearances.

☐ The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

☐ The restrained person did **not** appear at the hearing. However, the material terms of this order have not changed from the *Temporary Protection Order* that was served on the restrained person. No further service is required.

12. ☐ Service on Others (Vulnerable Adult or Restrained Person under age 18)

Service on the ☐ vulnerable adult ☐ adult's guardian/conservator ☐ Restrained Person's parent/s or legal guardian/s (name/s) _____ is:

☐ **Required.**

☐ The **law enforcement agency** where the person to be served lives or can be served, shall serve a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (county or city) _____
(check only one): ☐ Sheriff's Office or ☐ Police Department

☐ The **protected person** or person filing on their behalf shall make private arrangements for service and have proof of service returned to this court.

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.

☐ **Not required.** They appeared at the hearing where this order was issued and received a copy.

13. Prosecutor's duty to notify protected person of future firearm restoration:

If the restrained person petitions for restoration of firearms, the prosecutor must:

☐ **Notify** the protected person of the restoration petition and of the court's decision.
The protected person requests notification.

☐ **Do not notify** the protected person of the restoration petition or the court's decision.
The protected person opts out of notification.

This order does not affect law enforcement's obligation to notify under RCW 9.41.340.

14. Other Orders (if any):

15. Review Hearing

☐ No review hearing is scheduled.

☐ The court schedules a review hearing on (date): _____ at (time): _____
For (purpose): _____

Ordered.

Dated: _____ at _____ a.m./p.m. _____
Judge/Court Commissioner

Court Phone: _____

Print Judge/Court Commissioner Name

Court Address: _____

I received a copy of this Order or attended the hearing remotely and have actual notice of this order. It was explained to me on the record:

▶ _____
Signature of Respondent *Print Name* *Date*

▶ _____
Signature of Respondent's Lawyer *WSBA No.* *Print Name* *Date*

▶ _____
Signature of Petitioner *Print Name* *Date*

▶ _____
Signature of Petitioner's Lawyer *WSBA No.* *Print Name* *Date*

Important! Protected Person, law enforcement must notify you before firearms are returned to the Restrained Person. Keep your contact information up to date with the law enforcement agency. The *Proof of Surrender* in the court file should say which agency has the firearms. RCW 9.41.340.

Hope Card: A Hope Card is a small card you can easily carry that has some details of your protection order. It's one way to show you have a full protection order. You can request one at www.courts.wa.gov/hopecard.

Certificate of Compliance With VAWA. This protection order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice to the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be given notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is enforceable in all 50 states, Indian tribal lands, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam, as if it were an order of that jurisdiction.

Law Enforcement and Confidential Information– Restrained Person (LECIFR)

Clerk: Do not file in a public access file. In criminal cases, do not file. Give to law enforcement.

Superior Court of Washington

County: Chelan

Case No.: _____

Law Enforcement: Do not serve or show a completed LECIF to the other party.

Instructions –The **Restrained Person** must complete this form. Type or print clearly! Fill out sections 1 and 2. File with the court clerk.

1. Restrained Person's Info

Name: First Middle Last			Date of Birth	
Nickname/Alias/AKA ("Also known as")			Relationship to Protected Person	
Sex	Race	Height	Weight	
Eye Color	Hair Color	Skin Tone	Build	
Phone/s with Area Code (voice):		Need Interpreter? [] No [] Yes Language:		

2. Where can the Restrained Person be served? List all known contact information.

Last Known Address. Street:		
City:	State:	Zip:
Cell number (text):	Email:	
Social Media Account/s & User Name/s:		
Other:		
Employer	Employer's Address	Employer's Phone
Work Hours	Driver's License or ID number	State

Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year
------------------------	------------------------	---------------	--------------

Privacy Notice: Only court staff, law enforcement, and some state agencies may see this form. The other party and their lawyer may not see this form unless a court order allows it. State agencies may disclose the information in this form according to their own rules.

Changes: If any information changes, fill out another copy of this form and file it with the court clerk.

I declare under penalty of perjury under the laws of the State of Washington that the information on this form about me is true and correct.

Signed at (*City and State*): _____ Date: _____



Sign here

Print name here

Superior Court of Washington, County of Chelan

Petitioner _____ DOB _____

vs.

Respondent _____ DOB _____

No. _____

Denial Order

- ☐ Domestic Violence
☐ Sexual Assault ☐ Harassment
☐ Stalking ☐ Vulnerable Adult
☐ ORDMTP (denied)
☐ ORDSM (dismissed)
☐ ORDYMT (motion denied)

Clerk's Action Required: 4, 5, 6

Service: 6

Next Hearing Date and Time:

*See **How to Attend** at the end of this order.*

Denial Order

1. **Request.** (Name) _____ requested a:

- ☐ Temporary Order ☐ Full Order ☐ Renewal Order
☐ Modification Order ☐ Termination Order ☐ Other: _____

2. **Hearing.**

☐ The court **held** a hearing before issuing this *Denial Order*. These people attended:

- | | | | |
|--|------------------------------------|-----------------------------------|-----------------------------------|
| ☐ Protected Person | ☐ in person | ☐ by phone | ☐ by video |
| ☐ Protected Person's Lawyer | ☐ in person | ☐ by phone | ☐ by video |
| ☐ Petitioner (<i>if not the protected person</i>) | ☐ in person | ☐ by phone | ☐ by video |
| ☐ Restrained Person | ☐ in person | ☐ by phone | ☐ by video |
| ☐ Restrained Person's Lawyer | ☐ in person | ☐ by phone | ☐ by video |
| ☐ Other: _____ | ☐ in person | ☐ by phone | ☐ by video |

☐ **Not Held.** The court denies the request without a hearing.
(Complete the Findings section below.)

3. Findings.

A. ☐ Non-Appearance. ☐ Petitioner ☐ Respondent did **not** appear.

Temporary Order Findings

B. ☐ No Basis. Do not schedule hearing. The *Petition for Protection Order* does not list a specific incident and approximate date of behavior that would support a domestic violence, stalking, antiharassment, sexual assault, or vulnerable adult protection order as defined in RCW 7.105.100. The protected person should have **14 days to amend** their petition before dismissal.

C. ☐ Notice Required. Schedule for full hearing. The protected person has not shown that there is a sufficient basis to enter a temporary order without notice to the ☐ opposing party ☐ vulnerable adult.

The court will grant or deny the protection order after a hearing with notice.

Final Order Findings

D. ☐ Request. The Protected Person requested dismissal of petition.

E. ☐ Service Unsuccessful or Impossible. All available methods of service have been attempted unsuccessfully or are not possible.

F. ☐ Insufficient Evidence. A preponderance of the evidence does not support issuing any type of protection order that this court has authority to issue.

G. ☐ Insufficient Evidence (Vulnerable Adult Contests). Clear, cogent, and convincing evidence has not established that there is abandonment, abuse, financial exploitation, or neglect of a vulnerable adult. (*When a vulnerable adult protection order is contested by the vulnerable adult.*)

H. ☐ Evidence. ☐ Protected Person ☐ Restrained Person supports their account of events with the following evidence (*specify*): _____

- I. ☐ **Realignment.** (*DV or Harassment only*) The original "Protected Person" is the abuser or harasser, and the original "Restrained Person" is the victim of domestic violence or unlawful harassment. The parties should be switched.

Renewal Findings

- J. ☐ The **Restrained Person proved** by a preponderance of the evidence that there has been a substantial change in circumstances (*describe*): _____

and the Restrained Person will **not**:

- ☐ (*for DV orders*) resume acts of domestic violence against the Protected Person or the Protected Person's children or household members who are minors or vulnerable adults when the protection order expires.
- ☐ (*for sexual assault orders*) engage in, or attempt to engage in, physical or nonphysical contact with the Protected Person when the order expires.
- ☐ (*for stalking orders*) resume acts of stalking against the Protected Person or the Protected Person's family or household members when the order expires.
- ☐ (*for anti-harassment orders*) resume harassment of the Protected Person when the order expires.
- ☐ (*for vulnerable adult orders*) resume acts of abandonment, abuse, financial exploitation, or neglect against the vulnerable adult when the order expires.
- K. ☐ **Late Filing.** The Protected Person did not file for renewal before the order expired.

Modify or Terminate Findings:

- L. ☐ **Protected Person's motion** to modify or terminate a protection order is denied because:

- M. ☐ **Restrained Person's motion** to modify or terminate a protection order is denied because:

- ☐ **Repeat Filing.** The court finds that the Restrained Person has previously filed a motion to modify or terminate during the current 12-month period following entry of the order and is not eligible for the relief requested.
- ☐ **No Adequate Cause.** The restrained person did not establish adequate cause to modify or terminate. No hearing is necessary.

☐ **Insufficient Evidence.** A preponderance of the evidence failed to establish that there has been a substantial change in circumstances such that if the order is terminated or modified the Restrained Person will not resume, engage in, or attempt to engage in acts of:

☐ domestic violence.

☐ physical or nonphysical contact (for sexual assault protection orders).

☐ stalking.

☐ unlawful harassment.

☐ **No Substantial Change.** Since the protection order was entered, there has not been a substantial change in circumstances (*describe*): _____

(Check all that apply)

☐ The Restrained Person has committed or threatened domestic violence, sexual assault, stalking, or other harmful acts against the Protected Person/s.

☐ The Restrained Person has violated the terms of the protection order.

☐ The Restrained Person has exhibited suicidal ideation or attempts.

☐ The Restrained Person has been convicted of criminal activity.

☐ The Restrained Person has:

- Not acknowledged responsibility for the acts of sexual assault, domestic violence, stalking, or behavior that resulted in entry of the protection order, and
- Not successfully completed perpetrator treatment or counseling.

☐ The Restrained Person has continued to abuse drugs or alcohol (if this was a factor in the protection order).

☐ The Protected Person has not voluntarily and knowingly consented to terminating the protection order.

☐ Other: _____

☐ **Severe Acts.** The Restrained Person proved that there has been a substantial change of circumstances; however, the court declines to terminate the protection order because the acts of domestic violence, sexual assault, stalking, unlawful harassment, and other harmful acts that resulted in the issuance of the protection order were of such severity that the order should not be terminated.

General Findings

N. ☐ Other: _____

4. Order

- ☐ **Petition denied without a full hearing. 14 days to amend before dismissal.** The petition does not contain allegations that could support issuing any type of protection order. The person who filed the petition has 14 days to file an amended petition. If an amended petition is not filed within 14 days, the case may be dismissed.

Temporary Order

- ☐ **Temporary Order Denied. Full hearing to be held.** The request for a temporary order is denied. The court will approve or deny the protection order after a full hearing with notice. The hearing date and time is **shown on page 1**.

Warning to Restrained Person! Failure to appear at the hearing may result in the court granting all of the relief requested in the petition. See **How to Attend** at the end of this order.

- ☐ **Dismissed by request** without prejudice. (*check ORDSM (dismissed) above*).

Final Order

- ☐ **Dismissed** without prejudice because (*check one*):

- ☐ Protected Person asked to terminate the order or did not appear at the hearing.
- ☐ All available methods of service have been attempted unsuccessfully or are not possible. Dismissal is over Protected Person's objection.

Any previously-entered temporary order and any *Order to Surrender Weapons* under this case number expires today, upon the signing of this order or at (*time*) _____.

(In caption above, *check ORDSM (dismissed)*.)

- ☐ **Denied on the merits after a hearing.** The request for a full order is denied. Any previously-entered temporary order under this case number expires today, upon the signing of this order or at (*time*) _____.

(*Check one (see RCW 7.105.362)*):

- ☐ No *Order to Surrender Weapons* was issued under this case number. The case is dismissed.
- ☐ The court issues an *Order Extending Order to Surrender and Prohibit Weapons* (WS 400) extending the *Order to Prohibit and Surrender Weapons* until after the deadline for filing a motion for reconsideration or revision has passed and any timely filed motion has been resolved.
- ☐ Any previously-entered *Order to Surrender Weapons* under this case number expires **today**, upon the signing of this order or at (*time*) _____ and the case is dismissed. It would be **manifestly unjust** to allow the order to remain in effect for the reconsideration or revision period because (*check all that apply*):
- ☐ The *Temporary Protection Order* was entirely without merit.
- ☐ Petitioner was engaged in abusive use of litigation.
- ☐ Petitioner was exerting coercive control over the Restrained Person.
- ☐ Other reason (*explain why it would be manifestly unjust*): _____

☐ **Denied.** The deadline for filing a motion for reconsideration or revision has passed. The Protected Person has either failed to file a motion or the motion has been denied. The *Order Extending the Order to Surrender and Prohibit Weapons* (WS 400) is terminated and the case is dismissed.

☐ Petition **denied and dismissed without a full hearing.**

☐ No amended petition was filed within 14 days after denial.

☐ Amended petition filed but still insufficient to set for full hearing.

☐ **Realignment** (*for domestic violence and harassment cases only*). The parties are switched so that the original Protected Person is now restrained and the original Restrained Person is now protected.

☐ The court will issue a **new Temporary Protection Order** so that:

The Protected Person is: _____

The Restrained Person is: _____

Important! The new Protected Person must file a **Petition for Protection Order**, form PO 001, if they want protection to last beyond the temporary order.

Modification, Termination, or Renewal (*check ORDYMT (motion denied) in caption*)

☐ The request to **modify, terminate, or renew** the order dated _____ is denied.

Weapons

☐ The request for an **Order to Surrender and Prohibit Weapons** is denied.

☐ If any **firearms or dangerous weapons have been surrendered** under this cause number, they shall be released to the restrained person, absent some other legal reason that may exist prohibiting the restrained person from possessing them.

Other

☐ The request before the court is denied, provided that **it may be renewed after notice** has been provided to the ☐ vulnerable adult ☐ opposing party according to the Civil Rules.

☐ Other order: _____

5. ☐ **Washington Crime Information Center (WACIC) and Other Data Entry**

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____
(*check only one*): ☐ Sheriff's Office or ☐ Police Department

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

6. **Service on the Restrained Person** (*only required if a future hearing is scheduled*):

☐ **Not Required.**

☐ The petition was denied or dismissed and service is not required.

☐ The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. See section 2 above for appearances. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

☐ **Required.** The restrained person must be served with a copy of ☐ this order ☐ the service packet, including a copy of this order, the petition, and any supporting materials filed with the petition.

☐ The **law enforcement agency** where the restrained person lives or can be served shall serve the restrained person with a copy of ☐ the service packet ☐ this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff's Office ☐ Police Department

☐ **Personal service by law enforcement is required because** (*check all that apply*):

☐ *Order to Surrender and Prohibit Weapons*

☐ *Restrained person must vacate shared residence*

☐ *Child custody transfer ordered*

☐ *Restrained person is incarcerated*

☐ *Other*

☐ Electronic service as authorized by RCW 7.105.150.

☐ The **protected person** (or person filing on their behalf) shall make private arrangements for service and have proof of service returned to this court. (*This is not an option if this order requires: weapon surrender, vacating a shared residence, transfer of child custody, or if the restrained person is incarcerated. In these circumstances, law enforcement must serve, unless the court allows alternative service.*)

☐ **Alternative Service Allowed.** The court authorizes alternative service by separate order (*specify*): _____

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above. The court clerk shall also provide a copy of the service packet to the protected person.

7. ☐ **Service on Others** (*only required if a future hearing is scheduled*):
 Service on the ☐ vulnerable adult ☐ adult's guardian/conservator ☐ restrained person's parent/s or legal guardian/s (*name/s*) _____ is:
☐ **Not required.** They appeared at the hearing where this order was issued and received a copy.
☐ **Required.**
☐ The **law enforcement agency** where the person to be served lives or can be served shall serve a copy of ☐ the service packet ☐ this order and shall promptly complete and return proof of service to this court.
 Law enforcement agency: (*county or city*) _____ (*check only one*): ☐ Sheriff's Office or ☐ Police Department
☐ The **protected person** or person filing on their behalf shall make private arrangements for service and have proof of service returned to this court.
Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.
8. **Next Court Hearing**
☐ No further court hearings are scheduled in this case.
☐ The next court hearing is or will be scheduled by a separate order.
☐ The next court hearing is scheduled for the date at time listed on page 1.

How to attend the next court hearing

The hearing scheduled on page 1 will be held:

	In person Judge/Commissioner: _____ Courtroom: _____ Address: _____
	Online (<i>audio and video</i>) App: _____ ☐ Log-in: _____ ☐ You must get permission from the court at least 3 court days before your hearing to participate online (audio and video). To make this request, contact: _____
	By Phone (<i>audio only</i>) ☐ Call-in number: _____ ☐ You must get permission from the court at least 3 court days before your hearing to participate by phone only (without video). To make this request, contact: _____

	If you have trouble connecting online or by phone (instructions, who to contact) _____ _____	
	Ask for an interpreter, if needed. Contact: _____ _____	 Ask for disability accommodation, if needed. Contact: _____ _____
Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!		

Ordered.

Dated: _____ at _____ a.m./p.m. _____
Judge/Court Commissioner

 Print Judge/Court Commissioner Name

I received a copy of this Order or attended the hearing remotely and have actual notice of this order. It was explained to me on the record:

▶ _____ <i>Signature of Respondent</i>	_____ <i>Print Name</i> <i>Date</i>
▶ _____ <i>Signature of Respondent's Lawyer</i> <i>WSBA No.</i>	_____ <i>Print Name</i> <i>Date</i>
▶ _____ <i>Signature of Petitioner</i>	_____ <i>Print Name</i> <i>Date</i>
▶ _____ <i>Signature of Petitioner/Lawyer</i> <i>WSBA No.</i>	_____ <i>Print Name</i> <i>Date</i>