

Understanding Washington State Protection Orders & How They Can Help You

If you have a protection order, remember:

1. Keep a **certified copy** of your order with you at all times.
2. The order is enforceable throughout the State of Washington, the United States, and in U.S. territories.
3. If you move to another state, you can take a **certified copy** of your final order to the local court in your new state or territory to register it. Registration is not required, but it can help with enforcement.
4. If there is a violation of your protection order, call 9-1-1 or your local police. Tell them you have a court order and it is being violated.
5. Set a 90-day reminder prior to the expiration of your final order so that you are aware of when you are eligible to file for a motion for renewal.

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

Types of Protection Orders

Domestic Violence Protection Order (DVPO)

To protect against domestic violence or threat of violence by an "intimate partner" or a "family or household member." Domestic violence may include controlling behavior ("coercive control"). Petitioners may seek protection for themselves and for family or household members who are minors or vulnerable adults.

A petitioner who has been sexually assaulted, harassed, or stalked **by an intimate partner or a family or household member** should, but is not required to, seek a domestic violence protection order, instead of another type of protection order.

Sexual Assault Protection Order (SAPO)

To protect a victim of nonconsensual sexual conduct or penetration, even if the conduct or penetration only occurred once, or commercial sexual exploitation. A single incident of nonconsensual sexual conduct or nonconsensual sexual penetration is sufficient grounds for a petition for a sexual assault protection order.

Antiharassment Protection Order (AHPO)

To protect against unwanted contact or behavior that causes substantial emotional distress and serves no legitimate or lawful purpose. The contact could be a pattern of behavior that occurs over time, or a single act or threat of violence. The contact must be directed specifically at the protected person and be seriously alarming, annoying, harassing, or detrimental.

Stalking Protection Order (SPO)

To protect against stalking behavior that serves no lawful purpose and has reasonably caused the protected person to feel intimidated, frightened, under duress, significantly disrupted, or threatened. The respondent either knows or should know that their behavior causes those feelings, even if that was not respondent's intent.

Extreme Risk Protection Order (ERPO)

To restrain a respondent who poses a significant danger of causing personal injury to self or others by having in custody or control, purchasing, possessing, accessing, or receiving a firearm where there is reasonable fear of future dangerous acts by the respondent.

Vulnerable Adult Protection Order (VAPO)

To protect a vulnerable adult who has been abandoned, abused, financially exploited, or neglected, or is threatened with abandonment, abuse, financial exploitation, or neglect by respondent. The vulnerable adult, guardian, or other interested person may file on behalf of the vulnerable adult.

Foreign Protection Order Information (FPOI)

A process to help Washington State courts and law enforcement recognize and enforce a protection order from another U.S. state, territory, possession, the Commonwealth of Puerto Rico, the District of Columbia, any U.S. military tribunal, or a tribal court.

Canadian DV Protection Order (CDVPO)

A process to help Washington State courts and law enforcement recognize and enforce a protection order from any province in Canada.

Abused Child Restraining Order (ACRO)

To minimize trauma to a child who disclosed sexual or physical abuse by a parent, other family or household member, legal custodian, or guardian. The intent is to provide the earliest intervention possible.

Family Law Restraining Order (FLRO)

To prevent abuse, harassment, or harm to a person or child involved in a family law case such as a divorce, parentage, or a parenting plan (domestic relations).

Harassment No-Contact Order-Criminal (HNCO)

To protect against unlawful, repeated invasions of a person's privacy, including through stalking, by acts and threats which show a pattern of harassment designed to coerce, intimidate, or humiliate the victim. The crime must be reported, and the defendant has to be charged before a court can issue this order.

Domestic Violence No-Contact Order-Criminal (DVNCO)

To protect a victim against future violence or threats of abuse by the defendant. The abuse must be reported, and the defendant has to be charged before a court can issue this order.

**Forms and instructions are available
at the court clerk's office**

DVPO	Domestic Violence Protection Order
Who can get a DVPO? RCW 7.105.100	People with any of these relationships to the abuser: <ul style="list-style-type: none"> • Spouses or domestic partners (current or former) • Have a child in common (unless child was conceived through sexual assault) • Dating relationship (current or former). Must be at least age 13. If under 15, petition must be filed by a person age 15 or older who is a member of your family or household • Related by blood, marriage, domestic partnership, or adoption • People who live or lived together (current or former) • People with a parent-child relationship (biological or legal), including stepparents and stepchildren, grandparents and grandchildren, or a parent's intimate partner and children • Legal guardian (current or former)
What can a DVPO do? RCW 7.105.310	<ul style="list-style-type: none"> • Prohibit contact of any kind, including cyber harassment, and be tailored to individual needs • Remove abuser from shared residence and prohibit from entering • Give temporary custody of children and set visitation schedule • Grant essential possessions (examples: vehicle, medicine, pets) • Order abuser into treatment or counseling • Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s
How do you get a DVPO? RCW 7.105.100; .200; .205	A petition must describe the acts of domestic violence committed against the protected person/s by an intimate partner or a family or household member. The court will either deny or grant a temporary order effective for up to 14 days. If the court denies the temporary order, the petitioner has 14 days to file an amended complaint. The petitioner can ask the clerk to have law enforcement serve the respondent or arrange service through other legal means. Law enforcement must serve the respondent if the order requires weapons surrender, vacating a shared residence, transfer of child custody, or if the restrained person is incarcerated. The final hearing may be held in person, by telephone, or online, if requested 3 court days prior to the hearing. At the final hearing, both parties may speak and present evidence. The court will either deny or grant the order.
What is the Cost?	No cost.
How is a DVPO renewed? RCW 7.105.405	If the final order is not a lifetime order, it can be renewed multiple times. The petitioner must file a motion to renew within the 90 days leading up to the order's expiration. If a protected minor reaches the age of 18 while the order is in effect, the minor may file for renewal. If a protected minor reaches the age of 18 after the expiration of the order, the minor has 1 year from the expiration of the order to file for renewal. The respondent must be served. The order will be renewed unless the respondent proves there has been a substantial change in circumstances and they will not resume acts of domestic violence.
How is a DVPO changed or terminated? RCW 7.105.500	The petitioner may file a motion to terminate or modify (change) at any time. The respondent may file a motion to terminate or modify (change) a final order no more than 1 time in any 12-month period after the order was granted. A hearing will be set only if, based on the motion and responding declarations, the court finds there may be reason to modify or terminate the order.
What if the DVPO is violated? RCW 7.105.450	Mandatory arrest for knowing violation of certain provisions. Possible criminal or contempt charges. Having access to or possessing a firearm/s while an <i>Order to Surrender and Prohibit Weapons</i> is in effect could result in arrest and criminal or civil penalties.

SAPO	Sexual Assault Protection Order
Who can get a SAPO? RCW 7.105.100	<ul style="list-style-type: none"> • Person age 15 or older on behalf of themselves or a minor if they are the parent, guardian, or custodian • Person age 15 to 17 on behalf of themselves and on behalf of a minor who is a family or household member if chosen to do so by the minor • An interested person on behalf of the vulnerable adult • An interested person on behalf of an adult who does not qualify as a vulnerable adult, but who cannot file for themselves. Must demonstrate the petitioner is interested in the adult's well-being and the court's intervention is necessary • Department of Children, Youth, and Families or law enforcement on behalf of a minor believed to lack capacity or ability to consent
What can a SAPO do? RCW 7.105.310	<ul style="list-style-type: none"> • Prohibit contact of any kind, including cyber harassment, and be tailored to individual needs • Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc. • Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s

<p>How do you get a SAPO?</p> <p>RCW 7.105.100; .200; .205</p>	<p>A petition must describe the specific facts and circumstances of nonconsensual sexual conduct or nonconsensual sexual penetration. The court will either deny or grant a temporary order effective for up to 14 days. If the court denies the temporary order, the petitioner has 14 days to file an amended complaint. The petitioner can ask the clerk to have law enforcement serve the respondent or arrange service through other legal means. Law enforcement must serve the respondent if the order requires weapons surrender, vacating a shared residence, transfer of child custody, or if the restrained person is incarcerated. The final hearing may be held in person, by telephone, or online if requested 3 court days prior to the hearing. At the final hearing, both parties may speak and present evidence. The court will either deny or grant the order.</p>
<p>What is the Cost?</p>	<p>No cost.</p>
<p>How is a SAPO renewed?</p> <p>RCW 7.105.405</p>	<p>If the final order is not a lifetime order, it can be renewed multiple times. The petitioner must file a motion to renew within the 90 days leading up to the order's expiration. If a protected minor reaches the age of 18 while the order is in effect, the minor may file for renewal. If a protected minor reaches the age of 18 after the expiration of the order, the minor has 1 year from the expiration of the order to file for renewal. The respondent must be served. The order will be renewed unless the respondent proves there has been a substantial change in circumstances and they will not engage in physical or non-physical contact.</p>
<p>How is a SAPO changed or terminated?</p> <p>RCW 7.105.500</p>	<p>The petitioner may file a motion to terminate or modify (change) at any time. The respondent may file a motion to terminate or modify (change) a final order no more than 1 time in any 12-month period after the order was granted. A hearing will be set only if, based on the motion and responding declarations, the court finds there may be reason to modify or terminate the order.</p>
<p>What if the SAPO is violated?</p> <p>RCW 7.105.450</p>	<p>Mandatory arrest for knowing violation of certain provisions. Possible criminal or contempt charges.</p> <p>Having access to or possessing a firearm/s while an <i>Order to Surrender and Prohibit Weapons</i> is in effect could result in arrest and criminal or civil penalties.</p>

AHPO	Antiharassment Protection Order
<p>Who can get an AHPO?</p> <p>RCW 7.105.100</p>	<ul style="list-style-type: none"> • Person age 15 or older on behalf of themselves or a minor if they are the parent, guardian, or custodian • Person age 15 to 17 on behalf of themselves and on behalf of a minor who is a family or household member if chosen to do so by the minor • An interested person on behalf of the vulnerable adult • An interested person on behalf of an adult who does not qualify as a vulnerable adult, but who cannot file for themselves. Must demonstrate the petitioner is interested in the adult's well-being and the court's intervention is necessary
<p>What can an AHPO do?</p> <p>RCW 7.105.310</p>	<ul style="list-style-type: none"> • Prohibit contact of any kind, and be tailored to individual needs • Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc. • Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s
<p>How do you get an AHPO?</p> <p>RCW 7.105.100; .200; .205</p>	<p>A petition must describe acts of unlawful harassment committed against the protected person/s by the respondent. If the court denies the temporary order, petitioner has 14 days to file an amended complaint. The petitioner can ask the clerk to have law enforcement serve the respondent or arrange service through other legal means. The final hearing may be held in person, by telephone, or online if requested 3 court days prior to the hearing. If granted, the final order cannot exceed one (1) year. A temporary AHPO cannot be granted if the petitioner has made 2 previous filings against the respondent, but been unable to obtain a final AHPO.</p>
<p>What is the Cost?</p> <p>RCW 7.105.105(9)</p>	<p>Filing fees vary, and additional costs may apply. Fees must be waived if you cannot pay or if you seek protection from domestic violence, nonconsensual sexual conduct or penetration or a sex offense, stalking, hate crime, or a single act of violence or threat of violence, including malicious and intentional threat or presence of firearm/weapon causing substantial emotional distress.</p>
<p>How is an AHPO renewed?</p> <p>RCW 7.105.405</p>	<p>If the final order is not a lifetime order, it can be renewed multiple times. The petitioner must file a motion to renew within the 90 days leading up to the order's expiration. If a protected minor reaches the age of 18 while the order is in effect, the minor may file for renewal. If a protected minor reaches the age of 18 after the expiration of the order, the minor has 1 year from the expiration of the order to file for renewal. The respondent must be served. The order will be renewed unless the respondent proves there has been a substantial change in circumstances and they will not resume harassment.</p>
<p>How is an AHPO changed or terminated?</p> <p>RCW 7.105.500</p>	<p>The petitioner may file a motion to terminate or modify (change) at any time. The respondent may file a motion to terminate or modify (change) a final order no more than 1 time in any 12-month period after the order was granted. A hearing will be set only if, based on the motion and responding declarations, the court finds there may be reason to modify or terminate the order.</p>
<p>What if the AHPO is violated?</p> <p>RCW 7.105.455</p>	<p>Respondents over 18 years old may be arrested and face possible criminal charges for willful disobedience of the "no harm," "exclude and stay away," and "interference about pets" provisions. Respondents under 18 years old may only be held in contempt for willful disobedience of the terms of the order and the court may impose sanctions for willful disobedience of the same provisions. Having access to or possessing a firearm/s while an <i>Order to Surrender and Prohibit Weapons</i> is in effect could result in arrest and criminal or civil penalties.</p>

SPO	Stalking Protection Order
Who can get a SPO? RCW 7.105.100	<ul style="list-style-type: none"> • Person age 15 or older on behalf of themselves or a minor if they are the parent, guardian, or custodian • Person age 15 to 17 on behalf of themselves and on behalf of a minor who is a family or household member if chosen to do so by the minor • An interested person on behalf of the vulnerable adult • An interested person on behalf of an adult who does not qualify as a vulnerable adult but who cannot file for themselves. Must demonstrate the petitioner is interested in the adult's wellbeing and the court's intervention is necessary.
What can a SPO do? RCW 7.105.310	<ul style="list-style-type: none"> • Prohibit contact of any kind, including cyber harassment, and be tailored to individual needs • Exclude the restrained party and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc. • Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s
How do you get a SPO? RCW 7.105.100; .200; .205	A petition must allege the existence of stalking committed against the petitioner or petitioners by the respondent. The court will either deny or grant a temporary order effective for up to 14 days. If the court denies the temporary order, petitioner has 14 days to file an amended complaint. The petitioner can ask the clerk to have law enforcement serve the respondent or arrange service through other legal means. The final hearing may be held in person, by telephone, or online if requested 3 court days prior to the hearing. At the final hearing, the court will either deny or grant the order. If granted, then the order can be permanent or for a fixed period.
What is the Cost?	No cost.
How is a SPO renewed? RCW 7.105.405	If the final order is not a lifetime order, it can be renewed multiple times. The petitioner must file a motion to renew within the 90 days leading up to the order's expiration. If a protected minor reaches the age of 18 while the order is in effect, the minor may file for renewal. If a protected minor reaches the age of 18 after the expiration of the order, the minor has 1 year from the expiration of the order to file for renewal. The respondent must be served. The order will be renewed unless the respondent proves there has been a substantial change in circumstances and they will not resume stalking.
How is a SPO changed or terminated? RCW 7.105.500	The petitioner may file a motion to terminate or modify (change) at any time. The respondent may file a motion to terminate or modify (change) a final order no more than 1 time in any 12-month period after the order was granted. A hearing will be set only if, based on the motion and responding declarations, the court finds there may be reason to modify or terminate the order.
What if the SPO is violated? RCW 7.105.450	Mandatory arrest for knowing violation of certain provisions. Possible criminal or contempt charges. Having access to or possessing a firearm/s while an <i>Order to Surrender and Prohibit Weapons</i> is in effect could result in arrest and criminal or civil penalties.

ERPO	Extreme Risk Protection Order
Who can get an ERPO? RCW 7.105.100	<ul style="list-style-type: none"> • An intimate partner • Family or household member • Law enforcement (must make good faith effort to notify the respondent's intimate partner, family or household member, or other third party at risk of violence about the petition and provide resource referrals)
What can an ERPO do? RCW 7.105.340	<ul style="list-style-type: none"> • Order the surrender of firearms and any concealed pistol license/s • Prohibit the possession of firearms • Revoke any concealed pistol license/s
How do you get an ERPO? RCW 7.105.100; .225; .330	A petition must describe how the respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive, a firearm. The petition must also identify the number, types, and locations of any firearms the petitioner believes to be in the respondent's current ownership, possession, custody, access, or control. The court will either deny or grant a temporary order effective for up to 14 days. Law enforcement must serve this petition. The final hearing may be held in person, by telephone or online if requested 3 court days prior to the hearing. At the final hearing, both parties may speak and present evidence.
What is the cost?	No cost.
How is an ERPO renewed? RCW 7.105.410	The court must inform the petitioner that the order will expire within the next 105 days. The petitioner must file a motion to renew within the 90 days leading up to the order's expiration. The respondent must be served. The order will be renewed for 1 year if the petitioner proves the respondent still poses a significant danger to themselves or others by having firearms or dangerous weapons.

<p>How is an ERPO changed or terminated?</p> <p>RCW 7.105.505</p>	<p>The respondent may file to terminate a final order no more than 1 time in a 12-month period after the order was granted. If the respondent proves they no longer pose a significant danger to themselves or others by having firearms or dangerous weapons, then the court must terminate the order.</p>
<p>What if the ERPO is violated?</p> <p>RCW 7.105.100</p>	<p>May be arrested. Possible criminal or contempt charges.</p>

VAPO	Vulnerable Adult Protection Order
<p>Who can get a VAPO?</p> <p>RCW 7.105.100</p>	<ul style="list-style-type: none"> • The vulnerable adult, or interested person on behalf of a vulnerable adult • Guardian, conservator, or limited guardian or conservator of the vulnerable adult • DSHS (only with the consent of the vulnerable adult, unless consent cannot be given due to the vulnerable adult's disability or lack of capacity)
<p>What can a VAPO do?</p> <p>RCW 7.105.310</p>	<ul style="list-style-type: none"> • Prohibit contact of any kind, and be tailored to individual needs • Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc. • Require the respondent to give an accounting of the vulnerable adult's income or other resources, if the respondent had control of the vulnerable adult's assets
<p>How do you get a VAPO?</p> <p>RCW 7.105.100; .220; .225</p>	<p>A petition must describe how the protected person is a vulnerable adult and the ways they have been the victim of (or threatened with) abandonment, abuse, financial exploitation, or neglect by the respondent. If the petition is filed by an interested person, the affidavit or declaration must also include a statement of why the petitioner qualifies as an interested person. The petition must be filed in superior court. The court will either deny or grant a temporary order effective for up to 14 days. If the court denies the temporary order, the petitioner has 14 days to file an amended complaint. The petitioner can ask the clerk to have law enforcement serve the respondent or arrange service through other legal means. The final hearing may be held in person, by telephone, or online if requested 3 court days prior to the hearing. At the final hearing, both parties may speak and present evidence. If granted, the order may be permanent or for a fixed period of time.</p>
<p>What is the cost?</p>	<p>No cost.</p>
<p>How is a VAPO renewed?</p> <p>RCW 7.105.510</p>	<p>If the final order is not a lifetime order, it can be renewed multiple times. The petitioner must file a motion to renew within the 90 days leading up to the order's expiration. The respondent must be served. The order will be renewed unless the respondent proves there has been a substantial change in circumstances and they will not resume acts of abandonment, abuse, financial exploitation, or neglect.</p>
<p>How is a VAPO changed or terminated?</p> <p>RCW 7.105.510</p>	<p>The vulnerable adult or their guardian, conservator, or person acting on the vulnerable adult's behalf may file for modification (change) or termination of the order any time after the order is granted.</p>
<p>What if the VAPO is violated?</p> <p>RCW 7.105.450</p>	<p>Mandatory arrest for knowing violation of certain provisions. Possible criminal or contempt charges.</p> <p>Having access to or possessing a firearm/s while an <i>Order to Surrender and Prohibit Weapons</i> is in effect could result in arrest and criminal or civil penalties.</p>

FPO	Optional filing of Foreign Protection Order
<p>Who can file a FPO?</p> <p>RCW 26.52.030</p>	<p>A protected person who has a valid civil or criminal protection order issued by a court in another (foreign) state, territory, possession, tribe, or United States military tribunal and now lives in Washington.</p>
<p>What does filing a FPO do?</p>	<p>Filing your foreign protection order in Washington can help with enforcement. A foreign protection order can provide the protection stated on the order so long as the respondent had reasonable notice and an opportunity to be heard.</p> <p>The foreign protection order is enforceable in Washington State even if the order is not filed in the court or entered in law enforcement's computer-based information system.</p>
<p>How do you file a FPO?</p> <p>RCW 26.52.030</p>	<p>A person may file a valid foreign protection order by presenting a certified, authenticated, or exemplified copy of the protection order to the court clerk's office where the protected person lives or believes enforcement may be necessary. The person must file a <i>Foreign Protection Order Information</i> form with the order. A clerk may help fill out the form. The clerk will give the protected person a copy of the order showing proof that it was filed.</p>
<p>What is the Cost?</p>	<p>No cost.</p>

<p>How is a FPO changed or terminated?</p>	<p>The foreign protection order terminates upon the expiration date listed in the order. The order may not be changed (modified) or terminated before the expiration date by a Washington court, but you may seek modifications or a termination order in the state or jurisdiction that issued the order.</p> <p>Disputes about child custody, residential placement, or visitation provisions shall be resolved in court. The correct court to handle such disputes is determined by the Uniform Child Custody Jurisdiction and Enforcement Act and the Parental Kidnapping Prevention Act. A Writ of Habeas Corpus is needed before law enforcement can remove a child from current placement, unless the child is abused or neglected.</p>
<p>What if the FPO is violated?</p> <p>RCW 26.52.070</p>	<p>Mandatory arrest for knowing violation of certain provisions. Possible criminal or contempt charges.</p>

<p>CDVPO</p>	<p>Canadian DV Protection Order</p>
<p>Who can file a CDVPO?</p> <p>RCW 26.55.030, .040</p>	<p>A protected person, respondent, or person authorized to seek enforcement of a domestic violence protection order may file a request for a court order enforcing or denying enforcement of the Canadian domestic violence protection order.</p> <p>A person entitled to protection under a Canadian domestic violence protection order may have the order filed.</p>
<p>What does filing a CDVPO do?</p> <p>RCW 26.55.030</p>	<p>Filing your Canadian domestic violence protection order or asking for an order to recognize and enforce your Canadian domestic violence protection order in Washington can help with enforcement. Washington courts are limited to the terms of the Canadian order and cannot order additional restrictions or provisions, unless the court issues an order refusing to enforce a Canadian domestic violence protection order.</p> <p>The Canadian DV protection order is enforceable in Washington State even if the order is not filed in the court or entered in law enforcement's computer-based information system.</p>
<p>How do you file a CDVPO?</p> <p>RCW 26.55.030, .040</p>	<p>A protected person, respondent, or person authorized to seek enforcement of a domestic violence protection order may file a request for enforcement with a court by presenting the request and a certified/authenticated copy of the order to a clerk of the Washington court where the protected person lives or believes enforcement may be necessary. The court will set a hearing for no later than 14 days after the request is filed.</p> <p>A person entitled to protection under a Canadian domestic violence order may file it with a court by presenting a certified/authenticated copy of the order and an affidavit stating that the order is valid and in effect, to a clerk of the Washington court where the protected person lives or believes enforcement may be necessary. An out-of-state agency, department, or court responsible for maintaining protection order records may send a copy of the order with digital signature to the clerk. Once the court clerk properly receives the Canadian domestic violence protection order, the order will be filed with the court.</p>
<p>What is the Cost?</p>	<p>No cost.</p>
<p>How is a CDVPO changed or terminated?</p>	<p>The Canadian domestic violence protection order terminates upon the expiration date listed in the order. The order may not be changed (modified) or terminated before the expiration date by a Washington court, but you may seek modifications or a termination order by petitioning for such in the Canadian court that issued the order.</p>
<p>What if the CDVPO is violated?</p> <p>RCW 7.105.450; RCW 26.55.015</p>	<p>Mandatory arrest for knowing violation of certain provisions. Possible criminal or contempt charges.</p>

<p>ACRO</p>	<p>Abused Child Restraining Order</p>
<p>Who can file for an ACRO?</p> <p>RCW 26.44.063; .150</p>	<p>The court, on its own motion, the prosecuting attorney (if there is an active investigation), the Guardian ad Litem (GAL), or other parties to any proceeding in which there has been allegations of sexual or physical abuse of any child/ren.</p>
<p>What can an ACRO do?</p> <p>RCW 26.44.063</p>	<ul style="list-style-type: none"> • Prohibit contact with the child/ren without court approval • Restrain abuser from disturbing the child/ren's peace • Restrain abuser from entering child/ren's home without court approval • Restrain from knowingly coming or remaining within a specified distance of a location or the child/ren
<p>How do you get an ACRO?</p> <p>RCW 26.44.020; .063</p>	<p>In the superior court juvenile department of any county, the petitioning party may request the issuance of an order, or the court may issue an order on its own. The order may be obtained regardless of the victim's wishes.</p>
<p>What is the Cost?</p>	<p>No cost.</p>

How is an ACRO changed or terminated?	The order may be modified or terminated by the court upon motion by any party or the GAL.
What if the ACRO is violated? RCW 26.44.063; .130	Law enforcement has the authority to arrest a restrained party who had actual notice of the order and violates it. Violations are subject to criminal prosecution and civil penalties.

FLRO	Family Law Restraining Order
Who can get a FLRO? RCW 26.09.060	<ul style="list-style-type: none"> • Either party to a divorce, separation, or annulment proceeding • People with a child or children in common seeking parentage or parenting plan orders about the child/ren
What can a FLRO do? RCW 26.09.060	<ul style="list-style-type: none"> • Prohibit the restrained person from disturbing the peace, harming, molesting, assaulting, or stalking • Prohibit the restrained person from going onto the grounds of, entering, or being within a certain distance of a specified location • Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s • Restrain a parent from taking children out of state • May also order child support, spousal support, use of property, and limit or prevent contact with children
How do you get a FLRO ? RCW 26.09.060	A petitioner or respondent can get a temporary or final FLRO in superior court as part of a family law or parentage case. You can file a motion for an immediate restraining order with the petition at the start of the case or at any time before the case is finalized. To get an immediate order, you must show a risk of irreparable harm. The court will either deny or grant the immediate order effective for up to 14 days. If the court denies the immediate order, then you can still schedule a hearing 14 days out. You can ask the clerk to have law enforcement serve the restrained person or arrange service through other legal means. At the return hearing, the court will decide whether to issue a temporary restraining order to stay in effect while the case is pending. When the case is finalized, the court may issue a final restraining order to last for a fixed period of time or permanently.
What is the Cost?	The filing fee for a family law case is \$200.00 (plus possible surcharges) but it may be waived. Additional costs can include copy, service, and attorney fees.
How is a FLRO changed or terminated?	Either party may file a motion with the court to change (modify) or terminate the order. The party seeking the change or termination must schedule a hearing and serve the other party. At the hearing, the court will either deny or grant the modification or termination based on the evidence presented.
What if the FLRO is violated? RCW 26.09.300	Mandatory arrest if abuser knowingly violates "restraint" provisions or enters a residence where prohibited from entering. Possible criminal or contempt charges.

HNCO	Harassment No-Contact Criminal Order
Who can get an HNCO?	A person who reports an act of harassment, as defined in RCW 9A.46.060, to the police which leads to an arrest or the prosecutor filing criminal charges.
What can an HNCO do? RCW 9A.46.040	<ul style="list-style-type: none"> • Restrain from contacting, intimidating, or threatening the victim and others listed in the order • Order the defendant to stay away from specific locations • May order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s • Protect the victim in an active case while waiting for trial and sentencing (a final order can also be a condition of sentence)
How do you get an HNCO?	A crime must first be reported to the police. If the defendant has been arrested or issued a citation, the victim may ask the prosecutor for an order. The court may also issue the order on behalf of a victim, even if the victim does not request it, to reduce the likelihood of repeated harassment directed at the victim. The order may come out of a criminal case in district, municipal, or superior court. The HNCO can be issued before trial or after a conviction.
What is the Cost?	No cost.
How is an HNCO changed or terminated? RCW 9A.46.055	The pre-trial no-contact order ends if the charges are dismissed or the defendant is found not guilty. A post-conviction no-contact order terminates upon the expiration date listed in the order. The order may be modified or terminated by the court before the expiration date. The victim may contact the prosecuting attorney to ask the attorney to file the motion for modification or termination of the order. The defendant or their attorney may also file the motion.
What if the HNCO is violated? RCW 9A.46.080	Mandatory arrest.

DVNCO	Domestic Violence No-Contact Criminal Order
Who can get a DVNCO?	A person who reports an act of domestic violence, as defined in RCW 10.99.020, to the police which leads to an arrest or the prosecutor filing criminal charges.
What can a DVNCO do? RCW 10.99.040	<ul style="list-style-type: none"> • Prohibit contact of any kind • Prohibit the defendant from knowingly coming within or staying within a specific distance of a location • Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s • Protect the protected person in an active case while waiting for trial and sentencing • Can also be a condition of sentence and effective up to the statutory maximum sentence and/or until probation is concluded
How do you get a DVNCO?	A crime must first be reported to the police. If the defendant has been arrested or issued a citation, the crime victim may ask the prosecutor to request a no-contact order. The prosecutor may ask the court for a no-contact order regardless of the victim's wishes and before the defendant's first appearance in court. The order may come out of a criminal case in district, municipal, or superior court. (In some jurisdictions, orders are issued via the police or jail.) The DVNCO can be issued before trial or after a conviction. A certified copy of the <i>Domestic Violence No-Contact Order</i> is provided to you when it is issued.
What is the Cost?	No cost.
How is a DVNCO changed or terminated?	A pre-charge no-contact order expires within 72 hours if no charges are filed by the prosecutor. The pre-trial no-contact order ends if the charges are dismissed or the defendant is found not guilty. A post-conviction no-contact order terminates upon the expiration date listed in the order. The order shall state that it may be extended. If the court finds probable cause, it may issue or extend a no-contact order. The order may be modified or terminated by the court before the expiration date. The crime victim or the defendant may file a motion to modify or terminate the order themselves. The prosecuting attorney may help the crime victim with this in some places.
What if the DVNCO is violated? RCW 10.99.040; RCW 7.105.450	Mandatory arrest and possible contempt and criminal charges.

There is also a criminal no-contact order for sexual assault cases. RCW 9A.44.210.

How to File for a Protection Order

- ❖ **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.
-

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.

-
- ❖ 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.
-

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.

-
- ❖ **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.
-

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.

-
- ❖ **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.
-

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).
-

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
-

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.
-

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.

District Court of Washington, County of Wahkiakum

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: _____

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*.

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:	<input type="checkbox"/> All children <input type="checkbox"/> (Initials):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Initials):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Initials):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Initials):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (Initials):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (name):	

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
<input type="checkbox"/> All <input type="checkbox"/> (name/s):	
<input type="checkbox"/> All <input type="checkbox"/> (name/s):	

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.

<p><input type="checkbox"/> Handgun (<i>how many</i>) _____</p> 	<p><input type="checkbox"/> Unassembled Firearm (<i>how many</i>) _____</p> 
--	---

Semi-automatic Rifle (*how many*) _____



Rifle/Shotgun (*how many*) _____



Other firearm/s (*describe*):

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.

District Court of Washington

County: _____

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? <input type="checkbox"/> No <input type="checkbox"/> 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: _____

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 <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian
Sex	Race		Height
Eye Color	Hair Color		Build
Phone/s with Area Code (voice):		Need Interpreter? <input type="checkbox"/> No <input type="checkbox"/> 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? <input type="checkbox"/> No <input type="checkbox"/> Yes. If yes, describe (add pages, if needed): _____			
Hazard Information PARENT or GUARDIAN's history includes: <input type="checkbox"/> Involuntary/Voluntary Commitment <input type="checkbox"/> Suicide Attempt or Threats (How recent?) _____ <input type="checkbox"/> Threats to "suicide by cop" <input type="checkbox"/> Assault <input type="checkbox"/> Assault with Weapons <input type="checkbox"/> Alcohol/Drug Abuse <input type="checkbox"/> Other: _____			
Concealed Pistol License: <input type="checkbox"/> Yes <input type="checkbox"/> No			
Weapons: <input type="checkbox"/> Handguns <input type="checkbox"/> Rifles <input type="checkbox"/> Knives <input type="checkbox"/> Explosives <input type="checkbox"/> Unknown <input type="checkbox"/> 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**

District Court of Washington, County of Wahkiakum

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

This declaration is made by:

Name: _____

Age: _____

Relationship to the parties in this action: _____

I declare,

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 (Person starting this case) _____ DOB _____	Case No. _____
vs.	Petition for Protection Order
Respondent (Person responding to this case) _____ DOB _____	Clerk’s Action: 1
Petition for Protection Order ← Form title	
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.	

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.

District Court of Washington, County of Wahkiakum

Petitioner _____ Date of Birth _____

vs.

Respondent _____ Date of Birth _____

No. _____

Proof of Service

(RTS)

Clerk's Action Required: 2C

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.

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 *Proof of Service* 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 Proof of Service 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
<input type="checkbox"/> Petition for Protection Order	<input type="checkbox"/> Protection Order
<input type="checkbox"/> Temporary Protection Order and Hearing Notice	<input type="checkbox"/> Order to Surrender and Prohibit Weapons
<input type="checkbox"/> Order to Surrender and Prohibit Weapons	<input type="checkbox"/> Order Realigning Parties
<input type="checkbox"/> A blank Law Enforcement and Confidential Information Form	<input type="checkbox"/> Order Extending Order to Surrender and Prohibit Weapons
<input type="checkbox"/> Order Transferring Case and Setting Hearing	
<input type="checkbox"/> Reissuance of Temporary Protection Order and Notice of Hearing	
<input type="checkbox"/> Declaration/s of: _____	

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

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)



Wahkiakum County District Court

HEIDI L. HEYWOOD
Judge

HEATHER ODOM
Court Administrator

64 Main Street
Post Office Box 144
Cathlamet, Washington 98612

Telephone (360) 795-3461
Fax (360) 795-6506

Preparing Exhibits for a Hearing

If you want the Judge to consider any documents, images and/or texts at your hearing, they must be ***printed on paper***. The Judge will not consider images stored on a device such as a cell phone, camera or laptop, because those devices and digital forms of evidence cannot be made part of the court record.

Parties are required to submit any proposed exhibits to the Court Clerk for marking two days ***prior*** to service on the opposing party and/or two days before the scheduled hearing. When submitting proposed, *original* exhibits to the Clerk for marking, you must also provide two (2) identical copy sets for marking. The marked originals will become part of the case file, which the Judge will review at your hearing. One of the marked copy sets is to be served on the opposing party, and the other marked copy set is yours to keep. If you are unable to make copies of original documents, the Clerk can make copies for a fee of \$.25 per page.

Copies of any proposed exhibits (with exhibit numbers assigned by the Clerk clearly marked) must be served on the opposing party prior to the hearing, so that each party has an opportunity to review the exhibits in advance. **Each party is responsible for arranging for service of their proposed exhibits on the opposing party. The Clerk cannot make these arrangements.**

A Proof of Service form, or Return of Service form (or Sheriff's Return of Service form provided by the Sheriff's Office after they serve your documents) must be filed with the court no later than noon on the day before the hearing. You cannot personally serve the documents. Service can be accomplished by any of the following:

- The Sheriff's Office (Note: It will provide the Court with a Return of Service for filing);
- A professional process server;
- Any person of legal age (18) who is not connected to the case as a witness or as a party;
- By mailing the copies to the opposing party by registered or certified mail with a return receipt requested.

However, this type of service is valid only if the opposing party signs the return receipt and the receipt is filed with the court, along with the return of service form.

Civil Matters

The Petitioner is required to have the following served on the Respondent at least five (5) days prior to the hearing: Petition, Notice of Hearing, Exhibit Instruction Sheet and Temporary Order (if applicable). Any proposed exhibits (with clearly marked exhibit numbers, as assigned by the Clerk) must also be served on the Respondent. Petitioners are encouraged to serve copies of their proposed exhibits on the Respondent at the same time that the Petition is served. Then a *Proof of Service* form, *Return of Service* form, or *Sheriff's Return of Service* form must be filed with the Court no later than noon on the day before the hearing.

The Respondent is encouraged to serve copies of proposed exhibits (with clearly marked exhibit numbers, as assigned by the Clerk) upon the Petitioner as soon as possible after being served with the Petition. Then a *Proof of Service* form, *Return of Service* form, or *Sheriff's Return of Service* form must be filed with the Court no later than noon on the day before the hearing.

Failure to provide proof of service at the time of the trial may result in your case being reset to another date.

DISTRICT COURT OF WASHINGTON
COUNTY OF WAHKIAKUM

_____ Plaintiff/Petitioner, vs. _____ Defendant/Respondent.	CASE NO.: _____ REQUEST TO APPEAR REMOTELY 
---	--

Party requesting to appear remotely: _____

Hearing Date: _____

Phone Number _____ **Email:** _____

Nature of Hearing: _____

Reason for Remote Appearance Request: _____

Submit your request to District Court for approval: districtcourt@co.wahkiakum.wa.us

If approved, the non-refundable fee for these arrangements and the cost of the call is \$25.00 per party and must be paid to District Court by noon on the day before to the hearing. District Court accepts credit/debit cards.

*****The fee to appear remotely is waived for all parties appearing on civil protection orders for which fees are not charged, indigent persons and attorneys representing indigent parties (proof of indigency required).***

Please Note: Those participating remotely do not receive priority, so it will sometimes be necessary to wait for the entire calendar—just as though you were in the courtroom waiting for the case to be called.

DATED: _____ By: _____

Print Name: _____

Court Admin	
Approved By: _____	Date: _____
Clerk	
Payment Rcvd By: _____	Amount Received:\$ _____

Request to Appear Remotely

WAHKIAKUM DISTRICT COURT
MAIL: P.O. Box 144
LOCATION: 64 Main Street, Cathlamet WA 98612
(360) 795-3461