

Superior Court of Washington, County of Clallam

Petitioner

vs.

Respondent

DOB _____

No. _____

**Petition for an Extreme Risk
Protection Order
(PTXR)**

Petition for an Extreme Risk Protection Order

1. Who is filing this petition?

I am filing on behalf of _____ **law enforcement agency.**

I have already notified the Respondent's intimate partner, family or household members, and any known 3rd parties who may be at risk of violence; OR

My agency will make a good faith effort to provide notice to them by
 telephone email in-person other _____ within a reasonable period of time.

For Emergency Domestic Violence ERPO: (*victim name*)

has consented to an emergency domestic violence extreme risk protection order.

is incapacitated.

I am an **intimate partner or family or household member** of the Respondent. My relationship with the Respondent is (*check all that apply*):

Intimate Partners

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

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

2. What is your connection to this county?

- I reside in this county.
- I am filing on behalf of a law enforcement agency that is located in this county.
- The Respondent resides in this county.

3. Based on your knowledge, what firearms does the Respondent currently own, possess, has custody of, has access to or controls? Please describe.

Type of firearm	How many firearms?	Where is the firearm kept?	Date/time/place you last saw the firearm
<input type="checkbox"/> Handgun			
<input type="checkbox"/> Shotgun/Rifle			
<input type="checkbox"/> Semi-Automatic Assault Rifle			
<input type="checkbox"/> Other			

Check all the boxes that apply and describe below:

- Respondent has access to someone else's firearm.
- Respondent expressed an intent to obtain a firearm.
- Respondent has unlawfully or recklessly used, displayed, or brandished a firearm.
- Respondent recently acquired a firearm.

Describe: _____

4. **Between the respondent and me:** List any criminal or civil protection, restraining or no-contact orders, pending lawsuits, or other legal action. *If you have more than three matters, list details on additional sheet.*

	Case #1	Case #2	Case #3
Case Name			
Case Number			
Court/County/State			
Type of Case			
Protected Person			
Was there any order violation?			

5. **Between the respondent and any other person:** List any criminal or civil protection, restraining or no-contact orders. *If you have more than 3 matters, list details on additional sheet.*

	Case #1	Case #2	Case #3
Protected Person			
Case Number			
Court/County/State			
Was there any order violation?			

Request for Extreme Risk Protection Order

6. **Immediate Protection:** I want a temporary *Extreme Risk Protection Order* to start immediately, without prior notice to the Respondent, that lasts up to 14 days, or until the court hearing.

These are the specific facts known to me that cause me to believe the Respondent poses a **significant danger in the near future** of causing personal injury to self or others by having custody or control of, purchasing, possessing, accessing, receiving, or attempting to purchase or receive firearms. More detailed information is provided in the Statement in section 7.

7. **After a hearing, where the Respondent has a right to be present, I want the court to issue an *Extreme Risk Protection Order* that lasts for one year.**

After the hearing, I want the court to issue an *Extreme Risk Protection Order* that lasts for 1 year because the Respondent poses a significant danger of causing personal injury to self or others by having custody or control of, purchasing, possessing, accessing receiving, or attempting to purchase or receive firearms.

My statement below includes the Respondent's specific words, actions, or other facts that cause me to have a reasonable fear of **future** dangerous acts by the Respondent.

Statement

To enter an *Extreme Risk Protection Order*, the court must find it more likely than not that the Respondent poses a significant danger of causing personal injury to self or others by having custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive a firearm.

Complete all of the following sections that apply. Attach additional pages, as needed.

8. **Convictions or Arrests.** Check all the boxes that apply and describe below:

Respondent has been arrested or convicted of a:

- domestic violence crime.
- felony or violent crime.
- hate crime offense or malicious harassment (threats, physical injury, or property damage based on the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability).

Describe. Include location, court name, and case number, if known.

9. Violence and Threats: Check each box that applies and explain below.

- Respondent has recently committed or threatened violence against self or others, whether or not the Respondent had a firearm.
- Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.
- Respondent has a history of use, attempted use, or threatened use of physical force against another person.
- Respondent has a history of stalking another person.

Explain:

Date/When

Describe What Happened

10. Respondent's behavior

Describe any behaviors by the Respondent that present an imminent threat of harm to self or others.

11. Corroborated evidence of Respondent's alcohol or controlled substance abuse.

Describe any evidence and attach any documents corroborating (supporting) the Respondent's abuse of alcohol, legal or illegal drugs.

12. Other important information that you think will help the court make a decision.

13. You must provide an address where you can be served with legal documents.
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. Law enforcement petitioners, list your department address.

Mail: _____

Email: _____

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

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

Signature of Petitioner

Print Name and if Law enforcement

Badge No.

Law Enforcement and Confidential Information (LECIF)

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

Superior Court of Washington

County: CLALLAM

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	Weight
Eye Color	Hair Color	Skin Tone	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**

Superior Court of Washington, County of Clallam

Petitioner

DOB

vs.

Respondent

DOB

No. _____

**Temporary Extreme Risk Protection
Order - Without Notice
(EXRPO)**

Next Hearing Date/Time: _____

Court address:

**At: 223 E 4th Street, Port Angeles,
WA, 98362**

Clerk's Action Required: 4, 5, 6, 7

Temporary Extreme Risk Protection Order - Without Notice

Warning to Respondent! You are prohibited from having a firearm in your custody or control, or from purchasing, possessing, accessing, receiving, or attempting to purchase or receive any firearm. You must surrender any and all firearms including but not limited to the firearms as described below. If you violate this order, you may be charged with a crime and you may not be able to have a firearm for at least 5 more years after this order expires. RCW 7.105.460(2).

You have the sole responsibility to not violate this order. Only the court may change this order and only after written application.

Respondent's Distinguishing Features:

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

This temporary order expires at the end of the next hearing date listed above.

Respondent: You must immediately surrender all firearms and any concealed pistol licenses listed below. If you have other firearms, you must surrender all of them also:

Attach additional sheet if there are more firearms to list.

Respondent: This order is valid until the date and time noted above. You are required to surrender all firearms in your custody, control, or possession. You may not have in your custody or control, access, possess, purchase, receive, or attempt to purchase or receive, a firearm, or a concealed pistol license, while this order is in effect. You must surrender to the (*name of local law enforcement agency*) _____ all firearms in your custody, control, or possession and any concealed pistol license issued to you under RCW 9.41.070 immediately. A hearing will be held on the date and time noted above to determine if an *Extreme Risk Protection Order* should be issued. Failure to appear at the hearing may result in a court making an order against you that is valid for 1 year. You may seek the advice of an attorney as to any matter connected with this order.

Respondent:

1. Firearms Surrender. You must immediately surrender all firearms by these deadlines:

- A. Personally served:** If this order is served by a law enforcement officer, immediately surrender all firearm/s and any concealed pistol license/s to the serving officer.
- B. Attended the hearing:** If you attended the hearing where the court issued this order, surrender the firearm/s and concealed pistol license/s to the law enforcement agency listed in this order on the same day as the hearing. Contact the law enforcement agency for directions on how to surrender the firearm/s. Do not bring weapons to the courthouse for surrender.
- C. Alternative service:** If you are served by other means, you must surrender all firearm/s to the control of local law enforcement agency within 24 hours of being served.

2. Ex Parte Hearing

- The court issues this temporary order without a hearing.
- The court held a hearing before issuing this temporary order. These people attended:
 - Petitioner in person by phone by video
 - Respondent in person by phone by video
 - Other: _____ in person by phone by video

3. Based upon the evidence presented, the court finds reasonable cause to believe Respondent poses a significant danger of causing personal injury to self or others in the near future by having in Respondent’s custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive firearms based upon (*check all that apply*):

- a. Respondent has access to someone else's firearm/s.
- b. Respondent owns a firearm/s or has expressed intent to obtain a firearm/s.
- c. Respondent has unlawfully or recklessly used, displayed, or brandished a firearm.
- d. Respondent recently acquired a firearm/s.
- e. Respondent violated a civil or criminal protection order, no-contact order or restraining order.
- f. Respondent was/is the subject of a previous or current *Extreme Risk Protection Order*.
- g. Respondent violated a previous or current extreme risk protection order.
- h. Respondent has been arrested for or convicted of a domestic violence crime as defined in RCW 10.99.020.
- i. Respondent has been arrested for or convicted of a felony offense or violent crime.
- j. Respondent has been convicted of a hate crime under RCW 9A.36.080.
- k. Respondent has recently committed or threatened violence against self or others, whether or not Respondent had a firearm.
- l. Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.
- m. Respondent has a history of use, attempted use, or threatened use of physical force against another person.
- n. Respondent has a history of stalking another person.
- o. Respondent's behaviors present an imminent threat of harm to self.
- p. Respondent's behaviors present an imminent threat of harm to others.
- q. There is corroborative evidence of Respondent's abuse of alcohol or controlled substances.
- r. Other: _____

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

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____

(*check only one*): Sheriff's Office or Police Department

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

5. Service

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

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

Personal Service Required. This is a domestic violence emergency order. The court has **not** verified that all firearms and any concealed pistol license have been temporarily removed by law enforcement.

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

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

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

Not required. The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. See section 2 above for appearances. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

6. Service on Others

Service on the adult's guardian/conservator (*name/s*) _____ is:

Required.

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

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

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

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

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

7. DOL Notification

The issuing court shall, within 3 judicial days after this order is issued, forward a copy of the Respondent's driver's license, identicard, or comparable information along with the date of issuance to DOL. If respondent has a concealed pistol license, DOL must immediately notify a law enforcement agency that the court has directed the revocation of the license.

8. Transfer to Superior Court

This case is transferred to Superior Court and all actions in this case will be handled in the Superior Court listed below.

Court Hearing. A hearing is scheduled in _____ County Superior Court on (*date*) _____, at (*time*) _____ a.m./p.m. at (*location*): _____

See **How to Attend** below.

9. After-Hours Order - Law Enforcement Petitions

The below named judicial officer directs the Petitioner to affix the judge’s signature below, to signify that the judicial officer has reviewed the petition and evidence presented and found that it established reasonable cause for the issuance of this *Temporary Extreme Risk Protection Order – Without Notice*. Permission to affix the judicial officer’s signature was communicated by:

telephone email fax other reliable method (*specify*): _____

10. RESPONDENT: You must appear at the next hearing stated on page 1 of this order.

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

The hearing scheduled on page 1 will be held:

	<p>In person</p> <p>Judge/Commissioner: _____ Courtroom: _____</p> <p>Address: <u>223 E 4th Street, Port Angeles, WA 98362</u></p>
	<p>Online (<i>audio and video</i>) App: _____</p> <p><input type="checkbox"/> Log-in: _____</p> <p><input type="checkbox"/> You must get permission from the court at least 3 court days before your hearing to participate online (audio and video). To make this request, contact: _____</p>
	<p>By Phone (<i>audio only</i>) <input type="checkbox"/> Call-in number _____</p> <p><input type="checkbox"/> You must get permission from the court at least 3 court days before your hearing to participate by phone only (without video). To make this request, contact: _____</p>
	<p>If you have trouble connecting online or by phone (instructions, who to contact)</p> <p><u>Court Administration 360-417-2386</u></p>

	<p>Ask for an interpreter, if needed. Contact: <u>Court Administration 360-417-2386</u></p>		<p>Ask for disability accommodation, if needed. Contact: <u>Court Administration 360-417-2386</u></p>
<p>Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!</p>			

This order may be extended pursuant to RCW 10.99.040(3).

Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to an extreme risk protection order may not be used against you in any criminal prosecution under chapters 7.105, 9.41, or 9A.56.310 RCW.

Dated: _____ at _____ a.m./p.m. _____

Judge/Commissioner

Print Judge/Commissioner Name

Presented by:

Signature of Petitioner/Attorney WSBA No.

Print Name/Badge Number, if applicable

The Petitioner or Petitioner’s attorney must complete the *Law Enforcement and Confidential Information – Extreme Risk Protection Order, form XR 105.*

Important Instructions for Your Protection Order Hearing

1. The time, date and location of your hearing is found in the upper right hand section on page one of your temporary order. At the time that your hearing is scheduled, the court will briefly determine the order of the cases that will be heard, and will try to give you an estimate of when your hearing will occur. If you are not present when your case is called, your petition will likely be dismissed if you are the petitioner (the person that filed the case). If you are the respondent (the person who did not file the case) then the court may grant the petition in your absence if you were properly served.
2. You may appear in person for your hearing. If you are unable to appear in person, you may appear by Zoom on a tablet, computer or smartphone (download the free Zoom app on your device prior to the hearing).

The Meeting ID is: 884-4462-9683

The Passcode is: 5 4 3 2 1

You may also appear by phone by simply calling one of the following toll-free numbers and when indicated, input the Meeting ID number provided above (no passcode is required).

888-475-4499

833-548-0276

833-548-0282

Additional instructions for appearing by Zoom are contained on page 2 of this document.

3. If you appear by Zoom or phone, it will be your responsibility to make sure you do so from a location where your connection is reliable, and that the equipment you utilize has a good microphone so that you can be heard in court.
4. If you are unable to attend your hearing remotely because of technological difficulties, you must communicate that inability prior to the hearing. You may contact the court for this purpose by sending an email to ProtectionOrders@clallamcountywa.gov or you may call (360) 417-2386. Please include your name, the date and the time your case is scheduled for hearing. This email and phone number are not to be utilized for requesting a continuance or informing the court that you are unable to make the scheduled hearing for some reason other than issues with remote access or other technological difficulties.

5. The petitioner may check on whether the petition and temporary protection order has been served by calling 1-877-242-4055 or going to registervpo.com. You will need your case number (found in the upper right section of page one of your order) that is issued from Clallam County, the respondent's name, and your four-digit personal identification number (PIN). This four digit PIN is created by you when you register. When you create your PIN, the first digit should not be a zero.
6. If, at your hearing, you will ask the court to consider any information on your phone (i.e. text, email, photograph), you will need to provide two printed copies of that information to court (a copy for the court and a copy for the other party). If appearing remotely two hard copies must be provided to the court prior to the hearing.
7. Restraining orders in the State of Washington are governed by the sections contained in RCW 7.105. That law can be accessed by logging on to <https://apps.leg.wa.gov/rcw/>
8. When appearing at the hearing, do the following:
 - a. Mute your microphone / video until your case is called (look for the microphone icon if you joined by an electronic device, or push *6 to mute and unmute if you joined by phone).
 - b. Do not speak until invited by the judicial officer to do so.
 - c. Eliminate all background noise.
 - d. When your case is called, turn your video on (unless you joined through the toll-free number) and remain in one spot (that has good reception) during your hearing (i.e. not walking around the house, not travelling in a car, etc.).
 - e. When your video is on, act as though you are in open court. Dress appropriately; refrain from smoking, vaping, or changing clothes; and avoid inappropriate distractions occurring in the background.
 - f. Ensure that your device is fully charged prior to the hearing;
 - g. If you get dropped from the meeting, just sign back in. If the court gets dropped from the meeting, just stay signed in and the court will rejoin the meeting.
 - h. **You may not record or live-stream any hearing.**

Superior Court of Washington, County of Clallam

Petitioner

vs.

Respondent

No. _____

**Proof of Service–Extreme Risk
(RTS)**

Proof of Service–Extreme Risk

1. Identification of Server:

My name is _____. I am a peace officer 18 years of age or older and not the petitioner or the respondent.

2. Able to Serve:

Personal Service:

I personally served (*name of person served*) _____
on (*date*) _____ at (*time*) _____ at this address:

with the documents checked in paragraph **3**.

Electronic Service:

Important! *Electronic service may be authorized by the court after 2 unsuccessful attempts at personal service. For a domestic violence emergency ERPO, electronic service is only available after the court verifies that firearms have been surrendered.*

I served the court documents checked in section **3** 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 other communication from the receiving party
(describe or attach): _____

Service by Mail:

Important! Service by mail must be authorized by the court.

I served the court documents checked in section 3 for this case to
(name of party) _____

on (date) _____ at (time) _____

I sent 2 copies of the documents, postage prepaid: 1 by ordinary, first-class mail and
1 by other mail with certified or tracking information (attach receipts). I sent the mail
to this/these address/es: _____

3. Document List:

(Server: Check the box before the title of each document you serve. Write in the title for
any document you serve that is not already listed below.)

<input type="checkbox"/> Petition for an Extreme Risk Protection Order	<input type="checkbox"/> Motion to Renew Extreme Risk Protection Order
<input type="checkbox"/> Temporary Extreme Risk Protection Order - Without Notice	<input type="checkbox"/> Order on Motion to Renew Extreme Risk Protection Order
<input type="checkbox"/> Order Transferring Case and Setting Hearing - Extreme Risk	<input type="checkbox"/> Extreme Risk Protection Order/Renewal
<input type="checkbox"/> Order Reissuing Temporary Extreme Risk Protection Order - Without Notice	<input type="checkbox"/> Petition for an Extreme Risk Protection Order – Respondent Under 18 Years
<input type="checkbox"/> Extreme Risk Protection Order	<input type="checkbox"/> Temporary Extreme Risk Protection Order - Without Notice – Respondent Under 18 Years
	<input type="checkbox"/> Extreme Risk Protection Order – Respondent Under 18 Years
	<input type="checkbox"/> Other: _____

4. Not Able to Serve:

I was unable to make personal service on the respondent. I notified the petitioner that the respondent was not served.

I was unable to make personal service on the petitioner. I notified the respondent that the petitioner was not served.

I was unable to make personal service on the minor respondent's parent or guardian. I notified the petitioner that the respondent's parent or guardian was not served.

I was unable to make personal service on the Department of Children, Youth, and Families (DCYF). I notified the petitioner that DCYF was not served.

Personal service was attempted on the following date(s) _____

No service was attempted because: _____

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

5. Firearms

Restrained Person:

surrendered the firearms CPL. (File Law Enforcement Receipt separately).

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

asserted they have no firearms or a CPL.

6. Other information about service that I want the court to consider *(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 foregoing is true and correct.

Dated: _____ at (city) _____, Washington

Fees: Service _____

Signature of Server

Mileage _____

Print or Type Name

Total _____

Law Enforcement Agency

Superior Court of Washington, County of Clallam

Petitioner

vs.

Respondent

DOB

No.

Extreme Risk Protection Order (XRPO)

Renewal (ORRXRPO)

Next Hearing Date/Time: _____

Court address:

223 E 4th Street, Port Angeles, WA 98362

Clerk's Action Required: **6, 7, 8, 9**

Extreme Risk Protection Order

Warning to Respondent! You are prohibited from having a firearm in your custody or control, or from purchasing, accessing, possessing, or receiving, or attempting to purchase or receive any firearm or a concealed pistol license. You must surrender any and all firearms including but not limited to firearms as described below. Under RCW 7.105.460(2), if you violate this order, you may be charged with a crime and you may not be able to have a firearm for at least 5 more years after this order expires.

You have the sole responsibility to not violate this order. Only the court may change this order and only after written application.

Respondent's Distinguishing Features:

Respondent Identifiers

Sex	Race	Hair
Height	Weight	Eyes

This 1-year order expires on date: _____ **time:** _____ **a.m./p.m.**

Respondent: You must immediately surrender all firearms and any concealed pistol licenses listed below. If you have other firearms, you must surrender all of them also:

--	--

Attach additional sheet if there are more firearms to list.

Respondent: This order will last until the date and time noted above. If you have not done so already, you must immediately surrender to the (*name of local law enforcement agency*)

all firearms in your custody, control, or possession and any concealed pistol licenses issued to you under RCW 9.41.070. You may not have in your custody or control, access, purchase, possess, receive, or attempt to purchase or receive, a firearm, or a concealed pistol license, while this order is in effect. You have the right to request 1 hearing to terminate this order in every 12 month period that this order is in effect, starting from the date of this order and continuing through any renewals. You may seek the advice of an attorney as to any matter connected with this order.

Respondent:

1. **Firearms Surrender. You must immediately surrender all firearms by these deadlines:**
 - A. **Personally served:** If this order is served by a law enforcement officer, immediately surrender all firearm/s and any concealed pistol license/s to the serving officer.
 - B. **Attended the hearing:** If you attended the hearing where the court issued this order, surrender the firearm/s and concealed pistol license/s to the law enforcement agency listed in this order on the same day as the hearing. Contact the law enforcement agency for directions on how to surrender the firearm/s. Do not bring weapons to the courthouse for surrender.
 - C. **Alternative service:** If you are served by other means, you must surrender all firearm/s to the control of local law enforcement agency within 24 hours of being served.

This Extreme Risk Protection Order is based upon the following:

2. **Notice:** Respondent received notice of this hearing by personal service publication mail.
3. **Hearing:** The court held a hearing before issuing this full protection order. These people attended:

<input type="checkbox"/> Petitioner	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Petitioner's Lawyer	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Respondent	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Respondent's Lawyer	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
<input type="checkbox"/> Other: _____	<input type="checkbox"/> in person	<input type="checkbox"/> by phone	<input type="checkbox"/> by video
4. **The Court finds:** By a preponderance of the evidence that the Respondent poses a significant danger of causing personal injury to self or to others in **the future** by having in Respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive a firearm; based upon (**check all that apply,**):
 - a. Respondent has access to someone else's firearm/s.
 - b. Respondent owns a firearm/s or has expressed intent to obtain a firearm.

- c. Respondent has unlawfully or recklessly used, displayed, or brandished a firearm.
- d. Respondent recently acquired a firearm/s.
- e. Respondent violated a civil or criminal protection order, no-contact order or restraining order.
- f. Respondent was/is the subject of a previous or current extreme risk protection order.
- g. Respondent violated a previous or current extreme risk protection order.
- h. Respondent has been arrested for or convicted of a domestic violence crime as defined in RCW 10.99.020.
- i. Respondent has been arrested for or convicted of a felony offense or violent crime.
- j. Respondent has been convicted of a hate crime under RCW 9A.36.080.
- k. Respondent has recently committed or threatened violence against self or others, whether or not Respondent had a firearm.
- l. Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.
- m. Respondent has a history of use, attempted use, or threatened use of physical force against another person.
- n. Respondent has a history of stalking another person.
- o. Respondent's behaviors present an imminent threat of harm to self.
- p. Respondent's behaviors present an imminent threat of harm to others.
- q. There is corroborative evidence of Respondent's abuse of alcohol or controlled substances.
- r. Other: _____

5. **Evaluation:** The court has considered whether it is appropriate to order a behavioral health evaluation of the Respondent. The court finds that conducting a behavioral health evaluation is appropriate not appropriate.

Respondent: You must have a behavioral health evaluation completed by a qualified evaluator within _____ days of this order. Proof of obtaining the evaluation must be filed with this court within _____ days of completion.

While appropriate, the court is not ordering an evaluation for the following reason/s:

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

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____

(*check only one*): Sheriff's Office or Police Department
 (*List the same agency that entered the temporary order, if any*)

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

7. Service on the Restrained Person

Required. The restrained person must be served with a copy of this order.

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

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

The **petitioner** shall make private arrangements for service and have proof of service returned to this court. (*This is only an option if surrender of weapons is **already completed and verified by the court.***)

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

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

Not required. See section 3 above for appearances.

The restrained person appeared at the hearing where this order was issued and received a copy.

The restrained person appeared at the hearing where this order was issued but refused to accept a copy of this order. Additional service is not required.

The restrained person appeared remotely or left the hearing early but received actual notice of the order. Additional service is not required and proof of service is not necessary.

8. Service on Others

Service on the adult's guardian/conservator (*name/s*) _____ is:

Required.

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

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

The **petitioner** shall make private arrangements for service and have proof of service returned to this court.

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

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

9. DOL Notification

The issuing court shall, within 3 judicial days after this order issued, forward a copy of the Respondent's driver's license, identicard, or comparable information along with the

date of issuance to DOL. If respondent has a concealed pistol license, DOL must immediately notify a law enforcement agency that the court has directed the revocation of the license.

Respondent: You must attend the hearing listed on page 1 of this order and show the court that you surrendered your firearm/s and concealed pistol license/s.

Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to an extreme risk protection order may not be used against you in any criminal prosecution under chapters 7.105, 9.41, or 9A.56.310 RCW.

How to attend the hearing on page 1

The hearing scheduled on page 1 will be held:

	<p>In person</p> <p>Judge/Commissioner: _____ Courtroom: _____</p> <p>Address: <u>223 E 4th Street, Port Angeles, WA 98362</u></p>	
	<p>Online (audio and video) App: _____</p> <p><input type="checkbox"/> Log-in: _____</p> <p><input type="checkbox"/> You must get permission from the court at least 3 court days before your hearing to participate online (audio and video). To make this request, contact: _____</p>	
	<p>By Phone (audio only) <input type="checkbox"/> Call-in number _____</p> <p><input type="checkbox"/> You must get permission from the court at least 3 court days before your hearing to participate by phone only (without video). To make this request, contact: _____</p>	
	<p>If you have trouble connecting online or by phone (instructions, who to contact)</p> <p>Court Administration 360-417-2386</p>	
	<p>Ask for an interpreter, if needed.</p> <p>Contact: Court Administration 360-417-2386</p>	 <p>Ask for disability accommodation, if needed.</p> <p>Contact: Court Administration 360-417-2386</p>
<p>Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!</p>		

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

Print Judge/Commissioner Name

I acknowledge receipt of a copy of this order.

Signature of Respondent

Print Name

Signature of Respondent's Attorney WSBA No.

Print Name

Signature of Petitioner/Attorney WSBA No.

Print Name and Badge No., if applicable

The Petitioner or Petitioner's lawyer must complete the Confidential and Law Enforcement Information – Extreme Risk Protection Order form, XR 105.

NOTICES:

To Petitioner: You may file a motion to ask the court to renew this 1-year order. You may begin that process no sooner than 90 days prior to the date this order expires (see page 1).

To Respondent: You may file a motion requesting the court to terminate this 1-year order. You may make this request only once during the 1 year period of this order.

To both parties: The court will consider any motion to terminate or renew this order only upon the filing of a written motion, the scheduling of a hearing, and notice to the other party.

Respondent: Read more information about surrender of weapons.

Receipt: The law enforcement officer who receives your firearms will prepare a receipt with a list of the firearms and any concealed pistol license/s. The law enforcement officer must file the receipt with the court within 72 hours. The officer will give you a copy of the receipt to keep for your records.

If someone else owns the firearms: If the law enforcement agency determines someone else is the lawful owner of the firearm/s, the agency will return the firearm to the lawful owner, if:

- the firearm is removed from the Respondent's custody, control, and possession;
- the lawful owner provides written verification to the court regarding how they will safely store the firearm in a way that Respondent does not have access and control of the firearm;
- the court advises the lawful owner of the penalty for failure to do so; and
- the owner is lawfully authorized to possess the firearm.