

Superior Court of Washington, County of Clallam

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).

12. Immediate Protection: Do you need a Temporary Protection Order to start immediately without prior notice to the restrained person?

Yes **No**

If Yes, what do you want to do if the court denies your request for an immediate Temporary Protection Order? (*Check one*)

Request the court schedule a hearing to ask for a full protection order. (Restrained Person must be served.)

Withdraw my Petition for Protection Order. (Do not serve the Restrained Person.)

13. Immediate Weapons Surrender: Do you want a temporary order that requires the restrained person to give up all firearms, other dangerous weapons, and concealed pistol licenses, and prohibits the restrained person from getting more?

Yes **No**

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

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

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

General Restraints

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

protected person the minors named in section 4 above

these minors only: _____

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

protected person the minors named in section 4 above

these minors only: _____

these members of the protected person's household: _____

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

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

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

the protected person the minors named in section 4 above

these minors only: _____

these members of the protected person's household: _____

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

the protected person protected person's vehicle

protected person's school protected person's workplace

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

the shared residence

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

these minors only: _____

other: _____

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

keep their address confidential list their address here: _____

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

F. **Intimate Images:** Do not possess or distribute intimate images of a protected person, as defined in RCW 9A.86.010. The restrained person must take down and delete all

intimate images and recordings of a protected person in the restrained person's possession or control and cease any and all disclosure of those intimate images.

- G. **Electronic Monitoring:** The restrained person must submit to electronic monitoring. Example: location tracking via ankle bracelet. (*Restrained Person must be age 18 or older.*)
- H. **Evaluation:** The restrained person shall get an evaluation for:
 mental health chemical dependency (drugs and alcohol)
- I. **Treatment:** The restrained person shall participate in state-certified treatment for:
 sex offender domestic violence perpetrator
- J. **Personal Belongings:** The protected person shall have possession of essential personal belongings, including the following:

- K. **Assets:** Do not transfer jointly owned assets.
 Finances: Provide the following financial relief: _____
- L. **Vehicle:** The protected person shall have use of the following vehicle:
Year, Make, & Model _____ License No. _____
- M. **Restrict Abusive Litigation:** Do not engage in abusive litigation as set forth in chapter 26.51 RCW or in frivolous filings against the protected person, making harassing or libelous communications about the protected person to third parties, or making false reports to investigative agencies.
- N. **Pay Fees and Costs:** The restrained person must pay fees and costs of this action. This may include administrative court costs, service fees, and the protected person's costs including lawyer fees.

Firearms and Other Dangerous Weapons

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

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

Does the restrained person own or have access to firearms?

Yes No I do not 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 do not 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 do not 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 (A "vulnerable adult" has a specific meaning. See attachment B for the definition.)

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 1 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?

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 All Civil 050, *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 is 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"/> (<i>Initials</i>):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (<i>name</i>):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (<i>Initials</i>):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (<i>name</i>):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (<i>Initials</i>):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (<i>name</i>):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (<i>Initials</i>):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (<i>name</i>):	
From: To:	<input type="checkbox"/> All children <input type="checkbox"/> (<i>Initials</i>):	<input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other (<i>name</i>):	

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

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

No.

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

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

The court can make an order protecting the children because:

Exclusive, continuing jurisdiction – A Washington court has already made a custody order or parenting plan for the children and the court still has authority to make other orders for the children.

Home state jurisdiction – Washington is the child’s home state because *(check all that apply)*:

The children lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if a child is less than 6 months old, the child has lived in Washington with a parent or someone acting as a parent since birth.

There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if a child is less than 6 months old), but those were temporary absences.

The children do not live in Washington right now, but Washington was the children’s home state sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.

The children do not have another home state.

No home state or home state declined – No court of any other state (or tribe) has the jurisdiction to make decisions for the children **or** a court in the children’s home state (or tribe) decided it is better to have this case in Washington **and**:

- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
- There is a lot of information (substantial evidence) about the children’s care, protection, education, and relationships in this state.

Other state declined – The courts in other states (or tribes) that might be the children’s home state have refused to take this case because it is better to have this case in Washington.

Temporary emergency jurisdiction – The court can make decisions for the children because the children are in this state now **and** were abandoned here **or** need emergency protection because the children (or their parent, brother, or sister) were abused or threatened with abuse. *(Check one)*:

A custody case involving the children was filed in the children’s home state *(name of state or tribe)*: _____. Washington should take temporary emergency jurisdiction over the children until the petitioner can get a court order from the children’s home state (or tribe).

There is **no** valid custody order or open custody case in the children’s home state *(name of state or tribe)*: _____. If no case is filed in the children’s home state *(or tribe)* by the time the children have been in Washington for 6 months, *(date)*: _____, Washington should have final jurisdiction over the children.

Other reason *(specify)*: _____

Attachment D: Non-Parents Protecting Children (ICWA)

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

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

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

1. Tribal Heritage

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

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

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

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

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

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

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

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

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

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

2. Authority Over Indian Children (Jurisdiction)

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

Attachment E: Firearms Identification

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

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

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

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

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.

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**

Not Held. The court denies the request without a hearing.
(Complete the Findings section below.)

3. Findings.

A. **Non-Appearance.** Petitioner Respondent did **not** appear.

Temporary Order Findings

B. **No Basis. Do not schedule hearing.** The *Petition for Protection Order* does not list a specific incident and approximate date of behavior that would support a domestic violence, stalking, antiharassment, sexual assault, or vulnerable adult protection order as defined in RCW 7.105.100. The protected person should have **14 days to amend** their petition before dismissal.

Request for Dismissal after Temporary Order denied. The Protected Person requested dismissal of petition. Do not schedule for full hearing and do not serve the restrained person. (Check “dismissed” in caption above, and check “service not required” in section 5.)

C. **Notice Required. Schedule for full hearing.** The Protected Person has not shown that there is a sufficient basis to enter a temporary order without notice to the opposing party vulnerable adult.

The court will grant or deny the protection order after a hearing with notice.

Final Order Findings

D. **Request.** The Protected Person requested dismissal of petition.

E. **Service Unsuccessful or Impossible.** All available methods of service have been attempted unsuccessfully or are not possible.

F. **Insufficient Evidence.** A preponderance of the evidence does not support issuing any type of protection order that this court has authority to issue.

G. **Insufficient Evidence (Vulnerable Adult Contests).** Clear, cogent, and convincing evidence has not established that there is abandonment, abuse, financial exploitation, or neglect of a vulnerable adult. (When a vulnerable adult protection order is contested by the vulnerable adult.)

H. **Evidence.** Protected Person Restrained Person supports their account of events with the following evidence (*specify*): _____

- I. **Realignment.** (*DV or Harassment only*) The original "Protected Person" is the abuser or harasser, and the original "Restrained Person" is the victim of domestic violence or unlawful harassment. The parties should be switched.

Renewal Findings

- J. The **Restrained Person proved** by a preponderance of the evidence that there has been a substantial change in circumstances (*describe*): _____

and the Restrained Person will **not**:

- (*for DV orders*) resume acts of domestic violence against the Protected Person or the Protected Person's children or household members who are minors or vulnerable adults when the protection order expires.
- (*for sexual assault orders*) engage in, or attempt to engage in, physical or nonphysical contact with the Protected Person when the order expires.
- (*for stalking orders*) resume acts of stalking against the Protected Person or the Protected Person's family or household members when the order expires.
- (*for anti-harassment orders*) resume harassment of the Protected Person when the order expires.
- (*for vulnerable adult orders*) resume acts of abandonment, abuse, financial exploitation, or neglect against the vulnerable adult when the order expires.

- K. **Late Filing.** The Protected Person did not file for renewal before the order expired.

Modify or Terminate Findings

- L. **Protected Person's motion** to modify or terminate a protection order is denied because:

M. **Restrained Person's motion** to modify or terminate a protection order is denied because:

Repeat Filing. The court finds that the Restrained Person has previously filed a motion to modify or terminate during the current 12-month period following entry of the order and is not eligible for the relief requested.

No Adequate Cause. The Restrained Person did not establish adequate cause to modify or terminate. No hearing is necessary.

Insufficient Evidence. A preponderance of the evidence failed to establish that there has been a substantial change in circumstances such that if the order is terminated or modified the Restrained Person will not resume, engage in, or attempt to engage in acts of:

domestic violence.

physical or nonphysical contact (*for sexual assault protection orders*).

stalking.

unlawful harassment.

No Substantial Change. Since the protection order was entered, there has not been a substantial change in circumstances (*describe*): _____

(*Check all that apply*)

The Restrained Person has committed or threatened domestic violence, sexual assault, stalking, or other harmful acts against the Protected Person/s.

The Restrained Person has violated the terms of the protection order.

The Restrained Person has exhibited suicidal ideation or attempts.

The Restrained Person has been convicted of criminal activity.

The Restrained Person has:

- Not acknowledged responsibility for the acts of sexual assault, domestic violence, stalking, or behavior that resulted in entry of the protection order, and

- Not successfully completed perpetrator treatment or counseling.

The Restrained Person has continued to abuse drugs or alcohol (if this was a factor in the protection order).

The Protected Person has not voluntarily and knowingly consented to terminating the protection order.

Other: _____

Severe Acts. The Restrained Person proved that there has been a substantial change of circumstances; however, the court declines to terminate the protection order because the acts of domestic violence, sexual

assault, stalking, unlawful harassment, and other harmful acts that resulted in the issuance of the protection order were of such severity that the order should not be terminated.

General Findings

N. Other: _____

4. Order

Petition denied without a full hearing. 14 days to amend before dismissal. The petition does not contain allegations that could support issuing any type of protection order. The person who filed the petition has 14 days to file an amended petition. If an amended petition is not filed within 14 days, the case may be dismissed.

Temporary Order

Temporary Order Denied. Full hearing to be held. The request for a temporary order is denied. The court will approve or deny the protection order after a full hearing with notice. The hearing date and time is **shown on page 1**.

Warning to Restrained Person! Failure to appear at the hearing may result in the court granting all of the relief requested in the petition. See **How to Attend** at the end of this order.

Dismissed by request without prejudice. (*Check ORDSM (dismissed) above.*)

Final Order

Dismissed without prejudice because (*check one*):

- Protected Person asked to terminate the order or did not appear at the hearing.
- All available methods of service have been attempted unsuccessfully or are not possible. Dismissal is over Protected Person's objection.

Any previously-entered temporary order and any *Order to Surrender Weapons* under this case number expires today, upon the signing of this order or at (*time*) _____.

(*In caption above, check ORDSM (dismissed).*)

Denied on the merits after a hearing. The request for a full order is denied. Any previously-entered temporary order under this case number expires today, upon the signing of this order or at (*time*) _____.

(*Check one (see RCW 7.105.362)*):

- No *Order to Surrender Weapons* was issued under this case number. The case is dismissed.
- The court issues an *Order Extending Order to Surrender and Prohibit Weapons* (WS 400) extending the *Order to Prohibit and Surrender Weapons* until after the deadline for filing a motion for reconsideration or revision has passed and any timely filed motion has been resolved.

Any previously-entered *Order to Surrender Weapons* under this case number expires **today**, upon the signing of this order or at (*time*) _____ and the case is dismissed. It would be **manifestly unjust** to allow the order to remain in effect for the reconsideration or revision period because (*check all that apply*):

The *Temporary Protection Order* was entirely without merit.

Petitioner was engaged in abusive use of litigation.

Petitioner was exerting coercive control over the Restrained Person.

Other reason (*explain why it would be manifestly unjust*): _____

Denied. The deadline for filing a motion for reconsideration or revision has passed. The Protected Person has either failed to file a motion or the motion has been denied. The *Order Extending the Order to Surrender and Prohibit Weapons* (WS 400) is terminated and the case is dismissed.

Petition **denied and dismissed without a full hearing.**

No amended petition was filed within 14 days after denial.

Amended petition filed but still insufficient to set for full hearing.

Realignment (*for domestic violence and harassment cases only*). The parties are switched so that the original Protected Person is now restrained and the original Restrained Person is now protected.

The court will issue a **new Temporary Protection Order** so that:

The Protected Person is: _____

The Restrained Person is: _____

Important! The new Protected Person must file a **Petition for Protection Order**, form PO 001, if they want protection to last beyond the temporary order.

Modification, Termination, or Renewal (*check ORDYMT (motion denied) in caption*)

The request to **modify, terminate, or renew** the order dated _____ is denied.

Weapons

The request for an **Order to Surrender and Prohibit Weapons** is denied.

If any **firearms or dangerous weapons have been surrendered** under this cause number, they shall be released to the Restrained Person, absent some other legal reason that may exist prohibiting the Restrained Person from possessing them.

Other

The request before the court is denied, provided that **it may be renewed after notice** has been provided to the vulnerable adult opposing party according to the Civil Rules.

Other order: _____

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

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

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

6. Service on the Restrained Person (*only required if a future hearing is scheduled*):

Not Required.

The petition was denied or dismissed and service is not required.

The Restrained Person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. See section 2 above for appearances. (*May apply even if the Restrained Person left before a final ruling is issued or signed.*)

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

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

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

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

Order to Surrender and Prohibit Weapons

Restrained Person must vacate shared residence

Child custody transfer ordered

Restrained Person is incarcerated

Other

Electronic service as authorized by RCW 7.105.150.

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

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

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

7. Service on Others (*only required if a future hearing is scheduled*):

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

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

Required.

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

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

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

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

8. Next Court Hearing

No further court hearings are scheduled in this case.

The next court hearing is or will be scheduled by a separate order.

The next court hearing is scheduled for the date at time listed on page 1.

How to attend the next court hearing

The hearing scheduled on page 1 will be held:

	In person
	Judge/Commissioner: _____ Courtroom: _____
	Address: _____

	Online (audio and video) App: _____ <input type="checkbox"/> Log-in: _____ <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: _____	
	By Phone (audio only) <input type="checkbox"/> Call-in number: _____ <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: _____	
	If you have trouble connecting online or by phone (instructions, who to contact) _____ _____	
	Ask for an interpreter, if needed. Contact: _____ _____	 Ask for disability accommodation, if needed. Contact: _____ _____
Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!		

Ordered.

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

Judge/Court Commissioner

 Print Judge/Court Commissioner Name

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

▶ _____	_____	_____
<i>Signature of Respondent</i>	<i>Print Name</i>	<i>Date</i>
▶ _____	_____	_____
<i>Signature of Respondent's Lawyer WSBA No.</i>	<i>Print Name</i>	<i>Date</i>
▶ _____	_____	_____
<i>Signature of Petitioner</i>	<i>Print Name</i>	<i>Date</i>
▶ _____	_____	_____
<i>Signature of Petitioner/Lawyer WSBA No.</i>	<i>Print Name</i>	<i>Date</i>

Superior Court of Washington, County of Clallam

Petitioner

vs.

Defendant/Respondent

No.: _____

**Order to Surrender
and Prohibit Weapons**

Issued Without Notice (ORWPN)

Temporary/Pre-Trial (ORWPNP)

Final/Post Conviction (ORWPNP)

Compliance Review Hearing (ORCRH)

Next Hearing Date/Time: _____

At: _____

(Clerk's Action Required)

Order to Surrender and Prohibit Weapons

1. Restrained Person

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

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

2. Surrender of Weapons

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

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

See the attached sheet if there are more to list.

Other: _____

3. Surrender of Concealed Pistol License

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

4. Weapons Prohibition

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

5. This Order expires:

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

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

6. Instructions to Restrained Person

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. Service

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

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

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

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

10. Compliance Hearing

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

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

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

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

12. Warnings!

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

13. Protection against self-incrimination

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

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

Ordered.

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

I received a copy of this order.

Signature of Restrained Person/Defendant Print Name

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

Signature of Protected Person or Attorney WSBA No. Print Name

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