

CIVIL PROTECTION ORDER

Forms in this packet:

1. VINE Pamphlet
2. Protection Order Instructions
3. Law Enforcement and Confidential Information (LECIF)
(PO 003)
4. Petition for Protection Order (PO 001)

NOTE: Each case is different and you may require additional forms. All state forms can be found at www.courts.wa.gov/forms

www.Washingtonlawhelp.org has detailed instructions to help with the forms in this packet as well as other actions that may be needed to move your case forward.

WA Protective Order
1-877-242-4055
www.registervpo.com

Write down the following information, tear off this panel, and keep in a safe place:

My case number

My four-digit PIN

My victim advocate

Contact number

- If you feel you are in danger, call 911 immediately.
- If you do not answer a notification call, VINE will leave a message and will continue calling back until you enter your PIN or until up to 24 hours have passed.
- Do not register a phone number that rings to an automated attendant.
- You can register multiple phone numbers and email addresses for notifications.
- Operators are available 24 hours a day, seven days a week to assist you.
- If you have registered but have not heard that the order has been served after three to four days, contact your victim advocate.

If you travel or move out of state

If you travel in the U.S., your protective order should be enforced by law enforcement agencies and courts in other states and jurisdictions. If you move out of the state in which your order was issued, check with an advocate, local law enforcement agency or the court about whether or not you need to register the protective order in your new location. Carry a certified copy of the protective order with you at all times to show to officials who can help protect you.

Do not rely solely on WA VPO for your safety. If you feel you are in danger, call 911.

WASPC

The mission of the Washington Association of Sheriffs and Police Chiefs is to lead collaboration among law enforcement executives to enhance public safety

For more information regarding the program,

Please Contact:

WA VPO Program Manager

(360) 486-2380

Programs@waspc.org

WASPC

3060 Willamette Drive NE

Lacey, WA 98516



Washington VPO

Access to Information & Notification for
Protective Order Status



A service provided by the
Washington Association of
Sheriffs and Police Chiefs



R 11/18

1-877-242-4055

WWW.REGISTERVPO.COM

WWW.VINELINK.COM

Washington Protective Order Service

WA Protective Order is an automated service that lets you, the petitioner, track the status of a protective order over the phone or internet. You can also register to be notified by phone and email about changes in the status of a protective order.

Protective Order Information

Before you call, be ready with your protective order case number or the respondent's name as it appears on the order. You can find this information on your petition or protective order. To access protective order information, call 1-877-242-4055 or visit www.registervpo.com or www.vinelink.com.

How do I register?

Once the protective order has been filed, you can register to receive notifications via phone or email.

If registering a phone number, you will be asked to create a four-digit personal identification number (PIN) that will be used to confirm that the call was received. Make sure your PIN is easy to remember. Email notifications do not require a PIN.

Notification

Once registered, you will receive notification when:

- The order has been served on the respondent.
- Your order is 90-days from expiring. This is to ensure that you have time to renew your order if you wish.
- The respondent has attempted to purchase/transfer a firearm and was denied.

When the service calls, you will be asked to enter your PIN followed by the # key. Entering your PIN lets the service know that you received the call and will stop the service from calling you again. If you forget your PIN, call the toll-free number (1-877-242-4055), select a language, and press zero. You will be transferred to a service representative who will help you reset your PIN.



What is a Protective Order?

A protective order is an order issued by a court of law that places restrictions on another person (respondent). These restrictions are usually aimed at protecting the safety, health or welfare of one or more individuals (protected parties). Washington State has many different types of protective orders that can impose a variety of restrictions. If you are unsure of the type of order you have, or what protections it offers, please contact a victim advocate for assistance.

Who can register for notifications?

Any petitioner may register for notification. You can also choose to share the toll-free number and the case number, but not your PIN, with family members or friends. They can register for notification using their own PIN.

What if the respondent tries to get information about me through WA Protective Order?

The respondent will not know you are registered with the WA Protective Order service.

Other questions?

Call the WA Protective Order service toll-free at 1-877-242-4055. Wait on the line to speak with an operator.

Planning for your safety

- Do not depend solely on the WA Protective Order service, or any other single program, for your safety. If you feel you may be at risk, contact your local law enforcement agency.
- Keep a copy of your protective order with you at all times. Give copies to trusted family members and friends so they will be aware of the conditions and protections.
- Having a copy of the order on hand may be critical if the respondent violates the order at a location away from your home.
- Keep copies of important documents for you and your child/children in a safe place or with a trusted person (i.e. Social Security card, driver's license, birth certificates, bank statements, paycheck receipts, medicines, medical equipment, etc.).

If you believe that your protection order has been violated, call 911 or contact your local law enforcement agency. Violating the restrictions contained in a protective order may be a crime.

Other Resources

National Domestic Violence Hotline:

1-800-799-SAFE (7233)
1-800-797-3224 (TTY)
www.thehotline.org

Washington State Coalition Against Domestic Violence

www.wscadv/get-help-now

Washington State Crime Victim Service Center

Hotline
1-866-288-9221
www.wacvschotline.org

How to File for a Protection Order

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

Yes, if both of these statements are true:

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

What are in these instructions?

Part 1 explains the process of getting a protection order.

Part 2 explains how to fill out the Petition form.

Part 1. The Protection Order Process

How do I ask the court for a protection order?

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

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

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

Can I get help filling out these forms?

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

Who can I protect?

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

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

For domestic violence, you can also protect:

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

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

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

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

What if I am filing to protect a vulnerable adult?

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

What protection can I ask for?

The petition lists many types of protections in **section 14**. Choose everything you believe will best protect you and/or anyone else you are petitioning for.

What if the restrained person has firearms or other weapons?

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

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

Your completed petition will be:

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

The court will use the information to decide:

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

What if I need protection right now?

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

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

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

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

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

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

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

How will the restrained person find out about the order?

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

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

Does anyone else need to be served?

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

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

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

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

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

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

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

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

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

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

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

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

How can I prove the restrained person was served?

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

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

How do I know if the Temporary Order was served?

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

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

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

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

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

How do I get ready for the full hearing?

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

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

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

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

Will the restrained person be at the full hearing?

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

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

What if the restrained person was not served in time?

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

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

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

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

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

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

Part 2. How to fill out the Petition form

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

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

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

County or District

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

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

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

Petitioner and Respondent

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

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

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

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

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

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

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

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

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

3. Who should the order restrain?

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

4. Who should the order protect?

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

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

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

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

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

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

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

5. Service Address

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

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

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

6. Interpreter

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

7. Accommodations

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

8. How do the parties know each other?

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

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

Check the appropriate box.

10. Restrained Person's Residence

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

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

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

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

12. Immediate Protection

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

If a temporary protection order is denied, you have the option to withdraw your petition so that the restrained person won't be served, or you can ask the court to schedule a hearing to ask for a full protection order.

13. Immediate Weapons Surrender

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

14. What protections do you need?

Check the appropriate boxes in **A-Z** for all the protections you want the court to order.

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

You must be clear about which people and places you want protected within each restraint that asks for those details. If you are protecting minor children, you can choose if you want a restraint to apply to all children covered by the order, or just certain children named in that section.

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

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

15. Do you need help from law enforcement?

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

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

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

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

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

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

18. Most Recent Incident

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

19. Past Incidents

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

Important! Read the instructions for your statement in the black box above **question 18** on the petition. This is where you explain why you need a protection order.

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

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

Consider these questions:

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

Examples:

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

20. Medical Treatment

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

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

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

21. Suicidal Behavior

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

22. Restrained Person's Substance Abuse

Check any appropriate boxes.

23. Minors Needing Protection, if any

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

24. Supporting Evidence

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

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

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

Count Attached Pages

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

Sign and Date

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

Attachments A-E

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

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

Attachments C and *D* are for minor children.

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

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

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

After filling out the forms: Go to Court

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

Law Enforcement and Confidential Information (LECIF)

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

Superior Court of Washington

County: Klickitat

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	
Previous Names:				
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:
Previous Addresses:		
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	
Previous Names:				
Sex	Race		Height	Weight
Driver's License or ID Number	Eye Color	Hair Color	Skin Tone	Build
If your information <i>is not confidential</i> , you must enter your address and phone number/s below.				
Current Address Street: City: State: Zip:			Phone(s) w/Area Code	
Email address:			Need interpreter? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, language:	
If your info <i>is confidential</i> , you must give a name, address, and phone of someone willing to be your "contact." If you filed <i>for someone else</i> , list your information as the contact.				
Contact Name:				

Contact Address:	Contact Phone
Contact Email Address:	Date of Birth (if you are Petitioner)
Previous Addresses:	
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.) <input type="checkbox"/> Email above <input type="checkbox"/> Phone number above <input type="checkbox"/> Address above <input type="checkbox"/> Other: _____	

5. Minor's Info

For relationship, use terms such as child, grandchild, stepchild, nephew, or none.

1	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
2	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
3	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
4	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	
<input type="checkbox"/> More than 4 minors are protected. (Attach a page to list more children and their details.)				

6. Protected Household Members or Adult Children

Name:	Birth Date:
Name:	Birth Date:
Name:	Birth Date:
Name:	Birth Date:

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

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

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

I have attached ____ pages.

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



Sign here Print name here

Attachment A: Restrained Person is a Minor

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

1. Restrained Person's PARENT or GUARDIAN's Info			
Name: First Middle Last			Date of Birth (if unknown give age range)
Nickname/Alias/AKA ("Also known as")			Relationship to Restrained Person <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian
Sex	Race		Height
Eye Color	Hair Color		Weight
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	
<p>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): _____</p> <p>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: _____</p> <p>Concealed Pistol License: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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): _____</p>	

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 Klickitat

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



Rifle/Shotgun (*how many*) _____



Other firearm/s (*describe*):