

How to File for a Protection Order

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- ❖ **If you are currently experiencing** domestic violence, harassment, stalking, or sexual assault, get help from your local domestic violence shelter or sexual assault center. Shelters provide safety planning, temporary shelter, legal advocacy, counseling, and other services. To find the program nearest you, call the **National Domestic Violence Hotline** at 1.800.799.7233 or the **National Sexual Assault Hotline** at 1.800.656.4673.
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Part 1. Forms in this packet

- PO 003: “Law Enforcement and Confidential Information (LECIF)”
- PO 001: “Petition for Protection Order”
- PO 030: “Temporary Protection Order and Hearing Notice”
- PO 018: “Declaration”

Part 2. The Protection Order process

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 experiencing or have recently experienced domestic violence, harassment, stalking, or sexual assault, or you are seeking protection for a vulnerable adult. Read [Protection Orders: Can the Civil Legal System Help Me](#) to learn more or if you are still not sure if you need a protection order.

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. In this packet, 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 Order for Protection and Notice of Hearing**, form PO 003. We do not currently have the instructions for that form.
- ✓ If you want the restrained person to have to give up (surrender) firearms and other dangerous weapons or be forbidden from buying them, use our [Get a Court Order for the Surrender of Weapons](#) packet. It has the **Firearm Identification Worksheet**, form XR 102 and the **Order to Surrender and Prohibit Weapons**, form WS 001. Follow the instructions in that packet.
- ✓ If you want the court to consider the written testimony of anyone who has personal knowledge of the harm you have experienced or been threatened with, have them fill out a **Declaration**, form PO 018. They should read [How to Write a Declaration in a Family Law Case](#) for tips on how to make their declaration as helpful as possible.

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 from a protection order?

The petition lists many types of protections in section 11. 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 ask for firearm surrender, you must also fill out the **Firearm Identification Worksheet**, form XR 102, and file it with your completed petition. You must also bring the **Order to Surrender and Prohibit Weapons**, form WS 001, for the judge to finish filling out and sign. The forms are in our [Get a Court Order for the Surrender of Weapons](#) packet.

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- ❖ **Safety Alert!** If you are worried 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 and tell them you want them to let you know 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 in your petition 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 only, 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 only, 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. In it, 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 that you are asking for a protection order.

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. You should also include the Temporary Protection Order and Hearing Notice, form PO 030, with at least the caption filled out by you.

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. The judge may use the Temporary Protection Order and Hearing Notice you included with your petition. But 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.

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- ❖ **If the judge decides you do not meet the legal requirements**, they will not schedule a hearing. The judge must give you a written denial order explaining why you are not getting a protection order. If you do not get a written denial order, ask for one. If you still do not get a denial order after asking for one, contact a lawyer as soon as you can.
 - ❖ You will have 14 days from the date of the denial order to edit (amend) your petition with more information and ask the judge to review it again.
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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 (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 **always** 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**, POi 004. You can get that form at www.courts.wa.gov/forms or ask the court clerk.



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. 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. You might hear this 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. Usually the judge should order law enforcement to serve. If you need the form, you can get it at <https://www.courts.wa.gov/forms/> or ask the court clerk.

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 1-877-242-4055 or visit www.registervpo.com to learn more.

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

❖ **Safety Alert!** Even if you have a temporary protection order, you must continue to take steps for you and your children to remain safe, especially around the time the order is served.



- ❖ **A note about firearms:** If the court has issued an Order to Surrender and Prohibit Weapons, the restrained person must immediately surrender their firearms to law enforcement when they are served. If that does not happen 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 two steps in court.

- ✓ **Step 1: Petition and Temporary Order.** A judge will review your petition and any evidence you filed along with it 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.
- **If your hearing is in person, get to the courthouse early.** If possible, do not bring your children. [Getting Ready for a Court Hearing or Trial](#) has more tips.
- **If your hearing is by phone or video,** read [Coronavirus \(COVID-19\): Tips for Phone and Video Hearings](#) to learn more.

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 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 restrained person shows up for the full hearing, the court will let each of you speak, 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 before 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 get 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. Have any witnesses use the **Declaration form**, PO 018, in this packet. Make copies of the blank form so that more than one witness can use it.

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 beforehand, 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.



Part 3. How to fill out the forms

How to fill out form PO 003: “Law Enforcement and Confidential Information (LECIF)”

This form goes to your local law enforcement agency so they can enter your restraining order into the police computer. **Do not give this form to any other party.** Do not put it in with the papers you will have served.

Page 1

In the box in the top left-hand corner, put the name of the court and county where you will file your case. The clerk will give you a case number (case no.) when you file.

Restrained Person’s Info: Fill out as much as you can.

Where can the Restrained Person be served? Again, fill out as much as you can.

Page 2

Does the Restrained Person Have a Disability, etc.? If you check **yes**, give a description that will help law enforcement in serving the order.

Hazard Information. Check each box that applies. This will also help law enforcement know what to expect when they try to serve the order.

If you think the restrained person might use weapons, check the type of weapon. Check the box showing where they usually keep the weapon. Put details at the end of the item.

Current Status. Read each question. Check the appropriate answer.

Protected Person’s Info: Put the information requested.

- If the other party already knows your contact info, put it in the blank under **If your information is not confidential.**
- If you do not want the other party to know your contact info, put under **If your info is confidential** the name, address and phone number of a “contact” where you can be safely and reliably contacted. **Examples:** a friend, relative, or post office box.

Minor’s Info. If you have children, put each child’s information in the blanks.

Protected Household Members or Adult Children. Put the information for any of these who will be protected by the order.

I declare under penalty of perjury... If you have had to attach any pages, put how many. Put where and when you are signing this form. Sign and print your name where it says.



How to fill out form PO 001: “Petition for Protection Order”

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- ❖ Type or print clearly! 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 (redact) any sensitive information. Examples: your home address and account numbers (leave last four digits).
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Type of Court

At the top left, put "Superior" or "District" 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 transfer you to Superior Court for the full hearing.

County or District

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.

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- ❖ **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. **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".

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- ❖ **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 Restrained person 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 situation.

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

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

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

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

3. Who should the order restrain?

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

4. Who should the order protect?

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

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

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



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- ❖ **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.
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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.

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- ❖ **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.
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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. **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".

8. **Why are you filing in this county and state?**

Check the appropriate box.



9. Restrained Person's residence?

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

10. 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.

This may not be the only court case involving you or the minors and the restrained person. 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.

11. What protections do you need?

Check the appropriate boxes in **A – Z** for all the restraints 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 in your petition for all protections that you think you need. When you appear for your full order, you can ask to remove protections you feel you no longer need, 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.

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

12. Do you need help from law enforcement?

Check any appropriate boxes that apply to your situation. You may leave this blank if you do not need this help.

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

13. 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.

14. 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 15.



15. Immediate Weapons Surrender

Check **yes** if the restrained person has weapons, or access to weapons, that you want them 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 15.

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

The judge does not research other cases or police records to know your history. The judge will not know what happened unless you put it in your written statement. If you do not include a particular incident in your statement, you may not have a chance to tell the judge at the hearing. You must give details (who, what, where, when, how).

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., Alex put their hands down my pants and grabbed my genitals, even though I said, ‘No’” rather than “Alex touched me.”
- It is better to say, “On Saturday, May 5 at 10:00 p.m., Alex held me down with his body weight and forced me to have sex in my living room” rather than “Alex assaulted me.”
- It is better to say, “Alex 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 “Alex threatened me.”
- It is better to say “Alex has sent me 20 messages, including text and email, saying that they will find and harm me.” Rather than “Alex harasses me.”

16. 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 above).



17. Past incidents

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

18. 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. Black out (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 I got included a physical exam and follow-up appointment the next week."

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

19. 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.

20. Restrained Person's Substance Abuse

Check any appropriate boxes.

21. 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.

22. 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. Add 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 22 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, or D 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 - D

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

After filling out the forms: Go to Court

Bring your completed petition, temporary order, and the blank order to surrender weapons, if needed, to the clerk's office of the court where you are going to file for a protection order. Ask the clerk if it is possible to file electronically, if you are interested in that option. They will direct you further.

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

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Law Enforcement and Confidential Information (LECIF)

Clerk: Do not file in a
public access file. Give
to law enforcement.

Superior Court of Washington
County: Skamania
Case No.:

Do NOT serve or show this sheet to the Restrained Person!

Type or print clearly! If law enforcement cannot read this form, they cannot serve or enforce your order!

Restrained Person's Info – Fill out as much as you can. If you do not know, write “unknown.”

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:	
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	Drivers License or ID number			State

Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year
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Disability, hazard, and weapon info about the Restrained Person
Law enforcement needs this info to serve your 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

Protected Person's Info

Name: First	Middle	Last	Date of Birth	
Sex	Race		Height	Weight
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."

Contact Name:	
Contact Address	Contact Phone

If you filed for someone else, list your name, phone number, and address: _____

____ Superior _____ Court of Washington, County of _____ Skamania _____

Petitioner (*Person starting this case*) DOB

vs.

Respondent (*Person responding to this case*) DOB

Case No.

Petition for Protection Order

Clerk's Action: **1**

Petition for Protection Order

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

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 required*)
The conduct also includes (*if applicable*): stalking hate crime
 single act/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: _____

Who are the people involved? These are the "parties" to the case.

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

Name: _____

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

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.

Child's Name	Age	Sex	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.

Mail: _____

Email (if you agree to be served 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.

How do the parties know each other?

7. 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
 parent's intimate partner and child grandparent and grandchild
 current or former cohabitants as roommates
 person who is or has been a legal guardian
 related by blood or marriage (*specify how*) _____

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

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

8. **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.
 An incident that made me want this protection order happened in this county or state.

9. **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?

10. 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: _____

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

11. I ask for a protection order with these restraints:

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

C. 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:

D. **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.

E. **Stalking Behavior:** Do not harass, follow, monitor, keep under physical or electronic surveillance, cyber harass (as defined in RCW 9A.90.XXX), 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 5 above
 these minors only: _____
 these members of the protected person's household : _____

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 all disclosure of those intimate images.

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

H. **Evaluation:** The restrained person shall get an evaluation for:
 mental health chemical dependency (drugs)

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

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 to law enforcement and not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive firearms, other dangerous weapons, or concealed pistol licenses.

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 have or own firearms?

Yes No Unknown

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 Unknown

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 Unknown

If Yes, why?

Minors

- P. **Custody:** The protected person is granted temporary care, custody and control of
 the minors named in section 4 above
 these minors only: _____

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

- 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 Attendance:** Do not attend the elementary, middle, or high school (*school name*) _____, that a protected person attends.
(Only if both the restrained person and a protected person are students at the same school. Can apply to students 18 or older. Includes public and private schools.)

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

Pets

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

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

V. **Stay Away:** Do not knowingly come within, or knowingly remain within (*distance*) _____

of the following locations where the pet/s are regularly found:

Protected person's residence (*home address may be kept confidential.*)

Other (*specify*): _____

Vulnerable Adult

W. **Safety:** Do not commit or threaten to commit acts of abandonment, neglect, financial exploitation, or abuse, including sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraints, against the vulnerable adult.

X. **Accounting:** Provide an accounting of the disposition of the vulnerable adult's income or other resources.

Y. **Property Transfer:** Do not transfer the property of the vulnerable adult the restrained person. This restraint can last for up to 90 days.

Other

Z. _____

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

12. **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?

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

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

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

Do you 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).

- 14. Immediate Protection:** Do you need a Temporary Protection Order to start immediately, without prior notice to the restrained person? Yes No
- 15. Immediate Weapons Surrender:** Do you want a temporary order that requires the restrained person give up all firearms, other dangerous weapons, and concealed pistol licenses right away, and prohibits the restrained person from getting more?
 Yes No

If Yes to 14 or 15, 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.)

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

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

For all of the questions below, include details:

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

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

- 16. Most Recent Incident.** What happened most recently that made you want a protection order? This could include violent acts, fear or threats of violence, coercive control, nonconsensual sexual conduct or penetration, sexual abuse, harassment, stalking, hate crimes. For a vulnerable adult, include incidents or threats of abandonment, abuse, neglect and/or financial exploitation. Include specific date/s and details of the incident.

- 17. Past Incidents.** What happened in the past that makes you want a protection order? This could include violent acts, fear or threats of violence, coercive control,

nonconsensual sexual conduct or penetration, sexual abuse, harassment, stalking, hate crimes. For a vulnerable adult, include incidents or threats of abandonment, abuse, neglect and/or financial exploitation. Include specific date/s and details of the incidents.

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

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

20. Restrained Person’s Substance Abuse

Is substance abuse involved? Yes No Unknown

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

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

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

22. Supporting Evidence *(If you have anything else you want the court to see that helps prove what you are saying is true.)*

I am attaching the following evidence to 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 to the public for anyone to see. Before you file any attachments, you can black out (redact) any sensitive information. Examples: your home address and account numbers (leave last four digits).

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

"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.

"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 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.XXX; 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

Does your case involve a vulnerable adult? If yes, complete this attachment and submit it as part of your petition. If no, skip 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 11.130.25 or an individual subject to conservatorship under 11.130.360 RCW
- Has a developmental disability as defined in RCW 71A.10.020.
- Self-directs their own care and receives services from a personal aide under RCW 74.39.
- Is receiving services from a home health, hospice, or home care agency licensed or required to be licensed under RCW 70.127.
- Is receiving in-home services from an individual provider under contract with DSHS.
- Has been admitted to an assisted living facility, nursing home, adult family home, soldiers' home, residential habilitation center or any other facility licensed by DSHS.

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?

- 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

Are you asking to protect any of the restrained person's children? Yes No

If **Yes**, complete this attachment and file it as part of your petition. If **No**, skip this attachment.

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

1. Children's Home/s

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

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

No. (Skip to 2)

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

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

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

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

No.

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

3. Authority over the children (Jurisdiction) (RCW 26.27.201 – .221, .231, .261, .271)

The court can make an order protecting the children because:

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

Are you asking to protect any children who are **not** your own? Yes No

If **Yes**, complete this attachment and file it as part of your petition. If **No**, skip this attachment.

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

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

1. Tribal Heritage

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

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

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

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

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

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

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

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

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

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

2. Authority Over Indian Children (Jurisdiction)

- Does not apply. None of the children are Indian children.
- A state court can decide this case for any children who are or may be Indian children because:
 - (*Children's Initials*): _____ are **not** domiciled or living on an Indian reservation, and are not wards of a tribal court. (25 USC §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)

Superior Court of Washington, County of Skamania

Petitioner, Date of Birth

vs.

Respondent, Date of Birth

No.

Temporary Protection Order and Hearing Notice (TMOR-)

[] Domestic Violence (PRT)

[] Sexual Assault (SXP) [] Harassment (AH)

[] Stalking (STKH) [] Vulnerable Adult (VA)

Clerk's action required: 10, 11, 12

Next Hearing Date and Time:

See How to Attend at the end of this order

Temporary Protection Order and Hearing Notice

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

This protection order complies with the Violence Against Women Act and shall be enforced throughout the United States. See last page.

- 2. This order restrains

(name):

also known as (list any known aliases)

The restrained person must obey the restraints ordered in section 8.

Sex Race Height Weight Hair Eyes

Noticeable features (Ex.: tattoos, scars, birthmarks):

Has access to [] firearms [] other weapons [] unknown

Surrender weapons ordered: [] Yes [] No

- 3. This order protects

(name):

and the following children who are under 18 (if any) [] no minors

Table with 4 columns: Child's name, Age, Child's name, Age. Rows 1-5.

5. Basis

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

6. Jurisdiction

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

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

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

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

The person who filed is not a parent of one or more children listed above. (*Important! Complete Attachment A: Non-Parent.*)

7. Other Findings (if any)

Temporary Restraints (Check all that apply)

8. The court orders: To the restrained person:

General Restraints

A. **No Harm:** Do not cause any physical harm, bodily injury, assault, nonconsensual sexual conduct or nonconsensual sexual penetration, and do not harass, threaten, or stalk
 the protected person the minors named in section 3 above
 these minors only: _____

B. **No Contact:** Do not attempt or have any contact, including nonphysical contact, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for service of court documents with
 the protected person the minors named in section 3 above
 these minors only: _____
 Exception (if any): Only this type of contact is allowed: _____

C. **Exclude and Stay Away:** Do not enter, return to, knowingly come within, or knowingly remain within 1,000 feet or other distance (*specify*) _____ of
 the protected person protected person's vehicle
 protected person's school protected person's workplace
 protected person's residence protected person's adult day program

- the shared residence
- the residence, daycare, or school of the minors named in section 3 above
- these minors only: _____
- other: _____

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

- keep their address confidential
- list their address here:

D. 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 the following (*specify*) _____ from the residence while a law enforcement officer is present.

E. Stalking Behavior: Do not harass, follow, monitor, keep under physical or electronic surveillance, cyber harass (as defined in RCW 9A.90.XXX), or use phone, video, audio or other electronic means to record, photograph, or track locations or communication, including digital, wire, or electronic communication, of

- the protected person _____
- the minors named in section 3 above
- these minors only: _____
- these members of the protected person's household : _____

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

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

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

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

The evaluation shall answer the following question/s:

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

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

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

- domestic violence perpetrator treatment program approved under RCW 43.20A.725 at _____

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

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

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

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

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

Year, Make & Model _____ License No. _____

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

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

Firearms and Other Dangerous Weapons

O. Surrender Weapons:

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

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

- Irreparable injury could result if the order to surrender weapons is not issued.
- The restrained person's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.
- Irreparable injury could result if the restrained person is allowed to access, obtain, or possess any firearms or other dangerous weapons, or obtains or possesses a concealed pistol license.

The restrained person must:

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

Minors

P. **Custody:** The protected person is granted temporary care, custody, and control of
 the minors named in section 3 above
 these minors only: _____

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

To comply with the Child Relocation Act, anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the child must notify every other person who has court-ordered time with the child. Specific exemptions from notification may be available if the court finds unreasonable risk to health or

safety. Persons entitled to time with the child under a court order may object to the proposed relocation. See RCW 26.09.405 - .560 for more information.

Q. [] Interference: Do not interfere with the protected person's physical or legal custody of
[] the minors named in section 3 above
[] these minors only: _____

R. [] Removal from State: Do not remove from the state:
[] the minors named in section 3 above
[] these minors only: _____

S. [] School Attendance: Do not attend the elementary, middle, or high school (school name) _____, that a protected person attends.
(Only if both the restrained person and a protected person are students at the same school. Can apply to students 18 or older. Includes public and private schools. Complete form Appendix A School Attendance.)

Pets

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

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

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

Vulnerable Adult

W. [] Safety: Do not commit or threaten to commit acts of abandonment, neglect, financial exploitation, or abuse, including sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraints, against the vulnerable adult.

X. [] Accounting: You must provide an accounting of the disposition of the vulnerable adult's income or other resources by *(date)* _____

Y. [] Property Transfer: Do not transfer the property of:
[] the vulnerable adult [] the restrained person
This restraint is valid for up to 90 days.

Other

Z. _____

Other Orders (*Check all that apply*)

9. Law enforcement must help the protected person with (per RCW 7.105.320)

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

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

Other: _____

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

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

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

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

11. Service on the Restrained Person

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

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

Law enforcement agency: (*county or city*) _____

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

- 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.*)

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

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

Not required. See section 4 above for appearances.

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

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

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

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

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

Required.

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

Law enforcement agency: (*county or city*) _____

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

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




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




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

13. Other Orders (if any):

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

The hearing scheduled on page 1 will be held:

	<p>In person</p> <p>Judge/Commissioner: <u>Randall C. Krog/Jeff Baker</u> Courtroom: <u>Room 34</u></p> <p>Address: <u>Superior Court 240 Vancouver Ave, Stevenson, WA 98648 (Third Floor)</u></p>
	<p>Online (audio and video) App: _____</p> <p><input type="checkbox"/> Log-in: _____</p> <p><input checked="" 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: <u>Court Administrator - Pam Bell at (509)427-3765 or bell@co.skamania.wa.us</u></p>
	<p>By Phone (audio only) <input type="checkbox"/> Call-in number _____</p> <p><input checked="" 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: <u>Court Administrator - Pam Bell at (509)427-3765 or bell@co.skamania.wa.us</u></p>

	<p>If you have trouble connecting online or by phone (instructions, who to contact) <u>In-person: report to the Clerk's Office on the third floor of courthouse at 240 Vancouver Ave, Stevenson, WA 98648 and ask for the Court administrator at the window.</u></p>	
	<p>Ask for an interpreter, if needed. Contact: Pam Bell at (509)427-3765 or bell@co.skamania.wa.us or visit www.skamaniacounty.org, Superior Court, Interpreter Information</p>	
<p>Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!</p>		

Ordered.

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

 Print Judge/Court Commissioner Name

I received a copy of this Order:

▶				
	Signature of Respondent/Lawyer	WSBA No.	Print Name	Date
▶				
	Signature of Petitioner/Lawyer	WSBA No.	Print Name	Date

Protected person must complete a Law Enforcement and Confidential Information form, PO 003, and give it to the court clerk.

Important! Protected Person, if you ask for it, you have the right to be notified if the restrained person gets their surrendered firearms back. You must contact the law enforcement agency that has the firearms to ask for this notice. The Proof of Surrender in the court file should say which agency has the firearms. RCW 9.41.340.

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

Attachment A: Non-Parent. Complete this attachment if any of the protected minors are **not** the children of the person who filed the Petition.

14. Filing Party's Relationship to Children

The person who filed the Petition for Protection Order:

has a court order giving them guardianship or custody of the following children
(children's names): _____

does **not** have a court order about the following children in their family or household
(children's names): _____

15. Indian Child Welfare Acts

The court has reviewed the tribal heritage information provided by the person who filed the petition and finds:

The federal and state Indian Child Welfare Acts (ICWA) do **not** apply because.

The restrained person is also **not** a parent of the children.

Another court has already found that ICWA does not apply (county and case number): _____

The court does not have enough information to decide if the federal and state Indian Child Welfare Acts apply. The court will make a finding before a full protection order is issued. Until then, the court will treat the children as Indian children. The court finds that removal or placement of the children is necessary to prevent imminent physical damage or harm to the children pursuant to 25 U.S.C. Sec. 1922 and RCW 13.38.140.

Order: The filing party must make a good faith effort to find out if any of the children are Indian children. **If there is any reason to know** the children have tribal heritage, the filing party must provide the Indian Child Welfare Act Notice (GDN M 401) and a copy of the Petition to all of the tribes, people, or agencies entitled to notice. Good faith efforts are defined in RCW 13.38.050.

The federal and state Indian Child Welfare Acts (ICWA) apply or may apply.

All notice, evidentiary requirements, and placement preferences under the federal and state ICWAs have been satisfied in a separate case (case number): _____.

Removal or placement of the children is necessary to prevent imminent physical damage or harm to the children pursuant to 25 U.S.C. Sec. 1922 and RCW 13.38.140.

Important! To remove or place an Indian child beyond a short-term emergency situation, the filing party must satisfy the notice and evidentiary requirements of ICWA. This could be done in a Minor Guardianship case.

