



5.	6.	
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There is a rebuttable presumption to include the protected person's minor children.

For good cause, the court is **not** including the protected person's minor children in this order because: \_\_\_\_\_

**Warnings to the Restrained Person**



**You can be arrested even if the protected person or persons invite or allow you to violate the order.** You alone are responsible for following the order. Only the court may change the order. Requests for changes must be made in writing.

**If you do not obey this order, you can be arrested and charged with a crime.**

- The crime may be a misdemeanor, gross misdemeanor, or felony depending on the circumstances. You may also be found in contempt of court.
- You can go to jail or prison, lose your right to possess a firearm or ammunition, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.



**Firearms and Weapons.** If the court approves a full protection order, you may not be able to get or have a gun, firearm, other dangerous weapon, ammunition, or concealed pistol license for as long as the protection order is in place.



**Go to the court hearing scheduled on page 1.** If you do not, the court may:

- Make this temporary order effective for one year or longer
- Order weapons restrictions, even if that was not requested
- Order other relief requested in the petition
- Order electronic monitoring, payment of costs, and treatment
- Issue a final order that you are required to follow and you may not be served with the order if it is substantially the same as this temporary order

**If you are under age 18,** your parent/s or legal guardian/s will also be served with this order and should also go to the hearing. The court will decide if someone should be appointed to represent you.

**Findings**

**4. Ex Parte Hearing**

The court issues this temporary order without a hearing.

The court held a hearing before issuing this temporary order. These people attended:

- |  |                                    |                                   |                                   |
|--|------------------------------------|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Protected Person  | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Restrained Person | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Other: _____      | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |

**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:

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

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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.

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### 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



**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 **Island County** Sheriff's Office

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.



	<p><b>If you have trouble connecting online or by phone</b> (instructions, who to contact)  <b>Contact Court Administration at 360-679-7361</b></p>	
	<p><b>Ask for an interpreter, if needed.</b>  Contact:  <b>Court Administration</b>  <b>At 360-679-7361</b></p>	 <p><b>Ask for disability accommodation, if needed.</b> Contact:  <b>Court Administration</b>  <b>at 360-679-7361</b></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.