

## Instructions for Petition for Order for Protection

This form is used to start a domestic violence protection order case. Ask the court clerk for advocate services to help you fill out this form. This form will be

- Filed as a public court record and will start a civil court case
- Served (personal delivery) to the person from whom you need protection

The information in the petition is used by the court to determine if

- The court has authority to enter an order on your behalf
- If the relationship between you and the other party meets the legal definition of family or household member
- If the respondent's behavior towards you meets the legal definition of domestic violence

This is a two step process. This form is used to request both immediate temporary protection **And** full protection. If you need immediate protection and the court finds an emergency exists, the court may immediately issue a temporary order that will last until the court holds a hearing usually within 14 days. During the 14 days you must arrange for service on the respondent of the petition, temporary order and notice of hearing and any other declarations or documents, if any, presented to the court. Service may be done by a law enforcement agency where the respondent lives or works, a hired professional process server, or a person 18 or over who is not a party to this action. The person completing service on the respondent must file an affidavit declaration or certificate of service with the court or the hearing cannot go forward. At the hearing the court will determine if it should issue a full Order for Protection. The respondent has a right to attend that hearing.

### Please Print Clearly Using Black or Blue Ink!

#### Top of the form (Page 1)

Fill in your name (first, middle initial last) as the Petitioner. The person you want protection from is the Respondent. Fill in the respondent's name (first middle initial last).

#### Who Needs Protection (Question 1)

The court must know who needs protection. Check the first box if you need protection. Check the second box if someone in your family or household needs protection. You may check both boxes. Check the third box if you are the guardian guardian ad litem or next friend of a minor 13 – 15 years of age who is a victim of domestic violence in a dating relationship with a person 16 years of age or older who needs protection. Include the minor's name in the space provided within the third check box and provide additional identifying information for the minor in paragraph 5.

A next friend is a competent person over 18 years of age, chosen by the minor who is capable of pursuing the minor's stated interest in the petition for order for protection action.

## **Residency** (Question 2)

Check the box that applies

## **Age** (Question 3)

The court needs to know the ages of the petitioner/victim and the respondent. Check **One** of the boxes for the petitioner s/victim s age. Check **One** of the boxes for the respondent's age.

## **Relationship** (Question 4)

The court must know the relationship between the petitioner/victim and the respondent. Check all the boxes that describe your situation. If you are petitioning on behalf of a minor, the minor's relationship to the respondent is addressed in question 5.

## **Identification of Minors** (Question 5)

- If there are no children, check the box indicating No Minors Involved
- If there are children, list each child's name, age, race, and sex. Fill in how that child is related to you (for example, son, stepdaughter). Fill in how that child is related to the respondent. Fill in with whom that child lives (for example, me, grandparent, respondent)
- If you have questions about safety for your children, ask for advocate resources for help in filling out this section.

## **Court Cases** (Question 6)

This may not be the first court proceeding involving you, or the minors, and the respondent. The court will need to know about other cases, such as divorce, parentage, or criminal, or other restraining, protection, or no-contact orders, so the court does not issue an order that might conflict with an order from another court.

If there are other cases or orders involving you, or the minors, and the respondent, list the case title (the parties' names), the case number (if you know it), and the court (district, municipal, or superior) and the county in the columns provided.

## **Request for Protection** (Page 2)

In this section, you must tell the court what you want the court to order now and after the hearing (the relief requested). The court can only grant the relief you request in the petition.

- To request relief beginning today and lasting until the hearing, check the boxes on the left under Temp.
- To request relief you want in the full order issued at the hearing, check the boxes on the left under Full.

Some provisions allow you to ask the court to protect you, all the minors listed in paragraph 5, or only minors you name. Some provisions allow you to specify which locations you want included in the

protection. Be sure to check the boxes to specify which people and places you want protected within each restraint provision.

1. The first provision asks the court to **restrain** the respondent from causing physical harm or from stalking or harassing you and/or the children you name.
2. The second provision asks the court to restrain the respondent from harassing following keeping under surveillance including cyberstalking or from using telephonic, audiovisual or other electronic means to monitor the actions, locations or communications of you and/or the minors listed in paragraph 5 only the minors you name in this provision. You may also ask for protection in this provision for the victim's adult children and/or any of the victim's household members. Write in the names of the adult children or household members in the space provided.
3. The third provision asks the court to **restrain** the respondent from contacting you and/or the children you name.
4. The fourth provision asks the court to **exclude** the respondent from your home, workplace, school or the minor's day care or school. If there is someplace else you want to include, add it to the box called "other."

You have a right to keep your residential address confidential (secret). This restraint provision in the temporary order and in the full order has a space for you to write in your residential address. You are not required to write in your residential address if you are concerned with your safety or with identity theft. However, enforcement of the order may be easier if your address is included. If you decide to include your address, please list the complete address including the city.

5. The fifth provision asks the court to order the respondent to **vacate** the home the two of you share and to give you exclusive rights to the home.
6. The sixth provision asks the court to **prohibit** the respondent from knowingly coming within or knowingly remaining within a specified distance (e.g., 100 feet, 2 blocks) of your home, workplace or school or the minor's day care or school. If there is someplace else you want to include, add it to the box called "other."
7. The seventh provision asks the court to **grant** you possession of essential personal belongings. Please list the personal belongings ("Essential personal belongings" means those items necessary for a person's immediate health, welfare, and livelihood. Essential personal belongings includes but is not limited to clothing, cribs, bedding, documents, medications, and personal hygiene items (RCW 26.50.010(7)).
8. The eighth provision asks the court to **grant** you use of a vehicle (i.e., blue 1994 Ford Taurus License Number XYZ123).

9. The ninth provision "Other" is where you may list something not mentioned in the above provisions.

Provisions 10, 11, 12, 13, 14, and 15 are only available as part of the Full Order.

10. The tenth provision asks the court to **direct** the respondent to get treatment or counseling.

- 11 The eleventh provision asks the court to **require** the respondent to pay the fees and costs of this action (Fees and costs may include court costs service fees and reasonable attorney's fees )
- 12 The twelfth provision asks the court to make the order **remain effective** (last longer) than one year Check this box only if there is reason to believe the respondent would resume the acts of domestic violence against you if the order expired in one year
- 13 The thirteenth provision asks the court to **grant** you exclusive custody and control of pet(s) You can only ask for custody and control of a pet if it is owned, possessed, leased, kept, or held by you, the respondent, or a minor child residing with either you or the respondent
- 14 The fourteenth provision asks the court to **prohibit** the respondent from interfering with your efforts to remove the pet(s)
- 15 The fifteenth provision asks the court to **prohibit** the respondent from knowingly coming within or knowingly remaining within a specified distance (e.g. 100 feet, 2 blocks) from the location(s) you list where the pet(s) may regularly be found Remember you have a right to keep your residential address confidential

**If There Are No Minors Involved Do Not Check Provisions 16, 17, and 18.**

**If You Are Requesting Restraint Provisions Involving Minors Check the Boxes in 16, 17 and 18**

- 16 The sixteenth provision asks the court to **grant** (give) you the temporary care, custody, and control of the children you name
- 17 The seventeenth provision asks the court to **restrain** the respondent from interfering with your custody of the children you name
- 18 The eighteenth provision asks the court to **restrain** the respondent from removing the listed children from the state

Please review the section you just completed to ensure that you checked the boxes to show which provisions you want in temporary, full, or both orders. In each provision, be sure you checked the boxes to identify the people and places you want protected.

### **Request for Special Assistance From Law Enforcement Agencies**

You might need special help from the police. Check off everything that you think you may need the police to assist you in obtaining.

- 1 The first item asks the court to order the police to help you get back into your home. For your safety, ask for a police escort back into your home.
- 2 The second item asks the court to order the police to help you get use of the vehicle.

- 3 The third item asks the court to order the police to help you get your personal belongings (Civil Standby) Check the box if you want the police to help you get your belongings from the shared residence the respondent's residence or another location Because of time limitations availability of officers and safety contact law enforcement to schedule a civil standby (when they will meet you and how long they can stay)
- 4 The fourth item asks the court to order the police to help you get custody of the children you list There may be additional steps that you have to take for this request to be enforced
- 5 The last item lets you ask for other help you might need from the police

## Statement of Petitioner

The statement of petitioner is to describe to the court why a protection order is needed This document will be filed in the court file which is a public record and shall be served on the respondent If you do not include a particular incident of domestic violence in your statement, you may not have an opportunity to tell the court at the hearing

“Domestic violence” means physical harm, bodily injury, assault including sexual assault stalking Or inflicting fear of imminent physical harm bodily injury or assault between family or household members

First read through the statement section in the petition before you start writing There are several places for you to describe what happened

Describe exactly what happened when you were threatened or hurt Provide as much detail as you can such as dates times witnesses injuries, if any, medical treatment if any The more details you can provide the more helpful it is to the judge If there is an emergency explain why so the court can issue an immediate temporary order before the hearing In addition to the information requested in the statement you may want to include

- If the respondent has hurt other people
- If the respondent has been arrested
- If police responded even if no arrests were made

## 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"

Try to use the respondent's exact words when you were threatened with physical harm

If any of the information requested does not apply, write "does not apply" in that section

Choose the appropriate box if substance abuse is involved

## **Out of State Service**

If the respondent cannot be personally served in Washington State, check the box. Note: The respondent will still have to be personally served unless the court orders otherwise.

## **Sign the Form**

When you are done with your statement, put today's date in the date line and fill in the city where you are completing this form. Sign the form.

The respondent has a right to have you served with documents in response to this petition. You have a right to keep your residential address confidential. If you want to keep your address confidential, you must list an address that is not your residential address where you agree to accept legal documents.

## **Law Enforcement Information Sheet (LEIS)**

You must complete a Law Enforcement Information Sheet (LEIS) form WPF All Cases 01 0400. This form is confidential and it does not go in the public court file and is not served on the respondent.

- It is used by Law Enforcement to locate and identify the respondent when serving documents.
- It is also used by Law Enforcement when entering the order in the state-wide data base.

Complete as much information as possible, especially first name, middle initial, last name, and date of birth.

If the respondent has a disability, brain injury, or other impairment, you may know of special assistance that law enforcement could provide when serving the documents. For example:

" Respondent has a brain injury. If respondent is rushed, respondent may freeze up and may not respond quickly, or may become verbally aggressive. Remind respondent to contact a friend.

Respondent has epilepsy and diabetes and may have seizures when stressed. Respondent doesn't respond well to being rushed and will need time to get meds and supplies."



5 Identification of Minors (if applicable)  No Minors involved

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to		Resides with
				Petitioner	Respondent	

6 Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent

<b>Case Name</b>			
<b>Case Number</b>			
<b>Court/County</b>			

I Request an Order for Protection following a hearing that will

<sup>1</sup>  **Restrain** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking  me  the minors named in paragraph 5 above  these minors only

(If the court orders this relief, and the respondent is your spouse or former spouse, current or former domestic partner, the parent of a child in common, or a current or former cohabitant as part of a dating relationship, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license under state or federal law for the duration of the order )

<sup>2</sup>  **Restrain** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9A.02.030, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of  me  the minors named in paragraph 5 above  only the minors listed below,  members of the victim's household listed below  the victim's adult children listed below

<sup>3</sup>  **Restrain** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with  me  the minors named in paragraph 5 above, subject to any court-ordered visitation  these minors only, subject to any court-ordered visitation

<p><sup>4</sup> <input type="checkbox"/> <b>Exclude</b> respondent from <input type="checkbox"/> our shared residence <input type="checkbox"/> my residence  <input type="checkbox"/> my workplace <input type="checkbox"/> my school <input type="checkbox"/> the residence, day care, or school of <input type="checkbox"/> the minors  named in paragraph 5 above <input type="checkbox"/> these minors only</p> <p><input type="checkbox"/> other</p> <p>You have a right to keep your residential address confidential</p>
<p><sup>5</sup> <input type="checkbox"/> <b>Direct</b> respondent to vacate our shared residence and restore it to me</p>
<p><sup>6</sup> <input type="checkbox"/> <b>Prohibit</b> respondent from knowingly coming within, or knowingly remaining within  _____ (distance) of <input type="checkbox"/> our shared residence <input type="checkbox"/> my residence <input type="checkbox"/> my  workplace <input type="checkbox"/> my school <input type="checkbox"/> the day care or school of <input type="checkbox"/> the minors named in paragraph  5 above <input type="checkbox"/> these minors only</p> <p><input type="checkbox"/> other</p>
<p><sup>7</sup> <input type="checkbox"/> <b>Grant</b> me possession of essential personal belongings, including the following</p>
<p><sup>8</sup> <input type="checkbox"/> <b>Grant</b> me use of the following vehicle  Year, Make &amp; Model _____ License No _____</p>
<p><sup>9</sup> <input type="checkbox"/> <b>Other</b></p>
<p>Protection involving a minor</p>
<p><sup>10</sup> <input type="checkbox"/> Subject to any court-ordered visitation. <b>Grant</b> me the care, custody and control of <input type="checkbox"/> the  minors named in paragraph 5 above <input type="checkbox"/> these minors only</p>
<p><sup>11</sup> <input type="checkbox"/> <b>Restrain</b> respondent from interfering with my physical or legal custody of <input type="checkbox"/> the minors  named in paragraph 5 above <input type="checkbox"/> these minors only</p>
<p><sup>12</sup> <input type="checkbox"/> <b>Restrain</b> the respondent from removing from the state <input type="checkbox"/> the minors named in  paragraph 5 above <input type="checkbox"/> these minors only</p>
<p>Additional Requests</p>
<p><sup>13</sup> <input type="checkbox"/> <b>Direct</b> the respondent to participate in appropriate treatment or counseling services</p>
<p><sup>14</sup> <input type="checkbox"/> <b>Require</b> the respondent to pay the fees and costs of this action</p>
<p><sup>15</sup> <input type="checkbox"/> <b>Remain Effective</b> longer than one year because respondent is likely to resume acts of  domestic violence against me if the order expires in a year</p>

<b>Protection involving pets</b>	
16	<input type="checkbox"/> <b>Grant</b> me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent (Specify name of pet and type of animal ) _____
17	<input type="checkbox"/> <b>Prohibit</b> respondent from interfering with my efforts to remove the pet(s) named above
18	<input type="checkbox"/> <b>Prohibit</b> respondent from knowingly coming within, or knowingly remaining within _____ (distance) of the following locations where the pet(s) are regularly found <input type="checkbox"/> petitioner's residence (You have a right to keep your residential address confidential ) <input type="checkbox"/> _____ Park <input type="checkbox"/> other _____
<b>Protection from Firearms and Other Dangerous Weapons</b>	
19	<input type="checkbox"/> <b>Require</b> the respondent to surrender any firearm or other dangerous weapon, or any concealed pistol license, and prohibit the respondent from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license
Notice If you <b>are</b> the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol license	

<b>I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing</b>	
<input type="checkbox"/>	An emergency exists as described below. I request that a <b>Temporary Order for Protection</b> granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing
<input type="checkbox"/>	I also request temporary surrender of a firearm or other dangerous weapon without notice to the other party because irreparable injury could result if an order is not issued until the hearing
What irreparable harm would result if an order is not issued immediately without prior notice to the respondent? _____ _____ _____ _____	

**Request for Special Assistance From Law Enforcement Agencies**  
I request the court order the appropriate law enforcement agency to assist me in obtaining

Possession of my residence     Possession of the vehicle designated above  
 Possession of my essential personal belongings at  the shared residence     respondent's residence  
 other location \_\_\_\_\_

Custody of  the minors named in paragraph 5 above  these minors only (if applicable)

Other \_\_\_\_\_

“Domestic violence” means physical harm, bodily injury, assault, including sexual assault, stalking. **Or** inflicting fear of imminent physical harm, bodily injury or assault between family or household members

**Statement:** The respondent has committed acts of domestic violence as follows (Describe specific acts of domestic violence and their approximate dates, beginning with the most recent act You may want to include police responses )

Describe the most recent violent act, fear or threat of violence, and why the temporary order should be entered today without notice to the respondent \_\_\_\_\_

Describe the past incidents where you experienced violence, where you were afraid of injury or where the respondent threatened to harm or kill you \_\_\_\_\_

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Describe any violence or threats towards children \_\_\_\_\_

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Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor \_\_\_\_\_

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Describe medical treatment you received and for what \_\_\_\_\_

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Describe any threats of suicide or suicidal behavior by the respondent \_\_\_\_\_

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Does the respondent own or possess firearms?  Yes  No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe

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Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe

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