

Worksheet for the Harassment and/or Stalking Petition

There are several different kinds of protection orders. This worksheet is designed to help you complete a petition for Harassment Orders and/or Stalking Protection Orders.

If you qualify for a Domestic Violence Protection order, this is not the correct form to complete.

To help you figure out which order you may be able to get, read the 2 options in the table below. Each option generally describes harassment or stalking conduct. More than one option may apply:

Option 1 (Harassment protection order) Harassment is a pattern of conduct that makes you feel annoyed, alarmed or distressed.	Option 2 (stalking protection order) Stalking is conduct like harassment, following, or monitoring, that makes you feel intimidated, frightened, or threatened and occurs more than once. It may also involve cyberstalking which is transmitting threats or obscene words or pictures to or about you one or more times.
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You can find a complete definition of Harassment or Stalking at the end of this worksheet.

You may be eligible for one or both of these orders. The court will determine which order best fits your situation.

Your next step is to fill out the petition. In the petition, you will let the court know what protections you want and explain what the other party has done.

If you think the conduct is harassment, then file your petition in this county if the harassment took place here OR if the person who committed the acts lives in this county.

If you think the conduct is stalking, then file your petition in the county where you reside or where you fled to avoid the stalking contact.

➤ **You can start your petition in District Court.**

- The District Court will transfer your case to Superior Court, **or**
- You can start your petition in Superior Court instead of District Court

If:

1. this case involves title or possession of real property, and the respondent claims an interest in that property such as ownership or right to occupy.
2. the order put limits on the respondent's care, custody, or control of his or her minor children.
3. you and the respondent are parties in a superior court case.
- 4a. you are alleging harassment by a respondent who is under the age of 18.
- 4b. you are alleging stalking and the petitioner, victim, or respondent is under the age of 18.

➤ **Definitions**

Unlawful harassment means:

- a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses, or is detrimental to such person and which serves no

legitimate or lawful purpose.

- The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well-being of their child.

“Course of conduct:”

- means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
- includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication. Constitutionally protected activities, including free speech, are not included within the meaning of “course of conduct.”

Stalking Conduct means:

a) any act of stalking as defined under RCW 9A.46.110: A person intentionally and repeatedly harasses or repeatedly follows another person, and

- the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
- the stalker either: (i) intends to frighten, intimidate, or harass the person; or (ii) knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

Or

b) any act of cyberstalking as defined under RCW 9.61.260: With intent to harass, intimidate, torment, or embarrass any other person, and under circumstances not constituting telephone harassment, the stalker makes an electronic communication to a person or a third party:

- using any lewd, lascivious, indecent, or obscene words, images, or language, or suggesting the commission of any lewd or lascivious act;
- anonymously or repeatedly whether or not conversation occurs; or
- threatening to inflict injury on the person or property of the person called or any member of his or her family or household.

Or

c) any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, keeping under observation, or following another [person] that:

- would cause a reasonable person to feel intimidated, frightened, or threatened and that actually causes such a feeling;
- serves no lawful purpose; and
- the stalker knows or reasonably should know threatens, frightens, or intimidates the person, even if the stalker did not intend to intimidate, frighten, or threaten the person.

Superior Court of Washington For County of Wahkiakum	
_____	Petitioner,
vs.	
_____	Respondent.

No. _____

Motion and Declaration For Waiver of Filing Fees and Surcharges - Harassment
(MTWVF)
(RCW 10.14.060; RCW 10.14.055)

I. Motion

- 1.1 I am the petitioner in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1 GR 34 allows the court to waive “filing fees or surcharges the payment of which is a condition precedent to a litigant’s ability to secure access to judicial relief” for a person who is indigent. RCW 10.14.060 provides that if the petitioner’s request for fee waiver is granted, “then no fees for service may be charged to the petitioner.” As outlined below, I am indigent.
- 2.2 RCW 10.14.055 allows the court to waive “filing fees or surcharges the payment of which is a condition precedent to a litigant’s ability to secure access to judicial relief” for a person who is seeking relief from a person:
 - who has stalked them as that term is defined in RCW 9A.46.110; or
 - who has engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or
 - from a person who is a family or household member as defined in RCW 26.50.010 who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010.

RCW 10.14.060 provides that if the petitioner's request for fee waiver is granted, "then no fees for service may be charged to the petitioner."

Dated: _____

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

In addition to the information in the financial statement I would like the court to consider the following:

3.2 I am seeking protection from the respondent who:

has stalked me, or the minor child(ren) listed in the petition;

has engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or

is a family or household member as defined in RCW 26.50.010 who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010;

as described in the Statement in the Petition for Order for Protection – Harassment.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____.

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement - Harassment (Attachment)			
1. My name is:			
2. <input type="checkbox"/> I provide support to people who live with me: How many? Age(s):			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input type="checkbox"/>	Unemployed <input type="checkbox"/>	Rent/Mortgage:	\$
Employer's Name:		Food/Household Supplies:	\$
Gross pay per month (salary or hourly pay):	\$	Utilities:	\$
Take home pay per month:	\$	Transportation:	\$
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$
Source:	\$	Ordered Child Support actually paid:	\$
Source:	\$	Clothing:	\$
Source:	\$	Child Care:	\$
Source:	\$	Education Expenses:	\$
Sub-Total:		Insurance (car, health):	\$
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	\$
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$		\$
Checking Account Balance:	\$		\$
Savings Account Balance:	\$		\$
Auto #1 (Value less loan):	\$		\$
Auto #2 (Value less loan):	\$	Sub-Total:	\$
Home (Value less mortgage):	\$	8. My Other Debts with Monthly Payments:	
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$		\$ /mo
Other:	\$	Sub-Total:	\$
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	\$
Date:		Signature:	

Superior Court of Washington For County of Wahkiakum	No. _____
<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="text-align: right; margin-right: 20px;">Petitioner,</div>	Order Re Waiver of Filing Fees and Surcharges - Harassment
<div style="text-align: center; margin-top: 10px;">vs.</div>	<input type="checkbox"/> Granted (ORPRFP) <input type="checkbox"/> Denied (ORDYMT) <input checked="" type="checkbox"/> Clerk's Action Required 3.1
<hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <div style="text-align: right; margin-right: 20px;">Respondent.</div>	

I. Basis

The court received the motion to waive filing fees and surcharges filed by or on behalf of the petitioner.

II. Findings

The Court reviewed the motion and supporting declaration(s). Based on the declaration(s) and any relevant records and files, the Court finds:

- 2.1 The petitioner is indigent based on the following: He or she:
- is represented by a qualified legal aid provider that screened and found the applicant eligible for free civil legal aid services; and/or
 - receives benefits from one or more needs-based, means-tested assistance programs; and/or
 - has household income at or below 125% of the federal poverty guideline; and/or
 - has household income above 125% of the federal poverty guideline but cannot meet basic household living expenses and pay the fees and/or surcharges; and/or
 - other: _____

- 2.2 The petitioner is seeking protection from a person who:
- has stalked them as that term is defined in RCW 9A.46.110;
- engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or
- is a family or household member as defined in RCW 26.50.010(2) who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010(1).

2.3 Other: _____.

III. Order

Based on the findings the court orders:

- 3.1 The motion is granted, and
- all filing fees and surcharges the payment of which is a condition precedent to the petitioner's ability to secure access to judicial relief are waived.
- Law Enforcement shall serve all papers in this action without charging a fee for service to the petitioner.
- other: _____
- _____.

3.2 The motion is denied.

3.3 If there is a material change in financial circumstances, the ruling can be revisited by the court or the petitioner.

If the motion was granted and the court, upon review, later finds that either the petitioner or another responsible party to this proceeding has sufficient resources to pay the waived filing fees or surcharges, the Court may modify this order and require the petitioner or another party to pay the filing fees and/or surcharges that have been waived by this order.

Dated: _____

Judge/Commissioner

Presented by:

Signature of Petitioner or Lawyer/WSBA No.

Print or Type Name Date

LAW ENFORCEMENT INFORMATION

Do NOT serve or show this sheet to the restrained person!
Do NOT FILE in the court file. Give this form to law enforcement.

Type or print clearly! Law enforcement **needs this form** to serve the restrained person and enforce the order if it is violated. They also need it to make sure other courts and law enforcement agencies know about your order. Please fill in as much information as you can. If any information changes, please fill out another copy and give it to the court.

Court: Wahkiakum	Case Number:	
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Dissolution/Separation/Invalidity/Paternity/Parenting Plan
<input type="checkbox"/> Unlawful Harassment	<input type="checkbox"/> Stalking	<input type="checkbox"/> Vulnerable Adult

Restrained Person's Information
 (This is the person that you want the court to restrain.)

Name:	First	Middle	Last	Date of Birth (if DOB unknown give age range)
Nickname/Alias/AKA ("Also known as")				Relationship to Protected Person

Sex	Race	Height	Weight	Hair Color	Eye Color	Skin Tone	Build
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Phone(s) w/Area Code (voice):	Need Interpreter? <input type="checkbox"/> No <input type="checkbox"/> Yes Language:
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Where can the restrained person be served? <i>List all known contact information.</i>	Last Known Address. Street:						
	City:			State:		Zip:	
	Cell number (text):						
	Email:						
	Social Media Account/s & User Name/s:						
Other:							

Employer	Employer's Address	WORK Hours: Phone: ()
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Vehicle Make and Model	Vehicle License Number	Vehicle Color	Vehicle Year	Drivers License or ID number	State
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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 (continue on back, 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 Other:

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 Information
(This is the person you want the court to protect.)

Name: First Middle Last

Date of Birth	Sex	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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If your information ***is not confidential***, you must enter your address and phone number(s) below.

Current Address Street: City:	State:	Zip:	Phone(s) w/Area Code
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Email address:	Need interpreter? [] No [] Yes If yes, language:
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If your information ***is confidential***, you must provide the name, address, and phone number of someone willing to be your "contact."

Contact Name	Contact Address	Contact Phone
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If you filed for someone else, list your name, phone number, and address:

Minor's Information

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

1	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	

2	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	

3	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	

4	Name: First Middle Last			
	Birth Date	Sex	Race	Resides With
	Relationship to Protected Person:		Relationship to Restrained Person:	

Victim's Household Members or Adult Children Protected

Name:	birth date:

Superior Court of Washington For County of Wahkiakum	

Petitioner,	
	vs.

Respondent.	

No.

Petition for an Order for Protection -
 Harassment (PTORAH) and/or
 Stalking (PTORSTK)

➤ **This is a Petition for an Order for Protection against Harassment and/or Stalking as checked in the caption.**

I believe:

- I am a victim of stalking.
- _____ (name) is the victim of stalking and he/she is a minor or vulnerable adult.

The respondent has been

- stalking the victim either in person or cyber stalking, **and**
- repeatedly contacting the victim or attempting to contact or monitor the victim for no lawful purpose and his/her actions caused the victim to feel intimidated, frightened, or threatened.

- I am a victim of unlawful harassment.
- _____ (name) is a victim of unlawful harassment and he/she is a minor.

The respondent's actions toward the victim have seriously alarmed, annoyed, or harassed the victim, or are detrimental to the victim and serve no legitimate or lawful purpose. The respondent's actions have caused substantial emotional distress to the victim or caused me to fear for the well-being of my child.

How do the victim and respondent know each other? _____

I have given a detailed explanation below.

1. Who is the petitioner?

My name is (please print) _____ . I am the petitioner.

I am 18 or older and I am petitioning on my own behalf.

I am 16 or 17 and I am petitioning on my own behalf.

I am the parent or guardian of child/ren under age 18 and I am petitioning on their behalf:

Children's Name/s (First, Middle Initial, Last)	Age

I am not the parent or guardian, but the child/ren live/s with me and I am petitioning on their behalf and the respondent is not a parent.

Children's Name/s (First, Middle Initial, Last)	Age

I am filing this petition on behalf of petitioner, (name) _____, a vulnerable adult as defined in RCW 74.34.020, who is a victim of stalking. I am an interested person as defined in RCW 74.34.020(10). My relationship to this petitioner is _____.

2. Is the respondent 18 years of age or older?

Yes No

(If no, use the Petition for Order for Protection Harassment/Stalking Respondent Under Age 18, instead of this petition.)

3. Where do the parties live?

Petitioner lives in _____ County.

Did the petitioner leave their residence because of stalking conduct and that is the county of their new residence?

Yes No

Children named above live in _____ County.

Respondent lives in _____ County.

4. Where did the Conduct take place?

The conduct took place in _____ County.

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

8. Is the respondent ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

9. Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of a victim? Please describe:

10. Do you have any evidence of the harassment or stalking conduct other than testimony?

No

Yes. I have attached the following evidence:

Copy of mail or written notes

Copy of text messages

Copy of email messages

Copy of social media messages

Police report

Declaration or Affidavit from the following witness: _____

Other (describe): _____

11. Has/have the **victim/s or the respondent** ever requested or obtained protection from the other person in a restraining order, civil protection order, or criminal no-contact order?

If yes, list the type of order, the name of the court, the approximate date of the order, and whether the request was granted:

12. Is there any other litigation between the victim/s and the respondent? This includes all matters - pending or past - such as parenting plans, landlord-tenant disputes, employment disputes, or property disputes. If yes, provide case number/s if known, type of case, and name of court:

➤ **Requests**

13. I ask the Court for an order approving the following requests for protection:

I Request an **Order for Protection** following a hearing that will:

<input type="checkbox"/> No Contact: Restrain the respondent from making any attempts or having any contact, including nonphysical contact, with the person/s to be protected, directly, indirectly, or through third parties, regardless of whether those third parties know of the order, except for mailing of court documents.
<input type="checkbox"/> Surveillance: Prohibit or restrain the respondent from making any attempt to keep or from keeping the person/s to be protected under surveillance, including electronic surveillance.
<input type="checkbox"/> Exclude from places: Exclude the respondent from the <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> day care of the person/s to be protected.
<input type="checkbox"/> Stay Away: Prohibit or restrain the respondent from entering or being within, or from knowingly coming within, or knowingly remaining within _____ (distance) of the <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> day care of the person/s to be protected. <input type="checkbox"/> other locations: _____.
<input type="checkbox"/> Other:
<input type="checkbox"/> Evaluation: Order the respondent to have a <input type="checkbox"/> mental health <input type="checkbox"/> chemical dependency evaluation. <input type="checkbox"/> other: _____.
<input type="checkbox"/> Pay Fees and Costs: Require the respondent to pay fees and costs of this action, which may include administrative court costs and service fees and petitioner's costs including attorneys' fees.
<input type="checkbox"/> Surrender Firearms: Require the respondent to immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining or possessing firearms, or other dangerous weapons, or concealed pistol licenses.
<input type="checkbox"/> Duration: Remain effective longer than one year because respondent is likely to resume acts of unlawful harassment or stalking conduct against the persons to be protected if the order expires in a year.

Emergency temporary protection (up to 14 days) until the court hearing:

- An emergency exists as described below. I request that a **Temporary Protection Order** granting the relief I requested above for a no-contact, surveillance, exclude from places, or stay away order be issued immediately, without prior notice to the respondent, be effective until the hearing.
- I also request a temporary surrender and prohibition of all firearms, other dangerous weapons, and concealed pistol licenses 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?

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: _____ at _____ Washington.

Petitioner

Print or type name

I agree to receive legal documents at this address:

 This address is not my home address because my family, household, or I would be at risk of abuse by respondent if I disclosed my home address.

Surveillance: Respondent is **restrained** from making any attempts to keep under surveillance Petitioner and any minors named in the above table.

Stay-Away: Respondent is **restrained** from entering or being within _____ (distance) of Petitioner's residence place of employment other:

The address is confidential Petitioner waives confidentiality of the address which is:

Other: _____

Surrender and Prohibition of Weapons Order

The court finds that:

- Irreparable injury could result if the order to surrender weapons is not issued.
- Respondent'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 Respondent is allowed to access, obtain, or possess any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.

The Respondent must comply with the **Order to Surrender Weapons (and Prohibit Weapons if checked below) Issued Without Notice**, filed separately, which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

Respondent is prohibited from accessing, obtaining, or possessing any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.

(Note: Also use form number All Cases 02-030.)

Washington Crime Information Center (WACIC) Data Entry

It is ordered that the clerk of the court shall forward a copy of this order, and any order to surrender and prohibit weapons, on or before the next judicial day to:

_____ County Sheriff's Office Police Department
where petitioner lives which shall enter it into WACIC.

Service

The clerk of the court shall also electronically forward a copy of this order, and any order to surrender and prohibit weapons, on or before the next judicial day to:

_____ [] County Sheriff's Office [] Police Department **where Respondent lives** which shall serve the Respondent and shall promptly complete and return to this court proof of service. The service packet shall include a copy of the summons, if applicable, temporary order, petition, notice of hearing, any supporting declarations or other materials, and any temporary order to surrender and prohibit weapons.

Or

[] (*Only if surrender of weapons not ordered*) Petitioner shall make private arrangements for service of this order.

Or

[] Service by mail is permitted by separate order. The clerk of the court shall prepare a service packet for Petitioner.

The **Respondent** is directed to appear and show cause why the court should not enter an order for protection effective for one year or more and order the relief requested by the Petitioner or other relief the court deems proper, which may include payment of costs.

Failure to appear at the hearing or to otherwise respond will result in the court issuing an order for protection pursuant to RCW 10.14 effective for a minimum of one year from the date of the hearing. The next hearing date and time is shown below the caption on page one.

A copy of this *Temporary Protection Order and Notice of Hearing - Harassment* has been filed with the clerk of the court.

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 law enforcement agency has the firearms. RCW 9.41.340.

This Temporary Order for Protection is effective until the next hearing date and time shown below the caption on page one.

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

I acknowledge receipt of a copy of this Order:

➤ _____
 Signature of Respondent/Lawyer WSBA No. Print Name Date

➤ _____
 Signature of Petitioner/Lawyer WSBA No. Print Name Date

Petitioner or Petitioner's Lawyer must complete a Law Enforcement Information Sheet (LEIS).

Superior Court of Washington For Wahkiakum County	
_____ Petitioner,	_____ (DOB)
vs.	
_____ Respondent.	_____ (DOB)

No.
Order for Protection - Harassment
 (ORAH)
 Court Address: _____

 Telephone Number: () _____
 (Clerk's action required)

Warning to the Respondent: Violation of the provisions of this order with actual notice of its terms is a criminal offense under RCW 10.14 and will subject a violator to arrest. Willful disobedience of the terms of this order may also be contempt of court and subject you to penalties under RCW 7.21.

1. Full Faith and Credit: The court has jurisdiction over the parties, the minors and the subject matter. This order is issued in accordance with the Full Faith and Credit provisions of VAWA.18 U.S.C. § 2265.
2. Notice of this hearing was served on the Respondent by personal service service by publication pursuant to court order other _____.
3. Minors addressed in this order:

Name (First, Middle Initial, Last)	Age	Race	Sex

Based upon the petition, testimony, and case record, the court finds that the Respondent committed unlawful harassment, as defined in RCW 10.14.080, and was not acting pursuant to any statutory authority, and **it is therefore ordered that:**

<input type="checkbox"/> No Contact: Respondent is restrained from making any attempts to contact Petitioner and any minors named in the table above.
<input type="checkbox"/> Surveillance: Respondent is restrained from making any attempts to keep under surveillance Petitioner and any minors named in the table above.
<input type="checkbox"/> Stay Away: Respondent is restrained from entering or being within _____ (distance) of Petitioner's <input type="checkbox"/> residence <input type="checkbox"/> place of employment <input type="checkbox"/> other: <input type="checkbox"/> The address is confidential. <input type="checkbox"/> Petitioner waives confidentiality of the address which is:
<input type="checkbox"/> Other: _____ _____ _____
<input type="checkbox"/> Pay Fees and Costs: judgment is granted against Respondent in favor of _____ in the amount of \$ _____ for costs incurred in bringing the action and \$ _____ for attorneys' fees. Notice: Petitioner, you must fill out and file a completed form WPF UH 04.0700, Judgment Summary. The court has granted judgment against the Respondent in the amount of \$ _____ for administrative court costs and service fees. A Judgment Summary, form WPF UH 04.0700, must be completed and filed.

<input type="checkbox"/> Prohibit Weapons and Order Surrender The Respondent must: <ul style="list-style-type: none"> • not access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses; and • comply with the Order to Surrender and Prohibit Weapons filed separately. (Note: Also use form All Cases 02.050.) Findings – The court (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> must issue the orders referred to above because the court finds by clear and convincing evidence that the Respondent: <ul style="list-style-type: none"> <input type="checkbox"/> has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or <input type="checkbox"/> is ineligible to possess a firearm under RCW 9.41.040. <input type="checkbox"/> may issue the orders referred to above because the court finds by a preponderance of evidence, the Respondent: <ul style="list-style-type: none"> <input type="checkbox"/> presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon; or <input type="checkbox"/> has used, displayed or threatened to use a firearm or other dangerous weapon in a felony; or <input type="checkbox"/> is ineligible to possess a firearm under RCW 9.41.040.

Washington Crime Information Center (WACIC) Data Entry

It is further ordered that the clerk of the court shall forward a copy of this order, and any Order to Surrender and Prohibit Weapons, on or before the next judicial day to _____ [] County Sheriff's Office [] Police Department, **where Petitioner lives** and shall enter it into WACIC.

Service

[] The clerk of the court shall also electronically forward a copy of this order, and any order to surrender and prohibit weapons, on or before the next judicial day to: _____ [] County Sheriff's Office [] Police Department, **where Respondent lives** which shall serve the Respondent and shall promptly complete and return to this court proof of service. The service packet shall include a copy of this order and any order to surrender and prohibit weapons.

[] Respondent appeared and was informed of the order by the court; further service is not required.

Or

[] (*Only if surrender of weapons not ordered*) Petitioner has made private arrangements for service of this order.

Or

[] Respondent did not appear. The restraint provisions in this order are the same as those in the temporary order. The court is satisfied that the Respondent was personally served with the temporary order. Further service is not required.

Or

[] Service by mail is permitted by separate order. The clerk of court shall prepare a service packet for Petitioner.

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 law enforcement agency has the firearms. RCW 9.41.340.

This Anti-harassment protection order expires on _____.

If the duration of this order exceeds one year, the court finds that Respondent is likely to resume unlawful harassment of the Petitioner when the order expires.

Other: _____.

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

I acknowledge receipt of a copy of this Order:

Signature of Respondent/Lawyer WSBA No. Print Name Date

Signature of Petitioner/Lawyer WSBA No. Print Name Date

Petitioner or Petitioner’s Lawyer must complete a Law Enforcement Information Sheet (LEIS).

Petitioner: The law allows you to register for certain notifications regarding this protection order and its status. Visit www.RegisterVPO.com or call 1-877-242-4055 for more information, or to sign up. If you feel that you are in danger, call 9-1-1 immediately.

**Superior Court of Washington
For County of Wahkiakum**

Petitioner (Protected Person) Date of Birth

vs.

Respondent (Restrained Person) Date of Birth

No.

**Proof of Service
(RTS)**

Proof of Service

Server declares:

1. My name is _____. I am 18 or older.
I am a peace officer **not** a party to this case.

2. **Able to Serve:**

Personal Service: I served the court documents checked in section 4 for this case
to *(name of party)* _____
on *(date)* _____ at *(time)* _____
by giving the documents directly to them at this address:
_____.

Electronic Service:

Important! Do not use electronic service if your case involves the surrender of firearms, transfer of child custody, removing respondent from the parties' shared residence, or an incarcerated respondent.

I served the court documents checked in section 4 for this case to
(name of party) _____
on *(date)* _____ at *(time)* _____ via

email text social media applications other technology

At the following email address/s, phone number/s, social media application and user
name, or other address: _____.

I received a read receipt or other reply from the receiving party *(describe or
attach)*: _____.

Service by Mail: I served the court documents checked in section 4 for this case to *(name of party)* _____ on *(date)* _____ at *(time)* _____. I sent **2** copies of the documents, postage prepaid: one by ordinary, first-class mail and one by other mail with certified or tracking information (*attach receipts*). I sent the mail to this/these address/es: _____.

3. Not Able to Serve:

I was unable to make personal service on *(name of party)* _____. I notified the serving party that service was not successful. Personal service was attempted on the following date/s _____.

Electronic service was attempted at the following address/es but it bounced back or was undeliverable _____.

I did not mail court documents to *(name of party)* _____ because I do not know the party's last known address.

4. List of Documents:

Important! You must check or write in the title of **every** document that you served. Use the "Other Documents" box to write in the title of any document not already listed.

I served the following documents (*check all that apply*):

<p>New Domestic Violence Petition:</p> <p><input type="checkbox"/> Petition for Order for Protection</p> <p><input type="checkbox"/> Temporary Order for Protection and Notice of Hearing</p> <p><input type="checkbox"/> Reissuance of Temporary Order for Protection and Notice of Hearing</p> <p><input type="checkbox"/> Order to Surrender Weapons (issued without notice) and Notice of Hearing</p> <p><input type="checkbox"/> Order Transferring Domestic Violence Case and Setting Hearing</p> <p><input type="checkbox"/> Declaration/s of: _____</p> <p><input type="checkbox"/> Denial Order</p>	<p>New Vulnerable Adult Petition:</p> <p><input type="checkbox"/> Petition for a Vulnerable Adult Order for Protection</p> <p><input type="checkbox"/> Temporary Order for Protection and Notice of Hearing</p> <p><input type="checkbox"/> Reissuance of Temporary Order for Protection and Notice of Hearing</p> <p><input type="checkbox"/> Order to Surrender Weapons (issued without notice) and Notice of Hearing</p> <p><input type="checkbox"/> Notice to Vulnerable Adult</p> <p><input type="checkbox"/> Declaration/s of: _____</p> <p><input type="checkbox"/> Denial Order</p>
<p>New Sexual Assault Petition:</p> <p><input type="checkbox"/> Petition for a Sexual Assault Protection Order</p> <p><input type="checkbox"/> Temporary Sexual Assault Protection Order and Notice of Hearing</p> <p><input type="checkbox"/> Reissuance of Temporary Sexual Assault Protection Order and Notice of Hearing</p> <p><input type="checkbox"/> Order to Surrender Weapons (issued without notice) and Notice of Hearing</p> <p><input type="checkbox"/> Declaration/s of: _____</p> <p><input type="checkbox"/> Denial Order</p>	<p>New Harassment and/or Stalking Petition:</p> <p><input type="checkbox"/> Petition for Order for Protection – Harassment and/or Stalking <input type="checkbox"/> Respondent Under Age 18</p> <p><input type="checkbox"/> Temporary Order for Protection and Notice of Hearing <input type="checkbox"/> Respondent Under Age 18</p> <p><input type="checkbox"/> Order to Surrender Weapons (issued without notice) and Notice of Hearing</p> <p><input type="checkbox"/> Declaration/s of: _____</p> <p><input type="checkbox"/> Denial Order</p>

<p>After a Full Hearing:</p> <p><input type="checkbox"/> Order for Protection</p> <p><input type="checkbox"/> Sexual Assault Protection Order</p> <p><input type="checkbox"/> Order for Protection – Vulnerable Adult</p> <p><input type="checkbox"/> Order for Protection – Harassment <input type="checkbox"/> Respondent Under Age 18</p> <p><input type="checkbox"/> Order for Protection – Stalking <input type="checkbox"/> Respondent Under Age 18</p> <p><input type="checkbox"/> Order to Surrender Weapons</p> <p><input type="checkbox"/> Order Realigning Parties and Notice of Hearing</p>	<p>Renewals:</p> <p><input type="checkbox"/> Petition for Renewal of Order for Protection and Notice of Hearing</p> <p><input type="checkbox"/> Order Setting Hearing on Renewal <input type="checkbox"/> and Extending Order until Hearing</p> <p><input type="checkbox"/> Ex Parte Temporary Order for Renewal of Order for Protection and Notice of Hearing</p> <p><input type="checkbox"/> Order for Renewal of Order for Protection</p> <hr/> <p><input type="checkbox"/> Motion and Declaration for Renewal of Sexual Assault Protection Order</p> <p><input type="checkbox"/> Order Setting Hearing – Sexual Assault</p> <p><input type="checkbox"/> Order on Motion for Renewal of Sexual Assault Protection Order</p>
<p>Motions:</p> <p><input type="checkbox"/> Motion to Modify/Terminate Order for Protection</p> <p><input type="checkbox"/> Motion for Surrender of Weapons</p> <p><input type="checkbox"/> Notice of Hearing</p> <p><input type="checkbox"/> Motion to Realign Parties</p>	<p>After a Motion Hearing:</p> <p><input type="checkbox"/> Order Modifying/Terminating Order for Protection</p> <p><input type="checkbox"/> Order to Surrender Weapons</p>
<p>Other Documents:</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> _____</p> <p><input type="checkbox"/> _____</p>	

5. Fees Charged for Service:

Does not apply.
 Fees: \$_____ + Mileage \$_____ = Total: \$_____

6. Other: _____

I declare under penalty of perjury under the laws of the state of Washington that the statements on this form are true.

Signed at (city and state): _____ Date: _____

▶ _____
Signature of server

Print or type name of server

Law Enforcement Agency (if any)

How Do I Serve the Respondent/Other Party with my Petition for a Protection Order?

What is proof of service and why does it matter?

Service is the act of giving legal papers to someone. Service notifies the other party about a case and lets the court make decisions that affect that person (this is called personal jurisdiction).

The law requires that all parties have a fair chance to go to their hearings and to receive all evidence that the court sees. The respondent to a case must be served with a petition and notice of the hearing (usually contained in the temporary order). **If the respondent is not served correctly, the court cannot decide the case.** Also, a protection order cannot be enforced unless the respondent knows about it. You must prove that the other party was properly given the petition, notice of hearing, temporary order, and all evidence that you want the court to review. If you don't, your case can be delayed or even dismissed.

After the respondent is served the petition and temporary order, either party may file more evidence, including paperwork, that they want the court to consider. All parties have a right to see what the other person gave to the court. It is usually okay to serve this additional evidence by electronic or mail service.

Note! There are important deadlines for service. Vulnerable adult protection orders must be served 6 court days before the hearing, and all other protection orders must be served at least 5 court days before the hearing. For example, if your hearing is on a Friday (and there are no holidays), 5 court days before will be a week before, on a Friday. Check with your court clerk if you want more information on those deadlines.

How do I find the right form?

The form is called "Proof of Service." This form can be used for all protection order cases except for Extreme Risk Protection Orders. You can find the Proof of Service form on the Washington Court Forms website here: <http://www.courts.wa.gov/forms/>. You can also search the internet for the form title, "PO 004 Proof of Service," or ask the court clerk for help.

Who fills out the form?

The person who served the court documents must complete the Proof of Service form. A petitioner in the case (the person who started the case) cannot serve the petition and temporary order on the respondent. The server must be over the age of 18. The server may be a police officer, Sheriff's deputy, other law enforcement officer, professional service provider, or any adult whom you trust to do it right and fill out the proof of service.

What are the different ways to serve the paperwork?

1. *Personal service.* Personal service means that the person was handed the paperwork personally. This is the best kind of service and should be done whenever possible for the petition and temporary order.
2. *Electronic service.* It may be okay to serve the party by electronic service, such as by email. However, **do not** use electronic service for a petition and temporary order if:

- the respondent is incarcerated in a jail or prison, OR
- the court ordered the respondent to surrender firearms, OR
- the court ordered transfer of child custody, OR
- the court ordered the respondent to leave the residence that the petitioner shared with the respondent.

For these types of cases, only law enforcement can serve the petition and temporary order.

After the petition and temporary order are served, you may be able to use electronic service for any additional evidence that you want the court to review. If you are not sure if electronic service is allowed in this case, use personal service.

3. *Service by mail.* For the petition and temporary order, you can ask the court to allow service by mail. Do not serve a petition and temporary order by mail unless you have a court order saying it is okay. For evidence filed after the petition is served, you can always serve by mail.

How Do I Fill Out the Proof of Service Form?

It is important to fill out the whole form. It is also helpful to file this form in the court file even if the other party was not served. Make sure you file this form with the court clerk so the judge can see it.

Caption. At the beginning of the form at the top, write the parties' full names with middle initials, date of birth, and case number.

1. *Write your full name.* The form needs to be filled out by the person who served the other party.
2. *Able to Serve:* If service was successful, check the box for the type of service used.
 - **Personal Service:** Write the name of the person who was served, and the date, time, and address where the service happened.
 - **Electronic Service:** Write the name of the person served and the date service happened. Check the method of electronic service by selecting email, text messaging, social media application, or other technology. Provide the address, number, and any account or username used.

For example: user@gmail.com for email, 206-555-5555 for text, or through Facebook at User Name.

Check whether a "read receipt" or other reply was received.

- **Service by Mail:** Write the name of the person served and date the documents were mailed. Be sure to mail two copies, postage prepaid: one by ordinary, first-class mail and one by other mail with certified or tracking information. Write the address that it was sent to.

3. **Not Able to Serve:** If you are **not** able to serve the other party, explain all the ways that service was tried. Include dates and time. Check whether an attempt at electronic service “bounced back” or was “undeliverable.” Check whether you were not able to mail court documents because you did not know the party’s last known address.
4. **List of Documents:** The server must list **every** document served by checking the box by the name of **each document** that was served **and** by using the “Other documents” section to add the titles of any documents served that are not listed. The title of documents can be found on the right side of the caption in all forms.

Court of Washington		
For		
<u>FirstName S. LastName</u>	3/4/70	No. XX-2-XXXXX-X
Petitioner	Date of Birth	
vs.		Petition for Order for Protection (PTORPRT)
<u>FirstName D. LastName</u>	8/9/73	
Respondent	Date of Birth	Title of Form
<p>1. <input type="checkbox"/> I am a victim of domestic violence committed by the respondent.</p> <p><input type="checkbox"/> A member of my family or household is a victim of domestic violence committed by the respondent.</p>		

If **every** document served is not checked or listed on this form, service may be considered incomplete and will likely require other attempts at service. This can cause delay.

5. **Fees Charged for Service:** If you are a professional server, fill out this section about your fees.
6. **Other:** You can write anything else that the court should know about service. If service was not successful, write the reasons. For example, explain if the person was not at the location or the party moved. Also explain any concerning behavior of the respondent at the time of service and any information they share about the possession of weapons.

At the bottom of the form, remember that the server, **NOT** the petitioner or respondent, must sign the form. It must be signed and sworn “under penalty of perjury” that the information in the form is true. In addition, the location of the server, the date of signing, and the server’s signature must be included at the bottom.