

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
	Relationship to Protected Person:		Relationship to Restrained Person:

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

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

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

Victim's Household Members or Adult Children Protected

Name:	birth date:
Name:	birth date:
Name:	birth date:
Name:	birth date:

Instructions for Petition for Vulnerable Adult Order for Protection

This form is used to start a vulnerable adult protection order case. 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 the vulnerable adult needs protection.
- Served (personal delivery) to the vulnerable adult, if you are filing for protection on behalf of the vulnerable adult.
- Served (personal delivery) to the vulnerable adult's guardian, if any.

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

- The court has authority to enter an order on behalf of the vulnerable adult.
- If the respondent's behavior towards the vulnerable adult meets the legal definition of abandonment, abuse, personal exploitation, improper use of restraints, neglect, or financial exploitation.
- This is a two-step process. This form is used to request both immediate temporary protection **and** full protection. If the vulnerable adult needs immediate protection, and the court finds an emergency exists, the court may issue a temporary order that will last until the court holds a full hearing, usually within 14 days. The respondent and the vulnerable adult have a right to attend the full hearing. At the full hearing, the court may issue an order that can last up to five years.

Prior to the full hearing, you must arrange for service on the respondent of the:

- Petition.
- Temporary order and notice of hearing.
- Other declarations or documents, if any, presented to the court.

If you are filing on behalf of a vulnerable adult, you must **also** arrange for service on the vulnerable adult, and his or her guardian, if any, of the:

- Petition.
- Temporary order and notice of hearing.
- Other declarations or documents, if any, presented to the court.
- Notice to the Vulnerable Adult.

Service may be done by a:

- Law enforcement agency, free of charge;
- Hired professional process server; or
- Person 18 or over who is not a party to this action.

The person completing service on the respondent or the vulnerable adult must file an affidavit, declaration, or certificate of service with the court or the hearing cannot go forward.

Print Clearly! Use Black or Blue Ink, only.

Page 1:

Top of the Form (referred to as the “caption” by the court)

Fill in the name of the vulnerable adult, the person who is to be protected.

The person you want protection from is the “Respondent,” the person to be restrained. Fill in the respondent's name.

Information about the Petitioner (Question 1)

The court must know who is filing the petition.

Fill in your name in the blank.

- If you are the vulnerable adult, check the first box.
- If you are filing on behalf of a vulnerable adult, check the second box. Then check the box that describes your relationship with the vulnerable adult.

Information About the Respondent’s relationship to the vulnerable adult (respondent is the person to be restrained.) (Question 2)

The court needs to know what the respondent’s relationship is to the vulnerable adult. Check the box or boxes that describe the relationship. Check all that apply.

Vulnerable Adult (Question 3)

The court needs to know if the person needing protection meets the legal definition of “vulnerable adult.” Check the box or boxes that apply.

Page 2:

Residency (Question 4)

Check the box that applies.

Your Service Address (Question 5)

The respondent and the vulnerable adult, if you are filing on behalf of the vulnerable adult, 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.

Your Relationship to Person to be Protected (Question 6)

If you are filing on your own behalf or if you are filing as an employee of DSHS, skip this question and go to Question 7.

If you are filing on behalf of a vulnerable adult, check the box that applies and provide the information requested.

Guardian or Legal Fiduciary (Question 7)

The court needs to know if there is anyone who is or claims to be the vulnerable adult's guardian or legal fiduciary. Answer no, or yes. If yes, provide the guardian's or legal fiduciary's name and address.

Page 3:

Court Cases (Question 8)

This may not be the first court proceeding involving the vulnerable adult and the respondent. The court will need to know about other cases 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 other restraining, protection or no-contact orders involving you, the vulnerable adult, or the respondent, list the case name (the parties' names, such as State v. Jones, Adams v. Smith, In re the Guardianship of Smith), the case number (if you know it), and the court (district, municipal, or superior), the county and the state in the columns provided.

Request for Protection

These are the different kinds of protection the vulnerable adult may need. To ask the court for the protection, check the box at the beginning of each protection the vulnerable adult may need.

- The court may not grant all the relief you request in a temporary order or a full order.
 - The court may require you to post a bond before the court issues a temporary order. (See instructions VAI-2.015, Temporary Order for Protection and Notice of Hearing.)
1. The first item asks the court to **restrain** the respondent from committing or threatening to commit physical harm, bodily injury, assault, including sexual assault against the vulnerable adult and from molesting, harassing, or stalking the vulnerable adult.
 2. The second item asks the court to **restrain** the respondent from committing or threatening to commit acts of abandonment, abuse, personal exploitation, improper use of restraints, neglect, or financial exploitation against the vulnerable adult.
 3. The third item asks the court to **exclude** the respondent from the vulnerable adult's residence.
 4. The fourth item asks the court to **restrain** the respondent from coming near or having any contact with the vulnerable adult, in person, or through others, by phone, mail, or any means, directly or indirectly, except through an attorney, or mailing or delivery by a third party of court documents.

5. The fifth item 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 the vulnerable adult's home, workplace, adult day care program; or the premises of the long-term care facility where the vulnerable adult resides. If there is someplace else you want to include, add it to the box called "other."
6. The sixth item asks the court to **require** the respondent to provide an accounting of the disposition of the vulnerable adult's income or other resources.
7. The seventh item asks the court to **restrain** the respondent from transferring the vulnerable adult's property for a period of up to 90 days.
8. The eighth item asks the court to **restrain** the respondent from transferring respondent's property for up to 90 days.
9. The ninth item asks the court to **require** the respondent to pay a filing fee, the court costs, including services fees, and costs incurred in bringing the action, including attorney's fees.

Page 4: (Requests for Protection continued)

10. "Other." List any other request for relief you want the court to consider.

Request for Special Assistance From Law Enforcement Agencies

You might need special help from the police. Describe to the court the help sought. For example:

- Do you want the police to help the vulnerable adult gain access to the vulnerable adult's residence?

Pages 5 and 6:

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 and the vulnerable adult, if not the petitioner. If you do not include a particular incident of abandonment, sexual abuse, physical abuse, personal exploitation, improper use of restraints, neglect, and/or financial exploitation of a vulnerable adult in your statement, you may not have an opportunity to tell the court at the hearing.

First, read the definitions of abandonment, sexual abuse, physical abuse, personal exploitation, improper use of restraints, neglect, and/or financial exploitation of a vulnerable adult in the box above the statement. Then, read through the statement before you start writing. There are prompts to help you organize your thoughts.

Describe exactly what happened to the vulnerable adult. The more details you can provide such as date and time, the more helpful it is to the judge. List several examples if you can. If there is an emergency, explain the emergency so that 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 were involved even if no arrests were made.
- If the vulnerable adult is being stalked, describe the pattern of surveillance.

Examples:

It is better to say “On Sunday, January 12, at 2:00 a.m., Terry slapped [the vulnerable adult’s] face” rather than “On Sunday Terry assaulted [the vulnerable adult].”

It is better to say “Terry stole [the vulnerable adult’s] rent money and used it for illegal drugs.” rather than “Terry took the [vulnerable adult’s] money.”

It is better to say “Terry said to [the vulnerable adult] ‘I won’t take care of you any more unless you give me the house and money,’ ” rather than “Terry threatened [the vulnerable adult].”

Try to use the respondent’s exact words.

If any of the information requested does not apply, write, “does not apply” in that section.

Effort to give notice if you ask the court for a temporary order for protection

Unless there is an emergency, you must provide written notice before you obtain a temporary order. The written notice should be provided to the respondent, the vulnerable adult and his or her guardian. The notice should, at a minimum, include the date, time, and place where you intend to ask the judge to enter a temporary order.

However, if you believe there is an emergency or if you cannot provide advance written notice, then you must explain in your statement:

- Why there would be immediate and irreparable injury, loss, or damage that would result to the vulnerable adult; or
- Why the respondent and vulnerable adult could not be served;
- The efforts to serve them; and
- The reasons why prior notice should not be required.

Out of State Service

If the respondent or the vulnerable adult, if you are filing on behalf of a vulnerable adult, cannot be personally served in Washington State, check the box. Note: The respondent or the vulnerable adult, if you are filing on behalf of a vulnerable adult, 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.

Complete the Temporary Order

If you are asking the court for immediate protection, complete the Temporary Order for Protection and Notice of Hearing – Vulnerable Adult, form VA 2.015. There are instructions for completing that form.

Go to Court

Bring your completed petition and temporary order to the clerk's office of the local court. They will direct you further.

Service of Court documents

Unless the respondent or the respondent's lawyer was present at the hearing, the petition and any temporary order must be served on the respondent. The respondent must know what restraint provisions are in place, when and where the hearing will occur, and when the order expires.

If you filed on behalf of a vulnerable adult, unless the vulnerable adult or the vulnerable adult's lawyer was present at the hearing, the petition and any temporary order must be served on the vulnerable adult. The vulnerable adult must know what restraint provisions are in place, when and where the hearing will occur, and when the temporary order expires. You must also serve the vulnerable adult's guardian, if any.

You may choose service by:

- A law enforcement agency, which will serve your papers free of charge.
- A hired professional process server.
- Another person 18 or over, who is not a party to this action.

You will need to provide the address for each person to be served. If you want law enforcement to serve the documents, complete the Law Enforcement Information Sheet.

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 person(s) to be served with 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.”

**Superior Court of Washington
For Wahkiakum County**

In re the Matter of:

a Vulnerable Adult (Person to be Protected)

Respondent (Person to be Restrained)

No. _____

**Petition for Vulnerable Adult
Order for Protection
(PTORVA)**

1. Identification of Petitioner:
My name is (please print)

- _____.
- I am a vulnerable adult filing on my own behalf.
 - I am filing on behalf of a vulnerable adult, and (select one of the options below):
 - I am the vulnerable adult's guardian, conservator, or legal fiduciary.
 - I am an interested person as defined in RCW 74.34.020(12).
 - DSHS petitions on behalf of the vulnerable adult who:
 - has consented to this petition.
 - lacks the capacity or ability to consent to this petition.

2. Respondent's relationship to the vulnerable adult is (check all that apply):

- Spouse or former spouse.
- Parent of a common child.
- Current or former cohabitant as intimate partner.
- Other family member (describe): _____.
- Care provider.
- Guardian.
- Trustee.
- Payee.
- Power of Attorney.
- Other: _____.

3. The vulnerable adult (check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Is over 60 years old and does not have the functional, mental, or physical ability to care for themselves. | <input type="checkbox"/> Self-directs their own care and receives services from a personal aide under RCW 74.39. | <input type="checkbox"/> Is receiving in-home services from an individual provider under contract with DSHS |
| <input type="checkbox"/> Is subject to guardianship and/or conservatorship under Chapter 11.130 RCW. | <input type="checkbox"/> Is receiving services from a home health, hospice, or home care agency licensed or required to be licensed under RCW 70.127. | <input type="checkbox"/> Has been admitted to a boarding home, nursing home, adult family home, soldiers' home, residential habilitation center, or any other facility licensed by DSHS. |
| <input type="checkbox"/> Has a developmental disability as defined in RCW 71A.10.020. | | |

4. The vulnerable adult lives in this county **or** This is the county of the vulnerable adult's new or former residence and he or she left or was removed from his or her previous residence as a result of, or to prevent, abandonment, abuse, personal exploitation, improper use of restraints, neglect, or financial exploitation.

5. My address for receiving legal documents is: _____

(If you wish to keep your residential address **confidential**, you may list an alternate address.)

6. My relationship to the vulnerable adult and authority to act:

(If you are filing on your own behalf, or if you are filing as DSHS, go to paragraph 7.)

I am the vulnerable adult's guardian/conservator, or limited guardian/conservator. I was appointed in _____ County, State of _____, Cause No: _____ on or about _____ (date). (Attach a copy of your letters or order appointing guardian/conservator, if available.)

On _____ (date) I imposed an emergency restriction on the vulnerable adult's right to associate with the respondent, to protect the vulnerable adult.

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.

Describe the length and nature of your relationship to the vulnerable adult: _____

_____.

Describe the incapacity, undue influence, or duress that makes the vulnerable adult unable to protect their own interests: _____

_____.

7. Do you know of any person who is or claims to be the guardian, conservator, or legal fiduciary (such as, trustee, payee, power of attorney) of the vulnerable adult? [] no [] yes.

If yes, provide name and address: _____

_____.

8. Other court cases or other restraining, protection or no-contact orders involving the petitioner, the vulnerable adult or the respondent:

Case Name	Case Number	Court/County

I Request a Vulnerable Adult Protection Order that will grant the relief requested below:

¹ **Restrain** the respondent from committing or threatening to commit physical harm, bodily injury, assault, including sexual assault, against the vulnerable adult and from molesting, harassing, or stalking the vulnerable adult.

(If the court orders this relief after a hearing and the respondent is the vulnerable adult's spouse or former spouse, the parent of a common child, a current or former cohabitant as intimate partner, the respondent will be prohibited from possessing a firearm or ammunition under federal law for the duration of this order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

² **Restrain** the respondent from committing or threatening to commit acts of abandonment, abuse, personal exploitation, improper use of restraints, neglect, or financial exploitation against the vulnerable adult.

³ **Exclude** the respondent from the vulnerable adult's residence.

⁴ **Restrain** the respondent from coming near and from having any contact with the vulnerable adult, in person or through others, by phone, mail, or any means, directly or indirectly, except through an attorney, or mailing or delivery by a third party of court documents.

⁵ **Prohibit** the respondent from knowingly coming within, or knowingly remaining within _____ (distance) of the vulnerable adult's residence workplace adult day program; the premises of the long-term care facility where the vulnerable adult resides.

other: _____

⁶ **Require** the respondent to provide an accounting of the disposition of the vulnerable adult's income or other resources.

⁷ **Restrain** the respondent from transferring the vulnerable adult's property for up to 90 days.

⁸ **Restrain** the respondent from transferring respondent's property for up to 90 days.

⁹ **Require** the respondent to pay a filing fee, court costs including service fees, and costs incurred in bringing this action, including attorney's fees.

¹⁰ **Other:**

Request for a Temporary Vulnerable Adult Protection Order: *An Emergency Exists* as described in the statement below. The vulnerable adult needs a temporary protection order issued immediately, without prior notice to the respondent, that grants the relief requested above.

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

A **Vulnerable Adult protection order** is available to protect a vulnerable adult from abandonment, abuse, financial exploitation or neglect.

"Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

"Abuse" means the willful 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, and personal exploitation of a vulnerable adult, and improper use of restraints against a vulnerable adult, which have the following meanings:

(a) **"Sexual abuse"** means any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, 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 RCW 71A.12, and a vulnerable adult living in that facility or receiving service from a program authorized under RCW 71A.12, whether or not it is consensual.

(b) **"Physical abuse"** means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, or prodding.

(c) **"Mental abuse"** means a willful verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. Mental abuse may include ridiculing, yelling, or swearing.

"Isolate" or **"isolation"** means to restrict a vulnerable adult's ability to communicate, visit, interact, or otherwise associate with persons of his or her choosing. Isolation may be evidenced by acts including but not limited to:

(1) Acts that prevent a vulnerable adult from sending, making, or receiving his or her personal mail, electronic communications, or telephone calls; or

(2) Acts that prevent or obstruct the vulnerable adult from meeting with others, such as telling a prospective visitor or caller that a vulnerable adult is not present, or does not wish contact, where the statement is contrary to the express wishes of the vulnerable adult. The term "isolate" or "isolation" may not be construed in a manner that prevents a guardian or limited guardian from performing his or her fiduciary obligations under RCW 11.92 or prevents a hospital or facility from providing treatment consistent with the standard of care for delivery of health services.

(d) **"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.

(e) **"Improper use of restraints"** 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 RCW 71A.12; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

"Chemical restraint" means the administration of any drug to manage a vulnerable adult's behavior in a way that reduces the safety risk to the vulnerable adult or others, has the temporary effect of restricting the vulnerable adult's freedom of movement, and is not standard treatment for the vulnerable adult's medical or psychiatric condition.

"Mechanical restraint" means any device attached or adjacent to the vulnerable adult's body that he or she cannot easily remove that restricts freedom of movement or normal access to his or her body. "Mechanical restraint" does not include the use of devices, materials, or equipment that are (a) medically authorized, as required, and (b) used in a manner that is consistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under RCW 71A.12.

"Physical restraint" means the application of physical force without the use of any device, for the purpose of restraining the free movement of a vulnerable adult's body. "Physical restraint" does not include (a) briefly holding, without undue force, a vulnerable adult in order to calm or comfort him or her, or (b) holding a vulnerable adult's hand to safely escort him or her from one area to another.

"Financial exploitation" means the illegal or improper use, 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. "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, 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 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 his or her 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 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.

Statement: The respondent has committed or threatened to commit acts of abandonment, sexual abuse, mental abuse, physical abuse, exploitation, neglect, and/or financial exploitation as follows. Describe the most recent incidents or threats of abandonment, sexual abuse, mental abuse, physical abuse, personal exploitation, improper use of restraints, neglect, and/or financial exploitation and date (***describe specific incidents or threats and the approximate dates***):

Describe past threats or incidents of abandonment, sexual abuse, mental abuse, physical abuse, personal exploitation, improper use of restraints, neglect, and/or financial exploitation (***describe specific incidents or threats and their approximate dates***):

Does the respondent own or possess weapons? Yes No Unknown

Does the respondent use firearms, weapons, or objects to threaten or harm the vulnerable adult? Please describe:

Explain any additional reasons why this order should be issued immediately. List any immediate and irreparable injury, loss, or damage that would result to the vulnerable adult before the respondent or vulnerable adult can be served and heard:

Efforts to give notice: Did you make efforts to give notice of your request for temporary relief to the respondent vulnerable adult? If so, describe how and when notice was given. If no notice was given, explain why not:

Other:

(Continue on separate page if necessary)

Personal service cannot be made upon respondent within the State of Washington.

You could be required to post a bond or provide alternate security as a condition for obtaining a temporary order. The court may waive the bond in situations in which the vulnerable adult's health or life would be jeopardized. RCW 7.40.080, 74.34.120(5)(a).

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated _____ at _____, Washington.

Signature of Petitioner

Print Name

Instructions for Temporary Order for Protection and Notice of Hearing – Vulnerable Adult

This is the **Temporary** Protection Order. If signed by the judge, this order will:

- Tell the respondent which restraints are currently in effect.
- If you are filing on behalf of a vulnerable adult, tell the vulnerable adult which restraints are currently in effect against the respondent.
- Set the date for the next hearing (full hearing).

The clerk will file the original order in the public court record and distribute copies for:

- You (free certified copies).
- Service on the respondent.
- Service on the vulnerable adult, if you are filing on behalf of a vulnerable adult.
- Service on the vulnerable adult's guardian, if any.

Check with the court clerk before filling out the order.

In some courts, the judge will fill out this order. In other courts, you will be expected to fill out the order. Please check with the court clerk.

- If you are expected to fill out the order, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this order.

Print Clearly! Use Black or Blue Ink, only.

Page 1:

Top of the Form:

- Fill in the vulnerable adult's name (first, middle initial, last) and put the vulnerable adult's date of birth where it says "DOB." The vulnerable adult is the protected person.
- The person you want the court to restrain is the "Respondent." Fill in the respondent's name (first, middle initial, last). If you know the Respondent's date of birth, put the respondent's date of birth where it says "DOB."

Next Hearing

The judge or court clerk will write in the next hearing date, time and place, on the first page of the order.

- You must attend this hearing to continue the protection of this temporary order.
- If you do not come to this hearing, the petition will be dismissed and you will not be protected by an order.
- If you are filing on behalf of a vulnerable adult and you do not attend the hearing, the petition may be dismissed and the vulnerable adult may not be protected by an order.

- If the respondent does not come to the hearing and has been served, the court may still grant a protection order.

Information about the Petitioner

This section tells the court who filed the petition:

- If you are the vulnerable adult, check the first box.
- If you filed on behalf of a vulnerable adult, check the second box and fill in your name. Then check the box that describes your relationship with the vulnerable adult.
- If the Department of Social and Health Services filed on behalf of a vulnerable adult, check the third box.

Respondent Identification

- Describe the respondent's physical appearance: sex, race, hair color, height, weight, and eye color.
- List any of respondent's distinguishing features, such as moles, scars or tattoos.
- Check the box to show if the respondent has access to weapons.

Pages 1 and 2:

Protection Provisions

Check the same boxes that you checked on the Petition.

Regarding Items 3 and 5:

You are not required to disclose the vulnerable adult's residential address. You do not need to write it down on this form.

Bond or Other Security

You may be required to post a bond or other form of security (usually cash) before the court will restrain certain activities. A bond or other form of security may not be required if the court determines that the vulnerable adult's health or life would be in jeopardy.

Page 3:

Washington Crime Information Center (WACIC) Data Entry

The order will be entered into a state-wide database used by law enforcement so any officer in the state knows of it. Print the name of the agency that has jurisdiction where the vulnerable adult resides:

- If the vulnerable adult's address is outside of city limits, name the county sheriff
- If the vulnerable adult's address is within city limits, name the city police.

Service

Unless the respondent or the respondent's lawyer was present at the hearing, the petition and temporary order must be served on the respondent. The respondent must know what restraint provisions are in place, when and where the hearing will occur, and when the order expires.

If you filed on behalf of a vulnerable adult, unless the vulnerable adult or the vulnerable adult's lawyer was present at the hearing, the petition and temporary order must be served on the vulnerable adult. The vulnerable adult must know what restraint provisions are in place, when and where the hearing will occur, and when the temporary order expires. You must also serve the vulnerable adult's guardian, if any.

To complete the part of the form under "Service," if the respondent or vulnerable adult:

- **attended the hearing**, check the box/es under "The following persons appeared, further service is not required" to identify who attended the hearing. They do not need to be served.
- **did not attend the hearing**, check the box/es under "Petitioner shall arrange for service" to identify who will need to be served.

You may choose service by:

- A law enforcement agency, which will serve the papers free of charge.
- A hired professional process server.
- Another person 18 or over, who is not a party to this action.

It is your responsibility to deliver the documents to the agency or person who will deliver them.

You will need to provide an address where the respondent or vulnerable adult, if you are filing on behalf of a vulnerable adult, can be located for service. This could be a home or work address. If you do not have a service address for the respondent or vulnerable adult, contact the clerk or advocate for information.

Law Enforcement Assistance

The judge can order law enforcement to assist the vulnerable adult in limited ways such as:

- Reoccupying a home.
- Securing possession of personal property.
- Assisting in other ways, as described.

Sign the Form

The judge will fill in the date and time when the order is granted and sign his or her name.

Sign the bottom of the form where it says "Presented by" and "Petitioner."

Service of the Petition, Temporary Order, and any other documents

Unless the respondent or the respondent's lawyer was present at the hearing, the petition, the temporary order, and any other documents filed with the court must be served on the respondent. The respondent must know what restraint provisions are in place, when and where the hearing will occur, and when the order expires.

If you filed on behalf of a vulnerable adult, unless the vulnerable adult or the vulnerable adult's lawyer was present at the hearing, the petition, temporary order, and any other documents filed with the court must be served on the vulnerable adult. The vulnerable adult must know what restraint provisions are in place, when and where the hearing will occur, and when the temporary order expires. You must also serve the vulnerable adult's guardian, if any.

You may choose service by:

- A law enforcement agency, which will serve your papers free of charge.
- A hired professional process server.
- Another person 18 or over, who is not a party to this action.

You will need to provide the address for each person to be served. If you want law enforcement to serve the documents, complete the Law Enforcement Information Sheet.

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 person(s) to be served with 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.”

<p>Superior Court of Washington For Wahkiakum County</p> <p>In re the Matter of:</p> <p>_____</p> <p>A Vulnerable Adult (Protected Person) DOB _____</p> <p>_____</p> <p>Respondent (Restrained Person) DOB _____</p>	<p>No. _____</p> <p>Temporary Order for Protection and Notice of Hearing – Vulnerable Adult (TMORVA) (Clerk's Action Required)</p> <p>Next Hearing Date/Time: _____</p> <p>At: _____</p> <p>_____</p>
--	---

Violation of restraint provisions 1, 3, 4, or 5 with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. RCW 26.50.110

The Petitioner is:

- the vulnerable adult.
- (name) _____, who filed on behalf of the vulnerable adult and is:
 - the vulnerable adult's guardian, conservator, or legal fiduciary.
 - an interested person as defined in RCW 74.34.020(12).
 - WA Department of Social and Health Services.

Respondent Identification:

Sex	Race	Hair
Height	Weight	Eyes

Respondent's distinguishing features:

Access to weapons: yes no
 unknown

The terms of this order shall be effective until **the end of the hearing noted above.**

Summary of court order: No contact provisions are located on the next page. **The court finds based upon the court record that:**

The court has jurisdiction over the parties and the subject matter. The respondent and the vulnerable adult, if not the petitioner, were notified in writing of the ex parte hearing and their opportunity to be heard, or will be served notice of his or her opportunity to be heard at the scheduled hearing noted above. RCW 74.34.110.

After the guardian, conservator, limited guardian, limited conservator, or special agent of a protective arrangement imposed a restriction on the vulnerable adult's right to associate with the respondent:

Petitioner did timely file the petition in this case within 14 days.

The restraint provisions below are no more restrictive than necessary to protect the vulnerable adult.

Placing reasonable time, place, or manner restrictions is unlikely to sufficiently protect the vulnerable adult.

Additional findings and conclusions of law, as required under Title 11.92 RCW follow:

Petitioner did **not** timely file the petition in this case within 14 days. The immediate restriction ended by operation of law on the 14th day. This petition may continue under Title 74.34 RCW.

The court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent, to avoid irreparable harm.

The court orders:

<input type="checkbox"/> 1. The respondent is restrained from committing or threatening to commit physical harm, bodily injury, assault, including sexual assault against the vulnerable adult and from molesting, harassing, or stalking the vulnerable adult.
<input type="checkbox"/> 2. The respondent is restrained from committing or threatening to commit acts of abandonment, abuse, personal exploitation, improper use of restraints, neglect, or financial exploitation against the vulnerable adult.
<input type="checkbox"/> 3. The respondent is excluded from the vulnerable adult's residence. <input type="checkbox"/> The vulnerable adult's address is confidential. <input type="checkbox"/> The vulnerable adult waives confidentiality of the address which is:
<input type="checkbox"/> 4. The respondent is restrained from coming near and from having any contact with the vulnerable adult, in person or through others, by phone, mail, or any means, directly or indirectly, except through an attorney, or mailing or delivery by a third party of court documents.
<input type="checkbox"/> 5. The respondent is prohibited from knowingly coming within, or knowingly remaining within _____ (distance) of the vulnerable adult's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> adult day program; <input type="checkbox"/> the premises of the long-term care facility where the vulnerable adult resides. <input type="checkbox"/> other: _____
<input type="checkbox"/> 6. The respondent is required to provide an accounting of the disposition of the vulnerable adult's income or other resources.

7. The respondent is **restrained** from transferring the vulnerable adult's property until the hearing scheduled on page 1.

8. The respondent is **restrained** from transferring respondent's property until the hearing scheduled on page 1.

9. **Bond:**

Bond in the amount of \$ _____, as required by the court under RCW 7.40.080, has been posted.

Bond is waived because:

State of Washington is petitioner.

Life or health of vulnerable adult is in jeopardy under RCW 7.40.080.

10. **Other:**

The respondent is directed to appear and show cause why this temporary order should not be made effective for up to 5 years and why the court should not order the relief requested in the petition. **Failure to appear at the hearing may result in the court granting such relief. The next hearing date is shown on page 1.**

Warnings to Respondent: Violation of restraint provisions 1, 3, 4, or 5 of this order, with actual notice of its terms, is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

Violation of restraint provisions 1, 3, 4, or 5 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26, or 74 RCW.

If the court issues a final protection order, and your relationship to the vulnerable adult is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect.

18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

You can be arrested even if the person or persons who obtained the order invite or allow you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Washington Crime Information Center (WACIC) Data Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to _____ [] County Sheriff's Office [] the City Police Department **where the protected person lives** which shall enter it into the WACIC.

Service

Petitioner shall arrange for service of the petition and this order on:

[] Respondent.

[] Vulnerable Adult.

[] Vulnerable Adult's guardian.

The following persons appeared; further service is not required:

[] Respondent.

[] Vulnerable adult.

[] Vulnerable adult's guardian.

Service may be done by a law enforcement agency, free of charge, a hired professional process server, or a person 18 or over who is not a party to this action.

Law Enforcement Assistance

[] Pursuant to RCW 74.34.140, law enforcement shall assist petitioner as follows:

_____.

Dated: _____ at _____ a.m./p.m. _____

Judge/Commissioner

Presented by:

I acknowledge receipt of a copy of this Order:

Petitioner

Date

Respondent

Date

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

Instructions for Order for Protection – Vulnerable Adult

This is the Protection Order. If signed by the judge, this order will:

- Tell the respondent which restraints are in effect.
- Tell the vulnerable adult which restraints are in effect.
- Set the expiration date.
- Set review or other hearing dates, if necessary.

The clerk will file the original order in the public court record and distribute copies for:

- You (free certified copies).
- Service on the respondent (if the respondent does not appear at the full hearing).
- Service on the vulnerable adult.
- Service on the vulnerable adult's guardian, if any.

Check with the court clerk before filling out the order.

In some courts, the judge will fill out this order. In other courts, you will be expected to fill out all or part of the order. Please check with the court clerk.

- If you are expected to fill out the order, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this order.

Print Clearly! Use Black or Blue Ink, only.

Page 1:

Top of the Form

- Fill in the name of the County where the court is located.
- Fill in the vulnerable adult's name (first, middle initial, last) as the person protected, and put his or her date of birth where it says "DOB."
- The person you want the court to restrain is the "Respondent." Fill in the respondent's name (first, middle initial, last) and date of birth. If you do not know the respondent's date of birth, put in the respondent's age.

The clerk will fill in the court address and telephone number.

Petitioner Information

This section tells the court who filed the petition:

- If you are the vulnerable adult, check the first box.
- If you filed on behalf of a vulnerable adult, check the second box and fill in your name. Then check the box that describes your relationship with the vulnerable adult.
- If the Department of Social and Health Services filed on behalf of a vulnerable adult, check the third box.

Respondent Identification

- Describe the respondent's physical appearance: sex, race, hair color, height, weight, and eye color.
- List any of respondent's distinguishing features, such as moles, scars or tattoos.
- Check the box to show if the respondent has access to weapons.

“The court finds based upon the court record”

The law requires the order to say if the respondent received notice of the hearing and by what method. Since the judge needs to verify that service complied with court rules (timely and proper), the judge will probably complete this portion for you.

The order needs to list ***the vulnerable adult's relationship*** to the respondent in order for law enforcement to determine if federal firearm laws apply to your case. Please check all boxes that define ***the vulnerable adult's relationship*** to the respondent.

“Court order summary”

After completing the form, check the boxes that apply.

This order will be in effect for five years, unless the judge enters another date in the box.

Page 2:

Protection Provisions

- Check the same boxes and fill in the blanks that you checked on the petition, unless you no longer want those provisions.
- You cannot check boxes for provisions you did not request in the petition.
- In each provision, be sure you checked the boxes to identify the places you want protected.
- You are not required to disclose the vulnerable adult's residential address. You do not need to write it down on this form.

Provision 9: This provision is not in the petition. If the judge orders the respondent to pay costs and attorney's fees, this provision will be filled in. If the judge awards costs and attorney's fees, a Judgment, form WPF VA-3.030, must also be completed.

The judge can grant, deny, or change any provision you write in this order.

Page 3:

Washington Crime Information Center (WACIC) Data Entry

The order will be entered into a state-wide database used by law enforcement so any officer in the state knows of it. Print the name of the agency which has jurisdiction where the vulnerable adult resides.

- If the vulnerable adult's address is outside of city limits, name the county sheriff.
- If the vulnerable adult's address is within city limits, name the city police.

Service

Unless the respondent or the respondent's lawyer was present at the hearing, this order must be served on the respondent. The respondent must know what restraint provisions are in place, and when the order expires.

If you filed on behalf of a vulnerable adult, unless the vulnerable adult or the vulnerable adult's lawyer was present at the hearing, the order must be served on the vulnerable adult. The vulnerable adult must know what restraint provisions are in place, and when the order expires. You must also serve the vulnerable adult's guardian, if any.

To complete the part of the form under "Service," if the respondent or vulnerable adult:

- **attended the hearing**, check the box/es under "The following persons appeared, further service is not required" to identify who attended the hearing. They do not need to be served.
- **did not attend the hearing**, check the box/es under "Petitioner shall arrange for service" to identify who will need to be served.

You may choose service by:

- A law enforcement agency, which will serve the papers free of charge.
- A hired professional process server.
- Another person 18 or over, who is not a party to this action.

It is your responsibility to deliver the documents to the agency or person who will deliver them.

You will need to provide the address for each person to be served. If you want law enforcement to serve the documents, complete the Law Enforcement Information Sheet.

Law Enforcement Assistance

The judge can order law enforcement to assist you in limited ways. If you still need assistance from law enforcement, check the same boxes you checked in the petition.

Sign the Form

The judge will fill in the date and time the order was granted and sign his or her name.

Sign the bottom of the form where it says, "Presented by" and "Petitioner" and include today's date. The respondent will sign the form if the respondent comes to the hearing, and no further service is necessary.

See above for information about service.

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 person(s) to be served with 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.”

**Superior Court of Washington
For Wahkiakum County**

In re the Matter of:

_____ **DOB**

_____ **DOB**

**Order for Protection –
Vulnerable Adult**

No. _____

Court Address _____

Telephone Number: () _____

(Clerk's Action Required): **(ORPRTVA)**

Violation of restraint provisions 1, 3, 4, or 5 with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject a violator to arrest. RCW 74.34.145

Petitioner is:

- the vulnerable adult.
- (name) _____,
who filed on behalf of the vulnerable adult and
is:
 - the vulnerable adult's guardian,
conservator, or legal fiduciary.
 - an interested person as defined in
RCW 74.34.020(12).
 - WA Dep't of Social and Health Services.

Respondent Identification:

Sex	Race	Hair
Height	Weight	Eyes

Respondent's Distinguishing Features:

Access to weapons: yes no
 unknown

Court order summary:

No-contact provisions apply, as set forth on the following pages.

The terms of this order shall be effective immediately and for 5 years from today's date, unless stated otherwise here: _____

The court finds based upon the court record:

The court has jurisdiction over the parties and the subject matter and respondent has been provided with reasonable notice and an opportunity to be heard. Notice of this hearing was served on the respondent by personal service service by mail pursuant to court order service by publication pursuant to court order other _____.

This order is issued in accordance with the Full Faith and Credit provisions of VAWA: 18 U.S.C. § 2265. Respondent committed acts of abandonment, abuse, personal exploitation, improper use of restraints,

The court concludes, as a matter of law, the relief below shall be granted.

It is ordered:

<p><input type="checkbox"/> 1. The respondent is restrained from committing or threatening to commit physical harm, bodily injury, assault, including sexual assault against the vulnerable adult and from molesting, harassing, or stalking the vulnerable adult.</p> <p>(If the respondent's relationship to the vulnerable adult is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner then, effective immediately and continuing as long as this protection order is in effect, the respondent may not possess a firearm or ammunition. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)</p>
<p><input type="checkbox"/> 2. Respondent is restrained from committing or threatening to commit acts of abandonment, abuse, personal exploitation, improper use of restraints, neglect, or financial exploitation against the vulnerable adult.</p>
<p><input type="checkbox"/> 3. The respondent is excluded from the vulnerable adult's residence. <input type="checkbox"/> The vulnerable adult's address is confidential. <input type="checkbox"/> The vulnerable adult waives confidentiality of the address which is: _____</p>
<p><input type="checkbox"/> 4. The respondent is restrained from coming near and from having any contact with the vulnerable adult, in person or through others, by phone, mail, or any means, directly or indirectly, except through an attorney, or mailing or delivery by a third party of court documents.</p>
<p><input type="checkbox"/> 5. Respondent is prohibited from knowingly coming within, or knowingly remaining within _____ (distance) of the vulnerable adult's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> adult day program; <input type="checkbox"/> the premises of the long-term care facility where the vulnerable adult resides. <input type="checkbox"/> other: _____</p>
<p><input type="checkbox"/> 6. The respondent is required to provide an accounting of the disposition of the vulnerable adult's income or other resources by _____ (date).</p>
<p><input type="checkbox"/> 7. The respondent is restrained from transferring the vulnerable adult's property for _____ (up to 90) days.</p>
<p><input type="checkbox"/> 8. The respondent is restrained from transferring respondent's property for _____ (up to 90) days.</p>
<p><input type="checkbox"/> 9. Petitioner is granted judgment against the respondent as set forth in the judgment filed on _____ (date).</p>
<p><input type="checkbox"/> 10. The bond posted is exonerated or the petitioner may apply ex parte for an order to disburse other security.</p>
<p><input type="checkbox"/> 11. Other:</p>

Warnings to the Respondent: Violation of restraint provisions 1, 3, 4, and 5 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. §§ 2261, 2261A, or 2262.

Violation of restraint provisions 1, 3, 4, and 5 of this order is a gross misdemeanor, unless one of the following conditions apply: any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony; any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least 2 previous convictions for violating a protection order issued under Titles 7, 10, 26, or 74 RCW.

If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

You can be arrested even if the person or persons who obtained the order invite or allow you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application. Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, or any tribal land within the United States shall accord full faith and credit to the order.

WACIC Data Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to _____ [] County Sheriff's Office [] City Police Department **where the protected person lives** which shall enter it in a computer-based criminal intelligence system available in this state, used by law enforcement to list outstanding warrants.

Service

Petitioner shall arrange for service of this order on:

- [] Respondent.
- [] Vulnerable Adult.
- [] Vulnerable Adult's guardian.

The following persons appeared; further service is not required:

- [] Respondent.
- [] Vulnerable adult.
- [] Vulnerable adult's guardian.

Service may be done by a law enforcement agency, free of charge, a hired professional process server, or a person 18 or over who is not a party to this action.

Law Enforcement Assistance

[] Pursuant to RCW 74.34.140, law enforcement shall assist petitioner as follows:

_____.

This order is in effect until the expiration date on page (1) one.

Dated: _____ at _____ a.m./p.m.

Judge/Commissioner

Presented by:

I acknowledge receipt of a copy of this order:

Petitioner

Date

Respondent

Date

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

Notice to the Vulnerable Adult

This is the Notice to the Vulnerable Adult (Notice). It is not signed by the judge. This notice informs the vulnerable adult that a petition has been filed on his or her behalf. The notice also says what may happen if the petition is granted, and identifies the rights of the vulnerable adult.

The clerk will file the original order in the public court record and provide distribution copies for:

- You (free certified copies).
- Service on the vulnerable adult, if you are filing on behalf of a vulnerable adult.
- Service on the vulnerable adult's guardian, if any.

Please check with the court clerk before filling out the notice.

In some courts, the judge will fill out the notice. In other courts, you will be expected to fill out the notice. Please check with the court clerk.

- If you are expected to fill out the form, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this form.

Please Print Clearly Using Black or Blue Ink!

Page 1:

Top of the Page

- Fill in the name of the county where the action is filed.
- Fill in the name (first, middle initial, last) of the vulnerable adult.
- The person you want protection from is the "Respondent." Fill in the respondent's name (first, middle initial, last).

Case and Hearing Information

- Fill in your name (first, middle initial, last) as the petitioner.
- Fill in the name of the county where the action is filed.
- Fill in the name (first, middle initial, last) of the respondent.
- The judge or court clerk will write in the next hearing date, time and place, on the first page of the order.
- Fill in the name (first, middle initial, last) of the respondent.

Page 2:

Disability Accommodation

- Ask the court administrator or the superior court for help identifying the name and contact information of the Americans with Disabilities Act (ADA) Designated Contact Person who will provide help with disability accommodation.
- Check the first box and fill in the name, address, and telephone number of the contact person.
- Check the second box and fill in the address and telephone number of the court administrator for the superior court, if you are unable to identify the contact person. The superior court administrator's address and telephone number are available on the courts' website under the link for the Court Directory:
http://www.courts.wa.gov/court_dir/.

Service of the Notice

You must arrange for service of this notice on the vulnerable adult along with the other filed documents.

Please consider providing the "Instructions for Process Servers" to the individual who will serve the Notice. These instructions suggest that the process server offer to read the notice to the vulnerable adult, and point out that disability accommodations are available if he or she wishes.

**Superior Court of Washington
For Wahkiakum County**

In re the Matter of:

A Vulnerable Adult (Person to be Protected)

Respondent (Person to be Restrained)

No. _____

**Notice to the Vulnerable Adult
(NTVA)**

Important Notice

Please Read Carefully

Petitioner _____ (name) filed a petition for a protection order on your behalf in _____ County Superior Court against _____ (name of respondent).

The hearing is scheduled for _____ (time) on _____ (date) at _____ (location).

If this protection order is granted, the judge may grant the request as stated in the petition. This may include requiring _____ (the respondent) to stay away from you and not to talk to you, or not handle your money, for up to 5 years.

Under the law you have certain rights.

You have the right to go to the court hearing. At the court hearing, the judge will decide whether or not you need protection.

You have the right to tell the judge that you agree or disagree with the petition.

You have the right to have a lawyer represent you.

You have the right to present evidence.

At the hearing, the judge may:

- grant the order for protection;
- dismiss the petition or parts of it;
- get more information to decide if you are unable to protect yourself or your property due to incapacity, undue influence, or duress; or
- require a guardianship or conservatorship petition to be filed. If a guardianship or conservatorship petition is filed, you have the right to have a lawyer appointed for you and you will have other rights.

If you have a disability that makes it hard for you to understand court documents or to be part of the court hearing, you may ask for help (an accommodation). You may use the *Request for Reasonable Accommodation* form available in the court clerk's office to ask for an accommodation.

For help with a disability accommodation, contact (petitioner must check one and complete):

ADA Designated Contact Person for the Superior Court

Name: _____

Address: _____

Telephone: _____

Court Administrator for the Superior Court

Address: _____

Telephone: _____

Instructions for Process Server

Service of the Notice to the Vulnerable Adult

You are serving this notice and the accompanying documents on a vulnerable adult.

This notice is designed to explain the documents in plain language.

However, the vulnerable adult may not be able to read the document.

- Please discreetly ask the vulnerable adult if he or she would like to have the notice read aloud.
- If at all possible, serve the vulnerable adult when others are not present to overhear.
- If the vulnerable adult agrees to have you read the document, please read the document slowly and clearly.
- Please point out the name and phone number of the individual who can provide help with a disability accommodation. This information is provided on the last line of the second page of the Notice.

Thank you for your consideration.

**Superior Court of Washington
For Wahkiakum County**

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)