**Court of Washington, County of**

|  |  |
| --- | --- |
| Petitioner  vs.    Respondent | **Case No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Order on Motion for Surrender and Prohibition of Weapons**  (ORGMT)  **Clerk's Action Required: 3, 4** |

**Order on Motion for Surrender and Prohibition of Weapons**

The findings are based upon the pleadings and testimony, if any. The following people were at the hearing:

[ ] Protected Person [ ] Protected Person’s Attorney

[ ] Restrained Person [ ] Restrained Person’s Attorney

[ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [ ] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Findings** – The court issued a [ ] civil protection [ ] restraining order on *(date)*  in this case: *(check all that apply)*

**1. The court:**

[ ] **must** issue an *Order to Surrender and Prohibit Weapons* because the order included provisions that the Restrained Person:

* is **restrained** from harassing, threatening, or stalking the protected persons;
* had actual notice of the hearing and an opportunity to participate; and
* represented a credible threat to the physical safety of the protected person, intimate partner of the Restrained Person, or child; or
* the protection/restraining order prohibits the use of physical force against and intimate partner, protected person, or child that would cause bodily injury.

[ ] **must** issue an ***Order to Surrender and Prohibit Weapons*** becausethe court finds by a preponderance of the evidence that the Restrained Person:

[ ] has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony;

[ ] 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

[ ] is ineligible to possess a firearm under RCW 9.41.040.

[ ] **may** issue the below orders and an ***Order to Surrender and Prohibit Weapons*** because the court finds, by a preponderance of evidence, the Restrained Person’s possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

The court **Orders:**

**2.***(Name)* , the Restrained Person, shall:

* immediately surrender weapons and not access, have in your custody or control, obtain, possess, purchase, receive or attempt to purchase or receive any firearms or other dangerous weapons, or obtain or possess a concealed pistol license; and
* comply with the ***Order to Surrender and Prohibit Weapons*** filed separately.

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

**Clerk’s Action.** The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*)   
***(check only one)***: [ ] Sheriff’s Office or [ ] Police Department

(*List the same agency that entered the temporary order, if any*)

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

**4. Service**

**[ ] Required.** The clerk will electronically forward this order to , [ ] county or [ ] city/town law enforcement where the Restrained Person lives for service and file a proof of service.

**[ ] Not Required.**

[ ] The Restrained Person appeared at the hearing where this order was issued but refused to accept a copy of this order.

[ ] The respondent appeared remotely or left the hearing early but received actual notice of the order. Additional service is not required and proof of service is not necessary. HB 1901 Sec 30(2).

[ ] The Restrained Person signed the *Order.*

Dated:

Signature of Judge / Commissioner

I acknowledge receipt of a copy of this order.

⮚

Signature of Restrained Person Print Name

⮚

Signature of Restrained Person’s Attorney WSBA No. Print Name

⮚

Signature of Protected Person or Attorney WSBA No. Print Name