



June 10, 2020

TO: Judicial and Legal Communities

FROM: Stephanie Happold, Principal Legal Analyst

SUBJECT: JUNE 2020 SUMMARY OF CHANGES TO SEXUAL ASSAULT FORMS

The Washington Pattern Forms Committee updated the Sexual Assault forms. The changes are based upon:

- Title changes to the Order to Surrender and Prohibit Weapons forms;
- Feedback received from the judicial community; and
- Administrative edits.

Form number	Form title and description of changes
WPF All Cases 01.0400	Law Enforcement Information Sheet (LEIS) Added: <input type="checkbox"/> Stalking Removed: <input type="checkbox"/> Male <input type="checkbox"/> Female and replaced with "Sex" for both Restrained Person and Protected Person. New boxes added for Restrained Person's and Protected Person's email addresses. Spaced out the form for more room.
SA 1.015	Petition for Sexual Assault Protection Order Page 3: Emergency temporary protection (up to 14 days) until the court hearing: <input type="checkbox"/> An emergency exists as described below. I request that a Temporary Sexual Assault Protection Order granting the relief requested above in <u>1 through 4</u> 1 through 4 be issued immediately, without prior notice to respondent, to be effective until the hearing. <input type="checkbox"/> I also request temporary surrender <u>and prohibition</u> of all firearms, other dangerous weapons, and any concealed pistol licenses without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

SAi-1.015

Instructions for Petition for Sexual Assault Protection Order

Page 5:

Complete the Temporary Orders:

If you ask the court to order the respondent to surrender firearms and other dangerous weapons, bring the *Order to Surrender Weapons (and Prohibit Weapons, if applicable) Issued Without Notice*, form All Cases 02-030 for the judge to complete.

Go to Court:

Bring your completed petition and temporary order and the blank order to surrender and prohibit weapons 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, any temporary order, and any order to surrender and prohibit weapons must be served on the respondent.

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 and order to surrender and prohibit weapons must be served on the vulnerable adult.

If the court orders respondent to surrender and prohibit weapons, the local law enforcement agency must serve the order.

If the court does not order respondent to surrender and prohibit weapons, you may choose service by:

<p>SA 2.015</p>	<p>Temporary Sexual Assault Protection Order and Notice of Hearing</p> <p>Page 2: <input type="checkbox"/> <u>Surrender and Prohibition of Weapons Order</u></p> <p>The court finds that:</p> <p><input type="checkbox"/> Irreparable injury could result if the order to surrender weapons is not issued.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> <u>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.</u></p> <p>The Respondent must comply with the <i>Order to Surrender Weapons (and Prohibit Weapons if checked below) Issued Without Notice</i> filed separately, which states:</p> <p>Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.</p> <p><input type="checkbox"/> <u>Respondent is prohibited from accessing, obtaining, or possessing any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.</u></p> <p>(Note: Also use form number All Cases 02-030.)</p>
<p>SAi-2.015</p>	<p>Temporary Sexual Assault Protection Order and Notice of Hearing (Instructions)</p> <p>Page 2: Surrender of Weapons Order filed separately:</p> <p>Check this box if you asked the court for a temporary order to require the respondent to surrender all firearms, other dangerous weapons, and any concealed pistol licenses.</p> <p><u>Check the "and prohibit" box if you asked the court to also require the respondent to be prohibited from accessing, acquiring, or possessing firearms.</u></p> <p>If you check this box, also bring the <i>Order to Surrender Weapons (and Prohibit Weapons, if applicable) Issued Without Notice</i>, form All Cases 02.030, for the court to complete.</p>

	<p>Service:</p> <p>If the court orders respondent to surrender weapons, <u>or to surrender weapons and be prohibited from possessing weapons</u>, local law enforcement must serve the respondent.</p>
SA 3.015	<p>Sexual Assault Protection Order</p> <p>Page 3:</p> <p><input type="checkbox"/> Prohibit Weapons and Order Surrender</p> <ul style="list-style-type: none"> comply with the <i>Order to Surrender <u>and Prohibit Weapons</u></i> filed separately.
SAi-3.015	<p>Instructions for Sexual Assault Protection Order</p> <p>Page 2:</p> <p>Prohibit Weapons and Order Surrender:</p> <p>The judge will check this box if the court orders the respondent:</p> <ul style="list-style-type: none"> not to access, possess or obtain any firearms, other dangerous weapons, or concealed pistol licenses; and comply with the <i>Order to Surrender <u>and Prohibit Weapons</u></i> filed separately. <p>Bring the <i>Order to Surrender <u>and Prohibit Weapons</u></i>, form All Cases 02-050, for the judge to complete.</p>
SA 4.020	<p>Return of Service</p> <p>Replaced check boxes with brackets.</p> <p>Page 2:</p> <p>List of documents:</p> <p><input type="checkbox"/> Order to Surrender Weapons <u>(and Prohibit Weapons if applicable)</u> Issued without Notice</p> <p><input type="checkbox"/> Order to Surrender <u>and Prohibit Weapons</u></p>
SA 5.030	<p>Motion and Declaration for Renewal of Sexual Assault Protection Order</p> <p>Replaced check boxes with brackets.</p>

	<p>1. The <i>Sexual Assault Protection Order</i>, the provisions prohibiting firearms and ordering surrender, if ordered, and any modifications will expire on (date): _____.</p> <p><input type="checkbox"/> The <i>Order to Surrender <u>and Prohibit Weapons</u></i> will expire on (date): _____.</p> <p>2. Petitioner requests renewal of the <i>Sexual Assault Protection Order</i>, and any modifications, <input type="checkbox"/> and the <i>Order to Surrender <u>and Prohibit Weapons</u></i> because:</p>
<p>SA 5.060</p>	<p>Order on Motion for Renewal of Sexual Assault Protection Order</p> <p>Replaced check boxes with brackets</p> <p>Page 2:</p> <p>Order: The court files separately a/n: <input type="checkbox"/> Sexual Assault Protection Order. <input type="checkbox"/> Order to Surrender <u>and Prohibit Weapons</u>.</p>
<p>SA 6.020</p>	<p>Denial Order Sexual Assault Protection Order</p> <p>Page 3:</p> <p><i>The court orders that:</i> <input type="checkbox"/> The request for a temporary/final Order to Surrender <u>and Prohibit Weapons</u> is denied.</p>
<p>SA 7.010</p>	<p>Motion to Modify/Terminate Sexual Assault Protection Order</p> <p>Page 1:</p> <p>Request to Modify/Terminate <input type="checkbox"/> <i>Order to Surrender <u>and Prohibit Weapons</u></i>, filed on (date):</p> <p>Page 2:</p> <p>3. Statement The <i>Sexual Assault Protection Order/Order to Surrender <u>and Prohibit Weapons</u></i> should be modified/terminated because:</p> <p><input type="checkbox"/> The <i>Sexual Assault Protection Order/Order to Surrender <u>and Prohibit Weapons</u></i> should be changed as follows:</p>

<p>SA 7.025</p>	<p>Finding of Adequate Cause and Order for hearing on Respondent's Motion to Modify/Terminate Sexual Assault Protection Order</p> <p>Page 1:</p> <p>To: The Respondent and Petitioner:</p> <p>The respondent filed a motion to modify (change)/terminate the:</p> <p style="padding-left: 40px;"><input type="checkbox"/> <i>Sexual Assault Protection Order</i>, filed on <i>(date)</i>:</p> <p style="padding-left: 40px;"><input type="checkbox"/> <i>Order to Surrender <u>and Prohibit</u> Weapons</i>, filed on <i>(date)</i>:</p> <p><input type="checkbox"/> <i>Order to Surrender <u>and Prohibit</u> Weapons</i>.</p>
<p>SA 7.030</p>	<p>Order on Motion to Modify/Terminate Sexual Assault Protection Order</p> <p>Replaced check boxes with brackets</p> <p>Page 1:</p> <p>The court received the moving party's motion for an order to modify (change) or terminate the terms and conditions of the following order:</p> <p style="padding-left: 40px;"><input type="checkbox"/> <i>Order to Surrender <u>and Prohibit</u> Weapons</i> filed on <i>(date)</i>:</p> <p>Page 2:</p> <p>Findings:</p> <p><input type="checkbox"/> <i>Order to Surrender <u>and Prohibit</u> Weapons</i></p> <p><input type="checkbox"/> The <i>Order to Surrender <u>and Prohibit</u> Weapons</i> should continue in effect but changed as indicated in the order below.</p> <p><input type="checkbox"/> The <i>Order to Surrender <u>and Prohibit</u> Weapons</i> should be terminated.</p> <p>Order:</p> <p><input type="checkbox"/> The <i>Order to Surrender <u>and Prohibit</u> Weapons</i> expires on <i>(date)</i>:</p> <p>Page 3:</p> <p><input type="checkbox"/> The <i>Order to Surrender <u>and Prohibit</u> Weapons</i> continues in effect but changed as follows:</p> <p><input type="checkbox"/> The <i>Order to Surrender <u>and Prohibit</u> Weapons</i> is terminated</p>