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January 31, 2018

TO: Judges, Commissioners, County Clerks, Court Administrators, Libraries, Attorneys, and Public

FROM: Merrie Gough, AOC Sr. Legal Analyst

RE: Summary of Changes to Domestic Violence Protection Order Forms

The Washington Pattern Forms Committee updated the mandatory Domestic Violence Protection Order forms to implement recommended changes to surrender of weapon provisions. These changes are published with updates to the Surrender of Weapons forms.

Detailed descriptions of the changes to the Domestic Violence protection order forms are in the table below:

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| --- | --- |
| Form number | Form title and description |
| **WPF DV 2.015** | **Temporary Order for Protection and Notice of Hearing**Delete the code “ORWPN” in the first page caption and in the footer. The Order to Surrender Weapons is now a separate document.On page 3, change the “Surrender of Weapons” check box option as follows:[ ]  **Surrender of Weapons Order filed separately**~~Respondent shall immediately surrender any firearms and other dangerous weapons to the person or agency named in the Order to Surrender Weapons (Issued without Notice) signed by the court on this date, under this cause number.~~The respondent must comply with the ***Order to Surrender Weapons Issued Without Notice*** filed separately, which requires the respondent to surrender any firearms and other dangerous weapons.The court finds that irreparable injury could result if the order to surrender weapons is not issued. |

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| **WPF DV 3.015** | **Order for Protection**Delete the code “ORWPNP” in the first page caption and in the footer. The Order to Surrender Weapons, including the Concealed Pistol License, is now a separate document.On page one, to the right of heading “***Court Order Summary***,” insert:*“(additional provisions are listed on the following pages):”*Below the heading “***Court Order Summary***,” change the third check box option as follows:“**[ ]**  Prohibition and surrender of weapons apply. ~~Additional provisions are listed on the following pages~~”.On page four, change the beginning of the section “**Prohibit Weapons and Order Surrender**” as follows:“The Respondent must:* not possess or obtain any firearms, other dangerous weapons, or concealed pistol license; and
* ~~turn in any firearms, other dangerous weapons, and concealed pistol license as stated in~~ comply with the ***Order to Surrender Weapons*** filed separately.”

Make the following changes in the “Findings” section:Change the check box option that begins with “must” as follows:“[ ]  **must** issue the orders referred to above ~~above orders and an~~ ***~~Order to Surrender Weapons~~***because:” In the same check box option after “must,” and after the first sub-check box beginning with “the first restraint….” Insert the following text:“Respondent: If the court checked this box, then effective immediately, and continuing as long as this protection order is in effect, **you may not possess a firearm** under state law. Violation is a felony. RCW 9.41.040(2).”Change the check box option that begins with “may” as follows:“[ ]  **may** issue the orders referred to above ~~above orders and an~~ ***~~Order to Surrender Weapons~~***because the court finds by a preponderance of evidence, the Respondent*:*” |
| **DV 4.020** | **Return of Service**This form has substantially changed. Please replace the prior Return of Service with the new one. |
| **DVi 1.015** | **Instructions for Petition for Order for Protection**These instructions have been substantially revised. Please replace the prior instructions with the new instructions. |
| **DVi 2.015** | **Instructions for Temporary Order for Protection and Notice of Hearing**These instructions have been substantially revised. Please replace the prior instructions with the new instructions. |
| **DVi 3.015** | **Instructions for Order for Protection**These instructions have been substantially revised. Please replace the prior instructions with the new instructions. |