



## MEMORANDUM

December 26, 2023

**TO:** Judicial and Legal Community

**FROM:** Wendy Lamar, AOC Sr. Legal Analyst

**RE:** Summary of Changes for Protection Order and No-Contact Order Forms (December 2023)

The table below outlines changes to the Protection Order and No-Contact Order forms based on chapter 7.105 RCW, Laws of 2023, ch. 295 ([SHB 1562](#)), Laws of 2023, ch. 462 ([E2SHB 1715](#)), Laws of 2023, ch. 320 ([ESSB 5231](#)), and comments. Additional changes were made to improve clarity and accuracy of the forms.

Protection Order Forms		
	Form	Summary
1.	<b>PO 001 Petition for Protection Order</b>	<p>Changes:</p> <p><b>(1)</b> In 1 “Anti-Harassment”, divided “single act of violence” and “threat of violence...” into 2 checkboxes. <b>(2)</b> In 4, replaced “sex” with “gender”. <b>(3)</b> In 12, added missing preposition. <b>(4)</b> In 13 H, added “and alcohol” to explain chemical dependency. <b>(5)</b> In 13 O, reordered the sentence and added, “any of those items” for clarity. Also changed first question from “have or own firearms” to “[ ] own or [ ] have access to firearms” to mirror the orders and attachment E. <b>(6)</b> In 13 P, added to the visitation exception language to clarify that it is also an exception to the stay away provision about the children in addition to the no contact provisions. <b>(7)</b> Added new section 16, “Do you want to be notified if the restrained person petitions for the restoration of firearms?” and “Firearms Restoration Notice (this only applies if there is an existing or future criminal case that prohibits firearm ownership or possession) [ ] Notify. I want the prosecutor to notify me if the restrained person files a petition for the restoration of firearms, including the court’s decision. [ ] Do not notify. I do not want the prosecutor to notify me if the restrained person files a petition for the restoration of firearms, including the court’s decision” based on SHB 1562 section 4(5). <b>(8)</b> In “Privacy Warning!” box (above 16) and in 22, changed “This information is also available to the public” to “This information is also available in a public court file.” Also removed the GR 15 citation and replaced it with, “Use form PO 005, Motion to Redact or Seal.” Edited the privacy warning in 22 to match the privacy warning above 16. <b>(9)</b> In footer, updated publication date.</p>

<p>2.</p>	<p><b>POi 001 Instructions Petition for Protection Order</b></p>	<p>Changes:  <b>(1)</b> In new 16, added “Do you want to be notified if the restrained person petitions for the restoration of firearms in the future? Check the appropriate box. This only affects a prosecutor’s duty to notify you if there is a criminal case prohibiting firearms rights and the restrained person petitions to have firearm rights restored. Law enforcement has a separate duty to notify you before firearms are returned if any were surrendered or recovered from the Restrained Person pursuant to this protection order or pursuant to a crime that resulted in the firearm surrender.” Renumbered the remaining sections. <b>(2)</b> In “Important” box below 18, added question prompts. <b>(3)</b> In footer, updated publication date.</p>
<p>3.</p>	<p><b>PO 040 Protection Order</b></p>	<p>Changes:  <b>(1)</b> In section 2, replaced “sex” with “gender.” Also changed firearms language from “has access to” to “[ ] has access to or [ ] possession of.” <b>(2)</b> In warnings, reordered the sentence to start with “Even if the court did not issue an Order to Surrender and Prohibit Weapons”, added “state,” changed “not be able to” to “be prohibited,” and changed verb tense to active. <b>(3)</b> In 5 Antiharassment Protection Order, added “of violence, or” to separate single act of violence and threat of violence. <b>(4)</b> In 8 B, added “only” to clarify any exceptions in P are for only the minors. <b>(5)</b> In 8 D, added, “Exceptions about minors only, if any, provided in P below.” <b>(6)</b> In 8 H, added “and alcohol” to clarify “chemical dependency” and added additional lines to specify where the evaluation will take place. <b>(7)</b> Above P, added “Other family law court cases may modify this order about custody and visitation.” <b>(8)</b> In 8 P, added stay-away provision to the visitation-exception language: “Visitation listed here is an exception <u>only</u> to No Contact <u>and Stay Away</u> provisions about the children in B <u>and D</u> above.” <b>(9)</b> In 9, added a section reference for vacating shared residence, “D <u>and E</u>.” <b>(10)</b> In 11 “Clerk’s Action,” clarified that clerk shall provide a copy to the protected person by adding “upon request.” <b>(11)</b> Added new section 13 to include language to opt out of prosecutor notification of firearm restoration: “Prosecutor’s duty to notify Protected Person of future firearm restoration. If the restrained person petitions for restoration of firearms, the prosecutor must [ ] Notify the protected person of the restoration petition and of the court’s decision. The protected person requests notification. [ ] Do not notify the protected person of the restoration petition or the court’s decision. The protected person opts out of notification. This order does not affect law enforcement’s obligation to notify under RCW 9.41.340” based on SHB 1562 section 4(5). Renumbered remaining sections. <b>(12)</b> Above party/lawyer signatures, added to acknowledgement that they received a copy, “or attended the hearing remotely and have actual notice of this order. It was explained to me on the record.” Also added separate lines for Respondent and Petitioner to sign instead of only</p>

		<p>their attorneys. <b>(13)</b> Added to the firearms notification box at the end of the form to be consistent with E2SHB 1715 sections 401 and 402 (requiring notification to protected party by law enforcement): “Important! Protected Person, law enforcement must notify you before firearms are returned to the Restrained Person. Keep your contact information up to date with the law enforcement agency. The Proof of Surrender in the court file should say which agency has the firearms. RCW 9.41.340.” Removed the previous language that Protected Person may request to be notified. <b>(14)</b> In footer, updated publication date.</p>
4.	<p><b>PO 030 Temporary Protection Order and Hearing Notice</b></p>	<p>Changes:  <b>(1)</b> In caption, added an instruction, “(<i>Select only one</i>).” <b>(2)</b> In 2, changed “sex” to “gender.” Also changed firearms language from “has access to” to “[ ] has access to or [ ] possession of” as a helpful distinction for law enforcement. <b>(2)</b> In 5, Antiharassment Temporary Protection Order, added “of violence, or” to separate single act of violence and threat of violence. <b>(3)</b> In 8 H, added “and alcohol” to clarify “chemical dependency.” <b>(4)</b> In 8 O, added “and prohibit” to clarify the order. <b>(5)</b> In 8 P, added stay away provision to the visitation-exception language: “Visitation listed here is an exception <u>only</u> to No Contact <u>and Stay Away</u> provisions about the children in B <u>and D</u> above.” <b>(6)</b> Above party/lawyer signatures, added to acknowledgement that they received a copy, “or attended the hearing remotely and have actual notice of this order. It was explained to me on the record.” Also added separate lines for Respondent and Petitioner to sign instead of only their attorneys. <b>(7)</b> Added to the firearms notification box at the end of the form to be consistent with E2SHB 1715 sections 401 and 402 (requiring notification to protected party by law enforcement): “Important! Protected Person, law enforcement must notify you before firearms are returned to the Restrained Person. Keep your contact information up to date with the law enforcement agency. The Proof of Surrender in the court file should say which agency has the firearms. RCW 9.41.340.” Removed the previous language that Protected Person may request to be notified. <b>(8)</b> In footer, updated publication date.</p>
5.	<p><b>PO 070 Denial Order</b></p>	<p>Changes:  <b>(1)</b> In 3 C, added “a” and replaced “approve” with “grant.” <b>(2)</b> In 3 K, added lines with an instruction “(describe)” where a judicial officer can include findings about what constituted a substantial change. Added “Restrained Person” to later part of same sentence for clarity. <b>(3)</b> In 3 N, added blank lines with an instruction “(describe)” where a judicial officer can include findings about what did not constitute a substantial change in circumstances. <b>(4)</b> In 4, “Warning” box, added “to Restrained Person” to clarify audience. <b>(5)</b> In section 4, “Final Order,” “Denied on the merits”, deleted “and dismissed”, “and the petition is dismissed”, and added “the case is dismissed” to the first and third</p>

		sub-checkboxes based on comment. Also added a citation. <b>(6)</b> Added above Realignment: “[ ] Denied. The deadline for filing a motion for reconsideration or revision has passed. The Protected Person has either failed to file a motion or the motion has been denied. The Order Extending the Order to Surrender and Prohibit Weapons (WS 400) is terminated and the case is dismissed. [ ] Petition denied and dismissed without a full hearing. [ ] No amended petition was filed within 14 days after denial. [ ] Amended petition filed but still insufficient to set for full hearing.” <b>(7)</b> In 5, “Not required”, added “or dismissed.” <b>(8)</b> Above party/lawyer signatures, added to acknowledgement that they received a copy, “or attended the hearing remotely and have actual notice of this order. It was explained to me on the record.” Also added separate lines for Respondent and Petitioner to sign. <b>(9)</b> In footer, updated publication date.
6.	<b>PO 100 Motion for Reconsideration</b>	Changes: <b>(1)</b> In “Deadline,” deleted “and served” based on comment. <b>(2)</b> In first bullet under “If you want the court to consider your motion”, added “motion and” to clarify that “original documents” means this motion for reconsideration and documents, not the original documents of the case based on comment. Also deleted unnecessary “AND.” <b>(3)</b> In second bullet under “If you want the court to consider your motion,” added “at least 5 days before the hearing unless your Local Court Rule requirement is different” based on CR 6(d) and CRLJ 6(d). Also deleted unnecessary “AND.” <b>(4)</b> In footer, updated publication date.
7.	<b>PO 101 Order on Motion for Reconsideration</b>	This is a new form.
8.	<b>PO 110 Motion for Revision of Commissioner’s Order</b>	Changes: <b>(1)</b> In “Deadline,” deleted “and served” based on comment that RCW 2.24.050 does not require service within 10 days, just filing. <b>(2)</b> In first bullet under “If you want the court to consider your motion”, deleted “original documents” and replaced with “Motion for Revision of Commissioner’s Order” to clarify that “original documents” means this motion for reconsideration and documents, not the original documents of the case based on comment. Also deleted unnecessary “AND.” <b>(3)</b> In second bullet under “If you want the court to consider your motion,” added “at least 5 days before the hearing unless your Local Court Rule requirement is different” based on CR 6(d) and CRLJ 6(d). Also deleted unnecessary “AND.” <b>(4)</b> In third bullet, replaced example language with: “whether you need to provide working copies, obtain and file a transcript, or schedule a hearing.” <b>(5)</b> In footer, updated publication date.
9.	<b>PO 111 Order on Motion for Revision</b>	This is a new form.
10.	<b>PO 004 Proof of</b>	Changes:

	<b>Service</b>	<p>(1) In caption, removed “Protected Person” and “Restrained Person.” (2) At top of form, added instruction, “Important! Promptly file this completed form with the court clerk.” (3) In 4, moved the Reissuance back up in list for “New Petition” based on law enforcement comment. Also added “Order Extending Order to Surrender and Prohibit Weapons” under “After Full Hearing.” (4) Created new section 6, added basic firearms/deadly weapons surrender language, “If an Order to Surrender and Prohibit Weapons has been issued in this case. Restrained Person: [ ] surrendered the [ ] firearms [ ] deadly weapons [ ] CPL (file Law Enforcement Receipt separately). [ ] did not surrender the firearms/deadly weapons specified in the order (provide details related to what happened, including any denials of ownership/possession): _____ [ ] asserted they have no firearms, deadly weapons, or a CPL.” (5) In renumbered 7, added additional lines and “include details such as conduct at time of service, threats, avoidance of service, and statements regarding firearms possession)” consistent with RCW 7.105.155(7). (6) In footer, updated publication date.</p>
11.	<b>POi 004 Instructions for Proof of Service</b>	<p>Changes:  (1) Throughout instructions, replaced “respondent” with “restrained person.” (2) In title, deleted “other party.” (3) In, “What is proof of service”, added quotation marks around “proof of service”, replaced “notifies the other party about a case” with “is how the other party formally learns about the case”, added “know they can begin”, and changed “make” to “making.” In second paragraph under this heading, second sentence, added “until they are served correctly.” In third sentence of second paragraph added, “and Order to Surrender and Prohibit Weapons, if applicable.” (4) In 2, fourth bullet, replaced “petitioner shared with the respondent” with “they share with the protected person.” (5) In 3, added “The Order to Allow Service by Mail (form PO 025) has instructions for how to serve by mail” based on comment. (6) Added new section 4 with instructions for service by publication. (7) Under How Do I Fill Out the Proof of Service Form, changed “helpful” to “important” and added “and determine next steps for service in your case.” (8) In How Do I Fill Out the Proof of Service Form 1, replaced “your” with “the server’s.” (9) Under How Do I Fill Out the Proof of Service Form 4, added “It is also under the caption in most forms” and updated the screen shot. (10) In How Do I Fill Out the Proof of Service Form 6, added “including any denials about firearm ownership/possession.” (11) In footer, updated publication date</p>
12.	<b>PO 005 Motion to Redact or Seal</b>	This is a new form.
13.	<b>PO 025 Order to Allow Service by</b>	<p>Changes:  (1) In 2, remove renew orders specific to sexual assault. (2) In 3,</p>



	<b>Mail</b>	added “Papers must be mailed timely. See RCW 7.105.150(1)(c).” <b>(3)</b> In footer, updated publication date.
<b>14.</b>	<b>PO 026 Order for Service by Publication</b>	Changes: <b>(1)</b> In first sentence, replaced “having determined that” with “finds that” and added “or other necessary party.” <b>(2)</b> In second sentence, made changes to increase clarity: replaced “it is therefore ordered” with “the court orders”, added “that the Petition for Protection Order and Temporary Protection Order (or Notice of hearing, if no temporary order was issued)”, deleted “the following parties”, replaced “a summons” with “the Summons by Publication (form PO 028)”, and replaced “respondent” with “person/s being served.” <b>(3)</b> In Electronic Service language, replaced existing language with “Petitioner must also have the documents served electronically to the following known electronic addresses: _____.” <b>(4)</b> In footer, updated publication date.
<b>15.</b>	<b>PO 034 Reissuance of Temporary Order and Notice of Hearing</b>	Changes: <b>(1)</b> In 5, added “[ ] Restrained Person was served and received notice but did not receive the full 5 court days. Restrained Person did not waive the 5-day notice requirement” consistent with RCW 7.105.165(1). <b>(2)</b> In 7, moved “must be served” so that it does not have to be repeated and added “only Reissuance of Temporary Protection Order and Notice of Hearing (Restrained Person was served with the service packet but did not receive the full 5 court days’ notice and did not waive the 5-day notice requirement).” Also added “Who will serve? ( <i>check one</i> )” for clarity. <b>(3)</b> In footer, updated publication date.
<b>16.</b>	<b>PO 063 Motion to Modify or Terminate Protection Order</b>	Changes: <b>(1)</b> In footer, removed “mandatory” designation and updated publication date.
<b>17.</b>	<b>Protection Order Information – Restrained Person</b>	These are new instructions specific to Restrained Persons consistent with E2SSB 1320’s requirement, found at RCW 7.105.115(1)(b), that AOC should consider developing additional methods to inform the public about protection orders in understandable terms through social media.
<b>18.</b>	<b>Protection Order Information – Protected Person</b>	These are new instructions specific to Protected Persons consistent with E2SSB 1320’s requirement, found at RCW 7.105.115(1)(b), that AOC should consider developing additional methods to inform the public about protection orders in understandable terms through social media.
<b>19.</b>	<b>Protection Order Court Staff Handbook</b>	Changes: <b>(1)</b> On page 6, added emergency domestic violence extreme risk protection order details. <b>(2)</b> On page 12, added extension of the temporary OTSW after a denial explanation. <b>(3)</b> In footer, updated publication date.
<b>No Contact Order Forms</b>		
<b>20.</b>	<b>NC 02.0120 Law</b>	This is a new form based on ESSB 5231 section 1(5)(a).

	<b>Enforcement Petition for DV NCO</b>	
<b>21.</b>	<b>NC 02.0100 No Contact Order</b>	Changes: <b>(1)</b> Added new section 10 consistent with SHB 1562 section 4(5): “Firearm Restoration Notification from Prosecutor Notification order here does not impact law enforcement’s obligation to notify under RCW 9.41.340. Notice to Protected Person is <input type="checkbox"/> Required. The Protected Person has requested notification from the prosecutor if a petition for the restoration of firearms is filed and of the court’s decision. <input type="checkbox"/> Not required. The protected person has opted out of notification from the prosecutor if a petition for the restoration of firearms is filed and of the court’s decision.” <b>(2)</b> At bottom of form, added instructional box, “Protected Person. If you have requested notice about firearms, tell the prosecutor and law enforcement if your contact information changes.” <b>(3)</b> In footer, updated publication date.
<b>22.</b>	<b>NC 02.0110 DV No Contact Order</b>	Changes: <b>(1)</b> In caption, change “State of Washington” to “Petitioner” based on information received that some counties are treating emergency DV NCOs as civil. Also added, “[ <input type="checkbox"/> ] Emergency DV”. <b>(2)</b> In 10, added “[ <input type="checkbox"/> ] Emergency Domestic Violence No Contact Order. The law enforcement agency that requested this order shall serve the No-Contact Order (or shall forward to the appropriate agency for service) and shall promptly complete and return proof of service to this court. (Law enforcement must personally serve if firearms and concealed pistol license have not yet been surrendered. Electronic service is available if the court has verified firearms have been surrendered)” based on RCW 10.99.050(5). <b>(3)</b> In 11, changed “immediately” to “next judicial day” based on RCW 10.99.040(6). <b>(4)</b> Added new section 12 consistent with SHB 1562 section 4(5): Firearm Restoration Notification from Prosecutor. Notification order here does not impact law enforcement’s obligation to notify under RCW 9.41.340. Notice to Protected Person is <input type="checkbox"/> Required. The protected person has requested notification from the prosecutor if a petition for the restoration of firearms is filed and of the court’s decision. <input type="checkbox"/> Not required. The protected person has opted out of notification from the prosecutor if a petition for the restoration of firearms is filed and of the court’s decision.” <b>(5)</b> Added new section 13, “[ <input type="checkbox"/> ] After Hours I am submitting this order to the court on (date) _____ and the judge signed this order on (date) _____. The clerk’s office filing date may be different.” <b>(6)</b> Below signatures, added “Protected Person. If you have requested notice about firearms, tell the prosecutor and law enforcement if your contact information changes.” <b>(7)</b> In footer, updated publication date.
<b>23.</b>	<b>NC 02.0500 Protected</b>	Changes: <b>(1)</b> In footer, changed citation to “RCW 10.99.040” and updated

	<b>Person's Motion to Modify or Cancel Domestic Violence No-Contact Order</b>	publication date.
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