Superior Court of Washington, County of _____

In re:

Petitioner/s *(person/s who started this case)*:

_____

And Respondent/s *(other party/parties)*:

_____

No. _____

Order on Motion to Restrict Abusive Litigation

[ ] Granted (ORGRAL) (section **8**)

[ ] Denied (ORDRAL) (section **8**)

Clerk's Action Required: **1**, **9**

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1. Money Judgment Summary

[ ] No money judgment is ordered.

[ ] *Summarize any money judgments from section **10** in the table below.*

Judgment for	Debtor's name *(person who must pay money)*	Creditor's name *(person who must be paid)*	Amount	Interest
Lawyer's fees			$	
Other fees and costs related to abusive litigation			$	$
Yearly Interest Rate ____ *(12% unless otherwise listed)*				
Lawyer *(name):*		Represents *(name):*		
Lawyer *(name):*		Represents *(name):*		

2. Basis

[ ] *(Name):* _____ filed a *Motion to Restrict Abusive Litigation* against *(name):* _____.

[ ] The Court, on its own motion, set a hearing to determine if a party is engaging in abusive litigation.

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The Court has considered the submissions of the parties and any testimony or argument, and finds reason to approve this Order.

[ ] Other _____

_____

➢ **Findings and Conclusions**

3. Relationship

The parties [ ] are [ ] are **not** intimate partners.

4. Domestic Violence

[ ] A court has **not** previously found there was domestic violence against the moving party by the other party.

[ ] A court has found there was domestic violence against the moving party by the other party. The finding was made in a *(check all that apply):*

[ ] **Domestic Violence Protection Order** signed on *(date)* _____
in *(county, state)* _____
in case number _____.

[ ] **Restraining Order** in a family law case. The court made a specific finding that the order was necessary because of domestic violence. The order was signed on
(date) _____ in *(county, state)* _____
in case number _____.

[ ] **Parenting Plan** signed on *(date)* _____
in *(county, state)* _____
in case number _____.

5. Abusive Litigation

(Name) _____ 's court action/s:

[ ] are **not** abusive.

[ ] **are** abusive. This person is starting, advancing, or continuing court actions (litigation) primarily for the purpose of harassing, intimidating, or maintaining contact with the moving party.

The litigation is abusive because *(check all that apply)*:

[ ] **No evidence –** There is no evidence to support this party's allegations and other factual claims.

[ ] **Already decided –** An issue or issues that are the basis of this party's court action have previously been filed in one or more other courts or jurisdictions and the actions have been litigated and disposed of unfavorably to this party.

[ ] **Not warranted by law –** The allegations, and other legal contentions made in the case, are not warranted by existing law or by a reasonable argument for the extension, modification, or reversal of existing law, or the establishment of a new law.

[ ] Other findings: _____

_____

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6. Proof of Abusive Litigation

[ ] The evidence does **not** show abusive use of litigation.

[ ] The following evidence shows abusive use of litigation by *(name)* _____:

   [ ] **Pre-filing restriction –** Another court has put pre-filing restrictions on this party because they engaged in abusive litigation or similar conduct.

   [ ] **Previous sanction –** This party has been sanctioned before. The sanction was:
   - Within the last ten years,
   - Under Washington Superior Court Civil Rule 11 or a similar rule or law from another jurisdiction, and
   - For filing something involving me that the court found to be frivolous, vexatious, intransigent, or brought in bad faith.

   [ ] **Repeated action –** The parties have been to court about the same or substantially similar issues in the past five years.

[ ] Other findings: _____

_____

7. Other Findings and Conclusions (if any)

_____

_____

_____

_____

_____

➢ *Court Orders*

8. The Motion to Restrict Abusive Litigation is:

[ ] **Denied**.

[ ] **Granted**.

The following motions or actions filed by *(name)*: _____
are denied, dismissed with prejudice, and/or stricken.

(*Specify motions or actions including case number, if not this case*):

_____

_____

_____

_____

_____

9. Pre-Filing Restrictions

[ ] None. The *Motion to Restrict Abusive Litigation* is denied.

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[ ] Pre-filing restrictions are required because the motion is granted.

The restricted party *(name)*: _____
is prohibited from filing, initiating, advancing, or continuing the litigation against the
protected party *(name):* _____
until *(date)*: _____ without pre-filing approval from the court.
(Date must be between 48 and 72 months from now.)

> *Important!* *Only the judge or commissioner who signed this order can give pre-filing approval, if that judge or commissioner is still serving and available.*

Clerk's action: Enter the information about this pre-filing restriction into the relevant database or system.

10. Pay fees and costs

[ ] None. The *Motion to Restrict Abusive Litigation* is denied.

[ ] Fees and costs are ordered because the *Motion to Restrict Abusive Litigation* is granted. *(Name)* _____ must:

[ ] Pay the other party's lawyer fees. *Amount:* $_____

Make payments to *(name):* _____ by *(date):* _____

[ ] Pay other fees and costs related to abusive litigation. *Amount:* $ _____

Make payments to *(name):* _____ by *(date):* _____

for: _____

Money Judgment *(check one)***:**

[ ] The amount/s listed above must be paid, but the court is **not** entering a money judgment at this time.

[ ] If the amount is not paid by the date listed above, the person entitled to fees can obtain a judgment without further notice.

[ ] The amount/s listed above shall be entered as a money judgment. *(Summarize the money judgment in section 1 above).* The **interest rate** is 12% unless another amount is listed here. [ ] The interest rate is ___% because *(explain):* _____

_____

11. Other Orders (if any):

_____

_____

_____

Ordered.

_____ ▶ _____
Date   *Judge or Commissioner*

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Petitioner and Respondent or their lawyers fill out below.

This order *(check any that apply)*:
[ ] is an agreement of the parties
[ ] is presented by me
[ ] may be signed by the court without notice to me

▸ _____

*Petitioner signs here **or** lawyer signs here + WSBA #*

_____
Print Name   Date

This order *(check any that apply)*:
[ ] is an agreement of the parties
[ ] is presented by me
[ ] may be signed by the court without notice to me

▸ _____

*Respondent signs here **or** lawyer signs here + WSBA #*

_____
Print Name   Date

Important! If the motion is granted, the protected party **must** complete a *Confidential Information* form (FL All Family 001), unless one has already been submitted and has current information.

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