

**Superior Court of Washington
County of**

In re the Marriage of:

and

Petitioner,

Respondent.

No.

**Ex Parte Restraining Order/
Order to Show Cause
(TPROTSC/ORTSC)**

Clerk's Action Required

Law Enforcement Notification, ¶ 4.1

Restraining Order Summary:

Does not apply.

Restraining Order Summary is set forth below:

Name of person(s) restrained: _____ . Name of
person(s) protected: _____ **See paragraph 4.1.**

Violation of a Restraining Order in paragraph 4.1 below with actual knowledge of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.09.060.

I. Show Cause Order

It is Ordered the husband wife appear and show cause, if any, why the restraints below should not be continued in full force and effect pending final determination of this action and why the other relief, if any, requested in the motion should not be granted. A hearing has been set for the following date, time and place:

Date: _____

Time: _____ a.m./p.m.

Place: _____

Room/Department: _____

If you disagree with any part of the motion, you must respond to the motion in writing before the hearing and by the deadline for your county. At the hearing, the court will consider *Written* sworn affidavits or declarations. Oral testimony may *Not* be allowed. To respond you must: (1) file your documents with the court; (2) provide a copy of those documents to the judge or commissioner's staff; (3) serve the other party's attorney with copies of your documents (or have the other party served if that party does not have an attorney); and (4) complete your filing and service of documents within the time period required by the local court rules in effect in your county. If you need more information, you are advised to consult an attorney or a courthouse facilitator.

Failure to appear may result in a Temporary Order being entered by the court that grants the relief requested in the motion without further notice.

II. Basis

A motion for a temporary restraining order without written or oral notice to the [] husband [] wife or that party's lawyer has been made to this court.

III. Findings

The court adopts paragraphs 2.1, 2.2, and 2.4 of the Motion/Declaration for an Ex Parte Restraining Order and for an Order to Show Cause (Form WPF DR 04.0150) as its findings, except as follows:

- [] Further, the court finds that the nonmoving party is absent and a) is on active duty as a National Guard member or Reservist residing in Washington, or b) is a dependent of a National Guard member or Reservist residing in Washington on active duty. Despite the service member's or dependent's absence, failure to enter the temporary orders below would result in manifest injustice to the other interested parties.

IV. Order

It is Ordered:

4.1 Restraining Order

Violation of a Restraining Order in paragraph 4.1 with actual notice of its terms is a criminal offense under Chapter 26.50 RCW and will subject the violator to arrest. RCW 26.09.060.

- [] Does not apply.

- [] The [] husband [] wife is restrained and enjoined from disturbing the peace of the other party or of any child.

- [] The [] husband [] wife is restrained and enjoined from going onto the grounds of or entering the home, work place or school of the other party or the day care or school of the following named children: _____.

- [] The [] husband [] wife is restrained and enjoined from knowingly coming within or knowingly remaining within _____ (distance) of the home, work place or school of the other party or the day care or school of these children:
_____.

- [] _____ [Name] is restrained and enjoined from molesting, assaulting, harassing, or stalking _____ [Name]. (If the court orders this relief after the hearing, the restrained person will be prohibited from possessing a firearm or ammunition under federal law for the duration of the order. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1).)

- Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to _____ [name of the appropriate law enforcement agency] which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants. **(A law enforcement information sheet must be completed by the party or the party's attorney and provided with this order before this order will be entered into the law enforcement computer system.)**

Full Faith and Credit

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

4.2 Other Restraining Orders

- The husband wife is restrained and enjoined from transferring, removing, encumbering, concealing or in any way disposing of any property except in the usual course of business or for the necessities of life and requiring each party to notify the other of any extraordinary expenditures made after the order is issued.
- The husband wife is restrained and enjoined from removing any of the children from the state of Washington.
- The husband wife is restrained and enjoined from assigning, transferring, borrowing, lapsing, surrendering or changing entitlement of any insurance policies of either or both parties whether medical, health, life or auto insurance.
- The husband wife shall be the parent with whom the child(ren) reside until the hearing.
- Other:

4.3 Surrender of Deadly Weapons

- Does not apply.
- It is ordered that _____ [Name] surrender any deadly weapon in his or her immediate possession or control or subject to his or her immediate possession or control to:
- the _____ [Name of county] County sheriff.
- _____ [Name].

The court finds that irreparable injury could result if an order is not issued until the time for response has elapsed. (See RCW 26.09.060(2)(b).)

4.4 Expiration Date

This order shall expire on the hearing date set forth above or 14 days from the date of issuance, which ever is sooner, unless otherwise extended by the court.

4.5 Waiver of Bond

- Does not apply.
- The filing of a bond or the posting of security is waived.

4.6 Other

Dated: _____ at _____ a.m./p.m.

Judge/Commissioner

Presented by:

Signature of Party or Lawyer/WSBA No.

Print or Type Name Date