

Instructions for Application to Enforce or Refuse to Enforce a Canadian Domestic Violence Protection Order

This form is used to by either:

- the person authorized by Washington law, other than RCW chapter 26.55, to seek enforcement of a domestic protection order; or
- the person who is the restrained person in a Canadian domestic violence protection order.

This form will be filed as a public court record and will start a civil court case.

Print Clearly! Use Black or Blue Ink only.

Top of the form (Page 1)

Fill in your name (first, middle initial, last) as the “Petitioner.” The opposing party (either the restrained person or the protected individual) in the Canadian domestic violence protection order is the “Respondent.” Fill in that person’s name (first, middle initial, last).

What Relief Are you Seeking (Question 1)

Check the box that describes the relief you are seeking from the court.

Identify the Parties of the Canadian Domestic Violence Protection Order (Question 2)

Provide the information for each protected individual and for the restrained person that were parties of the Canadian domestic violence protection order that you are seeking enforcement or refusal of enforcement of in this action.

Canadian Domestic Violence Protection Order (Question 3)

Provide the title or case name (for example: Smith v. Smith, In re of Smith), the case number or docket number the Canadian court issued for the protection order proceeding, the Canadian court, the date the court signed the order, and expiration date of the protection order.

Who Is Filing the Application (Question 4)

The court must know who is filing the application, and how are you associated with the Canadian domestic violence protection order.

Check the first box if someone in your family or household needs protection.

Check the second box if you are the guardian, guardian ad litem, or next friend of a minor 13 – 15 years of age who is a victim of domestic violence in a dating relationship with a person 16 years of age or older who needs protection. Include the minor’s name in the space provided within the second check box and provide additional identifying information for the minor in

paragraph 8. A next friend is a competent person, over 18 years of age, chosen by the minor who is capable of pursuing the minor's stated interest in the petition for order for protection action.

Check the third box if you are the restrained person of a Canadian domestic violence protection order and you do not want it enforced in the state of Washington because the order is invalid.

Residency (Question 5)

Check the box that applies.

Age (Question 6)

The court needs to know the ages of the protected person and the restrained person of the Canadian domestic violence protection order. Check **one** box for each of the protected individuals. Check **one** of the boxes for the restrained person's age.

Relationship (Question 7)

The court must know the relationship between the protected individual(s) and the restrained person. The court needs to know if the protected individual(s) and the restrained person are "intimate partners" or "family or household members." Check the box that best describes the situation. If you are petitioning on behalf of a minor, the minor's relationship to the restrained person is addressed in question 8

Identification of Minors (Question 8)

- If there are no children, check the box indicating "No Minors Involved."
- If there are children, list each child's name, age, race, and sex. Fill in how that child is related to you (for example, son, stepdaughter, etc.). Fill in how that child is related to the respondent. Fill in with whom that child lives (for example: me, grandparent, respondent).
- If you have questions about safety for your children, ask for advocate resources for help in filling out this section.

Court Cases (Question 9)

This may not be the first court proceeding involving the petitioner, the respondent, the protected individual, or the minor(s). The court will need to know about other cases, such as divorce, parentage, or criminal, or other restraining, protection, or no-contact orders so the court does not issue an order that might conflict with an order from another court.

If there are other cases or orders involving you, or the minor(s) and the other party, list the case title (the parties' names), the case number (if you know it), and the court (district, municipal, or superior), county, and country in the columns provided.

Request for an Order Enforcing or Refusing to Enforce the Canadian Domestic Violence Protection Order

In this section, you must tell the court what you want the court to order after the proceeding (the relief requested). The court can only grant the relief you request in the petition.

Attach a Certified Copy of the Canadian Domestic Violence Protection Order

The court needs a certified copy of the Canadian order to review in determining if the order is valid.

Sign the Form

When you are done, put today's date in the date line and fill in the city where you are completing this form. Sign the form as the Petitioner.

If the Canadian domestic violence protection order states that your residential address is confidential, you have the right to keep it confidential for this proceeding. If you want to keep your address confidential, you must provide an address that is not your residential address where you agree to accept legal documents.

Go to Court

Bring your completed petition to the clerk's office of the local court. They will direct you further.