

**Superior Court of Washington, County of \_\_\_\_\_**

In re:

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

\_\_\_\_\_

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

\_\_\_\_\_

No. \_\_\_\_\_

Restraining Order

Temporary (TRO)

Final (RSTO)

Clerk's action required: **7**

## Restraining Order

*This order replaces all earlier Restraining Orders restraining the same person signed in this case number. Use a separate order for each restrained person.*

**1. This Order restrains (name):**

\_\_\_\_\_

Restrained Party's Distinguishing Features:

\_\_\_\_\_

**Restrained Party's Identifiers**

Sex	Race	Hair
Height	Weight	Eyes

**Caution:** Access to weapons:  yes  no  unknown

**2. This Order protects (name/s):** \_\_\_\_\_  
**and the following children, who are under 18 (if any)**

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

**3. To the Restrained Person listed in 1:**

This Order starts immediately, and ends in 12 months or on (date): \_\_\_\_\_

**Warning! You must obey this order.** Violation of this order 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). This order is enforceable in all 50 U.S. states, the District of Columbia, and U.S. territories and tribal lands (18 U.S.C. § 2265).

## 4. Findings

**Authority:** The court has jurisdiction over the parties, the children listed in **2**, and the subject matter.

**Notice:** The Restrained Person had reasonable notice and an opportunity to be heard. He/She was notified of the hearing by  personal service  service by mail allowed by the court  service by publication allowed by the court  
The Restrained Person  was  was not present at the hearing.  
 The Restrained Person had actual notice of the hearing.  
 other (*specify*): \_\_\_\_\_.

**Credible Threat:** The Restrained Person represents a credible threat to the physical safety of the Protected Person.

**Intimate Partner:** The Restrained Person is/was an intimate partner to the Protected Person (including current and former spouses and domestic partners, parents of a child-in-common, and people who lived together as part of a dating relationship).

**Military:** The (*check one*):  Petitioner  Respondent lives in the state of Washington, but was not able to go to the hearing because s/he is an active-duty member of the National Guard or Reserves (or a dependent of one). A failure to act despite the absence of the service member will result in a manifest injustice to the other party.

## 5. Court Orders to the Restrained Person listed in 1:

**Warning!** You **must** obey this order until it ends. If you know about this order but do not obey, you may be arrested and charged with a crime.

**Do not disturb**

The Restrained Person must not disturb the peace of the Protected Person or of any child listed in **2**.

**Stay away**

The Restrained Person must not go onto the grounds of or enter the Protected Person's home, workplace, or school, or the daycare or school of any child listed in **2**.

Also, the Restrained Person must not knowingly go or stay within \_\_\_\_\_ feet of the Protected Person's home, workplace, or school, or the daycare or school of any child listed in **2**.

**Do not hurt or threaten**

The Restrained Person must not:

- Assault, harass, stalk or molest the Protected Person or any child listed in **2**; or
- Use, try to use, or threaten to use physical force against the Protected Person or children that would reasonably be expected to cause bodily injury.

**Warning!** If the court checks this box, the court must consider if weapons restrictions are required by state law; federal law may also prohibit the Restrained Person from possessing firearms or ammunition.

**Prohibit weapons and order surrender**

The Restrained Person must:

- not possess or obtain any firearms, other dangerous weapons, or concealed pistol license; and
- follow the **Order to Surrender Weapons** (form All Cases 02-050), signed by the court and filed separately.

**Findings** – The court (*check all that apply*):

**must** issue the above orders about weapons because:

the “*Do not hurt or threaten*” restraints are ordered above, and the court found in section **4** that the Restrained Person had *actual notice*, represented a *credible threat*, and was an *intimate partner*. RCW 9.41.800.

the court finds by clear and convincing evidence that the restrained person has:

used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or

previously committed an offense making him or her ineligible to possess a firearm under RCW 9.41.040.

**may** issue the above orders about weapons because the court finds by a preponderance of evidence that the Restrained Party:

presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon; or

has used, displayed or threatened to use a firearm or other dangerous weapon in a felony; or

previously committed an offense making him or her ineligible to possess a firearm under RCW 9.41.040.

**Other restraining orders:** \_\_\_\_\_

**6. Service:**

Fill out a *Law Enforcement Information Sheet* (form All Cases 01.0400) and give it to the clerk.

(*Check one*):

**The other party must be served.**

**You have a right to have law enforcement serve this order free of charge.**

The clerk of the court shall forward a copy of this order on or before the next judicial day to \_\_\_\_\_  County Sheriff's Office  City Police Department *where the restrained person lives* which shall personally serve the restrained person with a copy of this order and shall promptly complete and return to this court proof of service.

The protected person shall give a copy of this order to law enforcement for service free of charge.

The protected person **waives free service** by law enforcement and shall make private arrangements for service of this order. Do not serve the *Law Enforcement Information Sheet* on the Restrained person – it is only for law enforcement.

After serving, the server fills out a *Proof of Personal Service* (form FL All Family 101) and gives it to you. File the original *Proof of Personal Service* with the court clerk, and give a copy to the law enforcement agency listed below.

- The other party does not have to be served** because the other party or his/her lawyer signed this order or was at the hearing when this order was made.


## 7. To the clerk:

Provide a copy of this Order and the *Law Enforcement Information Sheet* to the agency listed below within one court day. The law enforcement agency must enter this Order into the state's database.

Name of law enforcement agency where the Protected Person lives: \_\_\_\_\_.

*The restrained person's information will be removed from the state's database when this Order ends unless the court signs a new Order or extends the end date of this Order.*

## Ordered.

\_\_\_\_\_  \_\_\_\_\_  
*Date* *Time* *Judge or Commissioner*


## 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

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 #*

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

\_\_\_\_\_  
*Print Name* *Date*

\_\_\_\_\_  
*Print Name* *Date*