

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 (TMRO)

☐ Final (RSTO)

Clerk's action required: 6, 7

Surrender Weapons Ordered: ☐ yes ☐ no

Restraining Order

This order replaces all earlier Restraining Orders with the same Restrained Person, issued under this case number.

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.		2.	
3.		4.	

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 7.105 RCW and will subject the violator to arrest (*RCW 7.105.450*). 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. They were 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 and the Protected Person are/were intimate partners because they are (*check all that apply*):

☐ current or former spouses or domestic partners.

☐ parents of a child-in-common (unless a child was conceived through sexual assault).

☐ current or former dating relationship (age 13 or older) and
☐ never lived together. ☐ live or have lived together.

☐ **Military:** The (*check one*): ☐ Petitioner ☐ Respondent lives in the state of Washington, but was not able to go to the hearing because they are 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**

Do not disturb the peace of the Protected Person or of any child listed in **2**.

☐ **Stay away**

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

☐ Do not knowingly go or stay within _____ feet of the Protected Person's home, vehicle, workplace, school, or the daycare or school of any child listed in **2**.

☐ **Do not hurt or threaten**

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.

Do 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.

☐ **Prohibit weapons and order surrender (separate order required)**

The Restrained Person must:

- Immediately surrender to law enforcement all firearms, dangerous weapons, and concealed pistol licenses in the party's custody, control, or possession;
- Not access, possess, have in their custody or control, purchase, receive, or attempt to purchase or receive firearms, other dangerous weapons, or concealed pistol licenses; and
- Comply with the **Order to Surrender and Prohibit Weapons** (form WS 001) filed separately.

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

- ☐ **must** issue the orders referred to above because:
- ☐ the court ordered the **do not hurt or threaten** restraints above and the court finds that the restrained person had **actual notice** and an **opportunity to participate**. AND:
- the Restrained Person represents a **credible threat** to the physical safety of a protected person, OR
 - This order explicitly prohibits the use, attempted use, or threatened use of **physical force** against any protected person.

Therefore, the weapons restrictions are required by state law. RCW 9.41.800(2).

- ☐ the court finds by a preponderance of the evidence that the Restrained Person:
- ☐ has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or
 - ☐ is ineligible to possess a firearm under RCW 9.41.040.
- ☐ **may** issue the orders referred to above because the court finds by a preponderance of the evidence that the Restrained Person 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.

☐ **Other restraining orders:** _____

6. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____
(**check only one**): ☐ Sheriff's Office or ☐ Police Department (*List the same agency that entered the temporary order, if any*)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

7. Service

- ☐ **Required.** The Restrained Person must be served with a copy of this order.

Important! The Protected Person has a right to have law enforcement serve this order free of charge if the “Do not disturb,” “Stay away,” “Do not hurt or threaten,” or “Prohibit weapons and order surrender” boxes are checked above.

- ☐ The **law enforcement agency** where the Restrained Person lives or can be served shall serve the Restrained Person with a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): ☐ Sheriff’s Office or ☐ Police Department

- ☐ The **Protected Person** shall make private arrangements for service.
(*This is only an option if surrender of weapons is **not** ordered*)

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 in section **6** above.

Clerk’s Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or person checked above. The court clerk shall also provide a copy to the Protected Person.

- ☐ **Not required.** The Restrained Person does not have to be served because the Restrained Person or their lawyer signed this order, or was at the hearing when this order was made and the court finds sufficient notice.

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 #*

_____	_____	_____	_____
<i>Print Name</i>	<i>Date</i>	<i>Print Name</i>	<i>Date</i>

Important! Protected Person: you must fill out a *Law Enforcement and Confidential Information* form, PO 003, and give it to the court clerk.