

\_\_\_\_\_ Court of Washington, County/City of \_\_\_\_\_

\_\_\_\_\_  
Petitioner/Plaintiff  
(as listed on order being enforced)

vs.

\_\_\_\_\_  
Respondent/Defendant  
(as listed on order being enforced)

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

Contempt Hearing Order  
(Protection, Extreme Risk Protection, No  
Contact, Weapons Surrender)

(ORCN)

Clerk's action required: 1, 12, 13, 14

**Contempt Hearing Order  
(Protection, Extreme Risk Protection, No Contact, Weapons  
Surrender)**

**1. Money Judgment Summary**

No money judgment is ordered.

A money judgment is ordered.  
(Summarize any money judgment from section 12 below.)

Judgment Creditor: \_\_\_\_\_

Judgment Debtor: \_\_\_\_\_

Principal Judgment Amount: \$ \_\_\_\_\_

Interest to Date of Judgment: \$ \_\_\_\_\_

Attorney Fees: \$ \_\_\_\_\_

Costs: \$ \_\_\_\_\_

Other Recovery Amounts: \$ \_\_\_\_\_

Yearly interest rate for principal judgment amount: \_\_\_\_\_%.

Yearly interest rate for attorney's fees, costs, and other recovery amounts: \_\_\_\_\_%.

Attorney for Judgment Creditor: \_\_\_\_\_

Attorney for Judgement Debtor: \_\_\_\_\_

Other: \_\_\_\_\_

**2. Contempt hearing held**

On (date) \_\_\_\_\_, the court:

- heard the motion to set hearing for contempt filed by:
  - the Petitioner in case number: \_\_\_\_\_
  - the City Attorney for case number: \_\_\_\_\_
  - the Prosecutor for case number: \_\_\_\_\_
- held a hearing for contempt based on the court's findings during the compliance review hearing against the Restrained Person.

The following people were present at the hearing:

- |   |                                    |                                   |                                   |
|---|------------------------------------|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Protected Person                         | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Protected Person's Lawyer                | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Petitioner (if not the protected person) | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Restrained Person/Defendant              | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Restrained Person's/Defendant's Lawyer   | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Law Enforcement Agency                   | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> City Attorney/Prosecutor                 | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Other: _____                             | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |

The Restrained Person/Defendant was **not** present.

**3. The Court reviewed:**

The court has considered the *Motion for Contempt Hearing* and any supporting documents, response from the Restrained Person, reply, other documents from the court record identified by the court, and the following (check all that apply):

- the list of firearms and other dangerous weapons surrendered by, or otherwise belonging to, the Restrained Person that are in possession of (law enforcement agency) \_\_\_\_\_.
- proof from (law enforcement agency) \_\_\_\_\_ that any concealed pistol license (CPL) issued to the Restrained Person has been surrendered to a law enforcement agency and revoked.
- the affidavit from (law enforcement agency) \_\_\_\_\_ providing the basis of its reasonable suspicion that the Restrained Person is not in full compliance with the *Order to Surrender and Prohibit Weapons*.
- the affidavit from the Protected Person regarding firearms surrender.
- proof of compliance with the *Order to Surrender and Prohibit Weapons* or *Extreme Risk Protection Order* provided by the Restrained Person.
- the *Order Finding Noncompliance and to go to Court*.
- DOL firearm records.
- Washington State Patrol firearm records.

➤ **The Court finds:**

**4. Notice of Previous Order**

On (date): \_\_\_\_\_, the court entered the following order/s (check all that apply):

- Protection Order
  - Domestic Violence
  - Harassment
  - Vulnerable Adult
- Sexual Assault
- Stalking
- Extreme Risk

- No Contact Order
- Order to Surrender and Prohibit Weapons

*Extreme Risk Protection Order* dated \_\_\_\_\_ that directed the Defendant/Restrained Person to surrender, not access, obtain, or possess all firearms and CPL. The Restrained Person  was  was **not** present when the order/s were entered.

The Restrained Person  did  did **not** have actual notice of the terms of the order/s.

**5. Compliance Review Hearing**

- The court has **not** held a compliance review hearing.
- Before this contempt hearing, a compliance review hearing was held on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ a.m./p.m. at (department/judge/calendar) \_\_\_\_\_.

The Restrained Person  was  was **not** present at the hearing.

The Restrained Person  did  did **not** have actual notice of the terms of the *Order to Surrender and Prohibit Weapons* or *Extreme Risk Protection Order* and *Findings and Order on Review: Weapons/Firearms Surrender Compliance*.

**6. Compliance with Court Order**

Since the order/s checked in sections 4 and 5 above were issued, the Restrained Person has (check one):

- willfully refused** to abide by the court order/s, has the ability to comply with the order/s, has no lawful excuse for failing to obey the court's order/s, and **is in contempt** of this court.

Specifically, the Restrained Person failed to comply as follows:

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- failed to obey the court order, but with a **lawful excuse** and is **not** in contempt.
- failed to obey the court order but remedial contempt sanctions are not appropriate because the Restrained Person does **not currently have the power to comply** with the order. (RCW 7.21.030).
- obeyed** the court order and is **not** in contempt of court.

**7. Prior contempt**

Does not apply.

The Restrained Person has been held in contempt before for **not** complying with an order of this court. The Restrained Person (*check one*):

has purged the prior contempt of court.

has **not** yet purged a prior contempt of court.

**8. Warrant for failure to appear**

Does not apply.

The Defendant/Restrained Person has failed to appear at a hearing despite notice and proper service of the summons or order to show cause re contempt and a warrant should be issued to take them into custody immediately.

**9. Detention of minor**

Does not apply.

The Restrained Person is a minor and the court considered the mitigating and aggravating factors listed below to determine whether detention is appropriate. The court also considered all less restrictive options and based upon the following clear, cogent, and convincing evidence, decided that detention is the only appropriate alternative to enforce its order:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**10. Other Findings, if any:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

➤ **The Court Orders:**

**11. Contempt**

The Restrained Person (*check one*):

is **not** in contempt. The motion is denied.

**is in contempt.** The motion is granted and the following remedial sanctions are imposed:

**purge** the contempt by performing the following actions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Surrender weapons.** The Restrained Person shall immediately surrender any firearms, concealed pistol licenses (CPL), and dangerous weapons in their possession.

**Pay a fine.** The Restrained Person shall pay the following amount due per day (*up to \$2,000/day while the contempt continues*): \$ \_\_\_\_\_ paid to: \_\_\_\_\_ by (*time*) \_\_\_\_\_ a.m./p.m. each day. **Failure to pay each day by this time may result in further contempt actions or jail time.**

**Go to jail.** The Restrained Person shall serve (*how many*) \_\_\_\_\_ days in custody at the (*jail name*) \_\_\_\_\_ jail until the Restrained Person takes the following actions:

Surrenders weapons

- They, or someone acting on their direction, **immediately** turns in all firearms, concealed pistol licenses, and dangerous weapons to: (*law enforcement agency*) \_\_\_\_\_,
- Immediately files a proof of surrender and receipt with the court, and
- mails or sends an electronic copy to the party bringing this motion for contempt (if other than the court's own motion).

**Authorized person.** The Restrained Person authorizes the following person, who is not prohibited from possessing or accessing firearms, to immediately surrender the Restrained Person's firearms on the Restrained Person's behalf to the law enforcement agency listed above:

(*first, middle and last name*) \_\_\_\_\_

(*date of birth*) \_\_\_\_\_

Other action/s: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Release from jail.** The Restrained Person must be released from jail as soon as they satisfy the conditions listed above.

**Other remedial sanctions.** (*Specify sanction/s intended to make the Restrained Person comply with the order.*)

\_\_\_\_\_  
\_\_\_\_\_

**12. Judgment for fees and costs** (*summarize in section 1, above*)

Does not apply.

The motion for contempt is granted and the Restrained Person shall pay all reasonable attorneys' fees, service fees, and other costs related to bringing this motion.

Attorney's fees \$ \_\_\_\_\_

Costs \$ \_\_\_\_\_

Other recovery amount \$ \_\_\_\_\_

Yearly interest rate for attorney's fees, costs, and other recovery amounts \_\_\_\_%.

**13. Continuance**

- Does not apply.
- The contempt motion is continued to *(date/time)* \_\_\_\_\_.
- The *Order to Surrender and Prohibit Weapons or Extreme Risk Protection Order* entered *(date)* \_\_\_\_\_ remains in effect, except as modified by this order.
- The *Order Finding Noncompliance and to Go to Court* entered *(date)* \_\_\_\_\_ remains in effect, except as modified by this order.

**14. Contempt review hearing**

- A contempt review hearing is scheduled for *(date)* \_\_\_\_\_, at *(time)* \_\_\_\_\_ a.m./p.m.  
The Restrained Person is ordered to personally appear in Courtroom \_\_\_\_\_ at \_\_\_\_\_

**IF YOU FAIL TO APPEAR IN PERSON AT THE ABOVE TIME AND PLACE, THE COURT MAY ISSUE A BENCH WARRANT FOR YOUR ARREST WITHOUT FURTHER NOTICE TO YOU.**

**15. Other orders, if any**

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**Ordered.**

Dated: \_\_\_\_\_ **Judge/Commissioner**

Presented by:

▶ \_\_\_\_\_  
 Signature WSBA No. Print Name Date

- Petitioner/Petitioner's Lawyer
- City Attorney
- Prosecutor

I received a copy of this Order:

▶ \_\_\_\_\_  
 Signature of Restrained Person Print Name Date

- Not represented by a lawyer. Advised of right to counsel.

▶ \_\_\_\_\_  
 Signature of Restrained Person's Lawyer, WSBA No. Print Name Date