WASHINGTON
COURTS
ADMINISTRATIVE OFFICE OF THE COURTS

June 18, 2014

TO: Judges, Commissioners, County Clerks, Court Administrators, Law Libraries, Attorneys, and Public

FROM: Merrie Gough, Senior Legal Analyst

SUBJECT: 2014 Summary of Changes to Stalking Protection Order Forms

The Washington Pattern Forms Committee updated the Stalking Protection Order forms to implement:

- Laws of 2014, Ch. 111, Relating to Surrender of Weapons
- Recommended changes from the legal community

Detailed descriptions of the changes follow:

1.	UHST 2.025	Worksheet for the Harassment and/or Stalking Petition This form was substantially revised. Please discard the previous version and replace it with the June 2014 version.
2.	UHST 2.020	Petition for an Order for Protection – Harassment and/or Stalking This form was substantially revised. Please discard the previous version and replace it with the June 2014 version.
3.	UHST 5.010	Petition for an Order for Protection – Respondent Under Age 18 – Harassment and/or Stalking This form was substantially revised. Please discard the previous version and replace it with the June 2014 version.
4.	ST 3.020	Temporary Protection Order and Notice of Hearing – Stalking On page one, immediately above the check box for "Petitioner is 16 years of age or older," insert: The protected person/s is/are the:

Change the first check box option as follows:

☐ Petitioner <u>who</u> is 16 years of age or older <u>and filed on his or her own behalf</u> ~~and is a victim of stalking~~.

Change the first line of the second check box option as follows:

☐ Petitioner/s <u>who</u> is/are the following minor child/ren ~~who are victims of stalking~~ <u>on whose behalf the petition was filed</u>:

Change the third check box option as follows:

☐ Petitioner is a vulnerable adult as defined in RCW 74.34.020 or 74.34.021 <u>on whose behalf the petition was filed</u>, ~~and is a victim of stalking~~. ☐ An interested person filed the petition.

On page two, in the paragraph beginning with "Based upon the petition…" in the section 1), change "petitioner/s" to "protected person/s."

Make the following changes to the restraint provisions in the table:

First restraint: delete "1)" to the left of the check box. To the right of the check box, insert "**No-Contact**:" change respondent to lower case "r", change "victim/s" to "protected person/s" and change "lawyer(s)" to "lawyer/s."

Second restraint: delete "2)" to the left of the check box. To the right of the check box, insert "**Surveillance**:" change respondent to lower case "r", change "victim/s" to "protected person/s," and delete "~~☐ and from keeping under surveillance, including electronic surveillance the following children who are not victims of stalking:_____~~"

Third restraint: delete "3)" to the left of the check box. To the right of the check box, insert "**Exclude from places**:" change respondent to lower case "r", change "victim/s" to "protected person/s," and delete "~~☐ the workplace, school or day care of the following children who are not victims of stalking: _____~~."

Fourth restraint: delete "4)" to the left of the check box. To the right of the check box, insert "**Stay Away**:" change respondent to lower case "r", change "victim/s" to "protected person/s" in two places.

In the text box, add a check box before "Surrender of Weapons," delete everything else and replace it with the following statement:

<u>Respondent shall immediately surrender any firearms and other dangerous weapons to the person or agency named in</u>

		the Order to Surrender Weapons (Issued without Notice) signed by the court on this date, under this cause number. In the text box titled "**WACIC Data Entry,**" change the end of the statement as follows: "…enter it ~~in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants~~ into the Washington Crime Information Center."
5.	ST 4.050	Order for Protection - Stalking On page one, immediately above the check box for "Petitioner is 16 years of age or older…," insert: The protected person/s is/are the: Change the first check box option as follows: ☐ Petitioner <u>who</u> is 16 years of age or older <u>and filed on his or her own behalf</u> ~~and is a victim of stalking~~. Change the first line of the second check box option as follows: ☐ Petitioner/s <u>who</u> is/are the following minor child/ren ~~who are victims of stalking~~ <u>on whose behalf the petition was filed</u>: Change the third check box option as follows: ☐ Petitioner is a vulnerable adult as defined in RCW 74.34.020 or 74.34.021 <u>on whose behalf the petition was filed</u>~~, and is a victim of stalking~~. ☐ An interested person filed the petition. On page two, make the following changes to the restraint provisions in the table: First restraint: delete "1)" to the left of the check box. To the right of the check box, insert "**No-Contact**:" change respondent to lower case "r", change "victim/s" to "protected person/s" and change "lawyer(s)" to "lawyer/s." Second restraint: delete "2)" to the left of the check box. To the right of the check box, insert "**Surveillance**:" change respondent to lower case "r", change "victim/s" to "protected person/s," and delete "~~☐ and from keeping under surveillance, including electronic surveillance the following children who are not victims of stalking:_____~~"

		Third restraint: delete "3)" to the left of the check box. To the right of the check box, insert "**Exclude from places**:" change respondent to lower case "r", change "victim/s" to "protected person/s," and delete "☐ the workplace, school or day care of the following children who are not victims of stalking: _____."
		Fourth restraint: delete "4)" to the left of the check box. To the right of the check box, insert "**Stay Away**:" change respondent to lower case "r", change "victim/s" to "protected person/s" in two places.
		Fifth restraint: delete "5)" to the left of the check box. To the right of the check box, insert "**Evaluation**:" change respondent to lower case "r".
		Sixth restraint: delete "6)" to the left of the check box. To the right of the check box, insert "**Pay Fees and Costs**:" change judgment to lower case "j".
		In the box titled "**Surrender of Weapons and Restrictions**," delete the check box immediately to the left of the title. Delete the rest of the text and replace it with:
		☐ Does not apply.
		☐ Respondent shall immediately surrender all firearms and other dangerous weapons in his or her possession or control, and any concealed pistol license to the person or agency named in the Order to Surrender Weapons signed by the court on this date, under this cause number.
		Respondent is **prohibited** from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license **while this order is in effect**.
		In the text box titled "**WACIC Data Entry,**" change the end of the statement as follows:
		"…enter it ~~in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants~~ into the Washington Crime Information Center."
6.	ST 5.030	Temporary Protection Order and Notice of Hearing – Respondent Under Age 18 – Stalking

On page one and two, make the following changes to the restraint provisions:

First restraint: delete "1)" to the left of the check box. To the right of |

		the check box, insert "**No-Contact**:" change respondent to lower case "r", and change "lawyer(s)" to "lawyer/s." Second restraint: delete "2)" to the left of the check box. To the right of the check box, insert "**Surveillance**:" change respondent to lower case "r". Third restraint: delete "3)" to the left of the check box. To the right of the check box, insert "**Exclude from places**:" change respondent to lower case "r". Fourth restraint: delete "4)" to the left of the check box. To the right of the check box, insert "**Stay Away**:" change respondent to lower case "r". Fifth restraint: delete "5)" to the left of the check box. To the right of the check box, insert "**School Attendance**:" change respondent to lower case "r". Add a check box in the text box beside Surrender of Weapons, delete everything else and replace with the following statement: Respondent shall immediately surrender any firearms and other dangerous weapons to the person or agency named in the Order to Surrender Weapons (Issued without Notice) signed by the court on this date, under this cause number. In the text box titled "**WACIC Data Entry,**" change the end of the statement as follows: "…enter it ~~in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants~~ <u>into the Washington Crime Information Center</u>."
7.	ST 5.050	Order for Protection – Respondent Under Age 18 – Stalking On page one and two, make the following changes to the restraint provisions: First restraint: delete "1)" to the left of the check box. To the right of the check box, insert "**No-Contact**:" change respondent to lower case "r", and change "lawyer(s)" to "lawyer/s." Second restraint: delete "2)" to the left of the check box. To the right of the check box, insert "**Surveillance**:" change respondent to lower case "r".

		Third restraint: delete "3)" to the left of the check box. To the right of the check box, insert "**Exclude from places**:" change respondent to lower case "r".
		Fourth restraint: delete "4)" to the left of the check box. To the right of the check box, insert "**Stay Away**:" change respondent to lower case "r".
		Fifth restraint: delete "5)" to the left of the check box. To the right of the check box, insert "**School Attendance**:" change respondent to lower case "r".
		Sixth restraint: delete "6)" to the left of the check box. To the right of the check box, insert "**Evaluation**:" change respondent to lower case "r".
		Seventh restraint: delete "7)" to the left of the check box. To the right of the check box, insert "**Pay Fees and Costs**:" change judgment to lower case "j".
		In the box titled "**Surrender of Weapons and Restrictions**," delete the check box immediately to the left of the title. Delete the rest of the text and replace it with: ☐ Does not apply. ☐ Respondent shall immediately surrender all firearms and other dangerous weapons in his or her possession or control, and any concealed pistol license to the person or agency named in the Order to Surrender Weapons signed by the court on this date, under this cause number. Respondent is **prohibited** from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license **while this order is in effect**. In the text box titled "**WACIC Data Entry,**" change the end of the statement as follows: "…enter it ~~in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants~~ <u>into the Washington Crime Information Center</u>."
8.	ST 8.010	Motion to Transfer Case to Superior Court (Stalking) This is a new form.

9.	ST 8.020	Order Transferring Case and Setting Hearing – Stalking
		This is a new form.
Surrender of Weapons forms: The following Domestic Violence forms relating to Surrender of Weapons are updated and are available for use with the Stalking Protection Order forms		
1.	DV 4.030	Motion for Surrender of Weapons
2.	DV 4.035	Order to Surrender Weapons (Issued without Notice) and Notice of Hearing
3.	DV 4.040	Order to Surrender Weapons