

_____ Court of Washington		No.
For _____		
_____	_____	Motion for Surrender and Prohibition of Weapons (MT)
Petitioner	DOB	
vs.		
_____	_____	
Respondent	DOB	

Use this motion to ask the court for a weapons order when:

- you did not ask the court for a weapons order as a part of your protection order or restraining order,
- the final protection order or restraining order issued by the court did not include a weapons order.

1. I am protected by a civil protection order issued on _____ (date) in this case:

- Domestic Violence, RCW 26.50 Anti-harassment, RCW 10.14
- Sexual Assault, RCW 7.90 Stalking, RCW 7.92
- Restraining Order, RCW 26.09, 26.10, 26.26A, 26.26B

2. The court must issue an Order to Surrender and Prohibit Weapons because the order of protection included provisions that the respondent:

- is **restrained** from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking, the protected person/s;
- had actual notice of the hearing and an opportunity to be heard; and
- represented a credible threat to the physical safety of the protected person/s; and
- the respondent and the protected person are intimate partners because they are:
 - current or former spouses or domestic partners.
 - parents of a child-in-common.
 - age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past.
 - age 16 or older and are/were in a dating relationship, but have *never* resided together.

Or

3. The restrained person (name) _____: (check all that apply)

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

Describe this offense:

is ineligible to possess a firearm under the provisions of RCW 9.41.040. Describe this offense:

has possession of a firearm or other dangerous weapon which presents a serious and imminent threat to public health or safety, or to the health or safety of any individual. My concern for imminent threat is based on the following:

4. Information about the firearms or other dangerous weapon/s:

What kind of firearm or other dangerous weapon?	Where is it located?

5. The restrained person and I are:

Intimate Partners because we are (*check all that apply*):

current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have *never* resided together.

Family or household members because we are (*check all that apply*):

current or former adult cohabitants as roommates, adult in-laws, adults related by blood, parent and child, stepparent and stepchild, grandparent and grandchild.

6. I request that the court:

- Prohibit the restrained person from accessing, obtaining, or possessing any firearms or other dangerous weapons.
- Prohibit the restrained person from obtaining or possessing a concealed pistol license.
- Require the restrained person to immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070.
- Order temporary surrender of all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070 without notice to the restrained person because irreparable injury could result if an order is not issued until the time for response has elapsed; respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed on: _____ (date) at (place) _____, Washington.



Signature of Protected Person/Attorney WSBA No. Print Name

Protected person or attorney, you must:

- **Schedule a hearing** on the Motion for Order to Surrender and Prohibit Weapons.
- **Arrange to serve notice** of the hearing on the other party.
- **File proof of service** in the court file prior to the hearing.