

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**

Restraining Order

This order replaces all earlier Restraining Orders with the same Restrained Person, issued under 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. S/he 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 and the Protected Person are/were intimate partners because they are (check all that apply):

current or former spouses or domestic partners, or 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.

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, 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.*

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.

Prohibit weapons and order surrender (separate order required)

The Restrained Person must:

- not access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses; 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 if the “Do not disturb,” “Stay away,” “Do not hurt or threaten,” or “Prohibit weapons and order surrender” boxes are checked above.

- 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 proof of service to this court.
- The protected person shall give a copy of this order to law enforcement for service.
- (Only if surrender of weapons **not** ordered)* The protected person 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 their 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*