

Superior Court of Washington, County of _____

In re the marriage/domestic partnership of:

Petitioner *(person who started this case)*:

And Respondent *(other spouse / partner)*:

No. _____

**Immediate Restraining Order (Ex Parte)
and Hearing Notice**

(TPROTSC / ORTSC)

Clerk's action required: 2, 15

**Immediate Restraining Order (Ex Parte)
and Hearing Notice**

Use this form in marriage/domestic partner cases only. For other cases, use FL Parentage 322 or FL Modify 622, depending on the type of case.

- This Order starts immediately and ends after the hearing listed below.**
- Hearing Notice** – The court will consider extending this order and the other requests made by the protected person at a court hearing:



on: _____ at: _____ [] a.m. [] p.m.
date time

at: _____, _____
court's address room or department

docket/calendar or judge/commissioner's name

Warning! If you do not go to the hearing, the court may make orders against you without hearing your side.

- This Order restrains (name):** _____

Warning! You must obey this order or you may be jailed.

- Violation [of sections **6-8**]: You can be arrested even if the protected person or persons invite or allow you to violate the order. You alone are responsible for following the order. Only the court may change the order. Requests for changes must be made in writing.

- Violation of **any** part of this order may result in financial penalties or contempt of court.
- 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. This Order protects (name/s): _____ and these children under 18 (if any):

Child's name	Age	Child's name	Age
1.		2.	
3.		4.	
5.		6.	

5. Findings

The court has reviewed the *Motion for Immediate Restraining Order*, supporting documents, and any other evidence considered on the record, including _____.

The court finds that there would be irreparable harm as described in the *Motion* if this order is not granted.

If hearing date is more than 14 days away – There is good cause to keep this order in effect until the hearing date (which is between 14 and 28 days after this order is issued) because (*describe the good cause*):

Other findings: _____

➤ **Court Orders to the Restrained Person listed in 3:**

6. Do not disturb

- No request made.
- Request denied.
- Do not disturb the peace of the Protected Person or of any child listed in **4**.

7. Stay away

- No request made.
- Request denied.
- Do not go onto the grounds of or enter the Protected Person's home, workplace, vehicle, or school, and the daycare or school of any child listed in **4**.
- Do not knowingly go or stay within _____ feet of the Protected Person's home, workplace, vehicle, or school, or the daycare or school of any child listed in **4**.

8. Do not hurt or threaten

- No request made.
- Request denied.
- Do not:
 - Assault, harass, stalk, or molest the Protected Person or any child listed in **4**; 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.

9. Surrender weapons

- Does not apply. No order entered in section **8** and no request made.
- Request denied and surrender of weapons not required.
- The Restrained Person must follow the **Order to Surrender and Prohibit Weapons** (form WS 001) signed by the court and filed separately.

Findings – The court finds irreparable injury could result if this order is not issued until the time for response has elapsed.

10. Service on the Restrained Person

- 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 **11** below.

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.

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

Clerk’s Action. The court clerk shall forward a copy of this order on or before the next judicial day 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).

12. Care and safety of children until the hearing

- No request made.
- Request denied.
- The *(check one or both)*: Petitioner Respondent must not take the children listed in **4** out of Washington state.
- Until the hearing, the children listed in **4** will live with the *(check one)*:
 Petitioner Respondent.
- Other: _____

13. Protect property

- No request made.
- Request denied.
- The *(check one or both)*: Petitioner Respondent must not move, take, hide, damage, borrow against, sell or try to sell, or get rid of any property, unless it is a usual business practice or to pay for basic needs. Both spouses/domestic partners must notify the other about any expenses that are out of the ordinary.

14. Do not change insurance

- No request made.
- Request denied.
- The *(check one or both)*: Petitioner Respondent must not make changes to any medical, health, life, property, or auto insurance policy that covers either spouse/domestic partner or any child named in **4**. That means they must not transfer, cancel, borrow against, let expire, or change the beneficiary of any policy.

15. Bond

- No bond or security is required.
- The Petitioner Respondent must file a bond or post security. *Amount:* \$_____

16. Other immediate orders

- Does not apply.
- _____

Ordered.

		Judge or Commissioner
<i>Date</i>	<i>Time</i>	

Presented by: [] Petitioner [] Respondent



Sign here

Print name (if lawyer, also list WSBA #)

Date

Protected person must complete a *Law Enforcement and Confidential Information* form, PO 003, and give it to the court clerk.