

Superior Court of Washington, County of _____

In re custody of:

Children:

Petitioner/s (person/s who started this case):

Respondents (parents and any guardian or custodian):

No. _____

Immediate Restraining Order (Ex Parte)
and Hearing Notice (Non-Parent Custody)
(TPROTSC / ORTSC)

[x] Clerk's action required: **2, 13**

**Immediate Restraining Order (Ex Parte)
and Hearing Notice (Non-Parent Custody)**

Use this form in non-parent custody cases only. For other cases, use FL Divorce 222, FL Parentage 322, or FL Modify 622, depending on the type of case.

- 1. This Order starts immediately and ends after the hearing listed below.**
- 2. 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.

3. This Order restrains (name): _____

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

- Violation [of sections **6-8**] of this order with actual notice of its terms is a criminal offense under Chapter 26.50 RCW and will subject a violator to arrest.
- 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.		4.	
2.		5.	
3.		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 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.
- [] The Restrained Person must not disturb the peace of the Protected Person or of any child listed in **4**.

7. Stay away

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

8. Do not hurt or threaten

- No request made.
- Request denied.
- The Restrained Person must 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 Weapons Issued Without Notice** (form All Cases 2-030) signed by the court and filed separately.
Findings – The court finds irreparable injury could result if an order is not issued until the time for response has elapsed.

10. Care and safety of children until the hearing

- No request made.
- Request denied.
- (Name/s): _____ must not take the children listed in **4** out of Washington state.
- Until the hearing, the children listed in **4** will live with (name): _____.
- Other: _____

11. Bond

No bond or security is required.

(Name): _____ must file a bond or post security.

Amount: \$ _____.


12. Other immediate orders

Does not apply.


13. 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:

Ordered.

_____  _____
Date Time Judge or Commissioner

Presented by: Petitioner Respondent

 _____ _____ _____
Sign here Print name (if lawyer, also list WSBA #) Date

To the Protected Person:

Warning! You must have this order served on the Restrained Person before it can be enforced.

You have a right to have law enforcement serve this order free of charge, if restraints are ordered in sections 6, 7, 8, or 9 above.

1. Fill out a *Law Enforcement Information Sheet* (form All Cases 01.0400) and give it to the clerk.
2. You must have this Order, and the paperwork you filed with the court to get this Order, personally served on the Restrained Person by someone 18 or older who is not a party to this case. (Do not serve the *Law Enforcement Information Sheet* on the Restrained person – it is only for law enforcement.)
3. After serving, the server fills out a *Proof of Personal Service* (FL All Family 101) and gives it to you. Then:
 - File the original *Proof of Personal Service* with the court clerk.
 - Give a copy of the *Proof of Personal Service* to the law enforcement agency listed above.
 - Go to the hearing.
 - Bring proposed orders to the hearing.