

Superior Court of Washington, County of _____
华盛顿州 县高等法院

In the Guardianship of:
关于以下个人的监护:

Respondent/s (*minors/children*)
被告人 (未成年人/儿童)

No. _____
编号

Motion for Immediate Order (Ex Parte) -
Emergency Minor Guardianship and
Restraining Order

即时令 (单方面) 请求——紧急未成年人
监护权和限制令

(MTSC)
(MTSC)

**Motion for Immediate Order (Ex Parte) –
Emergency Minor Guardianship and Restraining Order**
**即时令 (单方面) 请求——
紧急未成年人监护权和限制令**

To the person filing this motion:
致请求提交人:

You must file a *Minor Guardianship Petition* or an *Emergency Minor Guardianship Petition* before or at the same time as this motion. **Use this form** if you need an order placing the children with you right now. If you use this form you do **not** need GDN M 206 *Motion for Emergency Minor Guardianship*.

您必须在本请求之前或同时提交未成年人监护权申请或紧急未成年人监护权申请。如果您现在需要法院下令立即将儿童安置到您身边, **请使用此表格**。如果您使用此表格, 则不需要填写 GDN M 206 紧急未成年人监护权请求。

You must ask the court to sign the *Immediate Minor Guardianship Order (Ex Parte) and Hearing Notice*

(Form GDN M 205). This Order may be signed “ex parte” (without the other party there). Contact the Superior Court Clerk’s office for the procedure in your county.

您必须要求法院签署即时未成年人监护令 (单方面) 和听证会通知

(表格 GDN M 205)。该命令可以“单方面”签署 (另一方不在场)。有关您所在县的程序, 请联系高等法院书记员办公室。

Within 48 hours after the court signs the *Immediate Minor Guardianship Order*, you must serve this *Motion* and *Order* to the parents, any child 12 or older, anyone having custody of the children, and any lawyer appointed.

在法院签署即时未成年人监护令后的**48 小时内**，您必须将本请求和命令送达父母、任何年满 12 岁的儿童、任何对该儿童拥有监护权的人以及任何指定的律师。

To the person receiving this motion:

致请求接收人：

If you do not agree with the requests in this motion, come to the hearing to explain why. You should also file an *Objection*. You may file other written proof supporting your side, and propose your own visitation schedule, guardian, or *Child Support Worksheets* (if needed).

如果您不同意这项请求的要求，请在听证会上解释原因。如有异议，您也应该在此时提出。您可以提交其他书面证据来支持您的观点，并提出您自己的探视时间表、监护人或儿童抚养费计算表（如果需要）。

To both parties:

致双方：

If you want the court to consider your side, you **must**:

如果您想让法庭考虑您的观点，您**必须**：

- File your original documents with the Superior Court Clerk; AND
将您的原始文件提交给高等法院书记员；并
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
给法官/助理法官一份您的文件副本（如果您所在县的当地法院条例要求的话）；以及
- Give all other parties or their lawyers a copy of your papers; AND
给所有其他当事人或他们的律师一份您的文件副本；并
- Go to the hearing.
出席听证会。

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

法庭可能不允许您在动议听证会上作证。请阅读您所在县的地方法院条例（如有）。

Bring proposed order GDN M 203 ***Emergency Minor Guardianship Order*** and any other needed orders to the hearing.

将拟议的 **GDN M 203 紧急未成年人监护权令**和任何其他必要的命令带至听证会。

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are available online at www.courts.wa.gov.

截止日期！ 您的文件必须在您所在县当地法院规定的截止日期前归档和送达，如果当地没有规定，则按照州法院的规定归档和送达。法院规定和表格可在 www.courts.wa.gov 网上查阅。

1. My name is: _____ . I am asking the court for an *Immediate Minor Guardianship Order* for these children:
本人姓名: _____ 。本人请求法庭对这些儿童发出即时未成年人监护令:

Child's name 儿童姓名	Age 年龄	Child's name 儿童姓名	Age 年龄
1.		2.	

3.		4.	
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The proposed guardian is (name): _____
 提议的监护人是（姓名）：

2. Without an *Immediate Minor Guardianship Order* the children's health, safety, or welfare will be substantially and irreparably harmed prior to a hearing. (*Explain how the children could be harmed beyond repair*):

如果不下达即时未成年人监护令，儿童的健康、安全或福利将在听证会前受到实质性的、不可挽回的伤害。（解释儿童如何受到无法弥补的伤害）：

(If you need additional space attach another sheet)

（如果需要更多空间，请额外附加纸张）

3. **Notice (check one):**

通知（勾选一项）：

- [] I should **not** have to notify the other parties in advance that I am asking for an *Immediate Minor Guardianship Order* because the children could be harmed beyond repair if I gave notice. (*Explain why the children could be harmed by giving notice before the hearing*):

本人**不应该**提前通知其他当事人本人正在申请即时未成年人监护令，因为如果本人发出通知，这些儿童可能会受到无法弥补的伤害。（解释为什么在听证会前发出通知会导致儿童受伤害）：

- [] I **have** notified the other parties that I am asking for an *Immediate Minor Guardianship Order*. (*Describe any steps taken to give the other parties or their lawyers notice of this Motion*):

本人**已经**通知了其他当事人，本人要求签发即时未成年人监护令。（描述向其他方或其律师发出该请求通知的任何步骤）：

4. **Tribal Heritage**

部落传统

If there is a reason to know that a child has **tribal heritage** (including ancestry or familial political affiliation), the court must treat the child as an Indian child unless and until the affected tribe/s decide otherwise or decline to respond after receiving proper notice.

如果有理由知道一名儿童有**部落传统**（包括祖先或家族政治派别），法院必须将该儿童视为印第安儿童，除非受影响的部落另有决定或在收到合理通知后拒绝回应。

An **Indian child** is a child who is a member of an Indian tribe, or who is the biological child of an Indian tribe member and is eligible for membership. You must try to find out if any child in this case is an Indian child. If so, the federal and state Indian Child Welfare Acts will apply to your case.

印第安儿童是指印第安部落的成员儿童，或者是印第安部落成员的亲生子女，有资格成为成员的儿童。您必须设法弄清楚本案中的儿童是否是印第安儿童。如果是，联邦和州《印第安儿童福利法案》将适用于您的情况。

[] I ask the court to find that the federal and state *Indian Child Welfare Acts* do not apply to this case. None of the children have tribal heritage. I know this because (explain if the children have no tribal heritage, or if any possible tribal heritage has already been explored and decided in another court proceeding that complied with ICWA): _____

本人请求法庭裁定联邦和州《印第安儿童福利法案》不适用于本案。这些儿童都没有部落传统。本人知道这一点，是因为（解释这些儿童是否没有部落传统，或者任何可能的部落传统是否已经在其他符合 ICWA 的法庭诉讼中进行过探讨和裁决）：

[] The children are or may be Indian children.

这些儿童是或可能是印第安儿童。

Jurisdiction – The court has jurisdiction over the Indian children because they are:
管辖权——法院对印第安儿童拥有管辖权，因为他们：

[] **not** domiciled or living on an Indian reservation, and are not wards of a tribal court.

未定居或居住在印第安人保留地，也不是部落法院的受监护未成年人。

[] domiciled or living on an Indian reservation, and (check all that apply):

定居或居住在印第安人保留地，并且（请勾选所有适用项）：

[] The children's tribe agrees to Washington State's concurrent jurisdiction.

儿童的部落同意华盛顿州的并行管辖权。

[] The children's tribe decided not to use its exclusive jurisdiction (expressly declined). (RCW 13.38.060)

儿童的部落决定不使用其专属管辖权（明确拒绝）。(RCW 13.38.060)

[] Washington State should claim emergency jurisdiction for children temporarily located off the reservation to protect the children from immediate physical damage or harm. (RCW 13.38.140)

华盛顿州应该对暂时居住在保留地以外的儿童主张紧急管辖权，以保护这些儿童免受直接的身体伤害。(RCW 13.38.140)

Notice to tribes – Petitioner (check one): ☐ provided or is providing ☐ did **not** provide the required *Indian Child Welfare Act Notice* (form GDN M 401) and a copy of the *Petition* to the children's tribe/s, the parents, and any Indian custodian.

通知部落——呈请人（请勾选一项）：☐ 已提供或即将提供☐ 未向儿童部落、父母和任何印第安托管人提供所需的《印第安儿童福利法案》通知（表格 GDN M 401）和申请副本。

I ask the Court to approve these orders immediately (check all that apply):

本人请求法院立即批准这些命令（请勾选所有适用项）：

5. Custody (immediate guardianship)

监护（即时监护权）

☐ No request.

没有请求。

☐ Order that the children listed in **1** will live with the proposed guardian until the hearing. Order the clerk to issue letters of guardianship to the proposed guardian that will be valid until the hearing. The letters should give the guardian the following powers:

命令 **1** 中所列的儿童在听证会之前与提议的监护人生活在一起。命令书记官向提议的监护人签发监护书，监护书在听证会之前一直有效。此类文书应赋予监护人以下权力：

☐ Healthcare decisions, including mental health

作出医疗保健决定，包括精神健康

☐ School/educational decisions

作出学校/教育决定

☐ Access to and ability to release healthcare records

能够查阅和发布许可医疗记录

☐ Other (specify): _____

其他（具体说明）：

6. Temporary Restraining Orders

临时限制令

☐ No request.

没有请求。

☐ **Stay in Washington** – Order (name/s): _____ not to take the children listed in **1** out of Washington State.

留在华盛顿——命令（姓名）：

不要

把 **1** 中列出的儿童带出华盛顿州。

☐ **Do Not Disturb** – Order (name/s): _____ not to disturb (check all that apply): ☐ my peace ☐ the peace of any child listed in **1**.

不得打扰——命令（姓名）：

不得

打扰（请勾选所有适用项）：☐ 本人的安宁☐ **1** 中列出的任何儿童的安宁。

☐ **Stay Away – Order** (name/s): _____ not to go onto the grounds of or enter (check all that apply): ☐ my home, workplace, or school ☐ the daycare or school of any child listed in 1.

远离——命令（姓名）：_____ 不进入
入场地或进入（请勾选所有适用项）：☐ 本人的家、工作场所或学校☐ 1 中列出的任何儿童的日托所或学校。

☐ Also, to not knowingly go or stay within _____ feet of these places.
此外，不得故意前往或留在 _____ 这些地方的范围内。

Important! This restraining order must be enforced through the civil contempt process in court.

重要须知！该限制令必须通过法院的民事藐视程序强制执行。

7. Other immediate orders

其他即时令

☐ No request.
没有请求。

☐ (Specify): _____
(具体说明)：

➤ **I ask the court to approve these temporary orders at the motion hearing to stay in effect until the case is done** (check all that apply):

本人请求法院在请求听证会上批准这些临时命令在案件结束前有效（请勾选所有适用项）：

Important! The court will not grant requests below immediately. The court will consider these requests at the motion hearing.

重要须知！法院不会立即批准以下请求。法院将在请求听证会上考虑这些请求。

8. Extend immediate orders

延长即时令

☐ No request.
没有请求。

☐ Extend the immediate orders I asked for above to stay in effect until this Emergency Minor Guardianship case or Minor Guardianship case, is done.

延长本人在上面要求的即时令的有效期，直到这起紧急未成年人监护权案件或未成年人监护权案件结束。

Appointment of an emergency guardian is likely to prevent substantial harm to the children's health, safety, or welfare AND no one else appears to have the authority, ability, and willingness to act to prevent the harm

指定紧急监护人可防止对儿童的健康、安全或福利造成实质性伤害，而其他人似乎没有权力、能力和意愿采取行动来防止伤害

Explain the risk of harm: _____
解释伤害风险：

(Attach additional pages if necessary)

(请视需要加页填写)

Explain why no one else has the authority, ability, and willingness to act: _____

解释为什么其他人没有权力、能力和意愿采取行动:

(Attach additional pages if necessary)

(请视需要加页填写)

9. Appoint Guardian ad Litem (GAL) or Court Visitor

指定诉讼监护人(GAL)或法院视察员

☐ No request.

没有请求。

☐ Appoint a person (*Guardian ad Litem or Court Visitor*) to investigate and report to the court about what is in the children's best interest, and order who will pay this person's fees.

指定一位人士（诉讼监护人或法院视察员）进行调查并向法庭报告怎样做最符合儿童的利益，并下令指定由谁支付此人的费用。

10. Parents' Visitation

父母探视

☐ No request.

没有请求。

☐ Approve my proposed visitation schedule as listed in the *Minor Guardianship Petition or Emergency Minor Guardianship Petition*.

批准本人在未成年人监护权申请或紧急未成年人监护权申请中列出的拟议探视时间表。

11. Support, Insurance, and Taxes

儿童抚养费、保险和税收

The children have a right to child support (including medical support) from the legal parents, according to state law. The emergency guardian may ask the Division of Child Support or the court to order temporary child support.

根据州法律，这些儿童有权从合法父母那里获得儿童抚养费（包括医疗费用）。紧急监护人可以要求儿童抚养处或法院下令支付临时儿童抚养费。

Support – I ask the court to order the parents to (*check all that apply*):

抚养费——本人请求法院命令父母（请勾选所有适用项）：

☐ no request.

没有请求。

☐ pay child support according to the *Child Support Schedule Worksheets*.

根据儿童抚养费明细计算表支付儿童抚养费。

☐ provide and keep health insurance for the children.

为儿童提供并保留健康保险。

☐ pay children's daycare, uninsured medical, or other expenses.

支付儿童的日托、未参保医疗或其他费用。

Tax Issues – I ask the court to order:

税务问题——本人请求法庭命令：

☐ Petitioners have the right to claim the children as dependents for purposes of personal tax exemptions and associated tax credits on our tax forms.

呈请人有权将这些儿童申报为受抚养人，以获得个人免税和纳税表上的相关税收抵免。

☐ (other): _____

（其他）：

12. Fees and costs

费用和开支

☐ No request.

没有请求。

☐ Order who should pay for court costs, Guardian ad Litem fees, Court Visitor fees, lawyer fees, and other reasonable fees.

命令谁支付诉讼费、诉讼监护人费用、法院视察员费、律师费和其他合理费用。

13. Other Temporary Orders

其他临时令

☐ No request.

没有请求。

☐ (Specify): _____

（具体说明）：

➤ Reasons for my requests

本人提出请求的理由

14. Why are you asking the court for the orders in sections 9 through 13? (*Explain*):

您为什么向法庭申请第9部分至第13部分的命令？（请说明）：

Person asking for this order signs here
请求此令的人员在这里签名

Print name here
请在此处工整填写姓名

The following is my contact information:
以下是本人的联系方式:

Email: _____ Phone (Optional): _____
电子邮件地址: _____ 电话 (选填): _____

I agree to accept legal papers for this case at (check one):
本人同意通过以下地址接收本案的法律文件 (请勾选一项):

☐ my lawyer's address, listed below.
本人的律师的地址, 如下所示。

☐ the following address (this does **not** have to be your home address):
以下地址 (不一定是您的家庭住址):

Street Address or PO Box	City	State	Zip
街道地址或邮政信箱	城市	州	邮编

☐ Email: _____
电子邮件地址:

Lawyer (if any) fills out below:
律师 (如有) 填写以下内容:

Lawyer signs here
律师在此处签名

Print name and WSBA No.
请工整填写姓名和 WSBA 编号

Date
日期

Lawyer's Street Address or PO box	City	State	Zip
律师的街道地址或邮政信箱	城市	州	邮编

Email (if applicable): _____
电子邮件地址 (如适用):