

\_\_\_\_\_ Court of Washington  
For \_\_\_\_\_

\_\_\_\_\_  
Petitioner

vs.

\_\_\_\_\_  
Defendant

No.

**Contempt Hearing Order  
(ORCNW)**

Clerk's action required: 1.1, 4.2, 4.3, 4.5,  
4.6

### I. Judgment Summary

#### 1.1 Money Judgment Summary

- No money judgment is ordered.  
 Money Judgment Summary is set forth below:

- A. Judgment creditor
- B. Judgment debtor
- C. Principal judgment amount \$ \_\_\_\_\_
- D. Interest to date of judgment \$ \_\_\_\_\_
- E. Attorney's fees \$ \_\_\_\_\_
- F. Costs \$ \_\_\_\_\_
- G. Other recovery amount \$ \_\_\_\_\_
- H. Principal Judgment shall bear interest at \_\_\_\_\_ % per annum
- I. Attorney's fees, costs and other recovery amounts shall bear interest at \_\_\_\_\_ % per annum
- J. Judgment creditor's attorney \_\_\_\_\_
- K. Attorney for judgment debtor \_\_\_\_\_
- L. Other:

### II. Basis

#### 2.1 On \_\_\_\_\_ (date) the court:

- heard the motion to set hearing for contempt filed by:  
 the Petitioner in case number: \_\_\_\_\_.  
 the City Attorney for case number: \_\_\_\_\_.  
 the Prosecutor for case number: \_\_\_\_\_.

held a hearing for contempt based on the court's findings during the compliance review hearing against \_\_\_\_\_ (name of person responding).

Present at the hearing were:

<input type="checkbox"/> Defendant/Respondent/Restrained Person	<input type="checkbox"/> Petitioner
<input type="checkbox"/> Defendant/Respondent/Restrained Person's Lawyer	<input type="checkbox"/> Petitioner's Lawyer
<input type="checkbox"/> Law Enforcement Agency	<input type="checkbox"/> State's Lawyer
<input type="checkbox"/> Other _____	

The Defendant/Respondent/Restrained Person was not present.

The court reviewed:

the list of firearms and other dangerous weapons surrendered by, or otherwise belonging to, the defendant/respondent/restrained person that are in possession of \_\_\_\_\_ (law enforcement agency)

proof from \_\_\_\_\_ (law enforcement agency) that any concealed pistol license issued to the defendant/respondent/restrained person has been surrendered and the agency with authority to revoke the license was notified.

the affidavit from \_\_\_\_\_ (law enforcement agency) providing the basis of its reasonable suspicion that the defendant/respondent/restrained person is not in full compliance with the *Order to Surrender and Prohibit Weapons*.

proof of compliance with the *Order to Surrender and Prohibit Weapons* provided by the defendant/respondent/restrained person.

the *Findings and Order on Review: Weapons Surrender Compliance, Motion for Contempt Hearing* and any supporting documents, response from the defendant/respondent/restrained person, reply, and other documents from the court record identified by the court.

### III. Findings

The court finds:

**3.1**  The court entered an *Order to Surrender and Prohibit Weapons* dated \_\_\_\_\_ that directed the person responding to surrender all firearms, other dangerous weapons, and concealed pistol licenses, and to not access, obtain, or possess any firearms, other dangerous weapons, or concealed pistol licenses. The person responding  was  was not present when the order was entered and  did  did not have actual notice of the terms of the order.

**3.2**  A compliance review hearing was held on \_\_\_\_\_ (date) at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ court \_\_\_\_\_ (department/judge/calendar).

The person responding  was  was not present at the hearing.

**3.3** The defendant/respondent/restrained person  did  did not have actual notice of the terms of the *Order to Surrender and Prohibit Weapons* and *Findings and Order on Review: Weapons Surrender Compliance*.

**3.4** Since the *Order to Surrender and Prohibit Weapons* and *Findings and Order on Review: Weapons Surrender Compliance* were issued, the person responding has:

**A.**  Willfully refused to abide by the court order, has the ability to comply with the order, has no lawful excuse for failing to obey the court's order, and is in contempt of this court.

Specifically, the person responding failed to comply as follows:

---

---

---

---

---

or

**B.**  Failed to obey the court order, but with a lawful excuse and is not in contempt.

or

**C.**  Failed to obey the court order but remedial contempt sanctions are not appropriate because the respondent does not currently have the power to comply with the order (RCW 7.21.030).

or

**D.**  Obeyed the court order and is not in contempt of court.

**3.5**  The person responding  has  has not complied with all orders of this court and  has  has not yet purged a prior contempt of court;

**3.6**  The person responding has failed to appear at a hearing despite notice and proper service of the summons or order to show cause re contempt and a warrant should be issued to take them into custody immediately;

**3.7**  The defendant/respondent/restrained person is a minor and the court considered the mitigating and aggravating factors listed below to determine whether detention is appropriate. The court also considered all less restrictive options and based upon the following clear, cogent, and convincing evidence, decided that detention is the only appropriate alternative to enforce its order:

---

---

---

---

**3.8**  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**IV. Order**

The court orders that:

4.1 [ ] The motion for contempt is denied.

4.2 [ ] The motion for contempt is granted and the following remedial sanctions are imposed:

[ ] purge the contempt by performing the following actions:

[ ] Respondent shall pay (up to \$2000/day while the contempt continues) the following amount due per day: \$\_\_\_\_\_ and paid to: \_\_\_\_\_ by \_\_\_\_\_ a.m./p.m. each day. **Failure to pay each day by this time may result in further contempt actions or confinement.**

[ ] Respondent shall serve \_\_\_\_\_ days in custody at the \_\_\_\_\_ jail until they, or someone acting on their direction, **immediately** turns in all firearms, dangerous weapons and Concealed Pistol Licenses (CPLs) to: \_\_\_\_\_ (law enforcement agency) and immediately file a proof of surrender and receipt with the court, and mail/send an electronic copy to the party bringing this motion for contempt, if other than the court's own motion.

Respondent authorizes the following person, who is not prohibited from possessing or accessing firearms, to immediately surrender respondent's firearms on the respondent's behalf: (name, first, middle and last)

\_\_\_\_\_ (date of birth)  
\_\_\_\_\_ to the law enforcement agency listed above.

[ ] Other remedial sanctions listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.3 [ ] The motion for contempt is granted and the defendant/respondent/restrained person shall pay all reasonable attorneys' fees, service fees, and other costs borne by the petitioner.

Attorney's fees \$ \_\_\_\_\_

Costs \$ \_\_\_\_\_

Other recovery amount \$ \_\_\_\_\_

Attorney's fees, costs and other recovery amounts shall bear interest at \_\_\_\_\_ % per annum

4.4 [ ] Once the firearms, dangerous weapons, and concealed pistol license(s) are surrendered on behalf of the respondent (per section 4.2)

\_\_\_\_\_ is released from detention.

4.5 [ ] The contempt motion is continued to \_\_\_\_\_ (date/time).

[ ] The *Order to Surrender and Prohibit Weapons* entered \_\_\_\_\_ (date) remains in effect, except as modified by this order.

[ ] The *Findings and Order on Review: Weapons Surrender Compliance* entered \_\_\_\_\_ (date) remains in effect, except as modified by this order.

4.6 [ ] A contempt review hearing is set on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. and \_\_\_\_\_ is/are ordered to personally appear in Courtroom \_\_\_\_\_ at \_\_\_\_\_

**IF YOU FAIL TO APPEAR IN PERSON AT THE ABOVE TIME AND PLACE, THE COURT MAY ISSUE A BENCH WARRANT FOR YOUR ARREST WITHOUT FURTHER NOTICE TO YOU.**

4.7 Other: \_\_\_\_\_

Dated: \_\_\_\_\_ **Judge/Commissioner**

Presented by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name/Title WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

\_\_\_\_\_  
[ ] Signature of **Defendant/Respondent/Restrained Person**  
[ ] Pro Se, Advised of Right to Counsel

\_\_\_\_\_  
[ ] Signature of Defendant/Respondent/Restrained Person's Lawyer

\_\_\_\_\_  
Print Name WSBA No.