

<b>Court of Washington</b>	
<b>For</b> _____	<b>County</b>
Petitioner	vs.
Respondent	DOB

No. \_\_\_\_\_

**Extreme Risk Protection Order (XRPO)**

**Renewal (ORRXRPO)**

**Next Hearing Date/Time:** \_\_\_\_\_

**Court address:**

**At:** \_\_\_\_\_

Clerk's Action Required page 4

**Warning to Respondent!** You are prohibited from having a firearm in your custody or control, or from purchasing, attempting to purchase, possessing, or receiving any firearm. You must surrender any and all firearms including but not limited to firearms as described below. Under RCW 7.94.120, if you violate this order, you may be charged with a crime and you may not be able to have a firearm for at least five more years after this order expires.

***You have the sole responsibility to not violate this order. Only the court may change this order and only after written application.***

**Respondent's Distinguishing Features:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Respondent Identifiers**

Sex	Race	Hair
Height	Weight	Eyes

**This one-year order expires on date:** \_\_\_\_\_ **time:** \_\_\_\_\_ **a.m./p.m.**

**Respondent:** You must immediately surrender all firearms and any concealed pistol licenses listed below. If you have other firearms, you must surrender all of them also:


Attach additional sheet if there are more firearms to list.

**Respondent:** This order will last until the date and time noted above. If you have not done so already, you must immediately surrender to the \_\_\_\_\_ (local law

enforcement agency) all firearms in your custody, control, or possession and any concealed pistol licenses issued to you under RCW 9.41.070. You may not have in your custody or control, purchase, possess, receive, or attempt to purchase or receive, a firearm while this order is in effect. You have the right to request one hearing to terminate this order in every 12 month period that this order is in effect, starting from the date of this order and continuing through any renewals. You may seek the advice of an attorney as to any matter connected with this order.

**Respondent:**

**You must immediately surrender all firearms as follows:**

**1. Personally served:**

- a. If this order is served by a law enforcement officer, immediately surrender all firearm(s) and any concealed pistol license(s) to the serving officer.
- b. If this order is served upon you by someone who is not a law enforcement officer, immediately surrender the firearm(s) and concealed pistol license(s) to the law enforcement agency listed in this order. Contact the law enforcement agency for directions on how to immediately surrender the firearm(s) and concealed pistol license(s).

**2. Attended the hearing:** If you attended the hearing where the court issued this order, surrender the firearm(s) and concealed pistol licenses to the law enforcement agency listed in this order within 48 hours. Contact the law enforcement agency for directions on how to surrender the firearms.

**3. Service by publication/mail:** If you were served a copy of this order by publication or by mail, surrender the firearm(s) and concealed pistol license(s) to the law enforcement agency listed in this order within 48-hours of the date of service. Contact the law enforcement agency for directions on how to surrender the firearm(s) and concealed pistol license(s).

**This Extreme Risk Protection Order is based upon the following:**

- 1. **Notice:** Respondent received notice of this hearing by  personal service  publication  mail.
- 2. **The Court finds:** By a preponderance of the evidence that the Respondent poses a significant danger of causing personal injury to them self or to others in **the future** by having in Respondent's custody or control, purchasing, attempting to purchase, possessing, accessing, or receiving firearms; based upon **(check all that apply, including those listed on the following page):**
  - a.  Respondent has access to someone else's firearm(s).
  - b.  Respondent owns a firearm(s) or has expressed intent to obtain a firearm(s).
  - c.  Respondent has unlawfully or recklessly used, displayed, or brandished a firearm.
  - d.  Respondent recently acquired a firearm(s).
  - e.  Respondent violated a civil or criminal protection order, no-contact order, or restraining order issued under chapter 7.90, 7.92, 10.14, 9A.46, 10.99, 26.50, or 26.52 RCW.
  - f.  Respondent was/is the subject of a previous or current extreme risk protection order.
  - g.  Respondent violated a previous or current extreme risk protection order.

- h.  Respondent has been arrested for or convicted of a domestic violence crime.
- i.  Respondent has been arrested for or convicted of a felony offense or violent crime.
- j.  Respondent has been convicted of a hate crime under RCW 9A.36.080.
- k.  Respondent has recently committed or threatened violence against self or others, whether or not Respondent had a firearm.
- l.  Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.
- m.  Respondent has a history of use, attempted use, or threatened use of physical force against another person.
- n.  Respondent has a history of stalking another person.
- o.  Respondent's behaviors present an imminent threat of harm to self or others.
- p.  There is corroborative evidence of Respondent's abuse of  alcohol or  controlled substances.
- q.  Other: \_\_\_\_\_  
\_\_\_\_\_.

**3. Evaluation:** The court has considered whether it is appropriate to order a behavioral health evaluation of the Respondent. The court finds that conducting a behavioral health evaluation is  appropriate  not appropriate.

**Respondent:** You must have a behavioral health evaluation completed by a qualified evaluator within \_\_\_\_\_ days of this order. Proof of obtaining the evaluation must be filed with this court within \_\_\_\_\_ days of completion.

While appropriate, the court is not ordering an evaluation for the following reason(s):

\_\_\_\_\_

**Federal and Washington State Computer-Based System Data Entry**

The clerk of court shall forward a copy of this order on the same day the court issues the order to the \_\_\_\_\_ County Sheriff's Office or \_\_\_\_\_ City/Town Police Department **where Respondent lives** which shall enter this order into the appropriate federal and state computer-based criminal intelligence information systems per RCW 7.94.110.

**Service**

- The Respondent appeared in person. Additional service is not required.
- The Respondent did not appear in person.
  - The clerk of court shall forward a copy of this order on or before the next judicial day to the \_\_\_\_\_ County Sheriff's Office or \_\_\_\_\_ City/Town Police Department **where Respondent lives** who will serve a copy of this order on Respondent, remove all firearms and any concealed pistol license(s), and file a return of service with the court.
  - The Petitioner requested and shall arrange for private service of this order. Service may be done by a professional process server, or a person 18 or over who is not a party to this action, and who is responsible for filing the return of service with the court.
  - The court previously ordered service by publication or mail, or the court finds that there are now reasons to allow such service. Therefore, the court orders service of this order on Respondent by  publication  mail.

**DOL Notification**

The issuing court shall, within 3 judicial days after this order issued, forward a copy of the Respondent's driver's license, identicard, or comparable information along with the date of issuance to DOL.

**Respondent: You must attend the hearing listed on page one of this order** and show the court that you surrendered your firearm(s) and concealed pistol license(s).

Dated: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. \_\_\_\_\_  
**Judge/Commissioner**

I acknowledge receipt of a copy of this order.

\_\_\_\_\_  
Signature of Respondent Print Name

\_\_\_\_\_  
Signature of Respondent's Attorney WSBA No. Print Name

\_\_\_\_\_  
Signature of Petitioner/Attorney WSBA No. Print Name and Badge No., if applicable

**The Petitioner or Petitioner's lawyer must complete the *Law Enforcement Information – Extreme Risk Protection Order (LEIS) form, XR 105.***

**NOTICES:**

**To Petitioner:** You may file a motion to ask the court to renew this one-year order. You may begin that process no sooner than 105 days prior to the date this order expires (see page 1).

**To Respondent:** You may file a motion requesting the court to terminate this one-year order. You may make this request only once during the one-year period of this order.

**To both parties:** The court will consider any motion to terminate or renew this order only upon the filing of a written motion, the scheduling of a hearing, and notice to the other party.

**Respondent: Read more information about surrender of weapons.**

**Receipt:** The law enforcement officer who receives your firearms will prepare a receipt with a list of the firearms and any concealed pistol license(s). The law enforcement officer must file the receipt with the court within 72 hours. The officer will give you a copy of the receipt to keep for your records.

**If someone else owns the firearms:** If the law enforcement agency determines someone else is the lawful owner of the firearm(s), the agency will return the firearm to the lawful owner, if:

- the firearm is removed from the Respondent's custody, control, and possession;
- the lawful owner agrees to store the firearm in a way that Respondent does not have access and control of the firearm; and
- the owner is lawfully authorized to possess the firearm.