

**Superior Court of Washington
County of**

In re the Custody of:

Child(ren),

Petitioner(s),

and

Respondent(s).

No.

**Temporary Custody Order
(Nonparental Custody)
(TMO/TMRO)**

☐ Clerk's Action Required

☐ Law Enforcement Notification, ¶ 3.2

I. Judgment/Order Summaries

1.1 Restraining Order Summary:

☐ Does not apply. ☐ Restraining Order Summary is set forth below:

Name of person(s) restrained: _____. Name of person(s) protected: _____. **See paragraph 3.2.**

Violation of a Restraining Order in Paragraph 3.2 Below With Actual Notice of its Terms Is a Criminal Offense Under Chapter 26.50 RCW and Will Subject the Violator to Arrest. RCW 26.10.115.

1.2 Money Judgment Summary:

☐ Does not apply. ☐ The judgment summary is as follows:

A.	Judgment creditor	_____
B.	Judgment debtor	_____
C.	Principal judgment amount (back child support)	\$ _____
	From _____ [Date] to _____ [Date]	
D.	Interest to date of judgment	\$ _____
E.	Attorney fees	\$ _____
F.	Costs	\$ _____

- G. Other recovery amount \$ _____
H. Principal judgment shall bear interest at _____ % per annum
I. Attorney fees, costs and other recovery amounts shall bear interest at _____ % per annum
J. Attorney for judgment creditor _____
K. Attorney for judgment debtor _____
L. Other: _____

II. Basis

A motion for a temporary nonparental custody order was presented to this court and the court finds reasonable cause to enter this order. The court has consulted the judicial information system, if available, to determine the existence of any information and proceedings that are relevant to the placement of the child(ren).

Indian Child Welfare Act

Indian child status:

☐ The child(ren) are Indian child(ren) as defined by 25 U.S.C. § 1903. The Indian Child Welfare Act does apply to these proceedings; ☐ all notice and evidentiary requirements under the Indian Child Welfare Act have been satisfied, as follows:

☐ All notice and evidentiary requirements under the Indian Child Welfare Act have not been satisfied. The court directs the following actions occur to ensure that notice and evidentiary requirements under the Indian Child Welfare Act have been or will be satisfied:

☐ The child(ren) are not Indian child(ren) as defined by 25 U.S.C. § 1903, and the Indian Child Welfare Act, 25 U.S.C. § 1901, et seq., does not apply to these proceedings.

Jurisdiction:

☐ The child(ren) are Indian child(ren) as defined by the Indian Child Welfare Act, 25 USC § 1903, but are not domiciled or residing within the boundaries of an Indian reservation; and no Tribal Court has continuing jurisdiction over the child(ren); this court has jurisdiction under 25 USC § 1911.

☐ The child(ren) are Indian child(ren) as defined by the Indian Child Welfare Act, 25 USC § 1903, and are domiciled or residing within the boundaries of an Indian reservation; or a Tribal Court has continuing jurisdiction over the child(ren).

☐ Further, the court finds that the nonmoving party is absent and a) is on active duty as a National Guard member or Reservist residing in Washington, or b) is a dependent of a National Guard

member or Reservist residing in Washington on active duty. Despite the service member's or dependent's absence, failure to enter the temporary orders below would result in manifest injustice to the other interested parties.

III. Order

It is Ordered:

3.1 Temporary Relief

☐ Temporary custody shall be as follows:

☐ Temporary visitation shall be as follows:

Mother: Visitation for the mother shall be ☐ as set forth in the Residential Schedule signed by the court on _____ [Date]; or ☐ as follows:

Father: Visitation for the father shall be ☐ as set forth in the Residential Schedule signed by the court on _____ [Date]; or ☐ as follows:

☐ Child support shall be paid in accordance with the attached order of child support, signed by the court, which is incorporated as part of this temporary order.

3.2 Restraining Order

Violation of a Restraining Order in Paragraph 3.2 With Actual Notice of its Terms Is a Criminal Offense Under Chapter 26.50 RCW and Will Subject the Violator to Arrest. RCW 26.10.115.

☐ Does not apply.

☐ _____ [Name] is restrained and enjoined from disturbing the peace of the protected person(s).

☐ _____ [Name] is restrained and enjoined from going onto the grounds of or entering the home, work place or school of the protected person(s) or the day care or school of the following named children: _____.

☐ _____ [Name] is restrained and enjoined from knowingly coming within or knowingly remaining within _____ (distance) of the home, work place, or school of the protected person(s) or the day care or school of these children: _____.

- ☐ _____ [Name] is restrained and enjoined from molesting, assaulting, harassing, or stalking _____ [Name].
- ☐ **Clerk's Action.** The clerk of the court shall forward a copy of this order, on or before the next judicial day, to _____ [name of appropriate law enforcement agency] which shall enter this order into any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants. **(A law enforcement information sheet must be completed by the party or the party's attorney and provided with this order before this order will be entered into the law enforcement computer system.)**

Service

- ☐ The restrained party or attorney appeared in court or signed this order; service of this order is not required.
- ☐ The restrained party or attorney did not appear in court; service of this order is required.

Expiration Date

This restraining order will expire in 12 months and shall be removed from any computer-based criminal intelligence system available in this state used by law enforcement agencies to list outstanding warrants, unless a new order is issued, or unless the court sets forth another expiration date here: _____ [month/day/year].

3.3 Other Restraining Order

- ☐ _____ [Name] is restrained and enjoined from removing any of the children from the state of Washington.
- ☐ _____ [Name] shall surrender any deadly weapon in his or her immediate possession or control or subject to his or her immediate possession or control to:
- ☐ the _____ [Name of County] county sheriff.
- ☐ _____ [Name].
- ☐ _____ [Name] shall pay temporary attorney fees, other professional fees and costs in the amount of \$ _____ to:
- ☐ Other:

3.4 Bond or Security

- ☐ Does not apply.
- ☐ The filing of a bond or the posting of security is waived.
- ☐ Other:

3.5 Other

3.6 Summary of RCW 26.09.430 - .480, Regarding Relocation of a Child

This is a summary only. For the full text, please see RCW 26.09.430 through 26.09.480.

If the person with whom the child resides a majority of the time plans to move, that person shall give notice to every person entitled to court ordered time with the child.

If the move is outside the child's school district, the relocating person must give notice by personal service or by mail requiring a return receipt. This notice must be at least 60 days before the intended move. If the relocating person could not have known about the move in time to give 60 days' notice, that person must give notice within five days after learning of the move. The notice must contain the information required in RCW 26.09.440. See also form DRPSCU 07.0500 (Notice of Intended Relocation of a Child).

If the move is within the same school district, the relocating person must provide actual notice by any reasonable means. A person entitled to time with the child may not object to the move but may ask for modification under RCW 26.09.260.

Notice may be delayed for 21 days if the relocating person is entering a domestic violence shelter or is moving to avoid a clear, immediate and unreasonable risk to health and safety.

If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.

A relocating person may ask the court to waive any notice requirements that may put the health and safety of a person or a child at risk.

Failure to give the required notice may be grounds for sanctions, including contempt.

If no objection is filed within 30 days after service of the notice of intended relocation, the relocation will be permitted and the proposed revised residential schedule may be confirmed.

A person entitled to time with a child under a court order can file an objection to the child's relocation whether or not he or she received proper notice.

An objection may be filed by using the mandatory pattern form WPF DRPSCU 07.0700 (Objection to Relocation/Petition for Modification of Custody Decree/Parenting Plan/Residential Schedule). The objection must be served on all persons entitled to time with the child.

The relocating person shall not move the child during the time for objection unless: (a) the delayed notice provisions apply; or (b) a court order allows the move.

Warning: Violation of residential provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or RCW 9A.40.070(2). Violation of this order may subject a violator to arrest.

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