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January 31, 2018

TO: Judges, Commissioners, County Clerks, Court Administrators, Libraries, Attorneys, and Public

FROM: Merrie Gough, AOC Sr. Legal Analyst

RE: Summary of Changes to Stalking Protection Order Forms

The Washington Pattern Forms Committee updated the Stalking Protection Order forms to implement recommended changes to surrender of weapon provisions. These changes are published with updates to the Surrender of Weapons forms.

Detailed descriptions of the changes to the Stalking protection order forms are in the table below:

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| --- | --- |
| Form number | Form title and description |
| **ST 3.020** | **Temporary Order for Protection and Notice of Hearing**Delete the code “ORWPN” in the first page caption and in the footer. The Order to Surrender Weapons is now a separate document.On page two, change the “Surrender of Weapons” check box option as follows:[ ]  **Surrender of Weapons Order filed separately**~~The respondent must turn in any firearms and other dangerous weapons as stated in the~~ ***~~Order to Surrender Weapons Issued Without Notice~~*** ~~filed separately.~~The respondent must comply with the ***Order to Surrender Weapons Issued Without Notice*** filed separately, which requires the respondent to surrender any firearms and other dangerous weapons.The court finds that irreparable injury could result if the order to surrender weapons is not issued. |

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| **ST 4.020** | **Return of Service**This is a new form. |
| **WPF ST 4.050** | **Order for Protection - Stalking**Delete the code “ORWPNP” in the first page caption and in the footer. The Order to Surrender Weapons, including any Concealed Pistol License, is now a separate document.On page two, change the beginning of the section “**Prohibit Weapons and Order Surrender**” as follows:“The Respondent must:* not possess or obtain ~~or possess~~ any firearms, other dangerous weapons, or concealed pistol license; and
* ~~turn in any firearms, other dangerous weapons, and concealed pistol license as stated in~~ comply with the ***Order to Surrender Weapons*** filed separately.”

Make the following changes in the “Findings” section:Change the check box option that begins with “must” as follows:“[ ]  **must** issue the orders referred to above ~~above orders and an~~ ***~~Order to Surrender Weapons~~***because:” Change the check box option that begins with “may” as follows:“[ ]  **may** issue the orders referred to above ~~above orders and an~~ ***~~Order to Surrender Weapons~~***because the court finds by a preponderance of evidence, the Respondent:*…*” |
| **ST 5.030** | **Temporary Order for Protection – Respondent under 18 – Stalking**On page two, change the “Surrender of Weapons” check box option as follows:[ ]  **Surrender of Weapons Order filed separately**~~The respondent must turn in any firearms and other dangerous weapons as stated in the~~ ***~~Order to Surrender Weapons Issued Without Notice~~*** ~~filed separately.~~The respondent must comply with the ***Order to Surrender Weapons Issued Without Notice*** filed separately, which requires the respondent to surrender any firearms and other dangerous weapons.The court finds that irreparable injury could result if the order to surrender weapons is not issued. |
| **ST 5.050** | **Order for Protection – Respondent under 18 – Stalking**Delete the code “ORWPNP” in the first page caption and in the footer. The Order to Surrender Weapons, including any Concealed Pistol License, is now a separate document.On page two, change the beginning of the section “**Prohibit Weapons and Order Surrender**” as follows:“The Respondent must:* not possess or obtain ~~or possess~~ any firearms, other dangerous weapons, or concealed pistol license; and
* ~~turn in any firearms, other dangerous weapons, and concealed pistol license as stated in~~ comply with the ***Order to Surrender Weapons*** filed separately.”

Make the following changes in the “Findings” section:Change the check box option that begins with “must” as follows:“[ ]  **must** issue the orders referred to above ~~above orders and an~~ ***~~Order to Surrender Weapons~~***because:” Change the check box option that begins with “may” as follows:“[ ]  **may** issue the orders referred to above ~~above orders and an~~ ***~~Order to Surrender Weapons~~***because the court finds by a preponderance of evidence, the Respondent:*…*” |