

## **PETITION FOR ORDER FOR PROTECTION (Domestic Violence)**

This document asks the court to protect you and/or your children from domestic violence. It gives the judge information about why you need a protection order. You do not have to be physically injured in order to qualify for an order. If you can tell the court about why you are afraid that you will be hurt, you **may** be able to get an order.

This form can be used to request both immediate temporary protection AND extended protection. If you need immediate protection, and the court finds an emergency exists, the court may immediately issue a temporary order that will last until a hearing is held, usually within 14 days. At that hearing, the court will determine if an extended or full Order for Protection should be issued. The respondent has a right to attend that hearing. If you need both temporary protection and extended protection, it is necessary for you to check and fill out both columns on pages 2 and 3 of the form at the same time.

### **PRELIMINARY INFORMATION (Page 1)**

Fill in your name as the "Petitioner". The person you want protection from is the "Respondent". Fill in the respondent's name.

#### **Who Needs Protection** (Question 1)

The court must know who needs protection. Check the first box if you need protection. Check the second box if someone in your family or household needs protection. You may check both boxes.

#### **Residency** (Question 2)

The court needs to know where you live in order to determine if the court can issue a protection order. Check ONE of the boxes to tell the court about where you currently live.

#### **Age** (Question 3)

The court needs to know the ages of both parties. Check ONE of the boxes for your age. Check ONE of the boxes for the respondent's age.

#### **Relationship** (Question 4)

The court must know the relationship between you and the respondent. Check all the boxes that describe your situation. If you are petitioning on behalf of a minor, the minor's relationship to the respondent is addressed in question 5.

#### **Identification of Minors** (Question 5)

If there are no children, check the box indicating "No Minors Involved." If there are children, the court needs to know about the children in this case. List each child's INITIALS not name, age, race and sex. Fill in how that child is related to you (for example, son). Fill in how that child is related to the respondent. Fill in with whom that child lives (for example: me, grandparent, respondent).

#### **Court Cases** (Question 6)

This may not be the first court proceeding involving you, or the minors, and the respondent. The court will need to know about other cases or other restraining, protection or no-contact orders so the court does not issue an order that might conflict with an order from another court.

If there are other cases or other restraining, protection or no-contact orders involving you, or the minors, and the respondent, list the case title (the parties' names), the case number (if you know it), and the court (district, municipal, or superior) and the county in the columns provided.

### REQUEST FOR PROTECTION (Page 2)

These are the different kinds of protection you may need. To ask the court for temporary protection that is effective immediately and that stays in effect until the hearing for the extended order for protection, check off everything you may need **in the far left column on pages 2 and 3**. To ask the court for extended (full) protection, that the court may grant after a hearing, check off everything you may need in the **second column on pages 2 and 3**.

1. The first item asks the court to order the respondent not to physically harm, stalk or harass you and/or the children you name.
  - a. Check the box "me" if you need protection.
  - b. Check "the minors named in paragraph 5 above" if all of the children you listed need protection.
  - c. Check "these minors only" if some of the children require protection. If you check this box, make sure to list the names of the children needing protection.

For temporary protection, check the far left column. For extended protection, check the second column.

2. The second item asks the court to order the respondent not to contact you and/or the children you name.

For temporary protection, check the far left column. For extended protection, check the second column.

3. The third item asks the court to exclude the respondent from your home, workplace, school or the minor's day care or school. If there is someplace else you want to include, add it to the box called "other". You have a right to keep your residential address confidential (secret). This restraint provision in the temporary order and in the full order has a space for you to write in your residential address. You are not required to write in your residential address if you are concerned with your safety or with identity theft. However, enforcement of the order may be easier if your address is included. If you decide to include your address, please list the complete address including the city.

For temporary protection, check the far left column. For extended protection, check the second column.

4. The fourth item asks the court to order the respondent to leave the home the two of you share and to give you exclusive rights to the home. You have a right to keep this address confidential (secret). This restraint provision in the temporary order and in the full order has a space for you

to write in your residential address. You are not required to write in your residential address if you are concerned with your safety or with identity theft. However, enforcement of the order may be easier if your address is included. If you decide to include your address, please list the complete address including the city.

For temporary protection, check the far left column. For extended protection, check the second column.

5. The fifth item asks the court to prohibit the respondent from knowingly coming within or knowingly remaining within a specified distance (e.g. 100 feet, 2 blocks) of your home, workplace or school; or the minor's day care or school. If there is someplace else you want to include, add it to the box called "other".

For temporary protection, check the far left column. For extended protection, check the second column.

6. The sixth item asks the court to grant you possession of essential personal belongings. Please list the personal belongings. ("Essential personal belongings" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal belongings" includes but is not limited to clothing, cribs, bedding, documents, medications, and personal hygiene items. (RCW 26.50.010(7))

For temporary protection, check the far left column. For extended protection, check the second column.

7. The seventh item asks the court to grant you use of a vehicle (i.e., blue 1994 Ford Taurus, License Number XYZ123).

For temporary protection, check the far left column. For extended protection, check the second column.

8. The eighth item, "Other", is where you may list something not mentioned in the above items.

For temporary protection, check the far left column. For extended protection, check the second column.

9. The ninth item asks the court to order the respondent to get treatment or counseling.

For extended protection, check the second column. (This item is not available in the temporary order.)

10. The tenth item asks the court to require the respondent to pay the fees and costs of this action. (Fees and costs may include court costs, service fees and reasonable attorney's fees.)

For extended protection, check the second column. (This item is not available in the temporary order.)

11. The eleventh item asks the court to make the order last longer than one year. Check this box only if there is reason to believe the respondent would resume the acts of domestic violence against you if the order expired in one year.

For extended protection, check the second column. (This item is not available in the temporary order.)

**IF THERE ARE NO MINORS INVOLVED DO NOT CHECK QUESTIONS 12, 13 AND 14.**

**IF YOU ARE REQUESTING PROTECTION INVOLVING MINORS ANSWER QUESTIONS 12, 13 AND 14**

12. The twelfth item asks the court to give you the temporary care, custody and control of the children you name.

For temporary protection, check the far left column. For extended protection, check the second column.

13. The thirteenth item asks the court to order the respondent not to interfere with your custody of the children you name.

For temporary protection, check the far left column. For extended protection, check the second column.

14. The fourteenth item asks the court to order the respondent not to remove the listed children from the state.

For temporary protection, check the far left column. For extended protection, check the second column.

### **REQUEST FOR SPECIAL ASSISTANCE FROM LAW ENFORCEMENT AGENCIES**

You might need special help from the police. Check off everything that you think you may need the police to assist you in obtaining.

1. The first item asks the court to order the police to help you get back into your home.
2. The second item asks the court to order the police to help you get use of the vehicle.
3. The third item asks the court to order the police to help you get your personal belongings. Check the box if you want the police to help you get your belongings from the shared residence, the respondent's residence or another location.
4. The fourth item asks the court to order the police to help you get custody of the children you list. (There are restrictions on what law enforcement can do. Contact your local law enforcement agency.)
5. The last item lets you ask for other help you might need from the police.

### **STATEMENT OF PETITIONER**

The statement of petitioner is to describe to the court why you need a protection order. This document will be filed in the court file which is a public record and shall be served on the respondent. If you do not include a particular incident of domestic violence in your statement, you may not have an opportunity to tell the court at the hearing.

First read the definition of domestic violence in the box above the statement. Then, read through the statement before you start writing. There are prompts to help you organize your thoughts.

Describe exactly what happened when you were threatened or hurt. The more details you can provide such as date and time, the more helpful it is to the judge. List several examples if you can. If there is an emergency, explain why so the court can issue an immediate temporary order before the hearing. In addition to the information requested in the statement you may want to include:

- If the respondent has hurt other people;
- If the respondent has been arrested;
- If police responded even if no arrests were made;
- If you are being stalked describe the pattern of surveillance.

EXAMPLE:

It is better to say "On Sunday, January 12, at 2:00 a.m., Terry slapped my face" rather than "On Sunday Terry assaulted me."

It is better to say "Terry threatened to kill me if I left the house. He said 'You leave and I will kill you.'" rather than "Terry threatened me".

Try to use the respondent's exact words when you were threatened with [physical] harm.

If any of the information requested does not apply, write, "does not apply" in that section.

Choose the appropriate box if substance abuse is involved.

When you are done with your statement, put today's date in the date line and fill in the city where you are completing this form. Sign the form.

The respondent may need to serve you with documents responding to this petition. You have a right to keep your residential address confidential. If you have one, please provide an address, other than your residence, where you may receive legal documents.