

# **SKAGIT COUNTY PROTECTION ORDERS PACKET INSTRUCTIONS**

1. Fill out these forms. Please print neatly with dark ink (not red). The Court must be able to read them clearly.
2. Correct Addresses on the Law Enforcement Information Sheet are very important.

**LAW ENFORCEMENT WILL NOT SERVE DOCUMENTS ON RESPONDENT WITHOUT AN ADDRESS.**

3. Please include the correct birth dates and correct spelling of names for all parties named.

**AGAIN, LAW ENFORCEMENT WILL NOT SERVE ANY DOCUMENTS WITHOUT THIS INFORMATION.**

4. Bring **completed forms** back to the clerk's office **Monday through Friday by 12:00 pm (noon)**. It is important to not be late, as court starts promptly at 1:15 pm. ***You may have to return the next day if you are late.***



**Fill out the following forms COMPLETELY:**

- 1) The Petition: Fill out all statement areas on the petition completely with as much information about what is happening and why you are petitioning for an order. This is what the court uses to determine if a temporary order is necessary.
- 2) LEI Sheet: Correct addresses and birthdates if possible.
- 3) Child Custody Info Sheet (If children are involved)

**Only the HEADING of the following documents need to be filled out:**

- 1) The Temporary Order of Protection (Judge/Commissioner will fill out the order)
- 2) The Order of Protection (Judge/Commissioner will fill out the order)

***If there is clear and convincing evidence that a party has used, displayed, or threatened to use a firearm or other dangerous weapon you may fill out the Motion For Surrender of Weapons Packet. The court will then consider issuing an order to have the respondent surrender their weapons to their local law enforcement agency.***

**PLEASE DO NOT FOLD, MUTILATE, TEAR, STAIN OR CRUMPLE THESE FORMS.**

Once court is done, you will be directed back down to the Clerk's Office to obtain copies. We will give you 3 certified copies of the temporary order. Keep a copy of the order on you at all times. Law enforcement will attempt to serve the respondent with the petition and temporary order. If respondent has not been served yet and is at your residence, please call 911 to have an officer come to your house. They can use one of your copies to serve on respondent at that time and do a civil standby (if court orders this) to allow respondent to get personal belongings.

If the respondent violates the order, please call 911 to make a report.

**SKAGIT COUNTY CLERK'S OFFICE  
205 WEST KINCAID ROOM 103  
MOUNT VERNON WA 98273  
(360) 41618+-1800**

**Updated 06/2020**

## Instructions for Petition for Order for Protection

This form is used to start a domestic violence protection order case. Ask the court clerk for advocate services to help you fill out this form. This form will be:

- Filed as a public court record and will start a civil court case.
- Served (personal delivery) to the person from whom you need protection.

The information in the petition is used by the court to determine if:

- The court has authority to enter an order on your behalf.
- If the relationship between you and the other party meets the legal definition of family or household member.
- If the respondent's behavior towards you meets the legal definition of domestic violence.

Use this petition to request both immediate temporary protection **and** full protection.

**Immediate 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 the court holds a hearing, usually within 14 days.

During the 14 days, the respondent must be served the:

- petition,
- temporary order and notice of hearing,
- any order to surrender weapons issued without notice, and
- any other declarations or documents, if any, presented to the court.

If the court orders respondent to surrender weapons, the local law enforcement agency must serve the order.

In cases without an order to surrender weapons, service may be done by:

- a law enforcement agency where the respondent lives or works, free of charge,
- a hired professional process server, or
- a person 18 or over who is not a party to this action.

The person completing service on the respondent must file an affidavit, declaration, or certificate of service with the court or the hearing cannot go forward.

**Full Order for Protection:** At the hearing, the court will determine if it should issue a full Order for Protection. The respondent has a right to attend that hearing.

**Print Clearly! Use Black or Blue Ink only.**

**Top of the form** (Page 1)

Fill in your name (first, middle initial, last) as the "Petitioner." The person you want protection from is the "Respondent." Fill in the respondent's name (first, middle initial, last).

## **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. Check the third box if you are the guardian, guardian ad litem or next friend of a minor 13 – 15 years of age who is a victim of domestic violence in a dating relationship with a person 16 years of age or older, who needs protection. Include the minor's name in the space provided within the third check box and provide additional identifying information for the minor in paragraph 5.

A next friend is a competent person, over 18 years of age, chosen by the minor who is capable of pursuing the minor's stated interest in the petition for order for protection action.

## **Residency** (Question 2)

Check the box that applies.

## **Age** (Question 3)

The court needs to know the ages of the petitioner/victim and the respondent. Check **one** of the boxes for the petitioner's/victim's age. Check **one** of the boxes for the respondent's age.

## **Relationship** (Question 4)

The court must know the relationship between the petitioner/victim and the respondent. The court needs to know if the petitioner/victim and the respondent are "intimate partners" or "family or household members." Check the box that best describes 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, list each child's name, age, race and sex. Fill in how that child is related to you (for example, son, stepdaughter). Fill in how that child is related to the respondent. Fill in with whom that child lives (for example: me, grandparent, respondent).
- If you have questions about safety for your children, ask for advocate resources for help in filling out this section.

## **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, such as divorce, parentage or criminal, 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 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)

In this section, you must tell the court what you want the court to order after the hearing (the relief requested). The court can only grant the relief you request in the petition.

Some provisions allow you to ask the court to protect you, all the minors listed in paragraph 5 or only minors you name. Some provisions allow you to specify which locations you want included in the protection. Be sure to check the boxes to specify which people and places you want protected within each restraint provision.

1. The first provision asks the court to **restrain** the respondent from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening or stalking you and/or the children you name.
2. The second provision asks the court to restrain the respondent from harassing, following, keeping under surveillance, including cyberstalking, or from using telephonic, audiovisual or other electronic means to monitor the actions, locations or communications of you and/or the minors listed in paragraph 5, only the minors you name in this provision. You may also ask for protection in this provision for the victim's adult children and/or any of the victim's household members. Write in the names of the adult children or household members in the space provided.
3. The third provision asks the court to **restrain** the respondent from contacting you and/or the children you name.
4. The fourth provision 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.

5. The fifth provision asks the court to order the respondent to **vacate** the home the two of you share and to give you exclusive rights to the home.
6. The sixth provision 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."
7. The seventh provision 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))

8. The eighth provision asks the court to **grant** you use of a vehicle (i.e., blue 1994 Ford Taurus, License Number XYZ123).
9. The ninth provision, "**Other**," is where you may list something not mentioned in the above provisions.

**If There Are No Minors Involved Do Not Check Provisions 10, 11, and 12.**

**If You Are Requesting Restraint Provisions Involving Minors Check the Boxes in 10, 11, and 12.**

10. The tenth provision asks the court to **grant** (give) you the temporary care, custody and control of the children you name, subject to any visitation with the respondent the court may order.
11. The eleventh provision asks the court to **restrain** the respondent from interfering with your custody of the children you name.
12. The twelfth provision asks the court to **restrain** the respondent from removing the listed children from the state.

**Additional Requests**

13. The thirteenth provision asks the court to **direct** the respondent to get treatment or counseling.
14. The fourteenth provision 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 or reasonable fees for a limited license legal technician (LLLT) (APR 28).)
15. The fifteenth provision asks the court to make the order **remain effective** (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.

**Protection involving pets**

16. The sixteenth provision asks the court to **grant** you exclusive custody and control of pet(s). You can only ask for custody and control of a pet if it is owned, possessed, leased, kept, or held by you, the respondent, or a minor child residing with either you or the respondent.
17. The seventeenth provision asks the court to **prohibit** the respondent from interfering with your efforts to remove the pet(s).
18. The eighteenth provision asks the court to **prohibit** the respondent from knowingly coming within or knowingly remaining within a specified distance (e.g. 100 feet, 2 blocks) from the

location(s) you list where the pet(s) may regularly be found. Remember, you have a right to keep your residential address confidential.

### **Protection from Firearms and Other Dangerous Weapons**

19. The nineteenth provision asks the court to require the respondent to immediately **surrender** all firearms, other dangerous weapons, and any concealed pistol licenses, and to prohibit the respondent from accessing, obtaining or possessing a firearm or other dangerous weapon, or concealed pistol licenses until the order ends.

Notice: If you **are** the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required by law to order the respondent to immediately surrender all firearms, other dangerous weapons, or concealed pistol licenses.

Please review the section you just completed to ensure that you checked the boxes to show which provisions you want the court to order. In each provision, be sure you checked the boxes to identify the people and places you want protected.

### **Emergency temporary protection effective immediately, without notice to the respondent, that lasts (up to 14 days) until the court hearing.**

Check the box if an emergency exists and you want to ask the court to issue a temporary order immediately.

Check the box if you want to ask the court to order the respondent to surrender all firearms or other dangerous weapons, and any concealed pistol licenses immediately.

In the space below the check boxes, explain what irreparable harm (harm beyond repair) would result if the court did not issue temporary protection.

### **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. For your safety, ask for a police escort 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 (Civil Standby). 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. Because of time limitations, availability of officers and safety, contact law enforcement to schedule a civil standby (when they will meet you and how long they can stay).
4. The fourth item asks the court to order the police to help you get custody of the children you list. There may be additional steps that you have to take for this request to be enforced.
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 a protection order is needed. 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.

“Domestic violence” means physical harm, bodily injury, assault, including sexual assault, stalking, Or inflicting fear of imminent physical harm, bodily injury or assault between family or household members.

First read through the statement section in the petition before you start writing. There are several places for you to describe what happened.

Describe exactly what happened when you were threatened or hurt. Provide as much detail as you can such as dates, times, witnesses, injuries, if any, medical treatment, if any. The more details you can provide the more helpful it is to the judge. 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.

### Examples:

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.”

It is better to say “Terry drives by me while I’m waiting at the bus stop after work every Monday evening.” Rather than “Terry is stalking me.”

It is better to say “Terry sends me emails or text messages [include number] times a day. I texted Terry to stop; but Terry keeps sending the messages.”  
Rather than “Terry cyber stalks 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.

## **Out of State Service**

If the respondent cannot be personally served in Washington State, check the box. Note: The respondent will still have to be personally served, unless the court orders otherwise.

## **Sign the Form**

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 has a right to have you served with documents in response to this petition. You have a right to keep your residential address confidential. If you want to keep your address confidential, you must list an address that is not your residential address where you agree to accept legal documents.

## **Complete the Temporary Orders**

If you ask the court for immediate protection, complete the *Temporary Order for Protection and Notice of Hearing*, form DV 2.015. Follow the instructions for that form.

If you ask the court to order the respondent to surrender firearms and other dangerous weapons, bring the *Order to Surrender Weapons Issued Without Notice* form, All Cases 02-030, for the judge to complete.

## **Go to Court**

Bring your completed petition and temporary order and the blank order to surrender weapons to the clerk's office of the local court. They will direct you further.

## **Service of Court documents**

Unless the respondent or the respondent's lawyer was present at the hearing, the petition, any temporary order, and any order to surrender weapons must be served on the respondent. The respondent must know what restraint provisions are in place, when and where the hearing will occur and when the order expires.

If you filed on behalf of a vulnerable adult, unless the vulnerable adult or the vulnerable adult's lawyer was present at the hearing, the petition and any temporary order and order to surrender weapons must be served on the vulnerable adult. The vulnerable adult must know what restraint provisions are in place, when and where the hearing will occur and when the temporary order expires. The vulnerable adult's guardian, if any must also be served.

If the court orders respondent to surrender weapons, the local law enforcement agency must serve the order.

If the court does not order respondent to surrender weapons, you may choose service by:

- A law enforcement agency, which will serve your papers free of charge.
- A hired professional process server.
- Another person 18 or over, who is not a party to this action.

- Mail or publication, if the judge previously entered an order allowing service by mail or publication.

You will need to provide the address for each person to be served. If you want law enforcement to serve the documents, complete the Law Enforcement Information Sheet.

### **Law Enforcement Information Sheet (LEIS)**

You must complete a Law Enforcement Information Sheet (LEIS), form WPF All Cases 01.0400. This form is confidential and it does not go in the public court file and is not served on the respondent.

- It is used by Law Enforcement to locate and identify the respondent when serving documents.
- It is also used by Law Enforcement when entering the order in the state-wide data base.

Complete as much information as possible, especially, first name, middle initial, last name, and date of birth.

If the respondent has a disability, brain injury, or other impairment, you may know of special assistance that law enforcement could provide when serving the documents. For example:

“Respondent has a brain injury. If respondent is rushed, respondent may freeze up and may not respond quickly, or may become verbally aggressive. Remind respondent to contact a friend.”

“Respondent has epilepsy and diabetes and may have seizures when stressed. Respondent doesn’t respond well to being rushed and will need time to get meds and supplies.”

If you know the respondent has firearms or other dangerous weapons, make sure you specify exactly what types and numbers.

### **Traumatic Brain injury information:**

Please be advised that law enforcement responding to any domestic violence incident is encouraged to inform victims about a statewide website containing information about traumatic brain injuries.

<https://www.doh.wa.gov/YouandYourFamily/InjuryandViolencePrevention/TraumaticBrainInjuries> and <https://www.dshs.wa.gov/altsa/traumatic-brain-injury/traumatic-brain-injury-advisory-council>

### **Register for Automatic Notices about your Protection Order:**

After the court issues a temporary or full order for protection, you can register for automatic notices.

As authorized by RCW 36.28A.410, WA VINE Protective Order is an automated service that allows you, the petitioner, to track the status of a protective order over the phone or internet. You can also register to be notified by phone and email about changes in the status of a

protective order. If you register for notification, you will receive important notifications regarding the service status of your protective order, a 90-day expiration warning, and notification if the respondent in your order attempts to purchase/transfer a firearm while they are prohibited and are denied.

To access protective order information, call [1-877-242-4055](tel:1-877-242-4055), or visit [www.registervpo.com](http://www.registervpo.com).  
**Do not rely solely on WA VPO for your safety. If you feel you are in danger, call 9-1-1.**

**LAW ENFORCEMENT  
INFORMATION**

**Do NOT serve or show this sheet to the restrained person!**  
**Do NOT FILE in the court file. Give this form to law enforcement.**

**Type or print clearly!**

This completed form is **required** by law enforcement. This information is **necessary** to serve, enforce, and enter your order into the statewide law enforcement computer. Fill in the following information as completely as possible.

Court: SKAGIT COUNTY SUPERIOR COURT	Case Number:
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- |  |   |
|--|---|
| <input type="checkbox"/> Domestic Violence   | <input type="checkbox"/> Dissolution/Separation/Invalidity/Non-parental Custody/Paternity |
| <input type="checkbox"/> Unlawful Harassment | <input type="checkbox"/> Vulnerable Adult   |
| <input type="checkbox"/> Sexual Assault      | <input type="checkbox"/> Stalking   |

**Restrained Person's Information**

(This is the person that you want the court to restrain.)

<b>Name:</b>	First	Middle	Last	Nickname	Relationship to Protected Person
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Date of Birth	Sex	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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Last Known Address	Phone(s) w/Area Code	Need Interpreter? Yes or No Language:
Street:		
City: State: Zip:		

Email address:

Employer	Employer's Address	WORK Hours: Phone: ( )
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Vehicle License Number	Vehicle Make and Model	Vehicle Color	Vehicle Year	Drivers License or ID number	State
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**Does the restrained person have a disability, brain injury, or impairment requiring special assistance** when law enforcement serves the order?  No  Yes. If yes, describe (continue on back, if needed):

**Hazard Information** Restrained Person's History Includes:

- Involuntary/Voluntary Commitment     Suicide Attempt or Threats  
 Assault     Assault with Weapons     Alcohol/Drug Abuse     Other:

**Weapons:**  Handguns     Rifles     Knives     Explosives     Other:

**Location of Weapons:**     Vehicle     On Person     Residence    Describe in detail:

**Current Status** (Circle Yes, No or N/A.)

Is the restrained person a current or former cohabitant as an intimate partner? **Y N**

Are you and the restrained person living together now? **Y N**

Does the restrained person know he/she may be moved out of the home? **Y N N/A**

Does the restrained person know you're trying to get this order? **Y N**

Is the restrained person likely to react violently when served? **Y N**

**Protected Person's Information**  
(This is the person you want the court to protect.)

<b>Name:</b>		First	Middle	Last				
Date of Birth	Sex	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build

If your information ***is not confidential***, you must enter your address and phone number(s) below.

Current Address Street: City:	State: Zip:	Phone(s) w/Area Code	Need interpreter? <b>Yes or No</b> Language:
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Email address:

If your information ***is confidential***, you must provide the name, address, and phone number of someone willing to be your "contact."

Contact Name	Contact Address	Contact Phone
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If you filed for someone else, list your name, phone number, and address:

**Minor's Information**

Name: First	Middle	Last	Sex	Race	Birth date	Resides With

Below, describe the minor's relationship to the protected or restrained person using terms such as: child, grandchild, stepchild, nephew, none.

Name: First	Middle	Last	Minor's Relationship to Protected Person	Minor's Relationship to Restrained Person

**Victim's Household Members or Adult Children Protected**

Name:	birth date:

**Superior Court of Washington  
For Skagit County**

\_\_\_\_\_  
Petitioner

vs.

\_\_\_\_\_  
Respondent

**No.**

**Petition for Order for Protection  
(PTORPRT)**

1.  I am a victim of domestic violence committed by the respondent.  
 A member of my family or household is a victim of domestic violence committed by the respondent.  
 I am a  guardian  guardian ad litem  next friend of a minor who is 13 to 15 years of age and is a victim of domestic violence in a dating relationship with a person age 16 or older. The name of the minor victim is \_\_\_\_\_.  
This person's identifying information is provided in paragraph 5 below.
2.  The victim lives in this county.  
 The victim left their residence because of abuse and this is the county of their new or former residence.
3. The victim's age is: \_\_\_\_\_ Respondent's age is: \_\_\_\_\_  
 Under 16  16 or 17  18 or over  Under 16  16 or 17  18 or over
4. The victim and the respondent are:  
 Intimate Partners because they are:  
 current or former spouses or domestic partners  parents of a child-in-common  age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past  age 16 or older and are/were in a dating relationship, but have *never* resided together.  
 Family or household members because they are:  
 current or former adult cohabitants as roommates  adult in-laws  adults related by blood  parent and child  stepparent and stepchild  grandparent and grandchild.

5. Identification of Minors (if applicable)  No Minors involved.

Name (First, Middle Initial, Last)	Age	Race	Sex	How Related to		Resides with
				Petitioner	Respondent	

6. Other court cases or other restraining, protection or no-contact orders involving me, the minors and the respondent:

<b>Case Name</b>			
<b>Case Number</b>			
<b>Court/County</b>			

**I Request an Order for Protection** following a hearing that will:

<sup>1</sup>  **Restrain** respondent from causing any physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking  me  the minors named in paragraph 5 above  these minors only:

(If the court orders this relief, and you and the respondent are current or former spouses or domestic partners, parents of a child-in-common, age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have *never* resided together, the respondent will not be able to obtain or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license for the duration of the order.)

<sup>2</sup>  **Restrain** respondent from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of  me  the minors named in paragraph 5 above  only the minors listed below;  members of the victim's household listed below  the victim's adult children listed below:

<sup>3</sup>  **Restrain** respondent from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing of court documents, with  me  the minors named in paragraph 5 above, subject to any court-ordered visitation  these minors only, subject to any court-ordered visitation:

<sup>4</sup>  **Exclude** respondent from  our shared residence  my residence  my workplace  my school  the residence, day care, or school of  the minors named in paragraph 5 above  these minors only:

other:

You have a right to keep your residential address confidential.

<p><sup>5</sup> <input type="checkbox"/> <b>Direct</b> respondent to vacate our shared residence and restore it to me.</p>
<p><sup>6</sup> <input type="checkbox"/> <b>Prohibit</b> respondent from knowingly coming within, or knowingly remaining within _____ (distance) of <input type="checkbox"/> our shared residence <input type="checkbox"/> my residence <input type="checkbox"/> my workplace <input type="checkbox"/> my school <input type="checkbox"/> the day care or school of <input type="checkbox"/> the minors named in paragraph 5 above. <input type="checkbox"/> these minors only:  <input type="checkbox"/> other:</p>
<p><sup>7</sup> <input type="checkbox"/> <b>Grant</b> me possession of essential personal belongings, including the following:</p>
<p><sup>8</sup> <input type="checkbox"/> <b>Grant</b> me use of the following vehicle: Year, Make &amp; Model _____ License No. _____</p>
<p><sup>9</sup> <input type="checkbox"/> <b>Other:</b></p>
<p>Protection involving a minor:</p>
<p><sup>10</sup> <input type="checkbox"/> Subject to any court-ordered visitation, <b>Grant</b> me the care, custody and control of <input type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:</p>
<p><sup>11</sup> <input type="checkbox"/> <b>Restrain</b> respondent from interfering with my physical or legal custody of <input type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:</p>
<p><sup>12</sup> <input type="checkbox"/> <b>Restrain</b> the respondent from removing from the state: <input type="checkbox"/> the minors named in paragraph 5 above <input type="checkbox"/> these minors only:</p>
<p>Additional Requests:</p>
<p><sup>13</sup> <input type="checkbox"/> <b>Direct</b> the respondent to participate in appropriate treatment or counseling services.</p>
<p><sup>14</sup> <input type="checkbox"/> <b>Require</b> the respondent to pay the fees and costs of this action.</p>
<p><sup>15</sup> <input type="checkbox"/> <b>Remain Effective</b> longer than one year because respondent is likely to resume acts of domestic violence against me if the order expires in a year.</p>
<p>Protection involving pets.</p>
<p><sup>16</sup> <input type="checkbox"/> <b>Grant</b> me exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by me, respondent, or a minor child residing with either me or the respondent. (Specify name of pet and type of animal.):  _____.</p>

<sup>17</sup>  **Prohibit** respondent from interfering with my efforts to remove the pet(s) named above.

<sup>18</sup>  **Prohibit** respondent from knowingly coming within, or knowingly remaining within \_\_\_\_\_ (distance) of the following locations where the pet(s) are regularly found:  
 petitioner's residence (You have a right to keep your residential address confidential.)  
 \_\_\_\_\_ Park  
 other: \_\_\_\_\_

**Protection from Firearms and Other Dangerous Weapons**

<sup>19</sup>  **Require** the respondent to surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining, or possessing firearms, other dangerous weapons, or concealed pistol licenses.

Notice: If you **are** the respondent's intimate partner, after actual notice and an opportunity to be heard at the hearing, the court may be required to order the respondent to surrender firearms, other dangerous weapons, or concealed pistol licenses.

**I want emergency temporary protection effective immediately, that lasts (up to 14 days) until the court hearing:**

- An emergency exists as described below. I request that a **Temporary Order for Protection** granting the relief requested above in 1) through 12) be issued immediately, without prior notice to the respondent, to be effective until the hearing.
- I also request temporary surrender all firearms, other dangerous weapons, and any concealed pistol licenses without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

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Request for Special Assistance from Law Enforcement Agencies:

I request the court order the appropriate law enforcement agency to assist me in obtaining:

- Possession of my residence.  Possession of the vehicle designated above.  
 Possession of my essential personal belongings at  the shared residence  
 respondent's residence  
 other location \_\_\_\_\_.

Custody of  the minors named in paragraph 5 above  these minors only (if applicable):

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Describe any violence or threats towards children: \_\_\_\_\_

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Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor: \_\_\_\_\_

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Describe medical treatment you received and for what: \_\_\_\_\_

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Describe any threats of suicide or suicidal behavior by the respondent: \_\_\_\_\_

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Does the respondent own or possess firearms?  Yes  No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe:

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Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

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Is the respondent ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

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Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of any individual?

Please describe:

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

If you are requesting that the protection order lasts longer than one year, describe the reasons why:

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

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

(Continue on separate page if necessary.)

Check box if substance abuse is involved:  alcohol  drugs  other

Personal service cannot be made upon respondent within the state of Washington.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: \_\_\_\_\_ at \_\_\_\_\_, Washington.

\_\_\_\_\_  
Signature of Petitioner

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: \_\_\_\_\_

\_\_\_\_\_



**The terms of this order shall be effective until:**

<p><input type="checkbox"/> 3. Respondent is <b>restrained</b> from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3rd party or contact by respondent's lawyer(s) with <input type="checkbox"/> petitioner <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p>
<p><input type="checkbox"/> 4. Respondent is <b>restrained</b> from going onto the grounds of or entering petitioner's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> the daycare or school of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p> <p><input type="checkbox"/> other:</p> <p><input type="checkbox"/> Petitioner's address is confidential. <input type="checkbox"/> Petitioner waives confidentiality of the address which is:</p>
<p><input type="checkbox"/> 5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately <b>vacate</b> the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. <input type="checkbox"/> This address is confidential. <input type="checkbox"/> Petitioner waives confidentiality of this address which is:</p>
<p><input type="checkbox"/> 6. Respondent is <b>prohibited</b> from knowingly coming within, or knowingly remaining within _____ (distance) of: petitioner's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> the daycare or school of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p> <p><input type="checkbox"/> other:</p>
<p><input type="checkbox"/> 7. Petitioner shall have possession of essential personal belongings, including the following:</p>
<p><input type="checkbox"/> 8. Petitioner is granted use of the following vehicle: Year, Make, &amp; Model _____ License No. _____</p>
<p><input type="checkbox"/> 9. <b>Other:</b></p>
<p><b>Protection for minors:</b></p>
<p><input type="checkbox"/> 10. Petitioner is <b>granted</b> the temporary care, custody, and control of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p>
<p><input type="checkbox"/> 11. Respondent is <b>restrained</b> from interfering with petitioner's physical or legal custody of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only:</p>

12. Respondent is **restrained** from removing from the state  the minors named in the table above  these minors only:

**Surrender and Prohibition of Weapons Order**

The court finds that:

- Irreparable injury could result if the order to surrender weapons is not issued.
- Respondent's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.
- Irreparable injury could result if the Respondent is allowed to access, obtain, or possess any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.

The Respondent must comply with the **Order to Surrender Weapons (and Prohibit Weapons, if checked below) Issued Without Notice** filed separately which states:

Respondent shall immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses.

- Respondent is prohibited from accessing, obtaining, or possessing any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.

*(Note: Also use form number All Cases 02-030.)*

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

**Warnings to Respondent:** A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

A violation of provisions 1 through 6 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If the court issues a final protection order, and your relationship to the petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued

firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

**You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions.** You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

**Warning:** A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

**Washington Crime Information Center (WACIC) Date Entry**

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to \_\_\_\_\_ [ ] County Sheriff's Office [ ] Police Department **Where Petitioner Lives** which shall enter it into WACIC.

**Service**

- [ ] The clerk of the court shall also electronically forward a copy of this order on or before the next judicial day to \_\_\_\_\_ [ ] County Sheriff's Office [ ] Police Department **Where Respondent Lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
- [ ] (Only if surrender of weapons not ordered) Petitioner has made private arrangements for service of this order.

**Law Enforcement Assistance**

- [ ] Law enforcement shall assist petitioner in obtaining:
  - [ ] Possession of petitioner's [ ] residence [ ] personal belongings located at: [ ] the shared residence [ ] respondent's residence [ ] other: \_\_\_\_\_
  - [ ] Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
  - [ ] Other: \_\_\_\_\_.

Dated: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. \_\_\_\_\_

**Judge/Commissioner**

Presented by:

➤ \_\_\_\_\_  
Signature of Petitioner/Lawyer      WSBA No.      Print Name

**The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).**

**Superior Court of Washington  
For SKAGIT COUNTY**

Petitioner (First, Middle, Last Name) **DOB**  
vs.

Respondent (First, Middle, Last Name) **DOB**

**Order for Protection**

**No.**

Court Address: Skagit County Superior Court  
250 W Kincaid  
Mount Vernon, WA 98273

Telephone Number: (360)416-1800  
(Clerk's Action Required) (ORPRT)

**Names of Minors:**  **No Minors Involved**

(List first, middle, and last name/s and age/s)

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

**Access to weapons:**  yes  no  unknown

**Respondent Identifiers**

Sex	Race	Hair
Height	Weight	Eyes

**Respondent's Distinguishing Features:**

\_\_\_\_\_

***The Court Finds Based Upon the Court Record:***

The court has jurisdiction over the parties, the minors, and the subject matter. Respondent had reasonable notice and an opportunity to be heard. Notice of this hearing was served on the respondent by  personal service  service by mail pursuant to court order  service by publication pursuant to court order  other \_\_\_\_\_.

Respondent received actual notice of the hearing. Respondent  appeared  did not appear.

This order is issued in accordance with the Full Faith and Credit provisions of VAWA: 18 U.S.C. § 2265.

**Respondent and the victim are:**

**Intimate Partners** because they are:  current or former spouses or domestic partners,  parents of a child-in-common,  age 16 or older and are/were in a dating relationship, and are currently residing together or resided together in the past,  age 16 or older and are/were in a dating relationship, but have *never* resided together.

**Family or household members** because they are:  current or former adult cohabitants as roommates,  adult in-laws,  adults related by blood,  parent and child,  stepparent and stepchild,  grandparent and grandchild

Respondent committed domestic violence as defined in RCW 26.50.010.

**Credible Threat:**  Respondent represents a credible threat to the physical safety of the protected person/s.

Additional findings may be found below. The court concludes that the relief below shall be granted.

**Court Order Summary** (additional provisions are listed on the following pages):

Respondent is restrained from committing acts of abuse as listed in provisions 1 and 2, on page 2.

No-contact provisions apply.  Prohibition and surrender of weapons apply.

**This order is effective immediately and for one year from today's date, unless stated otherwise here (date):**

**It is Ordered:**

1. Respondent is **restrained** from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking  petitioner  the minors named in the table above  these minors only:

(Respondent: If you and the petitioner are current or former spouses or domestic partners, parents of a child-in-common, age 16 or older, and are/were in a dating relationship, and are currently residing together or resided together in the past, age 16 or older and are/were in a dating relationship, but have *never* resided together, you will not be able to own or possess a firearm, other dangerous weapon, ammunition, or concealed pistol license under state or federal law for the duration of the order.)

2. Respondent is **restrained** from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of  petitioner  the minors named in the table above  only the minors listed below  members of the victim's household listed below  the victim's adult children listed below:

3. Respondent is **restrained** from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3<sup>rd</sup> party or contact by Respondent's lawyer(s) with  petitioner  the minors named in the table above  these minors only:

If both parties are in the same location, respondent shall leave.

4. Respondent is **excluded** from petitioner's  residence  workplace  school;  the daycare or school of  the minors named in the table above  these minors only:

Other

Petitioner's address is confidential.  Petitioner waives confidentiality of the address which is:

5. Petitioner shall have exclusive right to the residence that petitioner and respondent share. The respondent shall immediately **vacate** the residence. The respondent may take respondent's personal clothing and tools of trade from the residence while a law enforcement officer is present.

This address is confidential.  Petitioner waives confidentiality of this address which is:



<b>Additional requests:</b>
<input type="checkbox"/> 13. Respondent shall participate in treatment and counseling as follows: <input type="checkbox"/> domestic violence perpetrator treatment program approved under RCW 26.50.150 or counseling at: _____ <input type="checkbox"/> parenting classes at: _____ <input type="checkbox"/> drug/alcohol treatment at: _____ <input type="checkbox"/> other: _____
<input type="checkbox"/> 14. Petitioner is granted judgment against respondent as provided in the Judgment, WPF DV 3.030.
<input type="checkbox"/> 15. Parties shall return to court on _____, at _____ .m. for review.
<b>Protection for pets:</b>
<input type="checkbox"/> 16. Petitioner shall have exclusive custody and control of the following pet(s) owned, possessed, leased, kept, or held by petitioner, respondent, or a minor child residing with either the petitioner or the respondent. (Specify name of pet and type of animal): _____
<input type="checkbox"/> 17. Respondent is <b>prohibited</b> from interfering with the protected person's efforts to remove the pet(s) named above.
<input type="checkbox"/> 18. Respondent is <b>prohibited</b> from knowingly coming within, or knowingly remaining within _____ (distance) of the following locations where the pet(s) are regularly found: <input type="checkbox"/> petitioner's residence (You have a right to keep your residential address confidential.) <input type="checkbox"/> _____ Park <input type="checkbox"/> other: _____

<input type="checkbox"/> <b>Prohibit Weapons and Order Surrender</b> The Respondent must: <ul style="list-style-type: none"> <li>▪ not access, possess, or obtain any firearms, other dangerous weapons, or concealed pistol licenses; and</li> <li>▪ comply with the <b>Order to Surrender and Prohibit Weapons</b> filed separately.</li> </ul> <i>(Note: Also use form All Cases 02.050.)</i> <b>Findings</b> – The court <i>(check all that apply)</i> : <input type="checkbox"/> <b>must</b> issue the orders referred to above because: <ul style="list-style-type: none"> <li><input type="checkbox"/> the first restraint provision is ordered above, and the court found on page one that the Respondent had <i>actual notice</i>, represented a <i>credible threat</i>, and was an <i>intimate partner</i>.  Respondent: If the court checked this box then, effective immediately and continuing as long as this protection order is in effect, <b>you may not possess a firearm</b> under state law. Violation is a felony. RCW 9.41.040(2).</li> <li><input type="checkbox"/> the court finds by clear and convincing evidence that the restrained person: <ul style="list-style-type: none"> <li><input type="checkbox"/> has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or</li> <li><input type="checkbox"/> is ineligible to possess a firearm under RCW 9.41.040.</li> </ul> </li> </ul>
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- may** issue the orders referred to above because the court finds by a preponderance of evidence, the Respondent:
  - presents a serious and imminent threat to public health or safety, or the health or safety of any individual by possessing a firearm or other dangerous weapon; or
  - has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; or
  - is ineligible to possess a firearm under RCW 9.41.040.

**Warnings to the Respondent:** A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. §§ 2261, 2261A, or 2262.

A violation of provisions 1 through 6, 17, or 18 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26 or 74 RCW.

If your relationship to the victim is as intimate partner, then effective immediately, and continuing as long as this protection order is in effect, **you may not possess a firearm or ammunition under federal law**. 18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine.

If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(9); RCW 9.41.040.

**You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions.** You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

**Warning:** A person may be guilty of custodial interference in the second degree if they violate provisions 10, 11, or 12.

#### Washington Crime Information Center (WACIC) Data Entry

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to \_\_\_\_\_  County Sheriff's Office  City Police Department **where petitioner lives** which shall enter it into WACIC.

#### Service

- The clerk of the court shall also electronically forward a copy of this order, and any order to surrender and prohibit weapons, on or before the next judicial day to \_\_\_\_\_  County Sheriff's Office  City Police Department **where respondent lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
- Respondent appeared and was informed of the order by the court; further service is not required.
- Petitioner shall serve this order by  mail  publication.
- (*Only if surrender of weapons not ordered*) Petitioner shall make private arrangements for service of this order.





<input type="checkbox"/>	<p>This state is the home state of the children because:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the children lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately before the beginning of this proceeding.</li> <li><input type="checkbox"/> the children are less than six months old and have lived in Washington with a parent or a person acting as parent since birth.</li> <li><input type="checkbox"/> any absences from Washington have been only temporary.</li> <li><input type="checkbox"/> Washington was the home state of the children within six months before the beginning of this proceeding and the children are absent from the state; but a parent or person acting as a parent continues to live in this state.</li> </ul>
<input type="checkbox"/>	<p>The children and the parents, or the children and at least one parent or a person acting as a parent, have significant connections with this state other than mere physical presence; and substantial evidence is available in this state concerning the children's care, protection, training and personal relationships and</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the children have no home state elsewhere.</li> <li><input type="checkbox"/> the children's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or 271.</li> </ul>
<input type="checkbox"/>	<p>All courts in the children's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the children under RCW 26.27.261 or .271.</p>
<input type="checkbox"/>	<p>No other state has jurisdiction.</p>
<input type="checkbox"/>	<p>This court has temporary emergency jurisdiction over this proceeding because the children are present in this state and the children have been abandoned, or it is necessary in an emergency to protect the children because the children, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.</p>

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated \_\_\_\_\_ at \_\_\_\_\_, Washington

\_\_\_\_\_  
 Petitioner