

# **Instructions for Temporary Protection Order and Hearing Notice, PO 030**

## **If signed by the judge, this order will:**

- Tell the Restrained Person what behavior is not allowed and what other orders they must follow; and
- Set the date for the full hearing.

## **Check with the court clerk before filling out the order.**

*In some courts, the judge will fill out this order. In other courts, you will be expected to fill out the order. Please check with the court clerk.*

- If you are expected to fill out the form, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this form.

## **The clerk will file the original order in the public court record and distribute copies for:**

- You (free certified copies).
- Law enforcement, to enter into the statewide database.
- Service on the respondent and restrained person.

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

### **Caption box (above the line):**

- Fill in the court (District or Superior) and name of the county in which you are filing the petition.
- Fill in your name (first, middle initial, last) as the Petitioner, and put your date of birth where it says "DOB." If you are filing on behalf of a minor, fill in your name and indicate on behalf of as "OBO" of "Minor", and fill in the minor's name. The date filled in for "DOB" will be the minor's date of birth. (Example: Jane Doe OBO Minor, Mary Jane Doe (01/01/2010)).
- The person you want protection from is the "Respondent." Fill in the Respondent's name (first, middle initial, last) and date of birth. If you do not know the date of birth, put in the Respondent's age. If you do not know this information, leave it blank. If the party you want protection against is a minor, fill in their parent or guardian's name, indicate on behalf of as "OBO" of "Minor", and fill in their first and last name in this section. (Example: John Doe OBO Minor, Jimmy Doe (10/18/2011)).
- Check the box next to the type of protection order you are seeking.

### **Next Hearing**

Leave this line blank. The judge or court clerk will write in the next hearing date, time and place:

- You must attend this hearing to continue protection beyond this temporary order.

- If you do not come to this hearing, then the court will dismiss the petition and you will not have a protection order.
- If the Respondent does not come to the hearing and has been served, then the court may still grant a protection order. If the Respondent does not come to the hearing and has NOT been served, then the court will reschedule the hearing to give more time to serve the Respondent. If so, the temporary protection order will be extended until the full hearing.

## Numbered Sections

### 1. Effective Date

Nothing to fill out.

### 2. Order Restrains & Restrained Person's Identifiers

- Fill in the name of the person you want protection against. This is the "restrained person". If they go by any aliases, or other names, then list them.
- Describe the restrained person's physical appearance: sex, race, height, weight, hair color and eye color.
- List any of the restrained person's noticeable features, such as moles, scars or tattoos.
- Check the box to show if the restrained person has access to weapons.

### 3. Protected Party & Names of Minors

- Fill in the name of the person who wants protection. This is the "protected person".
- **If no minors are involved**, check the box "No Minors Involved."
- **If minors are involved**, list the name and age of each child involved in this case.
- If you have questions about safety for your children, ask advocate resources for help with filling out this section.

### 4. Ex Parte Hearing

- Leave this blank. The court will fill it out.

### 5. Basis

- Nothing to fill out.

### 6. Jurisdiction

- If minor children are involved, then check the appropriate box:
  - "Exclusive continuing jurisdiction" means the minor has a significant relationship with this state, and no other state has granted an order that effects the minor/s.
  - "Home state" means the minor/s lived continuously in this state for the 6 months immediately before the commencement of this proceeding. If a minor is less than 6 months old, then this state is the home state if the child was born here and has since lived here with a parent or person acting as parent.

- “Temporary emergency jurisdiction” means this state is where the child was abandoned, or brought to otherwise protect the minor, or a sibling or parent of the minor, who is subject to or threatened with abuse.
- If any of the protected minors are not your children, then check this box and complete *PO 030A Attachment A Non-Parent (ICWA)*.
  - The Indian Child Welfare Act (ICWA) requires the court to determine whether the minor child is Native American and registered, or eligible to be enrolled, as a member in a federally recognized tribe.
  - You are **required** to complete Attachment A if:
    - You are filing this protection on behalf of a minor **AND** are not the minor’s parent, legal guardian, or custodian;
    - You have reason to know or think the child has Native American ancestry; **AND**
    - The child or one of the parents is enrolled in a federally recognized tribe, or has lived, or does live, on federally recognized tribal land.
- If any of the above are true, then you must also provide notice to the child/ren’s federally recognized tribe prior to the full hearing.

## 7. Other Findings

Leave this blank. The court will fill this out, if needed.

## 8. Protection Provisions

- Check the same boxes that you checked on the Petition.
- In each provision, be sure to identify the people and places you want protected.
- **Remember:** You have the right to keep your residential address confidential. You do not need to write it down on this form.

## 9. Assistance by Law Enforcement

- Check the same boxes that you checked on the Petition.

## 10. Washington Crime Information Center (WACIC) and Other Data Entry

- If your address is confidential, put the city or county where you are filing. Otherwise, you may want to put the city or county where you live.
- Select one of the boxes below that best indicates which law enforcement agency operates in the city or county you listed above. Example: Residents in certain parts of King County live in the unincorporated area where the Sheriff’s Office has jurisdiction rather than the incorporated area where a city police department has jurisdiction.

## 11. Service

- Check “**Required.**” If law enforcement will serve the restrained person, check that box and fill in the county or city.
- If you will make private arrangements to serve the restrained person, check that box.
- If you request alternative service, the court will check this box.
- If the restrained person appears, the court will check “Not required.”

## 12. Service on Others (Vulnerable Adult or Restrained Person under age 18)

- Skip this section unless you are filing on behalf of a vulnerable adult, the restrained person is under age 18, or the restrained person has a legal guardian.
- Check the box that correctly identifies the party you want served and write their name on the line provided.
- Check the box that correctly identifies who should complete service. **REMEMBER:** If your situation involves weapons surrender, vacating a shared residence, transfer of child custody, or the restrained person is incarcerated, then law enforcement **must** complete service.
  - Write in the county or city where in which the Respondent lives, and check the agency who would complete service. If you are unsure, then leave blank and let the court know.

## 13. Other Orders

- Leave blank as this is where the court will write in any additional orders it sees fit.

## How to Attend the Next Hearing

Leave this section blank. The court will complete it if it grants the temporary order.

## Sign the form

- The judge will fill in the date and time when the order is granted and sign their name.
- Sign the bottom of the form where it says "Signature of Petitioner/Lawyer". If you are represented by a lawyer, then they will sign there.

## Attachment A (if applicable)

## 14. Filing Party's Relationship to Children

Check the appropriate box and fill in the child/ren's name/s.

## 15. Indian Child Welfare Acts

Leave this blank. The court will fill it in.

## Law Enforcement and Confidential Information (LECIF)

You must complete a *Law Enforcement and Confidential Information* (LECIF), form PO 003. 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.

Check the box on page 2 about disabilities or impairments if the Respondent has any of the conditions listed. This information is helpful to Law Enforcement 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 how many.

### **Traumatic Brain Injury Information:**

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.**