

Anti-Harassment Forms & Instructions

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Section 1: Introduction

A. What's an anti-harassment petition?

You file an anti-harassment petition to ask the court to grant you a "stay-away" order against someone who's been acting towards you in a way that unreasonably interferes with your privacy or creates an intimidating, hostile, or offensive living environment for you. If that person's behavior has seriously alarmed, annoyed, or harassed you, consider filing for an anti-harassment order.

This procedure is generally used by people who aren't married to their harasser, have not lived with the harasser, and have no children in common with the harasser. You must prove that the other person's conduct was such that it would cause any reasonable person to suffer serious emotional distress, and that the other person's conduct was intentional or willful and didn't serve any legitimate or legal purpose. This is different from the definition of domestic violence and may not involve the same penalties for violations.

If you want to read the law governing anti-harassment orders and penalties, you can find it online at <http://apps.leg.wa.gov/rcw/default.aspx?cite=10.14>, or check with your local library or local law library.

If the judge awards you an anti-harassment protection order, and the person you get the order against violates the order, that person can be

- found in contempt of court;
- ordered to spend time in jail;
- ordered to pay a penalty to you or the court; and/or
- found guilty of a gross misdemeanor.

B. Where do I file an anti-harassment petition?

A petition for an Anti-Harassment Order is typically filed in district court, but check with your local clerk of court. In some counties, municipal or superior court may handle these matters.

C. Who should use this packet?

This packet is for very basic, simple anti-harassment cases only. This packet is not designed to help you if:

- you're under the age of 18, or
- you want to file a petition for a child under the age of 18.

If your situation is one of those listed above, see an attorney for individual advice.

◆ NOTE: Anti-harassment practice varies from county to county. Some judges/commissioners prefer to fill out parts of the forms themselves. Some prefer you do it. For specific information on how forms are completed in your own county, we strongly encourage you to contact the following: the court clerk; the court facilitator; your local Domestic Violence advocacy program; your local volunteer attorney program; an experienced local family law attorney.

D. What forms are included in this packet?

This packet includes the following forms and instructions for each form:

- Motion for Waiver of Fees - WPF UH-02.0100
- Order to Proceed without Payment of Fees - WPF UH-02.0110
- Petition for an Order of Protection - WPF UH-02.0200
- Notice of Hearing - WPF UH-02.0400
- Temporary Protection Order and Notice of Hearing - WPF UH-03.0200
- Order for Protection from Unlawful Civil Harassment (ORAH) - WPF UH-04.0500
- Law Enforcement Information Sheet - WPF all cases 01.0400

E. Words You May Need to Know

Bailiff: A member of the judge's staff who's in charge of courtroom procedure and security. The bailiff may sometimes be the same person as the clerk.

Caption: The heading of each legal document, containing the name of the court, the names of the parties, the case number, the name of the document itself, and, sometimes, the type of case.

Clerk of the Court: An officer of the court who handles clerical matters like keeping records, entering judgments and providing certified copies. Each courthouse has a Superior Court Clerk's Office. Someone from the clerk's office staff is also usually in the courtroom during hearings.

Commissioner/Court Commissioner: This person is similar to a judge, but only makes decisions relating to a specific subject matter. Many counties have family law commissioners who decide only family law cases¹.

¹ Many decisions in family law cases are made by court commissioners instead of judges. However, to make this packet simpler, in most places we just use "judge."

Confirm a Hearing or Trial: Notifying the court that you intend to have the hearing or trial scheduled in your case. The way to confirm your hearing or trial differs from county to county, and isn't required in all counties. Often a phone call to the court a few days before the hearing or trial is required. Local rules explain each county's requirements. If confirmation notice is required and not given, the hearing or trial may be cancelled.

Conformed Copy: A copy of any court document that has been filed with the clerk. It must be stamped with the date filed. If the document is an order, it must also have the name of the judge who signed it written or stamped on it.

Contested Case: A case in which opposing parties participate and disagree about the outcome of the case.

Continuance: Delaying your court hearing to a later date. In some counties, the judge must approve any request for a continuance.

Custodian (also Custodial Parent): The person the children live with most of the time.

Declaration: A written statement made to the court under oath.

Default Order: An order that can be requested if

- the respondent fails to file a Response before the deadline, or,
- if s/he has appeared in the case, if s/he fails to file a Response after being served with a Motion for Default.

Docket: the court's schedule of cases to be heard on a particular day.

Ex Parte: Going before the court without notifying the other party. Sometimes also refers to the courtroom where you see a judge without notifying the other party.

Ex Parte Restraining Order: An order signed by the judge if emergency circumstances require protection before a temporary hearing can be held.

Exhibit: Documents, records, and photographs introduced into evidence at trial or hearing. Attachments to legal forms might also be called exhibits. If so, they should follow the format rules for court forms. (Basic information about the format rules is in the General Instructions section of this packet.)

Filing: Giving court papers to the Court Clerk to place in the case file.

Hearing: Going before a judge to request a court order or to defend against another party's request. Hearings usually take place before the trial date and concern specific issues (example: temporary relief). Hearings on important issues (example: motions to dismiss) may end the case. In many counties, the court doesn't allow live witness testimony at hearings. Instead, the parties must file and serve materials in advance in writing. In some counties, the outcome of certain types of modification cases may be decided by hearing rather than by full trial.

Jurisdiction: The court's authority to make decisions regarding certain people and issues. If a court doesn't have jurisdiction, it has no authority to make orders over the person or subject affected.

LEIS: abbreviation for Law Enforcement Information Sheet.

Moving Party: the person who files the petition.

Nonmoving party: the party who **didn't** file the petition.

Order: A court document signed by a judge that requires someone to do (or not do) something. If you disobey an order of the court, you may be held in contempt of court. Note: An order isn't in effect until a judge has signed it.

Other party: The person you're filing the petition against.

Party: A Petitioner or a Respondent.

Petition: The document that starts a case and asks the court for a final order.

Petitioner: The person who first files a legal case. The petitioner in the caption of a form doesn't change, even when motions are filed later by the other party.

Pro Se: Acting without an attorney; representing yourself in court.

Proposed Order: A document one party will be asking the judge to sign. It won't yet have the judge's signature on it. Many counties require the parties to file and serve proposed orders with motions or responses to motions, to show how that party wants the court to decide the motion. A proposed order becomes an order if the judge signs it.

Respondent: The person against whom you've filed your petition.

Response: A formal written answer to the Petition, filed with the court.

Ruling: A decision by the court.

Service: Giving court papers to the other party. The law defines ways of service that are legally acceptable. When the petitioner starts a case, s/he must arrange for the Summons and Petition and other papers that begin the case to be properly hand-delivered or, in some cases, and with advance court permission, sent by certified mail or published in a newspaper. After the initial Summons and Petition have been served, many later papers can be served by first class mail, with legally sufficient advance notice.

Summons: A written notice that the case has been started.

Temporary Order: An order entered after a case is filed and before it's finished, which is only in effect while the case is going on. Some temporary orders may end at a fixed time, even before the case ends.

Time to Respond (or deadline to respond): The length of time a party has to respond to something filed by another party.

Trial: The proceeding at which the judge listens to live testimony from parties and witnesses, considers evidence properly introduced, hears argument, and decides the outcome of the case.

Venue: The county where the case should be filed.

Section 2: General Instructions for Filling Out Forms

Case number. When you first file the papers to begin the case and pay the filing fee (or have the fee waived), the court clerk will assign a case number. Write the case number near the top on the right hand section of the first page of every form after "No." (abbreviation for "number"). When you file your case, you may be able to use a special stamp at the court clerk's counter to stamp the case number on each paper. It doesn't matter if the case number is written or stamped.

◆ You must write or stamp the case number on the first page of every copy of every paper you file with the court and on the copies you make for other parties. If you don't, your papers may be lost, or they may be returned to you. Some courts will also fine you for filing incorrect forms.

Title. Each form has a title. The title is on the right-hand side of the form under the case number.

◆ **Format:** Pleadings (legal forms) that you file with the court and attachments to those pleadings must follow the court rules about size and margins (GR 14(a)). Use regular size (8 ½ x 11") white paper. Write on only one side of the paper. The first page of each paper that you file must have a 3 inch margin (3 inches of space) at the top. The other margins (left, right and bottom, and the top from the second page on) must be at least one-inch wide. If your forms don't follow these rules, the court clerk may refuse to file them or may make you pay a fine.

The contents. Fill out each form according to the instructions for that form. In most counties you may print or type the information, but it must be readable and you must use BLACK OR DARK BLUE INK.

◆ A few counties require that all documents be typed. Check with the clerk of the court where you're filing.

After filling out each form, re-read it to be sure you've correctly filled in all the blanks you need to. If you have to make corrections, be sure the correction is neat and readable. Don't write in the margins of any page or the clerk may reject your form.

Dates. On the last page of most forms (not including orders), there's a space for you to write the date that you signed the form.

Your Signatures. After you fill out a form, look for the place(s) requiring your signature.

Identifying Information. Court rules try to protect privacy but also allow for public access to certain information in court files. Exception: The Law Enforcement Information Sheet (LEIS) isn't put in the public court file. It's safe to put information in that form.

Section 3: Instructions for Individual Forms

A. Motion for Waiver of Fees (WPF UH-02.0100)

Note: Waiver fees are only for very low-income people who otherwise can't afford to pay the filing fees involved in starting a case.

Fill in the caption.

You'll fill the caption in the same way on each form. See example:

DISTRICT COURT OF WASHINGTON FOR KING COUNTY	
<u>JANE ANNE DOE</u> Petitioner	NO.
vs.	
<u>KELLY JANE SMITH</u> Respondent	MOTION FOR WAIVER OF FEES (HARASSMENT)(MT)

I. Motion

1.3: Fill in the name of the sheriff, police department or other law enforcement agency in the county where the other party lives who'll be serving your papers on him/her.

Fill in the date where indicated. Sign your name on the line that says "Petitioner."

II. Declaration

2.1 In the 1st blank, write in the amount of the filing fee. (Confirm the amount with the clerk's office.) Fill in the following blanks to show the amounts you have for each.

2.2. Write in your total monthly gross income.

2.4 Explain where your income comes from. (Examples: work, SSI benefits, child support.) Be thorough in your description.

2.5 Write in a good estimate of your monthly expenses. (Examples: rent, utility bills, groceries, child support if you pay it) You don't have to come up with an exact amount, but it should be realistic.

2.6 Write in the number of people living in your household in the 1st blank. Write in the number of children under the age of 18 in the 2nd blank.

Date and write in the name of the town/city where you're filling in this form. Sign underneath that.

B. Order to Proceed without Payment of Fees (WPF UH-02.0110)

Fill in the caption.

II. ORDER

2.3 Fill in the name of the sheriff, police department or other law enforcement agency in the county where the other party lives who'll be serving your papers on him/her.

DON'T SIGN THE ORDER. THE JUDGE DOES THAT.

Print your name and the date under "Presented by."

C. Petition for an Order of Protection (WPF UH-02.0200)

Fill in the caption.

1. Check the 1st box if you're the victim. Check the 2nd box if your child or children are the victims.
2. Check the 1st box if the other party harassed you in the county where you're filing. Check the 2nd box if you're filing in the county where the other party resides.
3. Fill in the blanks with info about all of your children, whether or not they're also the other party's children.
4. Fill in this part if there have ever been any of the following type of orders involving you, the other party, and/or the children:
 - Anti-harassment order
 - Domestic Violence Protection Order
 - Restraining Order
 - No-Contact Order

Page Two:

Under **I REQUEST AN ORDER FOR PROTECTION:**

Stalking:

If you want to keep the respondent from stalking or following *you* around, check the box next to "me" directly under **I REQUEST AN ORDER FOR PROTECTION...**

If you want to keep the respondent from stalking or following *your children* around, check the 2nd box, next to “the minors...” directly under **I REQUEST AN ORDER FOR PROTECTION...**

No-contact:

If you want a no-contact order for *you*, check the box next to “me” in the 2nd line under **I REQUEST AN ORDER FOR PROTECTION...**

If you want a no-contact order, for *your children*, check the box next to “me” in the 2nd line under **I REQUEST AN ORDER FOR PROTECTION...**

Restraining order:

If you want the court to order the respondent to stay away from your workplace, home, and/or other location, check the appropriate box(es) in the 4th line under **I REQUEST AN ORDER FOR PROTECTION...**

Other:

You can use this space to ask for other relief you want that isn’t listed on this form.

Under STATEMENT:

List and describe the most recent things the respondent has done to harass you. You should start the description of each occurrence with the date, and then write what the respondent did. If the police were involved in an occurrence, write that.

The second set of lines: Use only if you asked for a fee waiver. Use the second set of lines to write in if the respondent has stalked, sexually or physically abused you, or threatened to do so.

Sign and date where indicated.

Confidential address: If you don’t want to list your address, check the last box. Then write in an address where you can reliably get mail.

D. Notice of Hearing (WPF UH-02.0400)

Fill in the caption.

After “TO:” fill in the respondent’s name.

If the clerk doesn’t fill the body of this form in for you:

In the blank directly underneath “TO,” write in your name. In the next sentence, write in the name of your petition.

In the next paragraph, write in the date, time, and place of your hearing.

The clerk fills in the rest.

E. Temporary Protection Order and Notice of Hearing (WPF UH-03.0200)

◆ **NOTE:** Check with the court clerk, the court facilitator, or your local domestic violence advocate first before you start to fill out this form. Local practice varies from county to county. The judge in the county where you're filing may not want you to submit a proposed order. Fill this Order out only if you first confirm that it's okay to do so.

Page 1:

Fill in the caption.

The clerk or judge may fill this part in. If they don't, you can do it yourself. To the right of the caption, under "Next Hearing Date and Time," fill in the information the clerk gives you.

List the children: If you want your children to be covered by the order, list them in the blank chart, one child per line.

Page 2:

2nd box: Check the box appropriate to the law enforcement agency that has jurisdiction where you live.

If you live outside city limits, check the 1st box for the sheriff's office. Then fill in the name of the county where you live.

If you live inside city limits, check the 2nd box. Then write in the name of the city or town where you live.

In the 3rd paragraph down: if the respondent must be served, check the box appropriate to whether the clerk or you is sending the paperwork to law enforcement. If you're using a private server, check the 1st box under "RESPONDENT LIVES." If Respondent has already appeared, check the 2nd box under "RESPONDENT LIVES."

DON'T SIGN AND DATE THE ORDER. THE JUDGE DOES THAT.

You may sign in one of the blanks below the line for the judge's signature, where appropriate.

F. Order for Protection from Unlawful Civil Harassment (ORAH) WPF UH-04.0500

◆ **NOTE:** Check with the court clerk, the court facilitator, or your local domestic violence advocate first before you start to fill out this form. Local practice varies from county to county. The judge in the county where you're filing may not want you to submit a proposed order. Fill this Order out only if you first confirm that it's okay to do so.

Page 1:

Fill in the caption.

The clerk or judge may fill this part in. If they don't, you can do it yourself. To the right of the caption, under "Next Hearing Date and Time," fill in the information the clerk gives you.

1. Full faith and credit: Leave this blank. The judge will fill it out.
2. Check the box to show how respondent was served. Use "other" only if service was by mail or publication.
3. If you want your children to be covered by the order, list them in the blank chart, one child per line.

Page 2:

1st Section: in the third line, check the boxes of the places you want the respondent kept away from. Write in the minimum number of feet you want the respondent to stay away from those places. (Example: 1,000 feet roughly the length of a swimming pool, is a distance commonly used.)

Other: You can use this space to ask for other relief you want that isn't listed on this form.

2nd Section: If you live outside city limits, check and fill in the name of your county in the blank next to "County Sheriff's office." If you live inside city limits, check and fill in the name of your city or town next to "Police Department."

Service on respondent: Midway down this box you'll check and fill in blanks to show how the respondent was served. If the respondent lives outside city limits, check and fill in the name of respondent's county in the blank next to "County Sheriff's office." If respondent lives inside city limits, check and fill in the name of respondent's city or town next to "Police Department."

If you've made your own arrangements to have the respondent served, check the box after the first "OR."

If Respondent showed up at the hearing, check the box after the second "OR."

If Respondent was previously served, but didn't show up at the hearing, check the box after the 3rd "OR."

DON'T DATE AND SIGN THE ORDER. THE JUDGE DOES THAT.

You can sign and date at the bottom of the page where appropriate to acknowledge that you received a copy of this order.

G. Law Enforcement Information Sheet (WPF all cases 01.0400)

Write your case number in the top right-hand blank. Under that, check the second box.

Restrained Person's Information. In each blank, write information about the parties being restrained (name, driver's license number, nickname, sex, etc). Fill out this form as completely as possible. You don't need to know all of the answers. If more than one party is being restrained, fill out a separate form for each person.

Protected Person's Information. In each blank, write your name, sex, race, and birth date. If the other party already knows your address, write your address in the blank under "*If your information is not confidential.*" If you don't want the other party to find out your address, write under "*If your information is confidential*" the name/address and telephone number of a "contact" where you can be safely and reliably contacted. This could be a friend or family member, or post office box.

Minor's Information. Write each child's information.

Hazard Information. If you think the other party might use weapons when served, circle the type of weapon and describe why the other party is dangerous. Check the box showing where they usually keep the weapon. Fill in the boxes regarding the restrained person's history.

At the end of the form, next to "Prepared by," write in your name and the date. If you write on the back of the form, check the box "*See Reverse Side.*"

H. Confidential Information Form (WPF UH-01.0600)

1. Write in the county where you're filing the case, and the case number. If you have no case number yet, write in the case number when the clerk gives it to you.
2. Check the first box (*divorce/separation...nonparental custody/paternity/modification...*).
3. If restraining orders or protection orders are in place, check the related boxes on the form. Show who's protected.
4. If you believe the safety of an adult or child would be in danger by giving out address information, even if you don't have a restraining order or a protection order, check the box "[t]he health, safety, or liberty..." Explain the risk of harm.
5. The law requires a residential address on page 2 of the Confidential Information Form. If you're afraid to give your residential address, try to give an alternate address and see if the court clerk will accept it. An alternative address could be a post office box, a private mail box, a friend or relative's address. If the court clerk won't accept your Confidential Information Form, talk with an attorney, your local domestic violence program, or call CLEAR at 1-888-201-1014.
6. Write in the information requested on the form concerning the petitioner and respondents and the child/ren. Fill in the information about yourself..

I. Return of Service – Harassment (WPF UH-04.0110)

Your server must complete a separate Return of Service for each party s/he serves. After your server has completed service and signed the Return of Service form(s), follow the instructions in this packet for filing it with the court.

◆ The court doesn't serve the Respondent. You must arrange for service and make sure your server delivers the papers properly. You can't serve the papers on the Respondent yourself. Carefully follow the rules for service (see the section called "Arranging for Service," below). If you don't do service properly, any court orders you get could be set aside.

Caption.

Fill out the caption.

Paragraph 2.

Write the name of the party being served in the blank. Read the list of forms. Check the box to the left of each form served on that party. Sometimes you must fill in a blank to better describe a form. (Example: if you check the box after "declaration," write in the name of the person who wrote the declaration). If you had the other party served with any forms not listed, check the box marked "other." Write in the names of those additional forms. You **MUST** list all the forms that were served on the other party. If you leave a form off your list, you'll have no proof that the other party received it.

Paragraph 3.

The server should fill in the date, time (show a.m. or p.m.) and address where the papers were served.

Paragraph 4.

If the server gave the papers directly to the other party, check the first box. If the server did abode service², check the second box. Fill in the name of the person to whom the papers were given.

Paragraph 5.

If your server included the Notice re: Dependent of a Member of a Person in Military Service form in the packet of papers served (and we recommend that it be served whenever the forms to be served include a summons), check the first box in this paragraph and the first box in the middle of the sentence. Fill in the date at the end of the paragraph.³ If this form wasn't served, skip this paragraph.

Paragraph 6.

In the "Other" section, your server may write additional information. Example: if your server tries several times to serve the other party but s/he is never home or can't be found, the server should write the dates and times and descriptions of each time the server tried to serve the other party. Or, if the server gave the papers to an adult living with the other party who wouldn't give his/her name, the server should write what the person who received the papers looks like.

Signature.

² If you don't know what "abode service" means, look back at the explanation for abode service in the instructions for personal service section

³ The law allows for service of this notice later by mail, but we don't include instructions for later service or for proving that the notice was mailed.

The server should write the city and state where s/he signed the form, write in the date, and sign where it says “Signature” and then print or type his/her name where it says “Print or Type Name.”

Usually, only professional servers will use the box for fees and mileage.

Staple a copy of the summons to the Return of Service.

After your server completes this form, s/he should give it to you for filing with the court.

Section 4: Arranging for service

Don't serve the documents on the other parties yourself. Find someone who's over age 18 to serve the papers for you.

Consider hiring a professional process server. If you can afford it, think about hiring a professional process server or the sheriff to serve the papers for you. It usually costs \$30-\$80. Using a professional process server may be best because the sheriff may not be willing to try more than once to serve the Respondent who may not be at home when the sheriff tries to serve him/her. Process servers are listed in the yellow pages of the telephone book.

Ask an adult friend to be your process server. If you can't afford a process server or the sheriff, any adult over age 18, who is not a party in the case and who has no mental disability making that person incompetent, may serve the papers for you. That person must understand how important it is to serve the papers and fill out the return of service form correctly.

Give your server (the sheriff, a process server, or the adult friend who has agreed to serve the papers for you) the envelope of papers you prepared for service on the other party, together with the other party's home and work address, a physical description of the other party, and any other information that will help the server locate the other party for service.

Give your server a Return of Service form to fill out and return to you once service is complete. (Some process servers have their own Return of Service form that they'll fill out and give to you instead.)

Section 5: Preparing for and Attending Your Hearing

The Respondent must respond in writing to your motion before the hearing. Check with the court clerk to find out when the Respondent's response is due.

If the Respondent sends no response:

- **If the Respondent doesn't show up after not sending a response either**, ask the judge to sign your proposed orders. See the section called *Going to the Hearing*, below and the checklists at the end of this publication.
- **If the Respondent comes to the hearing despite sending no response**, it's most likely that the judge will go forward with the hearing anyway, so be prepared.

If the Respondent sends a response, read it carefully. Be prepared to tell the judge what you disagree with in the response.

It's possible that the respondent won't provide you with his/her response until the day of the hearing. If this happens, tell the judge. Ask the judge for more time to read the response and to prepare your own reply. You can ask for more time in one of two ways:

- You can ask for a **brief recess** (break) to review the response, if you feel you can simply reply orally to what's in the respondent's papers; or
- You can ask for a **continuance**, which means you're asking that the hearing be rescheduled. Ask for a continuance if you need time to get evidence to bring to the court to rebut (argue against) the respondent's response.

If you ask for a continuance, but the court won't allow it: you can ask the court to "strike" (disregard) the respondent's response, because you didn't have proper notice to reply to it.

A. Going to the Hearing

- **If the Other Party Gets an Attorney.** If at any time before the hearing another party's attorney contacts you or shows up at a hearing, you may decide to get an attorney yourself. If so, tell the attorney and the court that you need to postpone (continue) your hearing. Don't panic. The attorney may ask you to sign some documents. Don't sign any documents you don't understand. If the judge reschedules your hearing, ask him/her to sign a temporary order effective until the new hearing date.
- **Prepare for the Hearing.** Try to go to court before the day of your hearing and watch how the hearings are generally done. Also try to make some notes to yourself about the main points that you want to make when you have a chance to talk during the hearing.
- **Get to Your Hearing Early.** Dress neatly and bring a pad of paper and black pen to write notes with. Bring your set of the papers, as well as your copies of any papers the other parties gave you in response. It's better not to bring your children if you can help it – the judge usually won't let them sit in the courtroom. If you're not there on time, the hearing will be cancelled (or the other party may win).
- **When You Get to the Courtroom.** When you get there, tell the person in charge in the courtroom (often called the clerk or the bailiff) your name and the name and number of

your case. Take a seat. When the judge walks in the room, stand. When your case name is called, tell the court that you're present. Remain in court until your case is called for hearing.

When you're told to come forward, do so. If you're permitted to submit proposed orders, now is the time to give the court the originals of your orders.

- **Getting an Order.** If the other party doesn't appear, show the judge your Return of Service or Certificate of Mailing or Personal Delivery. Ask the judge to sign your orders. Tell the clerk or bailiff that you need a copy of the orders.
- **Presenting Your Case.** If the other party shows up at the hearing, each of you will have a chance to tell your side of the case. Stand while speaking. Tell the judge briefly what you want and why. Try to keep your argument short and only outline your main points. In some counties you have only five minutes to speak. In most cases, the judge will have read your papers before the hearing so don't repeat everything in your papers. Try to make notes to use at the hearing.
- **DON'T INTERRUPT THE JUDGE.**
- **Hearing the Judge's Decision.** After the judge has heard both sides, s/he'll decide on your requests. Listen carefully and make notes. The judge may make changes to any orders you may have prepared. **Usually your court orders are signed the day of your hearing. Some counties require they be signed before the parties leave the courthouse. Find out in advance what the local practice is in the county where you've filed.**
- **DON'T LEAVE THE COURTHOUSE WITH (OR CHANGE OR DESTROY) COURT ORDERS THAT HAVE BEEN SIGNED BY THE JUDGE.** If the clerk in the courtroom gives you the original orders the judge has signed, file them with the court clerk's office.
- **Getting Copies of the Orders.** You'll need copies of the orders as signed by the judge. You need certified copies of any order with a safety restraint (Get one certified copy for yourself, and one certified copy for each restrained party that you need to serve.) Get conformed copies of other orders.
- Ask the clerk how to get the conformed and certified copies you need and follow those instructions.
 - For certified copies, the clerk will need to make them and s/he may charge you a fee (example: \$5 for the first page, \$1 for every additional page).
 - For conformed copies,
 - The clerk may allow you to take the original orders and make copies in the library or at the clerk's office.
 - Or, if the copies of proposed orders you brought to court are exactly the same as the orders the judge signed, the clerk may tell you to stamp those copies with the date filed stamp and the judge's signature stamp.
- If the judge signed the orders you presented, make sure all parties get copies of the orders showing the judge's signature as follows:

- If your orders have no safety restraints, or if the restrained party or his/her attorney appeared and/or signed the orders, mail conformed (not certified) copies of the orders the judge signed to the other party/ies. Also mail conformed copies to any additional parties against whom there are no restraints. Use the Certificate of Mailing or Personal Delivery procedure explained in our Filing a Motion for a Temporary Order packets.
- Have the other party personally served if all of the following are true:
 - the order includes safety restraints and you're the protected party;
 - neither the restrained party nor attorney appeared for the hearing; and
 - neither the restrained party nor attorney signed the order.

You must serve a certified copy of the order containing safety restraints. Conformed copies of any other orders will do. File a new Return of Service with the court showing service of these orders, and deliver a copy of the Return of Service to the law enforcement agency named in the order.

Section 6: Blank Forms

The following forms are attached:

- Motion for Waiver of Fees
- Order to Proceed Without Payment of Fees
- Petition for an Order for Protection - Harassment
- Notice of Hearing - Harassment
- Temporary Protection Order and Notice of Hearing
- Order for Protection - Respondent Under Age 18 - Harassment
- Law Enforcement Information Sheet
- Confidential Information Form
- Return of Service

COURT OF WASHINGTON
FOR

Petitioner
vs.

Respondent

NO.

**MOTION FOR WAIVER OF FEES
(HARASSMENT)(MT)**

I. MOTION

Based on the declaration below, I move the court for an order:

- 1.1 Permitting me to proceed without payment of filing or any other court related fees, or service fees;
- 1.2 Directing the clerk of the court to file the pleadings without payment of filing or any other court related fees; and
- 1.3 Directing the _____
(Law Enforcement agency where respondent lives)
to serve the papers in this action upon respondent without charging fees for the service.

Dated: _____
Petitioner

II. DECLARATION

- 2.1 I lack the funds to pay the \$ _____ cost of filing or the other fees in this proceeding. I have the following assets available:

\$ _____ \$ _____ \$ _____ \$ _____
Cash Checking Account Savings Account Other

- 2.2 My total monthly income is \$ _____.

2.3 The source of this income is (describe employment, other sources):

2.4 My total monthly expenses are \$ _____.

2.5 I have _____ people living in my household, including _____ minor child(ren).

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

FOR	COURT OF WASHINGTON
Petitioner	vs.
Respondent	

NO.

**ORDER TO PROCEED WITHOUT
PAYMENT OF FEES
(HARASSMENT) (ORALFF)**

I. BASIS

Based on the motion filed by the petitioner, the court finds that petitioner lacks the funds to pay the filing fee, other court related fees, or service fees to proceed with this action.

II. ORDER

IT IS ORDERED that:

- 2.1 The petitioner is permitted to proceed without payment of the filing fee, other related court fees, or service fee.
- 2.2 The clerk of the court shall file papers and pleadings of the petitioner in this proceeding without payment of filing or other court related fees.
- 2.3 The _____
(Law Enforcement agency where respondent resides)
shall serve all papers in this action without charging a fee for service to the petitioner.
- 2.4 Other:

DATED _____ at _____ a.m./p.m. _____
JUDGE/COURT COMMISSIONER

Presented by:

Petitioner Date

COURT OF WASHINGTON
FOR

Petitioner
vs.

Respondent

NO.

**PETITION FOR AN
ORDER FOR PROTECTION -
HARASSMENT
(PTORAH)**

1. I am petitioning for an Order for Protection against Unlawful Harassment.
2. I am the victim of unlawful harassment committed by respondent, as described in the statement below.
 - I am the parent or guardian of child(ren) under age 18 and seek to restrain a person age 18 years or over from contact with my child(ren) because contact is detrimental, as described in the statement below.
3. The harassment took place in this judicial district. Respondent lives in this judicial district.

4. Identification of Minors:

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

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

CASE NAME AND NUMBER		
COURT/COUNTY		

COURT OF WASHINGTON
FOR

Petitioner
vs.

Respondent

NO.
NOTICE OF HEARING - HARASSMENT
 (NTHG)
 (Optional Use)
 (Clerk's Action Required)

TO: _____

_____ (Petitioner/Respondent) has filed a petition/motion for the following relief: _____ .
 [name of petition/motion]

A hearing will be held on _____ [date], at _____ a.m./p.m. at _____ [location] to determine whether the requested relief should be granted. **IF YOU DO NOT APPEAR, THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF REQUESTED.**

Dated: _____ COUNTY CLERK

By: _____
 Deputy Clerk

This document must be served on the other party, and proof of service must be in the court file prior to the hearing.

COURT OF WASHINGTON
FOR
<hr/> Petitioner
vs.
<hr/> Respondent

NO.

TEMPORARY PROTECTION ORDER AND NOTICE OF HEARING (HARASSMENT) (TMORAH)
 (Clerk's action required)
Next Hearing Date and Time: _____
At: _____

WARNING TO THE RESPONDENT: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 10.14 RCW and will subject a violator to arrest. Willful disobedience of the terms of this order may also be contempt of court and subject you to penalties under chapter 7.21 RCW.

Minors addressed in this order:

Name (First, Middle Initial, Last)	Age	Race	Sex

Based upon the petition, testimony, and case record, the court finds that the respondent committed unlawful harassment as defined in RCW 10.14.080, and **IT IS THEREFORE ORDERED THAT:**

	Respondent is RESTRAINED from making any attempts to keep under surveillance petitioner and any minors named in the table on page one.
	Respondent is RESTRAINED from making any attempts to contact petitioner and any minors named in the table on page one.

	Respondent is RESTRAINED from entering or being within _____ (distance) of petitioner's <input type="checkbox"/> residence <input type="checkbox"/> place of employment <input type="checkbox"/> other: <input type="checkbox"/> The address is confidential <input type="checkbox"/> Petitioner waives confidentiality of the address which is:
	Other: _____ _____ _____

It is further ordered that the clerk of 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 in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

The clerk of court petitioner shall 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.

OR Petitioner has made private arrangements for service of this order.
OR Respondent appeared; further service is not required.

The respondent is directed to appear and show cause why the court should not enter an order for protection effective for one year or more and order the relief requested by the petitioner or other relief the court deems proper, which may include payment of costs. **FAILURE TO APPEAR AT THE HEARING OR TO OTHERWISE RESPOND WILL RESULT IN THE COURT ISSUING AN ORDER FOR PROTECTION PURSUANT TO CHAPTER 10.14 RCW EFFECTIVE FOR A MINIMUM OF ONE YEAR FROM THE DATE OF THE HEARING. THE NEXT HEARING DATE AND TIME IS SHOWN BELOW THE CAPTION ON PAGE ONE.**

A copy of this Temporary Protection Order and Notice of Hearing has been filed with the clerk of the court.

This Temporary Order for Protection is effective until the next hearing date and time shown below the caption on page one.

DATED _____ at _____ a.m./p.m. _____
 JUDGE/COURT COMMISSIONER

I acknowledge receipt of a copy of this Order: _____ I acknowledge receipt of a copy of this Order: _____

 Petitioner Date Respondent Date

COURT OF WASHINGTON

FOR

Petitioner

vs.

Respondent

NO.
**ORDER FOR PROTECTION -
 RESPONDENT UNDER AGE 18 -
 HARASSMENT (ORAH18)**

Court _____
 Address _____

Telephone Number:() _____
 (Clerk's action required)
 School notification required.

WARNING TO THE RESPONDENT: Willful disobedience of the terms of this order may be contempt of court and may subject you to detention under RCW 7.21.030(4). RCW 10.14.120

1. Full Faith and Credit: This order is issued to prevent violent or threatening acts of harassment. The court has jurisdiction over the parties, the minors and the subject matter. This order is issued in accordance with the Full Faith and Credit provisions of VAWA. 18 U.S.C. § 2265.
2. Notice of this hearing was served on the respondent by personal service service by publication pursuant to court order other _____.
3. _____ (name) is a responsible and proper person to be appointed and is appointed guardian ad litem of respondent and is discharged when proof of service of this order on the guardian ad litem is filed in this case.
4. Minors protected by this order:

Name (First, Middle Initial, Last)	Age	Race	Sex

Based upon the petition, testimony, and case record, the court finds that the respondent committed unlawful harassment, as defined in RCW 10.14.020 and .080, and was not acting pursuant to any statutory authority, and after considering the facts of the case, the severity of the alleged offense, any continuing physical danger or emotional distress to the minors to be protected, and the expense, difficulty, and educational disruption that would be caused by a transfer of the respondent to another school, **IT IS THEREFORE ORDERED THAT:**

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 state wide law enforcement computer. Fill in the following information as completely as possible.

Court:	Case Number:
--------	--------------

<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Dissolution/Separation/Invalidity/Nonparental Custody/Paternity
<input type="checkbox"/> Unlawful Harassment	<input type="checkbox"/> Vulnerable Adult <input type="checkbox"/> Sexual Assault

Restrained Person's Information (This is the person that you want the court to restrain.)

Name: First	Middle	Last	Nickname	Relationship to Protected Person
--------------------	--------	------	----------	----------------------------------

Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
---------------	--	------	--------	--------	-----------	------------	-----------	-------

Last Known Address				Phone(s) w/Area Code	Need Interpreter? Yes or No
Street:					Language:
City:		State:	Zip:		

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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Hazard Information Restrained Person's History Includes:

Mental Health Problems (Commitment, Treatment, Suicide Attempt, Other) Assault Assault with Weapons Alcohol/Drug Abuse

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.)

Name: First	Middle	Last
--------------------	--------	------

Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	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).

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

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
--------------	-----------------	---------------

If you filed the petition for someone else, list your name, contact phone number and address :

Minor's Information			Describe the minor's relationship using terms such as: child, grandchild, stepchild, nephew, none. →				Minor's Relationship to	
Name: First	Middle	Last	Sex	Race	Birth date	Resides With	Protected Person	Restrained Person

CONFIDENTIAL INFORMATION FORM (INFO)

County:	Cause Number:	Do not file in a public access file.
COURT CLERK: THIS IS A RESTRICTED ACCESS DOCUMENT		

Divorce/Separation/Invalidity/Nonparental Custody/Paternity/Modifications Other
 Domestic Violence Antiharassment Information Change (Check if you are updating information)

A restraining order or protection order is in effect protecting **the petitioner** **the respondent** **the children.**

The health, safety, or liberty of a party or child would be jeopardized by disclosure of address information because: _____

The following information about the parties is required in all cases:
 (Use the Addendum To Confidential Information Form to list additional parties or children)

Petitioner Information	Type or Print only	Respondent Information
Name (Last, First, Middle)		
Race	Sex	Birthdate
Driver's Lic. or Identocard (# and State)		
Mailing Address (P.O. Box/Street, City, State, Zip)		
Relationship to Child(ren)		
Name (Last, First, Middle)		
Race	Sex	Birthdate
Driver's Lic. or Identocard (# and State), (or, if unavailable, residential address)		
Mailing Address (P.O. Box/Street, City, State, Zip)		
Relationship to Child(ren)		

The following information is required if there are children involved in the proceeding.
 (Soc. Sec. No. is not required for petitions in protection order cases (Domestic Violence/Antiharassment).)

1) Child's Name (Last, First, Middle)
Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts
2) Child's Name (Last, First, Middle)

Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts
List the names and present addresses of the persons with whom the child(ren) lived during the last five years:
List the names and present addresses of any person besides you and the respondent who has physical custody of, or claims rights of custody or visitation with, the child(ren):

<u>Except for petitions in protection order cases (Domestic Violence/Antiharassment), the following information is required:</u>	
Petitioner's Information	Respondent's Information
Soc. Sec. No.:	Soc. Sec. No.:
Residential Address (Street, City, State, Zip)	Residential Address (Street, City, State, Zip)
Telephone No.: ()	Telephone No.: ()
Employer:	Employer:
Empl. Address:	Empl. Address:
Empl. Phone No.: ()	Empl. Phone No.: ()

Additional information: _____

Addendum To Confidential Information Form is attached.

I certify under penalty of perjury under the laws of the state of Washington that the above information is true and accurate concerning myself and is accurate to the best of my knowledge as to the other party, or is unavailable. The information is unavailable because _____
 _____.

Signed on _____ (Date) at _____ (City and State).

 Petitioner/Respondent

_____.

5. Other: _____
_____.

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

DATED _____ at _____, Washington.

Fees:	Service _____	_____
	Mileage _____	Signature of Server
	Total _____	_____
		Law Enforcement Agency