

Extreme Risk Protection Orders

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This is Washington's 'red flag' law. An extreme risk protection order (ERPO) requires a person to surrender any firearms they have and makes it illegal for them get firearms. You can get an ERPO against an intimate partner or family or household member who poses a significant danger to themselves or others. Law enforcement can also seek an ERPO.

ERPOs only restrict someone's access to firearms. If you need other protection, such as no harm, no contact, or stay away orders, consider <u>other</u> types of protection orders instead of an ERPO.

1. Before you file

Community organizations can help! If you've experienced domestic violence, harassment, stalking, or sexual assault, or the threat of any of these, get help from your local domestic violence shelter or sexual assault center. Shelters provide safety planning,



temporary shelter, legal advocacy, counseling, and other services.

Visit Washington State Domestic Violence Information & Referral (https://www.domesticviolenceinforeferral.org/domestic-violence-programs) to search for local programs by county, or for culturally/community specific

(https://www.domesticviolenceinforeferral.org/domestic-violence-programs?field_county_value=All&field_program_catagory_tid=1) or Tribal programs

(https://www.domesticviolenceinforeferral.org/domestic-violence-programs?field_county_value=All&field_program_catagory_tid=2).

You can call, text, or chat online with advocates 24/7 at any of these:

- National Domestic Violence Hotline
 (https://www.thehotline.org/), 1-800-799-7233
- National Sexual Assault Hotline (https://rainn.org/resources),
 1-800-656-4673
- <u>StrongHearts Native Helpline</u>
 (https://strongheartshelpline.org/) (a peer support service of the National DV Hotline), 1-844-762-8483

To ask a judge for an extreme risk protection order (an **ERPO**), you must fill out and file the forms here. The <u>Petition</u> is a request for the judge to order the other person (the **respondent**) to turn their firearms over to law enforcement and not get or try to get other firearms. It lets you ask for a temporary protection order that starts right away, and a full protection order that can



last a year, if approved by a judge.

"Judge" here refers to judges and court commissioners.

<u>Decide if an ERPO is the right choice for you</u>. Different types of protection orders are effective for many people, but they're not a good option for everyone.

Decide where to file. You can file for an extreme risk protection order in the Washington county where you live or the respondent lives.

Some courts may offer their own online forms or ways to ask for an extreme risk protection order online. Ask the court clerk for availability.

Decide which court to file in. If the respondent is age 18 or older, you should probably file for an ERPO in Superior Court. You can file in Municipal or District Court, but those courts can only give you a temporary order and then transfer your case to Superior Court. If the respondent is under age 18, you may file in Juvenile Court.

Decide if you're going to put your home address in your court papers. The protection order is a public document that anyone can see. If you're unsure, talk to an advocate (https://www.domesticviolenceinforeferral.org/domesticviolence-programs?field_county_value=All&field_program_catagory_tid=1).



Decide if you want or need an immediate order. If you ask for an immediate order, you must explain how the respondent may use firearms in the near future to harm themselves or someone else if you don't get an order now, before the respondent gets notice that you're asking for an ERPO.

Gather any supporting evidence, such as written statements, printed photos, or documents, that help prove what you're saying is true. If you have proof that the respondent abuses drugs or alcohol, include it now. If you get other evidence later, you can still file it before your hearing date, but try not to wait until the actual hearing to present evidence for the first time.

You might be able to get help filling out the forms. Ask the court clerk about local victim services organizations with advocates (https://www.domesticviolenceinforeferral.org/domestic-violence-programs?field_county_value=All&field_program_catagory_tid=1) who can help with forms.

2. Step-by-step

- 1. **Fill out** the forms at the end of this guide. Choose the right Petition depending on whether the respondent is 18 or older, or under age 18.
- 2. **Attach any supporting evidence to your petition.** Everything must be single-sided on regular size paper. Organize your attachments so the judge can understand them. Add labels and dates to pictures, texts, or emails.



<u>Some confidential documents should be filed separately under a sealed cover sheet</u>. This keeps them out of the public court file. You must still serve them on the other party. **Examples:** paystubs, tax returns, bank statements, benefit statements, medical or treatment records, special education records, confidential evaluations or reports.

If you're afraid for your safety or the children's safety, you can block out information identifying your location on the copies you file with the court and give the other party.

- 3. **File your forms with the court clerk.** You can bring your completed papers in person to the clerk's office of the court you've chosen. Or you can call the clerk first to ask if it's possible to file electronically.
- 4. A judge reads your court papers the same day you file, or the next working court day if you file later in the day or when the court is closed. After reading your papers, the judge will decide:

Does the judge have authority (called *jurisdiction*) over you and the respondent?

Does the judge have reasonable cause to believe that the respondent poses a significant danger of causing personal injury to self or others in the near future?



If the judge decides you don't meet the legal

requirements, the judge won't schedule a hearing. The judge must give you a written denial order explaining why you won't get a protection order. If you don't get a written denial order, ask for one. If you still don't get a denial order after asking for one, try to contact a lawyer as soon as you can.

You'll have **14 days** from the date of the denial order to rewrite (amend) your petition with more information and ask the judge to review it again. Use the same case number to file your amended petition.

5. If you've asked for immediate protection and the judge decides you meet the legal requirements, the judge may issue a Temporary Extreme Risk Protection Order to start right away. It lasts until the judge has a hearing for the full order within 14 days.

If the judge doesn't give you immediate protection, you can still have the respondent served and go to a hearing to ask for a full protection order. Or you can withdraw your petition if you don't feel safe going forward without a Temporary Extreme Risk Protection Order in place. The respondent won't be served if you withdraw at this point.

If you didn't ask for immediate protection, the judge will schedule a hearing for a full order if you meet the legal



requirements.

6. **Service.** Law enforcement must deliver the court papers (must serve) the respondent as soon as possible and must try again if they don't locate the person the first time they try to serve them. The clerk's office will send law enforcement a service packet with copies of all the documents to be served.

Your temporary order is legal and enforceable (is in effect) from the moment the judge signs it. **But** the police can only enforce the order if there's proof that the respondent was served with a copy of the order. Law enforcement should keep trying to serve the respondent right up to your hearing date.

The respondent must receive the papers at least **5 court days** before the hearing. If the respondent is under age 18, their parents or legal guardians must also be served.

Service tip! Ask the clerk for a copy of the service packet to keep on hand. If law enforcement is called in an emergency, you can give the service packet to the officer on the scene to serve the respondent at that time. You might hear this called a "911 service packet."

Safety alert! If the judge issues a Temporary Extreme Risk Protection Order, the respondent must immediately surrender their firearms to law enforcement when they're



increase your level of risk. A domestic violence or other advocate (https://www.thehotline.org/) can help you do safety planning around this issue. You may call **9-1-1** to report if you believe the respondent still has weapons.

- 7. **File proof of service.** Law enforcement must fill out and file written proof of service (also called a "return of service" or "affidavit of service").
- 8. If the respondent hasn't been served, but you still need the temporary order, you must go to the full hearing and ask for an extension (a continuance) of the temporary order.

Safety alert! Even if you have a temporary extreme risk protection order, you must continue to take steps for you and your children to remain safe (https://www.domesticviolenceinforeferral.org/domestic-violence-programs?field_county_value=All&field_program_catagory_tid=2), especially around the time the order is served.

9. **Full hearing.** The judge decides here whether to issue a final Extreme Risk Protection Order that will last for a year.



3. Firearms surrender

If a judge orders a temporary or final ERPO, respondent must turn in their firearms to law enforcement. When and how respondent does this depends on how law enforcement serves the respondent with the court papers.

- If law enforcement hand-delivers the papers to respondent (called personal service), the officer will require respondent to immediately turn in all firearms. If the respondent doesn't do this, they may face criminal charges.
- If law enforcement must serve the respondent by other means, respondent must surrender all firearms to the local law enforcement agency within 24 hours of being served.

4. Hearing issues

If you know beforehand that you can't make the full hearing, contact the court clerk about rescheduling. Otherwise, if you simply don't go to your full hearing, the judge will dismiss your temporary order.

If the respondent hasn't been served 5 court days before your full hearing, you must still go to the hearing if you want the temporary order extended to allow time for service.



Even if the respondent didn't get 5 court days' notice but received the order, you can contact the police to enforce the order if there are any violations.

5. At hearing

In deciding whether to issue an ERPO, judge must consider facts about the respondent such as these:

- Recent acts or threats of violence against themselves or others, even if a firearm wasn't involved
- Pattern of violence or threats of violence against themselves or others
- Any behavior that's an imminent threat of harm to themselves or others
- Violation of a protection order or no-contact order
- They've already had an ERPO issued against them
- Conviction for a <u>crime of domestic violence</u>
 (http://app.leg.wa.gov/RCW/default.aspx?cite=10.99.020) or <u>other crime</u>
 (http://app.leg.wa.gov/RCW/default.aspx?cite=9A.36.080)
- The respondent owns, intends to own, or has access to firearms
- Past unlawful use of a firearm
- A history of threatening, trying to, or actual use of physical force against someone else, or a history of stalking anyone
- Previous arrest for a felony offense or violent crime
- Proof of the respondent's abuse of drugs or alcohol
- Proof that the respondent has recently gotten firearms



If the respondent doesn't show up for the hearing and was properly served at least 5 court days before the full hearing, the judge can go ahead without the respondent. The respondent may need to be served afterwards with any order the judge makes at the hearing.

If the respondent does show up at the hearing, the judge may ask you and the respondent questions under oath or take declarations. Stand while speaking. If permitted, tell the judge briefly what you want and why. Try to keep your argument short. Only outline your main points. You may have as little as 5 minutes to speak. Don't repeat everything in your papers.

Each of you will get to tell your side of the case. If the judge asks you a question, try to answer it directly. **Don't interrupt the judge.**

After the judge has heard both sides, they'll make a decision. You may need to wait for the judge to write up the order. The clerk may give you a copy right away. If not, ask how you can get a copy.

6. After full hearing

What if I disagree with the court's decision?

Within 10 days after the entry of the order you can ask for reconsideration or revision. If the 10th day falls on a weekend or judicial holiday, your deadline is the next judicial day.



- Ask for reconsideration if the decision was legally incorrect or you have newly discovered evidence.
- Ask for revision if your case was decided by a court commissioner (not a
 judge), and you want a judge to review the same evidence.

File your motion for reconsideration or revision with the court clerk.

You can file an appeal within **30 days** after entry of the order. You have the right to a transcript or recording of the hearing.

If new evidence would support issuing a protection order, you can refile a petition for a protection order **at any time**.

How is the order enforced?

Law enforcement will enter your Extreme Risk Protection Order in a statewide computer system. It's enforceable statewide and in other states.

You should **call the police** to report if the respondent breaks (violates) the order. This is a crime. The police must enforce your order and arrest the respondent.

Ask for a Hope Card! A Hope Card is a small card you can easily carry. It's one way to show you have a full protection order. You can request one at courts.wa.gov/hopecard/
(https://www.courts.wa.gov/hopecard/login.cfm). If you don't have a Hope Card, you should always carry a certified copy of your protection order with you.



Can the order be changed or terminated?

The respondent can file a motion to end (to terminate) the order, but only once within every 12-month period that the order is in effect. The respondent must prove that they don't pose a real risk of harm through firearms to self or others. They must prove this by a preponderance of the evidence—that it's more likely true than false. The forms to do this are available on the Washington Courts website

(https://www.courts.wa.gov/forms/?fa=forms.static&staticID=14#ExtrRisk).

Neither party can file a motion to change (to modify) an extreme risk protection order.

Can the order be renewed?

You should get notice that your ERPO is expiring 105 calendar days beforehand. You can file a motion to renew your ERPO within 90 days before the order expires. **Example**: If your order expires Dec. 15, you can file a motion to renew as early as Sept. 16.

You can only renew an ERPO for one year at a time. To file this motion, get these forms

(https://www.courts.wa.gov/forms/?fa=forms.static&staticID=14#ExtrRisk) from the Washington Courts website:

- XR 151, Motion to Renew Extreme Risk Protection Order
- XR 152, Order Setting Hearing: Motion to Renew Extreme Risk Protection Order
- XR 155, Order on Motion to Renew Extreme Risk Protection Order



7. Firearms return

When an ERPO ends, the respondent may ask law enforcement to return their firearms. Law enforcement must first check that the order has ended and there's no other legal reason to keep the firearms from the person.

If you're the respondent's intimate partner, relative, or household member, you can ask law enforcement to let you know that they're returning firearms to the respondent. Law enforcement should give you 5 days' notice of this. Email is best.

8. Forms

Use these forms to file for an ERPO against someone **age 18 or older**. To file against someone under age 18, you must fill out a different petition. You can get the Petition for an Extreme Risk Protection Order – Respondent Under 18 Years (form XR 201) on the <u>Washington Courts website</u> (https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=106).

Form attached:

Petition for Extreme Risk Protection Order (XR 101)

Form attached:

Firearm Identification Worksheet (XR 102)



Form attached:

Law Enforcement and Confidential Information - Extreme Risk Protection Order (XR 105)

Form attached:

Temporary Extreme Risk Protection Order - Without Notice (XR 121)

Follow the general rules to format and fill out court documents.

To ask a judge for an ERPO, you must fill out and file at least the first 3 forms above. You may also need other forms depending on the situation:

- If you want to file written statements from other people in support of your petition, you can use a Declaration form
- If you want to file medical records or confidential reports, you'll need a
 <u>Sealed Cover Sheet</u> to protect privacy (keep them out of the public court record)

Tips for filling out petition

The more specific you can be in the Petition, the better.

In **1. Who is filing this petition**, skip to the second box for "I am an intimate partner or family household member," check it, and then check everything that applies in that section.

Tips for filling out Firearm Identification Worksheet



Filling out this worksheet will help law enforcement know what weapons they need to get from the respondent. Answer the questions as best you can.

Tips for filling out Law Enforcement and Confidential Information - Extreme Risk Protection Order

This form goes to your local law enforcement agency so they can enter the Extreme Risk Protection Order into the police computer. **It's not served on the respondent.** Fill out as much of the information requested as you can.

Tips for filling out Temporary Extreme Risk Protection Order

Some courts ask the petitioner to fill out a proposed order, but others will do this themselves. Ask the court clerk if you should fill out a proposed Temporary Extreme Risk Protection Order.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our <u>Get legal help</u> page.

	Court of Washi	ngton, County of		
		No		
Petitioner vs.		Petition for an Extr Protection Order (PTXR)		
Respondent	DOB			
	Petition for an Extrem	e Risk Protection Orde	r	
Who is fi	ling this petition?			
□ I am	filing on behalf of	law enfor	cement agency.	
		spondent's intimate partner, far I parties who may be at risk of v		
		faith effort to provide notice to the person □ other		
For E	Emergency Domestic Violenc	e ERPO: (victim name)		
	has consented to an emerger order.	ncy domestic violence extreme	risk protection	
	is incapacitated.			
	an intimate partner or family onship with the Respondent is (or household member of the (check all that apply):	Respondent. My	
Intim	ate Partners			
	current or former spouses o	r domestic partners		
	parents of a child-in-commo assault)	n (unless child was conceived	through sexual	
	current or former dating relat	ionship (age 13 or older) who		
	☐ never lived together	☐ live or have lived t	together	
2011 7 105 100 0	45 005 000 D-##: f F-#-			

	Fami	ly or hous	sehold meml	oers			
		l parent a	and child			stepparent and stepchild	
		l grandpa	arent and grai	ndchild		parent's intimate partner and child	
		current	or former coh	abitants as ro	s roommates		
		l person	who is or has	been a legal	guar	ırdian	
		l related l	by blood or m	arriage (<i>speci</i>	fy h	now)	
	What is y	our conne	ection to this	county?			
	☐ I resid	e in this c	ounty.				
	□ I am fi	ling on be	chalf of a law enforcement agency that is located in this county.			ncy that is located in this county.	
	☐ The R	esponden	t resides in th	is county.			
Based on your knowledge, what firearms does the Respondent currently ow possess, has custody of, has access to or controls? Please describe.							
	Type of fir	rearm	How many firearms?	Where is the firearm kept		Date/time/place you last saw the firearm	
	☐ Handgı	ın					
	□ Shotgu	n/Rifle					
	□ Semi-A Assaul						
	☐ Other						
L	Check all	the boxe	s that apply	and describe	bel	elow:	
	□ Re	espondent	has access t	o someone els	se's	s firearm.	
	□ Re	espondent	expressed ar	n intent to obta	ain a	a firearm.	
		espondent earm.	has unlawful	ly or recklessl	y us	sed, displayed, or brandished a	
	□ Re	espondent	recently acqu	uired a firearm	١.		
	Describe:						

	Case #1	Case #2	Case #3
Case Name			
Case Number			
Court/County/ State			
Type of Case			
Protected Person			
Was there any order violation?			
	no-contact orders. If	y other person: List any o you have more than 3 ma	criminal or civil protection, htters, list details on
	Case #1	Case #2	Case #3
Protected Person			
Case Number			
Court/County/ State			
,			
State Was there any order violation?	o Pick Protection O	rdor	
State Was there any order violation? Request for Extrem i. Immediate immediate the court of th	ely, without prior notic hearing. e specific facts known t	a temporary <i>Extreme Risi</i> e to the Respondent, that	k <i>Protection Order</i> to start lasts up to 14 days, or un

7.		After a hearing, where the Respondent has a right to be present, I want the cour o issue an <i>Extreme Risk Protection Order</i> that lasts for one year.
	for 1 to se	the hearing, I want the court to issue an <i>Extreme Risk Protection Order</i> that lasts year because the Respondent poses a significant danger of causing personal injury of or others by having custody or control of, purchasing, possessing, accessing iving, or attempting to purchase or receive firearms.
		statement below includes the Respondent's specific words, actions, or other facts cause me to have a reasonable fear of future dangerous acts by the Respondent.
Stater	nent	
Respo	nden ly or d	Extreme Risk Protection Order, the court must find it more likely than not that the toposes a significant danger of causing personal injury to self or others by having control, purchasing, possessing, accessing, receiving, or attempting to purchase or earm.
Сотр	lete a	all of the following sections that apply. Attach additional pages, as needed.
3.	Con	victions or Arrests. Check all the boxes that apply and describe below:
	Res	pondent has been arrested or convicted of a:
	[domestic violence crime.
	[☐ felony or violent crime.
	[hate crime offense or malicious harassment (threats, physical injury, or property damage based on the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability).
	[Describe. Include location, court name, and case number, if known.
	-	
	-	
	-	
	-	
	-	

Vio	olence and Threats: Check each box that applies and explain below.
	Respondent has recently committed or threatened violence against self or others, whether or not the Respondent had a firearm.
	Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.
	Respondent has a history of use, attempted use, or threatened use of physical force against another person.
	Respondent has a history of stalking another person.
Ex	plain:
Da	te/When Describe What Happened
Re	espondent's behavior
	escribe any behaviors by the Respondent that present an imminent threat of harm to se others.
	prroborated evidence of Respondent's alcohol or controlled substance abuse.
De	escribe any evidence and attach any documents corroborating (supporting) the espondent's abuse of alcohol, legal or illegal drugs.
Ot	
	her important information that you think will help the court make a decision.
	her important information that you think will help the court make a decision.

13.	What is your address for receiving le	ere you can be served with legal degal documents? You have the right you see a different mailing address. Law lress.	to keep your
	Mail:		
	Email:		
	eclare under penalty of perjury under the e and correct.	e laws of the State of Washington tha	the foregoing is
Dated	ted: at	t (city)	_, Washington
		Signature of Petitioner	
		Print Name and if I aw enforcement	Badge No.

	e Name: nty:				
	earm Identification Worksheet				
(Yo	u may attach this to the petition.)				
1.	Does the restrained person □ own or □ have access to any firearms? □ Yes □ No □ I don't know				
	Explain how they may have access:				
2.	Does the restrained person purchase, own, or have access to parts that could be assembled into a working firearm (example: ghost guns)?				
	☐ Yes ☐ No ☐ I don't know				
3.	Does the restrained person have a concealed pistol license (CPL)?				
	□ Yes □ No □ I don't know				
4.	When was the last time you saw the firearm/s?				
5.	Do you know where the restrained person keeps the firearm/s?				
	□ Yes □ No				
	If yes, check all that apply:				
	☐ On their Person ☐ In their Car ☐ In their Home ☐ Storage Unit ☐ In a Safe				
6.	To the best of your knowledge, are the guns typically loaded?				
	☐ Yes ☐ No ☐ I don't know				
7.	How important are the firearms to the restrained person?				
	□ 1 (not very important) □ 2 □ 3 □ 4 □ 5 (very important) □ I don't know				
8.	What does the restrained person generally use the firearms for, if known? (check all that apply)				
	☐ Hunting ☐ Collecting ☐ Target Shooting ☐ Protection ☐ Other:				
9.	Does the respondent possess explosives?				
RCV	☐ Yes ☐ No ☐ I don't know N 7.105.155(1)(b) Firearm Identification Worksheet				

10.	Does the restrained person own or should be surrendered?	possess any other dangerous weapons you believe
	☐ Yes ☐ No ☐ I don't know If ye	s, list them here:
below		ost common guns. If you recognize any of the pictures I person has, please check it and write in how many
□ На	ndgun (how many)	☐ Unassembled Firearm (how many)
	O CO	
□ Se	mi-automatic Rifle (how many) _	
□Rif	le/Shotgun (how many)	-
		00
□ Oth	ner firearm/s (describe):	
•		
Sign he	ere Prin	t name Date

Law Enforcement and
Confidential
Information – Extreme
Risk Protection Order
(LECIF)
Clerk: Do not file in a
public access file. Give
to law enforcement.
_____ Court of Washington
County:_____
Case No.:_____

Do NOT serve or sh	ow this sheet t	o the	e Respor	ndent		
Type or print clearly! If lav	v enforcement cannot re	ead this	s form, they ca	annot serve or e	enforce your order!	
Respondent's Info	- Fill out as much as	you ca	n. If you do r	not know, write	"unknown."	
Name: First	Middle	Last		Date of Birth (if unknown give age range)		
Nickname/Alias/AKA ("Also know	vn as")			Relations	hip to Petitioner	
Sex	Rac	е		Height	Weight	
Eye Color Hair C		olor		Skin Tone	Build	
Phone/s with Area Code (voice):			Need Interpreter? ☐ Yes ☐ No Language:			
Where can the	Respondent be ser	ved?	List all know	n contact inforr	nation.	
Last Known Address. Street:						
City:		5	state:	Zip:		
Cell number (text):		Email:				
Social Media Account/s & User N	Name/s:					
Other:						
Employer	Em	ployer'	s Address		Employer's Phone	
Work Hours	Drivers	Licens	e or ID numbe	r	State	
Vehicle Make and Model	Vehicle License Num	nber	Vehic	cle Color	Vehicle Year	

Disability, hazard, and weapon info about the Respondent Law enforcement needs this info to serve your order safely						
Does the Respondent have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? ☐ No ☐ Yes. If yes, describe (add pages, if needed):						
Hazard Information Respondent's History includes:						
	mitment □ Suicide Attempt or Threats (F □ Assault □ Assault with Weapons □)			
Concealed Pistol License: [☐ Yes ☐ No					
3	Weapons: ☐ Handguns ☐ Rifles ☐ Knives ☐ Explosives ☐ Unknown ☐ Other (include unassembled firearms and specify):					
Location of Weapons : ☐ Vehicle ☐ On Person ☐ Residence ☐ Describe in detail:						
Has the respondent had advanced or military firearms training \square Yes \square No \square Unknown If yes, describe below (continue on separate sheet, if needed):						
Current Status Is the respondent a current or former cohabitant as an intimate partner? ☐ Yes ☐ No Are you and the respondent living together now? ☐ Yes ☐ No Does the respondent know you are trying to get this order? ☐ Yes ☐ No Is the respondent likely to react violently when served? ☐ Yes ☐ No						
	Petitioner's Info					
Name: First N	Middle Last	Date o	f Birth			
Sex	Race	Height	Weight			
Eye Color	Hair Color	Skin Tone	Build			
If your information is not confide	ı e ntial , you must enter your address and phon	e number/s below.				
Current Address. Street:	, ,	Phone(s) w/Area (Code			
City:	State: Zip:	, , ,				
Email address:		Need interpreter? If yes, language:	□ Yes □ No			
If your info is confidential, you m	nust give a name, address, and phone of som	eone willing to be yo	our "contact."			
Contact Name:						
Со	ntact Address	Contact	Phone			
If petitioner is represented by an	attorney, enter the attorney's name, WSBA #	I , address, and phone	e number:			
other party and their lawyer m	staff, law enforcement, and some state a ay not see this form unless a court order s form according to their own rules.					

	of the state of Washington that: 1) the information on mation about the other party is the legitimate, current, or
I have attached pages.	
Signed at (city and state):	Date:
Petitioner or Respondent signs here	Print name here

Changes: If any information changes, fill out another copy of this form and file it with the court clerk.

		No		
		Tempora Order - V	ry Extreme Ris /ithout Notice	
Petitioner	DOB	(EXRPO)		
VS).		ring Date/Tim	e:
		Court ad	dress:	
Respondent	DOB	— At:		
		Clerk's A	ction Required:	4, 5, 6, 7
Temporary Extre	eme Risk Protect	ion Order -	Without No	otice
Warning to Respondent! You for from purchasing, possessing irearm. You must surrender a described below. If you violate able to have a firearm for at le	ng, accessing, receiving any and all firearms inc e this order, you may b	g, or attempting luding but not li e charged with	to purchase or mited to the fire a crime and yo	receive any earms as u may not be
You have the sole responsil	•	is order. Only	the court may	change this
order and only after written				
order and only after written Respondent's Distinguishin	ig Features:	Resp	ondent Identif	iers
•	ng Features:	Resp Sex	ondent Identif Race	iers Hair
•	ng Features:			

					liately surrende ïrearms, you m			ny concealed p them also:	istol licenses
Λ++-	nob .	addi	tional	shoot if the	ro ara mara fir	oorma ta list			
					re are more fir			V	i
surren or con conce: law en custoc 9.41.0 an Ext in a co	der trol, aled force ly, c 70 in trem	all fi acc pist eme ontr mme e Ri mak	rearmess, person tool lice of the second sec	ns in your consess, purense, while tency) possessionely. A hearing tection Order againgtonesses	rchase, receive this order is in and any conce g will be held o	or possessice, or attempt effect. You mealed pistol licenthe the date are ssued. Failure valid for 1 ye	on. You to purc nust sur cense i nd time e to ap	may not have hase or received render to the (all fing ssued to you use to be ar at the hear to have the manner at the hear at	in your custody e, a firearm, or a name of local rearms in your inder RCW o determine if aring may result
Respo	nde	ent:							
1.			ms Sı nes:	urrender. Y	ou must imm	ediately surr	ender	all firearms by	y these
A. Personally served: If this order is served by a law enforcement officer, immed surrender all firearm/s and any concealed pistol license/s to the serving officer.									
	B. Attended the hearing: If you attended the hearing where the court issued this order surrender the firearm/s and concealed pistol license/s to the law enforcement agence listed in this order on the same day as the hearing. Contact the law enforcement agency for directions on how to surrender the firearm/s. Do not bring weapons to the courthouse for surrender.							rcement agency nforcement	
	C.	C. Alternative service: If you are served by other means, you must surrender all firearm/s to the control of local law enforcement agency within 24 hours of being served.							
2.	Ex	Par	te He	earing					
			The	court issues	this temporary	y order withou	ut a hea	aring.	
			The datten		hearing before	e issuing this	tempor	ary order. The	se people
				Petitione	r	☐ in pers	son	☐ by phone	☐ by video
				Respond	ent	☐ in pers	son	☐ by phone	☐ by video
				Other:		□ in per	son	☐ by phone	☐ by video
3.	Based upon the evidence presented, the court finds reasonable cause to believe Respondent poses a significant danger of causing personal injury to self or others in the near future by having in Respondent's custody or control, purchasing, possessing, accessing, receiving, or attempting to purchase or receive firearms based upon (check all that apply):						or others in the ossessing,		
RCW	7.10	5.215	, .330,	.460.	Temp	orary Extreme F	Risk Prote	ection Order-	

	☐ Required . The restrained person must be served with a service packet, including a copy of this order, the petition, and any supporting materials filed with the petition.					
J .			rad. The restrained person must be served with a service packet, including a			
5.	Service	•	cy shall enter this order into WACIC and National Crime Info. Center (NCIC).			
	•		/y one): ☐ Sheriff's Office or ☐ Police Department			
	Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (county or city)					
4.	Wash	ingt	on Crime Information Center (WACIC) and Other Data Entry			
	r.		Other:			
	q.		There is corroborative evidence of Respondent's abuse of □ alcohol or □ controlled substances.			
	p.		Respondent's behaviors present an imminent threat of harm to others.			
	Ο.		Respondent's behaviors present an imminent threat of harm to self.			
	n.		Respondent has a history of stalking another person.			
	m.		Respondent has a history of use, attempted use, or threatened use of physical force against another person.			
	I.		Respondent has shown, within the past 12 months, a pattern of acts or threats of violence, which can include violent acts against self or others.			
	k.		Respondent has recently committed or threatened violence against self or others, whether or not Respondent had a firearm.			
	j.		Respondent has been convicted of a hate crime under RCW 9A.36.080.			
	i.		Respondent has been arrested for or convicted of a felony offense or violent crime.			
	h.		Respondent has been arrested for or convicted of a domestic violence crime as defined in RCW 10.99.020.			
	g.		Respondent violated a previous or current extreme risk protection order.			
	f.		Respondent was/is the subject of a previous or current <i>Extreme Risk Protection Order</i> .			
	e.		Respondent violated a civil or criminal protection order, no-contact order or restraining order.			
	d.		Respondent recently acquired a firearm/s.			
	C.		Respondent has unlawfully or recklessly used, displayed, or brandished a firearm.			
	b.		Respondent owns a firearm/s or has expressed intent to obtain a firearm/s.			
	a.		Respondent has access to someone else's firearm/s.			

		Ш	sei	ved shall serve the restrained person with the service packet and shall emptly complete and return proof of service to this court.					
			CO	rsonal Service Required. This is a domestic violence emergency order. The art has not verified that all firearms and any concealed pistol license have en temporarily removed by law enforcement.					
			La	w enforcement agency: (<i>county or city</i>) (<i>check only one</i>): □ Sheriff's Office or □ Police Department					
		jud	licia	s Action. The court clerk shall forward a service packet on or before the next day to the agency and/or party checked above. The court clerk shall also a copy of the service packet to the protected person.					
				ernative Service Allowed. The court authorizes alternative service by parate order (specify):					
		an for	d re app	quired. The restrained person appeared at the hearing, in person or remotely, ceived notice of the order. No further service is required. See section 2 above pearances. (May apply even if the restrained person left before a final ruling is or signed.)					
6.		Se	rvic	e on Others					
		Se	rvic	e on the adult's guardian/conservator (name/s) is:					
			Re	quired.					
				The law enforcement agency where the person to be served lives or can be served shall serve a copy of this order and shall promptly complete and return proof of service to this court.					
				Law enforcement agency: (county or city)(check only one): □ Sheriff's Office or □ Police Department					
				The protected person or person filing on their behalf shall make private arrangements for service and have proof of service returned to this court.					
				Clerk's Action . The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.					
				t required. They appeared at the hearing where this order was issued and eived a copy.					
7. D		OOL Notification							
	The issuing court shall, within 3 judicial days after this order is issued, forward a copy of the Respondent's driver's license, identicard, or comparable information along with the date of issuance to DOL. If respondent has a concealed pistol license, DOL must immediately notify a law enforcement agency that the court has directed the revocation of the license.								
3.	Tra	ansfer to Superior Court							
				ase is transferred to Superior Court and all actions in this case will be handled Superior Court listed below.					
RCW 10.99.		5.215	5, .33	0, .460, Temporary Extreme Risk Protection Order- Without Notice					

	(Court Hearing. A hearing is scheduled in	County	y Superior Court
	(on (<i>dat</i> e)	, at (<i>time</i>)	a.m./p.m.
		at (<i>location</i>):		
	(See How to Attend below.		
9.	Afte	r-Hours Order - Law Enforcement Petitions		
	i !	The below named judicial officer directs the Petiticelow, to signify that the judicial officer has reviewed and found that it established reasonabe Temporary Extreme Risk Protection Order – With udicial officer's signature was communicated by:	wed the petition and le cause for the issu nout Notice. Permiss	evidence ance of this
	[□ telephone □ email □ fax □ other reliable me	ethod (<i>specify</i>):	
10.	RES	SPONDENT: You must appear at the next hearing	g stated on page 1 c	of this order.
How	to at	tend the next court hearing (date and time on բ	page 1)	
The he	earing	g scheduled on page 1 will be held:		
		In person		
Щ	Щ	Judge/Commissioner:	Courtroom:	
		Address:		
	1	Online (audio and video) App:		
4		□Log-in:		
		☐You must get permission from the court at lea hearing to participate online (audio and video).		•
()	<u>y</u>	By Phone (audio only) ☐ Call-in numb	per	
	Ω	☐ You must get permission from the court at le hearing to participate by phone only (without viccontact:		
		If you have trouble connecting online or by contact)	phone (instructions,	who to

Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing! This order may be extended pursuant to RCW 10.99.040(3). Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to an extreme risk protection order may not be used against you in any criminal prosecution under chapters 7.105, 9.41, or 9A.56.310 RCW. Dated:		Ask for an interpreter, if needed. Contact:	8	Ask for disability accommodation, if needed. Contact:				
Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to an extreme risk protection order may not be used against you in any criminal prosecution under chapters 7.105, 9.41, or 9A.56.310 RCW. Dated:ata.m./p.m	Ask for an interpreter or accommodation as soon as you can. Do not wait until the hearing!							
Print Judge/Commissioner Name	Voluntarily surrendering firearms or providing testimony regarding the surrender of firearms pursuant to an extreme risk protection order may not be used against you in any criminal							
	Dated:	at	_ a.m./p.m.	Judge/Commissioner				
	Presented b	py:		Print Judge/Commissioner Name				
Signature of Petitioner/Attorney WSBA No. Print Name/Badge Number, if applicable	Signature of	f Petitioner/Attorney WSBA No.	-	Print Name/Badge Number, if applicable				

The Petitioner or Petitioner's attorney must complete the Law Enforcement and Confidential Information – Extreme Risk Protection Order, form XR 105.