

Change or end your Protection Order

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Last Review Date

November 14, 2024

Either the protected person or the restrained person can use this court procedure to change (modify) or end (terminate) a protection order. (Forms and instructions)

1. Fast facts

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-) (<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
- StrongHearts Native Helpline (<https://strongheartshelpline.org/>) (a peer support service of the National DV Hotline), 1-844-762-8483

Who can change or end a protection order?

Protected person: You can ask a judge to change or end a protection order that protects you if you want to update it or you don't want or need it any longer. You might need more or fewer protections.

Restrained person: You can also ask a judge to change or end a protection order if you're the person the order restrains. But you'll need to be able to show the judge that there's been a "substantial change in circumstances" so

that the protection order is no longer needed, or so that it's okay to change what the order says.

"Judge" here refers to judges and court commissioners.

Will I have to pay to ask to change or end my protection order?

No, you don't have to pay a filing fee. But there may be copying fees and fees for delivering the papers to the other person (serving the other person).

How easy or hard is it to change or end a protection order?

It's generally easiest if the other party doesn't respond or show up at a court hearing to fight changing or ending the protection order, or if you and the other party both agree. But this only happens sometimes.

Protected person: You can ask at any time to change or end the protection order. It might be hard to convince a judge to end a protection order if the harm that caused you to need the protection order in the first place was severe.

Restrained person: There are limits to when you can ask to change or end a protection order, and when a judge will grant your request. You might have to pay the other party if the motion doesn't go your way.

- You can only ask to change or end the order once in every **12-month** period.

- ()The judge can only change or end the order if you can prove that there's been a real change in the situation (a **"substantial change in circumstances"**) that justifies changing or ending the order. Even then, the judge can still refuse to change or end the order if, for example, you've violated the order, you've been convicted of a crime since the order was entered, or you're still struggling with the substance use that led to the order in the first place. **This isn't a complete list of reasons a judge could deny your motion.** To learn more, read the state law at RCW 7.105.500 (<https://app.leg.wa.gov/RCW/default.aspx?cite=7.105.500>) , or [talk to a lawyer](#) before filing anything.
- The judge can order you to reimburse the protected person for their expenses in responding to your motion, including attorney fees.

If I get the protection order changed, will it still last as long?

You can ask for the protection order to end (to expire) sooner, or to last longer.

What should I put in the motion form?

If you want to change the protection order, you should explain what happened (or hasn't happened) that makes you need these changes.

- **Examples of reasons to add more protections:** the restrained person has violated the protection order, has harmed or abused someone not protected by the order, has been convicted of any crime since you got the order, or has a continuing problem with alcohol or drug abuse. This isn't a complete list.

- **Examples of reasons to take some protections out of the protection order:** the restrained person completed rehab and has remained sober for some time, the restrained person completed anger management, or one of you moved away. This isn't a complete list.

If you want to end the protection order, you should explain your reasons why. You might need to go into a lot of detail if the reason for the protection order in the first place was because the harm was severe.

Will there be a hearing on my motion?

Protected person: Yes. The clerk will help you schedule a hearing on your motion.

Adding a child? If you had or adopted a child *after* you got your protection order and that child is already living with you, you can ask the judge to add that child to your protection order immediately (ex parte) without a hearing. If the restrained person is the other parent, you must then schedule a hearing on your motion to modify.

Restrained person: You must first ask for a hearing to decide if there's **adequate cause** (good reason) to have a full hearing on your motion. If the judge finds adequate cause, they will schedule a another hearing to decide your motion.

(**Restrained person: To change or end the order**, you should explain in the motion form what substantial change in circumstances has taken place that means that the other party no longer needs as many protections. You must also fill out a Restrained Person's Notice of Hearing to Decide Adequate Cause (form PO 065) and a proposed Finding of Adequate Cause and Order for Hearing on Restrained Person's Motion to Modify or Terminate Protection Order (form PO 064).

2. Step-by-step

1. **Fill out the forms.**
2. **Attach any supporting evidence to your motion.** 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.

Some confidential documents should be filed separately under a sealed cover sheet. 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. **Make copies.** Make 2 copies of every form you filled out, so you have one set of originals (for the clerk) and 2 sets of copies (one for you and one for the other party), **except** you don't need to make copies of or serve the Law Enforcement and Confidential Information Form.
4. **File your forms with the court clerk.** You can bring your originals and copies in person to the clerk's office of the court where you originally got your protection order. Or you can call the clerk first to ask if it's possible to file electronically.
5. **Ask the clerk for help scheduling a hearing.**

Protected person: The clerk may have a local form for this. If not, you can use the Notice of Hearing (form PO 062).

Restrained person: Ask the clerk when you can schedule a hearing for the judge to decide if there's **adequate cause** (good reason) to have a full hearing on your motion. Put the adequate cause hearing information on your Restrained Person's Notice of Hearing to Decide Adequate Cause (form PO 065). If the judge finds adequate cause, they will sign the Finding of Adequate Cause and Order for Hearing on Restrained Person's Motion to Modify or Terminate Protection Order (form PO 064).

6. **Service.** You must have a copy of the court papers delivered (served) to the other party as soon as possible. You can ask law enforcement to serve the papers, or you can find a process server or another adult to do it.
7. **File proof of service.** Whoever serves the other party must fill out written proof of service (also called a “return of service” or “affidavit of service”). If law enforcement is serving, they’ll fill out and file this form. Otherwise, the server may give you the completed form for you to file with the court clerk, or they can file it themselves.
8. **Go to the hearing.** The judge decides here whether to change or end your protection order.

3. Get ready for hearing

Read our tips to get ready for trial. The hearing is like a very short trial. However, witnesses don’t usually testify at protection order hearings. Witnesses can file a declaration form describing what they saw or heard.

You must file witness declarations and any other documents you want the judge to consider with the court clerk and have the restrained person served with a copy **before the hearing date**. It’s best to file these at the same time as your petition, if you can.

If the restrained person doesn't get these copies beforehand, the judge may reschedule the hearing to give everyone time to read them. The reverse is also true: the restrained person must provide you with copies of anything they file. You have the same right to ask at the hearing for more time to review copies of anything served on you at the last minute.

Make some notes to yourself about the main points to make when it's your turn to talk at the full hearing. You may have no more than 5 minutes to speak.

If your hearing is in person, get to the courthouse early. If possible, don't bring your children.

If your hearing is by phone or video, follow these [tips for phone and video hearings](#).

4. Hearing issues

If you know beforehand that you can't make the hearing, contact the court clerk about rescheduling. Otherwise, if you simply don't go to your hearing, the judge will dismiss your motion, and your protection order won't change or end.

Even if the other party hasn't been served **5 court days** before your hearing, you must still go to the hearing.

5. At the hearing

If the other party doesn't show up but was properly served at least **5 court days** before the hearing, the judge can go ahead without them. If the other party shows up for the hearing, the judge will let each of you speak, and then decide.

If the judge asks you a question, try to answer it directly. **Don't interrupt the judge.**

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. What if I'm denied?

Restrained person: If your motion is denied, you can't file another motion to change or end the protection order for **12 months**.

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**.

7. Forms

Form attached:

Motion to Modify or Terminate Protection Order (PO 063)

Form attached:

Order Modifying or Terminating Protection Order (PO 066)

If you're the restrained person, you'll need additional forms.

WashingtonLawHelp.org gives general information. It is not legal advice.

Find organizations that provide free legal help on our Get legal help page.

<https://assets.washingtonlawhelp.org/en/change-or-end-your-protection-order>

_____ **Court of Washington, County of** _____

Petitioner (*as listed on Protection Order*)

☐ person filing this motion

vs.

Respondent (*as listed on Protection Order*)

☐ person filing this motion

No. _____

**Motion to Modify or Terminate
Protection Order**

Modify (Requested by)

☐ MTMPO (protected person)

☐ MTMPOR (restrained person)

Terminate (Requested by)

☐ MTTPO (protected person)

☐ MTTPOR (restrained person)

Clerk's Action Required

Motion to Modify or Terminate Protection Order

1. Who is filing this motion?

☐ The protected person.

☐ Someone on behalf of the protected person. My name is _____.

I have authority to act on the protected person's behalf because (*explain*):

_____.

☐ The restrained person. I have not filed any motion to modify or terminate this
Protection Order within the past 12 months.

2. What order should be modified or terminated?

☐ *Temporary Protection Order*, filed on (*date*) _____.

☐ *Protection Order*, filed on (*date*) _____, which expires on
(*date*) _____.

☐ Other Order (*title of order*) _____,
filed on (*date*) _____, which expires on (*date, if any*) _____.

3. Do you want to modify or terminate?

- ☐ Terminate (end) the order.
- ☐ Modify. I ask the court to change the order in this way (*specify changes requested*):

[illegible]

4. Court Hearing

- ☐ (*Protected Person only*) I ask the court to schedule a hearing to decide this motion.
- ☐ (*Restrained Person only*) I ask the court to find adequate cause and schedule a hearing.

Important! If you are the **restrained person**, when you file this motion you must also ask the court to approve a *Finding of Adequate Cause and Order for Hearing on Restrained Person's Motion to Modify or Terminate Protection Order*, form PO 064. Use form PO 065 *Restrained Person's Notice of Hearing to Decide Adequate Cause*, to ask for an adequate-cause hearing.

5. Why should the order be modified or terminated?

[illegible]

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

Signed at (*city and state*): _____ Date: _____



Sign here

Print Name

Important!

To the person filing this motion: You must have it **served** on the other party along with any order or notice setting a hearing and any supporting evidence. Have the server fill out a *Proof of Service*, form PO 004. File it before the court hearing.

To the person receiving this motion: If you do not agree with the requests in this motion, file a declaration (using form PO 018, *Declaration*) explaining why the court should not approve those requests and attend the hearing.

Hope Card: A Hope Card is a small card you can easily carry that has some details of your protection order. It's one way to show you have a full protection order. You can request one at www.courts.wa.gov/hopecard.

Court of Washington, County of _____

Petitioner

DOB

vs.

Respondent

DOB

No.: _____

**Order Modifying or Terminating
Protection Order**

Modified (Requested by)

☐ ORMPO (protected person)

☐ ORMPOR (restrained person)

Terminated (Requested by)

☐ ORTPO (protected person)

☐ ORTPOR (restrained person)

Clerk's Action Required: 5, 6, 7, 8

☐ Domestic Violence

☐ Sexual Assault

☐ Stalking

☐ Unlawful Harassment

☐ Vulnerable Adult

Order Modifying or Terminating Protection Order

1. A motion was made by:

☐ The protected person.

☐ Someone on behalf of the protected person, *(name)* _____,
who has authority to act on the protected person's behalf because *(explain)*:

☐ The restrained person. ***(Not allowed for Vulnerable Adult Protection Orders)***

☐ This is the restrained person's only motion to modify or terminate filed during the
current 12-month period following entry of the order.

2. A hearing was held on (date) _____. These people attended:

☐ Protected Person

☐ in person

☐ by phone

☐ by video

☐ Protected Person's Lawyer

☐ in person

☐ by phone

☐ by video

- | | | | |
|--|------------------------------------|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Petitioner (<i>if not the protected person</i>) | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Restrained Person | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Restrained Person's Lawyer | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> in person | <input type="checkbox"/> by phone | <input type="checkbox"/> by video |

3. The court considered the pleadings, relevant portions of the file, and testimony, if any.

The court finds:

4. **The court orders:**

The following order, **entered on** (date) _____ (check one):

- ☐ Temporary Protection Order
- ☐ Protection Order
- ☐ Other (*title of order*): _____

is:

- ☐ **terminated** as of (time) _____ ☐ a.m. ☐ p.m. today. Any *Order to Surrender and Prohibit Weapons* issued under this case number is also terminated at the same time.
- ☐ **modified.** The order is continued in effect with the following changes (*specify the section number/s and specific provision/s that are changed*):

5. ☐ **Temporary Modification**

This order is a temporary modification. It will be effective until the next hearing date on (date) _____, at (time) _____, at (location) _____.

(To modify the Temporary Protection Order until the full hearing, use form PO 030, Temporary Protection Order and Hearing Notice.)

6. Washington Crime Information Center (WACIC) And Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (*county or city*) _____

(*check only one*): ☐ Sheriff's Office or ☐ Police Department

(*List the same agency that entered the first order*)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

7. Service

☐ **Required.** (*Name*) _____ must be served with a copy of this order.

☐ The **law enforcement agency** where the nonmoving person lives or can be served shall serve the nonmoving person with 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 **person who made this motion** 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. The court clerk shall also provide a copy of this order to the protected person.

☐ **Alternative Service Allowed.** The court authorizes alternative service by separate order (*specify*): _____

☐ **Not Required.** The restrained person appeared at the hearing, in person or remotely, and received notice of the order. No further service is required. See section 2 above for appearances. (*May apply even if the restrained person left before a final ruling is issued or signed.*)

8. ☐ Service on Others (Vulnerable Adult or Restrained Person under age 18)

Service on the ☐ vulnerable adult ☐ adult's guardian/conservator ☐ restrained person's parent/s or legal guardian/s (*name/s*) _____ is:

☐ **Required.**

☐ 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 **person who made this motion** 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.

☐ **Not Required.** They appeared at the hearing where this order was issued and received a copy.

Ordered.

Dated: _____ at _____ a.m./p.m.

Judge/Court Commissioner

Print Judge/Court Commissioner Name

I received a copy of this order:



Signature of Respondent/Lawyer WSBA No.

Print Name

Date



Signature of Petitioner/Lawyer WSBA No.

Print Name

Date

Important! Protected Person, if you ask for it, you have the right to be notified if the restrained person gets their surrendered firearms back. You must contact the law enforcement agency that has the firearms to ask for this notice. The *Proof of Surrender* in the court file should say which agency has the firearms. (RCW 9.41.340)

Hope Card: A Hope Card is a small card you can easily carry that has some details of your protection order. It's one way to show you have a full protection order. You can request one at www.courts.wa.gov/hopecard.