

SPOKANE COUNTY DISTRICT COURT
STATE OF WASHINGTON

Petitioner (Protected Party) Date of Birth

Petitioner Spouse (Protected Party) Date of Birth

v.

Respondent (Restrained Party) Date of Birth

Case Number:

Petition for an Order for Protection -

Harassment and/or *(PTORAH)*

Stalking *(PTORSTK)*

Return Petitions M-F 1:15pm -3:15pm to -
Broadway Center Building 2nd Floor Rm 202
721 N Jefferson, Spokane WA 99260

Message Only: (509) 477-2953 Court Clerk

➤ This is a **Petition for an Order for Protection against Harassment and/or Stalking**

I BELIEVE: *(check only the sections that apply)*

I am a victim of **UNLAWFUL HARASSMENT**.

_____ (name) is a victim of **UNLAWFUL HARASSMENT** and he/she is a minor under my care.

The Respondent has engaged in a **knowing and willful course of conduct of unlawful harassment** (RCW 10.14.020 & .080) that is directed at the victim **and**:

1. The course of conduct has **continuity of purpose**,
2. It serves **no legitimate or lawful purpose** (does not include constitutionally protected activity),
3. The conduct **seriously alarmed, annoyed, harassed or was detrimental** to me/the child, **and**
4. Respondent's actions have caused **substantial emotional distress** to me or caused me to fear for the well-being of my child.

AND/OR

I am a victim of **STALKING**.

_____ (child's name) is a victim of **STALKING** and he/she is a minor under my care.

The Respondent has without lawful authority engaged in a course of **stalking conduct** (RCW 7.92.020) by:

1. **Intentionally and repeatedly** (2 or more times) **harassing** (RCW 10.14.020), **following, monitoring, tracking or keeping the victim under observation** (Stalking - RCW 9A.46.110) or

2. **Cyberstalking** (RCW 9.61.260) by making or attempting to make an **electronic communication** with **intent** to harass, intimidate, torment or embarrass the victim by:
- a) Using **lewd**, lascivious, indecent, or obscene words, images, or language, or suggesting the commission of any lewd/lascivious act, or
 - b) Anonymously or repeatedly, or
 - c) threatening to **inflict injury** on the victim, their property or a family or household member.

1. How do victim and Respondent know each other? _____

2. Who is the Petitioner?

My name is (please print) _____ I am the Petitioner.

- I am 18 or older and I am making this request on my own behalf.
- I am 16 or 17 and I am making this request on my own behalf.
- I am the parent or guardian of child/ren under age 18 and I am petitioning on their behalf:
- I am not the parent or guardian, but the child/ren live/s with me; and I am petitioning on their behalf; and the Respondent is not a parent.

MINOR(S) needing protection: (only list children under the age of 18 years)

Minor(s) name	DOB	Sex of Minor	Race of Minor	Minor's Relation to Petitioner:	Minor's Relation to Respondent:	Who Child Resides With:

3. Is the Respondent 18 years of age or older? Yes No

District Court **CANNOT** hear cases where (see RCW 10.14.150 & RCW 7.92.050):

- (a) Respondent is under eighteen years of age;
- (b) The action involves title or possession of real property;
- (c) Superior court exercised/is exercising jurisdiction over a proceeding involving the parties; or
- (d) The action would interfere with Respondent's care, control, or custody of Respondent's minor child.

4. Where do the parties live?

Petitioner lives in _____ county.

Did Petitioner(s) leave their residence because of stalking conduct and that is the county of their new residence? Yes No

Children named above live in _____ county.

Respondent lives in _____ county.

5. Where did the conduct take place?

The conduct took place in _____ county.

STATEMENT DESCRIBING NEED FOR PROTECTION FROM RESPONDENT:

Write clearly. If you need more space below, attach additional page/s. Do not write on the back.

6. Describe what the Respondent did or said that you think is harassment or stalking.

- You *must* describe what the Respondent **actually said** *and* any response from you/child.
- Specify how the Respondent made the statements. For example: in person, mail/written notes, e-mail, text, messenger, phone, through social media (such as Facebook/Twitter.)
- You *must* describe what the Respondent **actually did** *and* any response from you/child.

A. Describe the MOST RECENT incident of harassment or stalking by Respondent.

Date and time (on or around): _____ *(list only MOST RECENT incident in this section.)*

Location: _____

What did the Respondent **do or say in this MOST RECENT incident** that you believe to be harassing or stalking behavior **directed at you/minors**?

B. Describe another incident of harassment or stalking by Respondent.

Date and time: _____ Location: _____

What did the Respondent ***do or say in this incident*** that you believe to be harassing or stalking behavior?

Add additional pages if necessary for additional incidents - follow same format

7. How did the incidents you describe above make you/minor feel?

8. Has Respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony or in any of the incidents described above? *Please describe.*

9. Has Respondent previously committed an offense that makes him/her ineligible to possess a firearm (RCW 9.41.040)? *Please describe:*

10. Does possession of a firearm or other dangerous weapon by the Respondent present a **serious and imminent threat** to public health or safety, or to the health or safety of a victim? *Please describe:*

11. Do you believe the Court should order Respondent to surrender firearms/dangerous weapons?

- No Yes. If yes, you **must state your reasons for this request:**

12. Do you have any **evidence** of the harassment or stalking conduct other than testimony?

- No
 Yes. I have attached the following evidence *and* indicated what incident it supports:

- Copy of mail or written notes
- Copy of text messages
- Copy of email messages
- Copy of social media messages
- Police report
- Declaration or Affidavit from the following witness(s): _____

- Other (*list below the name of each document/exhibit you are attaching/submitting*)

13. Has/have the **victim/s** or the **Respondent** ever requested or obtained protection from the other person in a **restraining order, civil protection order, or had a criminal No Contact Order?**

No Yes. If yes, list the type of order, the name of the court, the approximate date, who was the protected party and whether the request was granted:

14. Are there any other cases or litigation between the victim/s and Respondent? List all matters - pending or past - such as parenting plans, landlord-tenant disputes, employment disputes, or property disputes. If yes, provide case number/s if known, type of case, and name of court:

➤ **My Requests for Protection:**

15. I ask the Court for an order approving the following protection after a hearing:

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

- Restrain** the Respondent from making any attempts or having any contact, including nonphysical contact, with the person/s to be protected, directly, indirectly, or through third parties (regardless of whether those third parties know of the order), except for mailing of court documents by a lawyer.
- Surveillance:** prohibit or restrain the Respondent from making any attempt to keep or from following or keeping the person/s to be protected under surveillance, including electronic surveillance.

Prohibit or restrain the Respondent from knowingly entering, coming within or remaining within _____ (distance) of **ANY KNOWN LOCATION** of Petitioner(s).

Prohibit or restrain the Respondent from knowingly entering, coming within or remaining within _____ (distance) of Petitioner(s) **RESIDENCE** (current & future).
_____ (list address)

Prohibit or restrain the Respondent from knowingly entering, coming within or remaining within _____ (distance) of Petitioner(s) **WORKPLACE** (current & future):
_____ (list address)

Prohibit or restrain the Respondent from knowingly entering, coming within or remaining within _____ (distance) of Petitioner(s) **SCHOOL/DAYCARE** (current & future):
_____ (list address)

Prohibit or restrain the Respondent from knowingly entering, coming within or remaining within _____ (distance) of **OTHER LOCATIONS**: (state why you need protection at each location) _____

Surrender Firearms: Require the Respondent to surrender any firearm or other dangerous weapon, or any concealed pistol license and prohibit Respondent from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license for the reasons stated in **Section 11**.

Duration: I am requesting the protection remain in place for _____ (time period)

If you are requesting the protection remain in place for **longer than one year** because Respondent is likely to resume acts of unlawful harassment or stalking conduct if the order expires in a year then you **must** explain why you believe this is necessary:

Respondent be ordered to Pay Filing Fees and Attorney Fees if I am successful in this action:

Require Respondent to reimburse me for the \$73 Harassment Petition filing fee.

Require Respondent to reimburse me for attorney fees/costs.

Request for immediate EMERGENCY TEMPORARY PROTECTION:

(Up to 14 days - until the hearing)

An **emergency exists** as described below. I request that a **Temporary Protection Order** granting the relief I requested above without prior notice to Respondent, to be effective until the hearing because irreparable harm or injury will occur without immediate protection.

You **MUST** explain **WHAT IRREPARABLE HARM OR INJURY** would occur without a temporary order:

I also request a **temporary surrender of a firearm or other dangerous weapon** without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

You **MUST** explain what **IRREPARABLE HARM OR INJURY** would occur without temporary gun restrictions:

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

Petitioner's Signature

Petitioner's Signature

Counsel for Petitioner(s) WSBA#