

Family Superior Court

2801 32nd Avenue SW, Tumwater, WA 98512
(360) 709-3260

COURT ORDERS

Thurston County District Court

2000 Lakeridge Drive SW, Bldg 3, Olympia, WA 98502
(360) 786-5450

Questions	Protection Order -Sexual Assault	Protection Order -Domestic Violence	Restraining Order	Anti-Harassment Order	No Contact Order
Who May Obtain?	<u>Civil Order</u> (RCW 7---) Anyone aged 16 yrs or older A victim of nonconsensual sexual conduct or penetration w/fear of future danger. Can be filed on behalf of a victim. Prosecutor can request if criminal case pending Filed in the County or Municipality of petitioner's residence	<u>Civil Order</u> (RCW 26.50) Any person who is 16 yrs or older. Victim of domestic violence - RCW 10.99.020(3)(4) - Family or household member, spouses, former spouses, intimate partner, roommates, child in common, dating, former dating.	<u>Civil Order</u> (RCW 26.09) Married persons or person w/a child in common who are filing for divorce, separation, custody or paternity. To qualify a person does not need to be assaulted or threatened previously.	<u>Civil Order</u> (RCW 10.14) Person who is seriously alarmed, annoyed, or harassed by the conduct of another which serves no legitimate or lawful purpose. The petitioner does not need to have a relationship with the respondent.	<u>Criminal Order</u> (RCW 10.99) Ordered by court at request of prosecutor. Criminal charges are pending or filed. May be ordered at sentencing
What can an order do?	Prohibit contact of any kind with the petitioner Can exclude any contact with victim tailored to needs. Restrain respondent from coming within a specific distance of petitioner's work, residence, school, etc.	Prohibit contact of any kind with petitioner. Remove respondent from shared residence & prohibit them from entering. Give temporary custody of children and set visitation. Tailored to individual needs.	Can do all that a Protection Order does. May also order child support, maintenance income, assign property to either party, establish permanent custody or the use of family home	Prohibit harassment of any kind. Restrain respondent from coming within a specific distance from petitioner's workplace, residence, school, etc.	Prohibits contact of any kind while criminal case is active. Prohibits defendant from having contact the victim during the court process.
How & where is an order obtained?	Can be obtained in Family Superior Court, District Court or Municipal Court File petition & affidavit alleging nonconsensual sexual conduct or penetration. Sexual asslt advocates (RCW 5.50.060) can assist victim. Judge/Commissioner reviews petition - grants/ denies temp. order effective up to 14 days. Hearing scheduled within 2 weeks-judge may deny/grant order - could be permanent. Final order effective up to 2 years. No attorney required (pro se)	Can be obtained in Family Superior Court or District Court. Judge/Commissioner reviews petition – grants/denies temp. order effective up to 14 days. Respondent served with the petition, notice of hearing and the temporary order. Hearing scheduled within 2 weeks - judge may deny or grant order which could be permanent. Permanent usually means 1 year. No attorney required (pro se)	Can be obtained in Family Superior court as part of a Family Law Action such as divorce, separation, custody, or paternity. A temporary restraining order can be filed at the filing of the civil petition. When signed by a judge and served on respondent it is effective until heard in court. Many persons obtain attorneys to represent them through this process.	Can be obtained in Family Superior or District court. If respondent is a juvenile must be obtained in Superior court. Judge will review a petition and grant/ deny a temp. order effective up to 14 days. Respondent is served the order and at a scheduled hearing the court may grant/ deny a permanent order. Permanent usually means 1 year	A crime must first be reported to the police. If the defendant has been arrested or issued a criminal citation, the Prosecutor may requests the no contact order. The order may be issued and served on the defendant prior to his release if arrested.
Cost?	There is no cost .	There is no cost to the petitioner.	Filing fees between \$56-250; all but \$20 may be waived.	Filing fee is \$53.00, may be waived in Superior Court.	There is no cost to victim.
Police response if order is violated?	MANDATORY arrest for violation "restraint" provision. Possible criminal/contempt charges.	MANDATORY arrest for violation "restraint" provisions. Possible criminal/ contempt charges.	Violator may be arrested. Possible criminal or contempt charges.	Violator may be arrested. Possible criminal or contempt charges.	Violator SHALL be arrested. Criminal charges

LEGAL

If you have a court order, it is important to Remember:

PROTECTION

1) Keep a certified copy of your order with you at all times.

FROM

2) The order is enforceable throughout the country. When in another state, register your order with the Court Clerk's Office at the Courthouse in that area.

DOMESTIC VIOLENCE

3) If there is a violation of your order, call 911 or your local police. Tell them you have a court order and it is being violated.

ABUSE

Whether or not you have a court order, if you are being harassed, threatened, or

Information on Court Orders