

Which is the right civil protection order?

First, assess if you meet the criteria for a **Domestic Violence Protection Order**:

Meet one criteria for the definition of **Domestic Violence**:

- ✓ Suffering physical harm, bodily injury, assault or sexual assault
- ✓ Threat or fear of physical harm
- ✓ Unlawful harassment or stalking
- ✓ Coercive Control

AND meet one of the following relationships:

- ✓ Current or former family or household member
- ✓ Parent-child relationship, including step-parents and legal guardians
- ✓ Current or former intimate partner, including dating relationships

If **YES**

File for Domestic Violence Protection Order (1)

If **NO**

Decide what protection order is appropriate →

To remove dangerous weapons from loved ones

Extreme Risk Protection Order (2)

To protect a vulnerable adult

Vulnerable Adult Protection Order (3)

I am being stalked

Stalking Protection Order (4)

I was sexually assaulted

Sexual Assault Protection Order (5)

I am being harassed

Anti-Harassment Protection Order (6)

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Domestic Violence Protection Order

A Domestic Violence Protection Order (DVPO) is designed to safeguard from different types of abuse*, threats or harm committed by current or former intimate partners, family members, or household members.

**Abuse includes physical harm, threats of harm, unlawful harassment, nonconsensual sexual acts, stalking, and coercively controlling behavior.*

A single incident qualifies you to file for a DVPO.

Must meet one of the following requirements:

- ✓ Current or former spouse, domestic partner or dating relationship
- ✓ Having a child in common (unless child was conceived through sexual assault)
- ✓ Related by blood or adoption, family or household member (current or former)
- ✓ People with a parent-child relationship (biological or legal), including stepparents and stepchildren, grandparents and grandchildren, or a parent's intimate partner and children - legal guardian (*current or former*)

What a DVPO can do:

- ✓ Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license/s
- ✓ Prohibit contact of any kind, including cyber harassment, and be tailored to individual needs.
- ✓ Remove abuser from shared residence and prohibit from entering
- ✓ Give temporary custody of children and set visitation schedule
- ✓ Grant essential possessions (examples: vehicle, medicine, pets)
- ✓ Order abuser into treatment or counseling

Additionally, must be at least age 13. If under 15, petition must be filed by a person age 15 or older who is a member of your family or household

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Extreme Risk Protection Order (ERPO)

An Extreme Risk Protection Order (ERPO) prevents individuals at high risk of harming themselves or others from accessing firearms by allowing family, household members, and police to obtain a court order when there is demonstrated evidence that the person poses a significant danger. Behavior includes acts of violence, substance abuse, mental health concerns, history of domestic violence, or threatening behavior.

A person with an ERPO **cannot purchase or possess guns** while the order is in place.

Must be 18+ and connected to respondent in one of the following ways:

- ✓ Related by blood, marriage or adoption
- ✓ Live with respondent or have lived with respondent within the past year
- ✓ Have a child in common
- ✓ Current or former intimate partner, including dating relationships
- ✓ Family or household member
- ✓ A biological or legal parent or child of the respondent, including stepparents and stepchildren, and grandparents and grandchildren
- ✓ Law enforcement officers or agencies

What an ERPO can do:

- ✓ Order the surrender of firearms and any concealed pistol license
- ✓ Prohibit the possession of firearms
- ✓ Revoke any concealed pistol license(s)

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Vulnerable Adult Protection Order

A Vulnerable Adult Protection Order (VAPO) is designed to protect adults who are considered vulnerable due to age, disability, or other factors that impair their ability to protect themselves from abuse, neglect, or exploitation.

A **single incident qualifies** you to file for a VAPO.

Someone over 60 years old without functional, mental, or physical ability to care for themselves

Someone 18 years or older who is incapacitated and has a development disability, is living in a licensed facility, or has at home care

No relationship is required to file, but petitioners must be **one of the following**:

- ✓ The vulnerable adult, or interested person on behalf of a vulnerable adult
- ✓ Guardian, conservator or limited guardian or conservator of the vulnerable adult
- ✓ Someone working for Washington State Department of Social and Health Services (DSHS) with consent from the vulnerable adult, unless consent cannot be given due to the vulnerable adult's disability or lack of capacity

What a VAPO can do:

- ✓ Prohibit contact of any kind and be tailored to individual needs.
- ✓ Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's workplace, school, residence, petitioner's person, etc.
- ✓ Require the respondent to give an accounting of the vulnerable adult's income or other resources, if the respondent had control of the vulnerable adult's assets

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Stalking Protection Order

Though it is an option, this order is not intended for petitioners who have a current or former intimate partner, family or household member relationship with the person who you are filing against.

A Stalking Protection Order (SPO) can be filed against someone who is committing criminal stalking or cyber harassment.

Stalking includes repeated attempts to contact, monitor, track whereabouts or follow a person, if these behaviors scare or threaten one's safety. Even if the stalker did not intend to frighten, intimidate, or harass.

No relationship is required to file, but petitioners must be **one of the following**:

- ✓ A person age 15 or older filing on behalf of themselves or a minor if they are the parent, guardian, or custodian
- ✓ A person age 15 to 17 filing on behalf of themselves and on behalf of a minor who is a family or household member if chosen to do so by the minor
- ✓ An interested person on behalf of the vulnerable adult
- ✓ An interested person on behalf of an adult who does not qualify as a vulnerable adult but who cannot file for themselves; must demonstrate the petitioner is interested in the adult's wellbeing and the court's intervention is necessary

What a SPO can do:

- ✓ Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license(s)
- ✓ Prohibit contact of any kind, including cyber harassment, and be tailored to individual needs.
- ✓ Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc.

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Sexual Assault Protection Order

Though it is an option, this order is not intended for petitioners who have a current or former intimate partner, family or household member relationship with the person who you are filing against.

A Sexual Assault Protection Order (SAPO) is designed to protect you against someone who has engaged in any nonconsensual sexual acts and/or penetration.

A single incident qualifies you to file for an SAPO.

No relationship is required to file; however, petitioners must be **one of the following:**

- ✓ A person age 15 or older filing on behalf of themselves or a minor if they are the parent, guardian, or custodian
- ✓ A person age 15 to 17 filing on behalf of themselves and on behalf of a minor who is a family or household member if chosen to do so by the minor
- ✓ An interested person on behalf of the vulnerable adult
- ✓ An interested person on behalf of an adult who does not qualify as a vulnerable adult but who cannot file for themselves. Must demonstrate the petitioner is interested in the adult's wellbeing and the court's intervention is necessary

What a SAPO can do:

- ✓ Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license(s)
- ✓ Prohibit contact of any kind, including cyber harassment, and be tailored to individual needs.
- ✓ Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc.

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Anti-Harassment Protection Order

Though it is an option, this order is not intended for petitioners who have a current or former intimate partner, family or household member relationship with the person who you are filing against.

An Anti-Harassment Protection Order (AHPO) is filed against someone whose behavior alarms, annoys or harasses with no legitimate purpose.

These orders may include the threat of violence, an act of violence or the presence of a firearm

A single incident qualifies you to file for an AHPO.


No relationship is required to file; however, petitioners must be **one of the following:**


- ✓ A person age 15 or older filing on behalf of themselves or a minor if they are the parent, guardian, or custodian
- ✓ A person age 15 to 17 filing on behalf of themselves and on behalf of a minor who is a family or household member if chosen to do so by the minor
- ✓ An interested person on behalf of the vulnerable adult
- ✓ An interested person on behalf of an adult who does not qualify as a vulnerable adult but who cannot file for themselves. Must demonstrate the petitioner is interested in the adult's wellbeing and the court's intervention is necessary

What a AHPO can do:

- ✓ Order the surrender and prohibit the possession of firearms, dangerous weapons, and any concealed pistol license(s)
- ✓ Prohibit contact of any kind, and be tailored to individual needs.
- ✓ Exclude the restrained party, and/or prohibit them from knowingly coming within a specific distance, from petitioner's work place, school, residence, petitioner's person, etc.


▶▶ After choosing the protection order that is right for you, below are next steps in the protection order filing process:


 **Complete and file your forms.** Be sure to review statement writing tips to help as you file. While you can file forms in person with your local county and district courts, some counties are set up for online filing. Review your county's requirement before filing.

 **Go to “Ex Parte” hearing for temporary orders.** Once you have filed your forms, you will go to an Ex Parte Court. These are held either online or in person. After a temporary protection order (TPO) is either granted or denied, a two-week return hearing is scheduled. In some cases, the judicial officer may deny the petition without setting a two-week return hearing. If this happens, the court allows two weeks for an amended petition to be filed under the same case number. If you do not refile within the two week window, you will have to refile a new case.

Paperwork processing and protection order service.

During this step, the court will process the paperwork. Additionally, the clerk will send out a service packet to the law enforcement agency identified on the TPO or notice of hearing. The respondent will be served the protection order packet

 **Attend hearing(s) and provide testimony.** It's important to be prepared for testimony, both emotionally and physically. You may need to attend multiple hearings, and the respondent may be present in the courtroom. Remote hearings are available in many jurisdictions, and in accordance with [RCW 7.105.205 section \(2\)](#), courts are required to grant a request for a remote appearance unless the court finds good cause to require in-person attendance or attendance through a specific means. Talk to a lawyer advocate for more information. Be sure to [properly prepare](#) for your hearing.

 **Judicial officer ruling.** After considering all evidence and testimony, the full protection order will be granted or denied. Before issuing a ruling, the court must have proof that the respondent was served.