

WASHINGTON CIVIL PROTECTION ORDERS

Survivors across the country seek safety through civil protection orders. Courts use these vital orders to issue stay away orders, or order an abuser pay medical bills, and even make temporary custody decisions. The remedies are important, but jurisdictions often have several types of orders and the distinctions are not always clear. This resource provides a brief overview of the different types of civil protection orders in each jurisdiction, answering vital questions such as: who can apply; and who can be restrained? The orders included in this resource are limited to those where a survivor can apply themselves, other protective measures may exist in your jurisdiction—reach out to VRLC’s TA team if you have questions!

In Washington, there are 6 types of civil protection orders:

- Sexual Assault Protection Orders** are available for individuals who experienced unwanted sexual contact (R.C.W. § 7.105.100).
- Domestic Violence Protection Orders** are available for individuals seeking protection from an intimate partner or family member (R.C.W. § 7.105.100).
- Stalking Protection Orders** are available for individuals experiencing stalking (R.C.W. § 7.105.100).
- Vulnerable Adult Protection Orders** are available for individuals over 60 or other specific adults seeking protection from abuse (R.C.W. § 7.105.100).
- Civil Anti-Harassment Orders** are available for individuals seeking protection from harassment (R.C.W. § 7.105.100).
- Extreme Risk Protection Orders** may be sought by a law enforcement officer or family member of a person who poses a serious threat of physical harm to themselves or someone else (R.C.W. § 7.105.100).



SEXUAL ASSAULT PROTECTION ORDER

<p>Who can apply?</p>	<p>Any person who has been the victim of nonconsensual sexual conduct or penetration. <i>R.C.W. § 7.105.100(1)(b)</i></p> <p>An individual can also petition on behalf of: a minor child if they are a parent or guardian, a vulnerable adult if they are an interested person, or any other adult if the court determines petitioner is interested, the court’s intervention is necessary, and the victim cannot file on their own. <i>R.C.W. §7.105.225(1)(b)(i-iv)</i></p> <p>Detailed definitions of nonconsensual sexual conduct or penetration can be found at <i>R.C.W. § 7.105.010(26), (32), (33)</i>.</p>
<p>Can minors apply?</p>	<p>Yes, minors who are at least 15 years old can petition on their own behalf. They may also petition on behalf of another minor child who is a family or household member. <i>R.C.W. § 7.105.100(2)</i></p> <p>The judge may appoint a guardian ad litem. <i>R.C.W. § 7.105.105(11)</i></p>
<p>Who can be restrained?</p>	<p>Anyone regardless of age or relationship to the petitioner.</p>
<p>What types of relief may a court order?</p>	<p>The court has broad discretion to grant relief it deems appropriate. It may, but is not limited to orders that:</p> <ol style="list-style-type: none"> 1. Prohibit the respondent from engaging in domestic violence, nonconsensual sexual conduct, stalking, or harassment; <p style="text-align: right;"><i>continued on next page</i></p>



SEXUAL ASSAULT PROTECTION ORDER

<p>What types of relief may a court order?</p>	<ol style="list-style-type: none"> 2. Prohibit the respondent from contacting the petitioner or their family members; 3. Prevent the respondent from entering specific places where the petitioner may be (ex. school or home) or from coming within a certain distance of petitioner (presumptively 1000 ft); 4. Respondent participate in a domestic violence treatment program or obtain mental health or substance use evaluation; 5. Respondent must pay costs and fees, including reasonable attorney’s fees (minors are presumed unable to pay); 6. Require respondent to submit to electronic monitoring (unless a minor); 7. Prohibit respondent from owning or possessing firearms; 8. Petitioner must have access to personal property, including pets, or control of a vehicle. <p><i>R.C.W. § 7.105.310(1)</i></p>
<p>How long does the order last?</p>	<p>The Court may grant an ex parte temporary protective order pending a full hearing that remains in place for up to 14 days. <i>R.C.W. §§ 7.105.100(8); 7.105.305</i></p> <p>A final sexual assault protection order, granted after a hearing, can be for a fixed period of time or permanent. The default order is at least one year. <i>R.C.W. § 7.105.315(1)</i></p>
<p>Can the order be renewed?</p>	<p>Yes, following a “petition for renewal” filed within 90 days before the order expires. The renewal should be granted unless respondent can prove they will not engage in physical or nonphysical contact with petitioner when the order expires. <i>R.C.W. § 7.105.405(4)(b)</i></p>

SEXUAL ASSAULT PROTECTION ORDER

Is a hearing with the respondent required?

The Court may issue a temporary protective order without a hearing, but temporary protective orders only remain in place until a full hearing is held.

R.C.W. § 7.105.305

The court will schedule a hearing within 14 days of the date it issues a temporary protective order, or 30 days if the respondent is going to be notified by mail or publication. Unless the respondent waives service, s/he must be notified at least five days before the hearing and given an opportunity to participate.

R.C.W. § 7.105.165



DOMESTIC VIOLENCE PROTECTION ORDER

<p>Who can apply?</p>	<p>Any person who has been subjected to domestic violence at the hands of an intimate partner or a family or household member (see below); any family or household member on behalf of a minor child. <i>R.C.W. § 7.105.100(1)(a)</i></p> <p>Domestic violence means:</p> <ul style="list-style-type: none"> • Physical harm or threat thereof; • Nonconsensual sexual conduct or penetration; • Coercive control; • Harassment; • Stalking. <p><i>R.C.W. § 7.105.010(9)(a-b)</i></p>
<p>Can minors apply?</p>	<p>Yes, minors who are at least 15 years old can petition on their own behalf. They may also petition on behalf of another minor child who is a family or household member. <i>R.C.W. § 7.105.100(2)</i></p> <p>The judge may appoint a guardian ad litem. <i>R.C.W. § 7.105.105(11)</i></p>
<p>Who can be restrained?</p>	<p>An intimate partner or a family or household member. <i>R.C.W. § 7.105.010(20)</i></p> <p>An intimate partner is:</p> <ul style="list-style-type: none"> • Current or former spouses or domestic partners; • Individuals with a child in common (unless the child was conceived through sexual assault); or • Individuals over age 13 in a dating relationship. <p><i>R.C.W. § 7.105.010(21)</i></p> <p style="text-align: right;"><i>continued on next page</i></p>



DOMESTIC VIOLENCE PROTECTION ORDER

<p>Who can be restrained?</p>	<p>A family or household member is:</p> <ul style="list-style-type: none"> • Persons related by blood, marriage, domestic partnership, or adopted; • Persons currently or formerly living together; • Those with a biological and legal parent-child relationship (including stepparents, grandparents, or a parent’s intimate partner); or • A current or former legal guardian. <p><i>R.C.W. § 7.105.010(14)</i></p>
<p>What types of relief may a court order?</p>	<p>The court has broad discretion to grant relief it deems appropriate. It may, but is not limited to orders that:</p> <ol style="list-style-type: none"> 1. Prohibit the respondent from engaging in domestic violence, nonconsensual sexual conduct, stalking, or harassment; 2. Prohibit the respondent from contacting the petitioner or their family members; 3. Prevent the respondent from entering specific places where the petitioner may be (ex. school or home) or from coming within a certain distance of petitioner (presumptively 1000 ft); 4. Respondent participate in a domestic violence treatment program or obtain mental health or substance use evaluation; 5. Respondent must pay costs and fees, including reasonable attorney’s fees (minors are presumed unable to pay); 6. Require respondent to submit to electronic monitoring (unless a minor); 7. Prohibit respondent from owning or possessing firearms; 8. Petitioner must have access to personal property, including pets, or control of a vehicle. <p><i>R.C.W. § 7.105.310(1)</i></p>



DOMESTIC VIOLENCE PROTECTION ORDER

<p>How long does the order last?</p>	<p>The Court may grant an ex parte temporary protective order pending a full hearing that remains in place for up to 14 days. <i>R.C.W. §§ 7.105.100(8); 7.105.305</i></p> <p>A final domestic violence protection order, granted after a hearing, can be for a fixed period of time or permanent. The default order is at least one year. <i>R.C.W. § 7.105.315(1)</i></p>
<p>Can the order be renewed?</p>	<p>Yes, following a “petition for renewal” filed within 90 days before the order expires. The renewal should be granted unless respondent can prove they will not commit domestic violence against petitioner or a family member when the order expires. <i>R.C.W. § 7.105.405(4)(b); R.C.W. § 7.105.405(4)(a)</i></p>
<p>Is a hearing with the respondent required?</p>	<p>The Court may issue a temporary protective order without a hearing, but temporary protective orders only remain in place until a full hearing is held. <i>R.C.W. § 7.105.305</i></p> <p>The court will schedule a hearing within 14 days of the date it issues a temporary protective order, or 30 days if the respondent is going to be notified by mail or publication. Unless the respondent waives service, s/he must be notified at least five days before the hearing and given an opportunity to participate. <i>R.C.W. § 7.105.165</i></p>

STALKING PROTECTION ORDER

<p>Who can apply?</p>	<p>Any person who had been a victim of stalking. <i>R.C.W. §7.105.225(1)(c)</i></p> <p>An individual can also petition on behalf of: a minor child if they are a parent or guardian, a vulnerable adult if they are an interested person, or any other adult if the court determines petitioner is interested, the court's intervention is necessary, and the victim cannot file on their own. <i>R.C.W. §7.105.225(1)(c)(i-iv)</i></p> <p>Stalking is: Conduct that puts another in substantial emotional distress or fear of harm due to:</p> <ul style="list-style-type: none"> • Intentionally and repeatedly harassing, following, contact, monitoring, or tracking another person; • Installing electronic monitors on another without consent. <p><i>R.C.W. §9A.46.110(1)</i></p>
<p>Can minors apply?</p>	<p>Yes, minors who are at least 15 years old can petition on their own behalf. They may also petition on behalf of another minor child who is a family or household member. <i>R.C.W. § 7.105.100(2)</i></p> <p>The judge may appoint a guardian ad litem. <i>R.C.W. § 7.105.105(11)</i></p>
<p>Who can be restrained?</p>	<p>Anyone regardless of age or relationship to the petitioner.</p>



STALKING PROTECTION ORDER

<p>What types of relief may a court order?</p>	<p>The court has broad discretion to grant relief it deems appropriate. It may, but is not limited to orders that:</p> <ol style="list-style-type: none"> 1. Prohibit the respondent from engaging in domestic violence, nonconsensual sexual conduct, stalking, or harassment; 2. Prohibit the respondent from contacting the petitioner or their family members; 3. Prevent the respondent from entering specific places where the petitioner may be (ex. school or home) or from coming within a certain distance of petitioner (presumptively 1000 ft); 4. Respondent participate in a domestic violence treatment program or obtain mental health or substance use evaluation; 5. Respondent must pay costs and fees, including reasonable attorney’s fees (minors are presumed unable to pay); 6. Require respondent to submit to electronic monitoring (unless a minor); 7. Prohibit respondent from owning or possessing firearms; 8. Petitioner must have access to personal property, including pets, or control of a vehicle. <p><i>R.C.W. § 7.105.310(1)</i></p>
<p>How long does the order last?</p>	<p>The Court may grant an ex parte temporary protective order pending a full hearing that remains in place for up to 14 days.</p> <p><i>R.C.W. §§ 7.105.100(8); 7.105.305</i></p> <p>A final stalking protection order, which may be granted after a hearing, can be for a fixed period of time or permanent. The default order is at least one year.</p> <p><i>R.C.W. § 7.105.315(1)</i></p>



STALKING PROTECTION ORDER

<p>Can the order be renewed?</p>	<p>Yes, following a “petition for renewal” filed within 90 days before the order expires. The renewal should be granted unless respondent can prove they will not resume acts of stalking against petitioner or family or household members when the order expires. <i>R.C.W. § 7.105.405(4)(c)</i></p>
<p>Is a hearing with the respondent required?</p>	<p>The Court may issue a temporary protective order without a hearing, but temporary protective orders only remain in place until a full hearing is held. <i>R.C.W. § 7.105.305</i></p> <p>The court will schedule a hearing within 14 days of the date it issues a temporary protective order, or 30 days if the respondent is going to be notified by mail or publication. Unless the respondent waives service, s/he must be notified at least five days before the hearing and given an opportunity to participate. <i>R.C.W. § 7.105.165</i></p>



VULNERABLE ADULT PROTECTION ORDER

<p>Who can apply?</p>	<p>A vulnerable adult or an interested person on behalf of a vulnerable adult if the vulnerable adult cannot file on their own behalf. <i>R.C.W. §7.105.225(1)(d)</i></p> <p>A vulnerable adult is defined as someone who is:</p> <ul style="list-style-type: none"> • Is 60 years old or older and is unable to care for himself/herself; • Has been found by a judge to be incapacitated; • Has a developmental disability; • Was admitted to any facility; • Is receiving services from home health, hospice, or home care agencies; • Is receiving services from an individual provider; or • Self-directs his/her own care and receives services from a personal aide. <p><i>R.C.W. §§ 74.34.020(21); 7.105.010(37)</i></p> <p>An interested person is defined as a person who: Demonstrates an interest in the welfare of the vulnerable adult and has a good faith belief that court’s intervention is necessary. <i>R.C.W. §§ 74.34.020(11)</i></p>
<p>Can minors apply?</p>	<p>No. <i>R.C.W. §§ 74.34.020(21); 7.105.010(37)</i></p>
<p>Who can be restrained?</p>	<p>Anyone regardless of age or relationship to the petitioner.</p>



VULNERABLE ADULT PROTECTION ORDER

<p>What types of relief may a court order?</p>	<p>The court has broad discretion to grant relief it deems appropriate. It may, but is not limited to orders that:</p> <ol style="list-style-type: none"> 1. Prohibit the respondent from engaging in domestic violence, nonconsensual sexual conduct, stalking, or harassment; 2. Prohibit the respondent from contacting the petitioner or their family members; 3. Prevent the respondent from entering specific places where the petitioner may be (ex. school or home) or from coming within a certain distance of petitioner (presumptively 1000 ft); 4. Respondent participate in a domestic violence treatment program or obtain mental health or substance use evaluation; 5. Respondent must pay costs and fees, including reasonable attorney’s fees (minors are presumed unable to pay); 6. Require respondent to submit to electronic monitoring (unless a minor); 7. Prohibit respondent from owning or possessing firearms; 8. Petitioner must have access to personal property, including pets, or control of a vehicle; 9. Require or prohibit specific actions regarding the income, finances, or property of the vulnerable adult. <p><i>R.C.W. § 7.105.310(1)</i></p>
<p>How long does the order last?</p>	<p>The Court may grant an ex parte temporary protective order pending a full hearing that remains in place for up to 14 days. <i>R.C.W. §§ 7.105.100(8); 7.105.305</i></p> <p>A final vulnerable adult protection order, which may be granted after a hearing, can be for a fixed period of time or permanent. The default order is at least one year <i>R.C.W. § 7.105.315(1)</i></p>

VULNERABLE ADULT PROTECTION ORDER

<p>Can the order be renewed?</p>	<p>Yes, following a “petition for renewal” filed within 90 days before the order expires. The renewal should be granted unless respondent can prove they will not resume acts of abandonment, abuse, financial exploitation, or neglect against the vulnerable adult when the order expires.</p> <p><i>R.C.W. § 7.105.405(4)(d)</i></p>
<p>Is a hearing with the respondent required?</p>	<p>The Court may issue a temporary protective order without a hearing, but temporary protective orders only remain in place until a full hearing is held.</p> <p><i>R.C.W. § 7.105.305</i></p> <p>The court will schedule a hearing within 14 days of the date it issues a temporary protective order, or 30 days if the respondent is going to be notified by mail or publication. Unless the respondent waives service, s/he must be notified at least five days before the hearing and given an opportunity to participate.</p> <p><i>R.C.W. § 7.105.165</i></p>



CIVIL ANTI-HARASSMENT ORDER

<p>Who can apply?</p>	<p>Anyone subjected to unlawful harassment by another. <i>R.C.W. § 7.105.010(6)(a)</i></p> <p>Unlawful harassment is:</p> <ul style="list-style-type: none"> • A knowing and willful course of conduct directed at one person that alarms, annoys, harasses that person and serves no purpose and would cause a reasonable person to suffer substantial emotional distress; or • A single act of violence or a threat of violence directed at petitioner that seriously alarms, annoys, harasses, or harms you without serving a legitimate or lawful purpose and includes a malicious threat or the presence of a weapon. <p><i>R.C.W. § 7.105.010(36)</i></p>
<p>Can minors apply?</p>	<p>Yes. A person under 18 years of age who is 15 years of age or older may seek relief as a petitioner. A minor may also petition on behalf of a family or household member who is a minor. <i>R.C.W. § 7.105.100(3)</i></p> <p>The judge may appoint a guardian ad litem. <i>R.C.W. § 7.105.105(11)</i></p>
<p>Who can be restrained?</p>	<p>Anyone committing a qualifying act or series of acts. <i>R.C.W. § 7.105.105(9)(b)</i></p>
<p>What types of relief may a court order?</p>	<p>The court has broad discretion to grant relief it deems appropriate. It may, but is not limited to orders that:</p> <p style="text-align: right;"><i>continued on next page</i></p>



CIVIL ANTI-HARASSMENT ORDER

<p>What types of relief may a court order?</p>	<ol style="list-style-type: none"> 1. Prohibit the respondent from engaging in domestic violence, nonconsensual sexual conduct, stalking, or harassment; 2. Prevent the respondent from entering specific places where the petitioner may be (ex. school or home) or from coming within a certain distance of petitioner (presumptively 1000 ft); 3. Respondent participate in a domestic violence treatment program or obtain mental health or substance use evaluation; 4. Respondent must pay costs and fees, including reasonable attorney’s fees (minors are presumed unable to pay); 5. Require respondent to submit to electronic monitoring (unless a minor); 6. Prohibit respondent from owning or possessing firearms; 7. Petitioner must have access to personal property, including pets, or control of a vehicle. <p><i>R.C.W. § 7.105.310(1)</i></p>
<p>How long does the order last?</p>	<p>The Court may grant an ex parte temporary protective order pending a full hearing for up to 14 days.</p> <p><i>R.C.W. §§ 7.105.100(8)</i></p> <p>If the full anti-harassment protective order restrains contact with the respondent’s minor children, it cannot last more than one year. Otherwise, any fixed period of time, up to permanent.</p> <p><i>R.C.W. § 7.105.315</i></p>
<p>Can the order be renewed?</p>	<p>Yes, but renewal must be requested within 90 days before original order expires.</p> <p><i>R.C.W. § 7.105.410</i></p>

CIVIL ANTI-HARASSMENT ORDER

Is a hearing with the respondent required?

The Court may issue a temporary protective order without a hearing, but temporary protective orders only remain in place until a full hearing is held.

R.C.W. § 7.105.305

The court will schedule a hearing within 14 days of the date it issues a temporary protective order, or 30 days if the respondent is going to be notified by mail or publication. Unless the respondent waives service, s/he must be notified at least five days before the hearing and given an opportunity to participate.

R.C.W. § 7.105.165



EXTREME RISK PROTECTION ORDER

<p>Who can apply?</p>	<p>An individual's intimate partner or a family or household member or a law enforcement officer or agency. <i>R.C.W. § 7.105.100(1)(e); R.C.W. § 7.105.110(2)(a)</i></p> <p>An intimate partner is:</p> <ul style="list-style-type: none"> • Current or former spouses or domestic partners; • Individuals with a child in common (unless the child was conceived through sexual assault); or • Individuals over age 13 in a dating relationship. <p><i>R.C.W. § 7.105.010(21)</i></p> <p>A family or household member is:</p> <ul style="list-style-type: none"> • Persons related by blood, marriage, domestic partnership, or adopted; • Persons currently or formerly living together; • Those with a biological and legal parent-child relationship (including step-parents, grandparents, or a parent's intimate partner); or • A current or former legal guardian. <p><i>R.C.W. § 7.105.010(14)</i></p>
<p>Can minors apply?</p>	<p>Yes. A person under 18 years of age who is 15 years of age or older may seek relief as a petitioner. A minor may also petition on behalf of a family or household member who is a minor. <i>R.C.W. § 7.105.100(2)-(3)</i></p> <p>The judge may appoint a guardian ad litem. <i>R.C.W. § 7.105.105(11)</i></p>

EXTREME RISK PROTECTION ORDER

Who can be restrained?	<p>Anyone who poses a significant danger of causing personal injury to self or others by having access to firearms. <i>R.C.W. § 7.105.100(e)</i></p>
What types of relief may a court order?	<p>Ordering the respondent not to have firearms in their custody or control and not to purchase, possess, receive, or attempt to purchase or receive a firearm while the order is in effect.</p> <p>Ordering the respondent to surrender any firearms currently in their custody.</p> <p>Ordering the respondent's concealed pistol license be revoked. <i>R.C.W. § 7.105.340(1)(a); R.C.W. § 7.105.340(1)(b)</i></p>
How long does the order last?	<p>The Court may grant an ex parte temporary protective order pending a full hearing for up to 14 days. <i>R.C.W. §§ 7.105.100(8)</i></p> <p>Generally, the full extreme risk protection order will last for at least one year. One hundred and five days before the order is set to expire, the court must notify the petitioner of the upcoming expiration date. <i>R.C.W. § 7.105.330(3)(g); R.C.W. § 7.105.410(1)</i></p>
Can the order be renewed?	<p>Yes, but renewal must be requested within 90 days before original order expires. <i>R.C.W. § 7.105.410</i></p>

EXTREME RISK PROTECTION ORDER

Is a hearing with the respondent required?

The Court may issue a temporary protective order without a hearing, but temporary protective orders only remain in place until a full hearing is held.

R.C.W. § 7.105.330

A full protection order can be issued only after the respondent is notified and there is a court hearing in which both parties have a chance to tell their sides of the story and present evidence, witnesses, etc., or it can be entered by agreement of the parties without the need for a hearing. The hearing can be held in person or remotely.

R.C.W. § 7.105.010(17); R.C.W. § 7.105.200-205(1)

HOW TO APPLY

Note: There are no fees for filing, serving the respondent, or for any court hearing.

Forms are available at courthouse and online at

<https://www.courts.wa.gov/forms/fa=forms.contribute&formID=142>

The law says that you should file your petition in the county where you live. However, you may also file in:

- the county where the incident happened;
- the county where a child to be protected by the order primarily lives;
- the county where you lived before you relocated, if you relocated due to the abuser's actions; or
- the court closest to your current home or your prior home if you left that home due to the abuser's actions.

R.C.W. § 7.105.075

SCAN ME!



For specific questions about how to use this guide, or if you have any other questions, VRLC is here to help!

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