



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KITSAP

In re the Matter of:

A Vulnerable Adult (Protected Person) DOB

Respondent (Restrained Person) DOB

No.

Temporary Order for Protection and Notice of Hearing - Vulnerable Adult (TMORVA) (Clerk's Action Required)

Next Hearing Date/Time: 10:00 PM
At: Kitsap County Superior Court
614 Division Street
Port Orchard, WA 98366
Telephone: (360) 337-7164

Violation of Restraint Provisions 1, 3, 4 or 5 With Actual Notice of its Terms is a Criminal Offense Under Chapter 26.50 RCW and Will Subject a Violator to Arrest. RCW 74.34.145

The Petitioner is:

- the vulnerable adult.
[name], who filed on behalf of the vulnerable adult and is:
the vulnerable adult's guardian or legal fiduciary.
an interested person as defined in RCW 74.34.020(9).
WA Dep't of Social and Health Services.

Respondent Identification:

Table with 3 columns: Sex, Race, Hair; Height, Weight, Eyes

Respondent's Distinguishing Features:

Access to weapons: yes no unknown

The Court Finds Based Upon the Court Record That:

The court has jurisdiction over the parties and the subject matter. The respondent and the vulnerable adult, if not the petitioner, were notified in writing of the ex parte hearing and their opportunity to be heard, or will be served notice of his or her opportunity to be heard at the scheduled hearing noted above. RCW 74.34.110. For good cause shown, the court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to the respondent to avoid irreparable harm.

The Court Orders:

- 1. The respondent is Restrained from committing or threatening to commit physical harm, bodily injury, assault, including sexual assault against the vulnerable adult and from molesting, harassing, or stalking the vulnerable adult.

Additional no contact provisions are on the next page.

The terms of this order shall be effective until the end of the hearing, noted above

<input type="checkbox"/> 2. The respondent is <b>Restrained</b> from committing or threatening to commit acts of abandonment, abuse, exploitation, neglect, or financial exploitation against the vulnerable adult.
<input type="checkbox"/> 3. The respondent is <b>Excluded</b> from the vulnerable adult's residence. <input type="checkbox"/> The vulnerable adult's address is confidential. <input type="checkbox"/> The vulnerable adult waives confidentiality of the address which is:
<input type="checkbox"/> 4. The respondent is <b>Restrained</b> from coming near and from having any contact with the vulnerable adult, in person or through others, by phone, mail, or any means, directly or indirectly, except through an attorney, or mailing or delivery by a third party of court documents.
<input type="checkbox"/> 5. Respondent is <b>Prohibited</b> from knowingly coming within, or knowingly remaining within _____ (distance) of the vulnerable adult's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> adult day program; <input type="checkbox"/> the premises of the long-term care facility where the vulnerable adult resides.  <input type="checkbox"/> other:
<input type="checkbox"/> 6. The respondent is <b>Required</b> to provide an accounting of the disposition of the vulnerable adult's income or other resources.
<input type="checkbox"/> 7. The respondent is <b>Restrained</b> from transferring the vulnerable adult's property until the hearing scheduled on page one.
<input type="checkbox"/> 8. The respondent is <b>Restrained</b> from transferring respondent's property until the hearing scheduled on page one.
9. <b>Bond:</b>  <input type="checkbox"/> Bond in the amount of \$ _____ as required by the court under RCW 7.40.080 has been posted. <input type="checkbox"/> Bond is waived because: <input type="checkbox"/> State of Washington is petitioner. <input type="checkbox"/> Life or health of vulnerable adult is in jeopardy under RCW 7.40.080. Alternative security has been posted as described: _____ _____
<input type="checkbox"/> 10. <b>Other:</b>

The respondent is directed to appear and show cause why this temporary order should not be made effective for up to five years and why the court should not order the relief requested in the petition. **Failure to Appear at the Hearing May Result in the Court Granting Such Relief. The Next Hearing Date is Shown on Page One.**

**Warnings to Respondent:** Violation of restraint provisions 1, 3, 4 or 5 of this order with actual notice of its terms is a criminal offense under chapter 26.50 RCW and will subject you to arrest. If the violation of the protection order involves travel across a state line or the boundary of a tribal jurisdiction, or involves conduct within the special maritime and territorial jurisdiction of the United States, which includes tribal lands, you may be subject to criminal prosecution in federal court under 18 U.S.C. § 2261, 2261A, or 2262.

Violation of restraint provisions 1, 3, 4, or 5 of this order is a gross misdemeanor unless one of the following conditions apply: Any assault that is a violation of this order and that does not amount to assault in the first degree or second degree under RCW 9A.36.011 or 9A.36.021 is a class C felony. Any conduct in violation of this order that is reckless and creates a substantial risk of death or serious physical injury to another person is a class C felony. Also, a violation of this order is a class C felony if you have at least two previous convictions for violating a protection order issued under Titles 7, 10, 26, or 74 RCW.

If the court issues a final protection order, and your relationship to the vulnerable adult is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, you may not possess a firearm or ammunition for as long as that final protection order is in effect.

18 U.S.C. § 922(g)(8). A violation of this federal firearms law carries a maximum possible penalty of 10 years in prison and a \$250,000 fine. An exception exists for law enforcement officers and military personnel when carrying department/government-issued firearms. 18 U.S.C. § 925(a)(1). If you are convicted of an offense of domestic violence, you will be forbidden for life from possessing a firearm or ammunition.

18 U.S.C. § 922(g)(9); RCW 9.41.040.

**You Can Be Arrested Even if the Person or Persons Who Obtained the Order Invite or Allow You to Violate the Order's Prohibitions.** You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application.

Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

It is further ordered that the clerk of the court shall forward a copy of this order on or before the next judicial day to \_\_\_\_\_  County Sheriff's Office  Police Department **Where Protected Person Lives** which shall enter it in a computer based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

**Service**

Petitioner shall arrange for service of the petition and this order on:

- Respondent.
- Vulnerable Adult.
- Vulnerable Adult's guardian.

The following persons appeared, further service is not required:

- Respondent.
- Vulnerable adult.
- Vulnerable adult's guardian.

**Law Enforcement Assistance**

Pursuant to RCW 74.34.140, law enforcement shall assist petitioner as follows:

\_\_\_\_\_

Dated: \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.

**Judge/Commissioner**

I acknowledge receipt of a copy of this Order:

Presented by: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Date

A Law Enforcement Information Sheet (LEIS) must be completed.