

| | |
|--|-----------|
| KALISPEL TRIBAL COURT | |
| For: <input type="checkbox"/> Cusick <input type="checkbox"/> Airway Heights | |
| Petitioner _____ | DOB _____ |
| vs. | |
| Respondent _____ | DOB _____ |

No. _____

Temporary Order for Protection and Notice of Hearing (TMORPRT/ORWPN)
(Clerk's Action Required)

Next Hearing Date/Time: _____

At: _____

Names of Minors: No Minors Involved

| | | | |
|-------|--------|-------|-------|
| First | Middle | Last | Age |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| | | |
|-------------------------------|--------|------|
| Respondent Identifiers | | |
| Sex | Race | Hair |
| | | |
| Height | Weight | Eyes |
| | | |

Respondent's Distinguishing Features:

Caution: Access to weapons: yes no unknown

The Court Finds:

The court has jurisdiction over the parties, the minors, and the subject matter. The respondent will be served notice of his or her opportunity to be heard at the scheduled hearing. 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 or injury.

- The Court Orders:**
1. Respondent is **restrained** from causing petitioner physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking petitioner the minors named in the table above these minors only:
2. Respondent is **restrained** from harassing, following, keeping under physical or electronic surveillance, cyberstalking as defined in RCW 9.61.260, and using telephonic, audiovisual, or other electronic means to monitor the actions, locations, or wire or electronic communication of petitioner the minors named in the table above only the minors listed below members of the victim's household listed below the victim's adult children listed below:

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"/> 3. Respondent is restrained from coming near and from having any contact whatsoever, in person or through others, by phone, mail, or any means, directly or indirectly, except for mailing or service of process of court documents by a 3 rd party or contact by respondent's lawyer(s) with <input type="checkbox"/> petitioner <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: |
| <input type="checkbox"/> 4. Respondent is restrained from going onto the grounds of or entering petitioner's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> the day care or school of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: <input type="checkbox"/> other: <input type="checkbox"/> Petitioner's address is confidential. <input type="checkbox"/> Petitioner waives confidentiality of the address which is: |
| <input type="checkbox"/> 5. Petitioner shall have exclusive right to the residence petitioner and respondent share. The respondent shall immediately vacate the residence. The respondent may take respondent's personal clothing and respondent's tools of trade from the residence while a law enforcement officer is present. <input type="checkbox"/> This address is confidential. <input type="checkbox"/> Petitioner waives confidentiality of this address which is: |
| <input type="checkbox"/> 6. Respondent is prohibited from knowingly coming within, or knowingly remaining within _____ (distance) of: petitioner's <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> the day care or school of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: <input type="checkbox"/> other: |
| <input type="checkbox"/> 7. Petitioner shall have possession of essential personal belongings, including the following: |
| <input type="checkbox"/> 8. Petitioner is granted use of the following vehicle: Year, Make & Model _____ License No. _____ |
| <input type="checkbox"/> 9. Other: |
| Protection for minors: |
| <input type="checkbox"/> 10. Petitioner is granted the temporary care, custody, and control of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: |
| <input type="checkbox"/> 11. Respondent is restrained from interfering with petitioner's physical or legal custody of <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: |
| <input type="checkbox"/> 12. Respondent is restrained from removing from the state <input type="checkbox"/> the minors named in the table above <input type="checkbox"/> these minors only: |

Surrender of Weapons

The respondent must turn in any firearms and other dangerous weapons as stated in the **Order to Surrender Weapons Issued Without Notice** filed separately.

The respondent is directed to appear and show cause why this temporary order should not be made effective for one year or more and why the court should not order the relief requested by the petitioner or other relief which may include electronic monitoring, payment of costs, and treatment. **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: A violation of provisions 1 through 6 of this order with actual notice of its terms is a criminal offense under KLOC Chapter 9-7.07 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.

In the State of Washington a violation of provisions 1 through 6 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 petitioner is that of spouse or former spouse, parent of a common child, or former or current cohabitant as intimate partner, including a current or former registered domestic 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.

Washington Crime Information Center (WACIC) Date Entry

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 Petitioner Lives** which shall enter it into WACIC.

Service

- The clerk of the court shall also forward a copy of this order on or before the next judicial day to KALISPEL TRIBAL PUBLIC SAFETY and County Sheriff's Office
- Police Department **Where Respondent Lives** which shall personally serve the respondent with a copy of this order and shall promptly complete and return to this court proof of service.
- Petitioner has made private arrangements for service of this order.

Law Enforcement Assistance

- Law enforcement shall assist petitioner in obtaining:
 - Possession of petitioner's residence personal belongings located at: the shared residence respondent's residence other: _____
 - Custody of the above-named minors, including taking physical custody for delivery to petitioner (if applicable).
 - Other: _____.

Dated: _____ at _____ a.m./p.m. _____

Judge

Presented by:

➤ _____
Signature of Petitioner/Lawyer WSBA No. Print Name

The petitioner or petitioner's lawyer must complete a Law Enforcement Information Sheet (LEIS).