

_____ Court of Washington, County of _____

Petitioner

vs.

Defendant/Respondent

No.: _____

**Order to Surrender
and Prohibit Weapons**

- Issued Without Notice (ORWPN)
- Temporary/Pre-Trial (ORWPNP)
- Final/Post Conviction (ORWPNP)
- Compliance Review Hearing (ORCRH)

Next Hearing Date/Time: _____

At: _____

(Clerk's Action Required)

Order to Surrender and Prohibit Weapons

1. This order is based on the findings in the order issued on *(date)* _____

2. **Surrender of Weapons**

(Name) _____ :

You must **immediately surrender** all firearms and other dangerous weapons in your possession or control, and any concealed pistol licenses issued under RCW 9.41.070 to this local law enforcement agency: _____

You must immediately surrender all firearms and other dangerous weapons subject to this order, including but not limited to the following:

_____	_____
_____	_____
_____	_____

See the attach sheet if there are more to list.

You must appear for the review hearing listed in the caption on page one.

3. **Weapons Prohibition**

You are prohibited from accessing, having in your custody or control, obtaining, possessing, purchasing, receiving or attempting to purchase or receive any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.

4. This Order expires:

at the same time as the protection order entered under this case number.

on (date) _____ or until further order of the court.

If you have firearms, other dangerous weapons, or concealed pistol licenses:

Step 1: **Immediately** surrender all firearms, other dangerous weapons, and concealed pistol licenses.

Important! If you have notice of this order, **immediately** surrender all firearms, other dangerous weapons, and concealed pistol licenses to the local law enforcement agency listed in **2** on the same day as the hearing. Contact the local law enforcement agency for directions on how to immediately surrender the firearms, dangerous weapons and concealed pistol licenses.

If a law enforcement officer serves you, surrender firearms and other dangerous weapons, and your concealed pistol license to the law enforcement officer.

Step 2: **Get a receipt** for the surrender of firearms, other dangerous weapons, and concealed pistol licenses from law enforcement.

Step 3: **Complete** the *Proof of Surrender* form and file it with the receipt.

Step 4: **File** the documents with the clerk of the court within 5 court days.

If you do not have firearms, other dangerous weapons, or concealed pistol licenses:

Step 1: **Immediately** complete and sign the *Declaration of Non-Surrender* form.

Step 2: **File** the declaration with the clerk of the court within 5 court days.

If you already surrendered all firearms, other dangerous weapons, and concealed pistol licenses under another order, they must remain in the possession of the law enforcement agency that received them until further order of the court. You must provide proof of that surrender to the court.

The Law Enforcement Officer serving this order shall inform you that the order is in effect upon service and that you must immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070. The serving officer shall conduct a search for firearms, other dangerous weapons, and concealed pistol licenses as permitted by law. The serving officer shall take possession of:

- **All firearms,**
- **Other dangerous weapons,**
- **Concealed pistol licenses belonging to Respondent,**

that are surrendered, in plain sight, or discovered during a lawful search. RCW 9.41.801.

5. Washington Crime Information Center (WACIC) and Other Data Entry

Clerk's Action. The court clerk shall forward a copy of this order immediately to the following law enforcement agency (county or city) _____

(check only one): Sheriff's Office or Police Department

(List the same agency that entered the temporary order, if any)

This agency shall enter this order into WACIC and National Crime Info. Center (NCIC).

6. Service

Required. The **law enforcement agency** where the defendant/restrained person lives or can be served shall serve the defendant/restrained person with a copy of this order and shall promptly complete and return proof of service to this court.

Law enforcement agency: (*county or city*) _____
(*check only one*): Sheriff's Office or Police Department

Clerk's Action. The court clerk shall forward a copy of this order on or before the next judicial day to the agency and/or party checked above.

Not Required.

The restrained person/defendant appeared at the hearing where this order was issued but refused to accept a copy of this order.

The respondent appeared remotely or left the hearing early but received actual notice of the order. Additional service is not required and proof of service is not necessary. HB 1901 Sec 30(2).

The defendant/respondent signed the *Order*.

This order replaces all prior *Orders to Surrender and Prohibit Weapons* issued under this case number.

Warning!

- If you fail to comply with this order, you may be found in contempt of court and/or be charged with a misdemeanor and punished accordingly.
- You may also be charged with a crime up to and including a **felony** if you are found to own, possess, or control a firearm or other dangerous weapon.
- **Voluntarily surrendering weapons may not be used against a Respondent in any criminal prosecution under chapter 7.105, 9.41, or 9A.56.310 RCW.**

Dated _____ at (*time*) _____ a.m./p.m. _____
Judge/Commissioner

I acknowledge receipt of a copy of this order.

Signature of Restrained Person/Defendant

Print Name

Signature of Rest. Person/ Dt's Attorney WSBA No.

Print Name

Signature of Protected Person or Attorney WSBA No.

Print Name

You may download the forms listed in this order from the Washington Courts' forms website: <http://www.courts.wa.gov/forms/>.

Court of Washington, County/City of _____

Petitioner

vs.

Defendant/Restrained Person

No.: _____

**Findings and Order on Review: Weapons
Surrender Compliance**

(check only one box)

In compliance (ORRWSC) (1 & 3)

Not in compliance:

Order Setting Compliance Review
Hearing (ORCRH) (5)

Order Continuing Hearing –
Weapon Compliance (ORCNTWC)
(6)

Order Finding Noncompliance and
to Go to Court for Contempt
Hearing (Order to Show Cause)
(ORCROSC) (7)

Next Hearing Date/Time: _____

Clerk's action required: see above

Findings and Order on Review: Weapons Surrender Compliance

The court issued an order to surrender and prohibit weapons on *(date)* _____

The Law Enforcement proof of service is is **not** filed.

On *(date)* _____, the court reviewed the record heard _____
or heard compliance review.

Defendant/Restrained Person did did **not** attend the hearing.

The court considered the *(check all that apply)*:

- Incident Report
- Petition/Protected Person's Statement
- Declaration of Protected Party re: Surrender of Weapons
- Proof of Surrender
- Declaration of Non-Surrender

Receipt for Surrendered Firearms, Other Dangerous Weapons, and Concealed Pistol Licenses filed by the Defendant/Restrained Person Law Enforcement

Declaration of: Law Enforcement Other _____

Testimony of: _____

Defendant/Restrained Person failed to appear at the hearing and no declaration or proof has been filed.

Other: _____

The court finds that Defendant/Restrained Person is:

1. In Compliance:

Defendant/Restrained Person signed a declaration of non-surrender. The court considered other evidence and allegations regarding the defendant/restrained person's alleged possession or ownership of firearms, dangerous weapons, or concealed pistol licenses, if any, and concludes that there has been a sufficient showing that Defendant/Restrained Person has complied with the conditions of RCW 9.41.800 and is in compliance. The court makes the following additional findings regarding the basis for compliance: _____

or

Defendant/Restrained Person signed a proof of surrender and indicates that they **have surrendered all** firearms, dangerous weapons, or concealed pistol licenses in their possession to law enforcement and has filed proof of surrender and a copy of the law enforcement receipt. **Law enforcement verified receipt** by filing the original receipt in the court file. There are either **no further allegations or no further credible evidence, that there are more** firearms, dangerous weapons, or concealed pistol licenses to surrender. Therefore, the court concludes that, by a preponderance of the evidence, the defendant/restrained person has complied with the conditions of RCW 9.41.800. The court makes the following additional findings regarding the basis for compliance: _____

and

Number of firearms surrendered under this case number: _____

2. Not in Compliance:

Defendant/Restrained Person has indicated that they **are in possession** of firearms, dangerous weapons, and/or concealed pistol licenses that need to be immediately surrendered.

- There are allegations** in the police report, petition/protected person's statement, or declaration/s that Defendant/Restrained Person is in possession of , dangerous weapons, and/or concealed pistol licenses that need to be immediately surrendered.
- Defendant/Restrained Person indicates that they have surrendered all firearms, dangerous weapons, and/or concealed pistol licenses to law enforcement but there is **no verification of surrender (receipt)** from law enforcement in the court file.
- Defendant/Restrained Person has provided insufficient information to the court to determine if the defendant has surrendered all firearms, dangerous weapons, and/or concealed pistol licenses in their possession.

The court orders that:

3. In Compliance

- Defendant/Restrained Person is in compliance with the *Order to Surrender and Prohibit Weapons*. The court waives the requirement for a compliance review hearing.
- The compliance review hearing scheduled in this case is canceled.

4. Not in Compliance

- Defendant/Restrained Person is **not** in compliance with the Order to Surrender and Prohibit Weapons **and shall, pending next review hearing:**
 - Immediately, by (*time*): _____ a.m./p.m. today, surrender their firearms, dangerous weapons and concealed pistol license to: (*law enforcement agency*) _____ and immediately file a proof of surrender and receipt with the court, and mail/send an electronic copy to the other party; or
 - Defendant/restrained person shall provide any of the following that apply:
 - a. Bill of sale of the firearm/s, including description/s of firearm/s (make, model), serial number, date of sale, and full name (including middle initial) and date of birth of person who purchased the firearm/s.
 - b. Proof of sale at a Federal Firearm Licensed Dealer, with a background check.
 - c. Proof of transfer of the firearm/s, including description/s of firearm/s (make, model), serial number, date of transfer, and full name (including middle initial) and date of birth of the *immediate* family member that now has possession of the firearm/s. Defendant/restrained person shall contact that family member(*full name*), _____, (*date of birth*) _____, and inform them that they are required to file an affidavit, signed under penalty of perjury, confirming the date of transfer of the firearm/s from the defendant/restrained person, that they understand their legal obligation to keep the firearms out of Defendant/Restrained Person's possession, access, or control, and that they understand they may be charged with a crime if they allow the defendant/restrained person access to any firearms.
 - d. Proof that an official sale/transfer of all firearms was filed with the Washington State Department of Licensing by (*date*) _____.

e. An official police report for the lost stolen firearm/s reflecting the date when the item/s were first reported lost or stolen that includes make, model, serial number of all lost or stolen firearms.

5. A compliance review hearing is set for (date) _____ at (time) _____ a.m./p.m. at _____ court (department/judge/calendar) _____.

6. The compliance review hearing is continued to (date) _____ at (time) _____ a.m./p.m. at _____ court (department/judge/calendar) _____.

Defendant must attend this hearing and testify under oath verifying they complied with the order.

7. Order to go to court and show compliance

Defendant/Restrained Person is **not** in compliance with the *Order to Surrender and Prohibit Weapons*.

Defendant/Restrained Person:

Failed to fully comply with the Order to Surrender and Prohibit Weapons.

Failed to appear at the compliance review hearing set for (date) _____ at _____ a.m./p.m. at _____ court (department/judge/calendar) _____.

Violated the Order to Surrender and Prohibit Weapons after the court entered findings of compliance.

Based on these findings the court has determined that there are grounds to set a Contempt Hearing.

The court has reviewed the *Motion for Contempt Hearing* filed by the (check one):

Petitioner Prosecutor and finds there is reason to approve this order.

Therefore, (name) _____ is ordered to go to court on (date) _____ at (time) _____ a.m./p.m. at _____ court (department/judge/calendar) _____.

At the hearing, Defendant/Restrained Person must provide proof of compliance of the Order to Surrender and Prohibit Weapons and show why the court should **not** find you in contempt.

Warning to Defendant/Restrained Person!

You may be held in **contempt** if you fail to immediately comply with the *Order to Surrender and Prohibit Weapons*.

If you do not go to the hearing, the court may:

- Approve the other party's requests without hearing your side,
- Impose sanctions and fees against you, and
- Issue a warrant for your arrest.

If the other party has asked the court to send you to jail, and you cannot afford a lawyer, you may ask the court to appoint a lawyer to represent you.

Date: _____ **Time** _____ a.m./p.m.

Judge/ Pro Tem/ Court Commissioner

I acknowledge receipt of a copy of this order:

Signature

Print Name

Signature

Print Name

Notice to Law Enforcement

The clerk of court shall forward a copy of this order on the same day the court issues the order to the _____ County Sheriff's Office or City/ Town Police Department that took possession of firearms, dangerous weapons, and any concealed pistol license/s under the Order to Surrender and Prohibit Weapons.

Upon receiving this notice, that law enforcement agency must:

- Provide the court with a complete list of firearms and other dangerous weapons surrendered by the defendant/restrained person.
- Provide the court with verification that any concealed pistol license/s issued to Defendant/Restrained Person has been surrendered and the agency that can revoke the license was notified.
- If there is reasonable suspicion that Defendant/Restrained Person is not in full compliance with the terms of the Order to Surrender and Prohibit Weapons, then an affidavit must be filed with the court before the hearing date that provides the basis for this belief.

Service

- Defendant/Restrained Person appeared in person. Additional service is not required.
- Defendant/Restrained Person did not appear in person.
 - The clerk of court shall electronically transmit a copy of this order on or before the next judicial day to the _____ County Sheriff's Office or _____ City/Town Police Department **where Defendant/Restrained Person lives** who will serve a copy of this order on the defendant/restrained person and file a return of service with the court.
 - The clerk of court shall electronically transmit a copy of this order on or before the next judicial day to the _____ County Sheriff's Office or _____ City/Town Police Department **where the protected person lives** who will serve a copy of this order on the petitioner/protected person and file a return of service with the court.
 - The court previously ordered service by publication or mail by separate motion and order, and permits service on Defendant/Restrained Person as per its prior findings, as follows: by publication mail.
 - The court considered a motion for service by publication or mail today, and enters a separate order today with findings which permit service on Defendant/Restrained Person, or the court finds that there are now reasons to allow such service. Therefore, the court orders service of this order on Defendant/Restrained Person by publication mail.

_____ Court of Washington, County of _____

Petitioner

vs.

Respondent/Defendant

No.

Proof of Surrender
(PRSRW)

Proof of Surrender

The court ordered me to immediately surrender all firearms and other dangerous weapons that I own or have in my possession or control, and any concealed pistol licenses issued to me.

On (date) _____ at _____ a.m./p.m.

I surrendered to (local law enforcement agency) _____ all:

- firearms,
- concealed pistol licenses, and/or
- other dangerous weapons

Court case number: _____

Law enforcement agency case number: _____

I filed a copy of the **Receipt for Surrendered Firearms, Other Dangerous Weapons, and Concealed Pistol License** form with the clerk of the court.

I declare, under penalty of perjury under the law of the State of Washington, that this statement is true and correct.

Date: _____ at _____, Washington



Signature of Restrained Person/Defendant

Print name

_____ Court of Washington, County/City of _____

Petitioner

vs.

Defendant/Respondent

DOB _____

No.: _____

**Receipt for Surrendered Firearms,
Other Dangerous Weapons, and
Concealed Pistol Licenses**

(criminal/civil)

(RCPF)

The defendant/restrained person must file a copy of this receipt and file the ***Proof of Surrender*** form with the court.

Law Enforcement:

List each item surrendered individually with brand, model, serial number, color, concealed pistol license number and issuing authority, etc. below (*attach additional sheets if necessary*):

_____	_____
_____	_____
_____	_____
_____	_____

Number of firearms surrendered: _____.

(Name of law enforcement official) _____

received the firearms, other dangerous weapons, and concealed pistol licenses listed above on behalf of the local law enforcement agency (named) _____.

(Law enforcement shall file the original receipt with the court within 24 hours after service of this order, electronically whenever electronic filing is available.)

I declare, under penalty of perjury under the laws of the State of Washington, that this statement is true and correct.

Date: _____ at (city) _____, Washington

Signature of Law Enforcement Official

Print Name

Badge No.

Address: _____

Court of Washington, County/City of _____											
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 80%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td style="text-align: center;">Petitioner</td> <td></td> </tr> <tr> <td style="text-align: center;">vs.</td> <td></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td></td> </tr> <tr> <td style="text-align: center;">Defendant/Respondent</td> <td></td> </tr> </table>			Petitioner		vs.				Defendant/Respondent		No.: _____ Declaration of Non-Surrender (DCLRNS)
Petitioner											
vs.											
Defendant/Respondent											

Declaration of Non-Surrender

If you previously surrendered your firearms, other dangerous weapons, and concealed pistol licenses, use the Proof of Surrender, form WS 100.

I understand that the court has ordered me to surrender all firearms, and other dangerous weapons that I own or have in my possession or control, and any concealed pistol licenses in my name. I have not surrendered any firearms, other dangerous weapons, or concealed pistol licenses pursuant to that order because I do not have any of those items.

I also understand that:

- I am prohibited from accessing, having in my custody or control, obtaining, possessing, purchasing, receiving or attempting to purchase or receive any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license until further order of the court.
- If I fail to comply with the *Order to Surrender and Prohibit Weapons*, I may be found in contempt of court and be charged with a misdemeanor.
- I may be charged with a crime up to and including a **felony** if I am found to own, possess, or control a firearm or other dangerous weapon.

I declare, under penalty of perjury under the laws of the State of Washington, that this statement is true and correct.

Date: _____ at (city) _____, Washington.

Signature of Restrained Person

Print name

_____ Court of Washington, County/City of _____

Petitioner

vs.

Defendant/Respondent

No.: _____

**Motion to Set Show Cause Hearing
– Contempt
(MTSC)**

Motion to Set Show Cause Hearing – Contempt

(Name) _____, through
_____, its

authorized representative, requests that this court set a show cause hearing in this matter and order that (*name of person responding*) _____ personally appear at the hearing.

This court may enter an order of contempt against the person responding if the court finds that the person has failed to comply with the order of this court dated _____.

I assert that (*name*) _____

had notice of the court order, willfully refused to abide by the order, has no lawful excuse for failing to obey the order, has the ability to comply with the order and is in contempt of this court.

The person making the motion requests that the court issue an *Order to Show Cause* that directs the person responding to appear before this court and show why an order of contempt should not issue.

This motion is based upon the declaration that follows.

Dated: _____

Signature

Address

Print name

II. Declaration

2.1 My name is _____ and I am the:
[] the Protected Party in case number: _____
[] the Prosecutor for case number: _____
[] the City Attorney for case number: _____

2.2 This court entered an *Order to Surrender and Prohibit Weapons* dated _____ that directed the person responding to perform certain specific actions. The person responding has failed to obey the court order in the following manner:

2.3 [] A compliance review hearing was held on (date) _____ at (time) _____ a.m./p.m. at _____ court (department/judge/calendar) _____.
The person responding [] was [] was not present at the hearing.

2.4 [] If the court does make a finding of contempt against the person responding, I respectfully request that the court impose the following:
[] the person responding shall immediately surrender any firearms, dangerous weapons, or concealed pistol licenses in their possession.
[] the following remedial sanctions to ensure compliance with the *Order to Surrender and Prohibit Weapons*:
[] the person responding shall pay up to \$2000/day while the contempt continues.
[] the person responding shall serve _____ days in custody at the _____ jail until they, or someone acting on their direction, **immediately** turns in all firearms, dangerous weapons and Concealed Pistol Licenses (CPLs) to: *(law enforcement agency)* _____ and immediately file a proof of surrender and receipt with the court, and mail/send an electronic copy to the party bringing this motion for contempt, if other than the court's own motion.
[] Other remedial sanctions listed below:

[] payment of all reasonable attorneys' fees, service fees, and other costs borne by the petitioner as follows:

[] Other services and interventions that the court deems appropriate:

I declare under penalty of perjury under the laws of the State of Washington that the above is true and correct. I have attached any relevant declarations.

Signed on _____ at (*city*) _____, Washington

Signature of person making the motion

Print name

Address: _____

_____ Court of Washington, County/City of _____

Petitioner

vs.

Defendant/Respondent

No.

Contempt Hearing Order (ORCNW)

Clerk's action required: 1.1, 4.2, 4.3,
4.5, 4.6

I. Judgment Summary

- 1.1 No money judgment is ordered.
 Money Judgment Summary is set forth below:

Money Judgment Summary

Judgment Creditor: _____

Judgment Debtor: _____

Principal Judgment Amount: \$ _____

Interest to Date of Judgment: \$ _____

Attorney Fees: \$ _____

Costs: \$ _____

Other Recovery Amounts: \$ _____

Principal judgment amount shall bear interest at _____% per annum.

Attorney's fees, costs, and other recovery amounts shall bear interest at _____% per annum.

Judgment Creditor's Attorney _____

Attorney for Judgement Debtor _____

Other: _____

II. Basis

- 2.1 On (date) _____ the court: re
 heard the motion to set hearing for contempt filed by:
 the Petitioner in case number: _____

the City Attorney for case number: _____
 the Prosecutor for case number: _____

held a hearing for contempt based on the court's findings during the compliance review hearing against (*Name*)

Present at the hearing were:

- Defendant/Restrained Person
- Petitioner
- Protected Person
- Defendant/Restrained Person's Lawyer
- Petitioner's Lawyer
- Law Enforcement Agency
- Prosecutor
- Other _____

The Defendant/Restrained Person was not present.

The court reviewed:

the list of firearms and other dangerous weapons surrendered by, or otherwise belonging to, the defendant/restrained person that are in possession of (*law enforcement agency*)

proof from (*law enforcement agency*) _____ that any concealed pistol license (CPL) issued to the defendant/restrained person has been surrendered to a law enforcement agency and revoked.

the affidavit from (*law enforcement agency*)

providing the basis of its reasonable suspicion that the defendant/respondent/restrained person is not in full compliance with the *Order to Surrender and Prohibit Weapons*.

proof of compliance with the *Order to Surrender and Prohibit Weapons* provided by the defendant/restrained person.

the *Findings and Order on Review: Weapons Surrender Compliance, Motion for Contempt Hearing* and any supporting documents, response from the defendant/restrained person, reply, and other documents from the court record identified by the court.

III. Findings

The court finds:

3.1 The court entered an *Order to Surrender and Prohibit Weapons* dated _____ that directed the person responding to surrender all firearms, other dangerous weapons, and CPL, and to not access, obtain, or possess any firearms, other dangerous weapons, or CPL. The person responding was was not present when the order was entered and did did not have actual notice of the terms of the order.

3.2 [] A compliance review hearing was held on (date) _____ at _____
a.m./p.m. at _____ court
(department/judge/calendar)_____.

The person responding [] was [] was not present at the hearing.

3.3 The defendant/restrained person [] did [] did not have actual notice of the terms of the *Order to Surrender and Prohibit Weapons* and *Findings and Order on Review: Weapons Surrender Compliance*.

3.4 Since the *Order to Surrender and Prohibit Weapons* and *Findings and Order on Review: Weapons Surrender Compliance* were issued, the person responding has: (pick one)

[] Willfully refused to abide by the court order, has the ability to comply with the order, has no lawful excuse for failing to obey the court's order, and is in contempt of this court.

Specifically, the person responding failed to comply as follows:

[] failed to obey the court order, but with a lawful excuse and is not in contempt.

[] failed to obey the court order but remedial contempt sanctions are not appropriate because the restrained person/respondent does not currently have the power to comply with the order. (RCW 7.21.030).

[] obeyed the court order and is not in contempt of court.

3.5 [] The person responding [] has [] has not complied with all orders of this court and [] has purged the prior contempt of court [] has not yet purged a prior contempt of court;

3.6 [] The person responding has failed to appear at a hearing despite notice and proper service of the summons or order to show cause re contempt and a warrant should be issued to take them into custody immediately;

3.7 [] The defendant/restrained person is a minor and the court considered the mitigating and aggravating factors listed below to determine whether detention is appropriate. The court also considered all less restrictive options and based upon the following clear, cogent, and convincing evidence, decided that detention is the only appropriate alternative to enforce its order:

3.8 Other: _____

IV. Order

The court orders that:

4.1 The motion for contempt is:

denied.

is granted and the following remedial sanctions are imposed:

purge the contempt by performing the following actions: _____

Respondent/restrained Person shall pay (up to \$2000/day while the contempt continues) the following amount due per day: \$ _____ and paid to: _____ by _____ a.m./p.m. each day. **Failure to pay each day by this time may result in further contempt actions or confinement.**

Respondent/restrained person shall serve _____ days in custody at the _____ jail until they, or someone acting on their direction, **immediately** turns in all firearms, dangerous weapons, and CPL to: *(law enforcement agency)* _____ and immediately file a proof of surrender and receipt with the court, and mail/send an electronic copy to the party bringing this motion for contempt, if other than the court's own motion.

Respondent/restrained person authorizes the following person, who is not prohibited from possessing or accessing firearms, to immediately surrender respondent's firearms on the respondent's behalf: *(name, first, middle and last)* _____ *(date of birth)* _____ to the law enforcement agency listed above.

Other remedial sanctions listed below: _____

4.2 The motion for contempt is granted and the defendant/restrained person shall pay all reasonable attorneys' fees, service fees, and other costs borne by the petitioner.

Attorney's fees \$ _____

Costs \$ _____

Other recovery amount \$ _____

Attorney's fees, costs and other recovery amounts shall bear interest at _____ % per annum.

4.3 Once the firearms, dangerous weapons, and C are surrendered on behalf of the respondent (per section 4.1) _____ is released from detention.

4.4 The contempt motion is continued to *(date/time)* _____.

The *Order to Surrender and Prohibit Weapons* entered (date) _____ remains in effect, except as modified by this order.

The *Findings and Order on Review: Weapons Surrender Compliance* entered (date) _____ remains in effect, except as modified by this order.

4.5 A contempt review hearing is set on _____, at _____ a.m./p.m. and _____ is/are ordered to personally appear in Courtroom _____ at _____

IF YOU FAIL TO APPEAR IN PERSON AT THE ABOVE TIME AND PLACE, THE COURT MAY ISSUE A BENCH WARRANT FOR YOUR ARREST WITHOUT FURTHER NOTICE TO YOU.

4.6 Other: _____

Dated: _____

Judge/Commissioner

Presented by:

Signature

Print Name/Title WSBA No.

Copy Received; Approved for Entry; Notice of Presentation Waived:

 Signature of **Defendant/Restrained Person**

Pro Se, Advised of Right to Counsel

 Signature of Defendant/Restrained Person's Lawyer

Print Name WSBA No.

Court of Washington, County of _____

_____ Petitioner	vs.	_____ DOB	No.: _____ Motion for Surrender and Prohibition of Weapons (MT)
_____ Respondent		_____ DOB	

Motion for Surrender and Prohibition of Weapons

Use this motion to ask the court for a weapons order when:

- you did not ask the court for a weapons order as a part of your protection order or restraining order, or
- the final protection order or restraining order issued by the court did not include a weapons order.

1. I am protected by a civil protection restraining order issued on (date) _____ in this case:

2. I am asking the court to issue an Order to Surrender and Prohibit Weapons

The court must issue an *Order to Surrender and Prohibit Weapons* because the order of protection included provisions that the respondent:

- is **restrained** from causing physical harm, bodily injury, assault, including sexual assault, and from molesting, harassing, threatening, or stalking, the protected person/s;
- had actual notice of the hearing and an opportunity to be heard; and
 - represented a credible threat to the physical safety of the protected person, intimate partner of the restrained person, or child; or
 - the protection/restraining order prohibits the use of physical force against and intimate partner, protected person, or child that would cause bodily injury.

The restrained person (name) _____: (check all that apply)

has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony. Describe this offense:

is ineligible to possess a firearm under the provisions of RCW 9.41.040. Describe this offense:

has possession of a firearm or other dangerous weapon which presents a serious and imminent threat to public health or safety, or to the health or safety of any individual. My concern for imminent threat is based on the following:

4. Information about the firearms or other dangerous weapon/s:

What kind of firearm or other dangerous weapon?	Where is it located?

5. **The restrained person and I are:**

Intimate partners because we are (*check all that apply*):

current or former spouses or domestic partners, parents of a child-in-common, age 13 or older and are/were in a dating relationship, and have have not lived together.

family or household members because we are (*check all that apply*):

- | | |
|---|--|
| <input type="checkbox"/> current or former adult cohabitants as roommates | <input type="checkbox"/> adult in-laws |
| <input type="checkbox"/> adults related by blood | <input type="checkbox"/> parent and child |
| <input type="checkbox"/> stepparent and stepchild | <input type="checkbox"/> grandparent and grandchild |
| <input type="checkbox"/> parent's intimate partner and child guardian. | <input type="checkbox"/> person who has been a legal guardian. |

Does not apply.

6. I request that the court:

- Prohibit the restrained person from accessing, having in their custody or control, obtaining, possessing, purchasing, receiving or attempting to purchase or receive any firearms or other dangerous weapons, or obtaining or possessing a concealed pistol license.
- Require the restrained person to immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070.
- Order temporary surrender of and prohibit the purchase of all firearms, other dangerous weapons, and any concealed pistol licenses issued under RCW 9.41.070 without notice to the restrained person because:
 - irreparable injury could result if an order is not issued until the time for response has elapsed.
 - restrained person's possession of a firearm or other dangerous weapon presents a serious and imminent threat to public health or safety or the health or safety of any individual.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed on: (*date*) _____ at (*city*) _____, Washington.

➤ _____
Signature of Protected Person/Attorney WSBA No. Print Name

Protected person or attorney, you must:

- **Schedule a hearing** on the Motion for Order to Surrender and Prohibit Weapons.
- **Arrange to serve notice** of the hearing on the other party.
- **File proof of service** in the court file prior to the hearing.

Court of Washington, County of _____

Petitioner

vs.

Respondent

Case No.: _____

**Order on Motion for Surrender and
Prohibition of Weapons**

(ORGMT)

Clerk's Action Required: 3, 4

Order on Motion for Surrender and Prohibition of Weapons

The findings are based upon the pleadings and testimony, if any. The following people were at the hearing:

- | | |
|--|---|
| <input type="checkbox"/> Protected Person | <input type="checkbox"/> Protected Person's Attorney |
| <input type="checkbox"/> Restrained Person | <input type="checkbox"/> Restrained Person's Attorney |
| <input type="checkbox"/> _____ | <input type="checkbox"/> _____ |

Findings – The court issued a civil protection restraining order on *(date)* _____ in this case: *(check all that apply)*

1. The court:

must issue an *Order to Surrender and Prohibit Weapons* because the order included provisions that the Restrained Person:

- is **restrained** from harassing, threatening, or stalking the protected persons;
- had actual notice of the hearing and an opportunity to participate; and
 - represented a credible threat to the physical safety of the protected person, intimate partner of the Restrained Person, or child; or
 - the protection/restraining order prohibits the use of physical force against and intimate partner, protected person, or child that would cause bodily injury.

must issue an *Order to Surrender and Prohibit Weapons* because the court finds by a preponderance of the evidence that the Restrained Person:

- has used, displayed, or threatened to use a firearm or other dangerous weapon in a felony;
- presents a serious and imminent threat to public health or safety, or the health or safety of any individual, by possessing a firearm or other dangerous weapon; or

Court of Washington, County/City of _____	
_____ Petitioner <p style="text-align: center;">vs.</p> _____ Defendant/Respondent	Case No.: _____ Motion and Declaration for Order to Release Weapons (MTAF)

Motion and Declaration for Order to Release Weapons

I am the Petitioner Respondent Defendant. I request that the court order the release of the firearms, other dangerous weapons, and any concealed pistol licenses I surrendered to *(name of city/town/county)* _____ local law enforcement agency, as required by an order requiring surrender of weapons.

The court should order the release of firearms, other dangerous weapons, and concealed pistol licenses because the protection order/no-contact order/restraining order/decreed that prohibited me from accessing, obtaining or possessing a firearm, other dangerous weapon or concealed pistol license is no longer in effect.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: _____ at (city) _____, Washington

Signature of requesting party

Print name

_____ Court of Washington, County/City of _____	
_____ Petitioner vs. _____ Defendant/Respondent (DOB)	Case No.: _____ Order to Release Weapons (ORRW) (Optional Use)

A Motion for an Order to Release Weapons was filed. The court considered the motion and relevant court records; and the court finds that the order against the defendant/restrained person (*name*) _____ has ended and no other orders are in effect under this cause number.

There are no longer any restraints **in this case** prohibiting the restrained person/defendant from accessing, possessing or owning firearms, other dangerous weapons, or a concealed pistol license.

The (*local law enforcement agency*) _____ shall return the firearms, other dangerous weapons, and concealed pistol license to the restrained person/defendant, **but only if there are no other disqualifications that prohibit the restrained person/defendant from possessing the firearms, other dangerous weapons, and concealed pistol license.** If the restrained person/defendant does not provide a copy of this order to the local law enforcement agency, the agency may dispose of the firearms as unclaimed property pursuant to statute.

 Signature of Judge or Commissioner

 Date

Presented by:

 Signature of requesting party/lawyer WSBA No.

 Print Name

Obtaining your firearms:

A background check is performed prior to all firearm releases, even voluntary surrenders. Since federal, state and local laws prohibit certain persons from possessing firearms, it is possible that the firearm/s may not be returned to you, even if the matter for which you are surrendering them is resolved in your favor.

1. When you come to claim your firearm/s, bring government-issued photo identification (driver's license, identification card, military identification, passport, etc). Firearms will not be released without identification.
2. Firearms will only be released to the restrained person/defendant named on the Order to Release Weapons or an authorized representative of that person.

Obtaining your concealed pistol license:

Your concealed pistol license will not be returned to you until the law enforcement agency determines you are eligible to possess a firearm under state and federal law and you meet the other requirements to be eligible for a concealed pistol license under RCW 9.41.070.

See RCW 9.41.345 for additional requirements.