

Worksheet for the Harassment and/or Stalking Petition

There are several different kinds of protection orders. This worksheet is designed to help you complete a petition for Harassment Orders and/or Stalking Protection Orders.

If you qualify for a Domestic Violence Protection order, this is not the correct form to complete.

To help you figure out which order you may be able to get, read the 2 options in the table below. Each option generally describes harassment or stalking conduct. More than one option may apply:

Option 1 (Harassment protection order) Harassment is a pattern of conduct that makes you feel annoyed, alarmed or distressed.	Option 2 (stalking protection order) Stalking is conduct like harassment, following, or monitoring, that makes you feel intimidated, frightened, or threatened and occurs more than once. It may also involve cyberstalking which is transmitting threats or obscene words or pictures to or about you one or more times.
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You can find a complete definition of Harassment or Stalking at the end of this worksheet.

You may be eligible for one or both of these orders. The court will determine which order best fits your situation.

Your next step is to fill out the petition. In the petition, you will let the court know what protections you want and explain what the other party has done.

If you think the conduct is harassment, then file your petition in this county if the harassment took place here OR if the person who committed the acts lives in this county.

If you think the conduct is stalking, then file your petition in the county where you reside or where you fled to avoid the stalking contact.

➤ **You can start your petition in District Court.**

- The District Court will transfer your case to Superior Court, **or**
- You can start your petition in Superior Court instead of District Court

If:

1. this case involves title or possession of real property, and the respondent claims an interest in that property such as ownership or right to occupy.
2. the order put limits on the respondent's care, custody, or control of his or her minor children.
3. you and the respondent are parties in a superior court case.
- 4a. you are alleging harassment by a respondent who is under the age of 18.
- 4b. you are alleging stalking and the petitioner, victim, or respondent is under the age of 18.

➤ **Definitions**

Unlawful harassment means:

- a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses, or is detrimental to such person and which serves no

legitimate or lawful purpose.

- The course of conduct shall be such as would cause a reasonable person to suffer substantial emotional distress and shall actually cause substantial emotional distress to the petitioner, or when the course of conduct would cause a reasonable parent to fear for the well-being of their child.

“Course of conduct:”

- means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
- includes, in addition to any other form of communication, contact, or conduct, the sending of an electronic communication. Constitutionally protected activities, including free speech, are not included within the meaning of “course of conduct.”

Stalking Conduct means:

a) any act of stalking as defined under RCW 9A.46.110: A person intentionally and repeatedly harasses or repeatedly follows another person, and

- the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
- the stalker either: (i) intends to frighten, intimidate, or harass the person; or (ii) knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

Or

b) any act of cyberstalking as defined under RCW 9.61.260: With intent to harass, intimidate, torment, or embarrass any other person, and under circumstances not constituting telephone harassment, the stalker makes an electronic communication to a person or a third party:

- using any lewd, lascivious, indecent, or obscene words, images, or language, or suggesting the commission of any lewd or lascivious act;
- anonymously or repeatedly whether or not conversation occurs; or
- threatening to inflict injury on the person or property of the person called or any member of his or her family or household.

Or

c) any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, keeping under observation, or following another [person] that:

- would cause a reasonable person to feel intimidated, frightened, or threatened and that actually causes such a feeling;
- serves no lawful purpose; and
- the stalker knows or reasonably should know threatens, frightens, or intimidates the person, even if the stalker did not intend to intimidate, frighten, or threaten the person.

<p align="center">BAINBRIDGE ISLAND MUNICIPAL COURT Kitsap County, Washington</p>	<p align="right">Mail: PO Box 151, Rollingbay, WA 98061 Location: 10255 NE Valley Rd, Bainbridge Island, WA Phone # 206-842-5641 Fax # 206-842-0316 Email: court@bainbridgewa.gov</p>
<p>Petitioner,</p>	<p>No.</p>
<p align="center">vs.</p>	<p>Petition for an Order for Protection - <input type="checkbox"/> Harassment (PTORAH) and/or <input type="checkbox"/> Stalking (PTORSTK)</p>
<p>Respondent.</p>	

➤ **This is a Petition for an Order for Protection against Harassment and/or Stalking as checked in the caption.**

I believe:

- I am, or the minor or vulnerable adult I am petitioning for is, a victim of stalking because
 - the respondent and I, or the minor or vulnerable adult I am petitioning for, are not and never have been related by blood or marriage, lived together, or been in a dating relationship, and
 - the respondent has been
 - stalking me either in person or (cyber stalking), and
 - repeatedly contacting me or attempting to contact or monitor me for no lawful purpose and his/her actions caused me to feel intimidated, frightened or threatened.

- I am, or the minor I am petitioning for is, a victim of unlawful harassment because the respondent's actions toward me have seriously alarmed, annoyed or harassed me, or are detrimental to me and they serve no legitimate or lawful purpose. The respondent's actions have caused me substantial emotional distress or caused me to fear for the well-being of my child.
 - The respondent and I:
 - are or have been related by blood or marriage, lived together, or been in a dating relationship
 - have not been and are not now related by blood or marriage, lived together, or been in a dating relationship.

I have given a detailed explanation below.

1. Who is the petitioner?

My name is (please print) _____ I am the petitioner.

- I am 18 or older and I am petitioning on my own behalf.
- I am 16 or 17 and I am petitioning on my own behalf.
- I am the parent or guardian of child/ren under age 18 and I am petitioning on their behalf:

Children's Name/s (First, Middle Initial, Last)	Age

- I am not the parent or guardian, but the child/ren live/s with me; and I am petitioning on their behalf; and the respondent is not a parent.

Children's Name/s (First, Middle Initial, Last)	Age

- I am filing this petition on behalf of petitioner, (name) _____, a vulnerable adult as defined in RCW 74.34.020, who is a victim of stalking. I am an interested person as defined in RCW 74.34.020(10). My relationship to this petitioner is _____.

2. Who is the respondent?

The Respondent/s is/are 18 years of age or older.

3. Where do the parties live?

Petitioner lives in _____ county.

Did the petitioner leave their residence because of stalking conduct and that is the county of their new residence?

- Yes No

Children named above live in _____ county.

Respondent lives in _____ county.

4. Where did the Conduct take place?

The conduct took place in _____ county.

• Statement describing the victim/s need for protection from the respondent

- Write clearly. If you need more space below, attach additional page/s. Do not write on the back.

7. Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

8. Has the respondent previously committed an offense that makes him or her ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

9. Does possession of a firearm or other dangerous weapon by the respondent present a serious and imminent threat to public health or safety, or to the health or safety of a victim? Please describe:

10. Do you have any evidence of the harassment or stalking conduct other than testimony?

No

Yes. I have attached the following evidence:

Copy of mail or written notes

Copy of text messages

Copy of emailed messages

Copy of social media messages

Police report

Declaration or Affidavit from the following witness: _____

Other (describe): _____

11. Has/have the **victim/s or the respondent** ever requested or obtained protection from the other person in a restraining order, civil protection order, or criminal no-contact order? If yes, list the type of order, the name of the court and the approximate date, and whether the request was granted:

12. Is there any other litigation between the victim/s and the respondent? This includes all matters - pending or past - such as parenting plans, landlord-tenant disputes, employment disputes, or property disputes. If yes, provide case number/s if known, type of case, and name of court:

➤ **Requests**

13. I ask the Court for an order approving the following requests for protection:

I Request an **Order for Protection** following a hearing that will:

<input type="checkbox"/> No-Contact: restrain the respondent from making any attempts or having any contact, including nonphysical contact, with the person/s to be protected, directly, indirectly, or through third parties regardless of whether those third parties know of the order, except for mailing of court documents.
<input type="checkbox"/> Surveillance: prohibit or restrain the respondent from making any attempt to keep or from keeping the person/s to be protected under surveillance, including electronic surveillance.
<input type="checkbox"/> Exclude from places: exclude the respondent from the <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> day care of the person/s to be protected.
<input type="checkbox"/> Stay Away: Prohibit or restrain the respondent from entering or being within, or from knowingly coming within, or knowingly remaining within _____ (distance) of the <input type="checkbox"/> residence <input type="checkbox"/> workplace <input type="checkbox"/> school <input type="checkbox"/> day care of the person/s to be protected. <input type="checkbox"/> other locations: _____
<input type="checkbox"/> Other:
<input type="checkbox"/> Evaluation: Order the respondent to have a <input type="checkbox"/> mental health <input type="checkbox"/> chemical dependency evaluation. <input type="checkbox"/> other: _____
<input type="checkbox"/> Pay Fees and Costs: Require the respondent to pay fees and costs of this action, which may include administrative court costs and service fees and petitioner's costs including attorneys' fees.
<input type="checkbox"/> Surrender Firearms: Require the respondent to surrender any firearm or other dangerous weapon, or any concealed pistol license and prohibit the respondent from obtaining or possessing a firearm or other dangerous weapon, or a concealed pistol license.
<input type="checkbox"/> Duration: Remain effective longer than one year because respondent is likely to resume acts of unlawful harassment or stalking conduct against the persons to be protected if the order expires in a year.

Emergency temporary protection (up to 14 days) until the court hearing:

- An emergency exists as described below. I request that a **Temporary Stalking Protection Order** granting the relief I requested above for a no-contact, surveillance, exclude from places, or stay away order be issued immediately, without prior notice to the respondent, to be effective until the hearing.
- I also request a temporary surrender of a firearm or other dangerous weapon without notice to the other party because irreparable injury could result if an order is not issued until the hearing.

What irreparable harm would result if an order is not issued immediately without prior notice to the respondent?

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

Dated: _____ at _____ Washington.

Petitioner

Print or type name

My address for the purpose of receiving service of legal documents is:

This is not my residence address. My family, household or I would be at risk of abuse by respondent if I disclosed my residence address. I agree to receive service of process at this address.

<p align="center">BAINBRIDGE ISLAND MUNICIPAL COURT Kitsap County, Washington</p>	<p align="center">Mail: P.O. Box 151, Rolling Bay, WA 98061 Location: 10255 NE Valley Rd, Bainbridge Island, WA Phone # 206-842-5641 Fax # 206-842-0316</p>
<p>_____ Petitioner, vs. _____ Respondent.</p>	<p>No. _____</p> <p>Motion and Declaration For Waiver of Filing Fees and Surcharges - Harassment (MTAF) (RCW 10.14.060; RCW 10.14.055)</p>

I. Motion

- 1.1 I am the petitioner in this action.
- 1.2 I am asking for a waiver of all filing fees and surcharges.

II. Basis for Motion

- 2.1. GR 34 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is indigent. RCW 10.14.060 provides that if the petitioner's request for fee waiver is granted, "then no fees for service may be charged to the petitioner." As outlined below, I am indigent.
- 2.2. RCW 10.14.055 allows the court to waive "filing fees or surcharges the payment of which is a condition precedent to a litigant's ability to secure access to judicial relief" for a person who is seeking relief from a person:
 - who has stalked them as that term is defined in RCW 9A.46.110; or
 - who has engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or
 - from a person who is a family or household member as defined in RCW 26.50.010(2) who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010(1).

RCW 10.14.060 provides that if the petitioner's request for fee waiver is granted, "then no fees for service may be charged to the petitioner."

Dated: _____

Signature of Requesting Party

Print or Type Name

III. Declaration

I declare that,

3.1 I cannot afford to meet my necessary household living expenses and pay the filing fees and surcharges imposed by the court. Please see the attached Financial Statement, which I incorporate as part of this declaration.

In addition to the information in the financial statement I would like the court to consider the following:

3.2. I am seeking protection from the respondent who:

has stalked me, or the minor child(ren) listed in the petition;

has engaged in conduct that would constitute a sex offense as defined in RCW 9A.44.130; or

is a family or household member as defined in RCW 26.50.010(2) who has engaged in conduct that would constitute domestic violence as defined in RCW 26.50.010(1);

as described in the Statement in the Petition for Order for Protection – Harassment.

(Check if applies.) I filed this motion by mail. I enclosed a self-addressed stamped envelope with the motion so that I can receive a copy of the order once it is signed.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____ on (date) _____.

Signature

Print or Type Name

Case Name: _____ Case Number: _____

Financial Statement - Harassment (Attachment)			
1. My name is: _____			
2. <input type="checkbox"/> I provide support to people who live with me: How many? _____ Age(s): _____			
3. My Monthly Income:		6. My Monthly Household Expenses:	
Employed <input type="checkbox"/> Unemployed <input type="checkbox"/>		Rent/Mortgage:	\$ _____
Employer's Name:		Food/Household Supplies:	\$ _____
Gross pay per month (salary or hourly pay):	\$ _____	Utilities:	\$ _____
Take home pay per month:	\$ _____	Transportation:	\$ _____
4. Other Sources of Income Per Month in my Household:		Ordered Maintenance actually paid:	\$ _____
Source:	\$ _____	Ordered Child Support actually paid:	\$ _____
Source:	\$ _____	Clothing:	\$ _____
Source:	\$ _____	Child Care:	\$ _____
Source:	\$ _____	Education Expenses:	\$ _____
Sub-Total:		Insurance (car, health):	\$ _____
<input type="checkbox"/> I receive food stamps.		Medical Expenses:	\$ _____
Total Income, lines 3 (take home pay) and 4:		Sub-Total:	\$ _____
5. My Household Assets:		7. My Other Monthly Household Expenses:	
Cash on hand:	\$ _____		\$ _____
Checking Account Balance:	\$ _____		\$ _____
Savings Account Balance:	\$ _____		\$ _____
Auto #1 (Value less loan):	\$ _____		\$ _____
Auto #2 (Value less loan):	\$ _____	Sub-Total:	\$ _____
Home (Value less mortgage):	\$ _____	8. My Other Debts with Monthly Payments:	
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____		\$ _____ /mo
Other:	\$ _____	Sub-Total:	\$ _____
Total Household Assets:		Total Household Expenses and Debts, lines 6, 7, and 8:	
\$ _____		\$ _____	
Date: _____		Signature: _____	

LAW ENFORCEMENT INFORMATION

Do NOT serve or show this sheet to the restrained person!
Do NOT FILE in the court file. Give this form to law enforcement.

Type or print clearly! This completed form is required by law enforcement. This information is necessary to serve, enforce and enter your order into the state wide law enforcement computer. Fill in the following information as completely as possible.

Court:		Case Number:							
<input type="checkbox"/> Domestic Violence		<input type="checkbox"/> Dissolution/Separation/Invalidity/Nonparental Custody/Paternity						<input type="checkbox"/> Sexual Assault	
<input type="checkbox"/> Unlawful Harassment		<input type="checkbox"/> Vulnerable Adult							
Restrained Person's Information (This is the person that you want the court to restrain.)									
Name: First		Middle		Last		Nickname		Relationship to Protected Person	
Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build	
Last Known Address Street: City:					Phone(s) w/Area Code		Need Interpreter? Yes or No Language:		
Employer		Employer's Address				WORK Hours: Phone: ()			
Vehicle License Number	Vehicle Make and Model	Vehicle Color	Vehicle Year	Drivers License or ID number		State			
Does the restrained person have a disability, brain injury, or impairment requiring special assistance when law enforcement serves the order? <input type="checkbox"/> No <input type="checkbox"/> Yes. If yes, describe (continue on back, if needed):									
Hazard Information Restrained Person's History Includes: <input type="checkbox"/> Involuntary/Voluntary Commitment <input type="checkbox"/> Suicide Attempt or Threats <input type="checkbox"/> Assault <input type="checkbox"/> Assault with Weapons <input type="checkbox"/> Alcohol/Drug Abuse <input type="checkbox"/> Other: Weapons: <input type="checkbox"/> Handguns <input type="checkbox"/> Rifles <input type="checkbox"/> Knives <input type="checkbox"/> Explosives <input type="checkbox"/> Other: Location of Weapons: <input type="checkbox"/> Vehicle <input type="checkbox"/> On Person <input type="checkbox"/> Residence Describe in detail:									
Current Status (Circle Yes, No or N/A.) Is the restrained person a current or former cohabitant as an intimate partner? Y N Are you and the restrained person living together now? Y N Does the restrained person know he/she may be moved out of the home? Y N N/A Does the restrained person know you're trying to get this order? Y N Is the restrained person likely to react violently when served? Y N									
Protected Person's Information (This is the person you want the court to protect.)									
Name: First		Middle		Last					
Date of Birth	<input type="checkbox"/> Male <input type="checkbox"/> Female	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build	
If your information is not confidential , you must enter your address and phone number(s).					Phone(s) w/Area Code		Need interpreter? Yes or No Language:		
Current Address Street: City:					State: Zip:				
If your information is confidential , you must provide the name, address and phone number of someone willing to be your "contact."									
Contact Name		Contact Address				Contact Phone			
If you filed for someone else, list your name, phone number and address:									
Minor's Information			Describe the minor's relationship using terms such as: child, grandchild, stepchild, nephew, none. →				Minor's Relationship to Protected Restrained Person		
Name: First	Middle	Last	Sex	Race	Birth date	Resides With	Person	Person	
Victim's Household Members or Adult Children Protected					Name:		birth date:		
Name:					birth date:		Name:		birth date:

CONFIDENTIAL INFORMATION FORM (INFO)

County:	Cause Number:	Do not file in a public access file.
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COURT CLERK: THIS IS A RESTRICTED ACCESS DOCUMENT

Divorce/Separation/Invalidity/Nonparental Custody/Paternity/Modifications Other

Domestic Violence Antiharassment Information Change (Check if you are updating information)

A restraining order or protection order is in effect protecting the petitioner the respondent the children.

The health, safety, or liberty of a party or child would be jeopardized by disclosure of address information because: _____

The following information about the parties is required in all cases:
(Use the Addendum To Confidential Information Form to list additional parties or children)

Petitioner Information	Type or Print only	Respondent Information			
Name (Last, First, Middle)		Name (Last, First, Middle)			
Race	Sex	Birthdate	Race	Sex	Birthdate
Driver's Lic. or Identicard (# and State)		Driver's Lic. or Identicard (# and State), (or, if unavailable, residential address)			
Mailing Address (P.O. Box/Street, City, State, Zip)		Mailing Address (P.O. Box/Street, City, State, Zip)			
Relationship to Child(ren)		Relationship to Child(ren)			

The following information is required if there are children involved in the proceeding.
(Soc. Sec. No. is **not** required for petitions in protection order cases (Domestic Violence/Antiharassment).)

1) Child's Name (Last, First, Middle)
Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts

2) Child's Name (Last, First, Middle)
Child's Race/Sex/Birthdate
Child's Soc. Sec. No. (If required)
Child's Present Address or Whereabouts
List the names and present addresses of the persons with whom the child(ren) lived during the last five years:
List the names and present addresses of any person besides you and the respondent who has physical custody of, or claims rights of custody or visitation with, the child(ren):

Except for petitions in protection order cases (Domestic Violence/Antiharassment), the following information is required:	
Petitioner's Information	Respondent's Information
Soc. Sec. No.:	Soc. Sec. No.:
Residential Address (Street, City, State, Zip)	Residential Address (Street, City, State, Zip)
Telephone No.: ()	Telephone No.: ()
Employer:	Employer:
Empl. Address:	Empl. Address:
Empl. Phone No.: ()	Empl. Phone No.: ()

Additional information: _____

Addendum To Confidential Information Form is attached.

I certify under penalty of perjury under the laws of the state of Washington that the above information is true and accurate concerning myself and is accurate to the best of my knowledge as to the other party, or is unavailable. The information is unavailable because _____

Signed on _____ (Date) at _____ (City and State).

 Petitioner/Respondent

ADDENDUM TO CONFIDENTIAL INFORMATION FORM (AD)						
County:		Cause Number:			Do not file in a public access file.	
COURT CLERK: THIS IS A RESTRICTED ACCESS DOCUMENT						
The following information about additional parties is required in all cases.						
Additional Petitioner Information			Type or Print only	Additional Respondent Information		
Name (Last, First, Middle)			Name (Last, first, Middle)			
Race	Sex	Birthdate	Race	Sex	Birthdate	
Drivers Lic. or Identocard (# and State)			Drivers Lic. or Identocard (# and State), (or, if unavailable, residential address)			
Mailing Address (P.O. Box/Street, City, State, Zip)			Mailing Address (P.O. Box/Street, City, State, Zip)			
Relationship to Child(ren)			Relationship to Child(ren)			
The following information is required if there are additional children involved in the proceeding (Soc. Sec. No. is not required for petitions in protection order cases (Domestic Violence/Antiharassment).						
3) Child's Name (Last, First, Middle)						
Child's Race/Sex/Birthdate						
Child's Soc. Sec. No. (If required)						
Child's Present Address or Whereabouts						
4) Child's Name (Last, First, Middle)						
Child's Race/Sex/Birthdate						
Child's Soc. Sec. No. (If required)						
Child's Present Address or Whereabouts						
Except for petitions in protection order cases (Domestic Violence/Antiharassment), the following information is required:						
Additional Petitioner Information			Additional Respondent Information			
Soc. Sec. No.:			Soc. Sec. No.:			
Residential Address (Street, City, State, Zip)			Residential Address (Street, City, State, Zip)			
Telephone No.: ()			Telephone No.: ()			
Employer:			Employer:			
Empl. Address:			Empl. Address:			
Empl. Phone No.: ()			Empl. Phone No.: ()			