

CLARK COUNTY DISTRICT COURT  
Anti-Harassment / Stalking Petition Information

**Whether or not you have a court order for protection, if you are being harassed, threatened, or assaulted, call 911, or your local police.**

**Please read for important information regarding the filing of your Anti-Harassment / Stalking petition.**

**Petitions filed before 11:00 am will be given results by 3:00 pm upon your return to District Court on the same day.**

**Note:** an incomplete petition may delay processing by the 11:00 am deadline.

**Petitions filed after 11:00 am will be given results the next business day. Return to District Court Administration by 3:00 pm the following business day.**

**Filing Fee: \$83**

- The filing fee is non-refundable unless your petition is deemed stalking.
- If your petition is deemed stalking your filing fee will be refunded. Expect up to six weeks for a refund check.
- The filing fee is due at the time of filing.

**Methods of payment:**

Cash or Card (please note there is a processing fee when paying with a card)

**Fee waiver information:**

A motion to waive the filing fee can be obtained at the District Court Administrative Office.

**Note:** If your waiver is denied, you will be expected to pay the filing fee when you return for your results.

District Court hours are Monday-Friday, 8:00AM to 4:30PM

For more information contact us by phone at (564) 397-2424 or visit us at <https://clark.wa.gov/district-court>

Updated 09/22/2020

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## Instructions for Completing your Petition

The statements you write are what the Judge reads and are the basis of their decision to grant or deny any request for a temporary order and/or to set a hearing date.

- **Write legibly** so the Judge can read your statements.
- **Give true names** (Robert, not Bob/Elizabeth, not Liz) Give full last name if hyphenated. Give first, last & full middle name if known, and date of birth for each person included on petition.
- As much personal information is needed regarding the respondent. Read the instructions for completing the **Law Enforcement Information** sheet within this packet.
- Without a **date of birth for each party**, the Sheriff's office may not be able to enter the order into their system. (It can still be entered into court records, but it may not be in the law enforcement database.)
- **Give relationships** (how do you know them?) and living situations (if relevant) for both parties.
- **You will need to provide addresses** and other identifying information. Give as much information as you can.
- **Give dates** (or approx. dates) for **every incident** you describe. Be brief, clear, and to the point.
- **State facts**, rather than feelings, opinions, or conclusions, (what they did, and what they said).
- Please refer to **RCW 7.92.020** for the definition of stalking, and **RCW 10.14.020** for the definition of unlawful harassment. These are the definitions the judge will use in deciding your case. These statutes are easily found using Google or other search engines.
- Petition must be **signed** by **all** Petitioners.

Instructions for service will be provided when you return at 3:00 pm for your results.

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Updated 09/22/2020

## 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:

<p>Option 1 (Harassment protection order) Harassment is a pattern of conduct that makes you feel annoyed, alarmed or distressed.</p>	<p>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.</p>
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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.

**DISTRICT COURT OF WASHINGTON  
FOR THE COUNTY OF CLARK**

\_\_\_\_\_

\_\_\_\_\_  
Petitioner (person protected), (DOB)  
vs.

\_\_\_\_\_

\_\_\_\_\_  
Respondent (person restrained). (DOB)

No.

**PETITION FOR AN ORDER FOR PROTECTION -**

**HARASSMENT (PTORAH)**

**STALKING (PTORSTK)**

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

I believe:

- I am a victim of stalking.
- \_\_\_\_\_ (name) is the victim of stalking and he/she is a minor or vulnerable adult.

The respondent has been

- stalking the victim either in person or cyber stalking, **and**
- repeatedly contacting the victim or attempting to contact or monitor the victim for no lawful purpose and his/her actions caused the victim to feel intimidated, frightened, or threatened.

- I am a victim of unlawful harassment.
- \_\_\_\_\_ (name) is a victim of unlawful harassment and he/she is a minor.

The respondent's actions toward the victim have seriously alarmed, annoyed, or harassed the victim, or are detrimental to the victim and serve no legitimate or lawful purpose. The respondent's actions have caused substantial emotional distress to the victim or caused me to fear for the well-being of my child.

How do the victim and respondent know each other? \_\_\_\_\_

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. Is the respondent 18 years of age or older?**

- Yes  No

*(If no, use the Petition for Order for Protection Harassment/Stalking Respondent Under Age 18, instead of this petition.)*

**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.





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

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8. Is the respondent ineligible to possess a firearm under the provisions of RCW 9.41.040? Please describe:

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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:

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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 email 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, the approximate date of the order, and whether the request was granted:

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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:

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➤ **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"/> <b>No Contact:</b> 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"/> <b>Surveillance:</b> 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"/> <b>Exclude from places:</b> 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"/> <b>Stay Away:</b> 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"/> <b>Other:</b>
<input type="checkbox"/> <b>Evaluation:</b> Order the respondent to have a <input type="checkbox"/> mental health <input type="checkbox"/> chemical dependency evaluation. <input type="checkbox"/> other: _____.
<input type="checkbox"/> <b>Pay Fees and Costs:</b> 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"/> <b>Surrender Firearms:</b> Require the respondent to immediately surrender all firearms, other dangerous weapons, and any concealed pistol licenses, and prohibit the respondent from accessing, obtaining or possessing firearms, or other dangerous weapons, or concealed pistol licenses.
<input type="checkbox"/> <b>Duration:</b> 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 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, be effective until the hearing.
- I also request a temporary surrender and prohibition of all firearms, other dangerous weapons, and concealed pistol licenses 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?

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

Dated: \_\_\_\_\_ at \_\_\_\_\_ Washington.

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Print or type name

\_\_\_\_\_  
Print or type name

I agree to receive legal documents at this address:

\_\_\_\_\_  
 This address is not my home address because my family, household, or I would be at risk of abuse by respondent if I disclosed my home address.

**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 statewide law enforcement computer. Fill in the following information as completely as possible.

Court: <b>CLARK COUNTY DISTRICT COURT</b>	Case Number:
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- |  |   |
|--|---|
| <input type="checkbox"/> Domestic Violence   | <input type="checkbox"/> Dissolution/Separation/Invalidity/Non-parental Custody/Paternity |
| <input type="checkbox"/> Unlawful Harassment | <input type="checkbox"/> Vulnerable Adult   |
| <input type="checkbox"/> Sexual Assault      | <input type="checkbox"/> Stalking   |

**Restrained Person's Information**

(This is the person that you want the court to restrain.)

<b>Name:</b>	First	Middle	Last	Nickname	Relationship to Protected Person
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Date of Birth	Sex	Race	Height	Weight	Eye Color	Hair Color	Skin Tone	Build
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Last Known Address	Phone(s) w/Area Code	Need Interpreter? <b>Yes or No</b> Language:
Street:		
City:	State:	Zip:

Email address:

Employer	Employer's Address	WORK Hours: Phone: (     )
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Vehicle License Number	Vehicle Make and Model	Vehicle Color	Vehicle Year	Drivers License or ID number	State
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**Does the restrained person have a disability, brain injury, or impairment requiring special assistance** when law enforcement serves the order?  No  Yes. If yes, describe (continue on back, if needed):

**Hazard Information** Restrained Person's History Includes:

- Involuntary/Voluntary Commitment     Suicide Attempt or Threats  
 Assault     Assault with Weapons     Alcohol/Drug Abuse     Other:

**Weapons:**     Handguns     Rifles     Knives     Explosives     Other:

**Location of Weapons:**     Vehicle     On Person     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.)

<b>Name:</b>		First	Middle	Last				
Date of Birth	Sex	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) below.

Current Address Street: City:	State: Zip:	Phone(s) w/Area Code	Need interpreter? <b>Yes or No</b> Language:
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Email address:

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
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If you filed for someone else, list your name, phone number, and address:

**Minor's Information**

Name: First	Middle	Last	Sex	Race	Birth date	Resides With

Below, describe the minor's relationship to the protected or restrained person using terms such as: child, grandchild, stepchild, nephew, none.

Name: First	Middle	Last	Minor's Relationship to Protected Person	Minor's Relationship to Restrained Person

**Victim's Household Members or Adult Children Protected**

Name:	birth date:
Name:	birth date:
Name:	birth date:
Name:	birth date: