

## Interjurisdictional Service in Washington

A Resource from the  
Pandemic Rapid Response Team

December 2022



### Civil Protective Order Terminology & Length:

	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Revised Code of Washington Chapter <a href="#">7.105</a> (civil protection orders) and <a href="#">26.52</a> ( <a href="#">enforcement of foreign protection orders</a> )	
Terminology	Temporary Protection Order, Ex Parte Order	Full Protection Order
Length of Order	Up to 14 days for personal or electronic service or 30 days for service by mail or publication, unless otherwise specified by the court	A fixed period of time or permanent (up to 99 years from the date of issuance).  Presumption that no order will be issued for less than one year except where the order restrains a respondent from contacting their minor children.
Available Relief	<ul style="list-style-type: none"> <li>• Restrain the respondent from:                             <ul style="list-style-type: none"> <li>○ Committing any of the following acts against the petitioner and other persons protected by the order: Domestic violence; nonconsensual sexual conduct or nonconsensual sexual penetration; sexual abuse; stalking; acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult; and unlawful harassment;</li> <li>○ Making any attempts to have contact, including nonphysical contact, with the petitioner or the petitioner's family or household members who are minors or other members of the petitioner's household, either directly, indirectly, or through third parties regardless of whether those third parties know of the order;</li> <li>○ Knowingly coming within, or remaining within, a specified distance from a specified location including, but not limited to, a residence, school, day care, workplace, the protected party's person, and the protected party's vehicle;                                     <ul style="list-style-type: none"> <li>▪ At least 1,000 feet, unless otherwise ordered by the court;</li> </ul> </li> </ul> </li> </ul>	

Available Relief

- Going to the residence, workplace, or school of the petitioner; or from the day care or school of a minor child;
- Accessing, having in his or her custody or control, possessing, purchasing, attempting to purchase or receive, or receiving, all firearms, dangerous weapons, and any concealed pistol license;
- Engaging in abusive litigation or frivolous filings against the petitioner, or making harassing or libelous communications or making false reports about the petitioner;
- Committing acts of abandonment, abuse, neglect, or financial exploitation against a vulnerable adult;
- Harassing, following, monitoring, surveilling, cyberstalking, or monitoring actions of the petitioner or the petitioner's family or household members;
- Transferring of either the respondent's or vulnerable adult's property, or both, for a specified period not exceeding 90 days; and
- Possessing or distributing intimate images depicting the petitioner.
- Order the respondent to:
  - Participate in a state-certified domestic violence perpetrator treatment program approved under RCW 43.20A.735 or a state-certified sex offender treatment program approved under RCW 18.155.070;
  - Obtain a mental health or chemical dependency evaluation;
  - Transfer schools (where petitioner and respondent are students who attend the same public or private elementary, middle or high school);
  - Follow residential provisions with regard to their minor children;
  - Pay administrative court costs and service fees, and to reimburse the petitioner for reasonable attorneys' fees or limited license legal technician fees;
  - Submit to electronic monitoring (if not a minor);
  - Surrender and prohibit the respondent from accessing, having in their custody or control, possessing, purchasing, attempting to purchase or receive, or receiving, all firearms, dangerous weapons, and any concealed pistol license; and
  - Submit an accounting of the disposition of the vulnerable adult's income or other resources.
- Order:
  - Possession and use of essential personal effects, including pets. The court may grant the petitioner exclusive custody or control of any pet owned, possessed, leased, kept, or held by the petitioner, respondent, or minor child residing with either the petitioner or respondent, and

	<p>may prohibit the respondent from interfering with the petitioner's efforts to obtain the pet;</p> <ul style="list-style-type: none"> <li>○ Use of a vehicle;</li> <li>○ Financial relief and restrain the transfer of jointly owned assets; and</li> <li>○ Other relief as it deems necessary for the protection of the petitioner and other family or household members who are minors or vulnerable adults.</li> </ul>
Protected Parties	<p>An “intimate partner” includes:</p> <ul style="list-style-type: none"> <li>• Current or former spouses or domestic partners;</li> <li>• Persons who have a child in common regardless of whether they have been married or have lived together at any time, unless the child is conceived through sexual assault; and</li> <li>• Persons who have or have had a dating relationship where both persons are at least 13 years of age or older.</li> </ul> <p>A “family or household member includes:</p> <ul style="list-style-type: none"> <li>• Persons related by blood, marriage, domestic partnership, or adoption;</li> <li>• Persons who currently or formerly resided together;</li> <li>• Persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent’s intimate partner and children; and</li> <li>• A person who is acting or has acted as a legal guardian.</li> </ul>
Requirements for Service	<p>Service must be provided via the following means not less than five judicial days before the hearing date, unless waived by the nonmoving party:</p> <ol style="list-style-type: none"> <li>1. Personal Service: Required in cases involving surrender of firearms; transferring custody of a child/children from the respondent to the petitioner; vacating the respondent from the parties’ shared residence; where the respondent is incarcerated; and when someone other than the vulnerable adult files a petition for a vulnerable adult protection order.</li> <li>2. Electronic Service (email, text message, social media applications, or other technologies): Must be prioritized for all orders except where personal service required (see above). In cases where personal service is required, after two unsuccessful attempts, service shall be permitted by electronic means. Verification of notice is required and may be accomplished through read-receipt mechanisms, a response, a sworn statement from the person who effected service and any follow-up communications; or an appearance by the respondent at the hearing.</li> <li>3. Service by Mail: Permitted after two unsuccessful attempts at personal service and electronic service is not possible, or after two unsuccessful attempts at electronic service.</li> </ol>

	<p>4. Service by Publication: This method of service is disfavored. It is only permitted in cases where all other means of service have been unsuccessful or are not possible. Publication must be made in a newspaper of general circulation in the county where the petition was brought and in the county of the last known address of the respondent once a week for three consecutive weeks.</p>
Registration Required for Enforcement	Not required.
<a href="#">Military Jurisdictions</a>	<p>Military Bases:</p> <ul style="list-style-type: none"> <li>• 141 ARW</li> <li>• 194 WG</li> <li>• Fairchild AFB</li> <li>• Joint Base Lewis-McChord</li> <li>• Naval Air Station Whidbey Island</li> <li>• Naval Base Kitsap</li> <li>• Naval Station Everett</li> <li>• US Army Cadet Command 8th Brigade</li> <li>• USAREC, Seattle Battalion</li> </ul> <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>
<a href="#">Tribal Jurisdictions</a>	<p>Federally Recognized Tribe:</p> <ul style="list-style-type: none"> <li>• Confederated Tribes of the Chehalis Reservation</li> <li>• Confederated Tribes of the Colville Reservation</li> <li>• Confederated Tribes and Bands of the Yakama Nation</li> <li>• Cowlitz Indian Tribe</li> <li>• Hoh Indian Tribe</li> <li>• Jamestown S'Klallam Tribe</li> <li>• Kalispel Indian Community of the Kalispel Reservation</li> <li>• Lower Elwha Tribal Community</li> <li>• Lummi Tribe of the Lummi Reservation</li> <li>• Makah Indian Tribe of the Makah Indian Reservation</li> <li>• Muckleshoot Indian Tribe</li> <li>• Nisqually Indian Tribe</li> <li>• Nooksack Indian Tribe of Washington</li> <li>• Port Gamble S'Klallam Tribe</li> <li>• Puyallup Tribe of the Puyallup Reservation</li> <li>• Quileute Tribe of the Quileute Reservation</li> </ul>

<a href="#">Tribal Jurisdictions (cont'd)</a>	<p>Federally Recognized Tribe (cont'd):</p> <ul style="list-style-type: none"> <li>• Quinault Indian Nation</li> <li>• Samish Indian Nation</li> <li>• Sauk-Suiattle Indian Tribe of Washington</li> <li>• Shoalwater Bay Indian Tribe of the Shoalwater Bay Indian Reservation</li> <li>• Skokomish Indian Tribe</li> <li>• Snoqualmie Indian Tribe</li> <li>• Spokane Tribe of the Spokane Reservation</li> <li>• Squaxin Island Tribe of the Squaxin Island Reservation</li> <li>• Stillaguamish Tribe of Indians of Washington</li> <li>• Suquamish Indian Tribe of the Port Madison Reservation</li> <li>• Swinomish Indian Tribal Community</li> <li>• Tulalip Tribes of Washington</li> <li>• Upper Skagit Indian Tribe of Washington</li> </ul> <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>
<p>Other Information</p>	<p>None</p>

**Out of State Service Fees<sup>1</sup>:**

None

For more information, please contact State Point of Contact Laura Jones (laura.jones@courts.wa.gov).

If you would like to provide suggestions/feedback on this Profile, visit:  
[https://ncsc2.iad1.qualtrics.com/jfe/form/SV\\_eQzzYCcGK38Q64C](https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcGK38Q64C)

<sup>1</sup> Courts should not charge a victim of domestic violence, dating violence, stalking, or sexual assault any costs associated with the filing, issuance, registration, or service of protection orders, whether issued by civil or criminal courts, including intra- and inter-jurisdictional orders. This no-cost provision also applies to any fees or costs associated with a criminal matter related to domestic violence, stalking, dating violence, and sexual assault (42 U.S.C. § 3796 hh(c)(4)). Charging any of these costs will render a jurisdiction ineligible for certain VAWA funds.