

EMERGENCY TEMPORARY PROCEDURES FOR ALL CIVIL PROTECTION ORDERS

Effective March 24, 2020

In accordance with the Washington Supreme Court's Chief Justice's Public Health Emergency Amended Order #25700-B-607, the following procedures will be in place for ALL petitions for civil protection orders, including civil standby/renewals/modifications/terminations (civil protection orders include domestic violence, sexual assault, anti-harassment, vulnerable adult, anti-stalking, and extreme risk protection orders) until further notice:

1. No personal appearances are permitted. Open remote kiosk locations may still be used to complete petitions. The Family Justice Center may be available to assist by telephone or email.
2. All persons seeking a protection order/modification/termination/renewal or civil standby shall call the designated number to the Superior Court Clerk's office (253- 798-8827). A staff person will answer the telephone, answer relevant questions without providing legal advice, and take all the information necessary to complete the petition and confidential information form, including the person's statement in support of the petition. Vulnerable Adult Protection Order and Unlawful Harassment Order packets will be emailed to the Petitioners for completion. The Petitioner shall email the completed packet to the Clerk's office.
3. Petitioner must provide valid mailing address, email address and telephone number for petitioner and respondent (if known) prior to petition being submitted.
4. No signature shall be required if the petition is completed telephonically. The completed petition will be delivered to the Commissioner or Judge (for extreme risk and sexual assault petitions) for screening. Current screening procedures will remain in place, however, instead of in-person preliminary hearings, all such hearings shall be conducted by telephone or video conferencing. At the beginning of the hearing, the petitioner shall be sworn in and state under penalty of perjury that the statements in his/her petition are true and correct. Following that question, the commissioner will conduct the rest of the hearing. On the petition's signature line, it shall be attested that petitioner affirmed the provisions of the petition telephonically.
5. If the temporary order is granted, or if no temporary order is granted but a hearing is scheduled, the hearing date shall be 42 days from the date of the petition, unless the parties are intimate partners in which case the hearing date shall be in 14-24 days, or upon request of either party the commissioner determines there is good cause to schedule an earlier or later hearing date.
6. If the Petitioner has a printer, copies of the petition, notice of hearing, additional statements, and any temporary order for protection ("initial pleadings") and instructions on how to serve shall be electronically transmitted to the petitioner for the petitioner to arrange for service with law enforcement unless the Superior Court Clerk's office advises the Petitioner otherwise. If the Petitioner does not have a printer, court or clerk staff shall mail initial pleadings two copies to the petitioner along with instructions on how to serve.
7. Service of the initial pleadings on the respondent shall be done by personal service. The court may consider service by mail at the time of the original issuance of the order, for good cause shown and without the required two attempts at personal service. A Declaration of Service (personal service or mail) shall be filed.

8. All self-represented persons shall be enrolled in the Clerk's full LINX access subscription (information to be provided by Clerk when Petition is completed).
9. Either party may still seek a civil standby order prior to hearing but shall follow the procedures above.
10. Except as provided in #2 above, all hearings for final protection orders ("court hearing") shall be via electronic means – telephone or video. All parties shall arrange with court/clerk staff electronic appearance or call CourtCall directly (1-888-882-6878) at least 24 hours in advance of the court hearing. There is no cost for self-represented parties to participate in court call.
11. Following the court hearing, all final orders shall be transmitted to the parties by the clerk's office by mail, email, text, or fax. The Final Order shall indicate whether the Respondent was present by telephone.
12. For all pending court hearings (those cases where the initial pleadings have been filed prior to the date of these emergency procedures with a hearing scheduled), if the parties do not timely arrange to appear at the hearing by telephone or video, or unless the petitioner requests dismissal of the petition, reissuance orders (or amended notices of hearing) shall be entered by the court with a return date of 42 days or 24 days (for intimate partners) from the original hearing date. Such order or notice shall be transmitted to the parties by the clerk's office by mail, email, text, or fax. Proof of this transmittal shall serve as proof of service.
13. Should either party appear on the day and time of the court hearing, the party will be directed to attend the hearing by telephone. Instructions shall be posted on the Superior Court and Superior Court Clerk's website to arrange the call.
14. Except as provided in these emergency procedures, all other provisions of the relevant statutes (RCW Chapters 26.50, 10.14, 74.34, 7.09, 7.92, and 7.94) shall remain in effect but applied liberally to reflect the reasoning in the Supreme Court's Amended Order.