



CSEC Lunch & Learn

- Domestic Violence Protection Orders
- An Overview & Update
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RCW 7.105

- Many Changes and Updates
- Universal for all civil protection orders EXCEPT ERPO
- No wrong door
- Filing process remote and in-person
- Age of petitioner, 15+



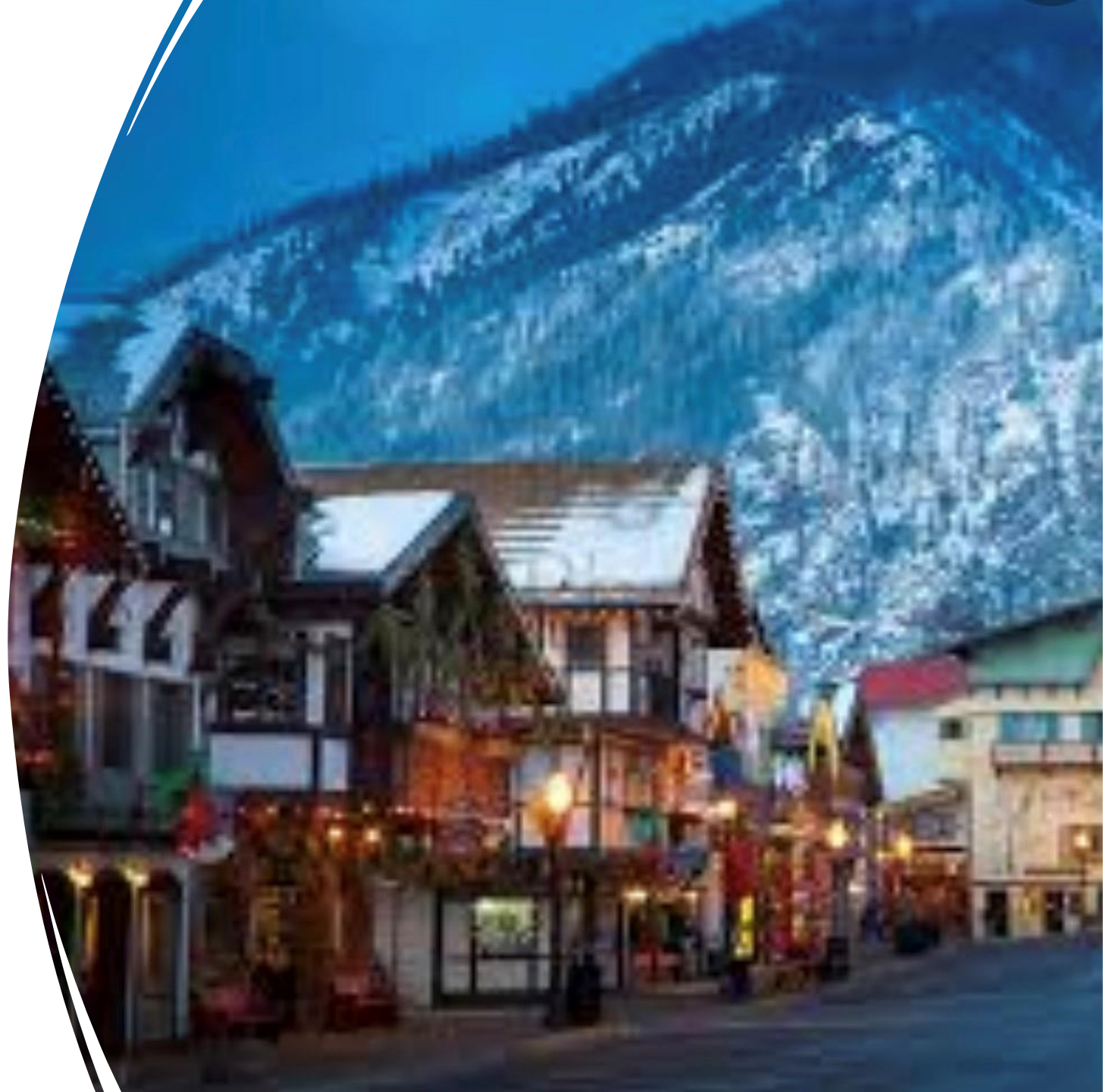


Order	2019	2020	2021
DVPO	2,885	2,825	2,851
Anti-Harassment	604	489	305
SAPO	122	83	94
Stalking	96	118	81
VAPO	171	141	129
ERPO	65	81	79

King County Superior Court Filings

Not Sure Which Order to File?

- There are 8 different civil protection orders in WA State
 - Anti-Harassment
 - Domestic Violence
 - Restraining
 - Extreme Risk
 - Sexual Assault
 - Vulnerable Adult
 - Stalking
 - Involuntary Commitment- Joel's Law



Who Qualifies?

Intimate Partner

- **Current or Former Dating**
- **Current or Former Spouse**
- **Current or Former Cohabitant as intimate partner**
- **Parent of child in common**

Family Member

- **Parent/Child**
- **Stepparent/Stepchild**
- **Sibling**
- **Blood relation other than parent or child**

Household Member

- **Current or Former Roommate**
- **NEW: Parent's Intimate Partner and Child**

What a Protection Order Can/Cannot Do

A protection order CAN:

- Prohibit Respondent from threatening or hurting you and/or your minor children
- Prohibit Respondent from entering your residence, workplace, school
- Prohibit all forms of direct and indirect contact
- Give one parent **temporary** custody of children
- Set a temporary schedule for visitation with minor children
- Order the Respondent to leave a shared residence
- Grant you possession of essential personal effects
- Grant you use of a vehicle
- Order the Respondent to attend services (e.g. BIP, chemical dependency screening, etc.)
- Prohibit cyberstalking
- Grant care and control of a pet
- Order the surrender of a firearm(s) and CPL

A protection order CANNOT:

- Order child support or maintenance (alimony)
- Determine long term ownership or ultimate division of property
- Establish **permanent** child custody
- Guarantee safety or compliance...

What relief can the court grant with a protection order?

A Protection Order makes all contact between the parties illegal, so it makes many domestic violence and stalking behaviors that would be permissible under the law illegal

They offer the fastest route to seize weapons

They offer the fastest route to vacate a respondent from a dwelling.

*Can provide temporary custody for children ***

An artistic illustration featuring a woman's profile on the right side, looking towards the left. Her hair is long, dark, and flows into a vibrant, wavy blue and teal ocean scene. The underwater scene includes various coral reefs in shades of pink, orange, and purple, and several fish swimming. The overall style is soft and painterly. The text 'Self Empowerment Model' is overlaid on the left side of the image in a white, sans-serif font. A list of five bullet points is positioned to the right of the woman's head, also in white text. The name 'danielle' is visible in the bottom left corner of the illustration.

Self Empowerment Model

- Survivor Driven
- Choice for what is best made by the survivor.
- Present options, give information
- Non-Judgemental Support
- What happens in court

DVPO Process

Process: 2 Parts (minimum) TPO and Full Hearing

- Complete all required paperwork (preferably with an advocate)
- File 14 day TPO – Ex parte
- Serve Respondent (must be 5 court days notice not including weekends and holidays, proof of service must be filed and entered into WACIC)
- Prepare for hearing and return for full hearing on day 14 to argue case.

Where to File:

- County where you reside (or fled from/to) or where incident occurred
- TPO: Any District or Superior Court
- Full orders involving shared children, shared dwelling and/or shared property will be heard in Superior Court.

Jurisdiction

- Petitioner may file for a DVPO in King County if:
 - Petitioner lives in King County or
 - If filed on behalf of a minor, the minor primarily resides in King County or
 - Petitioner lived in King County but fled due to the alleged behavior of the other party or
 - **New: The behavior being alleged in the petition occurred in King County**



Electronic Service

- **Electronic service- including service by email, text message, social media applications, is to be the first option used, except in those types of cases enumerated as still requiring personal service.**
- **Requiring personal service:**
 - **Transfer of custody of children from respondent to petitioner**
 - **Surrender of firearms**
 - **Vacating respondent from the shared residence**
 - **If respondent is incarcerated**



Coercive Control



Coercive control**

Emotional abuse*

Verbal abuse*

Psychological abuse*

Name-calling*

Isolation*

Controlling funds*

Threats to take to court*

Defined as: a pattern* of behavior that is used to cause another to suffer physical, emotional, or psychological harm, and in purpose or effect unreasonably interferes with a person's free will and personal liberty. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person.

So: coercive control requires:

- a) a pattern;
- b) used to cause harm; AND
- c) in purpose or effect UNREASONABLY interferes with a person's free will and personal liberty

Questions?

- SAPO vs DVPO?
 - Children, OTSW, other considerations?
- Mandatory Reporting?



Thank you!

- Please reach out for technical support:
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