

MOTION TO MODIFY OR TERMINATE
SEXUAL ASSAULT
PROTECTION ORDER PACKET

If you are the protected party in the order, you may request assistance with this process. Please contact the Kitsap Sexual Assault Center Advocate:

Kitsap Sexual Assault Center (KSAC)

Beverly Van Santford

360-337-4950

Beverly-ksac@wavecable.com

Website: ksacservices.com

BAINBRIDGE ISLAND MUNICIPAL COURT Kitsap County, Washington	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 www.bainbridgewa.gov/court
	No.
Petitioner (Protected Person) (DOB) vs.	Motion to Modify/Terminate Sexual Assault Protection Order (PTMD)
Respondent (Restrained Person) (DOB)	<input type="checkbox"/> Clerk's Action Required: para 2

I am:

- The respondent and I affirm that I have not filed any motion to modify or terminate this Sexual Assault Protection Order within the past 12 months.
- The petitioner
- (Name): _____, and I am filing this motion on behalf of the petitioner.

1. Request to Modify/Terminate

I request that the court enter an order to modify (change) terminate the:

- Sexual Assault Protection Order*, filed on (date): _____
 - All provisions
 - Provision 1: No contact
 - Provision 2: Exclude from places
 - Provision 3: Stay away
 - Provision 4: Other (specify) _____
 - Provision 5: School transfer
 - Prohibit Weapons and Order Surrender
- Order to Surrender and Prohibit Weapons*, filed on (date): _____

2. Hearing

- Respondent only:** I request that the court find adequate cause and set a hearing. (Bring a *Finding of Adequate Cause and Order for Hearing on Respondent's Motion to Modify/Terminate Sexual Assault Protection Order*, form SA 07.025 with you when you file your motion.)

[] **Petitioner only:** I request that the court set a hearing. (Bring an *Order Setting Hearing- Sexual Assault*, form SA 05.040 with you when you file your motion.)

3. Statement

The *Sexual Assault Protection Order/Order to Surrender and Prohibit Weapons* should be modified/terminated **because:**

[] The *Sexual Assault Protection Order/Order to Surrender and Prohibit Weapons* should be changed as follows:

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

Dated: _____ at _____, Washington.

Signature of Moving Party

Print or Type Name

Signature of Moving Party Filing on
Behalf of Petitioner

Print or Type Name

This document must be served on the other party, and a Return of Service must be filed with the court clerk at or before the hearing.

**BAINBRIDGE ISLAND MUNICIPAL COURT
Kitsap County, Washington**

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Statement: (Continued) _____

_____.

(Continue on separate page if necessary)

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

Dated: _____ at _____, Washington.

Signature of Petitioner

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_____ Petitioner (Protected Person)	_____ DOB	No. Finding of Adequate Cause and Order for Hearing on Respondent's Motion to Modify/Terminate Sexual Assault Protection Order (ORRACG / ORH) (Optional Use) <input type="checkbox"/> Clerk's Action Required
vs.		
_____ Respondent (Restrained Person)	_____ DOB	

To: The Respondent and Petitioner:

The respondent filed a motion to modify (change)/terminate the:

- Sexual Assault Protection Order*, filed on (date): _____.
- Order to Surrender and Prohibit Weapons*, filed on (date): _____.

The court considered the respondent's motion, petitioner's declaration/s opposing the motion, if any, and relevant parts of the court record, and finds:

- that this is the Respondent's only motion to modify or terminate filed during the current 12 month period following entry of the order;
and
- there is adequate cause to hear the motion on the:
 - Sexual Assault Protection Order*, as follows (check all that apply):

<input type="checkbox"/> All provisions	<input type="checkbox"/> Provision 5: School transfer
<input type="checkbox"/> Provision 1: No contact	<input type="checkbox"/> Prohibit Weapons and Order Surrender
<input type="checkbox"/> Provision 2: Exclude from places	
<input type="checkbox"/> Provision 3: Stay away	
<input type="checkbox"/> Provision 4: other (specify): _____.	
 - Order to Surrender and Prohibit Weapons*.

A hearing is set for _____ (date) at _____ [] a.m. [] p.m.

at: _____
court's address

in _____
room or department *docket/calendar or judge/commissioner's name*

Respondent: You must arrange to have someone else over the age of 18 personally serve the petitioner with a copy of the *Motion to Modify/Terminate Sexual Assault Protection Order* and this order not less than 5 days before the hearing. You must also file a Return of Service with the court clerk at or before the hearing.

Petitioner: If you do not appear at the hearing, the court may enter an order without hearing from you. For information about how to respond, see the box below.

Date

Judge or Commissioner

To the Petitioner:

If you do not agree with the requests in the motion, file a statement (using form SA 8.070 *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

Bring proposed orders to the hearing.

