



Modifying/Rescinding Domestic Violence No Contact Order

Procedure (effective 11/1/2024)

Pursuant to RCW 10.99 a court is authorized to issue a no contact order prohibiting a defendant from contacting the protected party upon arrest or conviction of a domestic violence crime. This order can be entered without either the request or permission of the protected party.

ONLY a protected party may modify or rescind the no contact order. The protected party is required to contact the Court and follow the step-by-step procedure to obtain a modification or rescind.

STEP 1: Complete the Motion to Modify/Rescind DV No Contact Order form. The form is available at the court office or online at www.gigarborwa.gov/238/Court-Forms. File the completed Motion form with the court. Upon receipt, court staff will schedule a hearing. At least 7 days' notice of the hearing shall be provided to the city prosecutor, the defendant, and defense counsel, if any. The city prosecutor copies can be delivered to the Gig Harbor Civic Center at 3510 Grandview Street, Gig Harbor WA 98335.

STEP 2: You must appear for the hearing or the hearing will be cancelled. Hearings are held in person.

STEP 3 (optional): You may contact a Domestic Violence Advocate of either the Crystal Judson Family Justice Center or the YWCA. The interview will take approximately 1 hour. The domestic violence advocate will talk to you regarding safety issues and community resources. A screening report may be available for you to take to the Court.

Crystal Judson Family Justice Center | 718 Court E Tacoma WA 98402
(253) 798-4166 | (800) 764-2420 | www.familyjusticecenter.com

The Crystal Judson Family Justice Center holds Zoom clinics on the first and third Tuesday of the month from 12:00 to 12:45. Interested participants will sign up via a Google Doc, which will ask the participant's name, a safe email address, a zip code and the referring Court. Participants will need to sign up in advance. If participants are later than 12:05, they will need to enroll for the next clinic. After attending, they will receive an email confirming attendance, providing safety planning handouts, and details on how to connect to an advocate if desired. The link for the sign-up page is here: [NCO Clinic Registration Link](#)

YWCA Community Center for Pierce/Kitsap Counties
(253) 383-2593 Pierce County | (360) 479-0491 Kitsap County
www.ywcapiercecounty.org | www.ywcakitsap.org

FACTORS CONSIDERED BY THE COURT

The Court is **NOT** likely to modify or rescind the no contact order if the incident occurred recently, the case is still pending, or no circumstances have changed since the incident. The Court is **more likely** to modify or rescind if the case has been disposed of (sentenced, diversion, deferred prosecution), and considering all other factors such as the following:

- Have circumstances changed since the incident
- Weapons in the home
- Has protected party received screening by Domestic Violence Advocate
- Is there a safety plan in effect
- Defendant's prior history, including bench warrants
- Facts surrounding the case, including probable cause statement
- Is the defendant in compliance with court ordered requirements, including treatment

**The Municipal Court of Washington
For the City of Gig Harbor**

No. _____

CITY OF GIG HARBOR _____,

Plaintiff

vs.

Defendant (First, Middle, Last Name, DOB) _____.

**Protected Person's Motion to Modify
or Cancel Domestic Violence
No-Contact Order
(MT)**
(Clerk's Action Required)

I, (name) _____, am the person protected in a Domestic Violence No-Contact Order that the court issued against the defendant. I request that the court enter an order to [] modify (replace) [] cancel the Domestic Violence No-Contact Order signed on (date) _____.

The court should modify/rescind the order referenced above **because:**

The court should modify the terms and conditions of the order referenced above, **as follows:**

I understand that if the court grants my motion to modify, the court will issue a new Domestic Violence No-Contact Order that will replace the order I want to modify.

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

Signed at (city) _____ in (state) _____ on (date) _____

Signature of Protected Person

Type or Print Name