

RCW 7.105.050 Jurisdiction—Domestic violence protection orders, sexual assault protection orders, stalking protection orders, and antiharassment protection orders. (1) The superior and district courts have jurisdiction over domestic violence protection order proceedings, sexual assault protection order proceedings, stalking protection order proceedings, and antiharassment protection order proceedings under this chapter, except that such proceedings must be transferred from district court to superior court when:

(a) A superior court has exercised or is exercising jurisdiction over a proceeding involving the parties;

(b) The action would have the effect of interfering with a respondent's care, control, or custody of the respondent's minor child;

(c) The action would affect the use or enjoyment of real property for which the respondent has a cognizable claim or would exclude a party from a shared dwelling;

(d) The petitioner, victim, or respondent to the petition is under 18 years of age; or

(e) The district court is unable to verify whether there are potentially conflicting or related orders involving the parties as required by RCW 7.105.105 or 7.105.555.

(2) (a) When the jurisdiction of a district court is limited to the issuance and enforcement of a temporary protection order, the district court shall set the full hearing in superior court and transfer the case, indicating in the transfer order the circumstances and findings supporting transfer to the superior court.

(b) If the notice and order are not served on the respondent in time for the full hearing, the issuing court shall have concurrent jurisdiction with the superior court to extend the temporary protection order. The superior court to which the case is being transferred shall determine whether to grant any request for a continuance.

(3) Transfer procedures, court calendars, and judicial officer assignment must further the goals of this chapter to: Minimize delay; make the system less complex; provide sufficient victim support, consistency, safety, timeliness, and procedural fairness; enable comprehensive use of electronic filing, case tracking, and records management systems; provide for judicial officers with expertise and training in protection orders and trauma-informed practices and continuity of judicial officers at each hearing so the judicial officer will have greater familiarity with the parties, history, and allegations; and help ensure that there is compliance with timely and comprehensive firearms relinquishment to reduce risk of harm. Courts shall make publicly available in print and online information about their transfer procedures, court calendars, and judicial officer assignment. [2022 c 268 § 2; 2021 c 215 § 4.]

Effective dates—2022 c 268: See note following RCW 7.105.010.

Review of existing court jurisdiction—2021 c 215: "The legislature finds that there are inconsistencies and differing approaches within existing provisions governing the jurisdictional division of authority and responsibility among superior courts and courts of limited jurisdiction for protection order proceedings addressed by this act. This act retains those jurisdictional differences only as an interim measure, and creates an approach in

section 12 of this act to review the existing jurisdictional division, assess the benefits and ramifications of modifying or consolidating jurisdiction for protection orders consistent with the goals of this act of improving efficacy and accessibility, and propose to the legislature provisions to address jurisdiction." [2021 c 215 § 3.]

Effective date—2022 c 268; 2021 c 215: See note following RCW 7.105.900.