

# 2010

## State Law Report Card



### Access to Orders for Protection

In Washington, minors can obtain Orders for Protection (OPs),<sup>1</sup> and courts can issue OPs against minor abusers.<sup>2</sup> Washington also allows people in dating relationships to seek OPs against their abusers.<sup>3</sup>

### Procedure

State law allows minors to petition for an OP on their own behalf at age sixteen.<sup>4</sup> Minors under the age of 16 must have a family/household member petition for an OP on the minor's behalf.<sup>5</sup> The law does not specify whether the parent or guardian of a minor petitioner must be notified when an OP is issued.

### Definition of Abuse

A judge may issue an OP when the respondent has physically abused, sexually abused, threatened to physically abuse, stalked or harassed the petitioner.<sup>6</sup> The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>7</sup> the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- comply with a custody/visitation schedule;
- participate in a counseling or batterers' intervention program;
- pay attorneys' fees; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Order for Protection is modifiable.<sup>8</sup>

### Minors' Access to Sensitive Services<sup>9,10</sup>

All minors can consent to:

- Contraceptive services
- HIV/STI testing and treatment\*
- Prenatal care\*

Minors placing a child up for adoption must seek legal counsel.

\*For STI services, applies only to a minor 14 or older.

### School Response to Dating Violence<sup>11</sup>

Washington law requires the development of a family preservation education program model curriculum that includes instruction on domestic and dating violence. It is unclear whether this program has been developed.

### Recommendations for Immediate Policy Change

In order to improve Washington's response to teen dating violence, the following changes are recommended:

- Allow all minors to petition for OPs on their own behalf, regardless of age, and explicitly describe the procedure for doing so.
- Allow all minors to access all sensitive services, including medical care for minor children and abortion services, without parental involvement.

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### References

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<sup>1</sup> WASH. REV. CODE §§ 26.50.020(1) -(2) (2009).

<sup>2</sup> *Id.* § 26.50.020 (3).

<sup>3</sup> *Id.* § 26.50.010(2).

<sup>4</sup> *Id.* § 26.50.020(2).

<sup>5</sup> *Id.* § 26.50.020(1).

<sup>6</sup> *Id.* § 26.50.010 (1)

<sup>7</sup> *Id.* § 26.50.060(1).

<sup>8</sup> *Id.* § 26.50.130 (1).

<sup>9</sup> Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

<sup>10</sup> Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_MASS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf), accessed December 1, 2009.

<sup>11</sup> WASH. REV. CODE § 28A.300.185.



Empowering Youth to End  
Domestic Violence

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and policy, visit [www.breakthecycle.org](http://www.breakthecycle.org)  
or email [policy@breakthecycle.org](mailto:policy@breakthecycle.org).