

Pasco Municipal Court
1016 N. 4th Ave., Bldg. D
Pasco, Washington 99301

Instructions for Filing a Motion to Modify or Rescind No Contact Order (NCO)

You are the victim of a Domestic Violence crime. The Court has issued a Pre-Trial No Contact Order (NCO) for your protection. You have decided that you want the Court to Cancel (Rescind) or Change (Modify) the NCO. What do you do? Before the Court will set a hearing to review the NCO, two things must happen:

1. 30 days from the date the incident, giving rise to the NCO, must pass; and
2. You must contact Domestic Violence Services (DVS) and meet with a counselor.

If after 30 days and meeting with a DVS Counselor, you still want the Court to review the NCO:

3. Complete the Protected Person's Motion to Modify/Rescind Pre-Trial/Post Conviction Domestic Violence No Contact Order (Motion).
 - a. Include the Case Number and the Defendant's Name in the Caption at top of the Motion.
 - b. Fill in the Blank after "I" with your name.
 - c. Check the box indicating whether you want the court to Rescind or Modify the NCO
 - d. In the space allowed, tell the court why you want to rescind or modify the NCO.
 - e. If asking to modify the NCO, tell the court how you want it modified.
 - f. Fill in the appropriate blank indicating the City, State and Date the Motion is signed.
 - g. Sign the Motion and Print your name legibly on the lines provided.
4. Return the completed Motion to the Clerk's Office, the Court will review the Motion for good cause. If the Court finds good cause to set the hearing, you will be notified and be required to follow the additional steps below.
5. The Clerk will complete the Notice of Hearing (Notice) and provide you copies of the Notice and the Motion.
6. Mail or deliver a copy of the Motion and the Notice of Hearing to the prosecuting attorney at ***Pasco City Prosecuting Attorney, 410 N Neel Street, Suite A, Kennewick, WA 99336***. Mail a copy of the Notice of Hearing and the Motion to the Defendant or the Defendant's attorney, if there is an attorney. ***Do not deliver to the defendant yourself; this could cause a violation of the NCO.*** IF YOU FAIL TO SERVE THE PROSECUTOR AND THE OTHER PARTIES, YOUR HEARING WILL BE RESET. YOU MUST FILE PROOF OF SERVICE WITH THE COURT AFTER SERVICE IS COMPLETED.
7. A hearing will be scheduled, you must appear and the Court will make a decision on your request.