

RESTORATION OF RIGHT TO POSSESS FIREARMS
in Pierce County Superior Court
RCW 9.41.040/9.41.047

READ THIS ADVISEMENT

Petitioning the court for restoration of the right to possess a firearm is complicated. You should hire an attorney. The number for the lawyer referral service is 253 383-3432. A lawyer can guide you through the process and help you do it correctly. If you choose to do this on your own, then you are responsible for knowing and following the law and complying with all the rules and procedures. Neither the clerk's office nor the law librarians can give you legal advice.

FOR YOUR INFORMATION

1. Successful completion may not have any effect on your rights to possess a firearm under the laws of the federal government, the laws of other states, or other jurisdictions.
2. Successful completion of this process will not expunge a criminal conviction from your record.
3. Successful completion of this process will not guarantee the licensing agency will issue a firearm(s) possession permit.
4. If you are prohibited from possessing a firearm by reason of having been involuntarily committed for mental health in the State of Washington or any other jurisdiction, you must specifically comply with the provisions of RCW 9.41.047.

INSTRUCTIONS

1. This packet contains an instruction sheet and information on how to obtain a background check.
2. The required forms are available for purchase at the Law Library. They include the following:
 - a) Civil Case Cover Sheet
 - b) Confidential Information Form
 - c) Petition for Restoration of Rights to Possess Firearms
 - d) Note for Judges Motion Calendar
 - e) Order Restoring Right to Possess Firearm
3. Please read the petition carefully and check the boxes that apply to you.
4. Attach to the petition, a certified copy of the order that indicates you have successfully completed the terms and conditions of your sentence. An order needs to be provided for each offense. If the offense is out of the country or out of this state, you must contact that court in order to obtain the necessary certified copy.
5. You must also attach to the petition a copy of your record of all criminal convictions. In order to obtain your record you must do the following:
 - a) For a copy of your statewide criminal record, you must submit a request to the Washington State Patrol. You can submit your request online at:
<https://watch.wsp.wa.gov>
 - b) If the conviction was in another state, the Judge may require a copy of your national record.
6. Items 4 and 5 above must be attached to your petition before your petition is filed.
7. Make three copies of your petition and the supporting documents. One copy is for your records, one copy is for the Pierce County Prosecutor's Office and one is for the Judge assigned to your case.
8. File the original petition with the Pierce County Superior Court Clerk. You will be required to pay a \$240 filing fee at the time of filing. The Clerk will stamp all of your copies with the case number and the file stamp.
9. You must schedule a civil motion hearing. To receive a hearing date for a civil motion you must fill out a "Note for Judges Motion Calendar". Ask the Clerk to schedule a civil motion date at

least **14 days*** in the future on the assigned Judge's Civil Motion Calendar. Make three copies of this form also. One copy is for your records, one copy is for the Pierce County Prosecutor's Office and one is for the Judge assigned to your case.

***The prosecutor's office needs approximately 2 weeks to order your background check, to review your petition, and to prepare the court order.**

10. You must now serve the Pierce County Prosecutor's Office with a copy of your petition, attachments and a copy of the hearing notice which indicates the date, time, and place of the scheduled hearing.

Serve your copies on the civil division of the prosecutor's office located at:

Pierce County Prosecuting Attorney's Office-Civil Division
955 Tacoma Ave South, Suite 301
Tacoma WA 98402

11. Make sure to have the Prosecutor's Office stamp your copies with a "received" stamp. This is your proof of service.
12. Deliver one COMPLETE set of working copies to the assigned Judge in room 334. Make sure to confirm your hearing at this time. **An unconfirmed hearing will not be heard.**
13. Appear at the hearing on the date and time scheduled. Bring your proposed order for presentation to the Judge.
14. If the Judge grants your request and signs an order restoring your right to possess a firearm you must file it with the Clerk's Office. Obtain a certified copy of the order to attach to any and all applications for a gun permit, and
15. Distribute a certified copy of the order to:

South Sound 911, 945 Tacoma Ave. South, Tacoma, WA 98402, **and**

Washington State Patrol, Identification and Criminal History Section, PO Box 42633,
3000 Pacific Ave, Suite 204 Olympia, WA 98504-2633 or via fax to (360) 534-2071.

Confused by these instructions? Unsure what you need to do? Then you need to hire an attorney to help guide you through this process. The number for the Pierce County Lawyer Referral Service is **(253)383-3432**.