

# Instructions for Order for Protection

This is the Protection Order. If signed by the judge, this order will:

- Tell the respondent which restraints are in effect.
- Set the expiration date.

**The clerk will file the original order in the public court record and distribute copies for:**

- You (free certified copies).
- Law enforcement, to enter into the statewide database.
- Service on the respondent (if the respondent does not appear at the full hearing).

**Please check with the court clerk before filling out the order.**

*In some courts, the judge will fill out this order. In other courts, you will be expected to fill out all or part of the order. Please check with the court clerk.*

- If you are expected to fill out the order, follow the instructions below.
- It may be helpful to ask the court clerk for advocate services to help you fill out this order.

**Please Print Clearly Using Black or Blue Ink!**

Page 1:

- Fill in your name (first, middle initial, last) as the Petitioner, and put your date of birth where it says “DOB.”
- The person you want protection from is the “Respondent.” Fill in the respondent's name (first, middle initial, last) and date of birth. If you do not know the respondent's date of birth, put in the respondent's age.

The clerk will fill in the court address and telephone number.

## **Names of Minors**

- **If no minors are involved**, check the box “No Minors Involved.”
- **If minors are involved**, list the name (first, middle initial, last) and age of each child involved in this case.

## **Respondent’s Identifiers**

- Describe the respondent’s physical appearance: sex, race, hair color, height, weight, and eye color.
- List any of respondent’s distinguishing features, such as moles, scars or tattoos.
- Check the box to show if the respondent has access to weapons.

## **“The Court Finds Based Upon the Court Record”**

The law requires the order to say if the respondent received notice of the hearing and by what method. Since the judge needs to verify that service complied with court rules (timely and proper), the judge will probably complete this portion for you.

The order needs to list your relationship to the respondent in order for law enforcement to determine if federal firearm laws apply to your case. Please check all boxes that define your relationship to the respondent.

## **“Court Order Summary”**

After completing the form, check the boxes that apply.

This order will be in effect for one year, unless the judge enters another date in the box.

Pages 2 and 3:

## **Protection Provisions**

- Check the same boxes and fill in the blanks that you checked on the petition, unless you no longer want those provisions.
- You cannot check boxes for provisions you did not request in the petition.
- In each provision, be sure you checked the boxes and identified the people, places, and pets you want protected.
- Remember: You have the right to keep your residential address confidential. You do not need to write it down on this form.

Provision 12: This provision does not match the petition; but you or the judge may want to set a return hearing date to review compliance with the order.

The judge will complete the shaded box about jurisdiction over the minors.

Provision 19: Although the judge will fill out this provision, it is important for you to think about what visitation you want to recommend for the respondent to have with the children. (For example: no restrictions on visitation; supervised visitation; or no visitation pending compliance with treatment or counseling.)

**The judge can grant, deny or change any provision you write in this order.**

## **Law Enforcement Data Entry**

The order will be entered into a state-wide database used by law enforcement so any officer in the state knows of it. Name the agency which has jurisdiction where you reside.

- If your address is within city limits, name the city police.
- If your address is outside of city limits, name the county sheriff.

## **Service of the Order**

Unless the respondent or the respondent's lawyer was present at the hearing, this order must be served on the respondent. The respondent must know what restraint provisions are in place and when the order expires. You may choose service by:

- A law enforcement agency.
- A hired professional process server.
- Another person 18 or over, who is not a party to this action.
- Mail or publication, if the judge previously entered an order allowing service by mail or publication.

If you want law enforcement to serve the order, check that box. You must identify the police or sheriff agency where the respondent lives or works:

- If the respondent's service address is within city limits, name the city police.
- If the respondent's service address is outside of city limits, name the county sheriff.

If you have an order allowing service by mail or publication, check that box (and specify which type of service).

If you are making private arrangements for service of this order, check that box. Private arrangements include:

- A hired professional process server.
- Another person 18 or over, who is not a party to this action.

If the respondent or the respondent's attorney appeared at the hearing, check that box.

You will need to provide an address where the respondent can be located for service. This could be a home or work address. If you do not have a service address for the respondent, contact the clerk or advocate for information.

## **Law Enforcement Assistance**

The judge can order law enforcement to assist you in limited ways. If you still need assistance from law enforcement, check the same boxes you checked in the petition.

If you have any questions about this order, ask the court clerk, the courthouse facilitator, or the domestic violence advocate.

## **Sign the Form**

The judge will fill in the date and time the order was granted and sign his or her name.

Sign the bottom of the form where it says, "Presented by" and "Petitioner" and include today's date. The respondent will sign the form if the respondent comes to the hearing, and no further service is necessary.

## Law Enforcement Information Sheet (LEIS)

You must complete a Law Enforcement Information Sheet (LEIS), form WPF All Cases 01.0400. This form is confidential and it does not go in the public court file and is not served on the respondent.

- It is used by Law Enforcement to locate and identify the respondent when serving documents.
- It is also used by Law Enforcement when entering the order in the statewide data base.

Complete as much information as possible, especially, first name, middle initial, last name, and date of birth.

If the respondent has a disability, brain injury, or other impairment, you may know of special assistance that law enforcement could provide when serving the documents. For example:

“Respondent has a brain injury. If respondent is rushed, respondent may freeze up and may not respond quickly, or may become verbally aggressive. Remind respondent to contact a friend.”

“Respondent has epilepsy and diabetes and may have seizures when stressed. Respondent doesn’t respond well to being rushed and will need time to get meds and supplies.”