

So that the Order of Protection is valid
YOU MUST REPLACE THIS PAGE with
Cover Sheet: Order of Protection

STATE OF INDIANA) IN THE _____ COURT ____
) SS: (_____ DIVISION, ROOM ____)
 COUNTY OF _____)
 CASE NO. _____

_____))
 Petitioner)
 vs.)
 _____))
 Respondent)

EX PARTE ORDER FOR PROTECTION

The Court, under the authority of Indiana Code § 34-26-5-9 (b), issues this Ex Parte Order for Protection.

FINDINGS

The Court, having reviewed the Petition and/or hearing testimony, now makes the following Findings:

- a. The Petitioner has shown, by a preponderance of the evidence, that domestic or family violence, stalking, or a sex offense has occurred sufficient to justify the issuance of this Order.
- b. This order does / does not protect an intimate partner or child.
- c. The Respondent represents a credible threat to the safety of the Petitioner or a member of the Petitioner’s household.
- d. The following relief is necessary to bring about a cessation of the violence or the threat of violence.

ORDER

(Check all applicable relief ordered)

IDACS Codes:

- ___ 1. The Respondent is hereby enjoined from threatening to commit or committing acts of domestic or family violence, stalking, or a sex offense against the Petitioner and the following designated family or household members, if any:
 _____ 01 - Petitioner
 _____ 02 - Others
- ___ 2. The Respondent is prohibited from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the Petitioner, except: _____ 05
 _____ 03
- ___ 3. The Respondent shall be removed and excluded from the Petitioner’s residence.

- ___ 4. The Respondent is ordered to stay away from the residence, school, and/or place of employment of the Petitioner. The Respondent is further ordered to stay away from the following place(s) that is/are frequented by the Petitioner and/or the Petitioner's family or household members: _____ 04
- ___ 5. The Petitioner shall have the possession and use of the residence/motor vehicle/other essential personal effects as follows: _____ 03 – Residence
 _____ 08 - Other
- ___ 6. The Court orders the following additional relief to provide for the safety and welfare of the Petitioner and each family or household member designated in Paragraph 1 of this Order: _____ 08

- ___ 7. **To law enforcement officers: You are hereby directed to accompany the Petitioner to the residence of the parties to ensure that the Petitioner is safely restored to the possession of the residence/motor vehicle/other essential personal effects listed above; and/or, you are to supervise the Petitioner's or Respondent's removal of personal belongings.** 08

THIS EX PARTE ORDER FOR PROTECTION EXPIRES:

___ TWO (2) YEARS FROM THE DATE IT IS ISSUED;
 OR
 ___ ON THE ___ DAY OF _____, 20__.

THE RESPONDENT IS ORDERED TO PAY COURT COSTS TO THE CLERK IN THE AMOUNT OF \$___ UNDER INDIANA CODE § 34-26-5-16.

DATE: _____

Recommended for approval by, if applicable:

_____, COMMISSIONER/REFEREE

Approved and ordered by:

_____, JUDGE/MAGISTRATE

*******Important Notice*******

Violation of this order is punishable by confinement in jail, prison, and/or a fine.

If so ordered by the court, the respondent is forbidden to enter or stay at the petitioner's residence or residence of any child who is the subject of the order, even if invited to do so by the petitioner or any other person. In no event is the order for protection voided.

Pursuant to 18 U.S.C. 2265, this order for protection shall be given full faith and credit in any other state or tribal land and shall be enforced as if it were an order issued in that state or tribal land.

Pursuant to 18 U.S.C. 922(g), once a respondent has received notice of this order and an opportunity to be heard, it is a federal violation to purchase, receive, or possess a firearm while subject to this order if the protected person is:

- (a) the respondent's current or former spouse;**
- (b) a current or former person with whom the respondent resided while in an intimate relationship; or**
- (c) a person with whom the respondent has a child.**

Interstate violation of this order may subject the respondent to federal criminal penalties under 18 U.S.C. 2261 and 18 U.S.C. 2262.

You have the right to request that a hearing be held on the issues of this case. You must request the hearing in writing within thirty (30) days of receiving this order. If requested, the court staff/clerk will provide you with the forms containing the required information you need to submit to obtain a hearing in this case.