

MEMO

TO PROTECTION ORDER APPLICANTS

1. On your Petition listing the incidents, do NOT merely refer the Court to to an attached police report, i.e.

2. Describe what happened in each of the above incidents including the date(s), place(s) and witnesses to each incident (attach additional sheets of paper if necessary):

Date of Incident #1: _____

Place of Incident: _____

Description of Incident: _____

See Attached Police Report

List the names of all of the people who were present during the incident. You must include your own name if you were present:

Your Petition will be denied if you do not write out a detailed incident with applicable dates, location, and witnesses.

3. List ALL court cases which may affect the Order for Protection, including divorces/dissolutions, juvenile cases, paternity cases, small claims cases, criminal cases, and OTHER CURRENT OR PAST PROTECTION ORDER CASES, as follows:

Please list all cases (divorce, protection orders, paternity, guardianship, criminal, juvenile, civil) involving the Respondent, yourself, or a child you have with the Respondent, (attach additional sheets of paper if necessary):

Case Name Case Number County & State

STATE OF INDIANA)
COUNTY OF _____) SS:

IN THE _____ COURT
(_____ DIVISION, ROOM _____)

_____))
Petitioner)
vs.)

CASE NO: _____

_____))
Respondent)

**SUPPLEMENT TO COVER SHEET
PROTECTION ORDER**

PROTECTED PERSONS

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

FIRST	MIDDLE	LAST	BIRTH YEAR	SEX	RACE

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

_____))
 Name of Minor Child, Petitioner)
 _____))
 By Child's Next Friend, (Your Name))
 vs.)
 _____))
 Respondent (Person to be Restrained))

PETITION FOR AN ORDER FOR PROTECTION AND REQUEST FOR A HEARING—Filed on Behalf of a Child

**IMPORTANT: This is a public document and a copy of it will be placed in the Court's file. A copy may also be sent to the Respondent.
 (Check those which apply)**

1. I am filing this Petition for a child. The child who needs protection is or has been a victim of domestic or family violence, a sex offense, stalking, a course of conduct involving repeated or continuing contact with the child that is intended to prepare or condition the child for sexual activity (as defined in Ind. Code § 35-42-4-13), or repeated acts of harassment, and I am that person's:

- parent
- guardian
- other representative (*describe:* _____).

2. What is the Respondent's relationship to the child who needs protection?

a. The Respondent is a family or household member (*check only the line which best applies*):

- the Respondent is, or used to be my spouse and the child lived with us;
- the Respondent and I resided together in an intimate relationship and the child lived with us;
- the Respondent is a parent of the child;
- the Respondent is, or used to, date the child;
- the Respondent is, or has been, engaged in a sexual relationship with the child;
- the Respondent and the child who needs protection have a child in common;
- the Respondent and the child are related by blood or adoption. The Respondent is the child's _____;
- the Respondent and the child are, or used to be, related by marriage. The Respondent is the child's _____;

- the Respondent is, or used to be, the child's guardian;
- the Respondent is, or used to be, the child's custodian;
- the Respondent is, or used to be, the child's foster parent;
- the child who needs protection is a minor child of someone in one of the types of relationships described above.

If Respondent is not a family or household member as indicated above, but Respondent has committed stalking, a sex offense, sex grooming, or repeated acts of harassment (check only the line below which best applies):

- a. the Respondent has committed stalking against the child who needs protection.
- b. the Respondent has committed a sex offense against the child who needs protection.
- c. the Respondent engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition a child for sexual activity (as defined by Ind. Code § 35-42-4-13).
- d. the Respondent committed repeated acts of harassment against the child.

3. How old is the Respondent? _____ years old.

4. Please list all cases (divorce, protection orders, paternity, guardianship, criminal, juvenile, civil) involving the Respondent, or the Child you have with the Respondent (*attach additional sheets of paper if necessary*):

Case Name	Case Number	County & State

_____ Continued on Attachment 4a.

5. This case is filed in this county because:

- a. the Respondent lives in this county.
- b. the incident(s) of domestic or family violence, stalking, sex offense, sex grooming, or harassment happened in this county.
- c. the child who needs protection lives in this county.
- d. the Petitioner lives in this county.

6. If you are not represented by an attorney, fill in your public mailing address:

This address will not be kept secret, so you should use a mailing address that you feel comfortable having public. If the Court grants the order, you may be eligible to obtain a confidential address through the Attorney General's Address Confidentiality Program (ACP). Email the ACP at: confidential@atg.state.in.us

to get information on how to participate in that program.

7. **The Respondent has committed the following act(s) of domestic or family violence, stalking, sex offense, sex grooming, or harassment (check those which apply):**

- the Respondent attempted to cause physical harm to the child who needs protection;
- the Respondent threatened to cause physical harm to the child who needs protection;
- the Respondent did cause physical harm to the child who needs protection;
- the Respondent placed the child who needs protection in fear of physical harm;
- the Respondent caused the child who needs protection to involuntarily engage in sexual activity by force, threat of force, or duress;
- the Respondent committed stalking against the child who needs protection;
- the Respondent committed a sex offense against the child who needs protection.
- the Respondent committed an act of animal cruelty by beating, torturing, mutilating, or killing a vertebrate animal without justification with an intent to threaten, intimidate, coerce, harass or terrorize a family or household member.
- the Respondent has engaged in a course of conduct involving repeated or continuing contact with a child that is intended to prepare or condition a child for sexual activity (as defined in Ind. Code § 35-42-4-13).
- the Respondent committed repeated acts of harassment against the child.

8. **Describe what happened in each of the above incidents including the date(s), place(s) and witnesses to each incident (attach additional sheets of paper if necessary):**

Date of Incident #1: _____
Place of Incident: _____
Description of Incident:

List the names of all of the people who were present during the incident. You must include your own name if you were present:

Date of Incident #2: _____
Place of Incident: _____
Description of Incident:

List the names of all of the people who were present during the incident. You must include your own name if you were present:

Date of Incident #3: _____

Place of Incident: _____

Description of Incident: _____

List the names of all of the people who were present during the incident. You must include your own name if you were present:

Continued on Attachment 8a.

9. I am asking the Court to order the following relief (*check all which apply*):

NOTE: *The following requested relief may be granted immediately by the Judge without a hearing. However, if the petition is based on harassment alone, the relief may be granted ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days.*

____ Prohibit the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, sex offenses against the child, or a course of conduct involving repeated or continuing contact with the child that is intended to prepare or condition the child for sexual activity and who needs protection;

____ Prohibit the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the family or household members of the child who needs protection. Their names are:

_____;

____ Prohibit the Respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the child who needs protection;

____ Order the Respondent to stay away from the child's residence, school, place of employment, or other place, which is the _____, located at: _____;

____ Order the Respondent to stay away from the following location(s) frequented by the family or household member(s) of the child, which may include a residence, school, or place of employment:

_____;

Please complete:

Please list all owners or lease signers at the Child's residence:

NOTE: The following requested relief may be granted immediately by the Judge, but the Court must hold a hearing within thirty (30) days. If the petition is based on harassment alone, the relief may be granted ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days.

___ Evict the Respondent from the child's residence,
which is located at: _____;

___ Order the Respondent to give the child the possession and use of
the following:

___ The residence located at: _____;

___ An automobile/other motor vehicle described as: _____;

___ Other necessary personal items, described as: _____;

___ Prohibit Respondent from removing, transferring, injuring, concealing,
harming, attacking, mistreating, threatening to harm, or otherwise disposing
of the animal(s) listed below.

<u>Example</u>	<u>Name:</u>	<u>Max</u>
	<u>Age/Type:</u>	<u>9 year old dog</u>
	<u>Size/Breed:</u>	<u>Large 55 pound black lab</u>
	<u>Description:</u>	<u>Black hair, pink collar</u>

Animal 1	Name:	_____
	Age/Type:	_____
	Size/Breed:	_____
	Description:	_____

Animal 2	Name:	_____
	Age/Type:	_____
	Size/Breed:	_____
	Description:	_____

Additional animals listed on Attachment 9(a).

___ Order that I will have the exclusive possession, care, custody, or control of an
animal(s) owned, possessed, kept, or cared for by myself, the Respondent, a
minor child of myself or the Respondent, or any other family or household
member listed below.

Animal 1 Name: _____
Age/Type: _____
Size/Breed: _____
Description: _____

Animal 2 Name: _____
Age/Type: _____
Size/Breed: _____
Description: _____

Additional animals listed on Attachment 9(a).

___ Order the following additional relief necessary to provide for the child's safety and welfare and the safety and welfare of the child's family or household members:

NOTE: The following requested relief may be granted ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days:

- ___ Specify the arrangements for parenting time;
- ___ Require that parenting time be supervised by a third party;
- ___ Deny the Respondent parenting time;
- ___ Order the Respondent to pay the Petitioner's or child's attorney fees;
- ___ Order the Respondent to pay rent for the child's residence;
- ___ Order the Respondent to make payment on a mortgage for the child's residence;
- ___ Order the Respondent to pay support for the child, or for minor child(ren) in common with the child who needs protection;
- ___ Order the Respondent to reimburse the Petitioner and/or the child who needs protection for expenses related to the domestic or family violence, stalking, sex offense, sex grooming or harassment as follows
(specify the amount for each expense and bring documentation of the expense with you to Court for the Hearing):
 - ___ Medical expenses: \$ _____
 - ___ Counseling: \$ _____
 - ___ Shelter: \$ _____
 - ___ Repair or replacement of damaged property: \$ _____
 - ___ Other costs or fees the Petitioner or child has as a result of bringing this case: \$ _____

- ___ Prohibit the Respondent from using or possessing a firearm, ammunition, or deadly weapon;
- ___ Order the Respondent to surrender the following firearm(s), ammunition, or deadly weapon(s) to a specified law enforcement agency *(list each item*

below and attach an additional sheet of paper if necessary):

_____;

____ Continued on Attachment 9b.

____ Order a wireless service provider to transfer to me the right to continued use of, and financial responsibility for, the following telephone number(s) used by a minor child in my custody:

Telephone Number and User: _____
Wireless Service Provider: _____
Current Account Holder: _____

Telephone Number and User: _____
Wireless Service Provider: _____
Current Account Holder: _____

Additional telephone numbers listed on Attachment 9(c)

NOTE: A wireless service provider's normal requirements for setting up a new cellular telephone account still apply. You should consider whether you will be able to set up an account in your own name and whether you will be able to pay for the account.

10. Number of pages attached: _____

By filing this Petition, I am respectfully requesting that the Court immediately issue an Ex Parte Order for Protection. I understand that, if I have asked for relief from the Court regarding any of the following:

- evicting the Respondent from the child's home;
- giving the child the possession of personal property;
- giving me possession of an animal;
- prohibiting Respondent from taking action against an animal;
- establishing rules for child parenting time;
- requiring the Respondent to pay fees, expenses, or child support;
- forbidding the Respondent from possessing a firearm, ammunition, or a deadly weapon;
- ordering the Respondent to surrender firearm(s), ammunition, or deadly weapons; or
- allowing me or a child in my custody to continue to use a telephone number that I will be financially responsible for;

I must also ask the Court to set a date for a Hearing within thirty (30) days of today's date.

I understand that if the petition is based on harassment alone, the Court may grant relief ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days.

I understand that if a Hearing is set, and if I fail to appear for the Hearing, the Court may terminate the Ex Parte Order and/or dismiss the case.

I affirm, under the penalties for perjury, that the foregoing representations are true:

- a. on the basis of my own personal knowledge.
- b. on the basis that I have been informed and believe that the facts stated are true. *(NOTE: If this Petition is made solely on the basis of Petitioner's information and belief, Petitioner must attach affidavits by one or more persons who have personal knowledge of the facts stated.)*

DATE: _____

PETITIONER - Type or print name of child

Signature of child's next friend

CASE IDENTIFICATION INFORMATION FOR CONFIDENTIAL FORM

For use by Court, Clerk, Prosecuting Attorney, and Law Enforcement Personnel ONLY

OFFICE OF JUDICIAL ADMINISTRATION

STATE OF INDIANA) COUNTY OF _____) _____ PETITIONER/PLAINTIFF/NEXTFRIEND/STATE OF INDIANA v. _____ RESPONDENT/DEFENDANT _____ EMPLOYEE (IF WVRO)	COURT: <input type="checkbox"/> Superior, Room #: _____ (check one) <input type="checkbox"/> Circuit CASE #: _____ - _____ - _____ DATE: _____ mm/dd/yyyy
--	---

PERSON RESTRAINED

Name:	Home: (____) _____			
Home address:	Work: (____) _____			
	Cell: (____) _____			
	Email: _____			
Postal address (if different from home address):	Location of place of business or where person is usually or often found:			
Sex: <input type="checkbox"/> male <input type="checkbox"/> female				
DOB:	Describe nature and location of any scars or tattoos:			
Any scars or tattoos? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Race:	Hair color:	Eye Color:	Height:	Weight:

List the name(s), age, race, and sex of any person(s) residing at the household of the protected person who are **NOT PROTECTED** parties. Protected parties are listed on the Confidential Form which follows. Attach an additional sheet of paper if necessary.

Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female

CONFIDENTIAL FORM

Note: The following information is confidential under Indiana law pursuant to Indiana Code § 5-2-9-7, and it may not be released.

PETITIONER

Home address:

DOB:

Race:

Sex: male female

SSN: (optional)

Home: () _____

Work: () _____

Fax: () _____

Cell: () _____

Email: _____

PROTECTION ORDERS ONLY:

Do you wish to receive notifications when the order is issued, served, and about to expire? Yes No

Method: Email Text

You must provide data in the proper fields above to match the Method of notification chosen. See Notification Information at the bottom of this form.

Postal address (if different from home address):

When can protected person be reached at the above numbers or any alternative numbers?

Other protected address:

List the cities/counties where the protected person would like a copy of the order sent:

Address from confidentiality program of Attorney General:

OTHER PROTECTED PARTIES

Name:

Age:

Date of Birth:

Sex: Male Female

Race:

Name:

Age:

Date of Birth:

Sex: Male Female

Race:

Name:

Age:

Date of Birth:

Sex: Male Female

Race:

Attach an additional sheet of paper if necessary to list additional protected parties.

PERSON RESTRAINED

SSN: _____

The "Confidential Form" portion of this form must be on green paper according to Admin. Rule 9

Notification Information

- The user will incur standard text-messaging fees for any messages received.
- The user is responsible to notify the Clerk's office of any changes to their contact information which may include their cell phone number and email address.
- The Indiana Supreme Court's Office of Judicial Administration may not be held liable for the failure of the receipt of a notification.
- The notifications sent to users are a service being provided by the Indiana Supreme Court's Office of Judicial Administration.

Form Administrative Rule 9-G1

STATE OF INDIANA
IN THE _____ COURT, COUNTY OF _____

_____,)
Plaintiff(s),)
) Case No: _____
vs.)
)
_____,)
Defendant(s))

**Administrative Rule 9(G)(5) Notice of Exclusion
of Confidential Information from Public Access
(FILED WITH TRIAL COURT CLERK)**

Contemporaneous with the filing of this notice, _____ has filed confidential information on green paper in accordance with Administrative Rule 9(G)(6). Pursuant to Administrative Rule 9(G)(5), _____, provides this notice that the confidential information contained on that green paper is to remain excluded from public access in accordance with the authority listed below:

<u>Name or description of document filed on green paper.</u>	<u>Administrative Rule 9(G) grounds upon which exclusion is authorized.</u>
PO-0104, Confidential Form	1. Admin. R. 9 (G) (2) (g) (i) 2. Admin. R. 9 (G) (3) (b) 3. Ind. Code 5-2-9-5.5 (c) 4. Ind. Code 5-2-9-6 5. Ind. Code 5-2-9-7 6. Ind. Code 31-37-19-2 (2) 7. Ind. Code 33-39-1-8 (i) (2) 8. Ind. Code 34-26-5-3 (a) (C) 9. Ind. Code 34-26-6-13 10. Ind. Code 35-33-8-3.2 (f) (2) 11. Ind. Code 35-38-2-2.3 (f) (2)

Respectfully submitted,

[Insert Name]

CERTIFICATE OF SERVICE

I certify that on this _____ day of _____, 20____, the foregoing was served upon the following by [state method of service]:

[list names and addresses of counsel of record]

[Signature]

STATE OF INDIANA) IN THE _____ COURT
) SS:
COUNTY OF _____) Case Number:
 (To be supplied by Clerk when case is filed.)

(Caption)

APPEARANCE BY ATTORNEY IN CIVIL CASE

This Appearance Form must be filed on behalf of every party in a civil case.

1. The party on whose behalf this form is being filed is:

Initiating _____ Responding _____ Intervening _____; and

the undersigned attorney and all attorneys listed on this form now appear in this case for the following parties:

Name of party _____

Address of party (see Question # 6 below if this case involves a protection from abuse order, a workplace violence restraining order, or a no-contact order)

Telephone # of party _____

FAX: _____

Email Address: _____

(List on a continuation page additional parties this attorney represents in this case.)

2. Attorney information for service as required by Trial Rule 5(B)(2)

Name: _____ Atty Number: _____

Address: _____

Phone: _____

FAX: _____

Email Address: _____

(List on continuation page additional attorneys appearing for above party)

3. This is a _____ case type as defined in administrative Rule 8(B)(3).
4. I will accept service from other parties by:
 FAX at the above noted number: Yes ___ No ___
 Email at the above noted number: Yes ___ No ___
5. This case involves child support issues. Yes ___ No ___ (If yes, supply social security numbers for all family members on a separately attached document filed as confidential information on light green paper. Use Form TCM-TR3.1-4.)
6. This case involves a protection from abuse order, a workplace violence restraining order, or a no – contact order. Yes ___ No ___ (If Yes, the initiating party must provide an address for the purpose of legal service but that address should not be one that exposes the whereabouts of a petitioner.) The party shall use the following address for purposes of legal service:

_____ Attorney's address
 _____ The Attorney General Confidentiality program address
 (contact the Attorney General at 1-800-321-1907 or e-mail address is confidential@atg.in.gov).
 _____ Another address (provide)

7. This case involves a petition for involuntary commitment. Yes ___ No ___
8. If Yes above, provide the following regarding the individual subject to the petition for involuntary commitment:
- a. Name of the individual subject to the petition for involuntary commitment if it is not already provided in #1 above: _____
- b. State of Residence of person subject to petition: _____
- c. At least one of the following pieces of identifying information:
- (i) Date of Birth _____
- (ii) Driver's License Number _____
 State where issued _____ Expiration date _____
- (iii) State ID number _____
 State where issued _____ Expiration date _____
- (iv) FBI number _____

(v) Indiana Department of Corrections Number _____

(vi) Social Security Number is available and is being provided in an attached confidential document Yes ___ No ___

9. There are related cases: Yes ___ No ___ *(If yes, list on continuation page.)*

10. Additional information required by local rule:

11. There are other party members: Yes ___ No ___ *(If yes, list on continuation page.)*

12. This form has been served on all other parties and Certificate of Service is attached:
Yes ___ No ___

Attorney-at-Law

(Attorney information shown above.)

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

NOTICE TO APPEAR

The Petitioner having filed a petition for an Order for Protection, the Court now finds the conditions in Indiana Code § 34-26-5 have been met, and sets this matter for Hearing as follows:

TO: _____
 DATE OF HEARING: _____
 TIME OF HEARING: _____
 LOCATION OF HEARING: _____

Please bring all documents and witnesses relating to this case with you to Court on your hearing date.

____ THE SHERIFF OF _____ COUNTY, INDIANA, IS ORDERED to personally serve this notice upon Respondent and make due return.

DATE: _____ Recommended for approval by, if applicable:

_____, COMMISSIONER/REFEREE

Approved and ordered by:

_____, JUDGE/MAGISTRATE

*******IMPORTANT NOTICE*******

IF YOU DO NOT ATTEND THE HEARING IN THIS CASE, THE JUDGE MAY HEAR THE CASE IN YOUR ABSENCE AND ORDER ADDITIONAL RELIEF THAT MAY INCLUDE:

- EVICTION/EXCLUSION FROM A RESIDENCE;
- RESTRICTING POSSESSION OF PERSONAL PROPERTY;
- RESTRICTING PARENTING TIME;
- AWARDED CHILD SUPPORT; AND,
- PROHIBITING POSSESSION OF FIREARMS, AMMUNITION, OR DEADLY WEAPONS.