

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____]	
Petitioner,]	Civil Action File
]	
v.]	No. _____
]	
_____]	
Respondent.]	

PETITION FOR TEMPORARY PROTECTIVE ORDER

The Petitioner, pursuant to the Family Violence Act at O.C.G.A. §§ 19-13-1 et seq., files this Petition for a Family Violence Protective Order and in support shows the Court the following:

1. The Petitioner is a resident of _____ County, Georgia, and is 18 years of age or older or is an emancipated minor. Petitioner's date of birth is _____, sex _____, race _____.

2. The Respondent is a resident of _____, County, Georgia and may be served at _____, _____ Georgia. Jurisdiction and venue are proper with this Court.

OR

2a. Respondent is a resident of the State of _____. Under O.C.G.A. § 19-13-2(b) jurisdiction and venue are proper with this Court because the abuse occurred in the State of Georgia in _____ County and/or the Petitioner lives in _____ County. Respondent is subject to the jurisdiction of this Court and may be served at _____.

3. Petitioner and Respondent are:

- ____ 1. Present or past spouses
- ____ 2. Parents of the same child/ren
- ____ 3. Parent and child/ren
- ____ 4. Persons who used to live in the same household
- ____ 5. Persons currently living in the same household
- ____ 6. Foster parent and foster child
- ____ 7. Stepparent and stepchild

4. On or about _____, _____, the Respondent committed the following acts of family violence against the Petitioner and/or minor child/ren _____

resided with them) _____

- ___ 8. The parties are not married and the Respondent _____ (has OR has not) legitimated the child/ren of the parties.
- ___ 9. Petitioner (does OR does not) have knowledge concerning custody or claims of custody concerning these child/ren including divorce, separation, juvenile and DFCS cases. Specify court and type of case(if applicable)

- ___ 10. Petitioner has the following minor child/ren living with Petitioner whom the Petitioner wishes protected from the Respondent and included in the Protective Order (names and ages): _____

- ___ 11. Petitioner believes Respondent has a criminal record and has committed the following crimes: (approximate dates and crimes) _____

- ___ 12. Petitioner fears that if Respondent learns of Petitioner's current address that Respondent will hurt or injure Petitioner or Petitioner's immediate family. Petitioner requests that Respondent not be informed of Petitioner's current residence.
- ___ 13. Petitioner is dependent upon the family residence for shelter for the Petitioner and/or minor child/ren and asks that Petitioner be granted the temporary use and possession of said residence, located at _____ together with all personal property contained therein with the exception of Respondent's personal clothing.
- ___ 14. Petitioner and minor child/ren are dependent upon the Respondent for support and requests that Petitioner be awarded temporary child support.
- ___ 15. Petitioner is dependent upon the Respondent for support and asks that Petitioner be awarded temporary support.
- ___ 16. The minor child/ren are currently in the custody and control of the Petitioner/Respondent and Petitioner asks legal and physical custody.

_____ 17. Petitioner asks that the following assets/property of the Petitioner be returned by the Respondent : _____

THEREFORE, Petitioner asks:

- (a) That the Court set a hearing no later than thirty (30) days from the filing of the Petition and direct Respondent to appear before this Court and show any reasons why the demands of the Petitioner should not be granted;
- (b) That the Respondent be served a copy of this Petition and Ex Parte Protective Order as required by law;
- (c) That this Court direct law enforcement to enforce this Order;
- (d) That this Court direct Respondent to stop abusing, harassing and intimidating Petitioner and/or Petitioner's child/ren;
- (e) That this Court restrain and enjoin Respondent from having any direct or indirect contact with the Petitioner and/or Petitioner's child/ren;
- (f) That this Court order that Respondent be enjoined from approaching within _____ yards of Petitioner;
- (g) That this Court make findings of fact and conclusions of law concerning the issues in this case;
- (h) That Petitioner have such other and further relief as the Court may deem just and proper;
- (i) That this Court issue Family Violence Ex Parte and Twelve Month Protective Orders to:

Check the following paragraphs that apply to your case. Fill in the information needed by each paragraph you check.

_____ award Petitioner temporary sole legal and physical custody of the minor child/ren;

_____ order Respondent to vacate the family residence at _____
_____ instantler;

- ___ grant Petitioner exclusive temporary use and possession of the family residence at _____ and all personal property of the parties located at the family residence and Petitioner's current residence with the exception of Respondent's personal clothing; that law enforcement _____ (sheriff or police department) assist Petitioner in returning to the family residence and in ensuring that the Respondent vacates said residence and that all keys, garage door openers and other security devices to the family residence are secured and given to the Petitioner;

- ___ order Respondent to provide suitable alternate housing for Petitioner and/or Petitioner's children;

- ___ order Respondent to stay away from Petitioner's and /or Petitioner's minor child/ren's place of residence, place of employment, and/or school;

- ___ order Respondent's visitation with the minor child/ren be limited to no visitation or _____;

- ___ order Respondent to pay to Petitioner child support for the minor child/ren;

- ___ order Respondent to pay spousal support for Petitioner;

- ___ award the Petitioner costs and attorney's fees for having to bring this action;

- ___ order that Petitioner's current address be kept confidential;

- ___ enjoin and restrain Respondent from selling, disposing or encumbering, trading, contracting to sell, or otherwise disposing or removing from the jurisdiction of this Court any of the property of Petitioner or of the parties except in the ordinary course of business;

- ___ enjoin and restrain Respondent from disconnecting the home utilities, changing and/or canceling auto, health or life insurance for Respondent, Petitioner, and/or the Petitioner's minor child/ren, and/or interfering with Petitioner's or the Petitioner's minor child/ren's mail;

- ___ grant Petitioner the use of the following automobile: Make _____, Model _____, Year _____, and law enforcement _____ (sheriff or police department) ensure that all keys to said vehicle be immediately returned to Petitioner;

- ___ permit Petitioner to remove the following property from the residence for the exclusive use by Petitioner and/or the minor child/ren _____

 _____ and law enforcement _____ (sheriff or police department) be ordered to assist the

Petitioner during this removal;

___ order Respondent to undergo evaluation for drug/alcohol abuse and to follow the recommended treatment;

___ order Respondent to undergo a batterer's intervention program and to follow the recommended treatment;

___ order Respondent to return _____
_____ to Petitioner immediately;

___ order Respondent to reimburse Petitioner for damages or expenses for the following: _____

___ order additional relief as follows: _____

Respectfully submitted,

Address _____

Petitioner

Phone _____

(Do not give current address if confidential,
give alternative address)

Respondent Identifying Fact Sheet

Complete as much as possible

Respondent's social security number is _____, date of birth is _____, sex _____,
color of hair _____, color of eyes _____, height _____, weight _____.
Respondent's race is _____. Ethnic background _____ Respondent drives a
_____, license tag number _____ and has a _____(state) driver's
license number _____. Respondent has distinguishing marks (tattoos, scars,
etc.) _____. Respondent's home address _____
and is employed by _____ at _____ and works from _____ to _____
on (days) _____.

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

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Petitioner,]	Civil Action File
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Respondent.]	

VERIFICATION

Personally appeared _____, who being duly sworn states that she/he is the Petitioner in the above styled case and that the facts set forth in the foregoing Petition for Temporary Protective Order are true and correct.

Petitioner

Sworn and subscribed before
me this ____ day of _____, 20____.

NOTARY PUBLIC

My commission expires: _____

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____	§	
Petitioner,		Civil Action File
v.	§	No. _____
_____	§	
Respondent.		

FAMILY VIOLENCE EX PARTE PROTECTIVE ORDER

The Petitioner having prayed, pursuant to O.C.G.A. § 19-13-1 et seq., that a Protective Order be issued; and alleged that Respondent has committed acts of Family Violence and that Petitioner is in reasonable fear of the Petitioner's safety and the safety of Petitioner's child/ren; and it appearing to the Court that probable cause exists that family violence has occurred in the past and may occur in the future, **IT IS HEREBY ORDERED AND ADJUDGED:**

1. That these proceedings be filed in the office of the Clerk of this Court.
2. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. § 19-13-4(d). Law Enforcement officers may use their arrest powers pursuant to O.C.G.A. §§ 19-13-6 and 17-4-20 to enforce the terms of this Order.
3. That a copy of this Order be given to law enforcement and the Respondent be served with a copy of this Order and Petition for Temporary Protective Order instant.
4. That the Respondent appear before this Court, on the _____ day of _____ at _____ . m. in room _____ of the _____ County Courthouse at _____ to show cause why the requests of the Petitioner should not be granted.
5. That Respondent is hereby enjoined and restrained from doing, attempting or to do, or threatening to do, any act of injury, maltreating, molesting, following, harassing, harming or abusing the Petitioner and/or the minor child/ren in any manner. Respondent is not to interfere with Petitioner's travel, transportation, or communication.

Respondent shall not follow, place under surveillance, or contact the Petitioner at any place of the Petitioner for the purpose of harassing and intimidating the Petitioner.

- 6. That the Respondent is enjoined and restrained from doing or threatening to do any act of injury, maltreating, molesting, harassing, harming, or abusing the Petitioner's family or household.
- 7. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and the Court ordered that the Respondent be given reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights. This Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY THE FOLLOWING THAT ARE INITIALED BY THE JUDGE SHALL APPLY.

- ___ 8. That until further Order by this Court, Petitioner is awarded sole and exclusive use of the family residence at _____
- ___ 9. Respondent is ordered to leave the family residence immediately and law enforcement (sheriff or police department) is ordered to assist Petitioner in returning to the family residence and the removal of the Respondent. Respondent is to immediately surrender to law enforcement _____ (sheriff or police department) all and any keys, garage door openers and other security devices to the family residence and law enforcement is to insure that these are given to the Petitioner.
- ___ 10. Respondent is ordered to provide suitable alternate housing for Petitioner and/or Petitioner's children by _____.
- ___ 11. Petitioner's address is ordered to be kept confidential.
- ___ 12. Respondent is ordered to stay away from Petitioner's and Petitioner's minor child/ren's residence at _____ and workplace at _____, or school and any subsequent residence or workplace or school of Petitioner and/or Petitioner's minor child/ren.

____ 13. That until further Order of this Court, Respondent is restrained and enjoined from approaching within _____ yards of Petitioner and/or Petitioner's minor child/ren.

____ 14. Respondent is ordered not to have any contact, direct, indirect or through another person with Petitioner, by telephone, pager, fax, e-mail or any other means of communication except as specified in this Order.

____ 15. That Petitioner is awarded temporary custody of the minor child/ren, namely:

- DOB _____ sex _____
- DOB _____ sex _____
- DOB _____ sex _____
- DOB _____ sex _____

Respondent is ordered not to interfere with the physical custody of the child/ren.

_____ Initial here **only if Respondent** is awarded temporary custody of the child/ren.

____ 16. That Respondent is ordered to pay temporary child support for the minor child/ren to Petitioner in the amount of \$ _____ every _____ beginning _____.

All payments shall be made by or to: _____ income deduction order
_____ child support receiver
_____ by mail directly to the
Petitioner

or _____

____ 17. That Respondent is ordered to pay temporary support for the Petitioner in the amount of \$ _____ every _____ beginning _____.

All payments shall be made by or to: _____ income deduction order
_____ child support receiver
_____ by mail directly to the Petitioner or

____ 18. That Respondent, **only when accompanied by local law enforcement**, shall be able to remove his/her clothing and personal items from the residence as follows: _____

_____ on _____, 20 _____, at _____ am./pm.

____ 19. That (Respondent)(Petitioner)(both Respondent and Petitioner) [strike

through appropriate] is/are ordered not to sell, encumber, trade, damage, contract to sell, or otherwise dispose of or remove from the jurisdiction of this Court any of the property or pets of the Petitioner or joint property or pets of the parties except in the ordinary course of business.

____ 20. That (Respondent)(Petitioner)(both Respondent and Petitioner) [strike through appropriate] is/are ordered not to disconnect or have disconnected the home utilities, change or have changed and/or cancel or have canceled auto, health or life insurance for Respondent, Petitioner, and/or Petitioner's child/ren or interfere with Respondent's, Petitioner's and/or Petitioner's child/ren's mail.

____ 21. That Petitioner is awarded temporary sole possession of the vehicle: Make _____ Model _____ Year _____ Color _____. Respondent shall immediately surrender all keys, proof of insurance, and registration to this vehicle to law enforcement and law enforcement shall immediately turn over said items to Petitioner.

____ 22. That Petitioner shall be allowed to remove the following property from the family residence for Petitioner's and/or Petitioner's child/ren's use _____ on _____, 20 _____ at _____ and law enforcement (sheriff or police department) is hereby ordered to assist the Petitioner during this removal.

____ 23. That Respondent shall be required to return the following property for Petitioner's and/or Petitioner's child/ren's use _____ on _____, 20 _____, at _____ and law enforcement (sheriff or police department) is hereby ordered to assist the Petitioner with this return.

____ 24. It is further ordered _____

SO ORDERED this _____ day of _____, 20 _____.

JUDGE, SUPERIOR COURTS

JUDICIAL CIRCUIT

RESPONDENT'S IDENTIFYING FACT SHEET

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Respondent's date of birth OR social security number)

Respondent's social security number is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag no: _____ (Expires: _____) and has a _____ (state) driver's license no: _____ (Expires: _____). Respondent's home address _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____. Respondent has the following known aliases: _____.

PROTECTED PARTIES' IDENTIFYING INFORMATION

Petitioner:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____

Transmitted to Georgia Protective Order Registry Date _____ Clerk _____