

PLEASE COMPLETE THIS FORM.

Protective Orders are a legal court cases and should always be considered serious. Protective Orders may be issued for a maximum of TWO (2) YEARS.

YOU as the Petitioner will be attesting that the information you are providing to the court is correct and true. You WILL need a correct address and a date of birth of the Respondent. Obtaining this information is solely YOUR responsibility.

The Clerks Office's role is to file your Protective Order Petition and help answer non-legal questions. We are NOT attorneys and will NOT provide any legal advice. We can provide to you the phone number of legal aid if you unable to afford legal counsel.

Only the Decatur County Superior/Circuit Court Judge has the authority to determine if your situation qualifies for and issuance of a Protective Order. THE JUDGE WILL BASE HIS DECISION BASED ON WHAT INFORMATION YOU PROVIDE. You are welcome to attach additional documents if needed.

Please READ ALL questions completely. Answer those that describe your situation.

1. I feel I am a victim of Domestic Violence Stalking Sexual Offense
 Workplace Violence
2. Are the petitioner and respondent living together? Yes No
3. Are there children involved with the petitioner and the respondent? Yes No
4. Is there now, or has there ever been a **divorce, paternity, custody or support case** between the petitioner (you) and respondent (person you are filing against)? Yes No

If **YES**, where was your case filed? _____ (County), _____(State)

5. Is there now, or has there ever been a **protective order case** between the petitioner (you) and respondent (person you are filing against)? Yes No

If **YES**, where was your protective order filed? _____ (County), _____(State)

6. Are there any other criminal or civil cases involving either the petitioner or respondent?

Yes No

If **YES**, where did these criminal/civil cases occur? _____ (County), _____(State)

Signature: _____

Date: _____

REFERENCE

The four (4) most common rulings:

1. Grant a Protective Order based on what is provided in this petition.
2. Grant a temporary Protective Order and request a hearing, which YOU MUST attend. The Judge will decide if you will keep the Protective Order previously issued.
3. Request a hearing only. The Respondent and you would both be **REQUIRED** to attend. The Judge will make the final decision if you may have your Protective Order.
4. Deny your Petition for protection. This decision is made by the Judge.

Please bring your completed forms prior to 3:00 p.m. After this time any given day, there is a strong possibility that the Judge will not see your paperwork until the next business day.

****NOTICE****

Address listed on the white forms will be considered public information and NOT confidential.

Please list your confidential addresses on the GREEN confidential sheet.

INSTRUCTIONS FOR PETITION FOR ORDER OF PROTECTION FILED ON BEHALF OF A CHILD

Under the Indiana Civil Protection Order Act (Indiana Code § 34-26-5), courts can issue orders to protect people from domestic or family violence, stalking, or a sex offense. These court orders are called “Orders for Protection”. There are two (2) kinds of Orders for Protection—an Ex Parte Order for Protection, which may be issued without a hearing, and an Order for Protection Issued After a Hearing. **Orders for Protection normally last 2 years, unless the Judge decides on a different duration.**

The protected person is called the “Petitioner.” The Petitioner must file a Petition in a court of record, against the other person, called the “Respondent.” There are 2 different kinds of Petitions a person can file: one kind allows a person to seek protection for himself or herself, and another kind allows a representative to ask for protection on behalf of a child. This representative is called the child’s “Next Friend.” This Instruction booklet explains how to fill out forms for a case in which the Next Friend is seeking protection on behalf of a child, *not* for himself or herself. If you want to apply for an Order for Protection for yourself, please ask the Clerk of the Court for the proper Instruction booklet and Petition.

IMPORTANT NOTICE: In order to file a case, you *must* have the Respondent’s correct name. In order to assist law enforcement in enforcing the Order for Protection you should have the Respondent’s date of birth and/or Social Security number and current address. The Respondent’s current address may also be necessary for the Court to grant certain forms of other relief.

Unless the Petitioner provides the Respondent’s date of birth or social security number, the protection order cannot be entered into the national Protection Order Registry.

Even if the protection order cannot be entered into the national Protection Order Registry, it will be valid and enforceable throughout the United States. It is highly recommended the child’s custodian carry the child’s Order for Protection with them at all times, especially when traveling with the child outside the State of Indiana.

This Instruction booklet explains how to fill out the Petition and Confidential Form. It also contains some Instructions for Respondents. These Instructions cannot cover all of the problems and questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see an attorney.

Who can get a court order under this law?

The Indiana Civil Protection Order Act was passed to promote the protection and safety of all victims of domestic or family violence, sexual assault, and stalking, and to prevent future violence against such victims. In order to apply for protection under this law, a **Petitioner** needs to have been a victim of:

- **Domestic or family violence;**
- **Stalking;** or,
- **A sex offense.**

However, a parent, guardian, or other representative may file a Petition for an Order for Protection on behalf of a child against a:

- **Family or household member who commits an act of domestic or family violence *against the child*; or**
- **A person who has committed stalking or a sex offense against the child.**

If you are the parent, guardian, or other representative of such a child, you will be known as the “Petitioner” and the child will be known as the “Child Who Needs Protection” or as “the Child”.

“Domestic or family violence” means a **family or household member** committed one or more of the following acts:

1. attempting to cause, threatening to cause, or actually causing physical harm to another family or household member;
2. placing a family or household member in fear of physical harm;

3. causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress—in other words, forcing someone to engage in a sexual act against the person’s will;
4. 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.

Stalking and sex offenses are subject to a Protection Order whether or not committed by a household member

The **Respondent** must be either a:

- **Family or household member** of the Child Who Needs Protection; or,
- Person who has committed stalking or a sex offense against the Child Who Needs Protection.

The Child Who Needs Protection and the Respondent are “**family or household members**” if:

- The Child and the Respondent are now dating each other, or used to date each other;
- The Child and the Respondent are now engaged in a sexual relationship with each other, or used to be in a sexual relationship with each other;
- The Child Who Needs Protection and the Respondent have a child in common;
- The Child and the Respondent are related by blood or adoption (for example, they are a brother and sister with the same parents);
- The Child and the Respondent are now related to each other by marriage, or used to be related to each other by marriage (for example, they are a step-brother and a step-sister);
- The Child was the biological child of the Respondent and was adopted by the Petitioner;
- The Child and the Respondent are now, or used to be, in one of these kinds of relationships:
 - The Respondent is or was the Child’s guardian;
 - The Child is or was the Respondent’s ward;
 - The Respondent is or was the Child’s custodian;
 - The Respondent is or was the Child’s foster parent; or,
 - A similar relationship.
- Finally, a “family or household member” could mean a minor child (under age 18) of a person in one of the kinds of relationships described above.

“**Stalking**” is defined by Indiana law (Indiana Code § 35-45-10-1) as: “A knowing or intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened.” The term “course of conduct” means two (2) or more incidents.

As used in the stalking law, “**harassment**” means: “Conduct directed toward a victim that includes but is not limited to repeated or continuing **impermissible contact** that would cause a reasonable person to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes.”

As used in the stalking law, “**impermissible contact**” includes (but is not limited to): “Knowingly or intentionally following or pursuing the victim.”

A “**sex offense**” means one of the following crimes under Indiana law (Indiana Code § 35-42-4):

- Rape;
- Criminal deviate conduct;
- Child molesting;
- Child exploitation;
- Vicarious sexual gratification;
- Child solicitation;
- Child seduction;
- Sexual battery; or,

- Sexual misconduct with a minor.

In order for a person to ask for an Order for Protection because he or she (or the Child Who Needs Protection) was a victim of stalking or a sex offense, it is not necessary for criminal charges to actually be filed. However, a victim of one of these kinds of crimes should always seek help from the police or sheriff and the prosecutor.

Are the Child's family or household members covered by an Order for Protection?

The judicial officer will decide who will be protected from the names listed on the Petition in Paragraph 9 and the names listed on the Confidential Form.

What if the Child needs an Order for Protection against more than one (1) Respondent?

The Petitioner should tell the Clerk how many Respondents he or she is filing against. The Clerk has to create a new and different court case for each Respondent—there can be only one Respondent per case. So, make sure the Petitioner has the correct number of Petitions, Confidential Forms, etc.

What if the Respondent is a juvenile?

If the Respondent is under 18 and still lives at home (is not “emancipated”), any court of record can hear the Petition. If a hearing is set, the case may be transferred to juvenile court.

Will the Child Who Needs Protection have to come to court?

If a hearing is necessary, the Child may have to attend—especially if the Child is the only person who witnessed the Respondent's conduct. You should consult with an attorney. If you do not have an attorney, the lawyer referral service of your local bar association may be of some help.

What do you need to get the Order for Protection or to object to one?

You will need to get the correct forms from the Clerk of the court, or from this Web site:
<http://www.in.gov/judiciary/2699.htm>

What forms must be used for this kind of case?

Here is a list of some of the different kinds of forms in a protective order case and the function of each form. If you want a complete list, ask the Clerk or go to the Web site.

1. *Petition for an Order for Protection and Request for a Hearing—Filed by Person Seeking Petition (“Petition”)*—this is the form used by the Petitioner to ask the Judge to issue an Order for Protection and also to ask for a hearing, if a hearing is required by law. The Petitioner uses this form to explain to the Judge why the Petitioner needs an Order for Protection for the Child, to describe what happened, and to list every kind of relief the Petitioner is asking for.
2. *Confidential Form*—this is the form used by the Petitioner and the Clerk of the court to record important information about the people involved in the case. The information on this form is entered into a computer that law enforcement officers (police, sheriff, etc.) can access. The information on this form is confidential according to state law. The only people who will have access to it are law enforcement officers, prosecutors, and court and clerk staff. This form must be submitted with the Petition at the time the case is filed.

Will the case automatically be set for a hearing?

It depends on what the Judge orders. Some Ex Parte Orders for Protection do not require a hearing—although a Respondent can ask for one within 30 days of receiving a copy of the Ex Parte Order for Protection. If a Petitioner asks for certain things, or if the Judge orders certain things, then a hearing must automatically be set. Here is a list of the different kinds of things a Judge can order and whether the law requires a hearing. Remember, the Respondent can always ask for a hearing, as long as the request is made within 30 days of receiving a copy of the Ex Parte Order.

Things that don't require a hearing unless the Respondent asks for one:

- Prohibiting the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the Child Who Needs Protection, or the Child's family or household members;
- Prohibiting the Respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the Child;
- Ordering the Respondent to stay away from the Child's residence, school, place of employment, or other places; and,
- Ordering the Respondent to stay away from places where the Child's family or household members regularly go.

Things that can be ordered by the Judge right away, but that require a hearing to be held within 30 days:

- Evicting the Respondent from the Child's home;
- Ordering the Respondent to give the Child the possession and use of:
 - A home they both share;
 - A car or other motor vehicle;
 - Other necessary personal items;
- Ordering other additional relief.

Things that can only be ordered by the Judge once a hearing has been held:

- Parenting time—establish rules for parenting time, require that it be supervised by a third party, or deny parenting time altogether;
- Ordering the Respondent to pay money to the Petitioner and/or the Child for various things, such as:
 - Attorney fees;
 - Rent/mortgage payments;
 - Child support/maintenance;
 - Medical expenses, counseling, shelter, repair or replacement of damaged property;
- Prohibiting the Respondent from possessing firearms, ammunition, or deadly weapons; and,
- If the Respondent owns a firearm, ammunition, or a deadly weapon, ordering the Respondent to surrender those items to a local law enforcement agency for the duration of the Order for Protection.

Should you see a lawyer?

In general, you have the right to file a Petition and to defend against one and go to court with or without an attorney. Because your situation may involve unique problems, you may want to consult with an attorney. Whether or not you have a lawyer, the other party may have one. The Clerk, the Court, and other court staff are prohibited from giving you legal advice.

What does the phrase "ex parte" mean?

The term "ex parte" means "one-sided." A basic principle in our legal system is that **all sides** to a dispute get to present their case to a judge before the judge makes a decision on the case and issues an order or a ruling. All parties to a case have a **right to be notified** that a legal action is being taken against them, and they have a **right to be heard** and to dispute the action in court.

An ex parte order is contrary to this principle. It is issued after the judge has only heard one side of the case, and before the opposing side even has notice that legal action is being taken against them. An ex parte order is rare in the justice system. Ex parte orders are granted by courts in exceptional circumstances.

Are Ex Parte Orders for Protection automatically issued?

No. As just explained, ex parte orders are only granted in exceptional circumstances which require an immediate order without giving the other party an opportunity to respond. Court orders are not issued just because a person asks for one. It is important to pay attention to every detail in filling out your Petition for an Ex Parte Order for Protection. The Judge

who reviews the Petition will carefully examine the information in the Petition to determine if the situation meets the statutory, or legal, requirements for an ex parte order.

Why might my Petition for an Ex Parte Order for Protection be denied?

There are many reasons why the Ex Parte Order for Protection might be denied. Some of the most common reasons include:

- The parties do not fit the statutory, or legal, definition of “family or household member”.
- The parties do not meet Indiana residency or employment requirements.
- The factual allegations do not meet the statutory, or legal, definitions of “domestic or family violence”, “stalking”, or of a “sex offense”.
- The allegations are vague. They lack a clear and understandable description of the time, place, or acts of the incident.
- If you are relying solely on what another person saw or told you, a failure to have a sworn affidavit from that other person.

INSTRUCTIONS FOR PETITIONERS

What steps need to be taken to get the court order?

1. **There are no fees associated with this kind of case. You should not be asked to pay a filing fee, a service of process fee, a witness fee, or a subpoena fee.**
2. You will need 5 copies of the Petition: 1 for a worksheet; 1 for the court’s file; 1 copy to be served on the Respondent; 1 copy for the Child; and, 1 copy for yourself.
3. You will need 1 copy of the Confidential Form. **Please note: you should have the Respondent’s correct name, correct date of birth *or* Social Security number, and correct, current address.** Respondent’s date of birth and/or Social Security number is required by federal law to get the Order for Protection into the national computer database. Every law enforcement officer in the state of Indiana and the United States has access to this computer database. In order for your order to be enforceable by the police, sheriff, or court, it needs to go into the computer. A correct, current address is required so that the Respondent can be served with copies of the court’s orders and other papers. If the Respondent is not served with those copies, he or she will not be held responsible for violating the order. Service is very important. It tells the Respondent about the order and about the hearing (if one has been set). Without service, there will not be a court hearing (if one has been set) and your Ex Parte Order will expire unless the Judge extends it.
4. Fill in the Petition. Some courts may require that the Petition be typewritten. **The Petition is a public document. A copy of the Petition will be kept in the Court’s file. Also, if an Ex Parte Order for Protection is granted or if the case is set for a hearing, a copy of the Petition will be sent to the Respondent.**
 - a. Fill in the name of the county where the case will be filed and the court name.
 - b. Fill in your name and the Respondent’s full name. Remember, you will need one Petition for each Respondent. Fill in the name of the Child Who Needs Protection.
 - c. Check (“X”) all blanks that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
 - d. Regarding Paragraph 5: there is no minimum residency requirement for filing a Petition.
 - e. If you are not represented by an attorney, fill in your public mailing address in Paragraph 6 of the Petition. This address will *NOT* be kept secret, so you should use a mailing address that you feel comfortable having public. The address you place on the Confidential Form, PO-0104 will be kept confidential. If the order has been granted by the court, you may be eligible to obtain a confidential address through the Attorney General’s Address Confidentiality Program (ACP). Call the ACP at: 1-800-321-1907 to get information on how to participate in that program.
 - f. If you do not list the names of other family or household members you want protected in Paragraph 9 (and also list those people on the Confidential Form), the Child will be the only person protected by the Order for Protection.
 - g. Make sure you list all the requested information about every case involving the Respondent, the Child Who Needs Protection, and yourself.

- h. Remember to sign and date the Petition.
- 5. If you are seeking an Order for Protection based on information given to you by other people (for example, a neighbor who saw the Respondent hurt the Child), and not on the basis of what *you* personally observed, you must attach to the Petition affidavits by the people who do have personal knowledge of the facts that support the granting of an Order for Protection. Also, those people will have to appear in court in person, as witnesses, to testify for you if there is a hearing set in your case.
- 6. Take all of your completed forms and all copies to the Clerk's office. The Clerk will tell you where to take your papers.

What if the Judge issues an Ex Parte Order for Protection?

- 1. If you get an Ex Parte Order for Protection, make sure you get several copies from the clerk that are file-stamped and that have the judge's signature on them. Think about how many copies of the Order you will need: 1 to carry with you; 1 copy to give to the Child; 1 copy for a landlord/security guard; 1 copy for the Child's school, etc.
- 2. If the court must hold a hearing on your Petition, make sure you know the correct date and time of the hearing before you leave the Clerk's office. Make sure you have the court's telephone number so that you can call ahead a few days before the hearing and confirm the court date and time.

How should I prepare for a hearing?

- 1. If the court holds a hearing on your Petition, go to the court hearing with any and all evidence you might have. If there are any witnesses to the Respondent's conduct, they must also be at the hearing.
- 2. If the Judge issues an Order for Protection Issued After a Hearing, make sure to get enough signed, file-stamped copies for yourself, the Child, etc.

<p align="center">COVER SHEET (Check Only One)</p> <p>Protection Order <input type="checkbox"/> IC 34-26-5</p> <p>Child Protective Order <input checked="" type="checkbox"/> IC 31-34-2.3</p> <p>No Contact Order <input type="checkbox"/> IC 31-32-13 <input type="checkbox"/> IC 33-39-1-8 <input type="checkbox"/> IC 35-33-8-3.6 <input type="checkbox"/> IC 31-34 <input type="checkbox"/> IC 35-33-8-3.2 <input type="checkbox"/> IC 35-38-1-30 <input type="checkbox"/> IC 31-37 and/or 35-38-2-2.3</p> <p>Workplace Violence Restraining Order <input type="checkbox"/> IC 34-26-6</p>	<p>Case No. <input style="width:100%;" type="text"/></p> <p>Court <input style="width:100%;" type="text"/></p> <p align="right">INDIANA</p> <p>County _____</p>
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<p align="center">PETITIONER/PROTECTED PERSON/CHILD'S NAME IF CHILD IS PROTECTED PERSON</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; height: 20px;"></td> <td style="width:33%; height: 20px;"></td> <td style="width:33%; height: 20px;"></td> </tr> <tr> <td align="center">First</td> <td align="center">Middle</td> <td align="center">Last</td> </tr> </table> <p>And/or on behalf of minor family member(s):[List name, Sex, Race & Birth Year] _____ _____ _____</p>				First	Middle	Last	<p align="center">PETITIONER/PROTECTED PERSON IDENTIFIERS</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:33%;">BIRTH YEAR</th> <th style="width:33%;">SEX</th> <th style="width:33%;">RACE</th> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> </tr> </table> <p>Other Protected Persons/Birth Year/Sex/Race: _____ _____ _____</p>	BIRTH YEAR	SEX	RACE			
First	Middle	Last											
BIRTH YEAR	SEX	RACE											

V.

<p align="center">RESPONDENT/DEFENDANT</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; height: 20px;"></td> <td style="width:33%; height: 20px;"></td> <td style="width:33%; height: 20px;"></td> </tr> <tr> <td align="center">First</td> <td align="center">Middle</td> <td align="center">Last</td> </tr> </table> <p>Relationship between Petitioner/Protected Person: _____ _____</p> <p>Respondent's/Defendant's Address: _____ _____</p>				First	Middle	Last	<p align="center">RESPONDENT/DEFENDANT IDENTIFIERS</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">SEX</th> <th style="width:15%;">RACE</th> <th style="width:15%;">DOB</th> <th style="width:15%;">HT</th> <th style="width:15%;">WT</th> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <th>EYES</th> <th>HAIR</th> <th colspan="3">DISTINGUISHING FEATURES</th> </tr> <tr> <td style="height: 20px;"></td> <td></td> <td colspan="3"></td> </tr> <tr> <th colspan="2">DRIVERS LICENSE #</th> <th>STATE</th> <th colspan="2">EXP DATE</th> </tr> <tr> <td colspan="2" style="height: 20px;"></td> <td></td> <td colspan="2"></td> </tr> </table>	SEX	RACE	DOB	HT	WT						EYES	HAIR	DISTINGUISHING FEATURES								DRIVERS LICENSE #		STATE	EXP DATE						
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DRIVERS LICENSE #		STATE	EXP DATE																																		

CAUTION: Weapon Involved Weapon Present on the property

THE COURT FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent/Defendant has been or will be provided with reasonable notice and opportunity to be heard.

Additional findings of this order follow on succeeding pages.

THE COURT ORDERS:

The Respondent/Defendant is restrained from committing further acts of abuse or threats of abuse to the Petitioner/Protected Person.

___ Yes ___ No The Respondent/Defendant is Brady disqualified.

___ The Respondent/Defendant is restrained from any contact with the Petitioner. OR ___ The Respondent may only contact the Petitioner in the conditions in paragraph (s) ___ of the order.

Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until: (Check Only One)

- _____ [date]
 further order of the court.

WARNINGS TO RESPONDENT/DEFENDANT:

This order shall be enforced, even without registration, by the courts and law enforcement personnel of any state, the District of Columbia, any U.S. Territory, and may be enforced by Indian Tribal Government (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in Federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)).

Only the Court can change this order. [The following court information is required by statute.]

Court Phone (812) 663-8523

Court Hours: MONDAY THRU FRIDAY (8:00 am TO 4:00 pm)

To verify status, call: Clerk (812) 663-8223

Sheriff (812) 663-8125

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, or stalking, 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.
- b. the Respondent has committed stalking against the child who needs protection.
- c. the Respondent has committed a sex offense against the child who needs protection.

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, or the sex offense 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 order has been granted by the court, you may be eligible to obtain a confidential address through the Attorney General’s Address Confidentiality Program (ACP). Call the ACP at: 1-800-321-1907 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, or a sex offense (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.

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):

___ Prohibit the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the child 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:

___ 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: _____;

_____;

___ 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 at 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, or sex offense 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 9a.

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;
- 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; or,
- ordering the Respondent to surrender firearm(s), ammunition, or deadly weapons,

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 a Hearing is set, and if I fail to appear for the Hearing, the Court may terminate the Ex Parte Order and 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

Form Administrative Rule 9-G1

STATE OF INDIANA
IN THE DECATUR COURT, COUNTY OF DECATUR

Plaintiff(s)

vs Cause No:16__01-____-PO-_____

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:

Name or description of document
filed on green paper:

Administrative Rule 9(G) grounds upon
which exclusion is authorized:

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,

Date:

Plaintiff(s)/Defendant(s) Signature

CERTIFICATE OF SERVICE

I certify that on this _____ day of _____, 20____, the foregoing was served upon the following by _____: (names & address of counsel)

Signature

CASE IDENTIFICATION INFORMATION FOR CONFIDENTIAL FORM

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

DIVISION OF STATE COURT ADMINISTRATION

STATE OF INDIANA)
 COUNTY OF DECATUR)

COURT: Superior, Room #: _____
 (check one) Circuit

CASE #: 16__01-_____-PO-_____

 PETITIONER/PLAINTIFF/NEXTFRIEND/STATE OF INDIANA
 v.

DATE: _____

 RESPONDENT/DEFENDANT

mm/dd/yyyy

 EMPLOYEE (IF WVRO)

PERSON RESTRAINED

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

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—YOUR INFORMATION

Home address:

DOB: _____
Race: _____
Sex: male female
Hair color: _____
Skin Tone: _____
Eye Color: _____
Weight: _____ Height: _____

SSN: (optional)

_____-_____-_____

Drivers License Info:

ST: _____ Exp: _____

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 Fax (Note: Text will not work with Straight Talk)

Cell Phone Service Provider (if you selected Text as the notification method): _____

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:

Sex: Male Female

Date of Birth:

Race:

Name:

Age:

Sex: Male Female

Date of Birth:

Race:

Name:

Age:

Sex: Male Female

Date of Birth:

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 Division of State Court 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 Division of State Court Administration.
- Cell Phone Service Providers Supported: Alltel, AT&T, Boost, Cellular South, Centennial Wireless, Cincinnati Bell, Cricket Wireless, Metro PCS, Powertel, Qwest, Rogers, Sprint, Suncom, Telus, T-Mobile, US Cellular, Verizon Wireless, Virgin Mobile