

IN THE SUPREME COURT OF THE STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

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In the Matter of: )  
)  
MODIFICATION OF PROTECTIVE ) Administrative Directive  
ORDER FORMS ) No. 2009 - 26  
)  
)  
\_\_\_\_\_ )

The Arizona Code of Judicial Administration (ACJA) § 5-207 authorizes the Administrative Director of the Administrative Office of the Courts (AOC) to approve or modify protective order forms in response to changes in state or federal laws or procedures and make other necessary administrative amendments or corrections.

Senate Bill 1088, Domestic Violence; Dating Relationships, signed by the Governor on July 13, 2009, amended A.R.S. § 13-3601(A) by expanding the types of relationships included in the definition of domestic violence. With the addition of subsection (6) to the statute, a person in a current or previous romantic or sexual relationship with an alleged abuser can request an Order of Protection against that person.

Therefore, in order to implement changes in court forms and instructions required by the amendment of A.R.S. § 13-3601(A),

IT IS DIRECTED that effective September 30, 2009, the Petition, Plaintiff's Guide Sheet, and Defendant's Guide Sheet, as approved by Administrative Directive No. 2006-01, shall be replaced by the documents included in Appendix A of this directive.

IT IS FURTHER DIRECTED that effective September 30, 2009, all Arizona courts shall use the Plaintiff's Guide Sheet, Petition, and Defendant's Guide Sheet provided by this administrative directive.

Dated this 26th day of August, 2009.

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David K. Byers  
Administrative Director

# **Appendix A**

All Courts in Arizona/NCIC#/DPS#	Address	City, Arizona	Zip Code	Telephone Number
<b>Plaintiff / Plaintiff Employer</b> (Work Injunction ONLY) Birth Date: _____	<b>Defendant</b> _____ Address _____ City, State, Zip Code, Phone _____	Case No. _____ <b>PETITION for</b> <input type="checkbox"/> <b>Order of Protection</b> <input type="checkbox"/> <b>Injunction Against Harassment</b> <input type="checkbox"/> <b>Workplace Injunction</b>		
Agent's Name (Work Injunction ONLY)				

**DIRECTIONS: Please read the Plaintiff's Guide Sheet before filling out this form.**

- Defendant/Plaintiff Relationship:  Married now or in the past  Live together now or lived together in the past  
 Child in common  One of us pregnant by the other  Related (Parent, In-law, Brother, Sister, Grandparent)  
 Romantic or sexual relationship (current or previous)  Dating but not a romantic or sexual relationship  
 Other: \_\_\_\_\_
- If checked, there is a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time or support in \_\_\_\_\_ Superior Court,  
 Case #: \_\_\_\_\_ (COUNTY)
- Have you or the Defendant been charged or arrested for domestic violence OR requested a Protective Order?  
 Yes  No  Not sure  
 If yes or not sure, explain: \_\_\_\_\_
- I need a Court Order because: (PRINT both the date(s) and briefly what happened):

Date(s)	Describe what happened (Attach additional paper if necessary – Do not write on back)

Case No. \_\_\_\_\_

5. The following persons should also be on this Order. As stated in number 4, the Defendant is a danger to them:

_____	(__/__/__)	_____	(__/__/__)
	Birth Date		Birth Date
_____	(__/__/__)	_____	(__/__/__)
	Birth Date		Birth Date

6. Defendant should be ordered to stay away from these locations, at all times, even when I am not present:

- Home \_\_\_\_\_
- Work \_\_\_\_\_
- School/Others \_\_\_\_\_

7.  If checked, because of the risk of harm, order the defendant NOT to possess firearms or ammunition.

8.  If checked, request an order for the Defendant to participate in domestic violence counseling or other counseling.

9. Other: \_\_\_\_\_

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge, and I request an Order / Injunction granting relief as allowed by law.

\_\_\_\_\_  
Plaintiff

Attest: \_\_\_\_\_  
Judicial Officer/ Clerk / Notary      Date

**Plaintiff's Guide Sheet for Protective Orders - Please Read Carefully**

The following information is provided to further explain the protective order process. It is recommended, but not required, that the Plaintiff carry a copy of the protective order at all times.

**1. You can request one of the following types of protective orders:**

**ORDER OF PROTECTION:** An Order of Protection is used for a "family" relationship between you and the Defendant. This can include any of the following: 1) married now or in the past, 2) live together now or lived together in the past, 3) parent of a child in common, 4) one of you is pregnant by the other, 5) you are a relative (parent, in-law, brother, sister, or grandparent), or 6) current or previous romantic or sexual relationship. Also, you must state how an act of domestic violence was threatened or committed against you within the last year.

**INJUNCTION AGAINST HARASSMENT:** The Defendant has committed a series of acts (more than one) of harassment against you in the last year. There is no fee for service of process if the petition arises out of a dating relationship.

**INJUNCTION AGAINST WORKPLACE HARASSMENT:** This Injunction may be filed by an employer or owner of a business or operation for the benefit of an employee or the business against a single act or series of acts of harassment.

**2. OTHER PROTECTED PERSONS:** It is possible that you will be referred to Superior Court if your children are listed as protected persons in this order. Only a Superior Court Judge can decide child custody or parenting time in a separate action.

**3. ONE DEFENDANT:** You must list only one defendant per petition. A separate petition must be filed for each defendant. **A copy of your petition and the order will be given to the Defendant and may be used in future judicial proceedings.**

**4. SERVICE AND EFFECT:** This protective order is valid for one year from the date it is served on the Defendant and is enforceable by law enforcement in any state or tribal nation in the United States. There is no fee for law enforcement service of an Order of Protection or Injunction Against Harassment involving a dating relationship. There is a fee to serve an Injunction Against Harassment not involving a dating relationship or an Injunction Against Workplace Harassment. The court will instruct you on how service can be made. The cost to serve injunctions varies depending on mileage and number of attempts. If you cannot afford to hire a process server, you can ask the judge to defer or waive the fee.

**5. PROTECTIVE ORDER HEARING:** If the Defendant disagrees with this protective order, he/she has the right to request a hearing, which will be held within 5 to 10 business days after a written request has been filed in the court that issued this order. If you do not appear at the hearing, your Order may be quashed (dismissed); therefore, you must notify the court of any change in your contact information to assure you are notified of any hearing dates and times.

**6. MODIFYING OR QUASHING (DISMISSING) THIS PROTECTIVE ORDER:** Only a judge can modify or quash (dismiss) this protective order. If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Defendant, advise this court at once. **Nothing you do can stop, change, or undo this protective order without the Court's written approval.**

**7. PLAINTIFF CONTACT:** Even if you initiate contact, the Defendant could be arrested for violating this protective order. **If the Defendant does not want you to contact him/her, the Defendant has the right to request a protective order against you.**

**8. LAW ENFORCEMENT STANDBY:** If you or the Defendant needs to get personal belongings from the other, you may request standby from the judge. Standby allows you or the Defendant to return once with a law enforcement officer to obtain necessary personal belongings from the residence. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

**9. FIREARMS:** You may request that the judge order the Defendant not to possess, receive, or purchase firearms or ammunition.

**10. COUNSELING:** If requested, counseling for the Defendant can only be ordered at a hearing at which you and the Defendant must appear.

**11. PUBLIC ACCESS:** Only the information contained in the served protective order, not the petition, will be entered into the state computer system and will be made public on the internet. See next page to keep your address(es) private.



Case No. \_\_\_\_\_

Defendant:

Date: \_\_\_\_\_

**Defendant's Guide Sheet for Protective Orders - Please Read Carefully**

The following information is provided to further explain the protective order that has been served upon you and your responsibilities as the Defendant.

**1. You have been served with one of the following protective orders:**

**ORDER OF PROTECTION:** An Order of Protection is used for a "family" relationship between you and the Plaintiff. This can include any of the following: 1) married now or in the past, 2) live together now or lived together in the past, 3) parent of a child in common, 4) one of you is pregnant by the other, 5) you are a relative (parent, in-law, brother, sister, or grandparent), or 6) current or previous romantic or sexual relationship. The Plaintiff has alleged that you have committed or may commit an act of domestic violence.

**INJUNCTION AGAINST HARASSMENT:** The Plaintiff has alleged that you have committed a series of acts (more than one) of harassment against the Plaintiff within the last year.

**INJUNCTION AGAINST WORKPLACE HARASSMENT:** This Injunction, alleging a single act or series of acts of harassment, has been filed against you by an employer or owner of a business or operation for the benefit of an employee or the business.

**2. OTHER PROTECTED PERSONS:** It is possible that you will be referred to Superior Court if your children are listed as protected persons in this order. Only a Superior Court Judge can decide child custody or parenting time in a separate action.

**3. SERVICE AND EFFECT:** This protective order is valid for one year from the date it was served on you and is enforceable by law enforcement in any state or tribal nation in the United States.

**4. PROTECTIVE ORDER HEARING:** If you disagree with this protective order, you have the right to request a hearing which will be held within 5 to 10 business days after your written request has been filed in the court that issued this order. If a hearing is held and the Order remains in effect or is modified, and you and the Plaintiff 1) are married now or in the past, 2) live together now or lived together in the past, or 3) are parents of a child in common, the Court will prohibit you from possessing a firearm. This firearms prohibition automatically applies even if you fail to appear for the hearing. If you have questions as to whether your request for a hearing can result in this firearms prohibition, you should contact an attorney. The Court cannot give you legal advice.

**5. MODIFYING OR QUASHING (DISMISSING) THIS PROTECTIVE ORDER:** Only a judge can modify or quash (dismiss) this protective order. If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Plaintiff, you need to advise this court at once. **Nothing the Plaintiff does can stop, change, or undo this protective order without the Court's written approval.**

**6. PLAINTIFF CONTACT:** Even if the Plaintiff initiates contact, you could be arrested for violating this protective order. You have the right to request a protective order against the Plaintiff if you do not want the Plaintiff to contact you.

**7. LAW ENFORCEMENT STANDBY:** If standby has been ordered by the judge on this protective order, you may return to the residence once with a law enforcement officer to obtain necessary personal belongings. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

**8. FIREARMS:** If the judge has ordered under state law that you shall not possess, receive, or purchase firearms or ammunition, you must surrender them within 24 hours after service to the law enforcement agency named on this protective order and should request them to issue proof of that surrendering. You may also be required to provide documentation to the court that firearms were transferred to the appropriate law enforcement agency.