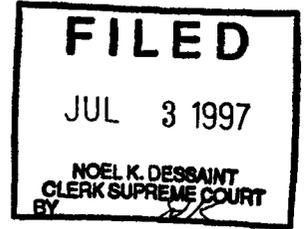


IN THE SUPREME COURT OF THE STATE OF ARIZONA



In The Matter Of:)	
)	Administrative Order
ADOPTION OF FORMS FOR)	
PROTECTIVE ORDERS)	No. 97- <u>29</u>
IN DOMESTIC VIOLENCE CASES)	
)	

By Administrative Order No. 92-6, dated February 13, 1992, standardized forms were adopted for use by all Arizona courts for matters concerning orders of protection and injunctions against harassment. Since that time, applicable statutes have been amended, necessitating changes in these forms. Additionally, implementation of federal legislation has prompted the creation of a national records database to collect information regarding domestic violence protection orders. To ensure that Arizona protection orders are accorded nationwide reciprocal effect and that the existence and validity of such orders may readily be verified, it is important that order forms be uniformly structured to accommodate required data entry requirements.

Therefore, in order to promote the use of uniform and efficient legal forms at all levels of the court system, to enhance the public's access to the courts through the availability of useable and understandable legal forms, and to foster the protection of victims of domestic violence by complying with federal standards for the recording and retrieval of information concerning protection orders,

IT IS ORDERED that the attached forms are adopted for mandatory use on or before November 1, 1997, by all Arizona courts for matters concerning orders of protection and injunctions against harassment in domestic violence cases. Individual court identification information (name, address and two assigned court identification numbers) must appear at the top of each form. Courts may retain discretion to make technical formatting decisions (e.g., number of pages, line and margin spacing, and font size); use multi-part, carbonless paper; and develop non-English translations. Any other proposed alteration to or deviations from the forms as adopted, including any change of textual language, shall be submitted to the Director of the Administrative Office of the Courts for approval prior to use. In accordance with the administrative authority vested in the Supreme Court by Arizona Constitution, Article VI, Section 3, the Administrative Director hereby is authorized to approve or modify forms submitted pursuant to this Administrative Order.

DATED this 3rd day of July, 1997.

 THOMAS A. ZILAKET
 Chief Justice

Plaintiff <hr/> Date of Birth <hr/> Third Party and Relationship to Plaintiff <hr/>	Defendant <hr/> Address <hr/> City, State, Zip Code, Telephone <hr/>	PETITION FOR ORDER OF PROTECTION <input type="checkbox"/> MODIFIED <hr/> Case Number
--	---	---

NOTE: FEES MAY BE WAIVED OR DEFERRED IF YOU ARE UNABLE TO PAY

DO NOT FILL OUT ADDRESSES AND/OR PHONE NUMBERS BELOW IF YOU WANT THEM KEPT PRIVATE

1. Is an action for maternity, paternity, annulment, legal separation or dissolution of marriage (divorce) now pending?
 No Yes: Case Number (if known): _____ Where: _____

2. My (Plaintiff's) relationship to the Defendant is (check all that apply):
 - Married: Date of marriage: _____
 - Divorced: Date divorce granted: _____
 - Opposite sex living together now or in the past
 - One of us is pregnant by the other or we have a child in common
 - Defendant is related to me: How? _____

3. Have either of you been charged or arrested for domestic violence OR requested an Order of Protection or Injunction Against Harassment against the other? No Yes: If known: date, name of court, facts of case:

4. For the Court to issue an Order, the Defendant must have committed, or may commit, an act of domestic violence or some other good reason must exist. (Previous acts of domestic violence must have occurred within the past year unless the Defendant was in jail or prison or out of state.) Describe what the Defendant did or might do. Be as specific as possible, giving the date or approximate date for each action.

Date(s)	Describe what happened

DESCRIPTION OF DEFENDANT							
SEX	RACE	DATE OF BIRTH	HEIGHT	WEIGHT	EYES	HAIR	SOC.SEC.NO.

Plaintiff	Court Case No.	ORDER OF PROTECTION <input type="checkbox"/> AFTER HEARING <input type="checkbox"/> MODIFIED
Date of Birth -vs-	Court No., NCIC	
Defendant	Court No., DPS	

WARNING TO DEFENDANT

This is an official Court Order. If you disobey this Order, you may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed in disobeying this Order.

NOTICE: Only the Court can change this Order. You must return to Court to modify (change) or quash (stop) this Order. If you disagree with this Order, you may ask for a hearing by filing a written request for hearing with the Court named above. This Order is effective for six months after service on you and is valid nationwide.

NOTICE TO PARTIES

This is not a custody or visitation Order. You must file separately for that in Superior Court. All violations of this Order should be reported to a law enforcement agency, not the Court. **Either party should notify this Court if an action for dissolution (divorce), separation, annulment or paternity/maternity is filed.**

The Court finds reasonable cause to believe that the Defendant may commit an act of domestic violence or has committed an act of domestic violence within the past year (or good cause exists to consider a longer period).

1. IT IS THEREFORE ORDERED that the Defendant not: commit a dangerous crime against children defined in A.R.S. 13-604.01 or custodial interference, or engage in conduct that would place the Plaintiff in reasonable fear of bodily injury; or threaten, intimidate, endanger, assault, unlawfully imprison, kidnap, harass, stalk, trespass upon or damage the property of, or commit any other disorderly conduct upon the Plaintiff; or use, attempt to use or threaten to use physical force that would reasonably be expected to cause bodily injury to the Plaintiff and (Names, Race, and Dates of Birth):

- Check if any person listed is a member of Plaintiff's household/family.
2. The Defendant shall not contact Plaintiff: in person; by phone; in writing; _____.

The Defendant may contact the Plaintiff through legal counsel, legal process or with permission of the Court.

3. The Defendant shall not contact persons listed above: in person; by phone; in writing; _____.
4. The Court finds that physical harm may otherwise result and, therefore, the Plaintiff is granted the exclusive use and possession of the residence at: _____

(Address)

- The Defendant may return once with a law enforcement officer to obtain belongings.

5. Defendant shall not go on or near where Plaintiff and/or _____
- Reside(s) (Leave blank if protected): _____
- Place of employment (Leave blank if protected): _____
- School (Name or Address): _____
- Other Locations: _____

6. The Court finds that the Defendant represents a credible threat to the physical safety of the Plaintiff and/or may inflict bodily injury or death on the Plaintiff.
- The Defendant shall not possess, receive and/or purchase firearms or ammunition.
- The Defendant shall transfer firearms immediately, upon service of this Order, to the following law enforcement agency:
- _____

7. The Defendant shall participate in an abuser treatment program or report to the following agency:
- _____
- within _____ days of the service of this Order.

8. Other Orders necessary for the protection of the Plaintiff and other designated persons:
- _____

9. The Defendant shall appear for a hearing:
- Date and Time: _____
- Address of Court: Street Address, City, Office/Room/Floor (*Put individual court information here*)

WARNING: IF YOU FAIL TO APPEAR, AN ORDER MAY BE ISSUED WITHOUT YOUR INPUT.

10. The Defendant received actual notice of this hearing and had an opportunity to participate.

Judicial Officer Date

CERTIFICATION

I hereby certify that this is a true copy of the Order on file in this Court.

Judicial Officer or Clerk of the Court By: _____
Date

DESCRIPTION OF DEFENDANT

SEX	RACE	DATE OF BIRTH	HEIGHT	WEIGHT	EYES	HAIR	SOC.SEC.NO.

COURTS OF ARIZONA - NAME OF COURT Street Address City, Arizona Zip Code Phone Number

		PETITION FOR INJUNCTION AGAINST HARASSMENT <input type="checkbox"/> MODIFIED
Plaintiff	Defendant	
Date of Birth	Address	
Third Party and Relationship to Plaintiff	City, State, Zip Code, Telephone	<hr/> Case Number

1. My relationship to the defendant is: _____
2. Harassment involves a series of acts. The acts must have occurred within the past year unless the Defendant has been incarcerated or out of state. I have been harassed by the Defendant as follows (be as specific as possible, giving the date or approximate date for each action):

Date(s)	Describe what happened

3. Is there or has there been any court case or court order that involves similar conduct by you and/or the Defendant?
 No Yes: If known: date, name of court, facts of case:

4. If the Court does not grant your request today, without notice to the Defendant, what serious harm may occur:

5. I ask this Court to order the Defendant not to commit an act of harassment against me and/or persons named below and/or against my property AND make the following Order(s) (check which orders you want):

- Waive or defer any fees (fill out separate affidavit).
- Order the Defendant not to contact me: in person; by phone; in writing; _____

DESCRIPTION OF DEFENDANT

SEX	RACE	DATE OF BIRTH	HEIGHT	WEIGHT	EYES	HAIR	SOC.SEC.NO.

Plaintiff	Court Case No.	INJUNCTION AGAINST HARASSMENT <input type="checkbox"/> AFTER HEARING <input type="checkbox"/> MODIFIED
Date of Birth	Court No., NCIC	
-vs- Defendant	Court No., DPS	

WARNING TO DEFENDANT

This is an official Court Order. If you disobey this Order, you may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed in disobeying this Order. **NOTICE: Only the Court can change this Order. You must return to Court to modify (change) or quash (stop) this Order. This Order is effective for six months after service on you and is valid nationwide. If you disagree with this Order, you may ask for a hearing by filing a written request for hearing with the Court named above. This is not a custody or visitation order. You must file separately for that in Superior Court.**

ORDER ISSUED WITHOUT OR AFTER HEARING: The Court finds reasonable evidence of harassment of the Plaintiff by the Defendant or that great or irreparable harm would result to the Plaintiff if the Injunction is not granted before the Defendant can be heard in opposition, and that there are specific facts attesting to the efforts to give notice to the Defendant or that there are reasons why notice should not be given.

1. **THEREFORE, IT IS ORDERED** that the Defendant not commit an act of harassment (an act that would cause a reasonable person to be seriously alarmed, annoyed or harassed and serves no legitimate purpose) against the Plaintiff and (Names, Race, and dates of birth):

- Check if any person listed is a member of Plaintiff's household/family.
 The Defendant shall not contact Plaintiff: in person; by phone; in writing; _____.

The Defendant may contact the Plaintiff through legal counsel, legal process or with permission of the Court.

3. The Defendant shall not contact persons listed above: in person; by phone; in writing; _____.
4. The Defendant shall not go on or near where Plaintiff and/or: _____

- Resides (Leave blank if protected): _____
- Place of employment (Leave blank if protected): _____
- School (Name or Address): _____
- Other locations: _____

5. Other Orders necessary for the protection of the Plaintiff and other designated persons:

All violations of this Order should be reported to a law enforcement agency, not the Court.

Judicial Officer Date

CERTIFICATION

I hereby certify that this is a true copy of the Injunction on file in this Court by: _____
Judicial Officer or Clerk of the Court

DESCRIPTION OF DEFENDANT

SEX	RACE	DATE OF BIRTH	HEIGHT	WEIGHT	EYES	HAIR	SOC.SEC.NO.

Plaintiff <hr/> -vs- <hr/> Defendant	<hr/> Court Case No.	<p style="text-align: center;">NOTICE OF HEARING PRIOR TO</p> <p><input type="checkbox"/> INJUNCTION AGAINST HARASSMENT</p> <p><input type="checkbox"/> ORDER OF PROTECTION</p>
--	----------------------	--

A verified petition for an Injunction Against Harassment or an Order of Protection has been filed with this Court. This matter has been set for hearing at the above listed Court:

Address	Division	Date	Time
----------------	-----------------	-------------	-------------

At this hearing, the Plaintiff and Defendant will be permitted to present evidence to the Court.

WARNING TO THE DEFENDANT:
IF YOU FAIL TO ATTEND THIS HEARING, AN INJUNCTION OR ORDER MAY BE ISSUED AGAINST YOU IN ACCORDANCE WITH THE RELIEF REQUESTED IN THE PLAINTIFF'S PETITION.

Date	Judicial Officer/Clerk
------	------------------------

CERTIFICATE OF TRANSMITTAL

Copy mailed/delivered to Plaintiff on: _____ By: _____

Copy mailed/delivered to Defendant on: _____ By: _____

DEFENDANT'S ADDRESS:

Home	Work
------	------

DESCRIPTION OF DEFENDANT

SEX	RACE	DATE OF BIRTH	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.

COURTS OF ARIZONA - NAME OF COURT Street Address City, Arizona Zip Code Phone Number

Plaintiff _____	Court Case No. _____	CERTIFICATE OR AFFIDAVIT OF SERVICE
Date of Birth _____ -vs- _____	Court No., NCIC _____	
Defendant _____	Court No., DPS _____	

USE THIS FORM ONLY IF YOU ARE A PEACE OFFICER OR A PERSON REGISTERED TO SERVE LEGAL PAPERS.

STATE OF ARIZONA)ss
 COUNTY OF _____)

The undersigned, being first duly qualified by law, swears or certifies that the following was served:

- Copy of the Order of Protection
- Copy of the Injunction Against Harassment
- Notice of Hearing

upon Defendant on _____, 19 ____ at (time) _____ a.m. / p.m.
 (address) _____

 Person Serving Process

- Registered Process Server (MUST BE NOTARIZED)
- Peace Officer (NEED NOT BE NOTARIZED)

 Office or agency and identification number of Peace Officer

SUBSCRIBED AND SWORN to before me this _____ day of _____, 19____.

 Notary Public

My commission expires: _____

Charges: Services \$ _____ Mileage \$ _____ Fees Paid \$ _____ Notary Fees \$ _____

TOTAL \$ _____

IN ACCORDANCE WITH A.R.S. 12-1809 AND 13-3602, THIS AFFIDAVIT OR CERTIFICATE OF SERVICE MUST BE PROMPTLY FILED WITH THE CLERK TO THE CLERK OF THE COURT NAMED ABOVE.

COURTS OF ARIZONA - NAME OF COURT Street Address City, Arizona Zip Code Phone Number

Plaintiff	Court Case No.	ACCEPTANCE OF SERVICE
Date of Birth -vs-	Court No., NCIC	
Defendant	Court No., DPS	

I, _____, Defendant, hereby accept service of a copy of the:

- Order of Protection
- Injunction Against Harassment
- Notice of Hearing

issued on the _____ day of _____, 19_____.

DATED this _____ day of _____, 19_____.

Defendant

Plaintiff -vs- Defendant	Court Case No.	<p style="text-align: center;">REQUEST:</p> <input type="checkbox"/> HEARING <input type="checkbox"/> DISMISS ORDER <input type="checkbox"/> CANCEL HEARING AND ORDER <input type="checkbox"/> CONTINUANCE
--	----------------	--

On the _____ day of _____, 19____ the following was: issued requested

- Order of Protection (Hearing must be set within 10 days from date of request.)
- Exclusive use of the home (Hearing must be set within 5 days from the date of request.)
- Injunction Against Harassment (Hearing must be set within 10 days from date of request.)

Defendant requests:

- that a hearing be set on the Order or Injunction issued by this Court.
- that the hearing previously requested by me on the Order or Injunction be canceled.
- that the scheduled hearing be continued.

Plaintiff requests:

- the Order/Injunction be dismissed.
- that the hearing set prior to the issuance on the Order or Injunction be canceled.
- that the scheduled hearing be continued.

List the reasons for your request: _____

Date: _____ Requesting Person's Signature: _____

WARNING: YOU MUST CONTINUE TO OBEY ANY ORDER OR INJUNCTION UNTIL THE COURT ORDERS OTHERWISE.

ORDER	
<input type="checkbox"/> The requested relief is denied. <input type="checkbox"/> A hearing having been requested, the Court having determined that a hearing is necessary or a request having been made to continue the hearing.	
This matter is set for hearing on the _____ day of _____, 199____, _____ a.m./p.m., in Courtroom _____, at _____, at which time the parties are to present the court with testimony and evidence on the issue of whether the Court should continue, revoke or modify the Order of Protection or Injunction Against Harassment.	
<input type="checkbox"/> The hearing previously set is canceled.	<input type="checkbox"/> The Order of Protection or Injunction Against Harassment previously issued by this Court is dismissed.
Date: _____	Judicial Officer: _____

CERTIFICATE OF TRANSMITTAL

Copy mailed/delivered to Plaintiff on: _____ by _____

Copy mailed/delivered to Defendant on: _____ by _____

Copy mailed/delivered to Sheriff on: _____ by _____

_____ Plaintiff/Petitioner -vs- _____ Defendant	_____ _____ Court Case No.	TRANSFER ORDER
---	--------------------------------------	---------------------------

An action for dissolution of marriage (divorce), annulment, legal separation, maternity, or paternity is pending in the Superior Court in _____ County, Arizona in case number _____.

THEREFORE, IT IS ORDERED, pursuant to A.R.S. § 13-3602, that all papers, together with a certified copy of docket entries or any other record in this action, be transferred to the Superior Court identified above.

- No municipal or justice court may take further action in this matter, even if a hearing has been scheduled concerning the exclusive use of the parties' residence.
- The address of the Plaintiff has been protected by this Court.

Dated this _____ day of _____, 19_____.

Judicial Officer

FOR USE BY LIMITED JURISDICTION COURT ONLY

The file was transferred to Superior Court on this date: _____

By: _____
Clerk of the Court

COURTS OF ARIZONA - NAME OF COURT Street Address City, Arizona Zip Code Phone Number

Plaintiff <hr/> Date of Birth -vs- <hr/> Defendant	<hr/> Case No. <hr/> Court No., NCIC <hr/> Court No., DPS	NOTICE TO SHERIFF OF BRADY DISQUALIFICATION
---	---	--

Notice is hereby given to the Sheriff of this County that the Order of Protection or Injunction Against Harassment ("protective order") issued in the above-referenced case meets the criteria established in Section 110401 of the Violent Crime Control and Law Enforcement Act of 1994 (18 U.S.C. §§ 922(d) and (g)) and should be assigned a positive Brady Record Indicator in the Protection Order File of the National Crime Information Center database.

The Defendant is disqualified from purchasing or possessing a firearm or ammunition based upon the following:

1. The Plaintiff and Defendant have the relationship of "intimate partner," defined in 18 U.S.C. § 921(a) as the spouse or former spouse of the person, an individual who is the parent of a child of the person, or an individual who cohabitates or has cohabited with the person.
2. The Defendant is the subject of the protective order that restrains such person from harassing, stalking, or threatening the Plaintiff or child of the Plaintiff, or engaging in other conduct that would place the Plaintiff in reasonable fear of bodily injury to the Plaintiff or child.
3. The protective order includes a finding that the Defendant represents a credible threat to the physical safety of the Plaintiff or child, or by its terms explicitly prohibits the Defendant from the use, attempted use, or threatened use of physical force against the Plaintiff or child that would reasonably be expected to cause bodily injury.
4. The protective order was issued or affirmed after a hearing of which the Defendant received actual notice and at which the Defendant had an opportunity to participate.

The protective order issued by this Court remains in full force and effect and was not modified at the hearing held.

Judicial Officer

Date