

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

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In the Matter of: )  
)  
MODIFICATION AND CORRECTION ) Administrative Directive  
OF PROTECTIVE ORDER FORMS ) No. 2021 – 16  
) (Affecting Administrative Directives  
) Nos. 2020-15 and 2021-06)  
\_\_\_\_\_ )

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.

Changes to several protective order forms are necessary in response to legislation passed in the 2021 Fifty-fifth Legislature, First Regular Session. Senate Bill 1412 allows a victim of certain types of crimes to petition for an Injunction Against Harassment. The Plaintiff’s Guide Sheet and the Defendant’s Guide Sheet have been revised to explain this additional type of eligibility to litigants. House Bill 2158 removes a requirement that a plaintiff who is granted exclusive use of a residence by an Emergency Order of Protection (EOP) must give notice if moving from the residence. The EOP form has been modified to remove a notification regarding the requirement. Both revised laws take effect September 29, 2021.

Therefore, to amend make necessary modifications in response to these changes in state law,

IT IS DIRECTED that the Plaintiff’s Guide Sheet approved by Administrative Directive No. 2020-15, the Defendant’s Guide Sheet approved by Administrative Directive No. 2021-06, and the Emergency Order of Protection approved by Administrative Directive No. 2020-15 shall be replaced by the revised forms in Appendix A of this directive; and

IT IS FURTHER DIRECTED that effective September 29, 2021, all Arizona courts shall use the amended protective order forms as provided by this administrative directive.

Dated this 1st day of September, 2021.

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DAVID K. BYERS  
Administrative Director of the Courts

**APPENDIX A**

<b>Plaintiff's Guide Sheet for Protective Orders</b>
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**This guide sheet provides basic information about protective orders. Keep this guide for future reference. If you receive a protective order, you should always carry a copy of the order with you.**

## TYPES OF PROTECTIVE ORDERS

**1. ORDER OF PROTECTION (OP)**—An OP is used when you and the defendant (the person from whom you want protection) have a specific relationship. In addition to having a qualifying relationship, you must state how an act of domestic violence was threatened or committed against you within the last year.

A qualifying relationship for an Order of Protection includes any of the following:

- married to each other (past or present)
- one party is pregnant by the other
- live together (past or present)—intimate partners
- related as parent, grandparent, child, grandchild, brother, sister (including step or in-law)
- romantic or sexual relationship (past or present)
- live together (past or present)—not intimate partners
- parent of a child in common

**READ THIS  
FIRST.**

**2. INJUNCTION AGAINST HARASSMENT (IAH)**—If you and the defendant do not share any of these relationships, you may ask for an Injunction Against Harassment (IAH). You must tell on the petition how the defendant has committed a series of acts (more than one) of harassment against you in the last year or one act of sexual violence (as defined in ARS § 23-371) against you. If the defendant has been convicted of committing a dangerous offense as defined in ARS § 13-105, a serious offense or a violent or aggravated felony as defined in ARS § 13-706, or any offense in ARS Title 13, chapter 14 or 35.1, against you, you may also file a petition for an IAH.

**3. INJUNCTION AGAINST WORKPLACE HARASSMENT (IAWH)**—An employer or owner of a business or operation may file for this type of injunction for the benefit of an employee or the business based on a single act or a series of acts of harassment.

## PETITION

Your request for a protective order begins when you file a petition with the court. There is no cost to file the petition for an OP or an IAH. In the petition, you must provide dates and facts about the domestic violence or harassing acts that you allege the defendant has committed against you or why you believe domestic violence or harm may occur without protection. **NOTE: If the judge grants your request, the defendant will be given a copy of your *petition* and the order. The petition may be used in future judicial proceedings.** You can list only one defendant per petition. If you want to file against more than one person, you must file a separate petition for each defendant.

## CHILDREN AS OTHER PROTECTED PERSONS

You may ask for a child be included as a protected person only if (1) the child is not the defendant's child or (2) the child is the defendant's child and the domestic violence involved the child. Only a superior court judge can decide child custody (legal decision-making) or parenting time in a separate family law action.

## FAMILY COURT

If either you or the defendant file an action for maternity, paternity, annulment, legal separation, or divorce, tell the clerk immediately so the protective order case can be transferred to the superior court.

## FILING A PETITION ON BEHALF OF A MINOR OR ANOTHER PERSON

If you are:

- a parent, guardian, or custodian of a minor who is asking for protection from someone else, choose the relationship between the *minor* and the *defendant* on the petition.
- applying on behalf of a person who is either temporarily or permanently unable to request an order, choose the relationship between the *person* and the *defendant* on the petition.

**SERVICE AND EFFECT**

**Order of Protection:** The court will send the OP to the appropriate law enforcement agency for service. There is no cost for service of an OP. If law enforcement is unable to serve the OP within 15 days, law enforcement will contact you. Law enforcement has a continuing duty to attempt service, so if you have additional information about the defendant’s location, please contact the law enforcement agency. The OP will be valid and enforceable for one year from the date of service. A served OP is enforceable by law enforcement in any state or tribal nation in the United States.

**Injunction Against Harassment** or an **Injunction Against Workplace Harassment:** You have one year from the date of issuance to ask for an IAH or IAWH to be served on the defendant. The order will be valid and enforceable for one year from the date of service. The court will instruct you on how service can be made. Law enforcement will serve an IAH involving a dating relationship or based on an act of sexual violence at no cost. There is a fee to serve an IAWH or an IAH not involving a dating relationship or sexual violence. The cost to serve injunctions depends on mileage and number of attempts. If you cannot afford pay for service, you can ask the judge to defer or waive the fee.

**CONTESTED HEARING**

If the defendant disagrees with the protective order, the defendant has the right to ask for a hearing. The court will conduct the hearing within 5 to 10 business days after the defendant makes a written request. At this hearing, you may present evidence (exhibits) and have witnesses testify on your behalf. The judge will take testimony from you, the defendant, and any witnesses to decide whether there is a legal reason to keep the order in place. If you do not appear for the hearing, the court may dismiss your order; therefore, you must notify the court of any change in your contact information to ensure you get notice of any hearing dates and times.

**NO-CONTACT ORDERS**

The defendant can be arrested for violating this protective order, even if you initiate contact. **If the defendant does not want you to contact him or her, the defendant has the right to request a protective order against you.** Orders are not automatically granted upon request—legal requirements must be met.

**RESIDENCE AND PROPERTY**

You may ask the judge to give you exclusive use of a residence you share with the defendant. **IMPORTANT:** If the judge gives you exclusive use but you move out of the residence while the court order is still in effect, you must notify the court within five days of moving out. The court will provide a notice form at your request. If the defendant needs to get personal belongings from the residence, the judge may order a civil standby. Standby allows the defendant to return once with a law enforcement officer to get necessary personal belongings. If the judge grants a civil standby, the defendant must arrange a time and date with a law enforcement agency. Neither law enforcement nor a protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

**FIREARMS**

You may ask the judge to order the defendant not to possess, receive, or purchase firearms or ammunition while the protective order is in effect.

**ANIMALS**

If you are asking for an Order of Protection, you may also ask the court to grant you the custody, care, and control of any animal owned by you, the defendant, or a minor child living in your household if you believe the defendant is a danger to the animal.

**COUNSELING**

Counseling for the defendant can be ordered only at a hearing of which the defendant has notice and an opportunity to participate.

**CHANGING OR DISMISSING THE ORDER**

**Nothing you do on your own can dismiss or change this protective order.** If you want to change or dismiss this order, you must make a written request to the court.

**PUBLIC ACCESS**

To comply with federal law, no identifying information about you from this protective order case will be published on the Judicial Branch website ([www.azcourts.gov](http://www.azcourts.gov)).

**RESOURCES, SAFETY PLANS**

See Domestic Violence Info (<http://www.azcourts.gov/domesticviolencelaw>) and the booklet *Things You Should Know About Protective Orders* for information about protective orders, resources, and safety plans.

Defendant: \_\_\_\_\_ Date: \_\_\_\_\_ Case No. \_\_\_\_\_

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

This guide sheet provides more information about the petition and the order that have been served on you.

The PETITION contains the plaintiff's allegations against you and the relief that was requested from the court. The ORDER tells you what conditions the judge granted. If you were served only with a petition, a pre-issuance hearing will be scheduled.

**IF YOU HAVE BEEN SERVED WITH:**

**ORDER OF PROTECTION.** An Order of Protection has been issued because you allegedly committed or may commit an act of domestic violence against the plaintiff. You and the plaintiff have one of the following relationships:

- married (past or present)
- live/lived together as intimate partners
- romantic or sexual relationship (past or present)
- parent of a child in common
- one party is pregnant by the other
- related as parent, grandparent, child, grandchild, brother, sister (including step or in-law)
- live/lived together but not as intimate partners

**INJUNCTION AGAINST HARASSMENT.** You allegedly have committed a series of acts (more than one) of harassment or one act of sexual violence (as defined in ARS § 23-371) against the plaintiff within the last year or you have been convicted of committing a dangerous offense as defined in ARS § 13-105, a serious offense or a violent or aggravated felony as defined in ARS § 13-706, or any offense in ARS Title 13, chapter 14 or 35.1, against the plaintiff.

**INJUNCTION AGAINST WORKPLACE HARASSMENT.** An employer or a business owner, for the benefit of employees or the business, has filed a petition against you, alleging at least one act of harassment.

**SERVICE AND EFFECT**

This protective order is valid for one year from the date it was served on you. It is enforceable by law enforcement in any state or tribal nation in the United States.

**MODIFYING OR DISMISSING THIS ORDER**

Only a judge can modify or dismiss this protective order. The plaintiff cannot dismiss or change this protective order without the court's written approval.

**CONTACT WITH THE PLAINTIFF**

You can be arrested for violating this protective order, even if the plaintiff initiates contact with you. You have the right to request a protective order against the plaintiff if you do not want the plaintiff to contact you. But orders are not automatically granted upon request. Legal requirements must be met.

**REQUEST FOR HEARING**

**Contested Hearing.** If you disagree with this protective order (regardless of its type), you have the right to request a hearing. The hearing will be held within 5 to 10 business days after you file a written request at the court that issued this order.

**Exclusive Possession of Residence.** If the court issued an Order of Protection

that granted the plaintiff exclusive possession of a residence shared with you, the plaintiff must notify the court if he/she moves out of the residence while the order is in effect. Upon receipt of the notice, the court will send a copy to you. You have a right to a court hearing, upon written request, if there has been a change of circumstances related to the shared residence. See ARS § 13-3602(L).

**Important note about hearings and firearms:** Separately from Arizona law, pursuant to federal law 18 USC § 922(g)(8), certain conditions may cause a defendant to be prohibited from possessing firearms while an Order of Protection is in effect. Federal law is not subject to Arizona statutes or court rules. The conditions are: (1) Defendant and Plaintiff are either married (past or present), live together as intimate partners (past or present), or are parents of a child in common, and (2) the Order of Protection is affirmed or modified at a hearing of which Defendant received actual notice of the hearing and had an opportunity to participate (even if Defendant fails to appear at the hearing). If you have questions about hearings and state and federal firearms prohibitions, you should contact an attorney. The court cannot give you legal advice.

**RESIDENCE AND  
PROPERTY**

The judge may have given the plaintiff exclusive use of a residence shared with you and may have allowed you a law enforcement standby. If the judge has granted standby on the protective order, you may return to the residence once with a law enforcement officer to obtain necessary personal belongings. You must arrange a date and time with law enforcement for the standby. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

**FIREARMS**

If the judge has ordered under Arizona law that you cannot possess, receive, or purchase firearms, you must surrender them within 24 hours after service of this protective order to the law enforcement agency named on this order. You should ask law enforcement to issue proof of the surrender. You may also have to provide documentation to the court that firearms were transferred to the specified law enforcement agency. If you have questions about a firearms prohibition and surrender, you should contact an attorney. The court cannot give you legal advice.

Also see the section titled Request for Hearing (above), which discusses hearings and firearms, because federal law imposes separate firearms restrictions.

**CHILDREN**

If your child is listed as a protected person, you may be referred to superior court. Only a superior court judge can decide child custody (legal decision-making) or parenting time in a separate family law action.

**FAMILY COURT**

If either you or the plaintiff file an action for maternity, paternity, annulment, legal separation, or divorce, advise this court immediately so the protective order case can be transferred to the superior court.

## EMERGENCY ORDER OF PROTECTION

ORDER EXPIRES AT

Case No.

County  State

**PLAINTIFF**

First                      Middle                      Last

**PLAINTIFF IDENTIFIERS**

Plaintiff's Date of Birth

And on behalf of the minor family members or Protected Persons listed below. (List name and DOB.)

\_\_\_\_\_

\_\_\_\_\_

**V.**

**DEFENDANT**

First                      Middle                      Last

Defendant/Plaintiff Relationship: \_\_\_\_\_

Defendant's Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**DEFENDANT IDENTIFIERS**

SEX	RACE	DOB	HT	WT
EYES	HAIR	<b>Arizona Prohibits Release of Social Security Numbers</b>		
DRIVER'S LICENSE #		STATE	EXP DATE	

**CAUTION:** [  ] Weapon Alleged in Petition

[  ] Estimated Date of Birth

**WARNINGS TO DEFENDANT:** This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. § 2262). **Only the court, in writing, can change this order.**

A peace officer has reasonable grounds to believe that Plaintiff is in immediate and present danger of domestic violence based on an allegation or a recent incident of violence and has stated those grounds to a judicial officer.

This judicial officer finds that Plaintiff's life or health is in imminent danger and authorizes the issuance of this Emergency Order of Protection.

**IT IS ORDERED:**

**NO CRIMES.** Defendant shall not commit any crimes against Plaintiff or Protected Persons.

[  ] **NO CONTACT.** Defendant shall have no contact with **Plaintiff** except through attorneys, legal process, court hearings, and as checked: [  ] Phone [  ] Email/Fax [  ] Mail [  ] Other: \_\_\_\_\_

[  ] **NO CONTACT.** Defendant shall have no contact with **Protected Persons** except through attorneys, legal process, court hearings and as checked: [  ] Phone [  ] Email/Fax [  ] Mail [  ] Other: \_\_\_\_\_

**THE COURT FURTHER ORDERS:**

**RESIDENCE.** Plaintiff is granted exclusive use and possession of the residence listed below.

**PROTECTED LOCATIONS.** Defendant shall not go to or near Plaintiff's or Protected Person's:

Residence: \_\_\_\_\_

Workplace: \_\_\_\_\_

School/Other: \_\_\_\_\_

**ARIZONA FIREARMS LAW (A.R.S. § 13-3624(D)(4)).** The court finds that Defendant may inflict bodily injury or death on Plaintiff and, therefore, Defendant is prohibited from possessing or purchasing a firearm for the duration of this order.

**OTHER ORDERS.** \_\_\_\_\_

\_\_\_\_\_ Order issued by: \_\_\_\_\_  
Date Judicial Officer's Name and Court

**WARNING:** This is an official court order. If you disobey this order, you may be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed in disobeying this order. **Even if the plaintiff initiates contact, you could be arrested and prosecuted for violating this protective order. If you do not want the plaintiff to contact you, you have the right to request a protective order against the plaintiff. But orders are not automatically granted upon request. Legal requirements must be met.**

**NOTICE:** Violations of this order should be reported to a law enforcement agency, not the court.

**CERTIFICATE OF SERVICE**

The undersigned, being first duly qualified by law, certifies that Defendant was served with a copy of this Emergency Order of Protection on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ at \_\_\_\_ a.m./p.m. at  
(date) (time)

\_\_\_\_\_  
(address where Defendant was served)

\_\_\_\_\_  
Reporting Peace Officer, Agency, and ID No.

\_\_\_\_\_  
Serving Peace Officer, Agency, and ID No.