

FILED

FEB 13 1992

NOEL K. DESSAINT
CLERK SUPREME COURT
BY *[Signature]*

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	ADMINISTRATIVE ORDER
ADOPTION OF FORMS FOR)	
ORDERS OF PROTECTION)	No. 92- <u>6</u>
_____)	

In order to promote development and use of uniform and efficient legal forms at all levels of the court system and to enhance the public's access to the courts through the availability of useable and understandable legal forms,

IT IS ORDERED that the attached forms are adopted and approved for use in substantially this form by all Arizona courts for matters concerning orders of protection and injunctions against harassment.

DATED AND ENTERED this 13th day of February, 1992.

STANLEY G. FELDMAN
Chief Justice

COURTS OF ARIZONA

Plaintiff
-vs-
Defendant

Court No.
Case No.

<p>PETITION FOR ORDER OF PROTECTION</p>
--

- The Court has jurisdiction over this cause of action pursuant to §A.R.S. 13-3602(A) and (L).
- The complete names and addresses of the Plaintiff and Defendant are:

PLAINTIFF

DEFENDANT

Name _____

Address _____

City _____ Zip _____ Phone _____

Age _____ Occupation _____

Employer's Name _____ Daytime Phone _____

Employer's Address _____

Name _____

Address _____

City _____ Zip _____ Phone _____

Age _____ Occupation _____

Employer's Name _____ Daytime Phone _____

Employer's Address _____

Check here if you do not want address released for publication

DESCRIPTION OF DEFENDANT AS FOLLOWS:

SEX	RACE	D.O.B.	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.

- The present relationship of the Defendant to the Plaintiff is (check one):
 - Married: If married, has a petition for annulment, legal separation or dissolution of marriage been filed by you or your spouse: Yes No Date of marriage: _____
 - Divorced Date divorce granted: _____
 - Living together - past or present
 - Defendant or defendant's spouse is related to victim as _____
 - Pregnant or have a child in common *Relationship*

- Have you ever filed criminal charges against the defendant or requested an order of protection or injunction against harassment against the defendant? No Yes - Explain below: _____

COURTS OF ARIZONA

Plaintiff
-vs-
Defendant

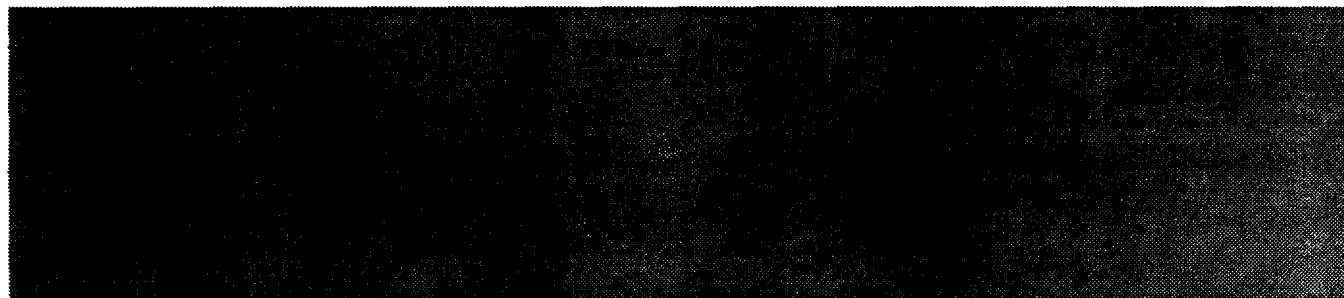
Court No.
Case No.

PETITION FOR ORDER OF PROTECTION

- The Court has jurisdiction over this cause of action pursuant to §A.R.S. 13-3602(A) and (L).
- The complete names and addresses of the Plaintiff and Defendant are:

PLAINTIFF	DEFENDANT
------------------	------------------

Name _____ Name _____



Check here if you do not want address released for publication

DESCRIPTION OF DEFENDANT AS FOLLOWS:

SEX	RACE	D.O.B.	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.

- The present relationship of the Defendant to the Plaintiff is (check one):
 - Married: If married, has a petition for annulment, legal separation or dissolution of marriage been filed by you or your spouse: Yes No Date of marriage: _____
 - Divorced Date divorce granted: _____
 - Living together - past or present
 - Defendant or defendant's spouse is related to victim as _____ Relationship
 - Pregnant or have a child in common

- Have you ever filed criminal charges against the defendant or requested an order of protection or injunction against harassment against the defendant? No Yes - Explain below:

COURTS OF ARIZONA

Plaintiff _____ -vs- _____ Defendant	Court No. _____ Case No. _____	ORDER OF PROTECTION
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WARNING
THIS IS AN OFFICIAL COURT ORDER. IF YOU DISOBEY THIS ORDER, THE COURT MAY FIND YOU IN CONTEMPT OF COURT. 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. THIS IS A COURT ORDER AND CANNOT BE WAIVED BY EITHER OF THE PARTIES. YOU MUST RETURN TO COURT TO MODIFY OR QUASH THIS ORDER.

NOTE: AN ORDER IS EFFECTIVE ON THE DEFENDANT ON SERVICE OF A COPY OF THE ORDER. AN ORDER EXPIRES, UNLESS RENEWED, SIX MONTHS AFTER SERVICE ON THE DEFENDANT. YOU ARE ENTITLED TO A HEARING IF YOU FILE A WRITTEN REQUEST FOR HEARING WITH THE COURT. A HEARING WILL BE HELD WITHIN TEN DAYS FROM THE DATE REQUESTED UNLESS THE COURT FINDS COMPELLING REASONS TO CONTINUE THE HEARING. A HEARING WILL BE HELD WITHIN 5 DAYS FROM THE DATE REQUESTED IF EXCLUSIVE USE OF THE RESIDENCE HAS BEEN AWARDED.

The Court, having considered the verified petition of the Plaintiff, finds reasonable cause to believe that the Defendant has committed, or may commit, an act of domestic violence against the Plaintiff, or his or her property, and the other persons or property designated in this order, and that unless the Defendant is restrained, harm may otherwise result; **IT IS THEREFORE ORDERED,**

- That Defendant shall not threaten, intimidate, endanger, assault, commit an act of custodial interference, unlawfully imprison, kidnap, trespass, or damage the property of or commit any other disorderly conduct against Plaintiff.
- That Defendant shall not contact Plaintiff by phone or in person.
- That Plaintiff is granted the exclusive use and possession of the residence at _____
The Defendant may return once with a police officer to obtain belongings. *Address*
- That Defendant shall not go on or near the place or premises where Plaintiff
 - Resides: _____
Address
 - Place of employment: _____
Address
 - School: _____
Name or Address
 - Other location: _____
specify place and address

Other orders necessary for the protection of the Plaintiff and other designated persons as follows:

All violations of this order should be reported to a law enforcement agency, not the court. You must notify the court if an action for dissolution or separation is filed.

DATE _____

Judge/Magistrate/Justice of the Peace

DESCRIPTION OF DEFENDANT:

SEX	RACE	D.O.B.	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.
-----	------	--------	--------	--------	------	------	---------------

COURTS OF ARIZONA

Plaintiff
-vs-
Defendant

Court No.
Case No.

PETITION FOR INJUNCTION AGAINST HARASSMENT

1. The Court has jurisdiction over this cause of action pursuant to A.R.S. 12-1809.
2. The complete names and addresses of the Plaintiff and Defendant are:

PLAINTIFF

DEFENDANT

Name _____

Address _____

City _____ *Zip* _____ *Phone* _____

Age _____ *Occupation* _____

Employer's Name _____ *Daytime Phone* _____

Employer's Address _____

Name _____

Address _____

City _____ *Zip* _____ *Phone* _____

Age _____ *Occupation* _____

Employer's Name _____ *Daytime Phone* _____

Employer's Address _____

Check here if you do not want address released for publication

DESCRIPTION OF DEFENDANT AS FOLLOWS:

SEX	RACE	D.O.B.	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.

3. If this petition is not granted immediately, the following serious harm may occur:

4. Have you ever filed:

Criminal charges Petition for Injunction

Explain:

5. I have been harassed by the defendant as follows:

(REMEMBER: Harassment involves a series of acts. Be sure you are specific about what things happened, when they happened, and where they happened. The acts must have occurred within the past year unless the defendant has been incarcerated, out of state or for good cause shown.)

Plaintiff asks that the Court issue an Order providing:

- That the filing fees be waived (fill out separate affidavit).
- That the process fees be waived (fill out separate affidavit).
- That the Defendant shall not:

That the Defendant stay away from the following locations (provide addresses):

- My home: _____
- My place of employment: _____
- Other location(s): _____
- Other person(s): _____

Signature of the Plaintiff *Date* *Attorney's Signature* *Date*

V E R I F I C A T I O N

STATE OF ARIZONA }
County of Maricopa } ss.

_____ being first duly sworn, deposes and says:

I am the Plaintiff in the above entitled and numbered matter and have read the foregoing pleading and know the contents therein to be true of my knowledge, except as to those matters therein stated upon information and belief, and as to such matters, I believe them to be true.

PLAINTIFF

SUBSCRIBED AND SWORN to before me on _____
date

My Commission Expires _____

JUDGE / CLERK / NOTARY PUBLIC

COURTS OF ARIZONA

_____ Plaintiff -vs- _____ Defendant	_____ Court No. _____ Case No.	NOTICE OF HEARING PRIOR TO INJUNCTION
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A verified petition for an Injunction Prohibiting Harassment has been filed with this Court. This matter has been set for hearing at:

Date: _____ Division: _____ 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 may be issued against you in accordance with the relief requested in the Plaintiff's petition.

_____ Date _____ Judge/Clerk _____

CERTIFICATE OF TRANSMITTAL

Copy mailed/delivered to Plaintiff on _____ by _____

DESCRIPTION OF DEFENDANT AND ADDRESS: Home: _____
Work: _____

SEX	RACE	D.O.B.	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.
-----	------	--------	--------	--------	------	------	---------------

CERTIFICATE OF SERVICE ON DEFENDANT

STATE OF ARIZONA }
County of _____ } ss.

I certify that I personally served this document on the Defendant as follows:

Date Received: _____ Date Served: _____ Time Served: _____

Person Served if Other than Defendant: _____

Location Where Served: _____
_____ City, _____, County

_____ Agency and ID Number _____ Person Serving Process

SUBSCRIBED AND SWORN to before me this date: _____

My Commission expires: _____
_____ Notary Public

STATEMENT OF COSTS

Service Fee \$ _____ Mileage Fee \$ _____ Other \$ _____ TOTAL \$ _____

COURTS OF ARIZONA

Plaintiff
-vs-

Defendant

Court No.

Case No.

**INJUNCTION
PROHIBITING
HARASSMENT**

WARNING

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NOTE: AN ORDER IS EFFECTIVE ON THE DEFENDANT ON SERVICE OF A COPY OF THE ORDER. AN ORDER EXPIRES, UNLESS RENEWED, SIX MONTHS AFTER SERVICE ON THE DEFENDANT. YOU ARE ENTITLED TO A HEARING IF YOU FILE A WRITTEN REQUEST FOR HEARING WITH THE COURT. A HEARING WILL BE HELD WITHIN TEN DAYS FROM THE DATE REQUESTED UNLESS THE COURT FINDS COMPELLING REASONS TO CONTINUE THE HEARING.

- The Court has reviewed:
- The Plaintiff's petition Other pleadings
 - Other evidence offered by the Plaintiff

Upon finding that there is reasonable evidence of harassment of the Plaintiff by the Defendant and that great or irreparable harm would result to the Plaintiff if the injunction is not granted before the Defendant or his attorney can be heard in opposition,

- After hearing and the Court finding good cause,

IT IS ORDERED pursuant to A.R.S. § 12-1809:

- THAT the Defendant shall not:

- THAT the Defendant stay away from the following locations (addresses provided):

- Plaintiff's home: _____
- Plaintiff's place of employment: _____
- Other person(s) or location(s) _____

GRANTING Other Relief: _____

Date _____

Judge

DESCRIPTION OF DEFENDANT:

SEX	RACE	D.O.B.	HEIGHT	WEIGHT	EYES	HAIR	SOC. SEC. NO.
-----	------	--------	--------	--------	------	------	---------------

COURTS OF ARIZONA

Plaintiff
-vs-

Defendant

Court No.

Case No.

REQUEST FOR HEARING AND ORDER
--

DEFENDANT'S REQUEST FOR HEARING

I request a hearing to respond to the

- Order of Protection (10 days from date of request)
- Exclusive Use of Home Involved (5 days from date of request)
- Injunction Prohibiting Harassment

which was issued against me in this case.

Date

Defendant

NOTE: Even though a hearing has been requested, the Order of Protection/Injunction in this case remains in effect. You must continue to obey it.

HEARING NOTICE AND ORDER

Defendant having filed a request for hearing;

IT IS HEREBY ORDERED setting this matter for hearing on _____,

Date

_____, in Courtroom _____, at _____

Time

_____, 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/Injunction Prohibiting Harassment.

Date _____

Judge

CERTIFICATE OF TRANSMITTAL

Copy mailed/delivered to Plaintiff on _____ by _____

Copy mailed/delivered to Defendant on _____ by _____

COURTS OF ARIZONA

Plaintiff
-vs-
Defendant

Court No.
Case No.

**REQUEST TO
QUASH ORDER OR
VACATE HEARING**

I request that the hearing now set for _____, in
Division _____ at _____m., be vacated for the following reason:

_____ Date _____ Plaintiff/Defendant
ORDER
IT IS HEREBY ORDERED vacating the hearing set on _____
_____ Date
_____ in Courtroom _____ at _____
DATE _____
_____ Judge

I request that the Order of Protection Injunction Prohibiting Harassment
issued by this court on _____, be quashed for the following reason:

_____ Date _____ Plaintiff
ORDER
This matter having come before the Court for review and good cause appearing.
IT IS HEREBY ORDERED THAT THE
 Order of Protection Injunction Prohibiting Harassment
issued by this Court on _____ Date _____ is quashed.

Done in open court on _____ Judge

CERTIFICATE OF TRANSMITTAL

Copy mailed/delivered to Plaintiff on _____
by _____
Copy mailed/delivered to Defendant on _____
by _____

COURTS OF ARIZONA
MARICOPA/PIMA COUNTY

_____ Plaintiff -vs- _____ Defendant	Court Case No. <u>EP</u> (Assigned by Sheriff)	EMERGENCY ORDER OF PROTECTION AND AFFIDAVIT OF SERVICE
--	--	--

The undersigned law enforcement officer had reasonable grounds to believe that the plaintiff is in immediate and present danger of domestic violence based on an allegation of a recent incident of actual domestic violence. Those grounds were made known to the issuing judicial officer. The judicial officer has authorized the issuance of this Emergency Order of Protection. Pursuant to said authorization, IT IS HEREBY ORDERED:

That the defendant shall not threaten, intimidate, endanger, assault, commit an act of custodial interference, unlawfully imprison, kidnap, trespass, or damage the property of or commit any other disorderly conduct against the plaintiff or any minor child of the parties; that the defendant is excluded from the residence where the plaintiff resides; that the defendant shall not go on or near the place where the plaintiff resides or is employed; and that the defendant shall have no contact with the plaintiff in person or by telephone.

WARNING

THIS IS AN OFFICIAL COURT ORDER AND CANNOT BE WAIVED BY EITHER OF THE PARTIES. IF YOU DISOBEY THIS ORDER, THE COURT MAY FIND YOU IN CONTEMPT OF COURT. 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.

Order issued by Judge: _____ of Superior Court – Maricopa/Pima
(Judicial Officer) (check one) Magistrate Court, City: _____
 Justice Court, Precinct: _____

Dated: _____ **WARNING: ORDER EXPIRES ON:** _____ AT 5:00 PM
(day, date)

Signed: _____ of _____
(Law Enforcement Officer) (agency)

STATE OF ARIZONA)
COUNTY OF MARICOPA / PIMA) **ss. AFFIDAVIT OF SERVICE**

I, the undersigned, being first duly sworn, state that I served a copy of the Emergency Order of Protection on the defendant at: _____ on _____ at _____.
(address) (date) (time)

(Law Enforcement Officer who served order)

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

NOTARY PUBLIC My commission expires _____

OFFICER: FORWARD ORIGINAL ORDER AND AFFIDAVIT OF SERVICE TO CLERK OF THE SUPERIOR COURT.
Distribution: Original: Clerk of the Superior Court 2nd Copy: Plaintiff 3rd Copy: Defendant 4th Copy: Police Agency

INTERPRETED TO DEFENDANT BY OFFICER _____ of _____ in _____.
(agency) (language)
Law Enforcement Case/DR # _____