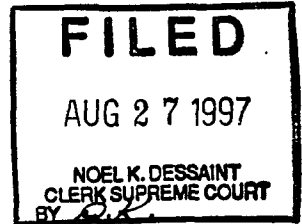


IN THE SUPREME COURT OF THE STATE OF ARIZONA



In The Matter Of:) Administrative Order
)
ADOPTION OF FORMS FOR)
PROTECTIVE ORDERS) No. 97- 46
IN DOMESTIC VIOLENCE CASES) (Revising Administrative
Order No. 97-29)
_____)

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.

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 on July 3, 1997, the Court approved Administrative Order No. 97-29 adopting changes to revise those forms approved in 1992.

Now, in order to amend the forms adopted by Administrative Order No. 97-29 and to delegate authority to the Administrative Director concerning future adjustments to the forms,

IT IS ORDERED that the attached forms are adopted for mandatory use on or before January 1, 1998, 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.

IT IS FURTHER ORDERED that the Administrative Director is authorized to approve

revisions to the mandatory forms hereby adopted, in order to reflect changes in state or federal laws or procedures and make other administrative amendments or corrections deemed necessary.

IT IS FURTHER ORDERED that this Order replace Administrative Order No. 97-29 entered on July 22, 1997.

Dated this 27th day of August, 1997.

THOMAS A. ZLAKET
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
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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, including whether you fear bodily injury or death. 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.

5. I ask this Court to order the Defendant not to commit an act of "domestic violence" 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 possess and/or purchase firearms and/or ammunition.
- Order the Defendant to surrender firearms and/or ammunition.
- Order the Defendant to participate in domestic violence counseling or other counseling.
- Order the Defendant not to contact me: in person; by phone; in writing; _____.

DO NOT FILL OUT ADDRESSES BELOW IF YOU WANT THEM KEPT PRIVATE

The following persons should be included within the protection of this Order for the following reasons:

Name and Address if different than yours (do not include yourself)	Relationship to you	D.O.B.	Reason(s)
Name: Address:			
Name: Address:			
Name: Address:			
Name: Address:			
Name: Address:			
Name: Address:			

- Keep my address private. (Do not check this box if the Defendant has lived with you at this address in the past five years.)
- Order the Defendant not to come on or near (LEAVE YOUR RESIDENCE ADDRESS BLANK IF BOX ABOVE IS CHECKED):
 - My residence at: _____
 - My place of employment (Name and Address): _____
Does the Defendant also work there? Yes No
 - School (Name and Address): _____
- Other address: _____
- Order that I be given the exclusive use of our residence (write address only if different from above):

- Other requests: _____

My Signature Date

Attorney's Signature Date

VERIFICATION

I swear or affirm that the contents of this Petition are true to the best of my knowledge.

Plaintiff or Third Party

SUBSCRIBED AND SWORN to before me on _____

Judicial Officer/Clerk/Notary

Date

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 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 or other protected person 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 a domestic violence counseling 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. The Plaintiff or other protected person(s) is an intimate partner, as defined by 18 U.S.C. 921(a), or a child of an intimate partner or of the Defendant.

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.

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

The following persons should be included within the protection of this Order for the following reasons:

Name and Address if different than yours (do not include yourself)	Relationship to you	D.O.B	Reason(s)
Name:			
Address:			
Name:			
Address:			
Name:			
Address:			

Keep my address private. (Do not check this box if the Defendant has lived with you at this address in the past five years.)

Order the Defendant not to come on or near (LEAVE NEXT LINE BLANK IF BOX ABOVE IS CHECKED):

My residence at: _____

My place of employment (Name and Address): _____
Does the Defendant also work there? Yes No

School (Name and Address): _____

Other address: _____

Other requests: _____

My Signature

Date

Attorney's Signature

Date

VERIFICATION

I swear or affirm that the contents of this Petition are true to the best of my knowledge.

Plaintiff or Third Party

SUBSCRIBED AND SWORN to before me on _____

Judicial Officer/Clerk/Notary

Date

Plaintiff	Court Case No.	INJUNCTION AGAINST HARASSMENT
Date of Birth -vs-	Court No., NCIC	
Defendant	Court No., DPS	

AFTER HEARING
 MODIFIED

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.

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 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; _____.

↳ 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.

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 Petition and Order of Protection
- Copy of the Petition and 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 OF THE ISSUING COURT NAMED ABOVE.

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

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

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

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

issued on the _____ day of _____, 19_____.

DATED this _____ day of _____, 19_____.

Defendant

Plaintiff <hr/> -vs- <hr/> Defendant	<hr/> 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

The requested relief is denied.

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.

The hearing previously set is canceled. 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 _____

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

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

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

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	Case No.	NOTICE TO SHERIFF OF BRADY DISQUALIFICATION
Date of Birth -vs-	Court No., NCIC	
Defendant	Court No., DPS	

Notice is hereby given to the Sheriff of this County that the Order of Protection ("protection order") issued in the above-referenced case on (date) _____ meets the criteria established in 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 protection 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.
2. The Defendant is a person subject to a protection order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child. As defined in 18 U.S.C. § 921(a), "intimate partner" means with respect to a person, the spouse of a person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person.
3. The protection order includes a finding that the Defendant represents a credible threat to the physical safety of such intimate partner or child; or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child child that would reasonably be expected to cause bodily injury.

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

Judicial Officer

Date