

REQUEST FOR SHERVEPORT
PRO BONO
PROTECTIVE ORDER ASSISTANCE

I request legal assistance from the Shreveport Bar Association Pro Bono Project.

(Client Signature)

(Client Name – *printed*)

(Client current phone number)

For Clerk of Court use only

DOCKET # _____

ATTACHED: Petition: _____

 Current Order: _____

 Minutes: _____

Sent (via facsimile) to Heidi – PRO BONO PROJECT @ 221-8115 (mm/dd/yyyy) _____

***Note: If this information is being sent via facsimile, please contact Nellie Walton, Coordinator of the SBF Pro Bono Project at 318-221-8107 or email nwalton@shreveportbar.com to confirm receipt.

NOTICE TO ALL PERSONS APPLYING FOR A PROTECTIVE ORDER

PROTECTIVE ORDER COSTS

ALTHOUGH NO COURT COSTS ARE DUE AT THE TIME OF FILING, COURT COSTS ARE STILL INCURRED. PROTECTIVE ORDER COURT COSTS AVERAGE BETWEEN \$300.00 AND \$800.00. **YOU MAY BE LIABLE FOR THESE COSTS.** IF YOU DO NOT SHOW UP AND YOUR CASE IS DISMISSED, YOU MAY BE CAST WITH COSTS. IF THERE IS A TRIAL, THE JUDGE WILL DETERMINE WHO IS RESPONSIBLE FOR COSTS.

I HAVE READ THE ABOVE AND UNDERSTAND MY RESPONSIBILITY.

SIGNATURE

DATE

****APPLICANT MUST READ AND INITIAL EACH ENUMERATED****

STATEMENT OF THIS FORM BEFORE APPLYING FOR A PROTECTIVE ORDER.

___ 1) Has a protective order request been made involving and party listed in this protective order in any court? If so, where _____ and when _____.

___ 2) By filing a petition for a protective order, you are making a serious accusation to the court about the behavior and circumstances of another person.

___ 3) By signing the petition for a protective order, you are stating under oath to the court that the allegations contained in your petition are true and correct.

___ 4) The petition you are about to file is a legal document that may result in court action. As with all legal documents, you are advised to consult an attorney before filing.

___ 5) After filing this petition, the court may grant your request for a temporary restraining order. You will be required to come to court and prove the accusations made in your petition in order to obtain a protective order.

___ 6) It is your responsibility to present the evidence necessary to obtain the relief sought. You are strongly advised to have an attorney represent you when you come to court. If you do not have an attorney at the time, the judge **WILL NOT** act as your attorney.

___ 7)

If you cannot prove the accusations you have made, the protective order will be dismissed.

___ 8) Any false statement under oath contained in the affidavit shall constitute perjury and shall be punishable by a fine of not more than one thousand dollars, or by imprisonment, with or without hard labor, for more than five years, or both. (La. R.S. 46:2134)

By signing this form, applicant certifies that she/he has read and understands the forgoing statements.

Signature of Applicant

Information Checklist for individuals seeking protection by way of filing a Protective Order under La. R.S. 46:2131.

Do you qualify?

***Are you over the age of 18?**

If YES, you are qualified to file a Protective Order. If you have been emancipated by marriage or otherwise you would also be eligible to file.

If NO, a parent or guardian over the age of 18 may file on your behalf and list you as the minor child under Paragraph 1.

***Is Caddo Parish the proper venue to file your Protective Order?**

The following items will indicate if Caddo is the proper venue (R.S. 46:2133):

Please CIRCLE the correct venue

- The marital domicile is located in Caddo Parish
- The household is located in Caddo Parish
- The defendant resides or is domiciled in Caddo Parish
- The abuse occurred in Caddo Parish
- The petitioner resides or is domiciled in Caddo Parish

If Caddo Parish is the proper venue, please move forward to the next section...

***Was there Domestic Abuse?**

Domestic abuse includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family or household member against another.

If the answer is yes, please move forward to the next section...

***Is the defendant someone that would qualify as a “Family member or Household member?”**

The following would indicate if the individual in question qualifies as a “family member” under La. R.S. 46:2132:

If the defendant is a Family member please CIRCLE the one that applies

- | | |
|------------------|-------------------|
| • Spouses | • Stepparents |
| • Former Spouses | • Stepchildren |
| • Parents | • Foster Parents |
| • Children | • Foster Children |

A “Household member” is defined as any person of the *opposite sex* presently or formerly living in the same residence with the defendant as a spouse, whether married or not (R.S. 46:2132).

If the defendant is a “Household member” please indicate the relationship in Paragraph five (5) of your protective order.

***Cost for filing a Protective Order with the Clerk (R.S. 46:2136.1)**

There is no filing fee required at the time of filing your Protective Order. All court costs and fees shall be paid by the perpetrator (or defendant) of the domestic violence.

However, if the court determines the petition as frivolous, the court *may* order the non prevailing party to pay all court costs and fees of the other party.

_____ COURT
 PETITIONER
 V.

 DEFENDANT

 Parent/Guardian name if defendant is a minor

PARISH/CITY OF _____
 STATE OF LOUISIANA
 DIVISION: _____ NUMBER: _____
 FILED: _____ CLERK: _____

PETITION FOR PROTECTION FROM ABUSE

Pursuant to La. R.S. 46:2131 et seq. or La. R.S. 46:2151

This petition is: Initial Petition Supplemental and Amending Petition

The petition of _____, born _____
your name month/day/year

a resident of the State of Louisiana, respectfully represents:

Paragraph 1

Petitioner files this petition on behalf of:

- a. _____ Petitioner, and/or
- b. _____ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner)

- c. _____ Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner)

Paragraph 2

a. _____ Petitioner requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential to the court and files the address pursuant to La. R.S. 46:2134(B). (**Ask clerk of court for the Confidential Address Form.**)

OR

- b. _____ Petitioner's current address:

No. & Street Apt. No.

City State Zip Code
- c. _____ The minor child's or alleged incompetent's current address:

No. & Street Apt. No.

City State Zip Code

Paragraph 3

_____, defendant, resides in _____ Parish at
Abuser's Name

No. & Street Apt. No. City State Zip Code

Paragraph 4

This Court is the proper venue for this action because:

- The marital domicile is located in _____ Parish.
- The household is located in _____ Parish.
- The defendant resides or is domiciled in _____ Parish.
- The abuse occurred in _____ Parish.
- The protected person(s) resides or is domiciled in _____ Parish.
(Do not fill this out if address is to remain confidential.)

Paragraph 5

The protected person(s) is related to the defendant as: *(check all that apply)*

- | | |
|--|---|
| <input type="checkbox"/> Current or former spouse | <input type="checkbox"/> Current or former dating partner |
| <input type="checkbox"/> Current or former intimate cohabitant | <input type="checkbox"/> Parent, stepparent, or foster parent |
| <input type="checkbox"/> Child, stepchild, or foster child | <input type="checkbox"/> Grandparent |
| <input type="checkbox"/> Child of defendant's current or former intimate partner | <input type="checkbox"/> Grandchild |

Paragraph 6

- A suit for divorce between the parties **is not** pending.
- A suit for divorce between the parties **is** pending (fill out page 7 of this form, "Addendum")
NOTE: If you were NOT the petitioner in the divorce suit, use form LPOR B-R entitled "Petition for Protection From Abuse, (Filed by the Defendant in the Pending Action as Petitioner-in-reconvention)" instead of this one.
- There is a suit for custody pending involving children named in this petition (fill out page 7 of this form, "Addendum").
- There is a custody order in effect involving children named in this petition (fill out page 7 of this form, "Addendum", or attach a copy of the order if available).

Paragraph 7

- The protected person(s) and defendant have child(ren) in common.

Paragraph 8

- a. Defendant abused protected person(s) in the following manner:
- | | |
|--|--|
| <input type="checkbox"/> Slapped protected person(s) | <input type="checkbox"/> Threatened protected person(s) with bodily harm |
| <input type="checkbox"/> Punched protected person(s) | <input type="checkbox"/> Threatened protected person(s)' life |
| <input type="checkbox"/> Choked protected person(s) | <input type="checkbox"/> Threatened protected person(s) with a weapon |
| <input type="checkbox"/> Shoved protected person(s) | <input type="checkbox"/> Sexually abused protected person(s) |
| <input type="checkbox"/> Kicked protected person(s) | <input type="checkbox"/> Abused petitioner's child(ren) or alleged incompetent |
| <input type="checkbox"/> Stalked protected person(s) | <input type="checkbox"/> Other: _____ |

- b. The facts and circumstances of this abuse are as follows:
The most recent incident of abuse which caused petitioner to file this petition happened on or about _____ (month/day/year), at which time the defendant did:
-
-
-
-
-

_____ e. ordering the defendant not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).

_____ f. granting the petitioner or protected person(s) the use of the residence located at:

No. & Street Apt. No. City State Zip Code

to the exclusion of defendant by **evicting** defendant and ordering the defendant to surrender any keys to that residence to the petitioner, and ordering _____ (Sheriff's office) to **evict** the defendant.

Said residence is:

_____ jointly owned by defendant and petitioner or protected person(s).

_____ jointly leased by defendant and petitioner or protected person(s).

_____ solely leased by defendant who has a duty to support petitioner or protected person(s).

(NOTE: If solely owned by defendant AND petitioner is awarded custody of child(ren) of the parties, check appropriate item in Paragraph 10.

_____ solely owned or leased by petitioner or protected person(s).

Presently occupied by _____.

_____ g. granting petitioner or protected person(s) possession of the following property (including pets) **solely owned or leased by petitioner or protected person(s)** (state location of each item by street address and who is presently in possession).

granting petitioner or protected person(s) the exclusive use and possession of the following property (including pets) **jointly owned or leased by petitioner or protected person(s)** (state location of each item by street address and who is presently in possession).

for the following reasons: _____

And ordering _____ (Sheriff's office) to accompany petitioner to where the above listed property is located to allow petitioner to take possession of the property.

_____ h. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner and/or the minor child(ren) or alleged incompetent.

_____ i. allowing _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. **NO FORCED ENTRY ALLOWED.**

_____ j. ordering a representative of _____ (Sheriff's office) to accompany _____ to the family residence to recover her/his personal clothing and necessities.

_____ k. awarding the temporary custody of the minor child(ren) or alleged incompetent,

to petitioner; the minor child(ren) or alleged incompetent is currently in the physical custody of _____

_____ l. ordering a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned above is/are currently and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.

_____ m. prohibiting defendant from interfering with the custody of the minor child(ren) or alleged incompetent.

Paragraph 10

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 9 should not be made into protective orders, and why defendant should not also be ordered:

- ___ to pay petitioner a reasonable amount of child support in accordance with Louisiana Law.
- ___ to pay petitioner a reasonable amount of spousal support (alimony).
- ___ to seek professional counseling or complete a court-monitored domestic abuse intervention program.
- ___ to pay costs of court in this matter.
- ___ to pay attorney fees.
- ___ to pay evaluation fees.
- ___ to pay expert witness fees.
- ___ to pay cost of medical and/or psychological care for the petitioner, minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse or dating violence.
- ___ to vacate the residence or household, thereby granting petitioner possession thereof.
- ___ other: _____.

PRAYER

WHEREFORE, petitioner prays that service and citation issue herein, and that: *(check all that apply)*

- ___ *ex parte* orders requested in Paragraph 9 be granted.
- ___ a rule issue to show cause why protective orders as requested in Paragraph 10 should not be granted.
- ___ defendant be cast with costs.
- ___ defendant be advised of penalties for violating Abuse Prevention Orders.
- ___ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by,

PETITIONER, IN PROPER PERSON

PLEASE SERVE DEFENDANT: _____

personally at his/her home or place of employment at the following address:

_____		_____
_____	OR	_____
_____		_____
_____		_____

AFFIDAVIT/VERIFICATION

STATE OF LOUISIANA

PARISH OF _____

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in and for the state and parish aforesaid, personally came and appeared _____, Petitioner in the foregoing Petition for Protection from Abuse, who, after being duly sworn by me, did depose and say that s/he has read the allegations contained therein and declared them to be true and correct to the best of her/his knowledge, information, and belief.

Petitioner further said that s/he believes that the defendant poses a threat to petitioner's safety and/or to the child(ren) or to others for whom petitioner has requested relief.

Petitioner further said that s/he is aware that any false statement made under oath contained in the foregoing petition and this affidavit shall constitute perjury and shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment, with or without hard labor, for not more than five (5) years, or both.

PETITIONER

SWORN TO AND SUBSCRIBED before me, Notary Public, on _____ (month/day/year),
at _____, Louisiana.

NOTARY PUBLIC

ADDENDUM

Fill out the following ONLY if directed to do so in Paragraph 6 on page 2 of this petition:

Divorce suit pending between parties:

Suit Name: _____
Suit Number: _____ Division: _____
Court: _____
Date of last hearing: _____ Date of next hearing: _____

Custody suit pending involving children named in this petition:

Suit Name: _____
Suit Number: _____ Division: _____
Court: _____
Involving children (names): _____

Date of last hearing: _____ Date of next hearing: _____

Custody order in effect involving children named in this petition (attach copy if available):

Suit Name: _____
Suit Number: _____ Division: _____
Court: _____
Involving children (names): _____

Custody terms/assignment: _____

Date Order Signed by Court: _____

Addendum #2

List all witnesses to the alledged instances of abuse:

1) _____

2) _____

3) _____

4) _____

5) _____

REMEMBER IT IS YOUR RESPONSIBILITY to have the witnesses present at the Court hearing.

-----FOR LPOR USE ONLY-----

PNO# _____

Date Entered: _____

Initials: _____ Verified by: _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection

- Temporary Restraining Order
- Protective Order/Preliminary or Permanent Injunction
- Modified** Protective Order/ Preliminary or Permanent Injunction

Case No.

Court: _____

City/Parish

State

PETITIONER

First Middle/Maiden Last

Protected person is: Petitioner other(s) *List other(s) name & date of birth:*

PETITIONER IDENTIFIERS

Date of birth

V.

DEFENDANT

First Middle Last

Name of minor defendant's parent or guardian

Defendant's Address:

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	SOCIAL SECURITY #		
DRIVER'S LICENSE #		STATE	EXP DATE	

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the defendant has been or will be provided with reasonable notice and opportunity to be heard.

Additional findings of this court are as set forth on the following pages.

THE COURT HEREBY ORDERS:

That the above named defendant be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.

This order shall be effective through 11:59 PM on (month/day/year)

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. Section 2265).

WARNINGS TO DEFENDANT:

Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)). See further notice on page 6 of this order.

ONLY THE COURT CAN CHANGE THIS ORDER.

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

COURT NAME AND PARISH/CITY: _____	DOCKET No. _____ DIV. : _____
	FILED: _____ CLERK: _____

TEMPORARY RESTRAINING ORDER

Pursuant to:

<input type="checkbox"/> La. R.S. 46:2131 et seq. (Domestic Abuse)	<input type="checkbox"/> La. R.S. 46:2171 et seq. (Non-intimate stalking)
<input type="checkbox"/> La. R.S. 46:2151 (Dating Violence)	<input type="checkbox"/> La. R.S. 46:2181 et seq. (Non-intimate sexual assault)
<input type="checkbox"/> La. Ch. C. Article 1564 et seq. (Children’s Code Domestic Abuse)	

PETITIONER’S NAME: _____

Date of Birth _____ Sex: F M Race: _____

First Maiden/Middle Last

Protected person is: Petitioner other(s) *List other(s) name & date of birth:*

V.

DEFENDANT’S NAME: _____

Parent/Guardian name if defendant is a minor: _____

Alias: _____ Date of Birth: _____ Sex: F M Race: _____

month/day/year

Address: _____

No. & Street Apt. No. City State Zip Code

Social Security #: _____ Dr. Lic. # _____ State _____ Exp. _____ (date)

The protected person(s) is related to the defendant as: (check all that apply)

<p>A</p> <input type="checkbox"/> 1. current or former spouse <input type="checkbox"/> 2. current or former intimate cohabitant <input type="checkbox"/> 3. child, stepchild, or foster child <input type="checkbox"/> 4. child of defendant’s current or former intimate partner <input type="checkbox"/> 5. protected person and defendant have a child(ren) in common	<p>B</p> <input type="checkbox"/> 1. current or former dating partner <input type="checkbox"/> 2. parent, stepparent, or foster parent <input type="checkbox"/> 3. grandparent <input type="checkbox"/> 4. grandchild
	<p>C (Stalking or sexual assault only)</p> <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance/co-worker/neighbor or other: _____

D **FINDING: Domestic Abuse or Dating Violence**
 THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER TO THE PHYSICAL SAFETY OF THE PROTECTED PERSON(S),

FINDING: Stalking
 THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER OF STALKING,

FINDING: Sexual Assault
 THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE A SEXUAL ASSAULT,

THUS THE COURT ISSUES THE FOLLOWING ORDERS, WITHOUT A HEARING: *(only orders checked and initialed apply)*

IT IS ORDERED THAT THE DEFENDANT BE SERVED WITH A COPY OF THIS ORDER.

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

____ 1. THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

____ 2. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.
 Exceptions (if any): _____

____ 3. THE DEFENDANT IS ORDERED NOT TO go within _____ (*distance*) of the protected person(s), without the express written permission of this court.
 Exceptions (if any) _____

____ 4. THE DEFENDANT IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

No. & Street *Apt. No.* *City* *State* *Zip Code*

____ 5. THE DEFENDANT IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

Employment/School *Address* *City* *State* *Zip Code*

Employment/School *Address* *City* *State* *Zip Code*

____ 6. THE DEFENDANT IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

____ 7. THE COURT GRANTS THE PETITIONER or protected person(s) the use of the residence located at:

No. & Street *Apt. No.* *City* *State* *Zip Code*

to the exclusion of defendant by **evicting** defendant. The Court orders the defendant to surrender any keys to that residence to the petitioner.

_____ (Sheriff's office) is ordered to **evict** the defendant.

____ 8. THE COURT GRANTS THE PETITIONER or protected person(s) the use and possession of the following property (including pets) and/or the return of protected person(s) property:

___ 21. Other:

___ IT IS FURTHER ORDERED THAT DEFENDANT show cause on _____ (month/day/year) at ___ o'clock ____ M. in Courtroom No. ____ of the _____ Court, located at _____ in _____, La., why above Temporary Restraining Order and other relief requested should not be made Protective Orders.

Date of Order <hr/> <i>month/day/year</i>	Time of Order <input type="checkbox"/> AM <input type="checkbox"/> PM	Order effective through 11:59 PM on <hr/> <i>month/day/year</i>	<hr/> SIGNATURE OF JUDGE ___ Order issued <i>ex parte</i> ___ Order issued after notice and opportunity for hearing given to defendant <hr/> PRINT OR STAMP JUDGE'S NAME
---	---	---	---

NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.

NOTICE TO DEFENDANT - VIOLATION OF ORDER:

PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.

PURSUANT TO LA. R.S. 46:2137 AND LA. CH. C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.

NOTICE TO DEFENDANT – FIREARMS (Domestic abuse or dating violence ONLY):

AS A RESULT OF THIS ORDER, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THIS ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the **duration** of this order if the following conditions apply:

- Protected person(s) relationship to defendant is checked in Box **A** on page 2 of this order
AND
- Notice and opportunity for a hearing provided
AND
- **EITHER** Judicial finding of credible threat, **OR**
Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

**Under 18 U.S.C. 921 the term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term "ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.*

FULL FAITH AND CREDIT pursuant to 18 U.S.C. § 2265

The issuing court certifies that it has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; that the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued *ex parte*, the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.

THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.

SIGNATURE OF JUDGE

PRINT OR STAMP JUDGE'S NAME

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79, the crime of violation of protective orders – you shall use every reasonable means, including but not limited to immediate arrest of the violator, to enforce this order. Further, you shall at a minimum issue a summons to the person in violation.

Pursuant to La. R.S. 46:2140(A), if you have reason to believe that a family or household member or dating partner has been abused AND the abusing party is in violation of this order, you SHALL immediately arrest the abusing party.

When issued as a temporary restraining order, if the expiration date of this order falls on or within five (5) days of the conclusion of a declared state of emergency, this order/injunction shall be enforced throughout that time period.

- DEFENDANT WAS SERVED AT CLOSE OF HEARING.
Date _____ Clerk _____
- FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY
Date _____ Clerk _____

Copies to: 1) Court file 2) Petitioner/protected person(s) 3) Defendant 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Louisiana Protective Order Registry.

-----FOR LPOR USE ONLY-----

PNO# _____

Date Entered: _____

Initials: _____ Verified by: _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection

- Temporary Restraining Order
- Protective Order/Preliminary or Permanent Injunction
- Modified** Protective Order/ Preliminary or Permanent Injunction

Case No.

Court: _____

City/Parish

State

PETITIONER

First Middle/Maiden Last

Protected person is: Petitioner other(s) *List other(s) name & date of birth:*

PETITIONER IDENTIFIERS

Date of birth

V.

DEFENDANT

First Middle Last

Name of minor defendant's parent or guardian

Defendant's Address:

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	SOCIAL SECURITY #		
DRIVER'S LICENSE #		STATE	EXP DATE	

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the defendant has been or will be provided with reasonable notice and opportunity to be heard.

Additional findings of this court are as set forth on the following pages.

THE COURT HEREBY ORDERS:

That the above named defendant be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.

This order shall be effective through 11:59 PM on (month/day/year)

NOTE: Some provisions of this order MAY NOT EXPIRE. See paragraphs 1-5.

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. Section 2265).

WARNINGS TO DEFENDANT:

Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)). See further notice on pages 6-7 of this order.

ONLY THE COURT CAN CHANGE THIS ORDER.

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

COURT NAME AND PARISH/CITY: _____	DOCKET No. _____ DIV. : _____
	FILED: _____ CLERK: _____

PROTECTIVE ORDER

Pursuant to:

<input type="checkbox"/> La. R.S. 46:2131 et seq. (Domestic Abuse)	<input type="checkbox"/> La. R.S. 46:2171 et seq. (Non-intimate stalking)
<input type="checkbox"/> La. R.S. 46:2151 (Dating Violence)	<input type="checkbox"/> La. R.S. 46:2181 et seq. (Non-intimate sexual assault)
<input type="checkbox"/> La. Ch. C. Article 1564 et seq. (Children's Code Domestic Abuse)	
<input type="checkbox"/> Court Approved Consent Agreement	

PETITIONER'S NAME: _____
First Maiden/Middle Last

Date of Birth _____ Sex: F M Race: _____
month/day/year

Protected person is: Petitioner other(s) *List other(s) name & date of birth:*

V.

DEFENDANT'S NAME: _____

Parent/Guardian name if defendant is a minor: _____

Alias: _____ Date of Birth: _____ Sex: F M Race: _____
month/day/year

Address: _____
No. & Street Apt. No. City State Zip Code

Social Security #: _____ Dr. Lic. # _____ State ____ Exp. _____ (date)

The protected person(s) is related to the defendant as: (check all that apply)

<p>A</p> <input type="checkbox"/> 1. current or former spouse <input type="checkbox"/> 2. current or former intimate cohabitant <input type="checkbox"/> 3. child, stepchild, or foster child <input type="checkbox"/> 4. child of defendant's current or former intimate partner <input type="checkbox"/> 5. protected person and defendant have a child(ren) in common	<p>B</p> <input type="checkbox"/> 1. current or former dating partner <input type="checkbox"/> 2. parent, stepparent, or foster parent <input type="checkbox"/> 3. grandparent <input type="checkbox"/> 4. grandchild <p>C (Stalking or sexual assault only)</p> <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance/co-worker/neighbor or other: _____
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D THIS ORDER WAS ISSUED AFTER ACTUAL NOTICE AND AN OPPORTUNITY TO PARTICIPATE IN A HEARING WAS PROVIDED TO THE DEFENDANT. THUS THE COURT ISSUES THE FOLLOWING ORDERS: *(only orders checked and initialed shall apply)*

E THE COURT FINDS THAT THE DEFENDANT REPRESENTS A CREDIBLE THREAT TO THE PHYSICAL SAFETY OF A FAMILY MEMBER, HOUSEHOLD MEMBER, OR DATING PARTNER. THEREFORE, PURSUANT TO R.S. 46:2136.3, THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM FOR THE DURATION OF THIS ORDER.

IT IS ORDERED THAT THE DEFENDANT BE SERVED WITH A COPY OF THIS ORDER.

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

___ 1. THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

Does not expire Expires on the date shown on pages 1 & 6

___ 2. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.
 Exceptions (if any): _____

Does not expire Expires on the date shown on pages 1 & 6

___ 3. THE DEFENDANT IS ORDERED NOT TO go within _____ (distance) of the protected person(s), without the express written permission of this court.
 Exceptions (if any): _____

Does not expire Expires on the date shown on pages 1 & 6

___ 4. THE DEFENDANT IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

<i>No. & Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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Does not expire Expires on the date shown on pages 1 & 6

___ 5. THE DEFENDANT IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

<i>Employment/School</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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<i>Employment/School</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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Does not expire Expires on the date shown on pages 1 & 6

___ 6. THE DEFENDANT IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

___ 7. THE COURT GRANTS THE PETITIONER or protected person(s) the use of the residence located at:

<i>No. & Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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to the exclusion of defendant by **evicting** defendant. The Court orders the defendant to surrender any keys to that residence to the petitioner.

_____ (Sheriff's office) is ordered to **evict** the defendant.

___ 8. THE COURT GRANTS THE PETITIONER or protected person(s) the use and possession of the following property (including pets) and/or the return of protected person(s) property:

____ 9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to obtain property listed in Order No. 8 above.

____ 10. THE COURT PROHIBITS EITHER PARTY from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or that which is necessary for the support of the petitioner and/or the minor child(ren).

____ 11. THE COURT WILL ALLOW _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency to recover his/her personal clothing and necessities, provided that s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.

____ 12. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany _____ to the residence located at _____ to recover her/his personal clothing and necessities.

____ 13. THE DEFENDANT IS ORDERED TO pay:
 all court costs, payable to _____
_____ no later than _____ (date)

attorney fees, payable to _____
_____ in amt. of \$ _____ no later than _____ (date)

evaluation fees, payable to _____
_____ in amt. of \$ _____ no later than _____ (date)

expert witness fees, payable to _____
_____ in amt. of \$ _____ no later than _____ (date)

cost of medical and/or psychological care for the petitioner, the minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse, dating violence, stalking or sexual assault : _____

____ 14. THE DEFENDANT IS ORDERED TO seek professional counseling and/or complete a court-monitored domestic abuse intervention program.

DOMESTIC ABUSE, DATING VIOLENCE ONLY

____ 15. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner: (name, date of birth, and relationship to petitioner)

____ 16. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned in paragraph above is/are currently, and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.

____ 17. THE COURT GRANTS THE DEFENDANT
 unsupervised supervised visitation with minor child(ren) or alleged incompetent as follows:

Exchange of child(ren) or alleged incompetent is to be effected as follows:

___ 18. THE DEFENDANT IS ORDERED NOT TO interfere with the physical custody of the minor child(ren) or alleged incompetent.

___ 19. THE DEFENDANT IS ORDERED TO pay support for:
 the petitioner at the rate of \$ _____ per week month other: _____
beginning _____ (date)

the child(ren) at the rate of \$ _____ per week month other: _____
beginning _____ (date), made payable directly to the petitioner

other: _____

Payment by mail to: _____ OR By direct deposit to: _____
No. & Street Apt. No. City State Zip Code Name of bank

STALKING, SEXUAL ASSAULT ONLY

___ 20. THE DEFENDANT IS ORDERED NOT TO contact family members or acquaintances of the protected person(s).

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

___ 21. Other:

___ 22. THE DEFENDANT IS ORDERED TO appear at hearing(s) on:

1) _____ (month/day/year) at _____ o'clock ____ M. in Courtroom No. _____ of the _____ Court, located at _____ in _____, La., to review _____

AND

2) _____ (month/day/year) at _____ o'clock ____ M. in Courtroom No. _____ of the _____ Court, located at _____ in _____, La., to review _____

Date of Order _____ <i>month/day/year</i>	Order effective through 11:59 PM on _____ <i>month/day/year</i> Some provisions of this order MAY NOT EXPIRE See paragraphs 1-5.	_____ SIGNATURE OF JUDGE _____ PRINT OR STAMP JUDGE'S NAME
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NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.

NOTICE TO DEFENDANT - VIOLATION OF ORDER:

PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.

PURSUANT TO LA. R.S. 46:2137 AND LA. CH.C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$500 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.

NOTICE TO DEFENDANT – FIREARMS (Domestic abuse or dating violence ONLY):

AS A RESULT OF THIS ORDER, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THIS ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the **duration** of this order if the following conditions apply:

- Protected person(s) relationship to defendant is checked in Box **A** on page 2 of this order
- AND**
- Notice and opportunity for a hearing provided (Box **D** on page 2 of this order).
- AND**
- **EITHER** Judicial finding of credible threat (Box **E** on page 2 of this order is initialed), **OR** Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

*Under 18 U.S.C. 921 the term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term "ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

NOTICE TO DEFENDANT – FIREARMS (*Domestic abuse or dating violence ONLY*), continued:

Louisiana law: R.S. 46:2136.3 prohibits the possession of a firearm* for the duration of this order if both of the following occur:

- The order includes a finding that the person subject to the order represents a credible threat to the physical safety of the protected person(s) (Box E, on page 2 of this order is initialed) and the protected person(s) is a family member, household member, or dating partner (Box A **OR** Box B on page 2 of this order is checked).

AND

- The order informs the person subject to the order that the person is prohibited from possessing a firearm pursuant to the provisions of 18 U.S.C. 922(g) (8) and R.S. 46:2136.3. expiration

**Under this statute, "firearm" means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.*

FULL FAITH AND CREDIT pursuant to 18 U.S.C. § 2265

The issuing court certifies that it has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; that the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued *ex parte*, the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.

THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.

SIGNATURE OF JUDGE

PRINT OR STAMP JUDGE'S NAME

PETITIONER

DEFENDANT

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79, the crime of violation of protective orders – you shall use every reasonable means, including but not limited to immediate arrest of the violator, to enforce this order. Further, you shall at a minimum issue a summons to the person in violation.

Pursuant to La. R.S. 46:2140(A), if you have reason to believe that a family or household member or dating partner has been abused AND the abusing party is in violation of this order, you SHALL immediately arrest the abusing party.

DEFENDANT WAS SERVED AT CLOSE OF HEARING.
Date _____ Clerk _____

FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY
Date _____ Clerk _____

Copies to: 1) Court file 2) Petitioner/protected person(s) 3) Defendant 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Louisiana Protective Order Registry.