

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

PETITIONER

V.

DEFENDANT

Parent/Guardian name if defendant is a minor

COURT

PARISH OF _____

STATE OF LOUISIANA

DIVISION: _____ NUMBER: _____

FILED: _____ CLERK: _____

PETITION FOR PROTECTION FROM STALKING OR SEXUAL ASSAULT

Pursuant to La. R.S. 46:2171 et seq. or La. R.S. 46:2181 et seq.

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: (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:

_____		_____	
<i>No. & Street</i>		<i>Apt. No.</i>	
_____		_____	
<i>City</i>		<i>State</i>	<i>Zip Code</i>

- c. _____ The minor child's or alleged incompetent's current address:

_____		_____	
<i>No. & Street</i>		<i>Apt. No.</i>	
_____		_____	
<i>City</i>		<i>State</i>	<i>Zip Code</i>

Paragraph 3

_____, defendant, resides in _____ Parish
Defendant's Name

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

Paragraph 4

This Court is the proper venue for this action because:

- The defendant resides in _____ Parish.
- The stalking or sexual assault occurred in _____ Parish.
- The protected person(s) resides in _____ Parish.
(Do not fill this out if address is to remain confidential.)

Paragraph 5

The defendant is an acquaintance of or stranger/unknown to the protected person(s).

Paragraph 6

a. **Stalking** (La. R.S. 46:2171 et seq.): Defendant intentionally and repeatedly engaged in the following behavior(s) which caused the protected person to feel alarmed or to suffer emotional distress:

- | | |
|---|---|
| <input type="checkbox"/> Followed protected person(s) | <input type="checkbox"/> Implied or threatened protected person(s) with bodily injury |
| <input type="checkbox"/> Harassed protected person(s) | <input type="checkbox"/> Implied or threatened protected person(s)' life |
| <input type="checkbox"/> Uninvited presence at protected person(s)' home | <input type="checkbox"/> Used tracking device to monitor protected person(s) |
| <input type="checkbox"/> Uninvited presence at protected person(s)' workplace | <input type="checkbox"/> Stalked, harmed/threatened to harm protected person(s) or member of protected person(s)' family or acquaintance of protected person(s) |
| <input type="checkbox"/> Uninvited presence at protected person(s)' school | <input type="checkbox"/> Implied or threatened protected person(s) with kidnapping |
| <input type="checkbox"/> Uninvited presence at other places | <input type="checkbox"/> Implied or threatened protected person(s) with sexual assault |
| <input type="checkbox"/> Made/sent telephone calls, texts, emails or other electronic communications to protected person(s) | <input type="checkbox"/> Possessed a dangerous weapon during any of the foregoing behaviors |
| <input type="checkbox"/> Sent messages via a third party, letters, pictures, public posts to social media | <input type="checkbox"/> Threatened protected person(s) with a dangerous weapon |
| <input type="checkbox"/> Sent unwanted gifts to protected person(s) | |
| <input type="checkbox"/> Other: _____ | |

b. **Sexual assault** (La. R.S. 46:2181 et seq.): Defendant intentionally assaulted the protected person in the following manner:

- Touched the protected person's genitals, anus, breasts or buttocks (either directly or through clothing) using defendant's body part(s) or other objects, without consent.
- Forced the protected person to touch the defendant's genitals, anus, breasts or buttocks (either directly or through clothing) using protected person's body part(s) or other objects.
- Penetrated the protected person's vagina or anus using defendant's body part(s) or other objects, without consent.
- Forced the protected person to penetrate the defendant's vagina or anus, using protected person's body part(s) or other objects.
- Displayed genitals, anus, and/or female breast nipples to protected person without consent, in a public place or prison/jail.
- Deceived the protected person into engaging in anal, oral or vaginal intercourse with the defendant by misrepresenting themselves as someone else known to the protected person.
- Sent an electronic communication, letter, photograph, or drawing containing sexually explicit materials or content to the protected person without consent.
- Exposed the protected person to the HIV/AIDS virus through sexual contact without the knowing and lawful consent of the protected person.
- Viewed or spied on the protected person at a private residence without consent for defendant's sexual gratification.
- Used an image or video recording device to view or observe the protected person without consent for a lewd or lascivious purpose.
- Electronically transferred an image or video of the protected person obtained by the above without the consent of the protected person.
- Gave a drug, narcotic, anesthetic, intoxicant agent or other controlled dangerous substance to the protected person without her/his consent.
- Possessed a dangerous weapon at the time of any of the foregoing behaviors.
- Threatened the protected person with a dangerous weapon during any of the foregoing behaviors.
- Other: _____

c. The facts and circumstances of stalking or sexual assault are as follows:

The most recent incident of stalking or sexual assault which caused petitioner to file this petition happened on or about _____ (date) at which time the defendant did:

Past incidents:

Paragraph 7

Because of the immediate and present danger of stalking, or sexual assault, petitioner requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

- _____ a. prohibiting defendant from abusing, harassing, assaulting, stalking, following, tracking, monitoring or threatening 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.
- _____ b. prohibiting the defendant from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including verbal, written, telephone, or electronic (text, email, messaging, or social media) communication, or sending gifts to the protected person(s)
- _____ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

- _____ d. ordering the defendant to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.
- _____ 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 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 residence to recover her/his personal clothing and necessities.
- _____ k. prohibiting the defendant from contacting protected person(s)' family members, or individuals with whom protected person(s) is acquainted.

Paragraph 8

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 7 should not be made into protective orders, and why defendant should not also be ordered:

- to seek professional counseling.
- 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 protected person(s), necessitated by the stalking or sexual assault.
- other: _____.

PRAYER

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

- that *ex parte* orders requested in Paragraph 7 be granted.
- a rule issue to show cause why protective orders as requested in Paragraph 8 should not be granted.
- defendant be cast with costs.
- defendant be advised of penalties for violating Stalking or Sexual Assault 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 Stalking or Sexual Assault, 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 _____ (date)
at _____, Louisiana.

NOTARY PUBLIC

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

- T.R.O.
- P.O./Preliminary or Permanent Injunction
- Modified P.O./ 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 below.

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)

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. Section 2265). 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. Art. 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 of opposite sex <input type="checkbox"/> 3. current or former intimate cohabitant of same sex <input type="checkbox"/> 4. child, stepchild, or foster child <input type="checkbox"/> 5. child of defendant's current or former intimate partner <input type="checkbox"/> 6. 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.

- ___ 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.

DOMESTIC ABUSE, DATING VIOLENCE ONLY

- ___ 13. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner: *(name, date of birth, and relationship to petitioner)*

- ___ 14. 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.
- ___ 15. THE DEFENDANT IS ORDERED NOT TO interfere with the physical custody of the minor child(ren) or alleged incompetent.
- ___ 16. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be evicted from the solely owned residence or household and the petitioner granted possession.
- ___ 17. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay child support and/or spousal support (alimony) pursuant to Louisiana Law. **The court further orders the defendant to produce at the hearing: most recent income tax returns AND pay stubs or an employer statement documenting gross income to date for the CURRENT year. If the defendant is self-employed, income and expense statements shall be produced.**

STALKING, SEXUAL ASSAULT ONLY

- ___ 18. THE DEFENDANT IS ORDERED NOT TO contact family members or acquaintances of the protected person(s).

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

- ___ 19. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay the following:
- all court costs attorney fees
- evaluation fees expert witness fees
- cost of medical and/or psychological care for the petitioner, the minor child(ren), alleged incompetent, and/or other protected person(s) necessitated by the domestic abuse, dating violence, stalking or sexual assault.
- ___ 20. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to seek professional counseling and/or complete a court-monitored domestic abuse intervention program.

___ 21. Other:

Multiple horizontal lines for text entry.

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 <hr/> <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 <input type="checkbox"/> Order issued <i>ex parte</i> <input type="checkbox"/> Order issued after notice and opportunity for hearing given to defendant <hr/> PRINT OR STAMP JUDGE'S NAME
---	---	---	---

NOTICE: C.C.P. Art. 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. ART. 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, 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 the 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

- T.R.O.
- P.O./Preliminary or Permanent Injunction
- Modified P.O./ 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 below.

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.

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. Section 2265). 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. Art. 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)*

A <input type="checkbox"/> 1. current or former spouse <input type="checkbox"/> 2. current or former intimate cohabitant of opposite sex <input type="checkbox"/> 3. current or former intimate cohabitant of same sex <input type="checkbox"/> 4. child, stepchild, or foster child <input type="checkbox"/> 5. child of defendant's current or former intimate partner <input type="checkbox"/> 6. protected person and defendant have a child(ren) in common	B <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
	C <i>(Stalking or sexual assault only)</i> <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance/co-worker/neighbor or other: _____

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

OR

2. THE COURT FINDS THAT THE DEFENDANT REPRESENTS A CREDIBLE THREAT TO THE PHYSICAL SAFETY OF A NON FAMILY/HOUSEHOLD MEMBER.

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).

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

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

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:

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

<p>Date of Order</p> <p>_____ month/day/year</p>	<p>Order effective through 11:59 PM on</p> <p>_____ month/day/year</p> <p>Some provisions of this order MAY NOT EXPIRE See paragraphs 1-5.</p>	<p>_____ SIGNATURE OF JUDGE</p> <p>_____ PRINT OR STAMP JUDGE'S NAME</p>
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NOTICE: C.C.P. Art. 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. ART. 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, 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 the 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, **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**, checkbox No. 1 on page 2 of this order is initialed) and the protected person(s) is a family or household member (Box **A** on page 2 - No. 1, 2, 4, 5 or 6 of this order is checked, **OR** Box **B** on page 2 -No. 2, 3 or 4 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 (above).

**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.