



SHREVEPORT BAR FOUNDATION

625 Texas Street

Shreveport, LA 71101

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Staff Attorneys
Mary E. Winchell
Audrius M. Reed

Paralegal
Callie Jones

Executive Director
Dana Southern

Attn Protective Order Petitioner:

If you are requesting legal representation from the Shreveport Bar Foundation LRVDV program, contact our office directly upon filing your protective order.

You may contact our paralegal, Callie Jones, by calling her direct number (318) 703-8380. If you reach her voicemail, please leave your name and number so she can reach you.

Sincerely,

Dana Southern
Executive Director

The SBF LRVDV program is made possible in part by grants and support received from the Louisiana Bar Foundation, The Community Foundation of North Louisiana, Carolyn W. and Charles T. Beaird Family Foundation, First United Methodist Church, Grayson Foundation and the SBA Krewe of Justinian.

REQUEST FOR SHREVEPORT BAR FOUNDATION

Legal Representation for Victims of Domestic Violence "LRVDV" Program

PROTECTIVE ORDER ASSISTANCE

I request legal assistance from the Shreveport Bar Foundation LRVDV Program.

(Client Signature)

(Client Name – *printed*)

(Client current phone number)

(Client E-mail)

For Clerk of Court use only

DOCKET # _____

ATTACHED: Petition: _____

 Current Order: _____

 Minutes: _____

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

****NOTE:** If this information is being sent via facsimile, please contact Callie Jones, paralegal of the Shreveport Bar Foundation at 318-703-8380 or email cjones@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 AT THE TIME OF HEARING, YOU MAY BE CAST WITH COURT COSTS. IF THERE IS A CONTESTED HEARING HELD, THE COURT WILL DETERMINE WHO IS RESPONSIBLE FOR COSTS.

I HAVE READ THE ABOVE AND UNDERSTAND MY RESPONSIBILITY AS TO THE COURT COSTS OF THE PROTECTIVE ORDER.

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 any party listed in this protective order in any court? (circle one) YES NO

If yes, where _____, when _____ and status _____.
- _____ 2)

By filing a petition for a protective order, you understand 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.

PETITIONER

V.

DEFENDANT

Parent/Guardian name if defendant is a minor

COURT

PARISH/CITY OF

STATE OF LOUISIANA

DIVISION: NUMBER:

FILED: CLERK:

PETITION FOR PROTECTION FROM ABUSE
Pursuant to La. Children’s Code Article 1564 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/Protected Person(s)

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: Protected Person(s) Address

- 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. & StreetApt. No.

CityStateZip Code

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

No. & StreetApt. No.

CityStateZip Code

Paragraph 3: Special Requests

- d. _____ Petitioner requests interpreter service, for:

☐ self/protected person, in following language: _____

☐ witness(es), in following language: _____

- e. _____ Petitioner requests criminal history record from sheriff for:
- ☐ defendant
 - ☐ witness(es) (see information on Addendum, page 8)

Paragraph 4: Defendant Address

_____, defendant, resides in _____ Parish at

Abuser's Name

<i>No. & Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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Paragraph 5: Venue

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) is domiciled in _____ Parish.
(Do not fill this out if address is to remain confidential.)
- _____ The protected person(s) resides in _____ Parish.
(Do not fill this out if address is to remain confidential.)

Paragraph 6: Relationship

- a. The protected person(s) is related to the defendant as: *(check all that apply)*:
- | | |
|---|--|
| _____ Current or former spouse | _____ Current or former dating partner |
| _____ Current or former intimate cohabitant | _____ Parent, stepparent, or foster parent |
| _____ Child, stepchild, or foster child | _____ Grandchild |
| _____ Child of defendant's current or former intimate partner | |
- b. _____ The protected person(s) and defendant have child(ren) in common.

Paragraph 7: Related legal action

- _____ A suit for divorce between the parties **is not** pending.
- _____ A suit for divorce between the parties **is** pending (fill out page 8 of this form, "Addendum")
NOTE: If you were NOT the petitioner in the divorce suit, use form LPOR C-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 8 of this form, "Addendum").
- _____ There is a custody order in effect involving children named in this petition (fill out page 8 of this form, "Addendum", or attach a copy of the order if available).

Paragraph 8: Description of abuse

NOTE: Underlined items in (a) and all items in (b) below are indicators of increased potential for lethality

- a. Defendant abused protected person(s) in the following manner:
- | | |
|--|--|
| _____ Slapped protected person(s) | _____ Threatened protected person(s) with bodily harm |
| _____ Punched protected person(s) | _____ <u>Threatened protected person(s)' life</u> |
| _____ <u>Choked/strangled protected person(s)</u> | _____ <u>Threatened protected person(s) with a weapon</u> |
| _____ Shoved protected person(s) | _____ <u>Sexually abused protected person(s)</u> |
| _____ Kicked protected person(s) | _____ <u>Abused petitioner's child(ren) or alleged incompetent</u> |
| _____ <u>Stalked protected person(s)</u> | _____ Abused or threatened to abuse pets or other animals |
| _____ <u>Physically abused protected person while pregnant</u> | |
| _____ Other: _____ | |

- ☐ Abuse has happened more often over the past year. ☐ The defendant owns/possesses firearm(s).
☐ Abuse has been more severe over the past year ☐ The defendant has threatened/attempted suicide
☐ Protected person has left during the past year

- 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:

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.[illegible]

Because of the immediate and present danger of abuse, 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 written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.

_____ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:

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

_____ 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 located at:

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

_____ 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).
- _____ 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 or other animals) **solely owned or leased by petitioner or protected person(s)** (state location of each 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 or other animals) **jointly owned or leased by petitioner or protected person(s)** (state location of each 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.

_____ 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: Other requests

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.
- _____ other: _____.

Paragraph 11: Requests at hearing

Petitioner desires that after a contradictory hearing s/he be granted:

- _____ a. 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).
 - _____ solely owned or leased by petitioner or protected person(s).Presently occupied by _____.
- _____ b. granting petitioner or protected person(s) possession of the following property (including pets or other animals) **solely owned or leased by petitioner or protected person(s)** (state location of each 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 or other animals) **jointly owned or leased by petitioner or protected person(s)** (state location of each 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.

- c.

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.
- d.

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.
- e.

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

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 _____

- g.

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.
- h.

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

PRAYER

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

- orders appointing an interpreter be granted *ex parte*.
- orders authorizing criminal history records be granted *ex parte*.
- orders requested in Paragraph 9 be granted *ex parte*.
- a rule issue to show cause why protective orders as requested in Paragraphs 10 and 11 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

ATTORNEY Signature

Print Name

La. Bar Roll No.

Phone No.

Address

Alternate Address (for service)

PLEASE SERVE DEFENDANT: _____ personally at his/her home or place of employment at the following address:

OR

AFFIRMATION

STATE OF LOUISIANA

PARISH OF _____

I am the petitioner in this Petition for Protection from Abuse; I have read the allegations contained therein and declared them to be true and correct to the best of my knowledge, information, and belief. Further I believe that the defendant poses a threat to my safety and/or to the child(ren) or to others for whom I have requested relief.

I am aware that any false statement made under oath contained in the foregoing petition and this affirmation may constitute perjury pursuant to R.S. 14:123.

I have made this affirmation before the witness who signed below on _____ (Date).

PETITIONER SIGNATURE

PRINTED NAME OF WITNESS: _____

WITNESS SIGNATURE

ADDENDUM

Fill out the following ONLY if requesting an order for witness criminal history records in Paragraph 3 on page 1 of this petition:

Identifying information for witness criminal history record:

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*

*optional

Fill out the following ONLY if directed to do so in Paragraph 7 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: _____

INFORMATION FOR SERVICE OF PROCESS
PROVIDED BY PETITIONER/PETITIONER-IN-RECONVENTION

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. THIS INFORMATION WILL HELP LAW ENFORCEMENT LOCATE DEFENDANT (or DEFENDANT-IN-RECONVENTION) TO SERVE A COPY OF THE PETITION AND TEMPORARY RESTRAINING ORDER (IF ISSUED). THE FOLLOWING INFORMATION IS NEEDED ON THE **DEFENDANT** (or **DEFENDANT-IN-RECONVENTION**).

NAME _____

Name of minor defendant's (or defendant-in-reconvension's) parent or guardian: _____

OTHER NAMES USED _____

DATE OF BIRTH _____ (month/day/year) SOCIAL SECURITY # _____

DRIVERS LICENSE # _____ STATE _____ EXP. DATE _____

HOME ADDRESS

No. & Street *Apt. No.*

City *State* *Zip Code* TEL. NO. _____

WORK ADDRESS

Name of employer

No. & Street *Apt. No.*

City *State* *Zip Code* DEPARTMENT _____
TEL NO. _____ WORK DAYS/HOURS _____

PHYSICAL DESCRIPTION: ☐ MALE ☐ FEMALE RACE _____
EYE COLOR _____ HAIR COLOR _____ HEIGHT _____ WEIGHT _____
DISTINGUISHING FEATURES (scars, tattoos, facial hair, etc.) _____

MOTOR VEHICLE:
LICENSE PLATE # _____ YEAR _____ MAKE _____ COLOR _____

DOES THE DEFENDANT (or DEFENDANT-IN-RECONVENTION):
HAVE A HISTORY OF VIOLENCE TOWARDS OTHERS (OTHER THAN VICTIM)? ☐ YES ☐ NO
HAVE A HISTORY OF USING/ABUSING DRUGS OR ALCOHOL? ☐ YES ☐ NO
CARRY A WEAPON? ☐ YES ☐ NO
IF YES, WHAT KIND OF WEAPON? _____

OTHER PLACES AND TIMES S/HE MAY BE FOUND: (Friends, relatives, bars, hangouts)

☐ DEFENDANT/DEFENDANT-IN-RECONVENTION CURRENTLY INCARCERATED
Where: _____
☐ DEFENDANT/DEFENDANT-IN-RECONVENTION CURRENTLY ON PROBATION/PAROLE
Probation or parole officer/department: _____

ANY OTHER INFORMATION WHICH MAY BE HELPFUL: _____

Date Petitioner's / Petitioner-in-Reconvension's Signature

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection

Temporary Restraining Order

Docket No.

Court: _____ Div.: _____

City/Parish

State

Louisiana

Filed: _____

Clerk: _____

PETITIONER

FirstMiddleLast

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

PETITIONER IDENTIFIERS

Date of birth

Race

Sex: Fe

Sex: M

V.

DEFENDANT NAME AND ADDRESS

FirstMiddleLast

Name of minor defendant's parent or guardian

Defendant's Alias: _____

No. & Street

Apt. No.

City

State

Zip Code

DEFENDANT IDENTIFIERS

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

THE COURT HEREBY FINDS:
That is 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.

EXPIRATION:
This order shall be effective through 11:59 PM on

(month/day/year)

ENFORCEMENT:
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		
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)	46:2171 and 46:2181 valid for relationships in Box C below ONLY
<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 _____	Protected person is: <input type="checkbox"/> Petitioner <input type="checkbox"/> other(s)
V.	
DEFENDANT _____	

The protected person(s) is related to the defendant as: <i>(check all that apply)</i>		
A	<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	B
		<input type="checkbox"/> 1. current or former dating partner <input type="checkbox"/> 2. parent, stepparent, or foster parent <input type="checkbox"/> 3. grandparent or other ascendant <input type="checkbox"/> 4. grandchild or other descendant <input type="checkbox"/> 5. child currently or formerly living with defendant
		C
		Select ONLY if R.S. 46:2171 or 46:2181 is marked above <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance

D	<input type="checkbox"/> 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).
	<input type="checkbox"/> FINDING: Stalking THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER OF STALKING.
	<input type="checkbox"/> FINDING: Sexual Assault THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE A SEXUAL ASSAULT.
	THUS, THE COURT ISSUES THE FOLLOWING ORDERS, WITHOUT A HEARING:

E	<input type="checkbox"/> The court orders interpreter services	<input type="checkbox"/> The court orders the sheriff to provide criminal history records of defendant and/or witnesses
---	--	---

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

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

☐

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 or other animals) and/or the return of protected person(s) property including but not limited to telephones/other communication equipment, computers, medications, clothing, toiletries, social security cards, birth certificates/other forms of identification, tools of the trade, checkbooks, keys, automobiles, photographs, jewelry, or any other items or personal effects of protected person:

☐

9.

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

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- ___ ☐ 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
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

- ___ ☐ 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
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

- ___ ☐ 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
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

- ___ ☐ 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, complete a court-monitored domestic abuse intervention program, submit to a medical evaluation and/or submit to a mental health evaluation.

____ ☐ 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 the
above Temporary Restraining Order and other relief requested should not be made Protective Orders.

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

This Order meets all requirements of the Violence Against Women Act (VAWA)18 U.S.C. Section 2265. This court has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; 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.

Date of Order	Time of Order	Order effective through 11:59 PM on	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
month/day/year	<input type="checkbox"/> AM <input type="checkbox"/> PM	month/day/year	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. 13:4611 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 \$1,000 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 – FIREARM POSSESSION (*Domestic abuse or dating violence ONLY*):

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, 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 THE PROTECTIVE 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 a protective 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.*

NOTICE TO DEFENDANT – FIREARM TRANSFER AND SUSPENSION OF CONCEALED HANDGUN PERMIT (*Domestic abuse or dating violence ONLY*)

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, YOU MAY BE REQUIRED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED BY YOU AND SURRENDER YOUR CONCEALED HANDGUN PERMIT. AS YOU MAY ALSO BE REQUIRED TO STATE UNDER OATH THE NUMBER OF FIREARMS YOU POSSESS, THE TYPE AND LOCATION OF EACH AND COMPLETE A FIREARMS INFORMATION FORM VERIFYING SUCH, BRING THIS INFORMATION TO THE HEARING. THE INFORMATION MAY BE REQUIRED EVEN IF YOU TRANSFERRED THE FIREARMS PRIOR TO THE TRANSFER ORDER.

Louisiana law: C.Cr.P. Art. 1001 et seq. requires the transfer of all firearms owned or possessed and the suspension of a concealed handgun permit:

- When a person is subject to a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children’s Code Article 1570, Code of Civil Procedure Article 3607.1, or C.Cr.P. Articles 30, 320, or 871.1.
OR
- When a person is subject to a Uniform Abuse Prevention Order that includes terms prohibiting possession of a firearm or carrying a concealed weapon.

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79 - the crime of violation of protective orders – you shall use every reasonable means to enforce this order. La. Code of Criminal Procedure Article 211 provides that when you have reasonable grounds to believe a person committed the offense of domestic abuse battery, battery of a dating partner, violation of protective orders, stalking, or any other offense involving the use or threatened use of force or a deadly weapon upon the defendant’s family member, household member, or dating partner, the officer shall make a CUSTODIAL arrest.

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 _____

COMPLETED ORDERS FAXED to 888-568-4558 or EMAILED to lpororders@lasc.org

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.