

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

_____	:	
Petitioner,	:	Civil Action File
v.	:	No. _____
_____	:	
Respondent.	:	

FAMILY VIOLENCE EX PARTE PROTECTIVE ORDER

The Petitioner having prayed pursuant to O.C.G.A. §§ 19-13-1 et seq., that a Protective Order be issued; and alleged that Respondent has committed acts of Family Violence and that Petitioner is in reasonable fear of the Petitioner’s safety and the safety of Petitioner’s child/ren; and it appearing to the Court that probable cause exists that family violence has occurred in the past and may occur in the future, IT IS HEREBY ORDERED AND ADJUDGED:

1. That these proceedings be filed in the office of the Clerk of this Court.
2. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. § 19-13-4(d). Law Enforcement officers may use their arrest powers pursuant to O.C.G.A. §§ 19-13-6 and 17-4-20 to enforce the terms of this Order.
3. That a copy of this Order be given to law enforcement and the Respondent be served with a copy of this Order and Petition for Temporary Protective Order instanter.

4. That the Respondent appear before this Court, on the ___ day of _____, 20___ at _____ . m. in room _____ of the _____ County Courthouse at _____ to show cause why the requests of the Petitioner should not be granted.

5. [pco01] That Respondent is hereby enjoined and restrained from doing, or attempting to do, or threatening to do, any act of injury, maltreating, molesting, following, harassing, harming or abusing the Petitioner and/or the minor child/ren in any manner. Respondent is not to interfere with Petitioner's travel, transportation, or communication. Respondent shall not follow, place under surveillance, or contact the Petitioner at any place of the Petitioner for the purpose of harassing and intimidating the Petitioner.
6. [pco02] That the Respondent is enjoined and restrained from doing or threatening to do any act of injury, maltreating, molesting, harassing, harming, or abusing the Petitioner's family or household.
7. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and the Court ordered that the Respondent be given reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights. This Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY THE FOLLOWING THAT ARE INITIALED BY THE JUDGE SHALL APPLY.

- _____ 8. [pco03] That until further Order by this Court, Petitioner is awarded sole and exclusive use of the family residence at _____.
- _____ 9. Respondent is ordered to leave the family residence immediately and law enforcement _____ (sheriff or police department) is ordered to assist Petitioner in returning to the family residence and the removal of the Respondent. Respondent is to immediately surrender to law enforcement _____ (sheriff or police department) all and any keys, garage door openers and other security devices to the family residence and law enforcement is to insure that these are given to the Petitioner.
- _____ 10. Respondent is ordered to provide suitable alternate housing for Petitioner and/or Petitioner's children by _____, 20____.

_____ 11. Petitioner’s address is ordered to be kept confidential.

_____ 12. Respondent is ordered to stay away from Petitioner’s and Petitioner’s minor
[pco04] child/ren’s residence at _____
and workplace at _____ or school and any subsequent
residence or workplace or school of Petitioner and/or Petitioner’s minor child/ren.

_____ 13. That until further Order of this Court, Respondent is restrained and enjoined from
[pco01,04] approaching within _____ yards of Petitioner and/or Petitioner’s minor child/ren.

_____ 14. Respondent is ordered not to have any contact, direct, indirect or through another
[pco05] person with Petitioner, by telephone, pager, fax, e-mail or any other means of
communication except as specified in this Order.

_____ 15. That Petitioner is awarded temporary custody of the minor child/ren, namely:

_____ DOB _____ sex _____
_____ DOB _____ sex _____
_____ DOB _____ sex _____
_____ DOB _____ sex _____

Respondent is ordered not to interfere with the physical custody of the child/ren.

_____ [pco06] Check here ***only if Respondent*** is awarded temporary custody of child/ren.

_____ 16. That Respondent is ordered to pay temporary child support for the minor child/ren
to Petitioner in the amount of \$ _____ every _____ beginning _____,
All payments shall be made by or to: _____ income deduction order
_____ child support receiver
_____ by mail directly to the Petitioner
or _____

_____ 17. That Respondent is ordered to pay temporary support for the Petitioner in the
amount of \$ _____ every _____ beginning _____
All payments shall be made by or to: _____ income deduction order
_____ child support receiver
_____ by mail directly to the Petitioner
or _____

_____ 18. That Respondent, **only when accompanied by local law enforcement**, shall be able to remove his/her clothing and personal items from the residence as follows:

On _____, 20____ at _____ am / pm.

_____ 19. That (Respondent)(Petitioner)(both Respondent and Petitioner) [strike through appropriate] is/are ordered not to sell, encumber, trade, damage, contract to sell, or otherwise dispose of or remove from the jurisdiction of this Court any of the property or pets of the Petitioner or joint property or pets of the parties except in the ordinary course of business.

_____ 20. That (Respondent)(Petitioner)(both Respondent and Petitioner) [strike through appropriate] is/are ordered not to disconnect or have disconnected the home utilities, change or have changed and/or cancel or have canceled auto, health or life insurance for Respondent, Petitioner, and/or Petitioner's child/ren or interfere with Respondent, Petitioner's and/or Petitioner's child/ren's mail.

_____ 21. That Petitioner is awarded temporary sole possession of the vehicle:
Make _____ Model _____ Year _____ Color_____. Respondent shall immediately surrender all keys, proof of insurance, and registration to this vehicle to law enforcement and law enforcement shall immediately turn over said items to Petitioner.

_____ 22. That Petitioner shall be allowed to remove the following property from the family residence for Petitioner and/or Petitioner's child/ren's use _____.
On _____, 20____ at _____ and law enforcement _____ (sheriff or police department) is hereby ordered to assist the Petitioner during this removal.

_____ 23. That Respondent shall be required to return the following property for Petitioner and/or Petitioner's child/ren's use _____.
On _____, 20____ at _____ and law enforcement _____ (sheriff or police department) is hereby ordered to assist the Petitioner with this return.

_____ 24. It is further Ordered

[pco08]

SO ORDERED this _____ day of _____, 20_____.

JUDGE, SUPERIOR COURT

County

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

NOTICE TO RESPONDENT

1. **Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.**
2. **This Order shall remain in effect unless specifically superceded by a subsequent signed and filed Order, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.**
3. **A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior follows, places under surveillance, or contacts Petitioner on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Respondent to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year nor more than 10 years and a fine of up to \$10,000.00.**

CIVIL ACTION FILE NO. _____

Pursuant to O.C.G.A. Section 19-13-3,
Petitioner assisted by

Name: _____

Address: _____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the court's application of the law and facts to an individual case.

RESPONDENT'S IDENTIFYING FACT SHEET

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Respondent's date of birth, social security number, or driver's license number)

Respondent's social security number is _____, date of birth is _____, sex ____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag number _____ and has a ____ (state) driver's license number _____. Respondent's home address _____ and is employed by _____ at _____ and works from ____ to ____ on (days)_____.

PETITIONER'S IDENTIFYING INFORMATION

Protected parties _____ DOB ____ sex ____ race _____
_____ DOB ____ sex ____ race _____
_____ DOB ____ sex ____ race _____
_____ DOB ____ sex ____ race _____

Transmitted to Georgia Protective Order Registry Date _____ Clerk _____