

☐ No address, email and telephone are given because I do not want my information on this petition.

Full Name of Party Filing Document

Mailing Address (Street or Post Office Box)

City, State and Zip Code

Telephone

Email Address (if any)

IN THE DISTRICT COURT FOR THE _____ JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____
MAGISTRATE DIVISION

Petitioner
(Person Seeking Protection Order),

vs.

Respondent
(Person You Want Restrained)

Case No. _____

**SWORN PETITION FOR
PROTECTION ORDER**

Select:

☐ Domestic Violence (I.C. § 39-6304)

☐ Malicious harassment, stalking,
telephone harassment (I.C. § 18-7907)

THE LAW REQUIRES THAT THE RESPONDENT BE GIVEN A COPY OF THIS
COMPLETED FORM AND ALL ATTACHMENTS.

1. Protected Person(s). I am seeking a protection order for:

☐ Myself.

☐ The following minor child/ren (first and last names): _____

My relationship to child/ren is: ☐ Custodial parent ☐ Non-custodial parent ☐ Guardian

☐ The following family or household member (first and last names): _____

☐ The following adult who has or is dating Respondent (first and last names): _____

2. Relationships. Please check all that apply to the relationship between the Respondent (person you want restrained) and you or the person(s) for whom you are seeking protection.

- ☐ spouse
☐ former spouse, state and county where divorce was filed: _____
☐ living together
☐ previously lived together, we last lived together on (date) _____
☐ child in common
☐ intimate partner
☐ parent
☐ related by blood, adoption or marriage, Relationship: _____
☐ are dating, or ☐ previously dated and our last date was (date) _____

If a dating relationship please describe: (complete for adult or minor):

Length of time of the dating relationship _____

Time since the relationship ended _____

☐ Other, Explain: _____

3. Residence.

☐ I live or am staying in _____ County, Idaho. Respondent lives in _____ County, State of _____.

☐ The Respondent does not live with me.

☐ I live with Respondent at _____

Our home is rented or owned ☐ by both of us ☐ by me ☐ by the Respondent.

☐ I have left the residence where I lived with Respondent. I want to return ☐ yes ☐ no.

If yes, ☐ to live ☐ to get personal belongings ☐ other _____

☐ A business is run from the home. Type of business: _____

The business is run ☐ by me ☐ by Respondent ☐ by both of us.

4. Child/ren affected by the protection order.

I am the natural/adoptive parent or legal guardian of the following child/ren:

| Name (First, Middle Initial, Last) | Birth Date | Sex | How Child is Related to: | | State(s) where child lived last 6 months |
|---------------------------------------|---------------|-----|--------------------------|------------|--|
| | | | Petitioner | Respondent | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

During the last six (6) months the child/ren have lived with _____

5. Other court cases. List any other court cases relating to the minor child/ren who will be affected by this protection order (divorce, child protection, guardianship, adoption, protection order, etc.)

☐ I have applied for a protection order(s) before in the county of _____
on (date) _____, against (name) _____

☐ The Respondent has applied for a protection order(s) before in the county of _____
on (date) _____, against (name) _____

☐ The Respondent has been involved in crimes involving violence, child abuse, weapons, drugs or alcohol. (If checked, please describe what the charges were, when and where they were filed and convictions) _____

☐ I have been involved in crimes involving violence, child abuse, weapons, drugs or alcohol. (If checked, please describe what the charges were, when and where they were filed and convictions) _____

6. Information about domestic violence, malicious harassment, stalking, and/or telephone harassment.

If you are filing for a protection order for:

1. **Domestic Violence:** Complete **Section 6.a.** only.
2. **Malicious harassment, stalking, and/or telephone harassment:** Complete **Section 6.b.** only.
3. **Both:** Complete both **Sections 6.a. and 6.b.**

6.a. Domestic violence means physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship.

Describe the most recent acts or threats of domestic violence committed by the Respondent against you or the person(s) for whom you are seeking protection.

When? (date and time) _____

Where? (address or general location) _____

Who was present? (minor children, friends, family, etc.) _____

Describe the recent acts or threats of domestic violence? _____

Do not write on the back of this page. Include a separate page if you need more room.

Describe any injuries: _____

Was a weapon involved? ☐ No ☐ Yes How? _____

Is there anything else you want the judge to know about what happened? _____

Describe past acts or threats of domestic violence including dates: _____

Do not write on the back of this page. Include a separate page if you need more room.

6.b. Stalking means repeated acts of nonconsensual contact that alarms, annoys, or harasses another person causing the person emotional distress, fear of death, physical injury or fear of death or physical injury of a family or household member.

Malicious harassment means to intimidate or harass another person to cause physical injury, damage, destroy or deface real or personal property or the threat thereof due to a person's race, color, religion, ancestry, or national origin.

Telephone harassment is the use of telephone to annoy, terrify, threaten, intimidate, harass or offend by lewd or profane language, requests, suggestions or proposals, threats of physical harm or disturbing the peace by repeated calls.

Describe the most recent acts or threats (within the last 90 days) of malicious harassment, stalking, and/or telephone harassment committed by the Respondent against you or the person(s) for whom you are seeking protection.

When? (date and time) _____

Where? (address or general location) _____

Who was present? (minor children, friends, family, etc.) _____

Describe the recent acts or threats within the last 90 days? _____

Do not write on the back of this page. Include a separate page if you need more room.

Describe any injuries: _____

Was a weapon involved? ☐ No ☐ Yes How? _____

Is there anything else you want the judge to know about what happened? _____

Describe past acts or threats of malicious harassment, stalking, and/or telephone harassment, including dates: _____

Do not write on the back of this page. Include a separate page if you need more room.

7. I ask the Court to order the following:

a. Personal Conduct Order.

The Respondent shall not harass, stalk, annoy, disturb the peace of, telephone, contact, or otherwise communicate with (either directly or indirectly, in person or through any other person) the protected person(s) indicated in Section 1 of this petition.

b. Stay Away Order. The Respondent shall at all times stay away from:

☐ My residence at _____

☐ No address is given because I do not want my address on this petition.

- ☐ Protected Minor's residence at: _____
- ☐ My workplace and/or school at: _____
- ☐ Protected Minor's workplace and/or school at: _____
- ☐ My child/ren's school and/or childcare at: _____
- ☐ Other: _____

c. ☐ **Move-out Order.** The Respondent shall move from the residence at _____

_____ and take from the dwelling only items needed for employment and necessary personal effects (at peace officer's discretion).

d. ☐ **Child Custody.** Temporary custody of the minor child/ren named in Section 4 above, be awarded to: ☐ me ☐ Respondent. The other parent should have:

☐ Visitation as follows (list specific days and times) _____

☐ Neutral drop off and pick up location at _____

☐ Transportation provided by _____

☐ Supervised visitation, why and supervised by whom _____

☐ No visitation.

e. ☐ **Treatment/counseling.** The Respondent be ordered to participate in treatment or counseling services for (purpose) _____

f. ☐ **Other relief requested:** _____

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

Date: _____

Typed/printed name

Signature