

Protection Order

- ☐ Temporary Ex Parte Order and Notice of Hearing ☐ Amended
☐ Domestic Violence (I.C. § 39-6304)
☐ Malicious harassment, stalking, telephone harassment (I.C. §18-7907)

Case No: _____
Court _____ Judicial District
County _____
State Idaho

PETITIONER

First Middle Last

PETITIONER IDENTIFIERS

Date of Birth (DOB) of Petitioner

PROTECTED PERSON(S):

- ☐ Petitioner
☐ Minor family member(s): (list name and DOB)

☐ Other Protected Person(s): (list name and DOB)

RESPONDENT

First Middle Last

Respondent's Address

Relationship to Protected Person(s):

Check all that apply

- ☐ spouse; ☐ former spouse;
☐ living together; ☐ previously living together;
☐ child in common; ☐ intimate partner;
☐ parent; ☐ related by blood, adoption or marriage;
☐ are in, or ☐ have been in, a dating relationship;
☐ other: _____

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVERS LICENSE #		STATE		

CAUTION: ☐ Weapon Alleged to be Involved

This order shall be effective until _____ **20** _____ **at 11:59 P.M. /unless terminated**
earlier by another court order.

If the Respondent does not appear at the hearing date listed on the last page of this order, a longer protection order may be issued against the Respondent. If the Petitioner fails to appear, the petition may be dismissed.

WARNINGS: This order meets all "full faith and credit" requirements of the VAWA, 18 U.S.C. § 2265 (1994) upon notice of the Respondent. This court has jurisdiction over the parties and the subject matter; the Respondent has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.

As a result of this order, it may be unlawful for the Respondent to purchase or possess a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. § 922(g)(8). If you have any questions whether these laws make it illegal for the Respondent to possess or purchase a firearm, you should consult an attorney.

Violation of any provision of this order by the Respondent, after actual notice of its terms, is a misdemeanor and may result in arrest and sentencing for up to one year in jail and a \$5,000 fine, even if the Protected Person(s) consents to the violation. **Only the Court can change this order.**

THE COURT ORDERS:

1. Personal Conduct Order.

The Respondent shall not contact or attempt to contact the protected person(s) in any manner, including in person or through another person, or in writing or through any electronic means, including telephone, email, text, through social networking, or facsimile. The Respondent shall not harass; stalk; threaten; use, attempt to use or threaten use of physical force; or engage in any other conduct that would place the protected person(s) in reasonable fear of bodily injury. However, the Respondent may participate in legal proceedings involving the protected person(s) and may communicate through attorneys about legal issues involving the protected person(s).

PROTECTED PERSON(S):

[01]

☐ Petitioner

☐ Minor family member(s)

[02]

☐ Family or other household member(s)

☐ Other Protected Person(s)

[05]

☐ **THERE ARE NO EXCEPTIONS TO THIS ORDER.**

☐ **THERE ARE EXCEPTIONS ORDERED AS FOLLOWS:**

☐ contact by telephone/electronic means to arrange visitation of the child/ren

☐ contact by telephone/electronic means between _____.m. and _____.m. on _____

_____ for the following purposes: _____

☐ to participate in court ordered mediation

☐ to respond to an emergency involving your natural or adopted child/ren

☐ other: _____

2. Stay-Away Order.

Respondent shall not, **EVEN IF INVITED BY THE PROTECTED PERSON(S)**, knowingly remain within _____ feet of the Protected Person(s), or

☐ go within _____ feet of:

☐ Protected Person's residence at _____

[04]

☐ Protected Person's school campus or work place at _____

☐ Protected Person's child/ren's school campus or work place at _____

☐ Other: _____

3. **Move-out Order and Law enforcement assistance.** ☐ Does Not Apply

[03] ☐ Respondent is ordered to move from the residence at _____
_____ immediately upon service of this order and take from the residence only items
needed for employment and necessary personal effects (at peace officer's discretion).

Law enforcement officers are ordered to:

- ☐ Remove the Respondent from the residence listed above upon service of this order.
- ☐ Place the Protected Person in possession of the residence at _____
- ☐ Supervise the removal of ☐ Protected Person's ☐ Respondent's items needed for employment and
necessary personal effects (at peace officer's discretion) from the residence.

Peace officers are instructed to enforce this Court order by all necessary means, including arrest.

4. **Child custody.** ☐ Does Not Apply

[09] ☐ Respondent shall NOT have the child/ren until further order of the Court

OR

Custody of the minor child/ren is awarded:

[06] ☐ as provided in the existing child custody order/divorce decree (Case #, County, Judge, Date Entered):

☐ as follows:

Name of Child (first, middle initial, last)	Birth Date	Sex	Custody Awarded To

☐ Protected Person ☐ Respondent

☐ shall have the child/ren as follows (*list days, times and conditions*): _____

☐ supervised by: _____

☐ neutral drop off/pick up location: _____

☐ child/ren to be transported by: _____

☐ Neither party shall remove the child/ren from _____

☐ Other: _____

5. **Conflicting Orders.**

If any term of another civil or criminal order conflicts with any term of this order you must follow the more restrictive term. Dismissal of any other order will not result in a dismissal of this order.

6. **Other:** _____

[07]

[08]

7. **Order to clerk.**

It is further ordered that the clerk of the court shall forward a copy of this order to the Sheriff's Office in the county in which this order was originally issued, or ☐ _____, for immediate entry into record systems and to facilitate service in the jurisdiction in which the Respondent resides, if not previously served. The clerk shall deliver or mail a copy of this order to the Petitioner.

NOTICE OF HEARING

A hearing to decide whether a longer Protection Order will be issued will be held:

Date: _____ **Time:** _____ ☐ a.m. ☐ p.m.

Before Judge: _____ at the _____ County
Courthouse, (Address): _____, Idaho.

WARNING: If the respondent does not appear at the hearing, a longer protection order may be issued against the respondent. If the petitioner fails to appear, the petition may be dismissed.

Date: _____

Signed: _____
Judge

NOTICE:

It is a misdemeanor under Idaho Code § 39-6312 for the Respondent, after notice of this order, to violate the provisions of this order. Further, it is a crime under Idaho Code §18-204 for any person to aid and abet a crime, or, not being present, to advise and encourage a crime. In addition, under Idaho Code §18-304, any person who counsels, aids, solicits or incites another to commit a misdemeanor is guilty of a misdemeanor. Therefore, it may be a crime for any person to encourage or invite contact between the Respondent and the Petitioner, except such contact as is expressly permitted by the above order.

I have received a copy of this order ☐ and agree to future service by certified mail.

Signed: _____
Petitioner

Date: _____

I have received a copy of this order ☐ and agree to future service by certified mail.

Signed: _____
Respondent

Date: _____

ATTENTION: Keep a copy of this order in your possession at all times in order to assist law enforcement. Immediately report any violation of this order to law enforcement.