

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 IDENTIFIERS

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

Respondent's Address

Relationship to Protected Person(s):

- 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: _____

CAUTION: Weapon Alleged to be Involved

The terms of 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 you 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 you to possess or purchase a firearm, you should consult an attorney.

Violation of any provision of this order by the Respondent or a person who is restrained by this order, which could include the Protected Person, 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 consents to the violation. **Only the Court can change this order.**

THE COURT ORDERS:

1. **Personal Conduct Order.**

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):

[01]
[02]

- Petitioner
- Minor family members
- Family or other household members
- Other Protected Person(s)

To further the protection of the Protected Person(s) no Protected Person(s) shall contact Respondent, either directly or indirectly.

This Order is subject to the following exceptions:

[05]

- no exceptions
- to participate in legal proceedings involving the protected person(s) or to communicate through attorneys about legal issues involving the Protected Person(s)
- contact by telephone/electronic means to arrange visitation of the child/ren
- contact by telephone 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)
- go within _____ feet of:
 - Protected Person's residence at _____
 - Protected Person's school campus or work place at _____
 - Protected Person's child/ren's school campus or work place at _____
 - Other: _____

[04]

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

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).

[03]

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

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

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

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

[06] _____

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 appropriate law enforcement agency for immediate service upon Respondent; and 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: _____ <input type="checkbox"/> a.m. <input type="checkbox"/> 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 receive copies of future notices by certified mail.

Signed: _____ Date: _____
Petitioner

I have received a copy of this order and agree to receive copies of future notices by certified mail.

Signed: _____ Date: _____
Respondent

ATTENTION: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS. IMMEDIATELY REPORT ANY VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.