

PETITION FOR PROTECTION FROM ABUSE

Case Number

IN THE _____ COURT OF _____ COUNTY, ALABAMA
(Circuit or District) (Name of County)

V.

Plaintiff (your name)

Defendant (person to be restrained)

Address/ Business or Home

City State Zip Code

Date of Birth

Social Security Number

YOU MUST PROVIDE COMPLETE AND TRUTHFUL INFORMATION.. IF YOU DO NOT, THE COURT MAY DISMISS THIS CASE, AND YOU MAY BE SUBJECT TO BEING CHARGED WITH PERJURY FOR KNOWINGLY PROVIDING FALSE INFORMATION.

I. Eligible Plaintiffs (Check all that apply):

A. I am an adult seeking relief for: myself; and/or my minor child(ren); and/or another person prevented by physical or mental incapacities from seeking a protection order.

CHECK AND FILL OUT ONLY ONE SECTION (1, 2, 3, 4, or 5):

- 1. The Defendant is my: spouse; or former spouse.
Date of marriage: _____ Date of Divorce (if applicable): _____
- 2. The Defendant and I are adults related by: blood; marriage; or adoption.
- 3. The Defendant and I have lived together.
- 4. The Defendant and I are currently living in the same household.
- 5. The Defendant and I are the unmarried parents of a child.

I am the Plaintiff, and I state that the following is true and correct:

I am a resident of _____ in _____. My age is: _____ years old.
(Name of County) (Name of State)

Are you involved in any other civil case (including divorce or custody) with the Defendant? YES NO
If YES, please state the county and State in which the case was brought: _____ County,
(State).

Are there any criminal charges against the Defendant because of abuse to you? YES NO
If YES, the charges were brought in _____ County, _____
(State)

(Note: If there are more civil cases with the Defendant or more criminal charges against the Defendant, please attach additional 8"X 11" sheets of paper, if necessary, stating the case number(s), county(ies), and State(s) in which these cases are being handled).

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(Check the box if the following statement applies to you):

I left my home due to abuse or threat of abuse, and I am currently residing in _____ County, Alabama.

The Defendant lives in _____ County, _____ (State).

Defendant is _____ years old.

I am requesting (check one of the following boxes): a protection order; OR a change in a current protection order.

II. To Get a Protection Order, the Defendant Must Have Done One or More of the Following (Check all that apply):

- Injured me; Tried to injure me; Threatened to injure me;
- Made me afraid that I would be seriously injured; Made me have sex by force or threat of force; Abused a minor child; Abused a physically or mentally incapacitated person

III. Explain the Abuse That Has Happened (Begin With the Most Recent Act. You May Add Additional 8" x 11" Sheets of Paper, If Necessary):

Date and place where the abuse occurred:

Describe how the Defendant hurt or threatened you and/or (a) person(s) for whom you are applying:

I fear the Defendant will cause further abuse because:

IV. Legal Information Required (Check all that apply):

There is a current restraining or protection order against the Defendant.

YES; I don't know; NO. If YES, the County and State where it was issued: _____, County, _____.

The Defendant has a current restraining or protection order against me and/or or the person(s) for whom I am applying:

YES NO. If YES, the County and State where it was issued: _____, County, _____, State.

(Note: If there are more current restraining or protection orders against the Defendant or against you and/or the person(s) for whom you are applying, please attach additional 8"X 11" sheets of paper, if necessary, stating the case number(s), county(ies), and State(s) in which these orders were issued).

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V. Child(ren)

The name(s) and age(s) of any child(ren) of the Defendant and me and/or the person(s) for whom I am applying, who are under 19 years old AND have been living in my household or the household of the person(s) for whom I am applying:

Name: _____ Age: _____
 Name: _____ Age: _____
 Name: _____ Age: _____
 Name: _____ Age: _____

B. Is there a custody order concerning any of the above children? YES NO

C. For the last six months, the child(ren) (has) have lived (in what State and with whom):

Child: _____ Lived with: _____ State: _____
 Child: _____ Lived with: _____ State: _____
 Child: _____ Lived with: _____ State: _____
 Child: _____ Lived with: _____ State: _____

VI. Residence

THE DEFENDANT MAY BE REQUIRED TO MOVE FROM THE PLAINTIFF'S RESIDENCE, IF THE RESIDENCE IS IN THE SOLE NAME OF THE PLAINTIFF, IF IT IS JOINTLY OWNED OR RENTED BY THE PLAINTIFF AND THE DEFENDANT, OR IF THE PARTIES ARE MARRIED TO EACH OTHER.

The place where I (or the person(s) for whom I am applying) live is: Owned by: me; the Defendant; or both of us.

Rented by : me; the Defendant; or both of us.

The Plaintiff must notify the court of any change(s) in address.

VII. Ex Parte Relief Requested (Please Check The Boxes To Show What You Want):

I am asking the court for the following for myself and/or the person(s) for whom I am applying
(Note: The word, "Plaintiff," is used in the following items to describe you and/or the person(s) for whom you are applying):

- (1) Enjoin the Defendant from threatening to commit, or committing, any further acts of abuse, as defined in the Protection from Abuse Act, against the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to wit: _____
- (2) Further restrain and enjoin the Defendant from harassing, stalking or threatening or engaging in conduct that would place in reasonable fear of bodily injury, the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to wit: _____
- (3) Further restrain and enjoin the Defendant from using, attempting to use, or threatening to use, physical force that would reasonably be expected to cause bodily injury to the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to-wit: _____
- (4) Further restrain and enjoin the Defendant from annoying, telephoning, contacting, or otherwise communicating, directly or indirectly, with the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to-wit: _____

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- (5) Order the Defendant to stay away from: The Plaintiff's: residence; place of employment; school; and/or The Minor's and/or Minor child(ren)'s: residence; place of employment; school; and/or Any specified place, which the Defendant has no legitimate reason to frequent, as designated below, frequented by the Plaintiff; and/or the minor(s); and/or minor child(ren); and/or any designated family/household member. Name(s) and location(s) of the other specified place(s):

- (6) Award temporary custody of the minor child(ren) to _____
(Please specify the name of the person to whom custody should be given)
- (7) Restrain and enjoin the Defendant from interfering with the Plaintiff's efforts to remove the Plaintiff's child(ren) from the home; and/or school, and direct the appropriate law enforcement officer to accompany the Plaintiff during the effort to remove the Plaintiff's child(ren).
- (8) Restrain and enjoin the Defendant from removing the minor child(ren) from _____
(the individual having legal custody of the minor child(ren), except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction).
- (9) Remove and exclude the Defendant from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) Prohibit the Defendant from transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties (Please describe property):

- (11) Restrain and enjoin the Defendant from interfering with the Plaintiff's employment.
- (12) Award any other relief deemed necessary to provide for the safety and welfare of the: Plaintiff; and/or Minor(s); and/or Minor children; and/or Any designated family or household member, as follows:

VIII. Additional relief requested for final hearing:

In addition to the relief requested above in, "VII Ex Parte Relief Requested", I request the following relief for myself and/or the person(s) for whom I am applying:

- (13) Order the Defendant to comply with the following visitation arrangements of any minor child(ren):
 Visitation; Deny visitation; Require supervision by a third party -
(Please specify supervision arrangements below):

- (14) Order the Defendant to pay attorney's fees and court costs.
- (15) Grant possession of the residence or household to the Plaintiff to the exclusion of the Defendant by: evicting the Defendant; restoring possession to the Plaintiff; or both; or agreeing to allow the Defendant to provide suitable alternate housing.
- (16) Order the Defendant to pay temporary reasonable child support to the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, in accordance with the Child Support Guidelines. (If this relief is sought, you must attach COMPLETED copies of Form CS-41, Child Support Obligation Income Statement/Affidavit, FormCS-42, Child Support Guidelines, and Form CS-47, Child Support Information Sheet).

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(17) Order the Defendant to provide temporary possession of the vehicle (description): _____ to the Plaintiff because the Plaintiff has no other means of transportation of his or her own and the Defendant has control of more than one vehicle; or has alternate means of transportation.

(18) Incorporate another custody order (Case Number, County, State: _____); or visitation order (Case Number, County, State: _____); support order (Case Number, County, State: _____) into this Order.

(19) Order the Defendant to surrender all firearms.

(20) Order that the Plaintiff's address, the address of any member of the Plaintiff's family or household, or an address that would reveal the confidential location of a shelter for victims of domestic violence be omitted or deleted from all documents filed with the Court, documents made available to the public, and documents made available to the Defendant.

(21) Direct the appropriate law enforcement officer to accompany the Plaintiff to: the residence of the parties; and/or another location, _____ (description of location), as necessary to enforce any of the terms of this Order.

(22) Order other relief not requested above (describe): _____

Before me, the undersigned authority, personally appeared the Plaintiff, who is known to me or presented an identification card to me, and who being duly sworn, deposes and says that he/she has read the foregoing Petition for Protection from Abuse and that the facts herein are true and correct.

Sworn to and subscribed before this, the _____ day of _____, _____.

Plaintiff (Please print)

Plaintiff (Signature)

Judge/Clerk of Court/Notary Public
(Notary: my commission expires _____).

Business Address and Telephone Number of Judge/Clerk of Court/Notary Public

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

Case Number: DR _____

EXHIBIT "A"

DEFENDANT'S NAME _____

ADDRESS: _____ **PH#** _____

CITY, STATE, ZIP: _____

DOB: _____ **AGE:** _____ **SEX:** _____ **RACE:** _____

HEIGHT: _____ **WEIGHT:** _____ **HAIR:** _____ **EYES:** _____

SOCIAL SECURITY NUMBER: _____

DRIVERS LICENSE NUMBER: _____

EMPLOYER: _____ **PH#** _____

WORK ADDRESS: _____

BEST TIME TO SERVE DEFENDANT:
HOME _____ **WORK** _____

OTHER: _____

Case Number: DR _____

EXHIBIT "B"

PLAINTIFF'S NAME _____

ADDRESS: _____ **PH#** _____

CITY, STATE, ZIP: _____

DOB: _____ **AGE:** _____ **SEX:** _____ **RACE:** _____

HEIGHT: _____ **WEIGHT:** _____ **HAIR:** _____ **EYES:** _____

SOCIAL SECURITY NUMBER: _____

DRIVERS LICENSE NUMBER: _____

EMPLOYER: _____ **PH#** _____

WORK ADDRESS: _____

OTHER: _____

