

Protection Order

- Temporary Ex Parte Order and Notice of Hearing
- Amended Temporary Order and Notice of Hearing

Case No.

Court _____ Judicial District

County State Idaho

PETITIONER [] PROTECTED PERSON

First Middle Last

- And Or on behalf of minor family member(s) (list name and DOB)

PETITIONER/PROTECTED PERSON IDENTIFIERS

Date of Birth of Petitioner

- other Protected Person(s): (list name and DOB)

RESPONDENT

First Middle Last

Respondent's Address

Relationship to Protected person:

- spouse;
- former spouse;
- living together;
- formerly living together;
- child in common;
- parent
- related by blood, adoption or marriage;
- are in, or have been in, a dating relationship.

RESPONDENT IDENTIFIERS

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

CAUTION: Weapon Alleged to be Involved.

The court has jurisdiction over the parties and subject matter, the Respondent will be provided with reasonable notice and opportunity to be heard. The Respondent represents an immediate and present danger of domestic violence to the Protected Person(s) and irreparable injury could result from domestic violence if an order is not issued immediately without prior notice to Respondent.

The terms of this order shall be effective until , at 11:59 P.M. /unless terminated earlier by another court order.

WARNINGS: This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)).

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 (1) year in jail and a five thousand dollar (\$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, annoy, disturb the peace of, telephone, contact or otherwise communicate with (either directly or indirectly, in person or through any other person):

[01]

The Protected Person
The minor child/ren residing in the Protected Person's household.

[05]

Exceptions are: to meet with or through attorneys or during legal proceedings

contact by telephone to arrange visitation of the child/ren

contact by telephone between _____ .m. and _____ .m. on

_____ for the following purposes: _____

to participate in counseling/mediation, if Court ordered

to respond to an emergency involving the child/ren

Other: _____

2 Stay-Away Order. Respondent shall not, **EVEN IF INVITED BY THE PROTECTED PERSON,**

go to: go within _____ feet of:

Protected Person

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. Respondent _____ Protected Person is ordered to move from the residence at

[03]

_____ and

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

4. **Child custody.** Custody of the minor child/ren is awarded as provided in the existing child custody order/divorce decree entered _____ as follows:

[06]

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 _____

5. **Law enforcement assistance.** Peace officers are instructed to enforce this Court order by all necessary means, including arrest.

Law enforcement officers are ordered to:

Remove the Respondent from the residence at _____. **The time for removal shall be at the peace officer's discretion,** but no later than _____ hours after 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.

6. **Conflicting Orders.**

If any term of another order conflicts with any term of this order you must follow the more restrictive term.

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.

8. **Other:** _____

[07]
[08]

NOTICE OF HEARING

The Petitioner and Respondent are notified that a hearing to decide whether a longer Protection Order will be issued is scheduled before Judge _____ on _____, 20____, at _____ o'clock __m, at the _____ County Courthouse located at _____ in _____, 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 § 8-204 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.