

Petition for Order of Protection

Case No.

Court **Fourth Circuit Court**

County **Knox**

PETITIONER/PLAINTIFF

First Middle Last

Date of Birth of Petitioner

If minor plaintiff, by next friend: _____

Mother Father Guardian Case worker

D.O.B. of next friend: _____

Has there ever been a juvenile court filing or a DCS investigation about this child? yes no

If so, date(s): _____

This Petition was filled out at the Family Justice Center

Court: _____ Docket #: _____

RESPONDENT

First Middle Last

Relationship to Petitioner _____

Respondent's Address & Phone No. _____

Respondent's Employer _____

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	SOCIAL SECURITY #		

Distinguishing Features _____

CAUTION: **Weapon(s) Involved:** Location/Description _____ **Respondent owns/possesses firearm(s):** Location/Description _____

1. What is your relationship to the Respondent? (Check all that apply):
 - a. We are married or used to be married.
 - b. We live together or used to live together.
 - c. We have a child together.
 - d. We are dating, used to date, or have had sex.
 - e. We are relatives, related by adoption, or are/were in-laws. (Specify):
 - f. The Respondent has stalked me.
 - g. The Respondent has sexually assaulted me.

2. List all children born to you who are under 18:

Name of Child	D.O.B.	Is Respondent the parent of the child? (Write "yes," "no," or "uncertain.")	Does the child need to be protected from the Respondent? (Write "yes" or "no.")

3. Are there any other children living in your home? no yes: _____.

4. Unborn child(ren) due on _____.

5. Where else have the child(ren) (that you and Respondent have together) lived during the last 6 months?

Child(ren)'s previous addresses	Whom did they live with at this address?
_____	_____
_____	_____
_____	_____
_____	_____

6. **Other Court cases** – Are the child(ren) that you and Respondent have together involved in any other court case in Tennessee or another state? yes no If “Yes,” fill out below:

County and State of other case: _____ Case Number (If you know it): _____

Kind of case (check Divorce Domestic Violence Criminal Juvenile Child Support all that apply): other (specify): _____

7. **Custody Rights** – Does anyone besides you or the Respondent claim to have custody or visitation rights to the children that you and Respondent have together? yes no If “yes,” who?

Name	Address
_____	_____
_____	_____

8. Has the domestic violence described in this petition affected the children listed? yes no. If yes, please describe:

9. Petitioner needs support for the parties' minor child(ren)? yes no

10. **I now have (or have had) other court cases with this respondent:** yes no
Knox General Sessions: was respondent arrested? yes no. KPD KCSD date of arrest: _____

Other court(s): _____

11. **Have you ever filed for, or had an order of protection against you?** Party(ies), date(s), county(ies), and state(s): _____

12. I have presented the matters in this complaint to the Attorney General of Knox County and/or to a Judicial Commissioner:
 yes no The case was heard/is set for hearing as a criminal matter on the _____ day _____, 20 _____.

13. Respondent has abused and/or threatened to abuse petitioner.
WHERE DID THE EVENT(S) OCCUR? ANSWER HERE: _____

ON WHAT DATE(S) DID THE EVENT(S) OCCUR? ANSWER HERE: _____

Write below what happened. You must: (1) Use name of other person (“Tom”) and pronouns “I” or “me” to refer to yourself. (“Tom hit me.”) Do not say “petitioner” or “respondent.” Do not say “Tom hit Nancy.” (2) Say it plainly. (“Judy cut my hand.” Not: “My hand was cut by Judy.”) (3) Do not use summing-up terms like “abuse,” “violence,” “threats.” Say what happened. Say the words used, not what you think the behavior or the words add up to.

14. There **are/were** pets in the household: yes no These pets **have** **have not** been threatened with harm, or injured by, the Respondent. Names of pets, and what happened: _____

I ask the court to make the following Orders after the hearing: (check all that apply)

15. **No Contact**
Please order the Respondent not to contact: me our children under 18, either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.
16. **Stay Away**
Please order the Respondent to stay away from my home my workplace or from coming about me for any purpose. at any place.

17. **Personal Conduct**
Please order the Respondent not to:
 Cause intentional damage to my property or interfere with the utilities at my home.
 Hurt or threaten to hurt any animals that I/we own or keep.

18. **Temporary Custody**
 Please give me temporary custody of our children.
 Please give me temporary custody of any animals I/we own or keep.

19. **Child Support**
Please order the Respondent to pay reasonable child support.

20. **Petitioner Support (if married)**
Please order the Respondent to pay reasonable spousal support.

21. **Move-out / Provide other housing**
Please order the Respondent to (*check one*): move out of our family home immediately or provide other suitable housing (if married).
 *Check here if your home or lease is in the Respondent's name **only**.*
- If the parties share a residence, please allow the Respondent to obtain his/her clothing and personal effects such as medicine and other things he/she may need. **Neither the respondent nor the petitioner violates this order of protection by accompanying a uniformed officer to retrieve personal property from the other party. Uniformed officers are available on a limited schedule, unless hired in an off-duty capacity. (County officers, 215-6820, City officers, 215-7268).**

22. *For any other relief that might be necessary to protect the safety of the petitioner's and/or parties' minor child(ren):*

23. **COUNSELING AND SUBSTANCE ABUSE PROGRAMS**
- That respondent be directed to attend available counseling programs that address **violence and control** issues.
- That respondent be directed to attend available counseling programs that address **substance abuse** problems.
24. That respondent be prohibited from owning, possessing, transporting, or using a firearm or ammunition.

- 25. That respondent pay for changing the locks to my residence.
- 26. That respondent pay the court costs, attorney fees, and litigation tax of this cause.
- 27. **Other Orders:** (*General Relief*) _____

I also ask the court to:

- 1. Make an immediate Temporary Order of Protection. (*Ex-Parte Order of Protection*)
- 2. Notify law enforcement in this county of that Order.
- 3. Serve the Respondent a copy of that *Order* and Notice of Hearing to take place within 15 days of service.
- 4. Serve a copy of the Request, Notice of Hearing and Temporary Order on the parents of the Petitioner (if the Petitioner is under 18 years of age) unless the Court finds that this would create a serious threat of serious harm to the Petitioner. *T.C.A. §36-3-605 (c)*

Petitioner (or parent/legal guardian/caseworker) signs here in front of notary/clerk/judicial officer and swears that he/she believes the above information is true:

_____ Date: _____

Notary fills out below –	
I declare that the Petitioner has read this Petition, and swears it be true to the best of her/his knowledge.	
Sworn and subscribed before me, the undersigned authority,	
By (<i>Print name</i>): _____	
On this date: _____	
_____ <i>Notary/Court Clerk signs here</i>	_____ <i>Date notary's commission expires</i>
<i>(Notary's seal here)</i>	

- The court finds from the allegations good cause to issue, and will issue, a Temporary Order of Protection.**
 - The court does not find good cause and denies a Temporary Order of Protection** - The court finds an immediate and present danger of abuse to the petitioner has **not** been adequately made out, and denies the Petitioner's request for a *Temporary Order of Protection*. However, the court will set the matter for hearing. The Petitioner and Respondent must go to court and explain to the judge why the judge should or should not issue an Order of Protection against the Respondent. This hearing will take place on (*date*): _____ at (*time*): _____ a.m. p.m.
- at (*location*): _____

_____ Date _____
Judge or Magistrate

ORDER OF PROTECTION DESCRIPTION SHEET
(FOR PROCESS SERVER)

DOCKET # _____

DOES THE DEFENDANT (RESPONDENT) HAVE ANY OUTSTANDING ATTACHMENTS/WARRANTS OR LEGAL PROCESS THAT YOU ARE AWARE OF, THAT STILL NEED(S) TO BE SERVED ON THE DEFENDANT?

YES _____

NO _____

DEFENDANT'S FULL NAME: _____

DEFENDANT'S ADDRESS: _____

COUNTY _____

DEFENDANT'S HOME PHONE: (____) _____

WHEN USUALLY HOME: _____

PLACE OF EMPLOYMENT: _____

ADDRESS OF EMPLOYMENT: _____

COUNTY _____

EMPLOYER'S PHONE NUMBER: (____) _____

HOURS AND DAYS, HE/SHE USUALLY WORKS: _____

MODEL, MAKE, AND COLOR OF AUTOMOBILE THAT HE/SHE USUALLY DRIVES: _____

DIRECTIONS TO DEFENDANT'S RESIDENCE: _____

DIRECTIONS TO DEFENDANT'S EMPLOYMENT: _____

PHYSICAL DESCRIPTION:

WEIGHT: _____

SS# _____ - _____ - _____

HEIGHT: _____

EYE COLOR: _____

HAIR COLOR _____

OTHER HELPFUL INFORMATION: _____

ADVOCATES NAME: _____ PHONE: _____

PETITIONER'S ADDRESS PROFILE

IF YOU HAVE A SECRET ADDRESS, AND ARE IN DANGER, DO NOT TELL US THAT ADDRESS. BUT **THE COURT MUST HAVE A VALID MAILING ADDRESS FOR YOU**, SO THAT YOU WILL RECEIVE NOTICES FOR COURT DATES, AND OTHER INFORMATION ABOUT YOUR CASE. **YOU DO NOT HAVE TO BE AT THE MAILING ADDRESS**. IF YOU DO NOT WANT THE DEFENDANT TO KNOW YOUR REAL ADDRESS, GIVE US THE ADDRESS OF A FRIEND, OR A RELATIVE, OR YOUR EMPLOYMENT-- ANY ADDRESS WHERE YOU WILL PROMPTLY KNOW YOU HAVE RECEIVED MAIL. **YOU MAY KEEP YOUR TRUE LOCATION SECRET FROM THE COURT AND FROM THE DEFENDANT.**

This court will not accept a petition for an order of protection without a valid mailing address. The address for mailing to me is:

MANDATORY: The clerk of the court must have a telephone number you.

The clerk can reach me at: TELEPHONE # () _____ - _____

(Do not give a land-line telephone number for a secret location. That can enable someone to find you. A cell phone number, or a land-line at a different location, will not reveal where you are.)

OPTIONAL:

I WANT THE KNOX COUNTY SHERIFF'S PROCESS SERVERS TO BE ABLE TO CALL ME FOR MORE INFORMATION, IF THEY ARE HAVING PROBLEMS SERVING THE PAPERS. THEY CAN CONTACT ME AT:

TELEPHONE # () _____ - _____

WAIVER, RELEASE AND AUTHORIZATION

Case Number _____

I, _____, hereby waive the provisions of the Tennessee Public Records Act, Tenn. Code Ann. §10-7-504, confidential records, to the extent that those records may be accessed by, and I hereby authorize such access, to the following persons or entities, their employees or volunteers working in conjunction with Orders of Protection on my behalf:

(print name)

- 1. YWCA
- 2. Child & Family, Tennessee
- 3. Serenity Shelter
- 4. Salvation Army
- 5. Legal Aid of East Tennessee
- 6. Family Crisis Center
- 7. Alternative Counseling
- 8. Complete Counseling North
- 9. Integrous Counseling Center
- 10. My attorney record
- 11. Child Support Services of Tennessee
- 12. Other: _____

This waiver and release shall remain in full force and effect so long as the Order Protection is in effect or until such time as I revoke it in writing, whichever occurs first.

I hereby release the Knox County Fourth Circuit Clerk from any and all liability or responsibility for the release of said information to the persons and entities designated above.

I have read and fully understand the foregoing Waiver, Release, and Authorization form.

Plaintiff/Petitioner

Print Name

Date

Witnessed By:

Print Name