

Ex Parte Protection Order

(Protection from Abuse Act)
§30-5-1, et seq., Ala. Code 1975

For Cases Filed Before July 1, 2010

Amended Order

Case No.

In the Circuit or District Court of _____ County, ALABAMA

PLAINTIFF

First Middle Last

and/or any minor(s) or minor child(ren) on whose behalf the
Petition for Protection from Abuse filed [List Name(s) and DOB(s)]

V.

DEFENDANT

First Middle Last

Relationship to Plaintiff : Spouse Ex-Spouse Child

Parent Relation within 6th Degree Consanguinity or Affinity
Common Law Marriage Child in Common
Present or Former Household Member

Defendant's Home Address & Telephone #: _____

PLAINTIFF

Date of Birth (DOB) of Plaintiff

Other Protected Persons(s) [List Name(s) and DOB(s)]:

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVERS LICENSE #		STATE	EXP DATE	
VEHICLE		TAG#		

CAUTION : WEAPONS INVOLVED Firearm Knife Hands, Feet, Fist Other: _____
 Weapon Present on the Property

THE COURT HEREBY FINDS (Check all that apply):

Pursuant to the sworn Affidavit/Petition and/or testimony of the Plaintiff seeking protection from abuse, the Court finds that it has jurisdiction over the parties and subject matter and that:

A temporary order is necessary to prevent abuse.

The Defendant represents a credible threat to the physical safety of the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or

Any designated family or household member to wit: _____

THE COURT HEREBY ORDERS (Check all that apply):

That the above-named Defendant be restrained from committing further acts of abuse or threats of abuse as defined in the Protection from Abuse Act.

That the above-named Defendant be restrained from any contact with the Plaintiff, and/or Minor(s); and / or Minor Child(ren); and/or
Any designated household or family member, to wit : _____

Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until: _____, _____ ; or further Order of the Court.

NOTICE TO LAW ENFORCEMENT

This Order shall be enforced, even without registration, by courts and any law enforcement officer of any state, the District of Columbia, any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265).

WARNINGS TO DEFENDANT :

This Order shall be enforced, even without registration, by the courts and any law enforcement officer of any State, the District of Columbia, and any U.S. territory, and may be enforced by Tribal Lands (18 U.S.C.A. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualified protection order or after being convicted of a misdemeanor crime of domestic violence [18 U.S.C.A. Sections 922(g)(8) and 922(g)(9)]. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A willful violation of this ORDER is a Class A misdemeanor punishable by a fine not to exceed six thousand dollars (\$6,000) or imprisonment for up to a year in jail, or both, and is also punishable for civil contempt (Section 30-5-8, Ala. Code 1975). In addition, Sections 30-5-9 and 30-5A-3(c)(2), Ala. Code 1975, further outline penalties for violations of protection, restraining, or injunctive orders.

ONLY THE COURT CAN CHANGE THIS ORDER

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Case No.

In the Circuit or District Court of
_____ County, ALABAMA

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THE COURT FURTHER ORDERS THAT (Check all that apply):

- (1) The Defendant is enjoined 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) The Defendant is further restrained and enjoined 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) The Defendant is further restrained and enjoined 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) The Defendant is further restrained and enjoined 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: _____.
- (5) The defendant is ordered to stay away from :
The Plaintiff's residence; place of employment; school; and/or
The Minor'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) Temporary custody of the minor child(ren) of the parties is hereby granted to: _____.
- (7) The Defendant is restrained and enjoined from interfering with the Plaintiff's efforts to remove the Plaintiff's minor child(ren) from the home; or school.
- (8) The Defendant is restrained and enjoined from removing the minor child(ren) from the individual, to wit: _____, 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) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) The Defendant is prohibited from : transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties, as follows: _____.
- (11) The Defendant is restrained and enjoined from interfering with the Plaintiff's employment.

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(12) The Defendant is ordered to obey the following grant of relief deemed necessary to provide for the safety and welfare of the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, as follows:

Granting Plaintiff's request, this Court orders 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.

Any law enforcement officer is hereby directed to accompany the Plaintiff to the: residence of the parties; and/or another location, _____, as necessary to enforce any of the terms of this Order, to wit: _____
(description of location)

This matter is set for a hearing on _____ (date) at _____ to be held at _____

The Defendant is advised that he or she has the right to counsel at this hearing at his or her expense, but not counsel appointed by the court.

Date

Judge