

ELDER ABUSE PROTECTION ORDER

(Elder Abuse Protection Order and Enforcement Act)
§§ 38-9F-1 to 38-9F-12, Ala. Code 1975

Amended Order

Court Case Number: _____

(Number)

In the Circuit Court of _____ County, Alabama

(Name of County)

PLAINTIFF (Victim)

First Middle Last

Date of Birth (DOB) of Plaintiff (Victim)

Other Designated Persons(s) [List Name(s)]:

Other Designated Persons(s) [List DOB(s)]:

DEFENDANT

Defendant's Telephone Number and Home Address: _____

First Middle Last

CAUTION: WEAPONS INVOLVED:

- Firearm Knife Hands, Feet, Fist
- Other: _____
- Weapon Present on the Property

SEX	RACE	DOB	HEIGHT	WEIGHT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVER'S LICENSE NUMBER		STATE	EXPIRATION DATE	
VEHICLE			TAG NUMBER	

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and matter under the laws of the state and that reasonable notice and opportunity to be heard was given to the person against whom the order is sought sufficient to protect the person's right to due process. Additional findings of this Court follow on succeeding pages.

(Check all that apply):

After a hearing was held in which the Defendant: appeared { pro se or with counsel } or did not appear, the Court finds that the Plaintiff proved the allegations of elder abuse by a preponderance of the evidence and further finds that:

- Service was perfected on the Defendant on _____ (date).
- If the petition was filed on behalf of the victim, service was perfected on the victim on _____ (date).

The terms of this order shall be of permanent duration; OR effective until _____ (date).

THIS ORDER IS VALID AND ENFORCEABLE IN ALL COUNTIES IN THE STATE OF ALABAMA. LAW ENFORCEMENT OFFICERS MAY USE THEIR ARREST POWERS PURSUANT TO SECTION 15-10-3, ALA. CODE 1975, TO ENFORCE THE TERMS OF THE ORDER.

ONLY THE COURT CAN CHANGE THIS ORDER.

§§ 38-9F-1 to 38-9F-12, Ala. Code 1975

Original - Court Record Copy - Law Enforcement Copy - Plaintiff Copy - Defendant Copy - Probate Court (if applicable)

Judge's Initials: _____

ELDER ABUSE PROTECTION ORDER

(Elder Abuse Protection Order and Enforcement Act)
§§ 38-9F-1 to 38-9F-12, Ala. Code 1975

Amended Order

Court Case Number: _____

(Number)

In the Circuit Court of _____ County, Alabama

(Name of County)

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

(1) The Defendant is enjoined from threatening to commit or committing acts of abuse, as defined in the Elder Abuse Protection Order and Enforcement Act, against the: Plaintiff; and/or any designated person, to-wit:

_____ (Name of Person)

(2) The Defendant is restrained and enjoined from: Harassing Stalking Annoying Telephoning Contacting Communicating with: the Plaintiff; OR

Threatening or engaging in conduct that would place the following in reasonable fear of bodily injury: the Plaintiff; and/or any designated person, to wit: _____

(Name of Person)

(3) The Defendant is ordered to stay away from: the Plaintiff's residence; place of employment; and/or any specified place frequented by the Plaintiff that the Defendant has no legitimate reason to frequent, to-wit: _____

(Place)

(4) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.

(5) The Defendant is ordered to provide to the Plaintiff possession and use of an: automobile and/or other essential personal effects regardless of ownership; and the appropriate law enforcement officer, to-wit: _____ (Name) is directed to accompany the Plaintiff to the residence of the Plaintiff or other specified locations as necessary to protect the Plaintiff from abuse.

(6) The Defendant is prohibited from: transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties or in which the Plaintiff had an ownership interest within the last 12 months, to-wit: _____

(Please describe property).

(7) The Defendant is prohibited from transferring the funds, benefits, property, resources, belongings, or assets of the Plaintiff to any person other than the Plaintiff.

(8) The Defendant is restrained and enjoined from exercising control over the funds, benefits, property, resources, belongings, or assets of the Plaintiff.

(9) The Defendant is ordered to provide an accounting of the disposition of the Plaintiff's income and other resources, and of the Plaintiff's debts and expenses.

(10) The Defendant is restrained from exercising any powers the Defendant has been granted as the Plaintiff's agent under power of attorney.

(11) The Defendant is ordered to comply with the instructions of the Plaintiff's guardian, conservator, or agent under power of attorney.

(12) The following relief is ordered and deemed necessary to provide for the safety and welfare of the: Plaintiff; and/or any designated person, to-wit: _____ (Name of person) as follows: _____

(Describe relief)

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

(13) The Defendant is ordered to return custody or control of the funds, benefits, property, resources, belongings, or assets to the Plaintiff.

(14) The Defendant is ordered to pay restitution in the amount of \$ _____ to the Plaintiff.

(15) The Defendant is restrained and enjoined from possessing a firearm or other weapon specified by the court, except when the weapon is necessary for employment as a law enforcement officer or military personnel.

(16) The Defendant is ordered to pay attorney's fees in the amount of \$ _____ and court costs in the amount of \$ _____.

Original - Court Record

Copy - Law Enforcement

Copy - Plaintiff

Copy - Defendant

Copy - Probate Court (if applicable)

Judge's Initials: _____

ELDER ABUSE PROTECTION ORDER

(Elder Abuse Protection Order and Enforcement Act)

§§ 38-9F-1 to 38-9F-12, Ala. Code 1975

Amended Order

State of Alabama Unified Judicial System Form C-92 (Page 3 of 3) 8/17
Court Case Number: _____

(Number)

In the Circuit Court of _____ County, Alabama

(Name of County)

(17) Other (please specify):

(Date)

(Signature of Judge)

RETURN ON SERVICE

Return receipt(s) of certified mail received in this office on _____
[Date(s)]

I certify that I personally delivered a copy(ies) of the Elder Abuse Protection Order to _____ in
_____ County, Alabama on _____
[Name of County(ies)] [Date(s)]

(Date)

(Server's Signature)

(Type of Process Server)

(Office Address of Server)

(Office Telephone Number of Server)