

PROTECTION ORDER

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

Amended Order

For Cases Filed on or After January 1, 2016

Case No. _____

In the Circuit Court of _____ County, Alabama

PLAINTIFF (Victim)

First Middle Last
and any minor(s) on whose behalf the Petition
for Protection from Abuse was filed [List Name(s) and DOB(s)]:

Date of Birth (DOB) of Plaintiff (Victim)
Other Protected Persons(s) [List Name(s) and DOB(s)]:

v.

DEFENDANT

First Middle Last

- Relationship to Victim: Spouse Former-Spouse
 Common-Law Marriage Former Common-Law Marriage
 Child in Common
 Current or Former Dating Relationship
 Current or Former Household Member
 Relative of Current or Former Household Member:
 Parent Stepparent
 Child Stepchild

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVER'S LICENSE #		STATE	EXP. DATE	
VEHICLE		TAG#		

Defendant's Home Address & Telephone #: _____

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

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.

THE COURT HEREBY ORDERS (Check all that apply):

That the above-named Defendant is enjoined from threatening to commit or committing acts of abuse as defined in the Protection from Abuse Act.

That the above-named Defendant is restrained from any contact with the Plaintiff, and/or child(ren).

Additional terms of this order follow on succeeding pages.

That the above-named Defendant is restrained from harassing, stalking, or threatening the Plaintiff, and/or child(ren); and/or any designated person to wit: _____ or engaging in other conduct that would place the person(s) in reasonable fear of bodily injury.

The terms of this order shall be effective until _____; or further order of the Court. **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 TO ENFORCE THE TERMS OF THE INJUNCTION.**

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, 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)]. Section 13A-11-72(a) provides that it is a Class C felony for a person convicted in the State of Alabama or elsewhere of a misdemeanor offense of domestic violence or subject to a valid protection order for domestic abuse to own a firearm or have one in his or her possession or under his or her control. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A violation of this Order is a Class A misdemeanor. Section 13A-6-142, Ala. Code 1975.

ONLY THE COURT CAN CHANGE THIS ORDER

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

Judge's Initials: _____

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State of Alabama Unified Judicial System Form C-3 (Page 2 of 3)

Rev. 1/2016

Case No. _____

In the Circuit Court of _____ County, Alabama

FINDINGS OF THE COURT (Continued from Page One) (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 abuse by a preponderance of evidence and further finds that:

Service was perfected on the Defendant on _____ (date).

The Defendant represents a credible threat to the physical safety of the Plaintiff; and/ or child(ren) of the Plaintiff; and/ or any designated family or household member, to wit: _____.

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

- (1) The Defendant is enjoined from threatening to commit, or committing acts of abuse, as defined in the Protection from Abuse Act, against the: Plaintiff, and/ or Plaintiff's child(ren); and/ or any designated person, to wit: _____.
- (2) The Defendant is restrained and enjoined from harassing, stalking, annoying, threatening or engaging in conduct that would place the following in reasonable fear of bodily injury, the: Plaintiff; and/ or child(ren) of the Plaintiff; and/ or any designated person, to-wit: _____, or from contacting the Plaintiff and/ or children of the Plaintiff.
- (3) The Defendant is restrained and enjoined from having physical or violent contact with: the Plaintiff or the Plaintiff's property; place of employment; school; and/ or the child(ren)'s: residence; place of employment; school; and/ or any designated person's, to-wit: _____; residence; place of employment; school; and/ or ordered to stay away from any specified place, as designated below which the court determines the Defendant has no legitimate reason to frequent, frequented by: the Plaintiff; and/ or child(ren); and/ or any designated person. Name(s) and location(s) of the other specified place(s): _____ . The Defendant is ordered to not go within _____ feet (minimum of 300 feet) of the Plaintiff's residence even if the residence is shared with the Plaintiff. The Defendant is ordered to not go within _____ feet (minimum of 300 feet) of the Plaintiff's school; and/ or place of employment; and/ or the child(ren)'s school; and/ or place of employment; and/ or any designated person's, to-wit: _____ school and/ or place of employment.
- (4) Temporary custody of the child(ren) of the parties is hereby awarded to: _____.
- (5) The Defendant is enjoined from interfering with the Plaintiff's efforts to remove any of the Plaintiff's child(ren) or from removing any children from the jurisdiction of the court. I direct _____.
- (6) The Defendant is enjoined from removing any child(ren) from the individual, to wit: _____, having legal custody of the child(ren), except as subsequently authorized by a custody or visitation order issued by a court of competent jurisdiction.
- (7) The possession and use of the automobile, _____, is awarded to _____ and other essential personal effects, _____ (Description, year, make) are awarded to _____ (Please specify) _____ (the appropriate law enforcement officer) is to accompany the Plaintiff to the residence of the parties or to _____ as necessary to protect the Plaintiff or any child(ren) from abuse.
- (8) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.
- (9) The Defendant is prohibited from: transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties, as follows: _____.
- (10) 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 any child(ren); and/ or any designated person, as follows:

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

Judge's Initials: _____

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State of Alabama Unified Judicial System Form C-3 (Page 3 of 3)

Rev. 1/2016

Case No. _____

In the Circuit Court of _____ County, Alabama

- (11) The Defendant is ordered to comply with the following visitation arrangements of any child(ren) [These visitation arrangements should be given on a basis that gives primary consideration to the safety of the Plaintiff and/or child(ren), or both, and require supervision by a third party or denies visitation if necessary to protect the safety of the Plaintiff and/or child(ren)]: _____
- (12) The Defendant is ordered to pay attorney's fees in the amount of \$ _____ and court costs.
- (13) The Defendant is ordered to support the Plaintiff and/or child(ren) living in the residence or household when the Defendant is the sole owner or lessee. The Plaintiff is granted possession of the residence or household to the exclusion of the Defendant by evicting the Defendant; restoring possession to the Plaintiff; or both; or by agreeing to allow the Defendant to provide suitable alternate housing.
- (14) The Defendant is ordered to pay temporary reasonable support in the amount of \$ _____ for the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, when the Defendant has a legal obligation to support these persons. The amount of temporary support awarded is in accordance with the Child Support Guidelines, Rule 32, Alabama Rules of Judicial Administration, as calculated on Form CS-42.
- (15) The Defendant is ordered to provide temporary possession of the vehicle (description) _____ to the Plaintiff, since the Plaintiff has no other means of transportation of his or her own and the Defendant either has control of more than one vehicle; or has alternate means of transportation.
- (16) The following previous court orders are incorporated (all or in-part) into this Order. Custody Order _____ (case#) Visitation Order _____ (case#) Support Order _____ (case#).
- (17) The Defendant is ordered to surrender all firearms to _____ (law enforcement agency) by _____ (date). Any law enforcement officer is hereby authorized to remove any weapons known to be possessed by the Defendant if not timely surrendered.
- (18) 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.
(Description of location)
- (19) Other (please specify):

Date

Judge

RETURN ON SERVICE

- Return receipt of certified mail received in this office on _____ (Date)
- I certify that I personally delivered a copy of the Protection Order to _____ in _____ County, Alabama on _____ (Date)

Date

Server's Signature

Type of Process Server

Office Address of Server

Office Telephone Number of Server