

## What can I do if someone is stalking me?

If someone is stalking you, you can ask the court for a *Civil Stalking Injunction*. This is a court order that orders the stalker to stop stalking you.

## What is stalking?

A person stalked you if that person did three things:

- Stalked you two or more times. “Stalked” means that person stayed physically or visually close to you, or made threats directed at you.
- Knew or should have known that the stalking would cause a reasonable person to be emotionally distressed or to be afraid of being physically hurt.
- Actually made you or an immediate family member emotionally distressed or afraid of being physically hurt. An “immediate family member” means your spouse, child, sibling, or any other person who lives with you now, or who lived with you within the past 6 months.

**Note!** In addition to your own statements in the *Request*, you must provide some other evidence of stalking, like police reports, sworn statements from witnesses, audiotapes, photos, letters, etc.

*For a complete definition of stalking, see Utah Code §§ 76-5-106.5 and 77-3a-101 – 103.*

## How will the stalking injunction help me?

The Court can order the Respondent (the person who is stalking you) to:

- Not stalk you,
- Not contact or go near you, and
- Not go near other people listed in the order.

## How do I ask for a stalking injunction?

Fill out these forms:

- *Request for Civil Stalking Injunction*
- *Temporary Civil Stalking Injunction*

Then, take them to the court clerk in the county where you or the Respondent lives or where the stalking took place.

## How much does it cost to ask for a Civil Stalking Injunction?

Nothing. It's free.

## How long does the order last?

It will last up to 3 years.

## How will the Respondent know about the order?

The sheriff or constable will “serve” (give) the Respondent a copy of the order.

## What if the Respondent does not obey the order?

Call the police. After being served, the Respondent can be arrested and charged with a crime, if he does not obey the order.

## Do I have to go to court?

Yes. You have to go to court to file your court forms. And, if the Respondent fights the case, you will have to go to a hearing. The court clerk will give you a date for the hearing.

## Do I need an attorney?

No. But it is a good idea. For a list of free or low-cost legal services, click here to see where you can go to speak to a lawyer for free for about 20 minutes:

[www.utcourts.gov/howto/legalassist/#FreeLegal](http://www.utcourts.gov/howto/legalassist/#FreeLegal)

## What proof should I bring to the court hearing?

In addition to your own statements made in court under oath, bring any other proof of the stalking that you have. You can bring:

- Witnesses
- Photos,
- Police reports, or
- Threatening letters, e-mails, or phone messages.

## Will I see the Respondent at the court hearing?

If the Respondent goes to the hearing, yes. But the Respondent does not have the right to speak to you. If you are afraid, tell the court bailiff.

## Can I bring someone with me to court?

Yes. You can bring someone with you to the hearing. But that person cannot speak for you in court, or sit at the table with you. Only you or your attorney (if you have one) can speak for you.

**What if I don't speak English?**

When you file your papers, ask the clerk to send a court interpreter to your hearing. Do **not** ask a child or a friend to interpret for you.

**What if I am deaf?**

Contact the clerk at least one week before the hearing. Ask for an interpreter or other accommodation.

**Need more information?**

Ask the court clerk about free or low-cost legal help.

# Request for Civil Stalking Injunction



Case Number: \_\_\_\_\_  
Court: \_\_\_\_\_  
County: \_\_\_\_\_ State: Utah

## 1 Petitioner (person needing protection):

First Middle Last

Address and phone # (to keep private, leave blank):

Street City State Zip

Phone #: \_\_\_\_\_

Name and phone number of Petitioner's attorney (if any):

## 2 Respondent (person you need to be protected from):

First Middle Last

Other names used: \_\_\_\_\_

Address: \_\_\_\_\_  
Street City State Zip

A judge can grant a stalking injunction **only** if the Respondent did these 3 things:

- (1) The Respondent stalked you specifically, two or more times. "Stalked" means the Respondent stayed physically or visually close to you, made verbal or written threats to you, or did something that was threatening.
- (2) The Respondent knew or should have known that the stalking would cause you to fear that you or a family member could be physically hurt or emotionally distressed, or that a reasonable person would be afraid of being physically hurt or emotionally distressed, and
- (3) The Respondent's stalking actually made you or an immediate family member emotionally distressed or fearful that you would be hurt. An "immediate family member" means your spouse, child, sibling, or any other person who lives with you now, or who lived with you within the past 6 months.

**Note!** In addition to your own statements in this *Request*, you must provide some other evidence of stalking, like police reports, sworn statements from witnesses, audiotapes, photos, letters, etc.

*For a complete definition of stalking, see Utah Code §§ 76-5-106.5 and 77-*

*3a-101- 103.*

## 3 Provide as much information as you can about the Respondent. If you don't know, write "unknown."

Respondent's Employer (Name and address): \_\_\_\_\_

Best place and time to find the Respondent: (Place): \_\_\_\_\_ (Time): \_\_\_\_\_

Other addresses (hangouts): \_\_\_\_\_

Describe the Respondent's vehicle: Make: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_ License Plates: \_\_\_\_\_

If more than one vehicle, describe here: Make: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_ License Plates: \_\_\_\_\_

Has the Respondent used weapons or been violent in the past?  Yes  No  Don't know

Is the Respondent a law enforcement officer, government investigator,  
or licensed private investigator?  Yes  No  Don't know

**4 Describe the stalking below:**

a. When and where did the stalking events happen? *(Attach additional pages if necessary.)*

1<sup>st</sup> stalking event:

When: \_\_\_\_\_

Where: \_\_\_\_\_

2<sup>nd</sup> stalking event:

When: \_\_\_\_\_

Where: \_\_\_\_\_

b. Who did you report the stalking to (if anyone)? \_\_\_\_\_

c. List names of all people who witnessed the stalking: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. List any evidence you have of the stalking, like transcripts, audiotape, police reports, photos, sworn statements from witnesses (affidavits), etc. You must attach at least one of these to this form.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

e. Describe what the stalker did and why it made you or your family member feel emotionally distressed or afraid of being physically harmed, and why it would have made a reasonable person feel emotionally distressed or afraid of being physically harmed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Other facts: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Check here if you need more space. Ask the clerk for the "Describe Stalking" form. Fill it out and attach it to this form.

**5 Other Court Cases**

a. Are there other Court orders to the Respondent about stalking?  Yes  No  
*(If Yes, fill out below and attach a copy of the court order.)*

b. Have you or the Respondent ever been involved in any other court case involving either of you?  
 Yes  No *(If yes, list ALL court cases below):*

Type of Case	County and State	Court Case # (NOT the police report #)	Person involved	Did the judge make an order?
			<input type="checkbox"/> You <input type="checkbox"/> Respondent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> You <input type="checkbox"/> Respondent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> You <input type="checkbox"/> Respondent	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Please, Judge, I am asking you to:**

Make the orders I have checked below,

**6  Personal Conduct**

Order the Respondent not to stalk me.

**7  No Contact**

Order the Respondent not to contact, phone, mail, email, or communicate with me in any way, either directly or indirectly, or any person listed below:

Other people the Respondent must not contact:

Name	Relationship to Petitioner	Address

**8  Stay Away**

Order the Respondent to stay away from:

a. My current or future:  Vehicle  Job  School  Home, premises and property *(My current addresses are listed below):*

Home address: \_\_\_\_\_

Work address: \_\_\_\_\_

School address: \_\_\_\_\_

Describe vehicle: \_\_\_\_\_

b. Other *(specify):* \_\_\_\_\_

**9  Other Assistance Needed** *(List below any other orders needed to protect you and other protected people listed on page 1 of this form):* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**The Petitioner must read and sign below:**

I swear that:


- I am the Petitioner and I have read this petition,
- I am a victim of stalking and believe the Respondent is the stalker, and
- I live in this county or the Respondent lives in this county, or the stalking took place in this county.

Date: \_\_\_\_\_ Petitioner's signature:  \_\_\_\_\_

If the Petitioner is a minor, then parent or guardian must sign below.

I swear that:

- I am Petitioner's parent or guardian and I have read this petition,
- Petitioner is a victim of stalking and I believe the Respondent is the stalker, and
- The petitioner lives in this county or the Respondent lives in this county, or the stalking took place in this county.

Date: \_\_\_\_\_ Parent or guardian's signature:  \_\_\_\_\_

Print Parent or guardian's name: \_\_\_\_\_

**Clerk or Notary Public fills out below:**

Subscribed and sworn to before me on *(date)*: \_\_\_\_\_ in \_\_\_\_\_ County, Utah

*Clerk or Notary's Signature*:  \_\_\_\_\_

*Clerk's name*: \_\_\_\_\_



# Return of Service



Case Number: \_\_\_\_\_

Court: \_\_\_\_\_

County: \_\_\_\_\_ State: Utah

## Petitioner *(person needing protection):*

First Middle Last

## Respondent *(person you need to be protected from):*

First Middle Last

**Law Enforcement Officer fills out below**, then signs and returns this form to the agency that requested service so data can be entered into Statewide Domestic Violence Network.

The documents checked below were given to me on *(date)*: \_\_\_\_\_

I, *(officer's name and title)*: \_\_\_\_\_, personally served the

Respondent these documents at *(time)*: \_\_\_\_\_ on *(date)*: \_\_\_\_\_ at the following address:

\_\_\_\_\_ Street City State Zip

- Request for Civil Stalking Injunction
- Temporary Civil Stalking Injunction
- Civil Stalking Injunction
- Other: \_\_\_\_\_

I certify that I am a law enforcement officer, at least 18 years old, not a party to this case, and that I served the documents checked above. I also wrote my official title and date of service on those documents.

Date: \_\_\_\_\_ Officer's signature:

## Agency Representative fills out below:

I certify that the information on this form has been entered into the Statewide Domestic Violence Network.

Date: \_\_\_\_\_ Agency Representative's Signature:

# Temporary Civil Stalking Injunction

## Ex Parte Order



Case Number: \_\_\_\_\_  
 Court: \_\_\_\_\_  
 County: \_\_\_\_\_ State: Utah

### Petitioner (protected person):

First Middle Last  
 Address and phone # (to keep private, leave blank):

Street \_\_\_\_\_  
 City State Zip \_\_\_\_\_  
 Phone #: \_\_\_\_\_

Petitioner's attorney (if any): \_\_\_\_\_  
 Name Phone #

### Other people protected by this order:

Name	Age	Relationship to Petitioner

### Respondent (person Petitioner is protected from):

First Middle Last  
 Other names used: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Street \_\_\_\_\_  
 City State Zip \_\_\_\_\_

### Describe Respondent:

Sex	Race	Date of Birth	Ht	Wt
Eyes	Hair	Social Security # (only the last 4 numbers)		
Distinguishing features (like scars, tattoos, limp, etc.):				
Driver's license issued by (State):			Expires:	
Best time and place to find Respondent: (Time): (Place):				

**Warning!**  Weapon Involved

**Findings:** The court has reviewed the Petitioner's *Request for Stalking Injunction*, finds there is reason to believe it has jurisdiction over the parties and this case, that stalking has occurred, and that the Respondent is the stalker. The Respondent has the right to a hearing, if he or she asks for it.

(Utah Code §77-3a-106.5, §77-3a-101.)

**The court orders the Respondent to obey all orders** initialed on this form.

You must not contact or stalk the Petitioner.

This order ends 3 years after it is served.

### Warnings to the Respondent:

- Attention: This is an official court order. No one except the court can change it. If you disobey this order, the court may find you in contempt. You may also be arrested and prosecuted for the crime of stalking and any other crime you may have committed in disobeying this order
- If you do not agree with this order, you can ask for a hearing to tell your side. Your request must be in writing, and must be filed at the court listed below within 10 days of the date you were served with this order. If you do not ask for a hearing within 10 days, this order will last for 3 years after it is served. You can still ask for a hearing after 10 days, but then you must persuade the court the injunction is not needed.
- Court address to ask for a hearing: \_\_\_\_\_
- This order is valid in all U.S. states and territories, the District of Columbia, and tribal lands. If you go to another U.S. state, territory or tribal land to violate this order, a federal judge can send you to prison.
- **No guns or firearms!** It is a federal crime for you to have, possess, transport, ship, or receive any firearm or ammunition, including hunting weapons, while this stalking injunction is in effect.

*Violence Against Women Act of 1994, 18 U.S.C. §§ 2265, 2262, 18 U.S.C. § 922(g)(8)*

To: (Respondent's name): \_\_\_\_\_

**Obey all orders initialed by the judge.**

Violation of these orders is a criminal Class A Misdemeanor, punishable by up to one year in jail and a fine. A second or subsequent violation can result in more severe penalties.

1  **Personal Conduct Order**

Do not stalk the Petitioner. This means you must not follow, threaten, annoy, harass, or cause distress to the Petitioner. For a legal definition of stalking, see Utah Code, sections 77-3a-106.5 and 77-3a-101.

2  **No Contact Order**

Do not contact, phone, mail, e-mail, or communicate in any way with the Petitioner and any person listed below, either directly or indirectly.

Other people you must not contact: \_\_\_\_\_  
\_\_\_\_\_

3  **Stay Away Order**

Stay away from:

a. The Petitioner's current or future:  Vehicle  Job  School  Home, premises and property (*list current addresses below*):

Home address: \_\_\_\_\_

Work address: \_\_\_\_\_

School address: \_\_\_\_\_


Describe vehicle: \_\_\_\_\_

b. Other (*specify*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4  **Other Orders** (*List below*): \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Judge's Name: \_\_\_\_\_

  
*Judge's Signature*

**Disability Accommodations and Interpreter Services**

Assistive listening systems, sign language and oral language interpreter services are available at no charge in stalking proceedings. Contact the clerk's office at least 5 days before your hearing.

# Civil Stalking Injunction



Case Number: \_\_\_\_\_  
 Court: \_\_\_\_\_  
 County: \_\_\_\_\_ State: Utah

**Petitioner** (person who asked for the stalking injunction):

First Middle Last  
 Address and phone # (to keep private, leave blank):

Street

City State Zip

Phone #: \_\_\_\_\_

Petitioner's attorney (if any): \_\_\_\_\_  
 Name Phone #

**Other people protected by this order:**

Name	Age	Relationship to Petitioner

**Respondent** (person who must obey this stalking injunction):

First Middle Last  
 Other names used: \_\_\_\_\_

Address: \_\_\_\_\_  
 Street

City State Zip

**Describe Respondent:**

Sex	Race	Date of Birth	Ht	Wt
Eyes	Hair	Social Security # (only the last 4 numbers)		
Distinguishing features (like scars, tattoos, limp, etc.)				
Driver's license issued by (State):			Expires:	
Best time and place to find Respondent: (Time): (Place):				

**Warning!**  Weapon Involved

There was a hearing on (date): \_\_\_\_\_. The Respondent was given notice and an opportunity to be heard in the hearing that gave rise to this order. The following people were present at the hearing:

- Petitioner  Petitioner's attorney (name): \_\_\_\_\_
- Respondent  Respondent's attorney (name): \_\_\_\_\_
- Other (name) \_\_\_\_\_

The court reviewed the *Request for Civil Stalking Injunction* and:  received argument and evidence,  accepted the stipulation of the parties,  entered the default of the Respondent for failure to appear, finds that there is reason to believe that stalking has occurred and that the Respondent is the stalker, and makes the orders below. (Utah Code §77-3a-101)

**The court orders the Respondent to obey all orders** initialed on this form.

You must not contact or stalk the Petitioner.

**Warnings to the Respondent:**

- Attention: This is an official court order. No one except the court can change it. If you disobey this order, the court may find you in contempt. You may also be arrested and prosecuted for the crime of stalking and any other crime you may have committed in disobeying this order.
- This order is valid in all U.S. states and territories, the District of Columbia, and tribal lands. If you go to another U.S. state, territory or tribal land to violate this order, a federal judge can send you to prison.
- **No guns or firearms!** It is a federal crime for you to have, possess, transport, ship, or receive any firearm or ammunition, including hunting weapons, while this civil stalking injunction is in effect.

*Violence Against Women Act of 1994, 18 U.S.C. §§ 2265, 2262, 18 U.S.C. § 922(g)(8)*

**This order ends in 3 years on:**

\_\_\_\_\_  
 Month Day Yer

**The Respondent must obey all orders initiated by the judicial officer.** These orders replace any previous temporary stalking injunction in this case. Violation of these orders is a criminal Class A Misdemeanor, punishable by up to one year in jail and a fine. A second or subsequent violation can result in more severe penalties.

1  **Personal Conduct Order**

Do not stalk the Petitioner. This means you must not follow, threaten, annoy, harass, or cause distress to the Petitioner. For a legal definition of stalking, see Utah Code, sections 77-3a-106.5 and 77-3a-101.

2  **No Contact Order**

Do not contact, phone, mail, e-mail, or communicate in any way with the Petitioner and any person listed below, either directly or indirectly.

Other people you must not contact: \_\_\_\_\_  
\_\_\_\_\_

3  **Stay Away Order**

Stay away from:

- a. The Petitioner's current or future:  Vehicle  Job  School  Home, premises and property (*list current addresses below*)

Home address: \_\_\_\_\_

Work address: \_\_\_\_\_

School address: \_\_\_\_\_

Describe vehicle: \_\_\_\_\_

- b. Other (*specify*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4  **Other Orders** (*List below*): \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

Judge's Name: \_\_\_\_\_

 \_\_\_\_\_  
*Judge's Signature*

**Respondent's Waiver of Notice**

I received a copy of this Civil Stalking Injunction, and waive my right to be personally served with the order.

Respondent's Address: \_\_\_\_\_  
*Street City State Zip*

Respondent's Signature:  \_\_\_\_\_