

Modified Protective Order

Case Number: _____

District: _____

County: _____

State: Utah

Judge: _____

Commissioner: _____

Petitioner (protected person):

First Name Middle Last

Other people protected by this order

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

Name (Initials only if under 18)

Age

Relationship to Petitioner

Street

City --- State --- Zip

Phone #

Petitioner's date of birth: _____

Petitioner's attorney (if any): _____ Phone # _____

Respondent

(person Petitioner is protected from):

Describe Respondent

Sex

Race

Date of Birth

Height

Weight

First Name Middle Last

Other Names Used _____

Eye Color

Hair Color

Social Security Number
(last four digits only)

Relationship to Petitioner:

Distinguishing features (like scars, tattoos, limp, etc.)

Address

Driver's license issued by (State): _____

Street

Expires _____

City --- State --- Zip

Phone Number _____

Warning! Weapon involved (Box to be initialed by Court, if applicable)

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 Modified Protective Order*, has received argument and evidence, and finds the original protective order listed immediately below should be modified.

Temporary Protective Order, signed by this court on (date): _____

Protective Order, signed by this court on (date): _____

The Court orders the Respondent to obey all orders initialed on this form and to not abuse or threaten to abuse anyone protected by this order.

The criminal orders on page 3 do not expire unless dismissed by the Court

Warnings:

- This is a court order. No one except the court can change it. If you do not obey this order, you can be arrested, fined, and face other charges.
- 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!** (See page 3, item 5.)

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

The Respondent must obey all orders initialed by the judicial officer.

If you do not obey orders 1 – 6 below, the court can send you to jail for up to 1 year and order you to pay a fine. A second or subsequent violation can result in more severe penalties.

1 **Personal Conduct Order** -- Do not commit, try to commit or threaten to commit any form of violence against the Petitioner or any person listed on page 1 of this form. This includes stalking, harassing, threatening, physically hurting, or causing any other form of abuse.

2 **No Contact Order** -- Do not contact, phone, mail, e-mail, or communicate in any way with the Petitioner, either directly or indirectly.

3 **Contact for Mediation** -- You are allowed to have contact with the Petitioner **only** during mediation sessions for your divorce or custody case that are scheduled with a Court Qualified Mediator.

4 **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: _____
Vehicle description: _____

b. The school or childcare of the children listed on page 1 of this form. (*List current School/Childcare addresses here*):

c. Other (*specify*): _____

5 **No Guns or Other Weapons** -- The Court finds that your use or possession of a weapon poses a serious threat of harm to the Petitioner. You cannot possess, have, or buy a gun or firearm or any of these weapons:

Warning! It is a federal crime for you to have, possess, transport, ship, or receive any firearm or ammunition, including hunting weapons, while this protective order is in effect, even if 5 above is not initialed.

6 **Property Orders** -- Unless a judicial officer makes a different order later, only the Petitioner can use, control and possess the following property and things, but cannot dispose of this property without court approval:

a. Home at (*address*):

b. Car, truck or other property (*describe*):

You must obey orders 7 – 12 initialed by the judge. If you do not, you will be in contempt of court and may be punished. These orders will expire be reviewed by the court in ____ days.

7 **Property Orders** -- Do not interfere with or change the Petitioner's phone, utility or other services.

8 **Child Custody & Parent-time Orders** -- The Petitioner (the protected person) will have temporary custody of the minor children listed below. The Petitioner may give a copy of this order to the principal or director of the child's school or daycare. If you do not obey the custody and parent-time orders listed here, the Petitioner may ask for the court's help (such as an order to show cause for contempt): _____

You will have parent-time as follows: _____

If there is a "No Contact" order, you can communicate with the Petitioner only about parent-time matters through: _____

9 **No Alcohol or Illegal Drugs** -- Do not use alcohol or illegal drugs before or during visitation.

10 **No Travel with Children** -- Do not take the children listed above out of Utah.

11 **Child Support, Spousal Support and other Expenses** -- The Respondent will:
 a. Pay \$ _____ / month in child support.
 b. Have child support withheld from the Respondent's earnings. (*Utah Code § 62A-11, Parts 4 and 5*)
 c. Pay \$ _____ / month in spousal support.
 d. Pay 50% of the minor children's childcare expenses.
 e. Pay 50% of the minor children's medical expenses, including premiums, deductibles and co-payments.
 f. Pay \$ _____ for the minor children's medical expenses related to the abuse and \$ _____ for the Petitioner's medical expenses related to the abuse.

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

Orders to Agencies

13 [] Law Enforcement to Assist A law enforcement officer from: _____

will enforce the orders checked below:

- a. Help the Petitioner gain and keep control over home, car or other personal belongings.
- b. Help the Petitioner obtain custody of the children.
- c. Help the [] Respondent or [] Petitioner remove essential personal belongings from the home.

“Essential personal belongings” means daily use items, such as clothing, medications, jewelry, toiletries, financial or personal records solely in one person’s name, or items needed to work at a job or go to school.

Warning to the Respondent: Do not go into the home or other protected places without the officer.. Law enforcement can evict you or keep you away from protected places, if needed.

14 [] Investigate Possible Child Abuse -- *This matter will be referred to the Division of Child and Family Services for review and possible investigation of child abuse.*

To the Petitioner: In 2 years, the Respondent may ask the Court to dismiss the orders on this page. If that happens, we will need your address so the Court can give you notice. If your address changes, you must let the Court know at least 30 days before the 2-year period ends on ___ / ___ / ___.

If you receive services from the Office of Recovery Services (ORS) and want to keep your address confidential, you must give ORS a copy of your current Protective Order.

The court may amend or dismiss a protective order after one year if it finds that the basis for the issuance of the protective order no longer exists and the petitioner has repeatedly acted in contravention of the protective order provisions to intentionally or knowingly induce the respondent to violate the protective order, demonstrating to the court that the petitioner no longer has a reasonable fear of the respondent.

— The Court fills out below —

Date

Sign here ► _____
Commissioner

Date

Sign here ► _____
Judge

— The Respondent fills out below —

By signing here, the Respondent approves the form, and accepts service of this Protective Order and waives the right to be personally served.

Respondent's Address

Street _____ *City* _____ *State* _____ *Zip* _____

Respondent's Signature _____