In the Court of Utah

_____ Judicial District _____ County

City of_____

Court Address _____

_____ Prosecution v. _____ Defendant	**Pretrial No Contact Order** (Utah Code 77-38-3(14)) _____ Case Number _____ Judge

1. Party information

Victim needing protection (protected person):

First name:	
Middle name or initial (if any):	
Last name:	

First name:	
Middle name or initial (if any):	
Last name:	

Defendant:

First name:	
Middle name or initial (if any):	
Last name:	

2. The court finds

The defendant represents a credible threat to the physical safety of the protected person.

The protected person is:

[ ] an intimate partner of the defendant. (The defendant and the protected person are or were married, are the parents of a shared child, cohabitate or have cohabited together). (18 U.S.C. Sec. 921 (a)(32)).

[ ] the child of an intimate partner of the defendant.

[ ] not an intimate partner of the defendant, but is a cohabitant under Utah law.

[ ] not an intimate partner or cohabitant, but is an alleged victim.

The court orders:

You, the defendant, must obey all orders marked below.

3. [ ] No contact

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

You must not harass, telephone, contact, or otherwise communicate with the protected person, directly or indirectly (includes email, text, social media, social media messaging or posts, mail, or other methods of contact).

4. [ ] Limited contact

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

[ ] You and the protected person share custody of one or more minor children. You must only contact the protected person to arrange visits

with the children by the methods checked below. Any approved communication must be civil and respectful.

[ ] Phone

[ ] Text

[ ] Email

[ ] Third party person (name):_____

[ ] Other:_____

[ ] You and the protected person are working with the Division of Child and Family Services (DCFS) or the Divorce Mediation Program. You must only contact the protected person during case-planning, meetings, or program services with prior written approval from program staff. Any approved communication must be civil and non-threatening.

4. [ ] Stay away

Notice: You will not violate the protective order by:

- attending a hearing with the protected person. But you must be a party to the case or a required witness. And you must tell the bailiff that you are a respondent to a protective order when you arrive.
- serving documents you file in court on the protected person. Service may not be in-person under any circumstances, but must otherwise be according to the Rules of Civil Procedure. It must also be civil and not threatening.

Warning to defendant: You **must not** go to the residence or premises of the protected person or other protected places without an officer. Law enforcement can remove you or keep you away from the places frequented by the protected person if needed.

You must stay away from:

[ ] The protected person's residence and its premises;

[ ] The protected person's school and its premises;

[ ] The protected person's workplace and its premises;

[ ] These other places frequented by the protected person and any designated family members:

_____
(Street, City, State, ZIP)

_____
(Street, City, State, ZIP)

[ ] You must stay away from the protected person if you encounter them at any other location not listed in this order. You must not communicate or have contact with the protected person and must leave. If leaving is not an option (such as at your place of employment or at a required court hearing), you must move as far away as possible to avoid any confrontation.

5. [ ] No guns or weapons:

[ ] You must not use, possess, have, or buy a gun or firearm.

[ ] You must not use, possess, have, or buy any of these weapons:

_____

[ ] You must turn over any guns or firearms that you own or possess by:

_____ to:
(date: mm/dd/yyyy)

[ ] A law enforcement agency _____
(law enforcement agency)

[ ] A family member who does not live with you. The family member must agree to keep the gun or firearms from you in a sworn affidavit submitted to the courts for this option.
(name):_____

[ ] Other (specify):_____

_____

[ ] You must turn over any of these weapons you own or possess:

_____
_____
_____

by:_____.
(date: mm/dd/yyyy)

You must turn over these weapons listed above to:

[ ] A law enforcement agency _____
(law enforcement agency)

[ ] A family member who does not live with you. The family member must agree to keep these weapons from you in a sworn affidavit submitted to the courts for this option. A family member
(name):_____

[ ] Other (specify):_____

_____

5. [ ] Other orders

_____

_____

Notices to defendant:

This order is in effect until further order of the court, trial, or other resolution of the case.

Penalties for violating this order (Utah Code 77-38-3(14)(b))

If you do not obey this order, you can be arrested and charged with a new offense. The new offense would be Violation of a Protective Order, which is a **third degree felony**.

You may become subject to federal law because this protective order was issued against you. This would mean that it would be a crime for you to possess, transport, ship or receive any firearm or ammunition, including a hunting weapon.

"The defendant was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1796, 18 U.S.C. Sec. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States territories. This order complies with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act." (Utah Code 78B-7-105.5(4))

Notice to defendant, petitioner, and protected person:

The parties cannot change or dismiss this order. Only the court has the authority to change or dismiss this order. If you want to ask the court to change or dismiss this order, you must file a motion with the court.

— The court completes this section —

Expiration date for National Crime Information Center purposes only: 01/01/3000

Judge's signature may instead appear at the top of the first page of this document.

_____ Signature ► _____

Date

Judge _____

— Defendant fills out below —

Defendant accepts service of this protective order.

_____ Signature ► _____

Date

Defendant _____

Protective Order Acknowledgment of Firearm Restriction **Case Number**_____

Now that I have been served with this criminal protective order, I understand that:

- I am a restricted person;
- as a restricted person, I cannot purchase, transfer, use, or otherwise possess a firearm (as defined by federal and state law) or ammunition;
- I must give up all the firearms and ammunition in my possession and I will not be able to purchase, transfer, use, or otherwise possess any firearms or ammunition unless the court restores my right in an order in the future;
- there will be additional criminal charges and penalties if I violate this restriction. Under state law this can include charges for a third degree felony: 0-5 years in prison, up to $5,000 +90% surcharge;
- there can be additional penalties under federal law if I violate this restriction; and
- I may be eligible for an affirmative defense to a state-law prosecution for possession of a firearm under Utah Code 76-11-305 and 306 if within 10 days after the day I became a restricted person, I lawfully transfer my firearms to a person who can legally possess firearms and does not live with me.

I was told all of the above by the court, the prosecuting attorney, my attorney, or a peace officer who served me the criminal protective order.

I am signing this acknowledgment in front of the court or a peace officer.

I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____ Signature ► _____

Date

Printed Name _____

Protective Order Acknowledgment of Firearm Restriction **Case Number**_____

(To be signed by the defendant and scanned into CORIS)

Now that I have been served with this criminal protective order, I understand that:

- I am a restricted person;
- as a restricted person, I cannot purchase, transfer, use, or otherwise possess a firearm (as defined by federal and state law) or ammunition;
- I must give up all the firearms and ammunition in my possession and I will not be able to purchase, transfer, use, or otherwise possess any firearms or ammunition unless the court restores my right in an order in the future;
- there will be additional criminal charges and penalties if I violate this restriction. Under state law this can include charges for a third degree felony: 0-5 years in prison, up to $5,000 +90% surcharge;
- there can be additional penalties under federal law if I violate this restriction; and
- I may be eligible for an affirmative defense to a state-law prosecution for possession of a firearm under Utah Code 76-11-305 and 306 if within 10 days after the day I became a restricted person, I lawfully transfer my firearms to a person who can legally possess firearms and does not live with me.

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I declare under criminal penalty under the law of Utah that everything stated in this document is true.

Signed at _____ (city, and state or country).

_____ Signature ► _____

Date

Printed Name _____