

Modified Temporary Protective Order

Ex Parte Order



Case Number: _____ District: _____
 County: _____ State: Uta
 Judge: _____
 Commissioner: _____

Petitioner *(protected person)*

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

Street

City State Zip

Phone #: _____

Petitioner's Date of Birth: _____

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

Other people protected by this order

Name (Initials only if under 18)	Age	Relationship to Petitioner
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Respondent *(person Petitioner is protected from)*

First Middle Last
 Other names used: _____
 Relationship to Petitioner: _____
 Address *(street)*: _____

City State Zip

Describe Respondent:

Sex	Race	Date of Birth	Ht	Wt
Eyes	Hair	Social Security # <i>(only the last 4 numbers)</i>		
Distinguishing features (like scars, tattoos, limp, etc.):				
Driver's license issued by <i>(State)</i> :				Expires:

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

Findings: The Court has reviewed the *Request to Modify the Temporary Protective Order* and finds it has continuing jurisdiction over the parties and this case; there is reason to believe the existing order listed immediately below should be modified; the Respondent will be served notice of his/her opportunity to be heard at the scheduled hearing; and, there is a substantial likelihood that Respondent immediately threatens Petitioner's physical safety.

(The court fills out below.)

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.

You must not have any contact with the Petitioner.

Warnings to the Respondent:

- This is a court order. No one except the court can change it. You can tell your side when you go to court. 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 2, item 5.)*

This order lasts until the hearing on:

Month Day Year
 Or later, if the Court extends time for service.

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

To: (Respondent's name): _____



Go to the court hearing on the date listed below. If you do not go to the hearing, the judge can make orders without hearing your side.

Date: _____ Time: _____ a.m. p.m. Judicial Officer: _____

Address: _____ Room: _____

Obey all orders initialed by the judge.

Violation of orders 1–6 below 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 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 court 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: _____
 - b. The school or childcare of the children listed on page 1 of this form. (*List current school and 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** Until the hearing, 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*): _____

If you violate orders 7 – 13, you will be in contempt of court and may be punished.

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

8 **Proof of Income**
You and Petitioner must bring the following proof of income to the hearing: pay stubs or employer statements for this year, and complete tax returns for the most recent year.

9 **Child Custody & Parent-time Orders**
The Petitioner (the person asking for protection) 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: _____

10 **No Parent Time** No parent time is allowed until the scheduled hearing.

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

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

13 **Other Orders** (*List below*): _____

Orders to Agencies

14 **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 to the home or other protected places without an officer. Law enforcement can evict you or keep you away from protected places, if needed.

15 **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.

16 **Guardian for your children**
The court appoints an attorney to speak for the best interests of the children in this case.

NOTICE TO PETITIONER: 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.

Date: _____ Time: _____ a.m. p.m. _____
Judge (printed name) _____

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