

# Supreme Court of Florida

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No. SC02-2034

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## **AMENDMENTS TO THE FLORIDA SUPREME COURT APPROVED FAMILY LAW FORMS--DOMESTIC VIOLENCE FORMS.**

[October 3, 2002]

PER CURIAM.

Pursuant to the procedures this Court established in Amendments to the Florida Family Law Rules of Procedure and Family Law Forms, 810 So. 2d 1 (Fla. 2000), this Court has internally reviewed the Florida Supreme Court Approved Family Law Forms and has decided to amend certain forms to reflect 2002 legislative changes to sections 741.30 and 741.2902, Florida Statutes (2001). We have jurisdiction. See art. V, § 2(a), Fla. Const.

The 2002 Florida Legislature enacted amendments to Florida Statutes sections 741.30 and 741.2902 to prohibit filing fees in domestic violence actions. See ch. 2002-55, §§ 11-12, Laws of Fla. Therefore, consistent with these changes

in the law, we amend Florida Supreme Court Approved Family Law Forms 12.980(b) (Petition for Injunction for Protection Against Domestic Violence), 12.980(d)(1) (Temporary Injunction for Protection Against Domestic Violence With Minor Child(ren)), 12.980(d)(2) (Temporary Injunction for Protection Against Domestic Violence Without Minor Child(ren)), 12.980(e)(1) (Final Judgment of Injunction for Protection Against Domestic Violence With Minor Child(ren)), 12.980(e)(2) (Final Judgment of Injunction for Protection Against Domestic Violence Without Minor Child(ren)), and 12.980(f) (Order of Dismissal of Temporary Injunction for Protection) to eliminate any language regarding filing fees in domestic violence actions. Further, Florida Supreme Court Approved Family Law Form 12.980(a) (Affidavit and Motion for Waiver of Fees for Petition for Injunction for Protection) currently addresses filing fees for cases that involve either domestic violence or repeat violence. See § 784.046, Fla. Stat. (2001) (action by victim of repeat violence for protective injunction). With this opinion, and consistent with the changes in the law, we amend form 12.980(a) to henceforth apply only to actions involving repeat violence. Thus, the form shall be retitled "Affidavit and Motion for Waiver of Fees for Petition for Injunction for Protection Against Repeat Violence." The forms are amended as set forth in the Appendix to this opinion, effective for immediate use.

We express no opinion as to the correctness or applicability of the forms or on the substance of the amendments. This opinion and the forms discussed herein may be accessed and downloaded from this Court's website at [www.flcourts.org](http://www.flcourts.org).

It is so ordered.

ANSTEAD, C.J., SHAW, WELLS, PARIENTE, LEWIS, QUINCE, and  
CANTERO, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE  
EFFECTIVE DATE OF THESE AMENDED FORMS.

Original Proceeding - Florida Supreme Court Approved Family Law Forms

## **APPENDIX**

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.980(a), AFFIDAVIT AND MOTION FOR WAIVER OF FEES FOR PETITION FOR  
INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE

**When should this form be used?**

If you need to file a **petition** for an injunction for protection against repeat violence and you do not have enough money to pay **filing fees** to the **clerk of the circuit court** or **service fees** to the sheriff, you may use this form to request that the fees be waived. Later, the court will decide who, if anyone, should pay those fees.

This form should be typed or printed in black ink. You should complete the first section of this form, and sign it in front of a **notary public** or **deputy clerk**. You should then **file** the original of this form with your petition for injunction for protection. You should keep a copy for your records. If you have any questions or need assistance completing this form, the clerk or **family law intake staff** will help you.

**What should I do next?**

A copy of this form must be mailed, faxed and mailed, **or** hand delivered to the **respondent** in your case.

**Special notes...**

With this form you will also need to file the following:

- **Family Law Financial Affidavit**,  Florida Family Law Rules of Procedure Form 12.902(b) or (c).

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**AFFIDAVIT AND MOTION FOR WAIVER OF FEES FOR PETITION FOR  
INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE**

I, *{full legal name of petitioner}* \_\_\_\_\_,  
certify that I do not have enough money to pay filing fees to the Clerk of the Circuit Court or service fees to the sheriff or other authorized law enforcement agency and ask that, as allowed by section 784.046(3)(b), Florida Statutes, the fees be waived subject to a later order of the Court about the payment of those fees.

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and motion and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

\_\_\_\_\_  
[Print, type, or stamp commissioned name of notary or clerk.]

\_\_\_\_\_  
Personally known  
\_\_\_\_\_  
Produced identification  
\_\_\_\_\_  
Type of identification produced \_\_\_\_\_

**CLERK'S CERTIFICATE AS TO AFFIDAVIT AND MOTION FOR WAIVER OF FEES**

I, \_\_\_\_\_, as Clerk of the Circuit Court, do hereby certify that I received and filed the above without payment of fees necessary to process the petition and serve the injunction, subject to a subsequent order of the Court relative to the payment of such fees.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.980(b),  
PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE

**When should this form be used?**

If you are a victim of any act of domestic violence or have reasonable cause to believe that you are in imminent danger of becoming a victim of domestic violence, you can use this form to ask the court for a protective order prohibiting domestic violence. Because you are making a request to the court, you are called the **petitioner**. The person whom you are asking the court to protect you from is called the **respondent**. **Domestic violence includes:** assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to petitioner by any of petitioner's family or household members who are residing in the same single dwelling unit with petitioner.

The domestic violence laws only apply to your situation if the respondent is your **spouse**, former spouse, related to you by blood or marriage, living with you now or has lived with you in the past (if you are or were living as a family), or the other parent of your child(ren), whether or not you have ever been married or ever lived together. If the respondent is not one of the above, you should look at **Petition for Injunction for Protection Against Repeat Violence**,  Florida Supreme Court Approved Family Law Form 12.980(g), to determine if your situation will qualify for an injunction for protection against repeat violence.

If you are under the age of eighteen and you have never been married or had the disabilities of nonage removed by a court, then one of your parents or your legal guardian must sign this petition with you.

This form should be typed or printed in black ink. You should complete this form (giving as much detail as possible) and sign it in front of a **notary public** or the **clerk of the circuit court** in the county where you live. The clerk will take your completed **petition** to a **judge**. You should keep a copy for your records. If you have any questions or need assistance completing this form, the clerk or **family law intake staff** will help you.

**What should I do if the judge grants my petition?**

If the facts contained in your petition convince the judge that you are a victim of domestic violence or that an **imminent danger of domestic violence** exists, the judge will sign an immediate **Temporary Injunction for Protection Against Domestic Violence with Minor Child(ren)**,  Florida Supreme Court Approved Family Law Form 12.980(d)(1). A temporary injunction is issued without notice to the respondent. The clerk will give your petition, the temporary injunction, and any other papers filed with your petition to the sheriff or other law enforcement officer for **personal service** on the respondent. The temporary injunction will take effect immediately after the respondent is served with a copy of it. It lasts until a full **hearing** can be held or for a period of 15 days, whichever comes first. The court may extend the temporary injunction beyond 15 days for a good reason, which may include failure to obtain **service** on the respondent.

The temporary injunction is issued "**ex parte**." This means that the judge has considered only the information presented by one side — YOU. The temporary injunction gives a date that you should appear in court for a hearing. At that hearing, you will be expected to testify about the facts in your petition. The respondent will be given the opportunity to testify at this hearing, also. At the hearing, the judge will decide whether to issue

a **Final Judgment of Injunction for Protection Against Domestic Violence with Minor Child(ren)(After Notice)**,  Florida Supreme Court Approved Family Law Form 12.980(e)(1), which will remain in effect for a specific time period or until modified or dissolved by the court. **If you and/or the respondent do not appear, the temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted, including the imposition of court costs.**

If the judge signs a temporary or final injunction, the clerk will provide you with the necessary copies. **Make sure that you keep one certified copy of the injunction with you at all times!**

### **What can I do if the judge denies my petition?**

If your petition is denied on the grounds that it appears to the court that no imminent danger of domestic violence exists, the court will set a full hearing, at the earliest possible time, on your petition. The respondent will be notified by **personal service** of your petition and the hearing. If your petition is denied, you may: amend your petition by filing a **Supplemental Affidavit in Support of Petition for Injunction for Protection Against Domestic Violence or Repeat Violence**,  Florida Family Law Form 12.980 (h); attend the hearing and present facts that support your petition; and/or dismiss your petition.

### **Where can I look for more information?**

**Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms.** The words that are in “**bold underline**” are defined in that section. The clerk of the circuit court or family law intake staff will help you complete any necessary domestic violence forms and can give you information about local domestic violence victim assistance programs, shelters, and other related services. You may also call the Domestic Violence Hotline at 1-800-500-1119. For further information, see chapter 741, Florida Statutes, and rule 12.610, Florida Family Law Rules of Procedure.

### **Special notes...**

With this form you may also need to file the following:

- **Uniform Child Custody Jurisdiction Act (UCCJA) Affidavit**,  Florida Supreme Court Approved Family Law Form 12.902(d), must be completed and filed if you are asking the court to determine issues of temporary custody or visitation with regards to a minor child(ren).
- **Notice of Social Security Number**,  Florida Supreme Court Approved Family Law Form 12.902(j), must be completed and filed if you are asking the court to determine issues of temporary child support.
- **Family Law Financial Affidavit**,  Florida Family Law Rules of Procedure Form 12.902(b) or (c), must be completed and filed if you are seeking temporary alimony or temporary child support.
- **Child Support Guidelines Worksheet**,  Florida Family Law Rules of Procedure Form 12.902(e), MUST be filed with the court at or prior to a hearing to establish or modify child support.

Additionally, if you fear that disclosing your address to the respondent would put you in danger, you should complete **Petitioner’s Request for Confidential Filing of Address**,  Florida Supreme Court Approved Family Law Form 12.980(i), and file it with the clerk of the circuit court and write “confidential” in the space provided on the petition.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE**

I, *{full legal name}* \_\_\_\_\_, being sworn, certify that the following statements are true:

**SECTION I. PETITIONER** (This section is about you. It must be completed. However, **if you fear that disclosing your address to the respondent would put you in danger**, you should complete and file **Petitioner's Request for Confidential Filing of Address**,  Florida Supreme Court Approved Family Law Form 12.980(i), and write "confidential" in the space provided on this form for your address and telephone number.)

1. Petitioner currently lives at: *{street address}* \_\_\_\_\_  
*{city, state and zip code}* \_\_\_\_\_  
Telephone Number: *{area code and number}* \_\_\_\_\_
2. Petitioner's attorney's name, address, and telephone number is: \_\_\_\_\_  
\_\_\_\_\_  
(If you do not have an attorney, write "none.")

**SECTION II. RESPONDENT** (This section is about the person you want to be protected from. It must be completed.)

1. Respondent currently lives at: *{street address, city, state, and zip code}* \_\_\_\_\_  
\_\_\_\_\_  
Respondent's Driver's License number is: *{if known}* \_\_\_\_\_
2. Respondent is:  
[  all that apply ]  
\_\_\_\_ a. the spouse of Petitioner. Date of Marriage: \_\_\_\_\_  
\_\_\_\_ b. the former spouse of Petitioner.  
Date of Marriage: \_\_\_\_\_  
Date of Divorce: \_\_\_\_\_  
\_\_\_\_ c. related by blood or marriage to Petitioner.

- Specify relationship: \_\_\_\_\_
- \_\_\_\_ d. a person who is or was living in one home with Petitioner, as if a family.
- \_\_\_\_ e. a person with whom Petitioner has a child in common, even if Petitioner and Respondent never were married or living together.
3. Petitioner has known Respondent since *{date}* \_\_\_\_\_.
4. Respondent's last known place of employment: \_\_\_\_\_  
Employment address: \_\_\_\_\_  
Working hours: \_\_\_\_\_
5. Physical description of Respondent:  
Race: \_\_\_\_ Sex: Male \_\_\_\_ Female \_\_\_\_ Date of Birth: \_\_\_\_\_  
Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_  
Distinguishing marks or scars: \_\_\_\_\_  
Vehicle: (make/model) \_\_\_\_\_ Color: \_\_\_\_\_ Tag Number: \_\_\_\_\_
6. Other names Respondent goes by (aliases or nicknames): \_\_\_\_\_
7. Respondent's attorney's name, address, and telephone number is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(If you do not know whether Respondent has an attorney, write "unknown." If Respondent does not have an attorney, write "none.")

**SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION** (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence against Respondent in this or any other court?  
\_\_\_\_ Yes \_\_\_\_ No If yes, what happened in that case? (include case number, if known)  
\_\_\_\_\_  
\_\_\_\_\_
2. Has Respondent ever received or tried to get an injunction for protection against domestic violence against Petitioner?  
\_\_\_\_ Yes \_\_\_\_ No If yes, what happened in that case? (include case number, if known)  
\_\_\_\_\_  
\_\_\_\_\_
3. Describe **any other** court case that is either going on now or that happened in the past, including a dissolution of marriage, paternity action, or child support enforcement action, **between Petitioner and Respondent** *{include city, state, and case number, if known}*: \_\_\_\_\_  
\_\_\_\_\_
4. Petitioner is the victim of an act of domestic violence **or** has reasonable cause to believe that he or she is in imminent danger of becoming the victim of an act of domestic violence. Below is a brief description of the latest act of violence or threat of violence that causes Petitioner to honestly fear

imminent domestic violence by Respondent. (Use additional sheets if necessary.)

On {date} \_\_\_\_\_, at {location} \_\_\_\_\_,  
the Respondent \_\_\_\_\_

\_\_\_\_\_  
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\_\_\_\_\_.

Check here if you are attaching additional pages to continue these facts.

**5. Additional Information**

[  all that apply]

- \_\_\_\_\_ a. Other acts or threats of domestic violence as described on attached sheet.
- \_\_\_\_\_ b. This or other acts of domestic violence have been previously reported to {person or agency}:  
\_\_\_\_\_.
- \_\_\_\_\_ c. Respondent owns, has, and/or is known to have guns or other weapons.  
Describe weapon(s): \_\_\_\_\_
- \_\_\_\_\_ d. Respondent has a drug problem.
- \_\_\_\_\_ e. Respondent has an alcohol problem.
- \_\_\_\_\_ f. Respondent has a history of mental health problems. If checked, answer the following, if known.  
Has Respondent ever been the subject of a Baker Act proceeding? ( ) Yes ( ) No  
Is Respondent supposed to take medication for mental health problems? ( ) Yes ( ) No  
If yes, is Respondent currently taking his/her medication? ( ) Yes ( ) No

**SECTION IV. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME** (Complete this section **only** if you want the Court to grant you temporary exclusive use and possession of the home that you share with the Respondent.)

1. Petitioner claims the following about the home that Petitioner and Respondent share or that Petitioner left because of domestic violence:

[  all that apply]

- \_\_\_\_\_ a. Petitioner needs the exclusive use and possession of the home that the parties share at {street address} \_\_\_\_\_,  
{city, state, zip code} \_\_\_\_\_.
- \_\_\_\_\_ b. Petitioner cannot get another safe place to live because: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_ c. If kept out of the home, Respondent has the money to get other housing or may live without money at {street address} \_\_\_\_\_, {city, state, zip code} \_\_\_\_\_.

2. The home is:

[  one only]

- \_\_\_\_ a. owned or rented by Petitioner and Respondent jointly.
- \_\_\_\_ b. solely owned or rented by Petitioner.
- \_\_\_\_ c. solely owned or rented by Respondent.

**SECTION V. TEMPORARY CUSTODY OF MINOR CHILD(REN)** (Complete this section **only** if you are seeking temporary custody of any minor child. You must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren). If you are asking the court to determine issues of temporary custody with regards to a minor child, you must also complete and file a **Uniform Child Custody Jurisdiction Act (UCCJA) Affidavit**,  Florida Supreme Court Approved Family Law Form 12.902(d). **Note: If the paternity of the minor child(ren) listed below has not been established through either marriage or court order, the Court may deny temporary custody, visitation, and/or support.**

1. Petitioner is the natural parent, adoptive parent, or guardian by court order of the minor child(ren) whose name(s) and age(s) is (are) listed below.

Name	Place of Birth	Birth date	Sex
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

2. The minor child(ren) whom Petitioner is seeking temporary custody of:

[  one only]

- \_\_\_\_ a. saw the domestic violence described in this petition happen.
- \_\_\_\_ b. were at the place where the domestic violence happened but did not see it.
- \_\_\_\_ c. were not there when the domestic violence happened this time but have seen previous acts of domestic violence by Respondent.
- \_\_\_\_ d. have not witnessed domestic violence by Respondent.

3. Name **any other** minor child(ren) who were there when the domestic violence happened. Include child(ren)'s name, age, sex, and parents' names. \_\_\_\_\_

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

4. **Visitation**

[  all that apply]

- \_\_\_\_\_ a. Petitioner requests that the Court order reasonable visitation by Respondent with the minor child(ren), as follows: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- \_\_\_\_\_ b. Petitioner requests that the Court order supervised exchange of the minor child(ren) or exchange through a responsible person designated by the Court. The following person is suggested as a responsible person for purposes of such exchange. Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- \_\_\_\_\_ c. Petitioner requests that the Court limit visitation by Respondent with the minor child(ren). Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- \_\_\_\_\_ d. Petitioner requests that the Court prohibit visitation by Respondent with the minor child(ren) because Petitioner genuinely fears that Respondent imminently will abuse, remove, or hide the minor child(ren) from Petitioner. Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SECTION VI. TEMPORARY SUPPORT** (Complete this section **only** if you are seeking financial support from the Respondent. You must also complete and file a **Family Law Financial Affidavit**,   Florida Family Law Rules of Procedure Form 12.902(b) or (c), and **Notice of Social Security Number**,   Florida Supreme Court Approved Family Law Form 12.902(j), if you are seeking child support. A **Child Support Guidelines Worksheet**,   Florida Family Law Rules of Procedure Form 12.902(e), must be filed with the court at or prior to a hearing to establish or modify child support.)

[  all that apply ]

- \_\_\_\_\_ 1. Petitioner claims a need for the money he or she is asking the Court to make Respondent pay, and that Respondent has the ability to pay that money.
- \_\_\_\_\_ 2. Petitioner requests that the Court order Respondent to pay the following temporary alimony to Petitioner. (Petitioner must be married to Respondent to ask for temporary alimony.) Temporary Alimony Requested \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month.
- \_\_\_\_\_ 3. Petitioner requests that the Court order Respondent to pay the following temporary child support to Petitioner. (The respondent must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren) for the court to order the respondent to pay child support.) Temporary child support is requested in the amount of \$ \_\_\_\_\_ every ( ) week ( ) other week ( ) month.

**SECTION VII. INJUNCTION** (This section summarizes what you are asking the Court to include in the injunction. This section must be completed.)

1. Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against domestic violence that will be in place from now until the scheduled hearing in this matter.
2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a final judgment on injunction prohibiting Respondent from committing any acts of domestic violence against Petitioner

**and:**

- a. prohibiting Respondent from going to or within 500 feet of any place the Petitioner lives;
- b. prohibiting Respondent from going to or within 500 feet of the Petitioner's place(s) of employment or school; the address of Petitioner's place(s) of employment or school is: \_\_\_\_\_

- c. prohibiting Respondent from contacting Petitioner by mail, by telephone, through another person, or in any other manner;

[  all that apply]

- \_\_\_\_\_ d. prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's minor child(ren) must go often *{include address}*: \_\_\_\_\_

- \_\_\_\_\_ e. granting Petitioner temporary exclusive use and possession of the home Petitioner and Respondent share;

- \_\_\_\_\_ f. granting Petitioner temporary exclusive custody of the parties' minor child(ren);

- \_\_\_\_\_ g. establishing visitation rights with the parties' minor child(ren);

- \_\_\_\_\_ h. granting temporary alimony for Petitioner;

- \_\_\_\_\_ i. granting temporary child support for the minor child(ren);

- \_\_\_\_\_ j. ordering Respondent to participate in treatment, intervention, and/or counseling services;

- \_\_\_\_\_ k. referring Petitioner to a certified domestic violence center; and

any other terms the Court deems necessary for the protection of Petitioner and/or Petitioner's child(ren), including injunctions or directives to law enforcement agencies, as provided in section 741.30, Florida Statutes.

**I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.**

**I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.**

\_\_\_\_\_  
(initials)

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

- \_\_\_\_\_ Personally known [Print, type, or stamp commissioned name of notary or clerk.]
- \_\_\_\_\_ Produced identification
- \_\_\_\_\_ Type of identification produced \_\_\_\_\_

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**TEMPORARY INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE  
WITH MINOR CHILD(REN)**

The Petition for Injunction for Protection Against Domestic Violence under section 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter under the laws of Florida.

**It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.**

**NOTICE OF HEARING**

Because this Temporary Injunction for Protection Against Domestic Violence has been issued without prior notice to Respondent, Petitioner and Respondent are instructed that they are scheduled to appear and testify at a hearing regarding this matter on *{date}* \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m., when the Court will consider whether the Court should issue a Final Judgment of Injunction for Protection Against Domestic Violence, which would remain in effect until modified or dissolved by the Court, and whether other things should be ordered, including, for example, such matters as visitation and support. The hearing will be before The Honorable *{name}* \_\_\_\_\_, at *{room name/number, location, address, city}* \_\_\_\_\_, Florida. If Petitioner and/or Respondent do not appear, this temporary injunction may be continued in force, extended, dismissed, and/or additional orders may be granted, including the imposition of court costs.

All witnesses and evidence, if any, must be presented at this time. In cases where temporary support issues have been alleged in the pleadings, each party is ordered to bring his or her financial affidavit (☞ Florida Family Law Rules of Procedure Form 12.902(b) or (c)), tax return, pay stubs, and other evidence of financial income to the hearing.

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- \_\_\_\_\_ a. a court reporter is provided by the court.
- \_\_\_\_\_ b. electronic audio tape recording only is provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.
- \_\_\_\_\_ c. no electronic audio tape recording or court reporting services are provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact {name} \_\_\_\_\_, {address} \_\_\_\_\_, {telephone} \_\_\_\_\_, within 2 working days of your receipt of this temporary injunction. If you are hearing or voice impaired, call TDD 1-800-955-8771.

### FINDINGS

The statements made under oath by Petitioner make it appear that section 741.30, Florida Statutes, applies to the parties. It also appears that Petitioner is a victim of domestic violence by Respondent, and/or Petitioner has reasonable cause to believe he/she is in imminent danger of becoming a victim of domestic violence by Respondent, and that there is an immediate and present danger of domestic violence to Petitioner or persons lawfully with Petitioner.

### TEMPORARY INJUNCTION AND TERMS

**This injunction shall be effective until the hearing set above and in no event for longer than 15 days, unless extended by court order. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this injunction.**

**Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain willful violations of the terms of this injunction, such as: refusing to vacate the dwelling that the parties share; going to Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by sections 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. § 2262.**

**ORDERED and ADJUDGED:**

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members who are residing in the same single dwelling unit with Petitioner. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with Petitioner unless otherwise provided in this Section, or unless paragraph 14 below provides for contact connected with the temporary custody of and visitation with minor child(ren).**

a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence *{list address}* \_\_\_\_\_

\_\_\_\_\_ or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* \_\_\_\_\_ or place where Petitioner attends school *{list address of school}* \_\_\_\_\_; or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often: \_\_\_\_\_

\_\_\_\_\_ Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

\_\_\_\_\_ b. Other provisions regarding contact: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Firearms.**

[Initial all that apply; write N/A if does not apply]

- \_\_\_\_\_ a. Respondent shall not use or possess a firearm or ammunition.  
\_\_\_\_\_ b. Respondent shall surrender any firearms and ammunition in the Respondent's possession to the \_\_\_\_\_ County Sheriff's Department until further order of the court.  
\_\_\_\_\_ c. Other directives relating to firearms and ammunition: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: RESPONDENT IS ADVISED THAT, IF A PERMANENT INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE IS ISSUED FOLLOWING A HEARING REGARDING THIS MATTER, IN MOST CASES IT WILL BE A VIOLATION OF § 790.233, FLORIDA STATUTES, AND A FIRST DEGREE MISDEMEANOR, FOR RESPONDENT TO**

**HAVE IN HIS OR HER CARE, CUSTODY, POSSESSION OR CONTROL ANY FIREARM OR AMMUNITION. ADDITIONALLY, IT WILL BE A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).**

4. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within ten (10) days of the change. All further papers (excluding the final injunction, if entered without Respondent being present at the hearing, and pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail shall be complete upon mailing. Rule 12.080, Fla.Fam.L.R.P., section 741.30, Florida Statutes.

5. **Additional order necessary to protect Petitioner from domestic violence:**

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**TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME**

[Initial **all** that apply; write N/A **if does not** apply]

6. \_\_\_\_ **Possession of the Home.** ( ) Petitioner ( ) Respondent shall have temporary exclusive use and possession of the dwelling located at: \_\_\_\_\_

7. \_\_\_\_ **Transfer of Possession of the Home.** A law enforcement officer with jurisdiction over the home shall accompany ( ) Petitioner ( ) Respondent to the home, and shall place ( ) Petitioner ( ) Respondent in possession of the home.

8. \_\_\_\_ **Personal Items.** ( ) Petitioner ( ) Respondent, **in the presence of a law enforcement officer**, may return to the premises described above ( ) on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m., or ( ) at a time arranged with the law enforcement department with jurisdiction over the home, for the purpose of obtaining his or her clothing and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the home from which these items are to be retrieved shall accompany ( ) Petitioner ( ) Respondent to the home and stand by to insure that he/she vacates the premises with only his/her personal clothing, toiletries, tools of the trade, and any items listed in paragraph 10 below. The law enforcement agency shall not be responsible for storing or transporting any property. **IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.**

9. \_\_\_\_ ( ) Petitioner ( ) Respondent shall not damage or remove any furnishings or fixtures from the parties' former shared premises.

10. \_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEMPORARY SUPPORT**

**Temporary support, if requested by Petitioner in the Petition for Injunction for Protection Against Domestic Violence, will be addressed by the Court after notice to Respondent and hearing on the matter.**

**TEMPORARY CUSTODY OF MINOR CHILD(REN)**

11. **Jurisdiction.** Jurisdiction to determine custody of any minor child(ren) listed in paragraph 12 below is proper under the Uniform Child Custody Jurisdiction Act (UCCJA).

12. **Temporary Custody of Minor Child(ren).** ( ) Petitioner ( ) Respondent shall have temporary custody of the parties' minor child(ren) listed below:

<b>Name</b>	<b>Birth date</b>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

When requested by the custodial parent, law enforcement officers shall use any and all reasonable and necessary force to physically deliver the minor child(ren) listed above to custodial parent. The noncustodial parent shall not take the child(ren) from the custody of custodial parent or any child care provider or other person entrusted by the custodial parent with the care of the child(ren).

[Initial if applies; write N/A if does not apply]

\_\_\_\_ Neither party shall remove the minor child(ren) from the State of Florida, which is the jurisdiction of this Court, prior to the hearing on this temporary injunction. Violation of this custody order may constitute a felony of the third degree under sections 787.03 and 787.04, Florida Statutes.

13. **Contact with Minor Child(ren).** Unless otherwise provided in paragraph 14 below, the noncustodial parent shall have **no contact** with the parties' minor child(ren) until further order of the Court.

14. **Other Additional Provisions Relating to the Minor Child(ren).**  
\_\_\_\_\_



ORDERED on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner (or his or her attorney): \_\_\_ by U. S. Mail \_\_\_ by hand delivery in open court

Respondent: \_\_\_ forwarded to sheriff for service

\_\_\_ State Attorney's Office

\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**TEMPORARY INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE  
WITHOUT MINOR CHILD(REN)**

The Petition for Injunction for Protection Against Domestic Violence under section 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter under the laws of Florida.

**It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.**

**NOTICE OF HEARING**

Because this Temporary Injunction for Protection Against Domestic Violence has been issued without prior notice to Respondent, Petitioner and Respondent are instructed that they are scheduled to appear and testify at a hearing regarding this matter on {date} \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m., when the Court will consider whether the Court should issue a Final Judgment of Injunction for Protection Against Domestic Violence, which would remain in effect until modified or dissolved by the Court, and whether other things should be ordered, including, for example, such matters as support. The hearing will be before The Honorable {name} \_\_\_\_\_,  
at {room name/number, location, address, city} \_\_\_\_\_,  
\_\_\_\_\_, Florida. If Petitioner and/or Respondent do not appear, this temporary injunction may be continued in force, extended, dismissed, and/or additional orders may be granted, including the imposition of court costs.

All witnesses and evidence, if any, must be presented at this time. In cases where temporary support issues have been alleged in the pleadings, each party is ordered to bring his or her financial affidavit (☞☐ Florida Family Law Rules of Procedure Form 12.902(b) or (c)), tax return, pay stubs, and other evidence of financial income to the hearing.

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- \_\_\_\_\_ a. a court reporter is provided by the court.
- \_\_\_\_\_ b. electronic audio tape recording only is provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.
- \_\_\_\_\_ c. no electronic audio tape recording or court reporting services are provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact {name} \_\_\_\_\_, {address} \_\_\_\_\_, {telephone} \_\_\_\_\_, within 2 working days of your receipt of this temporary injunction. If you are hearing or voice impaired, call TDD 1-800-955-8771.

### FINDINGS

The statements made under oath by Petitioner make it appear that section 741.30, Florida Statutes, applies to the parties. It also appears that Petitioner is a victim of domestic violence by Respondent, and/or Petitioner has reasonable cause to believe he/she is in imminent danger of becoming a victim of domestic violence by Respondent, and that there is an immediate and present danger of domestic violence to Petitioner or persons lawfully with Petitioner.

### TEMPORARY INJUNCTION AND TERMS

**This injunction shall be effective until the hearing set above and in no event for longer than 15 days, unless extended by court order. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this injunction.**

**Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain willful violations of the terms of this injunction, such as: refusing to vacate the dwelling that the parties share; going to Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by sections 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. § 2262.**

**ORDERED and ADJUDGED:**

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members who are residing in the same single dwelling unit with Petitioner. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with Petitioner unless otherwise provided in this section.**

a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence *{list address}* \_\_\_\_\_

\_\_\_\_\_ or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* \_\_\_\_\_

\_\_\_\_\_ or place where Petitioner attends school *{list address of school}* \_\_\_\_\_;

or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

\_\_\_\_\_ b. Other provisions regarding contact: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

3. **Firearms.**

[Initial all that apply; write N/A if does not apply]

\_\_\_\_\_ a. Respondent shall not use or possess a firearm or ammunition.

\_\_\_\_\_ b. Respondent shall surrender any firearms and ammunition in the Respondent's possession to the \_\_\_\_\_ County Sheriff's Department until further order of the court.

\_\_\_\_\_ c. Other directives relating to firearms and ammunition: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**NOTE: RESPONDENT IS ADVISED THAT, IF A PERMANENT INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE IS ISSUED FOLLOWING A HEARING REGARDING THIS MATTER, IN MOST CASES IT WILL BE A VIOLATION OF § 790.233, FLORIDA STATUTES, AND A FIRST DEGREE MISDEMEANOR, FOR RESPONDENT TO HAVE IN HIS OR HER CARE, CUSTODY, POSSESSION OR CONTROL ANY FIREARM OR**

**AMMUNITION. ADDITIONALLY, IT WILL BE A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).**

4. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within ten (10) days of the change. All further papers (excluding the final injunction, if entered without Respondent being present at the hearing, and pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail shall be complete upon mailing. Rule 12.080, Fla.Fam.L.R.P., section 741.30, Florida Statutes.

5. **Additional order necessary to protect Petitioner from domestic violence:**

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**TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME**

[Initial **all** that apply; write N/A **if does not** apply]

6. \_\_\_\_\_ **Possession of the Home.** ( ) Petitioner ( ) Respondent shall have temporary exclusive use and possession of the dwelling located at: \_\_\_\_\_  
\_\_\_\_\_.

7. \_\_\_\_\_ **Transfer of Possession of the Home.** A law enforcement officer with jurisdiction over the home shall accompany ( ) Petitioner ( ) Respondent to the home, and shall place ( ) Petitioner ( ) Respondent in possession of the home.

8. \_\_\_\_\_ **Personal Items.** ( ) Petitioner ( ) Respondent, **in the presence of a law enforcement officer,** may return to the premises described above ( ) on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m., or ( ) at a time arranged with the law enforcement department with jurisdiction over the home, for the purpose of obtaining his or her clothing and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the home from which these items are to be retrieved shall accompany ( ) Petitioner ( ) Respondent to the home and stand by to insure that he/she vacates the premises with only his/her personal clothing, toiletries, tools of the trade, and any items listed in paragraph 10 below. The law enforcement agency shall not be responsible for storing or transporting any property. **IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.**

9. \_\_\_\_\_ ( )Petitioner ( ) Respondent shall not damage or remove any furnishings or fixtures from the

parties' former shared premises.

10. \_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEMPORARY SUPPORT**

**Temporary support, if requested by Petitioner in the Petition for Injunction for Protection Against Domestic Violence, will be addressed by the Court after notice to Respondent and hearing on the matter.**

**OTHER SPECIAL PROVISIONS**

*(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)*

**DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

*(Provisions in this injunction that do not include a line for the judge to either initial or write N/A are considered mandatory provisions and should be interpreted to be part of this injunction.)*

1. The Sheriff of \_\_\_\_\_ County, or any other authorized law enforcement officer, is ordered to serve this temporary injunction upon Respondent as soon as possible after its issuance.
2. **This injunction is valid in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest without warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions which constitutes a criminal act under section 741.31, Florida Statutes.
3. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES. The arresting agent shall notify the State Attorney's Office immediately after arrest.
4. **Reporting alleged violations.** If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation, or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.

ORDERED on \_\_\_\_\_.

CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner (or his or her attorney): \_\_\_\_ by U. S. Mail \_\_\_\_ by hand delivery in open court

Respondent: \_\_\_\_ forwarded to sheriff for service

\_\_\_\_ State Attorney's Office

\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**FINAL JUDGMENT OF INJUNCTION  
FOR PROTECTION AGAINST DOMESTIC VIOLENCE  
WITH MINOR CHILD(REN) (AFTER NOTICE)**

The Petition for Injunction for Protection Against Domestic Violence under section 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter.

**It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.**

**HEARING**

This cause came before the Court for a hearing to determine whether an Injunction for Protection Against Domestic Violence in this case should be ( ) issued ( ) modified ( ) extended.

The hearing was attended by ( ) Petitioner ( ) Respondent  
( ) Petitioner's Counsel ( ) Respondent's Counsel

**FINDINGS**

On {date} \_\_\_\_\_, a notice of this hearing was served on Respondent together with a copy of Petitioner's petition to this Court and the temporary injunction, if issued. Service was within the time required by Florida law, and Respondent was afforded an opportunity to be heard.

After hearing the testimony of each party present and of any witnesses, or upon consent of Respondent, the Court finds, based on the specific facts of this case, that Petitioner is a victim of domestic violence or has reasonable cause to believe that he/she is in imminent danger of becoming a victim of domestic violence by Respondent.

**INJUNCTION AND TERMS**

**This injunction shall be in full force and effect until ( ) further order of the Court or ( ) \_\_\_\_\_. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court**

to change or end this injunction at any time.

Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain willful violations of the terms of this injunction, such as: refusing to vacate the dwelling that the parties share; going to Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by sections 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. § 2262.

**ORDERED and ADJUDGED:**

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members who is residing in the same single dwelling unit with Petitioner. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact.** Respondent shall have no contact with the Petitioner unless otherwise provided in this section, or unless paragraphs 13 through 19 below provide for contact connected with the temporary custody of and visitation with minor child(ren).

a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence *{list address}* \_\_\_\_\_

\_\_\_\_\_ or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* \_\_\_\_\_ or place where Petitioner attends school *{list address of school}* \_\_\_\_\_; or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often: \_\_\_\_\_

Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

b. Other provisions regarding contact: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Firearms. Unless paragraph a. is initialed below, Respondent shall not have in his or her care, custody, possession or control any firearm or ammunition. It is a violation of section 790.233, Florida Statutes, and a first degree misdemeanor, for the respondent to have in his or her care, custody, possession or control any firearm or ammunition.**

[Initial if applies; Write N/A if not applicable]

\_\_\_\_\_ a. Respondent is a state or local officer as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency and is not prohibited by the court from having in his or her care, custody, possession or control a firearm or ammunition. The officer's employing agency may prohibit the officer from having in his or her care, custody, possession or control a firearm or ammunition.

\_\_\_\_\_ b. Respondent shall surrender any firearms and ammunition in the Respondent's possession to the \_\_\_\_\_ County Sheriff's Department.

\_\_\_\_\_ c. Other directives relating to firearms and ammunition: \_\_\_\_\_

**NOTE: RESPONDENT IS ADVISED THAT IT IS A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).**

4. **Evaluation/Counseling.**

[Initial all that apply; write N/A if does not apply]

a. The Court finds that Respondent has:

\_\_\_\_\_ i. willfully violated the ex parte injunction;

\_\_\_\_\_ ii. been convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of violence; and/or

\_\_\_\_\_ iii. in this state or any other state, had at any time a prior injunction for protection entered against the respondent after a hearing with notice.

*Note: If respondent meets any of the above enumerated criteria, the Court must order the Respondent to attend a batterers' intervention program unless it makes written factual findings stating why such a program would not be appropriate. See § 741.30(6)(d), Florida Statutes.*

b. Within ( )10 days ( ) days, (but no more than 10 days) of the date of this injunction, Respondent shall enroll in and thereafter without delay complete the following, and Respondent shall provide proof of such enrollment to the Clerk of Circuit Court within ( )30 days ( ) days, (but no more than 30 days) of the date of this injunction:

\_\_\_\_\_ i. A certified batterers' intervention program from a list of programs to be provided by the Court or any entity designated by the Court. Respondent shall also successfully complete any substance abuse or mental health evaluation that the assessing program counselor deems necessary as a predicate to completion of the batterers' intervention program.

\_\_\_\_\_ ii. A substance abuse evaluation at: \_\_\_\_\_  
\_\_\_\_\_ or a similarly qualified facility and any substance abuse treatment recommended by that evaluation.

\_\_\_\_ iii. A mental health evaluation by a licensed mental health professional at: \_\_\_\_\_  
\_\_\_\_\_ or any other similarly qualified facility and any mental health  
treatment recommended by that evaluation.

\_\_\_\_ iv. Other: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ c. Although Respondent meets the statutory mandate of attendance at a batterers' intervention  
program, the Court makes the following written findings as to why the condition of batterers'  
intervention program would be inappropriate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ d. Petitioner is referred to a certified domestic violence center and is provided with a list of certified  
domestic violence centers in this circuit, which Petitioner may contact.

5. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing  
address within ten (10) days of the change. All further papers (excluding pleadings requiring personal  
service) shall be served by mail to Respondent's last known address. Such service by mail shall be  
complete upon mailing. Rule 12.080, Fla.Fam.L.R.P., section 741.30, Florida Statutes.

6. **Other provisions necessary to protect Petitioner from domestic violence:** \_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

### TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

[Initial **if** applies; Write N/A **if not** applicable]

7. \_\_\_\_ **Possession of the Home.** ( ) Petitioner ( ) Respondent shall have temporary exclusive use  
and possession of the dwelling located at: \_\_\_\_\_  
\_\_\_\_\_.

8. \_\_\_\_ **Transfer of Possession of the Home.** A law enforcement officer with jurisdiction over the home  
shall accompany ( ) Petitioner ( ) Respondent to the home, and shall place ( ) Petitioner ( )  
Respondent in possession of the home.

9. \_\_\_\_ **Personal Items.** ( ) Petitioner ( ) Respondent, **in the presence of a law enforcement officer,**  
may return to the premises described above ( ) on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.,  
or ( ) at a time arranged with the law enforcement department with jurisdiction over the home,  
accompanied by a law enforcement officer only, for the purpose of obtaining his or her clothing

and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the premises shall go with ( ) Petitioner ( ) Respondent to the home and stand by to insure that he/she vacates the premises with only his/her personal clothing, toiletries, tools of the trade, and any items listed in paragraph 11 below. The law enforcement agency shall not be responsible for storing or transporting any property. IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.

10. \_\_\_\_ The following other personal possessions may also be removed from the premises at this time:

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

11. \_\_\_\_ Other: \_\_\_\_\_

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

**TEMPORARY CUSTODY OF AND VISITATION WITH MINOR CHILD(REN)**

12. **Jurisdiction.** Jurisdiction to determine custody of and visitation with any minor child(ren) listed in paragraph 2 below is proper under the Uniform Child Custody Jurisdiction Act (UCCJA).

13. **Temporary Custody of Minor Child(ren).** ( ) Petitioner ( ) Respondent shall have temporary custody of the parties' minor child(ren) listed below:

**Name**

**Birth date**

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

When requested by the custodial parent, law enforcement officers shall use any and all reasonable and necessary force to physically deliver the minor child(ren) listed above to custodial parent. The noncustodial parent shall not take the child(ren) from the custody of custodial parent or any child care provider or other person entrusted by the custodial parent with the care of the child(ren).

14. **Type of Contact/Visitation with Minor Child(ren).** The noncustodial parent shall have:

[Initial one only]

\_\_\_\_ a. **no contact** with the parties minor child(ren) until further order of the Court.

\_\_\_\_ b. the following **specified visitation** with the parties' minor child(ren), subject to any limitations set out below: *{specify days and times}* \_\_\_\_\_

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

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15. **Limitations on Visitation.** The above specified visitation shall be:

[Initial **all** that apply; write N/A **if does not** apply]

- \_\_\_ a. unsupervised.
- \_\_\_ b. supervised by the following specified responsible adult: \_\_\_\_\_.
- \_\_\_ c. at a supervised visitation center located at: \_\_\_\_\_.

and shall be subject to the available times and rules of the supervised visitation center. The cost of such visits shall be paid by ( ) custodial parent ( ) noncustodial parent ( ) both: \_\_\_\_\_.

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16. **Arrangements for Contact/Visitation with Minor Child(ren).**

[Initial **all** that apply; write N/A **if does not** apply]

- \_\_\_ a. A responsible person shall coordinate the visitation arrangements of the minor child(ren).  
If specified, the responsible person shall be: *{name}* \_\_\_\_\_.
- \_\_\_ b. Other conditions for visitation arrangements as follows: \_\_\_\_\_

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17. **Exchange of Minor Child(ren).**

[Initial **all** that apply; write N/A **if does not** apply]

- \_\_\_ a. The parties shall exchange the child(ren) at ( ) school or daycare, or ( ) at the following location(s): \_\_\_\_\_
- \_\_\_ b. A responsible person shall conduct all exchanges of the child(ren). The noncustodial parent shall not be present during the exchange. If specified, the responsible person shall be: *{name}* \_\_\_\_\_
- \_\_\_ c. Other conditions for visitation exchange as follows: \_\_\_\_\_

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18. **Other Additional Provisions Relating to the Minor Child(ren).**

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**TEMPORARY SUPPORT**

**19. Temporary Alimony.**

[Initial **all** that apply; write N/A **if does not** apply]

- \_\_\_\_\_ a. The court finds that there is a need for temporary alimony and that ( ) Petitioner ( ) Respondent (hereinafter Obligor) has the present ability to pay alimony and shall pay temporary alimony to ( ) Petitioner ( ) Respondent (hereinafter Obligee) in the amount of \$\_\_\_\_\_ per month, payable ( ) in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month ( ) other {*explain*} \_\_\_\_\_
- \_\_\_\_\_ beginning {*date*} \_\_\_\_\_. This alimony shall continue until modified by court order, until a final judgment of dissolution of marriage is entered, until Obligee dies, until this injunction expires, or until {*date*} \_\_\_\_\_, whichever occurs first.
- \_\_\_\_\_ b. ( ) Petitioner ( ) Respondent shall be required to maintain health insurance coverage for the other party. Any uncovered medical costs for the party awarded alimony shall be assessed as follows: \_\_\_\_\_
- \_\_\_\_\_ c. Other provisions relating to alimony: \_\_\_\_\_

**20. Temporary Child Support.**

[Initial **all** that apply; write N/A **if does not** apply]

- \_\_\_\_\_ a. The Court finds that there is a need for temporary child support and that the noncustodial parent (hereinafter Obligor) has the present ability to pay child support. The amounts in the Child Support Guidelines Worksheet,  Florida Family Law Form 12.902(e), filed by ( ) Petitioner ( ) Respondent are correct **OR** the Court makes the following findings: The Petitioner's net monthly income is \$ \_\_\_\_\_, (Child Support Guidelines \_\_\_\_\_%). The Respondent's net monthly income is \$ \_\_\_\_\_, (Child Support Guidelines \_\_\_\_\_%). Monthly child care costs are \$ \_\_\_\_\_. Monthly health/dental insurance costs are \$ \_\_\_\_\_.
- \_\_\_\_\_ b. **Amount.** Obligor shall pay temporary child support in the amount of \$ \_\_\_\_\_, per month payable ( ) in accordance with Obligor's employer's payroll cycle, and in any event at least once a month ( ) other {*explain*}: \_\_\_\_\_
- \_\_\_\_\_ beginning {*date*} \_\_\_\_\_, and continuing until further order of the court, or until {*date/event*} \_\_\_\_\_
- \_\_\_\_\_ {*explain*} \_\_\_\_\_
- If the child support ordered deviates from the guidelines by more than 5%, the factual findings which support that deviation are: \_\_\_\_\_
- \_\_\_\_\_ c. ( ) Petitioner ( ) Respondent shall be required to maintain ( ) health ( ) dental insurance coverage for the parties' minor child(ren) so long as reasonably available. **OR** ( ) Health ( ) dental insurance is not reasonably available at this time.
- \_\_\_\_\_ d. Any reasonable and necessary **uninsured medical/dental/prescription drug costs** for the minor child(ren) shall be assessed as follows: \_\_\_\_\_

\_\_\_\_\_ e.  Florida Supreme Court Approved Family Law Form 12.902(j), **Notice of Social Security Number**, is incorporated herein by reference.

\_\_\_\_\_ f. Other provisions relating to child support: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**21. Method of Payment.**

[Initial **one** only]

\_\_\_\_\_ a. Obligor shall pay any temporary child support/alimony ordered through income deduction, and such support shall be paid to the state disbursement unit. Obligor is individually responsible for paying this support obligation in the event that all or any portion of said support is not deducted from Obligor's income. Obligor shall also pay the applicable state disbursement unit service charge. Until child support/alimony payments are deducted from Obligor's paycheck pursuant to the Income Deduction Order, Obligor is responsible for making timely payments directly to the state disbursement unit.

\_\_\_\_\_ b. Temporary child support/alimony shall be paid through the state disbursement unit in the office of the {name of county} \_\_\_\_\_ County Clerk of Circuit Court. Obligor shall also pay the applicable state disbursement unit service charge. Income deduction is **not** in the best interests of the child(ren) because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_ c. Other provisions relating to method of payment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OTHER SPECIAL PROVISIONS**

*(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)*

**DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

*(Provisions in this injunction that do not include a line for the judge to either initial or write N/A are considered mandatory provisions and should be interpreted to be part of this injunction.)*

1. **This injunction is valid in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest without warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions, except those regarding child support and/or alimony, which constitutes a criminal act under section 741.31, Florida Statutes. **When inconsistent with this order, any subsequent court order issued under Chapter 61, Florida Statutes, shall take precedence over this order on all matters relating to property division, alimony, child custody, or child support.**

2. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA, AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES. The arresting agent shall notify the State Attorney's Office immediately

after arrest.

3. **Reporting alleged violations.** If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation, or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.
4. Respondent, upon service of this injunction, shall be deemed to have knowledge of and to be bound by all matters occurring at the hearing and on the face of this injunction.
5. The temporary injunction, if any, entered in this case is extended until such time as service of this injunction is effected upon Respondent.

ORDERED on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner (or his or her attorney): \_\_\_\_\_  
\_\_\_\_\_

by U. S. Mail  
by hand delivery in open court (Petitioner must  
acknowledge receipt in writing on the face of the original  
order - see below.)

Respondent (or his or her attorney): \_\_\_\_\_  
\_\_\_\_\_

forwarded to sheriff for service  
by hand delivery in open court (Respondent must  
acknowledge receipt in writing on the face of the original  
order - see below.)

\_\_\_\_\_ by certified mail (may only be used when  
Respondent is present at the hearing and Respondent  
fails or refuses to acknowledge the receipt of a  
certified copy of this injunction.)

\_\_\_\_\_ State Attorney's Office

\_\_\_\_\_ Batterer's intervention program (if ordered)

\_\_\_\_\_ Central Governmental Depository (if ordered)

\_\_\_\_\_ Department of Revenue

\_\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**ACKNOWLEDGMENT**

I, *{Name of Petitioner}* \_\_\_\_\_, acknowledge receipt of a certified copy of this Injunction for Protection.

\_\_\_\_\_  
Petitioner

**ACKNOWLEDGMENT**

I, *{Name of Respondent}* \_\_\_\_\_, acknowledge receipt of a certified copy of this Injunction for Protection.

\_\_\_\_\_  
Respondent

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**FINAL JUDGMENT OF INJUNCTION  
FOR PROTECTION AGAINST DOMESTIC VIOLENCE  
WITHOUT MINOR CHILD(REN) (AFTER NOTICE)**

The Petition for Injunction for Protection Against Domestic Violence under section 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter.

**It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.**

**HEARING**

This cause came before the Court for a hearing to determine whether an Injunction for Protection Against Domestic Violence in this case should be ( ) issued ( ) modified ( ) extended.

The hearing was attended by ( ) Petitioner ( ) Respondent  
( ) Petitioner's Counsel ( ) Respondent's Counsel

**FINDINGS**

On {date} \_\_\_\_\_, a notice of this hearing was served on Respondent together with a copy of Petitioner's petition to this Court and the temporary injunction, if issued. Service was within the time required by Florida law, and Respondent was afforded an opportunity to be heard.

After hearing the testimony of each party present and of any witnesses, or upon consent of Respondent, the Court finds, based on the specific facts of this case, that Petitioner is a victim of domestic violence or has reasonable cause to believe that he/she is in imminent danger of becoming a victim of domestic violence by Respondent.

**INJUNCTION AND TERMS**

**This injunction shall be in full force and effect until ( ) further order of the Court ( ) \_\_\_\_\_ . This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court**

to change or end this injunction at any time.

Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain willful violations of the terms of this injunction, such as: refusing to vacate the dwelling that the parties share; going to Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by sections 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. § 2262.

**ORDERED and ADJUDGED:**

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members who is residing in the same single dwelling unit with Petitioner. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with the Petitioner unless otherwise provided in this section.**

a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence *{list address}* \_\_\_\_\_

\_\_\_\_\_ or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* \_\_\_\_\_

\_\_\_\_\_ or place where Petitioner attends school *{list address of school}* \_\_\_\_\_;

or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

\_\_\_\_\_ b. Other provisions regarding contact: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

3. **Firearms. Unless paragraph a. is initialed below, Respondent shall not have in his or her care, custody, possession or control any firearm or ammunition. It is a violation of section 790.233, Florida Statutes, and a first degree misdemeanor, for the respondent to have in his or her care, custody, possession or control any firearm or ammunition.**

[Initial if applies; Write N/A if not applicable]

\_\_\_\_\_ a. Respondent is a state or local officer as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency and is not prohibited by the court from having in his or her care, custody, possession or control a firearm or ammunition. The officer's employing agency may prohibit the officer from having in his or her care, custody, possession or control a firearm or ammunition.

\_\_\_\_\_ b. Respondent shall surrender any firearms and ammunition in the Respondent's possession to the \_\_\_\_\_ County Sheriff's Department.

\_\_\_\_\_ c. Other directives relating to firearms and ammunition: \_\_\_\_\_

**NOTE: RESPONDENT IS ADVISED THAT IT IS A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).**

4. **Evaluation/Counseling.**

[Initial all that apply; write N/A if does not apply]

a. The Court finds that Respondent has:

\_\_\_\_\_ i. willfully violated the ex parte injunction;

\_\_\_\_\_ ii. been convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of violence; and/or

\_\_\_\_\_ iii. in this state or any other state, had at any time a prior injunction for protection entered against the respondent after a hearing with notice.

*Note: If respondent meets any of the above enumerated criteria, the Court must order the Respondent to attend a batterers' intervention program unless it makes written factual findings stating why such a program would not be appropriate. See § 741.30(6)(d), Florida Statutes.*

b. Within ( )10 days ( )\_\_\_\_\_ days, (but no more than 10 days) of the date of this injunction, Respondent shall enroll in and thereafter without delay complete the following, and Respondent shall provide proof of such enrollment to the Clerk of Circuit Court within ( )30 days ( )\_\_\_\_\_ days, (but no more than 30 days) of the date of this injunction:

\_\_\_\_\_ i. A certified batterers' intervention program from a list of programs to be provided by the Court or any entity designated by the Court. Respondent shall also successfully complete any substance abuse or mental health evaluation that the assessing program counselor deems necessary as a predicate to completion of the batterers' intervention program.

\_\_\_\_\_ ii. A substance abuse evaluation at: \_\_\_\_\_  
\_\_\_\_\_ or a similarly qualified facility and any substance abuse treatment recommended by that evaluation.

\_\_\_\_ iii. A mental health evaluation by a licensed mental health professional at: \_\_\_\_\_  
\_\_\_\_\_ or any other similarly qualified facility and any mental health  
treatment recommended by that evaluation.

\_\_\_\_ iv. Other: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ c. Although Respondent meets the statutory mandate of attendance at a batterers' intervention  
program, the Court makes the following written findings as to why the condition of batterers'  
intervention program would be inappropriate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_ d. Petitioner is referred to a certified domestic violence center and is provided with a list of certified  
domestic violence centers in this circuit, which Petitioner may contact.

5. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing  
address within ten (10) days of the change. All further papers (excluding pleadings requiring personal  
service) shall be served by mail to Respondent's last known address. Such service by mail shall be  
complete upon mailing. Rule 12.080, Fla.Fam.L.R.P., section 741.30, Florida Statutes.

6. **Other provisions necessary to protect Petitioner from domestic violence:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME**

[Initial if applies; Write N/A if not applicable]

7. \_\_\_\_ **Possession of the Home.** ( ) Petitioner ( ) Respondent shall have temporary exclusive use  
and possession of the dwelling located at: \_\_\_\_\_  
\_\_\_\_\_.

8. \_\_\_\_ **Transfer of Possession of the Home.** A law enforcement officer with jurisdiction over the home  
shall accompany ( ) Petitioner ( ) Respondent to the home, and shall place ( ) Petitioner ( )  
Respondent in possession of the home.

9. \_\_\_\_ **Personal Items.** ( ) Petitioner ( ) Respondent, **in the presence of a law enforcement  
officer**, may return to the premises described above ( ) on \_\_\_\_\_, at \_\_\_\_\_

a.m./p.m., or ( ) at a time arranged with the law enforcement department with jurisdiction over the home, accompanied by a law enforcement officer only, for the purpose of obtaining his or her clothing and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the premises shall go with ( ) Petitioner ( ) Respondent to the home and stand by to insure that he/she vacates the premises with only his/her personal clothing, toiletries, tools of the trade, and any items listed in paragraph 12 below. The law enforcement agency shall not be responsible for storing or transporting any property. **IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.**

10. \_\_\_\_\_ The following other personal possessions may also be removed from the premises at this time: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**TEMPORARY SUPPORT**

12. **Temporary Alimony.**

[Initial **all** that apply; write N/A **if does not** apply]

\_\_\_\_\_ a. The court finds that there is a need for temporary alimony and that ( ) Petitioner ( ) Respondent (hereinafter Obligor) has the present ability to pay alimony and shall pay temporary alimony to ( ) Petitioner ( ) Respondent (hereinafter Oblige) in the amount of \$\_\_\_\_\_ per month, payable ( ) in accordance with Obligor’s employer’s payroll cycle, and in any event, at least once a month ( ) other {*explain*} \_\_\_\_\_

beginning {*date*} \_\_\_\_\_. This alimony shall continue until modified by court order, until a final judgment of dissolution of marriage is entered, until Oblige dies, until this injunction expires, or until {*date*} \_\_\_\_\_, whichever occurs first.

\_\_\_\_\_ b. ( ) Petitioner ( ) Respondent shall be required to maintain health insurance coverage for the other party. Any uncovered medical costs for the party awarded alimony shall be assessed as follows: \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_ c. Other provisions relating to alimony: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

13. **Method of Payment.**

[Initial **one** only]

\_\_\_\_\_ a. Obligor shall pay any temporary alimony ordered through income deduction, and such support shall be paid to the Central Government Depository in \_\_\_\_\_ County. Obligor is individually responsible for paying this support obligation in the event that all or any portion of said support is not deducted from Obligor’s income. Obligor shall also pay the applicable Central Government Depository service charge. Until alimony payments are deducted from Obligor’s

paycheck pursuant to the Income Deduction Order, Obligor is responsible for making timely payments directly to the Central Government Depository.

\_\_\_\_\_ b. Temporary alimony shall be paid through the Central Government Depository in the office of the {name of county} \_\_\_\_\_ County Clerk of Circuit Court. Obligor shall also pay the applicable Central Government Depository service charge.

\_\_\_\_\_ c. Other provisions relating to method of payment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OTHER SPECIAL PROVISIONS**

*(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)*

**DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

*(Provisions in this injunction that do not include a line for the judge to either initial or write N/A are considered mandatory provisions and should be interpreted to be part of this injunction.)*

1. **This injunction is valid in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest without warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions, except those regarding child support and/or alimony, which constitutes a criminal act under section 741.31, Florida Statutes. **When inconsistent with this order, any subsequent court order issued under Chapter 61, Florida Statutes, shall take precedence over this order on all matters relating to property division, alimony, child custody, or child support.**
2. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA, AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES. The arresting agent shall notify the State Attorney's Office immediately after arrest.
3. **Reporting alleged violations.** If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation, or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.
4. Respondent, upon service of this injunction, shall be deemed to have knowledge of and to be bound by all matters occurring at the hearing and on the face of this injunction.
5. The temporary injunction, if any, entered in this case is extended until such time as service of this injunction is effected upon Respondent.

ORDERED on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner (or his or her attorney): \_\_\_\_\_  
\_\_\_\_\_

by U. S. Mail  
by hand delivery in open court (Petitioner must  
acknowledge receipt in writing on the face of the original  
order - see below.)

Respondent (or his or her attorney): \_\_\_\_\_  
\_\_\_\_\_

forwarded to sheriff for service  
by hand delivery in open court (Respondent must  
acknowledge receipt in writing on the face of the original  
order - see below.)

\_\_\_\_\_ by certified mail (may only be used when  
Respondent is present at the hearing and Respondent  
fails or refuses to acknowledge the receipt of a  
certified copy of this injunction.)

- \_\_\_\_\_ State Attorney's Office
- \_\_\_\_\_ Batterer's intervention program (if ordered)
- \_\_\_\_\_ Central Governmental Depository (if ordered)
- \_\_\_\_\_ Department of Revenue
- \_\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**ACKNOWLEDGMENT**

I, {Name of Petitioner} \_\_\_\_\_, acknowledge receipt of a certified copy of this Injunction for Protection.

\_\_\_\_\_  
Petitioner

**ACKNOWLEDGMENT**

I, {Name of Respondent} \_\_\_\_\_, acknowledge receipt of a certified copy of this Injunction for Protection.

\_\_\_\_\_

Respondent

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

**ORDER OF DISMISSAL OF TEMPORARY INJUNCTION FOR  
PROTECTION AGAINST ( ) DOMESTIC VIOLENCE ( ) REPEAT VIOLENCE**

THIS CAUSE came before the Court on {date} \_\_\_\_\_, upon Petitioner's action for an injunction for protection against domestic violence or repeat violence, and it appearing to the Court as follows:

[  all that apply]

\_\_\_\_ Petitioner failed to appear at the hearing scheduled in this cause.

\_\_\_\_ Petitioner appeared at the hearing but desires to voluntarily dismiss this action.

\_\_\_\_ The evidence presented is insufficient under Florida law (section 741.30 or 784.046, Florida Statutes) to allow the Court to issue an injunction for protection against domestic or repeat violence.

Accordingly, the case is dismissed without prejudice.

[ If an action for protection against repeat violence,  if applies]

Petitioner shall pay filing fees to the Clerk of the Circuit Court for a total of \$ \_\_\_\_\_, for which sum let execution issue. This amount shall be paid to the {county} \_\_\_\_\_ Clerk of the Circuit Court, within 30 days of the date of this order.

ORDERED on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner \_\_\_\_ by U.S. Mail \_\_\_\_ by hand delivery in open court

Respondent \_\_\_\_ by U.S. Mail \_\_\_\_ by hand delivery in open court

\_\_\_\_ State Attorney's Office

\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_

Deputy Clerk