

Supreme Court of Florida

No. SC02-2445

**AMENDMENTS TO FLORIDA SUPREME COURT APPROVED
FAMILY LAW FORMS—DOMESTIC VIOLENCE, REPEAT
VIOLENCE AND DATING VIOLENCE FORMS.**

[May 15, 2003]

PER CURIAM.

The Supreme Court of Florida, in accordance with Amendments to the Florida Family Law Rules of Procedure and Family Law Forms, 810 So. 2d 1, 14 (Fla. 2000), hereby adopts new and amended Florida Supreme Court Approved Family Law Forms addressing domestic violence, repeat violence and dating violence. The changes are necessary to comport with recent legislative changes.

We have jurisdiction. See art. V, § 2(a), Fla. Const.

During the 2002 session, the Legislature amended the definition of "domestic violence" set forth in section 741.28, Florida Statutes (2001). See ch. 2002-55, § 9,

at 790, Laws of Fla. The Legislature also amended section 741.30, Florida Statutes (2001), to require that all domestic violence proceedings be recorded. See ch. 2002-55, § 13, at 798, Laws of Fla. The Legislature further amended section 741.31, Florida Statutes (2001), to provide additional conduct that will violate an injunction for domestic violence. See ch. 2002-55, § 14, at 799, Laws of Fla. Finally, the Legislature amended the definition of "violence" under section 784.046, Florida Statutes (2001), and created a cause of action for dating violence under this statute. See ch. 2002-55, § 21, at 803, Laws of Fla.

Input on this issue was sought and received from the Advisory Workgroup on The Florida Supreme Court Approved Family Law Forms, which provided valuable assistance as to which additional forms were needed and which forms required amendment as a result of the new legislation. The Workgroup assisted the Court significantly in the drafting of the forms.

To comport with the 2002 statutory changes, we proposed amending Florida Supreme Court Approved Family Law Forms 12.980(a)-(n), where applicable, to (1) reflect the statutory change to the definitions of "domestic violence" and "violence"; (2) address the mandatory recording of domestic violence proceedings; (3) include additional conduct that will violate an injunction for protection against domestic violence; and (4) include the new cause of action for dating violence. We

also proposed new Florida Supreme Court Approved Family Law Forms 12.980(o), Petition for Injunction for Protection Against Dating Violence; 12.980(p), Temporary Injunction for Protection Against Dating Violence; and 12.980(q), Final Judgment of Injunction for Protection Against Dating Violence. Finally, we proposed new form 12.980(r), Petition by Affidavit for Order to Show Cause for a Violation of Final Judgment of Injunction for Protection Against Domestic Violence, Repeat Violence or Dating Violence, for reporting a violation of an injunction, as well as new form 12.980(s), Order to Show Cause, to be used in conjunction with new form 12.980(r).

A summary of the proposed amendments was published in the December 15, 2002, edition of The Florida Bar News. Five comments were received.¹

ANALYSIS

We have carefully reviewed and considered each of the comments filed and have decided to make various amendments to our proposals in response to the

1. Comments were filed by Judge David A. Demers, Chief Judge of the Sixth Judicial Circuit Court; Judge Linda L. Vitale, Administrative Judge of the Seventeenth Judicial Circuit Court, and Thomas A. Genung, Family Court Administrator of the Seventeenth Judicial Circuit; Blaise Trettis, executive assistant public defender for the Eighteenth Judicial Circuit; Dorothy K. Burk, Senior Assistant General Counsel for the Orange County Sheriff's Office; and Amanda N. Smith, Domestic Violence Unit Supervisor of the Collier County Domestic Violence Unit of the Twentieth Judicial Circuit.

comments received.² We do not attempt to address every proposal and every comment received; rather, we focus our attention on the comments that have resulted in a modification to the forms. In doing so, we continue to emphasize the importance of simplicity and uniformity in the mandatory injunction forms.

We agree with Judge Vitale and administrator Genung that the instructions to form 12.980(b), Petition for Injunction for Protection Against Domestic Violence, should include the ten statutory factors that a judge may consider when determining whether a petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence. See § 741.30(6)(b), Fla. Stat. (2002).³

2. Although several of the comments address only specified forms, we have concluded that certain suggestions are applicable to other forms and have, therefore, amended those forms accordingly. These additional amendments are noted where appropriate.

3. The ten factors set forth in section 741.30(6)(b) are:

1. The history between the petitioner and the respondent, including threats, harassment, stalking, and physical abuse.

2. Whether the respondent has attempted to harm the petitioner or family members or individuals closely associated with the petitioner.

3. Whether the respondent has threatened to conceal, kidnap, or harm the petitioner's child or children.

4. Whether the respondent has intentionally injured or killed a family pet.

5. Whether the respondent has used, or has threatened to use, against the petitioner any weapons such as guns or knives.

6. Whether the respondent has physically restrained the

We also agree with Judge Vitale and administrator Genung that Section III. 2. of form 12.980(b) should be made consistent with Section III. 1. of the form. Section III. 1. requires the petitioner to state whether he or she has ever received or tried to obtain an injunction for protection against domestic violence against the respondent "in this or any other court." We agree that adding the phrase "in this or any other court" will make Section III. 2. consistent with Section III. 1.⁴

Chief Judge Demers correctly notes that the statutory changes to section 741.30(6)(h), Florida Statutes (2001), require recording of domestic violence proceedings, but do not require recording of repeat and dating violence proceedings. See ch. 2002-55, § 13, at 798, Laws of Fla. Accordingly, we have

petitioner from leaving the home or calling law enforcement.

7. Whether the respondent has a criminal history involving violence or the threat of violence.

8. The existence of a verifiable order of protection issued previously or from another jurisdiction.

9. Whether the respondent has destroyed personal property, including, but not limited to, telephones or other communications equipment, clothing, or other items belonging to the petitioner.

10. Whether the respondent engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe that he or she is in imminent danger of becoming a victim of domestic violence.

4. We approve similar amendments to forms 12.980(g), Petition for Injunction for Protection Against Repeat Violence, and 12.980(o), Petition for Injunction Against Dating Violence, as well.

amended form 12.980(c)(1), Order Setting Hearing on Petition, to reflect that only domestic violence hearings are required to be recorded, and that the recording of repeat and dating violence hearings is optional.

We also adopt Chief Judge Demers' suggestion that forms 12.980(d)(1), Temporary Injunction for Protection Against Domestic Violence with Minor Child(ren), and 12.980(d)(2), Temporary Injunction for Protection Against Domestic Violence without Minor Child(ren), be amended to clarify that the court has jurisdiction over the respondent upon service of the temporary injunction.⁵

Chief Judge Demers also suggests that form 12.980(g), Petition for Injunction for Protection Against Repeat Violence, be amended to eliminate the opportunity for the petitioner to indicate whether the minor child for whom the petitioner is seeking the injunction resides at home. When a petition is filed on behalf of a minor child, the minor child must live at the home of the parent or legal guardian in order for the parent or legal guardian to have standing as the petitioner. See § 784.046(2)(a), Fla. Stat. (2002). We agree with Chief Judge Demers and amend the form to provide that "Petitioner is the parent or legal guardian of _____,

5. We approve the proposed changes to forms 12.980(l), Temporary Injunction for Protection Against Repeat Violence, and 12.980(p), Temporary Injunction for Protection Against Dating Violence, as well.

a minor child who is living at home."⁶

We agree with Judge Vitale and administrator Genung that the instructions to form 12.980(h), Supplemental Affidavit in Support of Petition, should be amended to include the statutory language that dating violence "does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context." Ch. 2002-55, § 21, at 803, Laws of Fla.

We further adopt Chief Judge Demers' suggestion that form 12.980(o), Petition for Injunction Against Dating Violence, be amended to include the petitioner's birth date and the address of the respondent's parent or guardian if the respondent is a minor. Finally, pursuant to suggestions made by Chief Judge Demers, Judge Vitale and administrator Genung, we have amended form 12.980(o) to (1) require the petitioner to list other domestic violence and repeat violence injunctions that the petitioner has sought or obtained against the respondent, and (2) afford the petitioner the option to request that the injunction prohibit the respondent from knowingly and intentionally coming within 100 feet of petitioner's automobile.⁷

6. We approve this amendment to form 12.980(o), Petition for Injunction Against Dating Violence, as well.

7. Because these suggestions are applicable to form 12.980(g), we amend that form as well.

Accordingly, we hereby amend the Florida Supreme Court Approved Family Law Forms as set forth in the appendix to this opinion, effective for immediate use. By adoption of these forms, we express no opinion as to their correctness or applicability, or on the substance of the new legislation. This opinion and the forms discussed herein may be accessed and downloaded from this Court's website at www.flcourts.org.

It is so ordered.

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

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

Original Proceeding - Florida Supreme Court Approved Family Law Forms

The Honorable David A. Demers, Chief Judge of the Sixth Judicial Circuit, St. Petersburg, Florida, and B. Elaine New, Court Counsel, Sixth Judicial Circuit, St. Petersburg, Florida; The Honorable Linda L. Vitale, Administrative Judge of the Unified Family Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, and Thomas A. Genung, Family Court Administrator of the Seventeenth Judicial Circuit, in and for Broward County, Florida, Fort Lauderdale, Florida; Blaise Trettis, Executive Assistant Public Defender for the Eighteenth Judicial Circuit, Melbourne, Florida; Dorothy K. Burk, Senior Assistant General Counsel of the Orange County Sheriff's Office, Orlando, Florida; and Amanda N. Smith, Domestic Violence Unit Supervisor of the Collier County Domestic Violence Unit of the Twentieth Judicial Circuit, Naples, Florida,

Filing Comments

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 OR DATING VIOLENCE

When should this form be used?

If you need to file a **petition** for an injunction for protection against repeat violence or dating 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 OR DATING
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.

(SEAL)

CLERK OF THE CIRCUIT COURT



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, kidnaping, false imprisonment, or any other criminal offense resulting in physical injury or death to petitioner by any of petitioner's family or household members. In determining whether you have reasonable cause to believe you are in imminent danger of becoming a victim of domestic violence, the court must consider all relevant factors alleged in the petition, including, but not limited to the following:


1. The history between the petitioner and the respondent, including threats, harassment, stalking, and physical abuse.
2. Whether the respondent has attempted to harm the petitioner or family members or individuals closely associated with the petitioner.
3. Whether the respondent has threatened to conceal, kidnap, or harm the petitioner's child or children.
4. Whether the respondent has intentionally injured or killed a family pet.
5. Whether the respondent has used, or has threatened to use, against the petitioner any weapons such as guns or knives.
6. Whether the respondent has physically restrained the petitioner from leaving the home or calling law enforcement.
7. Whether the respondent has a criminal history involving violence or the threat of violence.
8. The existence of a verifiable order of protection issued previously or from another jurisdiction.
9. Whether the respondent has destroyed personal property, including, but not limited to, telephones or other communications equipment, clothing, or other items belonging to the petitioner.
10. Whether the respondent engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe that he or she is in imminent danger of becoming a victim of domestic violence.


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. With the exception of persons who have a child in common, the family or household members must be currently residing together or have in the past resided together in the same single dwelling unit. 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, or **Petition for Injunction for Protection Against Dating Violence**,  Florida Supreme Court Approved Family Law Form 12.980(o), to determine if your situation will qualify for an injunction for protection against dating 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, Repeat or Dating 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 and Enforcement Act (UCCJEA) 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} _____
Physical description of Petitioner:
Race: ____ Sex: Male ____ Female ____ Date of Birth: _____

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 in this or any other court?
____ 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 _____

_____.

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 and Enforcement Act (UCCJEA) 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;
 - d. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle.
 - e. prohibiting Respondent from defacing or destroying Petitioner's personal property.

[all that apply]

- f. 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]*: _____
 - g. granting Petitioner temporary exclusive use and possession of the home Petitioner and Respondent share;
 - h. granting Petitioner temporary exclusive custody of the parties' minor child(ren);
 - i. establishing visitation rights with the parties' minor child(ren);
 - j. granting temporary alimony for Petitioner;
 - k. granting temporary child support for the minor child(ren);
 - l. ordering Respondent to participate in treatment, intervention, and/or counseling services;
 - m. 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.

**ORDER SETTING HEARING ON PETITION FOR INJUNCTION
FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE
WITHOUT ISSUANCE OF AN INTERIM TEMPORARY INJUNCTION**

The Petition for Injunction for Protection Against Domestic Violence filed under section 741.30, Florida Statutes, or Repeat Violence or Dating Violence under section 784.046, Florida Statutes, has been reviewed. This Court has jurisdiction of the parties and of the subject matter. A **Temporary** Injunction for Protection Against Domestic, Repeat or Dating Violence, pending the hearing scheduled below, is **NOT** being entered at this time but an injunction may be entered after the hearing, depending on the findings made by the Court at that time.

FINDINGS

The Court finds that the facts, as stated in the Petition alone and without a hearing on the matter, do not demonstrate that Petitioner is a victim of domestic, repeat or dating violence or that Petitioner has reasonable cause to believe that he or she is in imminent danger of becoming a victim of domestic or dating violence. Therefore, there is not a sufficient factual basis upon which the court can enter a *Temporary* Injunction for Protection Against Domestic, Repeat or Dating Violence prior to a hearing. A hearing is scheduled on the Petition for Injunction for Protection Against Domestic, Repeat or Dating Violence in section II of this Order. Petitioner may amend or supplement the Petition at any time to state further reasons why a *Temporary* Injunction should be ordered which would be in effect until the hearing scheduled below.

NOTICE OF HEARING

Petitioner and Respondent are ordered to appear and testify at a hearing on the Petition for Injunction for Protection Against Domestic, Repeat or Dating Violence on {date} _____, at _____ a.m./p.m. at {location} _____, at which time the Court will consider whether a Final Judgment of Injunction for Protection Against Domestic, Repeat or Dating Violence should be entered. If entered, the injunction will remain in effect until a fixed date set by the Court or until modified or dissolved by the Court. At the hearing, the Court will determine whether other things should be ordered, including, for example, such matters as visitation, support and who should pay the filing fees and costs.

If Petitioner and/or Respondent do not appear, orders may be entered, including the imposition of court costs or an injunction.

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. in repeat and dating violence cases, 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 order. If you are hearing or voice impaired, call TDD 1-800-955-8771.

Nothing in this order limits Petitioner's rights to dismiss the petition.

ORDERED on _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner: _____ by hand delivery in open Court
_____ by U.S. mail

Respondent: _____ forwarded to sheriff for service

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.

(SEAL)

CLERK OF THE CIRCUIT COURT

By: _____
Deputy Clerk

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

**ORDER DENYING PETITION FOR INJUNCTION
FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE**

The Court has reviewed the Petition for Injunction for Protection Against Domestic, Repeat or Dating Violence filed in this cause and finds that Petitioner has failed to comply with one or more statutory requirements applicable to that petition including the following:

- ___ 1. Petitioner has failed to allege in a petition for domestic violence that Respondent is a member of Petitioner's family or resides in the same dwelling unit with Petitioner.
- ___ 2. Petitioner has used a petition form other than that which is approved by the Court and the form used lacks the statutorily required components.
- ___ 3. Petitioner has failed to complete a mandatory portion of the petition.
- ___ 4. Petitioner has failed to sign the petition.
- ___ 5. Petitioner has failed to allege facts sufficient to support the entry of an injunction for protection against domestic, repeat or dating violence because: _____

_____.
- ___ 6. Other: _____

_____.

It is therefore, ORDERED AND ADJUDGED that the Petition is denied without prejudice to amend or supplement the petition to cure the above stated defects.

ORDERED ON _____.

CIRCUIT JUDGE

COPIES TO:

Petitioner: ___ by hand delivery in open Court
 ___ by U.S. mail

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.

(SEAL)

CLERK OF THE CIRCUIT COURT

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
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. Under the laws of Florida, the Court has jurisdiction of the petitioner and the subject matter and has jurisdiction of the respondent upon service of the temporary injunction.

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.

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 or being within 500 feet of Petitioner's residence, going to Petitioner's place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; knowingly or intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not it is occupied; defacing or destroying Petitioner's personal property; refusing to surrender firearms or ammunition if ordered to do so by the court; 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. 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:**

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 and Enforcement Act (UCCJEA).

12. **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).

[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.

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. Under the laws of Florida, the Court has jurisdiction of the petitioner and the subject matter and has jurisdiction of the respondent upon service of the temporary injunction.

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.

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 or being within 500 feet of Petitioner's residence, going to Petitioner's place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; knowingly or intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not it is occupied; defacing or destroying Petitioner's personal property; refusing to surrender firearms or ammunition if ordered to do so by the court; 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, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members. 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:**

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 or being within 500 feet of Petitioner's residence, going to Petitioner's place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; knowingly or intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not it is occupied; defacing or destroying Petitioner's personal property; refusing to surrender firearms or ammunition if ordered to do so by the court; 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, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members. 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)(e), 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:** _____

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 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.

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 and Enforcement Act (UCCJEA).

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}* _____

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: _____.

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: _____

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: _____

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

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 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: _____

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.

(SEAL)

CLERK OF THE CIRCUIT COURT

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 or being within 500 feet of Petitioner's residence, going to Petitioner's place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; knowingly or intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not it is occupied; defacing or destroying Petitioner's personal property; refusing to surrender firearms or ammunition if ordered to do so by the court; 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. 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:** _____

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 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.**

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 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: _____

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
() DATING VIOLENCE**

THIS CAUSE came before the Court on {date} _____, upon Petitioner's action for an injunction for protection against domestic violence, repeat or dating 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, repeat or dating violence.

Accordingly, the case is dismissed without prejudice.

[If an action for protection against repeat or dating 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

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

When should this form be used?


If you or a member of your immediate family are a victim of **repeat violence**, you can use this form to ask the court for a protective order prohibiting repeat violence. Repeat violence means that **two** incidents of violence have been committed against you or a member of your immediate family by another person, **one of which must have been within 6 months of filing this petition**. Repeat violence includes assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death. 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**. If you are under the age of eighteen and have never been married or had the disabilities of nonage removed by a court, one of your parents or your legal guardian must sign this petition on your behalf.

The parent or legal guardian of any minor child *who is living at home* may seek an injunction for protection against repeat violence on behalf of the minor child. With respect to a minor child who is living at home, the parent or legal guardian must have been an eye-witness to, or have direct physical evidence or **affidavits** from eye-witnesses of, the specific facts and circumstances that form the basis of the petition.

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, you should use **Petition for Injunction for Protection Against Domestic Violence**,  Florida Supreme Court Approved Family Law Form 12.980(b), rather than this form.

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 the presence of a notary or in front of 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 or a member of your immediate family are a victim of repeat violence and that an **immediate and present danger of repeat violence** to you or that family exists, the judge will sign a **Temporary Injunction for Protection Against Repeat Violence**,  Florida Supreme Court Approved Family Law Form 12.980(l). 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. Section I of the temporary injunction gives a date that you should appear in court for a 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 Repeat Violence (After Notice)**, ☞☐ Florida Supreme Court Approved Family Law Form 12.980(m), 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 immediate and present danger of repeat violence exists, the court will set a full hearing 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**, ☞☐ Florida Supreme Court Approved 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 forms. For further information, see section 784.046, Florida Statutes, and rule 12.610, Florida Family Law Rules of Procedure.

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 REPEAT 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.)

1. Petitioner currently lives at: *{address, city, state, zip code}* _____

[if applies]

_____ **Petitioner seeks an injunction for protection on behalf of a minor child.** Petitioner is the parent or legal guardian of *{full legal name}* _____, a minor child who is living at home.

2. **Filing Fees**

[one only]

_____ a. Petitioner is paying the filing fee and sheriff's (or other authorized law enforcement agency's) service fees.

_____ b. Petitioner does not have enough money to pay the filing fee or service fees and is filing an **Affidavit and Motion for Waiver of Fees for Petition for Injunction for Protection**, Florida Supreme Court Approved Family Law Form 12.980(a), and a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). Petitioner asks that he/she not have to pay the fees necessary to process the petition and serve the injunction and any motions or orders needed to enforce the injunction, subject to later order(s) of the Court about the payment of such fees.

3. 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: *{address, city, state, and zip code}* _____

Respondent's Driver's License number is: *{if known}* _____

2. Petitioner has known Respondent since *{date}* _____.
3. Respondent's last known place of employment: _____
Employment address: _____
Working hours: _____
4. Physical description of Respondent:
Race: _____ Sex: Male ____ Female _____ Date of Birth: _____
Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____
Distinguishing marks and/or scars: _____
Vehicle: (make/model) _____ Color: _____ Tag Number: _____
5. Other names Respondent goes by (aliases or nicknames): _____
6. 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, repeat violence or dating 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, repeat violence or dating violence against Petitioner in this or any other court?
____ 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 **between Petitioner and Respondent** (include case number, if known):

4. Respondent has directed at least two incidents of "violence," meaning assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death against Petitioner or a member of Petitioner's immediate family. One of these two incidents of "violence" has occurred within 6 months of the date of filing of this petition. The most recent incident (including date and location) is described below.
On *{date}* _____, at *{location}* _____,
Respondent _____

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

5. Other prior incidents (including dates and location) are described below:

On {date} _____, at {location} _____,
Respondent _____

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

6. Petitioner genuinely fears repeat violence by Respondent. Explain: _____

7. Additional Information

[all that apply]

_____ a. Respondent owns, has, and/or is known to have guns or other weapons.

Describe weapon(s): _____

_____ b. This or prior acts of repeat violence have been previously reported to: {person or agency}

SECTION IV. INJUNCTION (This section must be completed.)

1. Petitioner asks the Court to enter an injunction prohibiting Respondent from committing any acts of violence against Petitioner and:

a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives;

b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is: _____

_____;

- c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner;
- d. ordering Respondent not to use or possess any guns or firearms;

[all that apply]

- e. prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's immediate family must go to often: _____
- f. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle;

and any other terms the Court deems necessary for the safety of Petitioner and Petitioner's immediate family.

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

I UNDERSTAND THAT I AM SWEARING OR AFFIRMING UNDER OATH TO THE TRUTHFULNESS OF THE CLAIMS MADE IN THIS PETITION AND THAT THE PUNISHMENT FOR KNOWINGLY MAKING A FALSE STATEMENT INCLUDES FINES AND/OR IMPRISONMENT.

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

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 _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.980(h),
SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF PETITION FOR INJUNCTION FOR
PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT OR DATING VIOLENCE

When should this form be used?

You may use this form if your **Petition for Injunction for Protection Against Domestic Violence**,  Florida Supreme Court Approved Family Law Form 12.980(b), or your **Petition for Injunction for Protection Against Repeat Violence**,  Florida Supreme Court Approved Family Law Form 12.980(g), or your **Petition for Injunction for Protection Against Dating Violence**,  Florida Supreme Court Approved Family Law Form 12.980(o), was denied by the **judge**. You should use this supplemental **affidavit** to add facts or clarify the facts you wrote in your original **petition**. For a domestic violence case, you should include FACTS that establish that you have been a victim of violence or are in **imminent** danger of becoming a victim of violence from the **respondent**. For a repeat violence case, you should include FACTS that establish that you or a member of your immediate family have or has been a victim of at least two prior incidents of violence, that one of those incidents occurred within the last six months and that there is an immediate and present risk of danger to you or a member of your immediate family. For a dating violence case, you should include FACTS that establish that you have been a victim of violence or are in imminent danger of becoming a victim of violence from the **respondent** who is an individual with whom you have or have had a continuing and significant relationship of a romantic or intimate nature, to be determined by consideration of such facts as the dating relationship existed within the past six months, the nature of the relationship included an expectation of affection or sexual involvement and the frequency and type of interaction between you and the individual included involvement over time and on a continued basis. Dating violence does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or the **clerk of the circuit court**. You should then **file** the original with the clerk in the county where the petition was filed and keep a copy for your records.

What should I do next?

After you complete this supplemental affidavit, the clerk will attach it to your original petition and all the documents will be submitted to the judge as your “Amended Petition.”

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

**SUPPLEMENTAL AFFIDAVIT IN SUPPORT OF PETITION FOR
INJUNCTION FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE**

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

1. On *{date}* _____, at *{place and address}* _____

_____,
Respondent said or did the following things that hurt me or a member of my immediate family and made me afraid for my or my family member's safety:

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

2. On *{date}* _____, at *{place and address}* _____

_____,
the following event(s) took place: _____

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

3. Check here if you are attaching copies of medical records for treatment you may have received for injuries referred to in your petition or in this supplemental affidavit, or copies of any police or sheriff reports concerning incidents of violence involving you and Respondent.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this supplemental affidavit 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 _____

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.980(i),
PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

When should this form be used?

If you are the **petitioner** in a **petition** for injunction for protection against domestic violence action and you fear that disclosing your address to the **respondent** would put you in danger, you should complete this form and **file** it with the **clerk of the circuit court**.

You cannot use this form in a petition for injunction for protection against repeat or dating violence action.

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the clerk of the circuit court in the county where your petition was filed and keep a copy for your records.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

PETITIONER'S REQUEST FOR CONFIDENTIAL FILING OF ADDRESS

I, {full legal name} _____, Petitioner in the above injunction for protection against domestic violence action, request that the Court maintain and hold as confidential, the following address:

Address _____

City _____ State _____ Zip _____

Telephone (area code and number) _____

This request is being made for the purpose of keeping the location of my residence unknown to Respondent for safety reasons pursuant to section 741.30, Florida Statutes.

Dated: _____

Signature of Petitioner

**CLERK'S CERTIFICATE AS TO PETITIONER'S REQUEST FOR
CONFIDENTIAL FILING OF ADDRESS**

I, _____, as Clerk of the Circuit Court, do hereby certify that I received and filed the above and will keep the above address confidential, subsequent to further order of the Court relative to such confidentiality.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
Deputy Clerk



INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.980(j),
MOTION FOR EXTENSION OF INJUNCTION FOR PROTECTION AGAINST DOMESTIC
VIOLENCE, REPEAT VIOLENCE OR DATING VIOLENCE


When should this form be used?

If you are the **petitioner** on a previously entered injunction for protection against domestic violence, repeat violence or dating violence and that injunction will soon expire, you may use this form to request that the court **extend the injunction**. **You must file a motion for extension BEFORE the previously entered order expires.**

This form should be typed or printed in black ink. After completing this form, you should sign it before a notary public or the **clerk of the circuit court**. You should then **file** the original with the clerk in the county where the petition was filed and 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?

For your case to proceed, you will need to set a **hearing** on your motion. You must properly notify the other party of the motion and hearing. You should check with the clerk of court for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should file **Notice of Hearing (General)**,  Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form. You will need to serve a copy of your motion and Notice of Hearing to the other party. Service of your motion must be in a manner that is reasonably calculated to apprise the other party of your motion and the hearing. *Please note that if notice is mailed, the court in certain circumstances may not consider mailing to be adequate notice. If you want to be sure, you should consider using certified mail, return receipt requested, or having the motion personally served. This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**,  Florida Family Law Rules of Procedure Form 12.910(a).


You will need to appear at the hearing on your motion. After the hearing, if the judge grants your motion, he or she will prepare an **Order Extending Injunction for Protection Against Domestic Violence, Repeat Violence or Dating Violence**,  Florida Supreme Court Approved Family Law Form 12.980(n). After the judge signs the order, the clerk will provide you with the necessary copies. **Make sure that you keep a certified copy of the previously entered injunction AND a certified copy of the order extending that injunction with you at all times.**

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 or repeat violence forms and will answer any question that you may have.

Special notes...

With this form you may also file the following:

- **Petitioner's Request for Confidential Filing of Address**,  Florida Supreme Court Approved Family Law Form 12.980(i), if your petition is for protection against domestic violence and you wish to keep your address confidential.
- When completing this form, you should make sure that your reasons for requesting that the injunction be extended are stated clearly and that you include all relevant facts.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____


_____,
Petitioner,

and

_____,
Respondent.

**MOTION FOR EXTENSION OF INJUNCTION FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING 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 this is a domestic violence case and 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.)

New information about Respondent, since the current injunction was issued: (If known, write Respondent's new address, place of employment, physical description, vehicle, aliases or nicknames, or attorney's name.)

SECTION III. CASE HISTORY AND REASON FOR SEEKING EXTENSION OF INJUNCTION

1. Describe any attempts since the date of the current injunction by either Petitioner or Respondent to

get an injunction for protection in this or any other court (other than the injunction you are asking to extend in this motion). _____

2. Describe any other court cases (including city, state, and case numbers, if known) since the date of the current injunction between Petitioner and Respondent, including any cases involving the parties' minor child(ren), divorce, juvenile dependency, guardianship, or other civil or criminal cases. _____

3. Petitioner requests that the previously entered injunction for protection against domestic violence, repeat violence or dating violence be extended for the following **specific** reasons: *{State in detail why you wish the injunction to remain in effect.}* _____

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

4. Petitioner genuinely fears the continued threat of violence by Respondent.

SECTION IV. REQUESTED RELIEF

1. Petitioner understands that the Court will hold a hearing on this motion and that he or she must appear at the hearing.

2. Petitioner asks the Court to enter an order in this case that extends the previously entered injunction for a period of () _____ or () until modified or dissolved by the court.

I certify that a copy of this document was [**one** only] () mailed () faxed and mailed () mailed by certified mail, return receipt requested, () furnished to a law enforcement officer for personal service to the person(s) listed below on *{date}* _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this 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 _____



INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.980(k),
MOTION FOR MODIFICATION OF INJUNCTION FOR PROTECTION AGAINST DOMESTIC
VIOLENCE, REPEAT VIOLENCE OR DATING VIOLENCE

When should this form be used?

This form may be used if you are a **party** to a previously entered injunction for protection against domestic violence, repeat violence or dating violence and you want the court to **modify the terms** of the injunction. If you use this form, you are called the moving party.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or the **clerk of the circuit court**. You should then file the original with the clerk in the county where the original petition was filed and keep a copy for your records. **You must file a motion for modification before the previously entered order expires.** 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?

For your case to proceed, you will need to set a **hearing** on your motion. You must properly notify the other party of the motion and hearing. You should check with the clerk of court for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should file **Notice of Hearing (General)**,  Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form. You will need to serve a copy of your motion and Notice of Hearing to the other party. Service of your motion must be in a manner that is reasonably calculated to apprise the other party of your motion and the hearing. *Please note that if notice is mailed, the court in certain circumstances may not consider mailing to be adequate notice. If you want to be sure, you should consider using certified mail, return receipt requested, or having the motion personally served. **If you are not represented by an attorney in this action, you must file proof that the other party personally received notice of your motion.** This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**,  Florida Family Law Rules of Procedure Form 12.910(a).

You will need to appear at a hearing on your motion for modification of injunction. After the hearing, if the judge grants your motion, he or she will prepare a new injunction for protection that contains the modifications. After the judge signs the new injunction, the clerk will provide you with the necessary copies. **Make sure that you keep a certified copy of the new injunction with you at all times!**

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, repeat or dating violence forms and will answer any question that you may have.

Special notes...

If the injunction you are seeking to modify is for domestic violence and you want the court to modify **alimony**,

custody of a minor child(ren), or **child support**, you must establish that there has been a change in circumstance(s), as required by chapters 61 Florida Statutes, or 741 Florida Statutes, as applicable, that requires this (these) modification(s). Be sure that you make these change(s) clear in your motion.

With this form you may also file the following:

- **Petitioner's Request for Confidential Filing of Address**,  Florida Supreme Court Approved Family Law Form 12.980(i), if your petition is for domestic violence and you wish to keep your address confidential.
- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**,  Florida Supreme Court Approved Family Law Form 12.902(d), must be completed and attached if the modification(s) you are seeking involves temporary custody of any minor child(ren).
- **Family Law Financial Affidavit**,  Florida Family Law Rules of Procedure Form 12.902(b) or (c), must be completed and attached if the modification(s) you are seeking involves temporary alimony or temporary child support.
- When completing this form, you should make sure that your reasons for requesting that the injunction be modified are stated clearly and that you include all relevant facts.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____


_____,
Petitioner,

and

_____,
Respondent.

**MOTION FOR MODIFICATION OF INJUNCTION FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE**

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

SECTION I. MOVING PARTY (This section is about you. It must be completed. However, **if you are the Petitioner and this is a domestic violence case and 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. Moving Party is the () Petitioner () Respondent in this case.
2. Moving Party currently lives at: {street address} _____
{city, state and zip code} _____
Telephone Number: {area code and number} _____
3. Moving Party's attorney's name, address and telephone number is: _____

(If you do not have an attorney, write "none.")

SECTION II. NEW INFORMATION

New information since the previous injunction was issued: (If known, write the other party's new address, place of employment, physical description, vehicle, aliases or nicknames, or attorney's name.)

SECTION III. CASE HISTORY AND REASON FOR SEEKING MODIFICATION OF

INJUNCTION

- 1. Describe any attempts since the date of the current injunction by either Petitioner or Respondent to get an injunction for protection in this or any other court (other than the injunction you are asking to modify in this motion). _____

- 3. Describe any other court cases (including case numbers, if known) since the date of the current injunction between Petitioner and Respondent, including any cases involving the parties' minor child(ren), divorce, juvenile dependency, guardianship, or other civil or criminal cases. _____

- 4. Moving Party requests that the previously entered injunction for protection against domestic violence, repeat violence or dating violence be modified for the following **specific** reasons: *{State why you wish the injunction to be changed.}* _____

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

SECTION IV. REQUESTED RELIEF

- 1. Moving Party understands that the court will hold a hearing on this motion and that he or she must appear at the hearing.

- 2. Moving Party asks the Court to enter an order in this case, that modifies the previously entered injunction in the following ways: *{State how you wish the injunction to be changed.}* _____

I certify that a copy of this document was [**one** only] () mailed () faxed and mailed () mailed by certified mail, return receipt requested, () furnished to a law enforcement officer

for personal service to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____

Address: _____

City, State, Zip: _____

Fax Number: _____

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

Dated: _____

Signature of Party

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 _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

_____,
Petitioner,

and

_____,
Respondent.

TEMPORARY INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE

The Petition for Injunction for Protection Against Repeat Violence under section 784.046, Florida Statutes, and other papers filed in this Court have been reviewed. Under the laws of Florida, the Court has jurisdiction of the petitioner and the subject matter and has jurisdiction of the respondent upon service of the temporary injunction. The term "Petitioner" as used in this injunction includes the person on whose behalf this injunction is entered.

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.

SECTION I. NOTICE OF HEARING

Because this Temporary Injunction for Protection Against Repeat Violence has been issued without 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 Repeat Violence, which shall remain in effect until modified or dissolved by the Court, and whether other things should be ordered, including, for example, such matters as who should pay the filing fees and costs. 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, or 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.

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.

SECTION II. FINDINGS

The statements made under oath by Petitioner make it appear that section 784.046, Florida Statutes, applies to the parties, that Petitioner is a victim of repeat violence and that an immediate and present danger of repeat violence exists to Petitioner or to a member of Petitioner's immediate family.

SECTION III. 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.

Willful violation of the terms of this injunction, such as refusing to vacate the dwelling which 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 repeat 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.

Any party violating this injunction may be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment or any criminal offense resulting in physical injury or death. 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: _____

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

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

_____ c. 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 Respondent's possession to the County Sheriff's Department.

_____ c. Other directives relating to firearms and ammunition: _____

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 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 784.046, Florida Statutes.

5. **Additional order(s) necessary to protect Petitioner from repeat violence:**

SECTION IV. 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.)

SECTION V. 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 and enforceable 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 a warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions, which constitutes a criminal act under section 784.047, Florida Statutes.
3. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.**
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 ____ by U. S. Mail ____ by hand delivery
Respondent: ____ forwarded to sheriff for service
____ 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
REPEAT VIOLENCE (AFTER NOTICE)**

The Petition for Injunction for Protection Against Repeat Violence under section 784.046, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter. The term "Petitioner" as used in this injunction includes the person on whose behalf this injunction is entered.

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.

SECTION I. HEARING

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

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

SECTION II. 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 repeat violence.

SECTION III. INJUNCTION AND TERMS

This injunction shall be in full force and effect until () further order of the Court () {date} _____. This injunction is valid and enforceable throughout all counties

in 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.

Willful violation of the terms of this injunction, such as refusing to vacate the dwelling which 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 repeat 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.

Any party violating this injunction shall be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death. 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: _____

_____.

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

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

____ c. 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.
- ____ c. Other directives relating to firearms and ammunition: _____

4. **Court Costs.** Pursuant to section 784.046(3)(b), Florida Statutes, filing fees to the Clerk of the Circuit Court and service fees to the sheriff are waived, subject to subsequent order of the court; **OR** costs in the amount of \$_____ for the filing fee, plus \$_____ for the sheriff's fee, for a total of \$_____
are taxed against () Petitioner () Respondent () Other *{explain}* _____,
for which sum let execution issue. This amount shall be paid to the office of the *{name of county}*
_____ Clerk of the Circuit Court, within 30 days of the date of this injunction.
If Respondent is directed to pay filing fees or service fees and Petitioner has previously paid said fees, the clerk shall refund same to Petitioner, upon payment by Respondent.

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 784.046, Florida Statutes.

6. **Additional order(s) necessary to protect Petitioner from repeat violence:** _____

SECTION IV. 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.)

SECTION V. 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 and enforceable 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 a warrant pursuant to section 901.15, Florida Statutes, for any violation of its provision, which constitutes a criminal act under section 784.047, Florida Statutes.
2. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.**
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 certified copy of this injunction)

_____ 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

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 EXTENDING INJUNCTION FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE**

THIS CAUSE came before the Court on {date} _____, upon Petitioner's action for an extension of injunction for protection and it appearing to the Court as follows:

____ **Ex parte.** The claims in the petition for extension of injunction for protection make it appear to the Court that there is an immediate and present danger of domestic, repeat or dating violence, as required under section 741.30 or section 784.046, Florida Statutes. The previously entered injunction is extended until {date} _____. A full hearing on the petition is scheduled for {date} _____ at _____ a.m./p.m. in _____.

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. If this is a repeat violence or dating violence action, 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.

To be completed if this order was entered after an ex parte hearing:

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 order. If you are hearing or voice impaired, call TDD
1-800-955-8771.

_____ **After notice and hearing.** Respondent was served with a copy of the temporary extension, if applicable, and a notice of this hearing within the time required by Florida law and was afforded an opportunity to be heard. The notice and opportunity to be heard were sufficient to protect Respondent's right to due process. The following persons attended the hearing: () Petitioner () Respondent.

After hearing the testimony of each party present and of any witnesses, or upon consent of Respondent, the Court finds that Petitioner is a victim of domestic, repeat violence or dating violence or reasonably fears that he/she will become a victim of domestic or dating violence from Respondent. The previously entered injunction is extended until {date} _____, or until further order of the Court.

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 certified copy of this
injunction)

_____ 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

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

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

When should this form be used?


If you or a member of your immediate family are a victim of **dating violence**, you can use this form to ask the court for a protective order prohibiting dating violence. Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. **The dating relationship must have existed within the past six months, the nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties, and the frequency and type of interaction must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. Dating violence does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.** Dating violence includes assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death. 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**. If you are under the age of eighteen and have never been married or had the disabilities of nonage removed by a court, one of your parents or your legal guardian must sign this petition on your behalf.

The parent or legal guardian of any minor child *who is living at home* may seek an injunction for protection against dating violence on behalf of the minor child. With respect to a minor child who is living at home, the parent or legal guardian must have been an eye-witness to, or have direct physical evidence or **affidavits** from eye-witnesses of, the specific facts and circumstances that form the basis of the petition.


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, you should use **Petition for Injunction for Protection Against Domestic Violence**,  Florida Supreme Court Approved Family Law Form 12.980(b), rather than this form.

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 the presence of a notary or in front of 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 or a member of your immediate family are a victim of dating violence and that an **immediate and present danger of dating violence** to you or that family exists, the judge will sign a **Temporary Injunction for Protection Against Dating Violence**,  Florida Supreme Court Approved Family Law Form 12.980(p). 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. Section I of the temporary injunction gives a date that you should appear in court for a 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 Dating Violence (After Notice)**,  Florida Supreme Court Approved Family Law Form 12.980(q), 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 immediate and present danger of dating violence exists, the court will set a full hearing 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**,  Florida Supreme Court Approved 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 forms. For further information, see section 784.046, Florida Statutes, and rule 12.610, Florida Family Law Rules of Procedure.

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 DATING 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.)

1. Petitioner currently lives at: *{address, city, state, zip code}* _____

Date of Birth of Petitioner: _____

[if applies]

_____ **Petitioner seeks an injunction for protection on behalf of a minor child.** Petitioner is the parent or legal guardian of *{full legal name}* _____, a minor child who is living at home.

2. **Filing Fees**

[one only]

_____ a. Petitioner is paying the filing fee and sheriff's (or other authorized law enforcement agency's) service fees.

_____ b. Petitioner does not have enough money to pay the filing fee or service fees and is filing an **Affidavit and Motion for Waiver of Fees for Petition for Injunction for Protection**, Florida Supreme Court Approved Family Law Form 12.980(a), and a **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c). Petitioner asks that he/she not have to pay the fees necessary to process the petition and serve the injunction and any motions or orders needed to enforce the injunction, subject to later order(s) of the Court about the payment of such fees.

3. 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: *{address, city, state, and zip code}* _____

Respondent's Driver's License number is: *{if known}* _____
2. Petitioner has known Respondent since *{date}* _____.
3. Respondent's last known place of employment: _____
Employment address: _____
Working hours: _____
4. Physical description of Respondent:
Race: _____ Sex: Male ___ Female ___ Date of Birth: _____

Height: _____ Weight: _____ Eye Color: _____ H a i r C o l o r : _____
Distinguishing marks and/or scars: _____
Vehicle: (make/model) _____ Color: _____ Tag Number: _____
5. Other names Respondent goes by (aliases or nicknames): _____
6. 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.")

7. If Respondent is a minor, the address of Respondent's parent or legal guardian is: _____

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

1. Describe the nature of the relationship between the Petitioner and Respondent (include the length of time of the relationship, the romantic or intimate nature of the relationship, the frequency or type of interaction, and any other facts that characterize the relationship) _____

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

2. Have the Petitioner and Respondent been involved in a dating relationship within the past six months?
_____ Yes _____ No

3. Has Petitioner ever received or tried to get an injunction for protection against domestic violence, dating violence or repeat violence against Respondent in this or any other court?

() Yes () No If yes, what happened in that case? *{include case number, if known}*

4. Has Respondent ever received or tried to get an injunction for protection against domestic violence, dating violence or repeat violence against Petitioner in this or any other court?

() Yes () No If yes, what happened in that case? *{include case number, if known}*

5. Describe **any other** court case that is either going on now or that happened in the past **between Petitioner and Respondent** (include case number, if known):

6. Respondent has directed an incident of "violence," meaning assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death against Petitioner or a member of Petitioner's immediate family. The incident (including date and location) is described below.

On *{date}* _____, at *{location}* _____,

Respondent _____

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

7. Other prior incidents (including dates and location) are described below:

On *{date}* _____, at *{location}* _____,

Respondent _____

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

8. Petitioner genuinely fears dating violence by Respondent. Explain: _____

9. **Additional Information**

[all that apply]

_____ a. Respondent owns, has, and/or is known to have guns or other weapons.
Describe weapon(s):

_____ b. This or prior acts of dating violence have been previously reported to: *{person or agency}*

SECTION IV. INJUNCTION (This section must be completed.)

1. Petitioner asks the Court to enter an injunction prohibiting Respondent from committing any acts of violence against Petitioner and:
a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives;
b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is: _____;

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

d. ordering Respondent not to use or possess any guns or firearms;

[all that apply]

_____ e. prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's immediate family must go to often: _____

_____;
____ f. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of
Petitioner's motor vehicle;
and any other terms the Court deems necessary for the safety of Petitioner and Petitioner's immediate
family.

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

**I UNDERSTAND THAT I AM SWEARING OR AFFIRMING UNDER OATH TO
THE TRUTHFULNESS OF THE CLAIMS MADE IN THIS PETITION AND THAT THE
PUNISHMENT FOR KNOWINGLY MAKING A FALSE STATEMENT INCLUDES FINES
AND/OR IMPRISONMENT.**

Dated: _____

Signature of Petitioner

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

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 _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

_____,
Petitioner,

and

_____,
Respondent.

TEMPORARY INJUNCTION FOR PROTECTION AGAINST DATING VIOLENCE

The Petition for Injunction for Protection Against Dating Violence under section 784.046, Florida Statutes, and other papers filed in this Court have been reviewed. Under the laws of Florida, the Court has jurisdiction of the petitioner and the subject matter and has jurisdiction of the respondent upon service of the temporary injunction. The term "Petitioner" as used in this injunction includes the person on whose behalf this injunction is entered.

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.

SECTION I. NOTICE OF HEARING

Because this Temporary Injunction for Protection Against Dating Violence has been issued without 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 Dating Violence, which shall remain in effect until modified or dissolved by the Court, and whether other things should be ordered, including, for example, such matters as who should pay the filing fees and costs. 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, or 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.

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.

SECTION II. FINDINGS

The statements made under oath by Petitioner make it appear that section 784.046, Florida Statutes, applies to the parties, that Petitioner is a victim of dating violence and/or Petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of an act of dating violence by Respondent, and that an immediate and present danger of dating violence exists to Petitioner or to a member of Petitioner's immediate family.

SECTION III. 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.

Willful violation of the terms of this injunction, such as refusing to vacate the dwelling which 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 dating 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.

Any party violating this injunction may be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death. 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:

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

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

_____ c. 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 Respondent's possession to the County Sheriff's Department.

_____ c. Other directives relating to firearms and ammunition: _____

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 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 784.046, Florida Statutes.

5. **Additional order(s) necessary to protect Petitioner from dating violence:**

SECTION IV. 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.)

SECTION V. 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 and enforceable 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 a warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions, which constitutes a criminal act under section 784.047, Florida Statutes.
3. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.**
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: ___ by U. S. Mail ___ by hand delivery

Respondent: ___ forwarded to sheriff for service

___ 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
DATING VIOLENCE (AFTER NOTICE)**

The Petition for Injunction for Protection Against Dating Violence under section 784.046, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter. The term "Petitioner" as used in this injunction includes the person on whose behalf this injunction is entered.

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.

SECTION I. HEARING

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

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

SECTION II. 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 dating violence and/or Petitioner has reasonable cause to believe he or she is in imminent danger of becoming a victim of an act of dating violence by Respondent, and that an immediate and present danger of dating violence exists to Petitioner or to a member of Petitioner's immediate family.

SECTION III. INJUNCTION AND TERMS

This injunction shall be in full force and effect until () further order of the Court ()*{date}* _____. This injunction is valid and enforceable throughout all counties in 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.

Willful violation of the terms of this injunction, such as refusing to vacate the dwelling which 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 dating 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.

Any party violating this injunction shall be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, or false imprisonment, or any criminal offense resulting in physical injury or death. 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: _____

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

- b. Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.
- c. 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.
- c. Other directives relating to firearms and ammunition: _____

4. **Court Costs.** Pursuant to section 784.046(3)(b), Florida Statutes, filing fees to the Clerk of the Circuit Court and service fees to the sheriff are waived, subject to subsequent order of the court; **OR** costs in the amount of \$_____ for the filing fee, plus \$_____ for the sheriff's fee, for a total of \$_____ are taxed against () Petitioner () Respondent () Other {*explain*}

_____ for which sum let execution issue. This amount shall be paid to the office of the {*name of county*} _____ Clerk of the Circuit Court, within 30 days of the date of this injunction. If Respondent is directed to pay filing fees or service fees and Petitioner has previously paid said fees, the clerk shall refund same to Petitioner, upon payment by Respondent.

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 784.046, Florida Statutes.

6. **Additional order(s) necessary to protect Petitioner from dating violence:** _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

SECTION IV. 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.)

SECTION V. 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 and enforceable 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 a warrant pursuant to section 901.15, Florida Statutes, for any violation of its provision, which constitutes a criminal act under section 784.047, Florida Statutes.
2. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.**
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 certified copy of this injunction)

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

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

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.980(r),

PETITION BY AFFIDAVIT FOR ORDER TO SHOW CAUSE FOR A VIOLATION OF FINAL
JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT
VIOLENCE OR DATING VIOLENCE

When should this form be used?

You may use this form if you have a valid **Final Judgment of Injunction for Protection Against Domestic Violence, Repeat Violence or Dating Violence** in force which has been violated. You should use this **affidavit** to state the essential facts which establish a violation of the Final Judgment of Injunction.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or the **clerk of the circuit court**. You should then **file** the original with such clerk or judge as determined by the chief judge of your circuit to be the recipient of affidavits of violation, provide a copy to the state attorney of that circuit and keep a copy for your records.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

**PETITION BY AFFIDAVIT FOR ORDER TO SHOW CAUSE FOR A VIOLATION OF
FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST
() DOMESTIC VIOLENCE () REPEAT VIOLENCE () DATING VIOLENCE**

I, *{full legal name}* _____, being sworn, certify
that I have actual knowledge of the following facts as set forth and the following statements are true:

1. The Court has previously issued [**one** only]
 - ____ a. Final Judgment of Injunction for Protection Against Domestic Violence
 - ____ b. Final Judgment of Injunction for Protection Against Repeat Violence
 - ____ c. Final Judgment of Injunction for Protection Against Dating Violencein this case on the ____ day of _____, _____.

2. The Final Judgment of Injunction for Protection was served on the Respondent on the ____ day of _____, _____.

3. On *{date}* _____, at *{place and address}* _____

the following event(s) took place: _____

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

4. The Respondent has willfully violated the Injunction by (explain what the Respondent did that violated the Order of Protection.)

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

5. _____ Check here if you are attaching copies of medical records for treatment you may have received for injuries referred to in your affidavit, or copies of any police or sheriff reports concerning incidents of violence involving you and Respondent.

6. The Respondent acted to impair, interfere with, delay, hinder, lessen the authority of, dignity of, and embarrass the cause of justice in a manner contemptuous of this court.

WHEREFORE, I respectfully request that the Court issue an Order to Show Cause, requiring the Respondent to appear before the Court to show cause why the Respondent should not be held in contempt of court for failure to abide by the terms and conditions of the Final Judgment of Injunction for Protection.

I understand that by filing this affidavit, I am asking the court to hold a hearing, that both Respondent and I will be notified of the hearing, and that I must appear at the hearing. In addition to my own testimony, I understand that I can bring other proof of the violation such as, for example, people who saw the Respondent violate the order, pictures, medical records, police reports, or anything that might help show the judge how the Respondent violated the Final Judgment of Injunction for Protection.

I have read every statement made in this affidavit and each statement is true and correct. I understand that the statements made in this affidavit are being made under penalty of perjury, punishable as provided in Section 837.02, Florida Statutes 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 _____

I certify that a copy of this document was [**one** only] () mailed () faxed and mailed ()
hand delivered to the person(s) listed below on {date} _____.

Other party or his/her attorney:

Name: _____
Address: _____
City, State, Zip: _____
Fax Number: _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [fill in **all** blanks]

I, {full legal name and trade name of nonlawyer} _____,
a nonlawyer, located at {street} _____, {city} _____,
{state} _____, {phone} _____, helped {name} _____,
[**one** only] () Husband () Wife **or** () both, fill out this form.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

_____,
Petitioner,

and

_____,
Respondent.

Description of Respondent:

Sex: _____ Eye color: _____
Race: _____ Hair color: _____
Height: _____ Last known address: _____
Weight: _____
DOB: _____

ORDER TO SHOW CAUSE

This cause comes before the court for review based upon the alleged conduct of the Respondent for the issuance of an Order to Show Cause directed to {name} _____ for violation of the Final Judgment of Injunction for Protection as is more specifically set forth in the **Petition By Affidavit For Order To Show Cause For a Violation Of Final Judgment Of Injunction For Protection**, a copy of which is attached hereto and made a part hereof.

NOW, THEREFORE, you, {name} _____, are hereby ORDERED to appear before this court before Judge {name} _____, on {date} _____, at {time} _____ .m., in Room _____ of the _____

Courthouse, located at _____, to be arraigned. A subsequent hearing will be scheduled requiring Respondent to show cause why he/she should not be held in contempt of this court for violation of the Final Judgment of Injunction for Protection as is stated in the attached **Petition By Affidavit For Order To Show Cause For a Violation Of Final Judgment Of Injunction For Protection**. Punishment, if imposed, may include a fine and incarceration.

Should the court determine, based on the evidence presented at the hearing, that the Respondent's conduct warrants sanctions for civil contempt in addition to or instead of indirect criminal contempt, the court reserves the right to find the Respondent guilty of civil contempt and impose appropriate civil sanctions.

The court hereby appoints the State Attorney's Office to prosecute the case.

Respondent is advised that he/she is entitled to be represented by counsel.

IT IS FURTHER ORDERED that the Sheriff of this county serve this **Order to Show Cause** by delivering copies to the Respondent, with proof of Sheriff's service.

ORDERED in _____ County, Florida, on *{date}*

Judge

Copies to:

_____ State Attorney

_____ Petitioner or Counsel for Petitioner

_____ Respondent or Counsel for Respondent

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 order. If you are hearing or voice impaired, call TDD 1-800-955-8771.