

NOTICE!!!!!!!!!!!!

***ALL PETITIONS FOR
PROTECTION FROM ABUSE
(PFA'S) WILL BE GIVEN A COURT
DATE. ONCE THE PFA IS FILED,
IT CAN ONLY BE DISMISSED BY
THE JUDGE. THEREFORE, YOU
MUST APPEAR IN COURT BEFORE
THE JUDGE ON YOUR COURT
DATE AND EXPLAIN TO HIM WHY
YOU WOULD LIKE YOUR CASE
DISMISSED. TO CONTINUE A
CASE, WE MUST HAVE
SOMETHING IN WRITING
EXPLAINING TO THE JUDGE WHY
YOUR CASE SHOULD BE
CONTINUED. THEN IT'S THE
JUDGES DECISION.***

PROTECTION FROM ABUSE PETITIONS

******YOU MUST READ THIS PAGE BEFORE****
****FILLING OUT THE PAPERWORK******

The clerks cannot give legal advice and they cannot help you fill out the forms. If you need help to complete the forms, you must get a friend to help you or hire an attorney.

- 1. At top of page fill in: Court=CIRCUIT County=MOBILE*
- 2. Use full legal names on the forms: FIRST, MIDDLE & LAST*
- 3. Use complete addresses including: ZIP CODES AND APARTMENT NUMBERS*

*****The petition will not be accepted without an address to serve the defendant and proper identification of the plaintiff.*****

4. On page 1 of the Ex-Parte Protection Order, you will only fill in the information down to the weapons involved and above the highlighted line. The Judge will complete the rest of the information.

5.EVERYONE must fill out the Protection from Abuse Information Sheet. The JUDGE REQUIRES IT.

6.Print hard on the forms: THE SHERIFF WILL NOT SERVE UNREADABLE COPIES.

.....
IF THE JUDGE ACCEPTS YOUR PETITION, YOU WILL BE GIVEN A COURT DATE IN APPROXIMATELY TWO WEEKS TIME. BOTH YOU AND THE DEFENDANT MUST APPEAR IN COURT FOR THE HEARING OR YOUR PETITION MAY BE DISMISSED.

CASE NO. DR-2008-_____

PROTECTION FROM ABUSE INFORMATION SHEET

PLAINTIFF'S NAME: _____

ADDRESS: _____

CITY, STATE, AND ZIP CODE: _____

TELEPHONE NUMBER: _____

BIRTHDATE: _____ SEX: _____ RACE: _____

SOCIAL SECURITY NUMBER: _____

YOUR RELATIONSHIP TO DEFENDANT: _____

DO YOU WANT YOUR ADDRESS TO BE CONFIDENTIAL IF NOT LIVING TOGETHER?: YES _____ NO _____

IF THE ABOVE ANSWER IS YES, GIVE ANOTHER ADDRESS WHERE YOU CAN RECEIVE MAIL: _____

.....
DEFENDANT'S NAME: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

TELEPHONE NUMBER: _____

BIRTHDATE: _____ SEX: _____ RACE: _____

SOCIAL SECURITY NUMBER: _____

COLOR OF EYES: _____ HAIR: _____ HEIGHT: _____ WEIGHT: _____

PLACE OF EMPLOYMENT: _____

ADDRESS: _____

CITY, STATE, ZIP CODE _____

WORK HOURS AND JOB POSITION: _____

DESCRIPTION OF DEFENDANT'S VEHICLE: MAKE, MODEL, YEAR AND COLOR: _____

Ex Parte Protection Order

(Protection from Abuse Act)
§30-5-1, et seq., Ala. Code 1975

Case No.

In the Circuit or District Court of _____ County, ALABAMA

Amended Order

PLAINTIFF

First Middle Last

and/or any minor(s) or minor child(ren) on whose behalf the
Petition for Protection from Abuse filed [List Name(s) and DOB(s)]

V.

DEFENDANT

First Middle Last

Relationship to Plaintiff : Spouse Ex-Spouse Child
 Parent Relation within 6th Degree Consanguinity or Affinity
 Common Law Marriage Child in Common
 Present or Former Household Member

Defendant's Home Address & Telephone #: _____

PLAINTIFF

Date of Birth (DOB) of Plaintiff

Other Protected Persons(s) [List Name(s) and DOB(s)]:

DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVERS LICENSE #		STATE	EXP DATE	
VEHICLE		TAG#		

CAUTION : WEAPONS INVOLVED Firearm Knife Hands, Feet, Fist Other: _____
 Weapon Present on the Property

THE COURT HEREBY FINDS (Check all that apply):

Pursuant to the sworn Affidavit/Petition and/or testimony of the Plaintiff seeking protection from abuse, the Court finds that it has jurisdiction over the parties and subject matter and that:

- A temporary order is necessary to prevent abuse.
- The Defendant represents a credible threat to the physical safety of the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member to wit: _____

THE COURT HEREBY ORDERS (Check all that apply):

- That the above-named Defendant be restrained from committing further acts of abuse or threats of abuse as defined in the Protection from Abuse Act.
- That the above-named Defendant be restrained from any contact with the Plaintiff, and/or Minor(s); and / or Minor Child(ren); and/or Any designated household or family member, to wit: _____

Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until: _____, _____; or further Order of the Court.

NOTICE TO LAW ENFORCEMENT

This Order shall be enforced, even without registration, by courts and any law enforcement officer of any state, the District of Columbia, any U.S. territory, and may be enforced by Tribal lands (18 U.S.C.A. Section 2265).

WARNINGS TO DEFENDANT :

This Order shall be enforced, even without registration, by the courts and any law enforcement officer of any State, the District of Columbia, and any U.S. territory, and may be enforced by Tribal Lands (18 U.S.C.A. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualified protection order or after being convicted of a misdemeanor crime of domestic violence [18 U.S.C.A. Sections 922(g)(8) and 922(g)(9)]. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A willful violation of this ORDER is a Class A misdemeanor punishable by a fine not to exceed six thousand dollars (\$6,000) or imprisonment for up to a year in jail, or both, and is also punishable for civil contempt (Section 30-5-8, Ala. Code 1975). In addition, Sections 30-5-9 and 30-5A-3(c)(2), Ala. Code 1975, further outline penalties for violations of protection, restraining, or injunctive orders.

ONLY THE COURT CAN CHANGE THIS ORDER

PETITION FOR PROTECTION FROM ABUSE

Case Number

Form C-2 (Page 1 of 5)
Rev. 2/2005

IN THE MOBILE COURT OF COUNTY COUNTY, ALABAMA
(Circuit or District) (Name of County)

V.

Plaintiff (your name)

Defendant (person to be restrained)

Address/ Business or Home

City State Zip Code

Date of Birth

Social Security Number

YOU MUST PROVIDE COMPLETE AND TRUTHFUL INFORMATION. IF YOU DO NOT, THE COURT MAY DISMISS THIS CASE, AND YOU MAY BE SUBJECT TO BEING CHARGED WITH PERJURY FOR KNOWINGLY PROVIDING FALSE INFORMATION.

I. Eligible Plaintiffs (Check all that apply):

A . I am an adult seeking relief for myself; and/or my minor child(ren); and/or another person prevented by physical or mental incapacities from seeking a protection order.

CHECK AND FILL OUT ONLY ONE SECTION (1, 2, 3, 4, or 5):

- 1. The Defendant is my: spouse; or former spouse.
Date of marriage: _____ Date of Divorce (if applicable): _____
- 2. The Defendant and I are adults related by: blood; marriage; or adoption.
- 3. The Defendant and I have lived together.
- 4. The Defendant and I are currently living in the same household.
- 5. The Defendant and I are the unmarried parents of a child.

I am the Plaintiff, and I state that the following is true and correct:

I am a resident of _____ in _____. My age is: _____ years old.
(Name of County) (Name of State)

Are you involved in any other civil case (including divorce or custody) with the Defendant? YES NO
If YES, please state the County and State in which the case was brought: _____ County,
_____ (State).

Are there any criminal charges against the Defendant because of abuse to you? YES NO
If YES, the charges were brought in _____ County, _____ (State).

(Note: If there are more civil cases with the Defendant or more criminal charges against the Defendant, please attach additional 8" x 11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these cases are being handled).

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant

PETITION FOR PROTECTION FROM ABUSE

(Check the box if the following statement applies to you):

I left my home due to abuse or threat of abuse, and I am currently residing in _____ County, Alabama

The Defendant lives in _____ County, _____ (State).

Defendant is _____ years old.

I am requesting (check one of the following boxes): a protection order; OR a change in a current protection order.

II. To Get a Protection Order, the Defendant Must Have Done One or More of the Following]

(Check all that apply):

- Injured me; Tried to injure me; Threatened to injure me;
- Made me afraid that I would be seriously injured; Made me have sex by force or threat of force; Abused a minor child; Abused a physically or mentally incapacitated person

III. Explain the Abuse That Has Happened (Begin With the Most Recent Act. You May Add Additional 8" x 11" Sheets of Paper, If Necessary):

Date and place where the abuse occurred:

Describe how the Defendant hurt or threatened you and/or (a) person(s) for whom you are applying:

I fear the Defendant will cause further abuse because:

IV. Legal Information Required (Check all that apply):

There is a current restraining or protection order against the Defendant.

YES; I don't know; NO. If YES, the County and State where it was issued: _____, County, _____, State.

The Defendant has a current restraining or protection order against me and/or or the person(s) for whom I am applying:

YES NO. If YES, the County and State where it was issued: _____, County, _____, State.

(Note: If there are more current restraining or protection orders against the Defendant or against you and /or the person(s) for whom you are applying, please attach additional 8"x11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these Orders were issued).

V. Child(ren)

The name(s) and age(s) of any child(ren) of the Defendant and me and/or the person(s) for whom I am applying, who are under 19 years old AND have been living in my household or the household of the person(s) for whom I am applying:

Name: _____	Age: _____
Name: _____	Age: _____
Name: _____	Age: _____
Name: _____	Age: _____

B. Is there a custody order concerning any of the above children? YES NO

C. For the last six months, the child(ren) has (have) lived (in what State and with whom):

Child: _____	Lived with: _____	State: _____
Child: _____	Lived with: _____	State: _____
Child: _____	Lived with: _____	State: _____

VI. Residence

THE DEFENDANT MAY BE REQUIRED TO MOVE FROM THE PLAINTIFF'S RESIDENCE, IF THE RESIDENCE IS IN THE SOLE NAME OF THE PLAINTIFF, IF IT IS JOINTLY OWNED OR RENTED BY THE PLAINTIFF AND THE DEFENDANT, OR IF THE PARTIES ARE MARRIED TO EACH OTHER.

The place where I (or the person(s) for whom I am applying) live is: **Owned by:** me; the Defendant; or both of us.

Rented by: me; the Defendant; or both of us.

The Plaintiff must notify the court of any change(s) in address.

VII. Ex Parte Relief Requested (Please Check The Boxes To Show What You Want):

I am asking the court for the following for my self and/or the person(s) for whom I am applying
(Note: The word, "Plaintiff" is used in the following items to describe you and/or the person(s) for whom you are applying):

- (1) Enjoin the Defendant from threatening to commit, or committing, any further acts of abuse, as defined in the Protection from Abuse Act, against the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to wit: _____
- (2) Further restrain and enjoin the Defendant from harassing, stalking or threatening or engaging in conduct that would place in reasonable fear of bodily injury, the Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to wit: _____
- (3) Further restrain and enjoin the Defendant from using, attempting to use, or threatening to use, physical force that would reasonably be expected to cause bodily injury to the: Plaintiff; and/or Minor(s); and/or Minor child(ren); and/or Any designated family or household member, to wit: _____
- (4) Further restrain and enjoin the Defendant from annoying, telephoning, contacting, or otherwise communicating, directly or indirectly, with the: Plaintiff; and/or Minor(s); and/or Minor children(ren); and/or Any designated family or household member, to wit: _____

PETITION FOR PROTECTION FROM ABUSE

- (5) Order the Defendant to stay away from: The Plaintiff's residence place of employment school; and/or The Minor(s) and/or Minor Child(ren)'s: residence place of employment; school; and/or Any specified place, which the Defendant has no legitimate reason to frequent, as designated below, frequented by the Plaintiff, and/or the minor(s), and/or minor child(ren); and/or any designated family/household member. Name(s) and location(s) of the other specified place(s):

- (6) Award temporary custody of the minor child(ren) to _____
(Please specify the name of the person to whom custody should be given)
- (7) Restrain and enjoin the Defendant from interfering with the Plaintiff's efforts to remove the Plaintiff's child(ren) from the home; and/or school, and direct the appropriate law enforcement officer to accompany the Plaintiff during the effort to remove the Plaintiff's child(ren).
- (8) Restrain and the enjoin the Defendant from removing the minor child(ren) from _____
(the individual having legal custody of the minor child(ren), except as otherwise authorized by a custody or visitation Order issued by a Court of competent jurisdiction).
- (9) Remove and exclude the Defendant from the residence of the Plaintiff, regardless of ownership of the residence.
- (10) Prohibit the Defendant from transferring, concealing, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties (Please describe property):

- (11) Restrain and enjoin the Defendant from interfering with the Plaintiff's employment.
- (12) Award any other relief deemed necessary to provide for the safety and welfare of the Plaintiff; and/or Minor(s); and/or Minor children; and/or Any designated family or household member, as follows:

VIII. Additional relief requested for final hearing:

In addition to the relief requested above in "VII Ex Parte Relief Requested", I request the following relief for myself and/or the person(s) for whom I am applying:

- (13) Order the Defendant to comply with the following visitation arrangements of any minor child(ren):
 Visitation; Deny visitation; Require supervision by a third party-
(Please specify supervision arrangements below):

- (14) Order the Defendant to pay attorney's fees and Court costs.
- (15) Grant possession of the residence or household to the Plaintiff to the exclusion of the Defendant by: evicting the Defendant; restoring possession to the Plaintiff; or both; or agreeing to allow the Defendant to provide suitable alternate housing.
- (16) Order the Defendant to pay temporary reasonable child support to the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, in accordance with the Child Support Guidelines. (If this relief is sought, you must Attach COMPLETED copies of Form CS-11, Child Support Obligation Income Statement/Affidavit, Form CS-42, Child Support Guidelines, and Form CS-47, Child Support Information Sheet).

PETITION FOR PROTECTION FROM ABUSE

Case Number

(17) Order the Defendant to provide temporary possession of the vehicle (description): _____ to the Plaintiff because the Plaintiff has no other means of transportation of his or her own and the Defendant has control of more than one vehicle; or has alternate means of transportation.

(18) Incorporate another custody order (Case Number, County, State: _____); or visitation order (Case Number, County, State: _____); support order (Case Number, County, State: _____) into this Order.

(19) Order the Defendant to surrender all firearms.

(20) Order that the Plaintiff's address, the address of any member of the Plaintiff's family or household, or an address that would reveal the confidential location of a shelter for victims of domestic violence be omitted or deleted from all documents filed with the Court, documents made available to the public, and documents made available to the Defendant.

(21) Direct the appropriate law enforcement office to accompany the Plaintiff to: the residence of the parties; and/or another location, _____ (description of location), as necessary to enforce any of the terms of this Order.

(22) Order other relief not requested above (describe): _____

Before me, the undersigned authority, personally appeared the Plaintiff, who is known to me or presented an identification card to me, and who being duly sworn, deposes and says that he/she has read the foregoing Petition for Protection from Abuse and that the facts herein are true and correct.

Sworn to and subscribed before this, the _____ day of _____, _____.

Plaintiff (Please print)

Plaintiff (Signature)

Judge/Clerk of Court/Notary Public
(Notary: my commission expires _____).

Business Address and Telephone Number of Judge/Clerk of Court/Notary Public

Original-Court Record

Copy-Law Enforcement

Copy-Plaintiff

Copy-Defendant