

Ex Parte Order of Protection

Amended Order

Case No.

Circuit Court, Div.

County: , Arkansas

Petitioner/Plaintiff

First

Middle

Last

Petitioner's Date of Birth (mm/dd/yyyy)

Race

Sex

Minor Children Protected under this Order

<input type="text"/>	d.o.b.
<input type="text"/>	d.o.b.
<input type="text"/>	d.o.b.
<input type="text"/>	d.o.b.

This Order is Effective Until:

Pursuant to Federal law, this Order shall be enforced by law enforcement officers in all states, territories, districts and tribal lands regardless of whether this Order of Protection is registered locally.

Versus

Respondent/Defendant

First

Middle

Last

Address:	<input type="text"/>
<input type="text"/>	<input type="text"/>
Work:	<input type="text"/>
<input type="text"/>	<input type="text"/>

Respondent Identifiers

Sex	Race	DOB mm/dd/yyyy	Ht.	Wt.
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Eyes	Hair	SS#
<input type="text"/>	<input type="text"/>	<input type="text"/>
Phone #		DL # or other ID #
<input type="text"/>		<input type="text"/>

CAUTION:

- Respondent has history of extreme violence
- Respondent possesses a firearm

Relationship Identifiers: Current or former spouses Parents of child(ren) in common
 Live Together Current or past dating relationship Other relative (Explain) _____

THE COURT HEREBY FINDS AND ORDERS:

- That there is jurisdiction over the parties and subject matter, and Petitioner has presented sufficient evidence to show:
 - (1) that the victim(s) is (are) in immediate and present danger of domestic abuse, or
 - (2) that the Respondent is scheduled to be released from incarceration within thirty (30) days, and upon the Respondent's release there will be an immediate and present danger of domestic abuse.
- That the Petitioner has also presented sufficient evidence to show that the Respondent presents a credible threat to the physical safety of a person named in the order of protection as a family member or household member, a child of the family or household member, or a child of the respondent or enjoined party.
- That an Ex Parte Temporary Order of Protection is hereby granted pursuant to the terms herein.

That the Respondent is ordered to appear before the Court on the _____ day of _____, 20_____,
 at _____ .m. in the Courthouse located at _____ **AR. If you fail to appear, the Court will likely make this Order permanent without further notice to you. The Respondent is hereby restrained from committing any criminal act against the victim(s) including, but not limited to: acts of violence or Domestic Abuse, A.C.A. §9-15-103(3); Harassment A.C.A. §5-71-208; Harassing Communications A.C.A. §5-71-209; Stalking A.C.A. §5-71-229; or Terroristic Threatening A.C.A. §5-13-301.**

- The Respondent is prohibited from initiating any contact with the victim(s) including but not limited to physical presence, telephonic, electronic, oral, written, visual, or video. Respondent also shall not use a third party to contact the victim(s) except by legal counsel or as authorized by law or court order.
- The Respondent is excluded from the Petitioner's residence and the immediate vicinity thereof.

Petitioner's Address: _____ **(or)**

The Petitioner's address is excluded from notice to the Respondent.

The Respondent is prohibited from the following places:

Petitioner's Workplace: _____

School: _____

Other (Identify): _____

(Children's Names): _____

_____ is awarded temporary custody of minor child(ren):

(Children's Names) _____

Any law enforcement officer with jurisdiction is ordered to assist the Petitioner in gaining possession of the dwelling and/or to otherwise assist in execution of the Order of Protection.

A law enforcement officer with jurisdiction is ordered to serve the Order of Protection on the Respondent.

A law enforcement officer with jurisdiction is ordered to assist the Petitioner in obtaining his or her personal effects from the dwelling upon proper and timely request of the Petitioner.

A law enforcement officer with jurisdiction is ordered to assist the Respondent in obtaining his or her personal effects from the dwelling upon proper and timely request of the Respondent.

Other Orders: _____

Respondent is temporarily prohibited from terminating the account(s) associated with the following telephone number(s):

If the parties (or other persons named herein) are subject to the jurisdiction of another court (i.e. through a divorce or paternity action), upon proper notice and the opportunity to be heard, said court may amend the terms of this Order as appropriate.

On this _____ day of _____, 2_____, IT IS ORDERED.

CIRCUIT JUDGE/DISTRICT JUDGE

Office of the Circuit Clerk, _____ County, Arkansas

WARNINGS TO RESPONDENT

- (1) A violation of the order of protection is a Class A misdemeanor carrying a maximum penalty of one (1) year's imprisonment in the county jail or a fine of up to two thousand five hundred dollars (\$2500), or both;
- (2) It is unlawful for an intimate partner who is subject to an order of protection or an individual convicted of a misdemeanor of domestic violence to ship, transport, or possess a firearm or ammunition under 18 U.S.C. §922(g)(8) and (9) as it existed on January 1, 2019;
- (3) A conviction of violation of an order of protection under this section within five (5) years of a previous conviction for violation of an order of protection is a Class D felony carrying a maximum penalty of (6) six years imprisonment or a fine of up to ten thousand dollars (\$10000), or both;
- (4) A person who is a respondent or an enjoined party is restrained from harassing, stalking, or threatening a person named in an order of protection as a family or household member, a child, of the family or household member, or a child of the respondent or enjoined party;
- (5) A person who is a respondent or an enjoined party is restrained from engaging in other conduct that would place a person named in an order of protection as a family or household member, a child of the family or household member, or a child of the respondent or enjoined party in reasonable fear of bodily injury; and
- (6) A person who is a respondent is prohibited from using, attempting to use, or threatening the use of physical force against the person named in the order of protection as a family or household member, a child of the family or household member, or a child of the respondent or enjoined party which would reasonably be expected to cause bodily injury.
- (7) Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment pursuant to 18 U.S.C. §2262.

NOTICE TO LAW ENFORCEMENT

This Order of Protection is enforceable in every county of this state by any court or law enforcement officer. See A.C.A. §9-15-207(g).

PROOF OF SERVICE

Case #: _____ Court Date: _____

Documents served: Petition for Order of Protection and Ex Parte Order of Protection/Order for Hearing.

SERVED: Date _____ Time _____ Place _____

Attempts Made: List only date and time

1) _____ 2) _____ 3) _____

Served On (Print Name) Manner of Service

Served By (Print Name) Title Badge #

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the Petition for Order of Protection, Ex Parte Order of Protection, and foregoing information contained in the proof of service is true and correct.

Executed on _____
Date

Signature of Server

Address of Server