

THE SUPERIOR COURT FOR THE COUNTY OF _____
STATE OF GEORGIA

Petitioner,	§	Civil Action File
v.	§	No. _____
Respondent.	§	

FAMILY VIOLENCE TWELVE MONTH PROTECTIVE ORDER

A hearing was held on this matter on _____, _____, for which the Respondent had notice as required by law and at which the Respondent appeared and/or had the opportunity to be heard and the Petitioner requested that the Protective Order entered in this case be continued. Having heard the evidence presented, reviewed the petition and the entire record concerning this case and for good cause shown,

IT IS HEREBY ORDERED AND ADJUDGED:

- _____ 1. That these proceedings be filed in the office of the Clerk of this Court.

- _____ 2. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. § 19-13-4(d). Law Enforcement officers may use their arrest powers pursuant to O.C.G.A. § 19-13-6 and 17-4-20 to enforce the terms of this Order.

- _____ 3. This Order shall be in effect for twelve (12) months from _____ until _____.

- _____ 4. That the Respondent has violated the Family Violence Act, at O.C.G.A. § 19-13-1 et seq., by committing family violence, has placed the Petitioner in reasonable fear for Petitioner's safety, and represents a credible threat to the physical safety of Petitioner and/or Petitioner's child/ren. Respondent is hereby enjoined and restrained from doing, or attempting to do, or threatening to do, any act of injury, maltreating, molesting, following, harassing, harming, or abusing the Petitioner and/or the minor child/ren in any manner. Respondent is not to interfere with Petitioner's travel, transportation, or communication.

Respondent shall not follow, place under surveillance, or contact the Petitioner at any place of the Petitioner for the purpose of harassing and intimidating the Petitioner.

- _____ 5. That the Respondent is enjoined and restrained from doing or attempting to do, or threatening to do, any act of injury, maltreating, molesting, harassing, harming, or abusing the Petitioner s family or household.
- _____ 6. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Respondent received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Respondent's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY THE FOLLOWING THAT ARE INITIALED BY THE JUDGE SHALL APPLY

- _____ 7. Petitioner is awarded sole and exclusive possession of the residence at _____
- _____ 8. Respondent is ordered to leave the family residence immediately and law enforcement _____ enforcement (sheriff or police department) is ordered to assist Petitioner in returning to the family residence and the removal of the Respondent. Respondent shall immediately surrender to law enforcement _____ (sheriff or police department) all and any keys, garage door openers and other security devices to the family residence and law enforcement shall insure that these are given to the Petitioner.
- _____ 9. Respondent is ordered to stay away from Petitioner's and Petitioner's child/ren's residence and workplace and/or school and any subsequent residence or workplace or school of Petitioner and/or Petitioner's minor child/ren.
- _____ 10. Respondent is ordered to provide suitable alternate housing for Petitioner and/or Petitioner's children by _____.
- _____ 11. That Respondent is restrained and enjoined from approaching within

_____ yards of Petitioner and/or Petitioner's minor children.

____ 12. Respondent is ordered not to have any contact, direct, indirect or through another person with Petitioner, by telephone, pager, fax, e-mail or any other means of communication except as specified in this Order.

____ 13. That Petitioner is awarded temporary custody of the minor child/ren, namely:

DOB _____	sex _____
DOB _____	sex _____
DOB _____	sex _____
DOB _____	sex _____

Respondent is ordered not to interfere with the physical custody of the minor child/ren.

_____ Initial here **only if Respondent** is awarded temporary custody of the child/ren.

____ 14. Respondent is ordered to pay to the Petitioner support for the minor child/ren in the amount of \$ _____ every _____ of _____ beginning the _____ of _____, _____.

All payments are to be made by or to: _____ income deduction order
_____ child support receiver
_____ by mail directly to the
Petitioner or

Please go to <http://www.georgiacourts.org/csc/>

In this case child support is being determined for _____ child/ren and the applicable percentage of gross income to be considered is _____ to _____ percent. The court has considered the existence of special circumstances, and has found that no special circumstances **OR** the following special circumstances exist: _____

____ 15. Respondent is ordered to pay temporary support for the Petitioner in the amount of \$ _____ every _____ beginning _____. All payments are to be made by or to: _____ income deduction order
_____ child support receiver
_____ by mail directly to the
Petitioner

- ____ 16. Respondent shall have visitation with the minor child/ren according to the following schedule, beginning _____:
- _____ no visitation
 - _____ no visitation until _____
 - _____ supervised visitation, supervised by a third party as follows: _____
 - _____ visitation every other weekend from Friday at 6 p.m. until Sunday at 6 p.m., beginning _____
 - _____ other visitation _____
 - _____ circumstances concerning how Respondent shall pick up and return the minor child/ren shall be _____

Strict compliance with this visitation provision shall not be a violation of the restraining provisions of this Order.

- ____ 17. Respondent, **only when accompanied by local law enforcement**, shall be able to remove his/her clothing and personal items from the residence as follows: _____
- on _____, 20 ____ at ____ m.
- ____ 18. (Respondent)(Petitioner)(Both Respondent and Petitioner) [strike through appropriate] is/are ordered not to sell, encumber, trade, damage, contract to sell, or otherwise dispose of or remove from the jurisdiction of this Court any of the property or pets of the Petitioner or joint property or pets of the parties except in the ordinary course of business.
- ____ 19. (Respondent)(Petitioner)(Both Respondent and Petitioner) [strike through appropriate] is/are ordered not to disconnect or have disconnected home utilities, change or have changed and/or cancel or have canceled auto, health or life insurance for Respondent, Petitioner, and/or Petitioner's child/ren or interfere with Respondent's, Petitioner's and/or Petitioner's child/ren's mail.
- ____ 20. Petitioner shall have sole, exclusive temporary possession of the vehicle: Make _____ Model _____ Year _____ Color _____. Respondent shall immediately surrender all keys, proof of insurance, and registration to this vehicle to law enforcement and law enforcement shall immediately turn over said items to Petitioner.

- ____ 21. Petitioner shall be allowed to remove the following property from the family residence for Petitioner's and/or Petitioner's child/ren's use _____

on _____, 20 _____ at _____
_____ and law enforcement _____
(sheriff or police department) is hereby ordered to assist the Petitioner during this removal.
- ____ 22. Respondent is ordered to undergo a batterer's intervention program and follow the recommended treatment.
- ____ 23. Respondent is ordered to undergo alcohol/drug abuse evaluation and follow the recommended treatment.
- ____ 24. That Respondent shall be required to return the following property for Petitioner's and/or Petitioner's child/ren's use _____

on _____, _____, at _____
_____ and law enforcement _____
(sheriff or police department) is hereby ordered to assist the Petitioner during this return.
- ____ 25. Petitioner is awarded costs and attorney fees in the amount of _____ .
- ____ 26. Petitioner/protected party is either a spouse, former spouse, parent of a common _____ child, Petitioner's child, child of Respondent, cohabitates or has cohabited with Respondent and qualifies for 18 U.S.C. § 922(g).
- ____ 27. It is further ordered _____
_____.

SO ORDERED this _____ day of _____, _____.

JUDGE, SUPERIOR COURTS
SOUTHERN JUDICIAL CIRCUIT

To order a specific provision, please initial in the space provided. The Court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the Court's application of the law and facts to an individual case.

NOTICE TO RESPONDENT

- _____ 1. Violation of this Order may result in immediate and criminal prosecution that may result in jail time and/or fines may subject you to prosecution and penalties for contempt of court.
2. This Order shall remain in effect unless specifically superceded by a subsequent Order signed and filed, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask the Court to change or dismiss this Order.
3. If after a hearing, of which the Respondent received notice and opportunity to participate, a protective order is issued which restrains Respondent from harassing, stalking or threatening an intimate partner, Respondent is prohibited from possessing, receiving, or transporting a firearm or ammunition which has been shipped or transported in interstate or foreign commerce for the duration of the Order. 18 U.S.C. § 922 (g).
4. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior follows, places under surveillance, or contacts petitioner on public or private property for the purpose of harassing and intimidation the other person. This activity can subject the Respondent to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year not more than 10 years and fine of up to \$10,000.00.

RESPONDENT'S IDENTIFYING FACT SHEET

(Please complete as much as possible; one of these must be provided to have the Order placed in the National Crime Information Center registry: Respondent's date of birth, social security number, or driver's license number)

