

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

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

PETITION FOR TEMPORARY PROTECTIVE ORDER

The Petitioner, pursuant to the Family Violence Act at O.C.G.A. §§ 19-13-1 et seq., files this Petition for a Family Violence Protective Order and in support shows the Court the following:

1. The Petitioner is a resident of _____ County, Georgia, and is 18 years of age or older or is an emancipated minor. Petitioner's date of birth is _____, sex _____, race _____.

2. The Respondent is a resident of _____, County, Georgia and may be served at _____, Georgia. Jurisdiction and venue are proper with this Court.

OR

2a. Respondent is a resident of the State of _____. Under O.C.G.A. § 19-13-2(b) jurisdiction and venue are proper with this Court because the abuse occurred in the State of Georgia in _____ County and/or the Petitioner lives in _____ County. Respondent is subject to the jurisdiction of this Court and may be served at _____.

3. Petitioner and Respondent are:

- _____ 1. Present or past spouses
- _____ 2. Parents of the same child/ren
- _____ 3. Parent and child/ren
- _____ 4. Persons who used to live in the same household
- _____ 5. Persons currently living in the same household
- _____ 6. Foster parent and foster child
- _____ 7. Stepparent and stepchild

4. On or about _____, _____, the Respondent committed the following acts of family violence against the Petitioner and/or minor child/ren _____

Petitioner is in reasonable fear for Petitioner's own safety and/or the safety of the minor child/ren.

5. At other times the Respondent has committed other such acts, including but not limited to (approximate dates and what happened) _____

6. There is a substantial likelihood that the Respondent will commit such acts of violence against the Petitioner and minor child/ren in the immediate future if relief is not granted as provided pursuant to O.C.G.A. § 19-13-4.

Check the paragraphs below that apply to your case. Fill in the information needed by each paragraph you check.

_____ 7. Petitioner and Respondent have _____ child/ren under the age of 18. Their names, birth dates, sex and ages are _____

These child/ren have lived only with Petitioner and Respondent for the past five (5) years. (If the child/ren have not resided only with the Petitioner and Respondent for the last five years give names of the persons, their addresses, and dates the child/ren

resided with them) _____

- _____ 8. The parties are not married and the Respondent _____ (has OR has not) legitimated the child/ren of the parties.

- _____ 9. Petitioner (does OR does not) have knowledge concerning custody or claims of custody concerning these child/ren including divorce, separation, juvenile and DFCS cases. Specify court and type of case(if applicable)

- _____ 10. Petitioner has the following minor child/ren living with Petitioner whom the Petitioner wishes protected from the Respondent and included in the Protective Order (names and ages): _____

- _____ 11. Petitioner believes Respondent has a criminal record and has committed the following crimes: (approximate dates and crimes) _____

- _____ 12. Petitioner fears that if Respondent learns of Petitioner's current address that Respondent will hurt or injure Petitioner or Petitioner's immediate family. Petitioner requests that Respondent not be informed of Petitioner's current residence.

- _____ 13. Petitioner is dependent upon the family residence for shelter for the Petitioner and/or minor child/ren and asks that Petitioner be granted the temporary use and possession of said residence, located at _____ together with all personal property contained therein with the exception of Respondent's personal clothing.

- _____ 14. Petitioner and minor child/ren are dependent upon the Respondent for support and requests that Petitioner be awarded temporary child support.

- _____ 15. Petitioner is dependent upon the Respondent for support and asks that Petitioner be awarded temporary support.

- _____ 16. The minor child/ren are currently in the custody and control of the Petitioner/Respondent and Petitioner asks legal and physical custody.

____ 17. Petitioner asks that the following assets/property of the Petitioner be returned by the Respondent : _____

THEREFORE, Petitioner asks:

- (a) That the Court set a hearing no later than thirty (30) days from the filing of the Petition and direct Respondent to appear before this Court and show any reasons why the demands of the Petitioner should not be granted;
- (b) That the Respondent be served a copy of this Petition and Ex Parte Protective Order as required by law;
- (c) That this Court direct law enforcement to enforce this Order;
- (d) That this Court direct Respondent to stop abusing, harassing and intimidating Petitioner and/or Petitioner's child/ren;
- (e) That this Court restrain and enjoin Respondent from having any direct or indirect contact with the Petitioner and/or Petitioner's child/ren;
- (f) That this Court order that Respondent be enjoined from approaching within _____ yards of Petitioner;
- (g) That this Court make findings of fact and conclusions of law concerning the issues in this case;
- (h) That Petitioner have such other and further relief as the Court may deem just and proper;
- (i) That this Court issue Family Violence Ex Parte and Twelve Month Protective Orders to:

Check the following paragraphs that apply to your case. Fill in the information needed by each paragraph you check.

____ award Petitioner temporary sole legal and physical custody of the minor child/ren;

____ order Respondent to vacate the family residence at _____
_____ instanter;

___ grant Petitioner exclusive temporary use and possession of the family residence at _____ and all personal property of the parties located at the family residence and Petitioner's current residence with the exception of Respondent's personal clothing; that law enforcement _____ (sheriff or police department) assist Petitioner in returning to the family residence and in ensuring that the Respondent vacates said residence and that all keys, garage door openers and other security devices to the family residence are secured and given to the Petitioner;

___ order Respondent to provide suitable alternate housing for Petitioner and/or Petitioner's children;

___ order Respondent to stay away from Petitioner's and /or Petitioner's minor child/ren's place of residence, place of employment, and/or school;

___ order Respondent's visitation with the minor child/ren be limited to no visitation or _____;

___ order Respondent to pay to Petitioner child support for the minor child/ren;

___ order Respondent to pay spousal support for Petitioner;

___ award the Petitioner costs and attorney's fees for having to bring this action;

___ order that Petitioner's current address be kept confidential;

___ enjoin and restrain Respondent from selling, disposing or encumbering, trading, contracting to sell, or otherwise disposing or removing from the jurisdiction of this Court any of the property of Petitioner or of the parties except in the ordinary course of business;

___ enjoin and restrain Respondent from disconnecting the home utilities, changing and/or canceling auto, health or life insurance for Respondent, Petitioner, and/or the Petitioner's minor child/ren, and/or interfering with Petitioner's or the Petitioner's minor child/ren's mail;

___ grant Petitioner the use of the following automobile: Make _____, Model _____, Year _____, and law enforcement _____ (sheriff or police department) ensure that all keys to said vehicle be immediately returned to Petitioner;

___ permit Petitioner to remove the following property from the residence for the exclusive use by Petitioner and/or the minor child/ren _____

_____ and law enforcement _____ (sheriff or police department) be ordered to assist the

Petitioner during this removal;

___ order Respondent to undergo evaluation for drug/alcohol abuse and to follow the recommended treatment;

___ order Respondent to undergo a batterer's intervention program and to follow the recommended treatment;

___ order Respondent to return _____
_____ to Petitioner immediately;

___ order Respondent to reimburse Petitioner for damages or expenses for the following: _____

___ order additional relief as follows: _____

Respectfully submitted,

Address _____

Petitioner

Phone _____

(Do not give current address if confidential,
give alternative address)

Respondent Identifying Fact Sheet

Complete as much as possible

Respondent's social security number is _____, date of birth is _____, sex ____,
color of hair _____, color of eyes _____, height _____, weight _____.
Respondent's race is _____. Ethnic background _____ Respondent drives a
_____, license tag number _____ and has a ____ (state) driver's
license number _____. Respondent has distinguishing marks (tattoos, scars,
etc.) _____. Respondent's home address _____
and is employed by _____ at _____ and works from ____ to ____
on (days) _____.

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VERIFICATION

Personally appeared _____, who being duly sworn states that she/he is the Petitioner in the above styled case and that the facts set forth in the foregoing Petition for Temporary Protective Order are true and correct.

Petitioner

Sworn and subscribed before
me this ____ day of _____, 20 ____.

NOTARY PUBLIC
My commission expires: _____