

X

CIRCUIT COURT OF ILLINOIS
FOURTH **JUDICIAL CIRCUIT**
CLINTON **COUNTY**

- Independent
- Criminal
- Juvenile
- Other Civil Proceeding

Petitioner's Name (Person desiring protection)

I am filing on behalf of: myself and/or
 minor child(ren) dependent high risk adult
(as listed below):

(file stamp)

v.

Respondent's Name (Person you desire protection from)

Case #

VERIFIED PETITION FOR ORDER OF PROTECTION

I request an Order of Protection against _____
(Name of Respondent)

- I am requesting an Emergency Order of Protection.
- I did not give the Respondent notice that I am seeking protection because I fear that giving notice would result in further abuse or because the abuse is likely to recur before I return to court. Good cause exists for granting the remedy or remedies requested without prior service of process or notice.

PETITIONER INFORMATION

The Petitioner's address for the purpose of service of notice is:

(Street / P.O. Box) (City) (State) (Zip Code)

Check this box, if the above address is an Alternate Address for Service of Notice because disclosure of abused person's actual address would risk further abuse.

Persons to be included in the Order of Protection, in addition to the Petitioner, are:

Full Name Age State of Residence Relationship to Petitioner

RESPONDENT INFORMATION

Date of Birth: _____ (mmddyyyy) Unknown **Sex:** Male Female

Social Security Number: XXX-XX-_____ (last 4 numbers) **Race:** _____

Weight: _____ **Height:** _____ ft. _____ in. **Hair color:** _____ **Eye color:** _____

Respondent's Current Address:

(Street / P.O. Box) (City) (State) (Zip Code)

Respondent's Work Address: _____ **Work Hours:** _____

(Street / P.O. Box) (City) (State) (Zip Code)

Distinguishing Features (scars, marks, tattoos, etc.): _____

Driver's License #: _____ **License Plate #:** _____

RELATIONSHIP CODE

The **Petitioner/Abused Person** stands in the following **relationship** to the **Respondent** (check **all** that apply):

<input checked="" type="checkbox"/>	RELATIONSHIP	<input checked="" type="checkbox"/>	RELATIONSHIP	<input checked="" type="checkbox"/>	RELATIONSHIP
	Spouse (SE)		Parent (PA)		Grandparent (GP)
	Former Spouse (XS)		Sibling (Brother/Sister) (SB)		In-Law (IL)
	Boyfriend/Girlfriend (BG) (Dating Relationship)		Step-child (SC)		Person with Disability (PD)
	Child in Common (CC) (parties not married)		Step-sibling (SS)		Person Responsible for High-Risk Adult (PR)
	Shared/common dwelling (CS)		Step-parent (SP)		Personal Assistant or Caregiver to Person with Disability (PC)
	Child (CH)		Grandchild (GC)		Other Related by Blood or Marriage (OF)

BACKGROUND INFORMATION

1. Is there or has there ever been an Order of Protection in any state and county naming you as the Petitioner or Respondent? Yes No

If **yes**, please provide the following information for each Order of Protection: Date of expiration
 Name of Petitioner _____ Name of Respondent _____ St/County _____ Case Number _____ (mmddyyyy) _____

2. Has a child/dependent/high risk adult of either party been designated as either a Respondent or protected person in any other Order of Protection, Custody or Guardianship proceeding? Yes No

If **yes**, please provide the following information for each Order: Date of expiration
 Name of Petitioner _____ Name of Respondent _____ St/County _____ Case Number _____ (mmddyyyy) _____

3. Are there now, or have there ever been, any civil, criminal, or divorce proceedings involving you, one of the protected persons and/or the Respondent? Yes No None Known

If **yes**, please list all pending cases below.

- a. Type of Case: _____ Result: _____
 State/County: _____ Case # (if known) _____ Date _____
- b. Type of Case: _____ Result: _____
 State/County: _____ Case # (if known) _____ Date _____
- c. Type of Case: _____ Result: _____
 State/County: _____ Case # (if known) _____ Date _____

4. Venue is appropriate in this county because:

- The Petitioner resides here.
- The Respondent resides here.
- The abuse occurred here.
- The Petitioner is here temporarily to avoid abuse.

REMEDIES SECTION

(750 ILCS 60/214)

PURSUANT TO THE ILLINOIS DOMESTIC VIOLENCE ACT ("THE ACT"), THE PETITIONER SEEKS THE FOLLOWING REMEDIES:

PART A. REMEDIES INVOLVING PERSONAL PROTECTION

1. **(R01)** With respect to all protected persons, that the Respondent be prohibited from committing the following acts of abuse or threats of abuse (check all that apply):

- Harassment, interference with personal liberty, physical abuse, or stalking.
- Intimidation of a dependent.
- Willful deprivation.
- Neglect.
- Exploitation.

2. **(R03) Stay Away**

a. That the Respondent be ordered to stay at least _____ feet away from the Petitioner and/or protected person(s)' and their residence, school, daycare, employment and any other specified place.

"Stay Away" means for the respondent to refrain from both physical presence and nonphysical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes), or through third parties who may or may not know about the order of protection.

b. Respondent be prohibited from entering or remaining while Petitioner and/or protected person(s) is/are present at:

- Their place of residence currently located at _____.
- Their place of employment at _____.
- Their school, located at _____.
- Any of the following specified places, when Petitioner and/or protected person(s) is/are present: _____.

3. **(R14)** That Respondent be prohibited from entering or remaining in the residence or household while under the influence of drugs or alcohol and constituting a threat to the safety or well-being of Petitioner or Petitioner's children.

PART B. REMEDIES INVOLVING PROPERTY (These remedies do not affect title to property (750 ILCS 60/214(b)(2)).

1. **(R02)** That the Petitioner be granted exclusive possession of, and Respondent be prohibited from entering or remaining present at the residence/household located at:

(Street) (City) (State) (Zip Code)

(Check one)

- Petitioner has a right to occupancy and Respondent has no such right, or
- Petitioner and Respondent both have right to occupancy, but the balance of hardships favors Petitioner's occupancy over Respondent's.

2. **(R10)** That with respect to personal property possession should be awarded as follows:

a. Petitioner be granted the following personal property: _____

b. That the Respondent be ordered to promptly make available to the Petitioner the following property over which the Respondent has possession or control: _____

(Check as applies)

- The Petitioner, but not Respondent, owns the property, or
- The property is jointly owned by the parties, and sharing it would risk abuse or is impracticable and the balance of hardships favors temporary possession by Petitioner, and/or
- Petitioner claims property as marital property, and a proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act ("IMDMA").

c. That Respondent be given his/her clothing personal adornments medicine
 other personal property, namely _____.

3. **(R10)** That personal property be transferred:

at the residence, or

at _____
(Street) (City) (State) (Zip Code)

That the transfer of personal property take place in the presence of:

law enforcement, or an agreed-upon third party, namely _____

Respondent Petitioner have the right to enter the residence to retrieve the property but only in the presence of law enforcement or the designated third party.

Time and date of transfer: _____

4. **(R11)** That Respondent be prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of the following real and/or personal property:

(Check as applies)

- Petitioner, but not Respondent, owns the property, or
- The Parties own the property jointly, and the balance of hardships favors granting this remedy, and/or
- Petitioner claims property as marital property and a proceeding has been filed under the IMDMA.

5. **(R11)** That Respondent be prohibited from using financial or other resources of an aged member of the family or household for the profit or advantage of Respondent or any other person.

6. **(R11.5)** That the petitioner be granted the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

- 4. **(R07) (Visitation)** That the Court provide for visitation as follows:
 - a. **Deny/** **Restrict** visitation because the Respondent has or is likely to:
 - Abuse or endanger the minor child(ren) during visitation.
 - Use visitation as an opportunity to abuse or harass Petitioner, Petitioner's family, or household members.
 - Improperly conceal or detain the minor child(ren).
 - Act in a manner that is not in the best interest of the minor child(ren).
 - b. **Reserve** visitation until further hearing.
 - c. Allow the Respondent to have visitation with the minor child(ren):
 - Every _____ from _____ am/pm to _____ am/pm.
 - Each weekend from _____ am/pm to _____ am/pm.
 - Every other weekend from _____ am/pm to _____ am/pm.
 - Other: _____.
 - Holidays: _____ from _____ am/pm to _____ am/pm.
 - d. Due to the necessity of protecting Petitioner from further abuse, that Respondent be prohibited from going to Petitioner's residence to meet the minor child(ren) for visitation.
 - e. That the Respondent be ordered to pick up and return the child(ren) for visitation at:

(Street Address / City / State)
 - f. That visitation take place at _____
 - (Street Address / City / State)
 - and that transportation be provided by _____.
 - g. That visitation be supervised by _____ who has filed or will file an affidavit accepting responsibility and acknowledging accountability to the Court.
 - h. Further, that the court order the Respondent to return the child(ren) to Petitioner or Petitioner's designated person immediately at the end of visitation.
 - i. That the Respondent be allowed visitation that the Court finds to be in the best interests of the child(ren).
- 5. **(R08)** That the Respondent be ordered not to conceal the minor child(ren) within the State or remove the child(ren) from the State of Illinois.
- 6. **(R09)** That the Respondent be ordered to appear in Court
 - Alone With the minor children
 - To prevent abuse, neglect, removal or concealment of the child,
 - To return the child to the custody or care of the Petitioner, or
 - To permit a court-ordered interview or examination of the child or Respondent.
- 7. **(R15)** That Respondent be denied access to and be prohibited from inspecting, obtaining, or attempting to inspect or obtain school or any other records of the minor child(ren) in the care of the Petitioner because:
 - Petitioner is requesting that the Order of Protection prohibit Respondent from having contact with the minor child(ren), or
 - Petitioner's actual address is omitted due to the risk of further abuse, or
 - It is necessary to prevent abuse or wrongful removal or concealment of the minor child(ren).

PART D. FIREARMS (Respondent must be present in court or have had actual notice of these proceedings before a turnover of firearms can be ordered.)

1. **(R14.5)** That the Respondent be ordered to turn over any and all firearms in his/her possession to a law enforcement agency because:

Respondent

- has used or threatened to use firearms against me, and/or
- is likely to use firearms illegally against me.

Further, Respondent

- possesses a firearm.
- has a history of violence.
- has a history of possession/use of firearms.
- carries a firearms on his/her person in a vehicle.
(Make and model of vehicle: _____)
- may be a threat to the safety of the public or police officer when encountered.
- is, or has been known to be, suicidal.

2. The Respondent has the following firearms (describe each):

<u>Description</u>	<u>Location</u>

PART E. ECONOMIC REMEDIES (Economic remedies are not available at the Emergency hearing.)

- 1. **(R12)** That the Court order payment of support.
 - a. Petitioner requests that Respondent be ordered to pay temporary child support.
 - b. Petitioner requests that Respondent be ordered to pay temporary support to the Petitioner.
 - c. Respondent is unemployed employed by:

_____ at _____
(Employer) (Street Address) (City/State)
 and has an approximate take-home pay of \$_____ weekly bi-weekly
 ___/___ of the month monthly.

- 2. **(R13)** That Respondent be ordered to pay Petitioner for losses suffered as a direct result of abuse, neglect, or exploitation, including:
 - Medical expenses \$ _____ (if known)
 - Lost earnings \$ _____ (if known)
 - Repair/replacement of property damaged or taken \$ _____ (if known)
 - Reasonable attorneys' fees \$ _____ (if known)
 - Moving and other travel expenses \$ _____ (if known)
 - Reasonable expenses for housing other than a domestic violence shelter/meals \$ _____ (if known)
 - Expenses for search and recovery of children \$ _____ (if known)
 - Other \$ _____ (if known)

If you desire payment for any of the above, please bring documentation (receipts, etc.) to the hearing.

3. **(R16)** That Respondent be ordered to reimburse a shelter providing temporary housing or counseling to Petitioner.

PART F. MISCELLANEOUS REMEDIES

1. **(R04)** That the Respondent be ordered to undergo and successfully complete counseling. **(If you desire that the Respondent undergo counseling, you should check this box, but this remedy is not available at the Emergency hearing.)**

2. **(R17)** That Respondent be further ordered and enjoined as follows: _____

WHEREFORE, Petitioner moves the Court to grant the relief requested in this petition.

VERIFICATION

Under the penalties of perjury as provided by law pursuant to section 1-109 of the code of civil procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.

Signature of Petitioner

Attorney for Petitioner:

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone: _____ Fax: _____
ARDC: _____

DEFINITION OF TERMS USED IN THIS PETITION

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person *in loco parentis*.
2. **Domestic Violence:** Domestic Violence means abuse as defined in paragraph one.
3. **Exploitation:** "Exploitation" means the illegal, including tortuous, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
4. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, and persons with disabilities and their personal assistants. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
5. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
 - a) creating a disturbance at petitioner's place of employment or school;
 - b) repeatedly telephoning petitioner's place of employment, home or residence;
 - c) repeatedly following petitioner about in a public place or places;
 - d) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
 - e) repeatedly threatening to improperly remove a child of petitioner's from the jurisdiction, improperly concealing that child from petitioner or making a single such threat following an actual or attempted improper removal or concealment;
 - f) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
 - g) threatening physical force, confinement or restraint on one or more occasions.

6. **Interference with Personal Liberty:** "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.
7. **Intimidation of a Dependent:** "Intimidation" means subjecting a person who is dependent because of age, health or disability to participation in, or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as herein defined, regardless of whether the abused person is a family or household member.
8. **Neglect:** "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
 - a) the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
 - b) the repeated, careless imposition of unreasonable confinement;
 - c) the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
 - d) the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
 - e) the failure to protect a high-risk adult with disabilities from health and safety hazards.
9. **Physical Abuse:** "Physical abuse" includes sexual abuse and means any of the following:
 - a) knowing or reckless use of physical force, confinement, or restraint; or
 - b) knowing, repeated and unnecessary sleep deprivation; or
 - c) knowing or reckless conduct which creates an immediate risk of physical harm.
10. **Stalking:** "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and:
 - a) at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or
 - b) placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
 - c) placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.
11. **Willful Deprivation:** "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

Emergency Order of Protection

Court Ph. (618) 594-2464 EXT 620
 Court FOURTH JUDICIAL CIRCUIT
 County CLINTON State of ILLINOIS
 Case No. _____

PETITIONER

 First Middle Last

Petitioner's Address/ Alternative Address:

(file stamp)

- Petitioner
 And/or on behalf of other protected person(s) listed below:
 Child(ren) as noted on page 6, Part C of this order
 Dependent _____ (name)
 High Risk Adult _____ (name)

RESPONDENT

 First Middle Last

Relationship to Petitioner: _____

Respondent's Address: _____

(Home) _____

(Work) _____ (Work Hours: _____)

Caution indicators:

- (A) Considered armed and /or dangerous
 (S) Suicidal
 (Y) Considered armed, dangerous and suicidal

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT.	WT.
EYES	HAIR	SOCIAL SECURITY (last 4#s)		
		XXX-XX-		
DRIVER'S LIC. #		STATE	License Plate #	

Distinguishing Features (scars, marks, tattoos, martial arts): _____

THE COURT FINDS:

That it has jurisdiction over the Petitioner and subject matter and the Respondent will be provided with reasonable notice and an opportunity to be heard within the time required by Illinois law.

THE COURT ORDERS: (Additional terms are set forth herein)

- That Respondent is prohibited from further acts/threats of abuse on protected persons. (See **R01**)
 That Respondent is ordered to stay away from Petitioner and/or other protected persons. (See **R03**)
 That the Circuit Clerk is ordered to send within 24 hours Daycare / School Notice(s). (See page 7)

The terms of this Order shall be effective until _____ (Date) _____ (Time am/pm)

A hearing on the entry of a Plenary/Interim Order of Protection is set for: _____ at _____
 at the CLINTON COUNTY COURTHOUSE 850 FAIRFAX, CARLYLE IL in Courtroom: C

A PLENARY (FINAL) ORDER OF PROTECTION MAY BE ENTERED AGAINST YOU BY DEFAULT IF YOU FAIL TO APPEAR AT SUCH HEARING.

NOTICES CONCERNING THIS EMERGENCY ORDER OF PROTECTION

WARNING TO RESPONDENT

Violating this Order of Protection is punishable by imprisonment or fine or both, and can cause your bond to be revoked, result in a contempt of court citation against you, or the filing of a criminal charge.

This protection order is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265). Violating this order of protection may subject you to federal charges and punishment. 18 U.S.C. §§ 2261-2262.

Only the court can change this order. The Petitioner cannot give you legal permission to change this order. If you go near the Petitioner, even with the Petitioner's consent, you may be arrested. Unless the court modifies/dismisses this order, you can be arrested for violating this Emergency Order of Protection. You act at your own risk if you disregard this WARNING.

You have been served with notice that the Petitioner has filed for a Plenary or Interim Order of Protection (effective for up to two years), and have been provided with a date on which you must appear in court if you wish to contest entry of the order. If you fail to appear, an Order of Protection may be issued in your absence.

NOTICE TO PETITIONER

You cannot change the terms of this order by your words or actions. If the Court has ordered no contact or exclusive possession of the residence, only the Court can allow the Respondent to contact you or return to the residence. If you and the Respondent want to resume your relationship, you **must** ask the Court to modify or dismiss this Order of Protection.

If you wish to ask the court for an Interim or Plenary (Final) Order of Protection (effective for up to two years), you must appear in court on the date set for a hearing.

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

This Order of Protection is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265), provided notice of this Emergency Order of Protection has been provided to the Respondent. Violating this Order of Protection may subject the Respondent to state and/or federal charges and punishment. 18 U.S.C. §§ 2261-2262.

RELATIONSHIP CODE: The Petitioner/Abused Person stands in relationship to the Respondent as (check all that apply):

✓	RELATIONSHIP	✓	RELATIONSHIP	✓	RELATIONSHIP
	Spouse (SE)		Parent (PA)		Grandparent (GP)
	Former Spouse (XS)		Sibling (Brother/Sister) (SB)		In-Law (IL)
	Boyfriend/Girlfriend (BG) (Dating Relationship)		Step-child (SC)		Person with Disability (PD)
	Child in Common (CC) (parties not married)		Step-sibling (SS)		Person Responsible for High-Risk Adult (PR)
	Shared/common dwelling (CS)		Step-parent (SP)		Personal Assistant or Caregiver to Person with Disability (PC)
	Child (CH)		Grandchild (GC)		Other Related by Blood or Marriage (OF)

FINDINGS [General]

The Court, having reviewed the verified petition and having examined the petitioner under oath or affirmation, finds that:

- Venue is proper (750 ILCS 60/209).
- The Respondent has abused the Petitioner and/or the child(ren) so identified on Part C (page 6 of 11) of this order and/or the protected person(s) listed on Page 1 of 11 of this order (750 ILCS 60/214(a)).
- The abused person(s) is/are unable to bring this Petition on his/her own behalf due to age, health, disability, or inaccessibility (750 ILCS 60/214(a)).
- The Petition has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.
- An Order of Protection has previously been entered in the instant proceeding or in another proceeding in which any party, or a child of any party, or both, has/have been designated as either a respondent or a protected person (750 ILCS 60/223.1).

IT IS ORDERED the following remedies that are checked apply in this case.

PART A. REMEDIES INVOLVING PERSONAL PROTECTION

- 1. (R01)(Police Enforced)** With respect to all protected persons, Respondent is prohibited from committing the following acts of abuse or threats of abuse (check all that apply):
 - Harassment, interference with personal liberty, physical abuse, or stalking.
 - Intimidation of a dependent.
 - Willful deprivation.
 - Neglect.
 - Exploitation.

2. **(R03)(Police Enforced) Stay Away**

a. That the Respondent is ordered to stay at least _____ feet away from the Petitioner and/or protected person(s)' and their residence, school, daycare, employment and any other specified place.

"Stay Away" means for the respondent to refrain from both physical presence and nonphysical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes), or through third parties who may or may not know about the order of protection.

b. Respondent is prohibited from entering or remaining while Petitioner and/or protected person(s) is/are present at:

Their place of residence currently located at _____.

Their place of employment at _____.

Their school, located at _____.

Any of the following specified places, when Petitioner and/or protected person(s) is/are present:

_____.

3. **(R14)(Police Enforced)** Respondent is prohibited from entering or remaining in the residence or household while under the influence of drugs or alcohol and constituting a threat to the safety or well-being of Petitioner or Petitioner's children.

PART B. REMEDIES INVOLVING PROPERTY

1. **(R02)(Police Enforced)** Petitioner is granted exclusive possession of, and Respondent is prohibited from entering or remaining present at the residence/household located at:

(Street / P.O. Box) (City) (State) (Zip Code)

Petitioner has a right to occupancy and Respondent has no such right, or

Petitioner and Respondent both have right to occupancy but the balance of hardships favors temporary possession by Petitioner, the court having considered the factors set forth in 750 ILCS 60/214(c)(2).

2. **(R10)(Court Enforced) Personal Property**

a. Petitioner is granted possession of the following personal property: _____

b. If the Respondent has possession of the property listed in 2a above, the Respondent shall promptly make it available to the petitioner.

With respect to 2a and 2b above, the Court finds as follows:

The Petitioner, but not Respondent, owns the property, or

The parties own the property jointly, and sharing it would risk abuse or is impracticable and the balance of hardships favors temporary possession by Petitioner, and/or

Petitioner claims property as marital property, and a proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act ("IMDMA").

c. Respondent is given his/her clothing personal adornments medicine

other personal property, namely _____.

- 3. **(R10)(Police Enforced)** Personal property shall be transferred
 - at the residence, or
 - at _____ (Street) _____ (City) _____ (State) _____ (Zip Code)

That the transfer of personal property shall take place in the presence of:

- law enforcement, or an agreed-upon third party, namely _____
- Respondent Petitioner shall have the right to enter the residence to retrieve the property but only in the presence of law enforcement or the designated third party.

Time and date of transfer: _____
(This transfer does not affect title to property (750 ILCS 60/214(b)(2)).

- 4. **(R11)(Court Enforced)** Respondent is prohibited from taking, transferring, concealing, encumbering, damaging, or otherwise disposing of the following real or personal property: _____
 except as explicitly authorized by the Court because:
 - Petitioner, but not Respondent, owns the property, or
 - The parties own the property jointly, and the balance of hardships favors granting this remedy, and/or
 - Petitioner claims the property as marital property and a proceeding has been filed under the IMDMA.

- 5. **(R11)(Court Enforced)** Respondent is prohibited from using financial or other resources of an aged member of the family or household for the profit or advantage of Respondent or any other person.
- 6. **(R11.5) (Court Enforced)** That the petitioner is granted the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

PART C. REMEDIES INVOLVING CHILDREN

The minor child(ren) of the parties is/are:

<u>Full Name</u>	<u>Age</u>	<u>State of Residence</u>	<u>Relationship to Petitioner</u>	<u>Included as Protected Party</u>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>

- 1. The primary caretaker of the minor child(ren) is Petitioner Respondent
 Other person: _____
 (Name and Address)
 - 2. **(R05)(Police Enforced)** Petitioner is granted the physical care and possession of the minor child(ren) of the parties, and
 - a. Respondent is ordered to return the minor children to the physical care of:
 - Petitioner
 - Other _____
 (Name and Address)
- on _____ at _____ am/pm in the presence
 of _____

- b. Respondent is further ordered not to remove the minor child(ren) from the physical care of the Petitioner, school/school grounds, or babysitter/daycare provider, or other person *in loco parentis* (750 ILCS 60/214(b)(5)).
- c. The Circuit Clerk shall, within 24 hours of the issuance of this Order, send written notice of the Order to any protected child's day care or school to the following: (list child's name and the name and address of each child's school/day care.

If this box is checked, the petitioner shall provide this information to the clerk by a separate written notice which the clerk shall impound to prevent further abuse.

3. **(R07)(Court Enforced) Visitation of the minor child(ren)**

- a. Visitation is **denied** / **restricted** because Respondent has or is likely to:
 - Abuse or endanger the minor child(ren) during visitation.
 - Use visitation as an opportunity to abuse or harass Petitioner, Petitioner's family, or household members.
 - Improperly conceal or detain the minor child(ren).
 - Act in a manner that is not in the best interest of the minor child(ren).
- b. Visitation is **reserved** until further order of court, or until _____.
- c. Visitation is **granted** as follows: **(Check all that apply)**
 - Every _____ from _____ am/pm to _____ am/pm.
 - Each** weekend or **Alternating** weekends.
 - Friday at _____ am/pm to Saturday at _____ am/pm
 - Friday at _____ am/pm to Sunday at _____ am/pm
 - Saturday at _____ am/pm to Sunday at _____ am/pm
 - Saturday at _____ am/pm to Saturday at _____ am/pm
 - Sunday at _____ am/pm to Sunday at _____ am/pm
 - Major holidays shall be divided as follows: _____.
- d. The Court, finding it necessary to protect Petitioner or other protected parties from further abuse, prohibits Respondent from going to Petitioner's residence to meet the minor child(ren) for visitation.
- e. Visitation Transportation
 - Each parent shall provide transportation one-way for visitation, **or**
 - _____ shall provide all transportation for visitation, **or**
 - Other arrangements _____.
- f. Visitation shall take place at _____
(Street Address/City)
- g. Visitation is to be supervised by _____ who is approved to supervise visitation and who has filed an affidavit accepting responsibility and acknowledging accountability to the Court.
- h. Respondent shall return the child(ren) to Petitioner or Petitioner's designated person immediately at the end of visitation.

Notice to Respondent

The Petitioner may, by law, deny Respondent access to the minor child(ren) if, when Respondent arrives for visitation, Respondent is under the influence of drugs or alcohol and constitutes a threat to the safety and well-being of Petitioner or Petitioner's minor child(ren) or is behaving in a violent or abusive manner (750 ILCS 60/214(b)(7)).

PART E. RULINGS PURSUANT TO 750 ILCS 60/221 (a)(2) and (b)(2)

The relief requested in paragraph(s) _____ of the Petition is/are

- Denied
- Reserved

because the balance of hardships does not support the granting of the remedy, and the granting of the remedy will result in hardship to Respondent that would substantially outweigh the hardship to the Petitioner from the denial of the remedy, or because

THIS EMERGENCY ORDER WAS ISSUED ON:

Date: _____

Time _____ am/pm.

JUDGE

I hereby certify that this is a true and correct copy of the original order on file with the court.

Clerk of the Circuit Court of

(Seal of the Clerk of Circuit Court)

CLINTON County, Illinois

Date: _____

NOTICE TO RESPONDENT: You may petition the court, in accordance with Section 224 of the Act, to re-open the order if you did not receive actual prior notice of the hearing in accordance with Section 211 of the Act, alleging that you have a meritorious defense to the order or that the order, or any of its remedies, was not authorized by the act.

- cc: Petitioner Respondent(via Sheriff) Counsel of Record Sheriff Advocate Jail
 States Attorney

DEFINITION OF TERMS USED IN THIS ORDER

These definitions are incorporated in and made a part of the order to which they are attached.

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person *in loco parentis*.
2. **Domestic Violence:** Domestic Violence means abuse as defined in paragraph one.
3. **Exploitation:** "Exploitation" means the illegal, including tortuous, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
4. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, and persons with disabilities and their personal assistants. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
5. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
 - a) creating a disturbance at petitioner's place of employment or school;
 - b) repeatedly telephoning petitioner's place of employment, home or residence;
 - c) repeatedly following petitioner about in a public place or places;
 - d) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
 - e) repeatedly threatening to improperly remove a child of petitioner's from the jurisdiction, improperly concealing that child from petitioner or making a single such threat following an actual or attempted improper removal or concealment;
 - f) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
 - g) threatening physical force, confinement or restraint on one or more occasions.
6. **Interference with Personal Liberty:** "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so

as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.

7. **Intimidation of a Dependent:** "Intimidation" means subjecting a person who is dependent because of age, health or disability to participation in, or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as herein defined, regardless of whether the abused person is a family or household member.
8. **Neglect:** "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
 - a) the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
 - b) the repeated, careless imposition of unreasonable confinement;
 - c) the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
 - d) the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
 - e) the failure to protect a high-risk adult with disabilities from health and safety hazards.
9. **Physical Abuse:** "Physical abuse" includes sexual abuse and means any of the following:
 - a) knowing or reckless use of physical force, confinement, or restraint; or
 - b) knowing, repeated and unnecessary sleep deprivation; or
 - c) knowing or reckless conduct which creates an immediate risk of physical harm.
10. **Stalking:** "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and:
 - a) at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or
 - b) placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
 - c) placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.
11. **Willful Deprivation:** "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

Order of Protection

Interim Plenary (Final)

Court Ph.	(618) 594-2464 EXT 620
Court	FOURTH JUDICIAL CIRCUIT
County	CLINTON State of ILLINOIS
Case No.	

PETITIONER

First Middle Last

Petitioner's Address/ Alternative Address:

(file stamp)

- Petition
And/or on behalf of other protected person(s)
 Child(ren) as noted on page 6, Part C of this order
 Dependent _____ (name)
 High Risk Adult _____ (name)

RESPONDENT

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: _____

(Home) _____

(Work) _____ (Work Hours: _____)

Caution indicators:

- (A) Considered armed and /or dangerous
 (S) Suicidal
 (Y) Considered armed, dangerous and suicidal

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT.	WT.
EYES	HAIR	SOCIAL SECURITY (last 4#s)		
		XXX-XX-		
DRIVER'S LIC. #		STATE	License Plate #	

Distinguishing Features (scars, marks, tattoos, martial arts): _____

THE COURT FINDS:

That it has jurisdiction over the Petitioner and subject matter and the Respondent will be provided with reasonable notice and an opportunity to be heard within the time required by Illinois law.
Additional findings are set forth on the following pages.

THE COURT ORDERS:

- That Respondent is prohibited from further acts/threats of abuse on protected persons. (See **R01**)
 That Respondent is ordered to stay away from Petitioner and/or other protected persons. (See **R03**)
 The Circuit Clerk is directed to send within 24 hours: Daycare / School Notice(s) (See page 6).
 Firearms Notice(s) (See page 8).

Additional terms of this order are set forth herein.

The terms of this Order shall be effective until

(Date)

(Time am/pm)

NOTICES CONCERNING THIS ORDER OF PROTECTION

WARNING TO RESPONDENT

Violating this Order of Protection is punishable by imprisonment or fine or both, and can cause your bond to be revoked, result in a contempt of court citation against you, or the filing of a criminal charge.

This protection order is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265). Violating this order of protection may subject you to federal charges and punishment (18 U.S.C. §§ 2261-2262). You may also be subject to federal penalties for possessing, transporting, shipping or receiving a firearm or ammunition under the Gun Control Act (18 U.S.C. § 922(g)(8) and (9)).

Only the court can change this order. The Petitioner cannot give you legal permission to change this order. If you go near the Petitioner, even with the Petitioner's consent, you may be arrested. If you and the Petitioner want to resume your relationship, you must ask the Court to modify or dismiss this Order of Protection. Unless the court modifies/dismisses this order, you can be arrested for violating this Order of Protection. You act at your own risk if you disregard this WARNING.

NOTICE TO PETITIONER

You cannot change the terms of this order by your words or actions. If the Court has ordered no contact or exclusive possession of the residence, only the Court can allow the Respondent to contact you or return to the residence. If you and the Respondent want to resume your relationship, you **must** ask the Court to modify or dismiss this Order of Protection.

If you wish to extend the Plenary order, you must file with the clerk of the court a Motion to Extend (including any modifications needed for your protection) at least **30 days prior to the expiration date** of the present order. The motion will be set for hearing. Notice must be given to the Respondent by first class mail; a certificate stating that notice was sent must be filed with the Circuit Clerk. You must be present at the hearing on your motion.

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

This Order of Protection is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265). Violating this Order of Protection may subject the Respondent to state and/or federal charges and punishment (18 U.S.C. §§2261-2262). The Respondent may also be subject to federal criminal penalties for possessing, transporting, or accepting a firearm under the Gun Control Act (18 U.S.C. § 922(g)(8)).

NOTICE TO RESPONDENT

Any knowing violation of an order of protection forbidding physical abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, willful deprivation, or entering or remaining present at specified places when a protected person is present, or granting exclusive possession of the residence or household or granting a stay away order is a Class A misdemeanor and a second or subsequent violation is a Class 4 felony. The granting of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding legal custody or physical care of a child or prohibiting removal or concealment of a child may be a Class 4 felony. Stalking is a Class 4 felony for a first offense and a Class 3 felony for a subsequent offense. Any willful violation of any order is contempt of court. Any violation may result in fine or imprisonment.

FINDINGS [Jurisdiction]

The Court, having reviewed the verified petition and having heard the evidence and the testimony of the petitioner under oath or affirmation, finds that:

1. Petitioner's actual address is set forth on page one (1).
or
 Disclosure of Petitioner's address would risk further abuse. The address set forth below is the address for the purpose of service of notice on the petitioner in this case.

Street or P.O. Box	City	State	Zip Code
--------------------	------	-------	----------

2. The persons protected by this Order are the Petitioner, the minor child(ren) identified in Part C, (page 6 of 13) of this order, the other protected persons listed on page 1 of 13 of this order.
3. (Check all that apply)
 - Petitioner is present in court, in person, and/or with counsel, _____.
 - Respondent has been served with notice pursuant to the statute.
 - Respondent has entered an appearance in this case.
 - Respondent is present in court, in person, and/or with counsel, _____.
 - Respondent is in default
 - Respondent has filed an answer
 - Petitioner has diligently attempted to complete service of process, has not been able to serve Respondent, and has given notice by publication.
 - The court has jurisdiction over the minor child(ren) and/or other protected persons.
(750 ILCS 60/208)

RELATIONSHIP CODE: The Petitioner/Abused Person stands in relationship to the Respondent as (check **all** that apply):

✓	RELATIONSHIP	✓	RELATIONSHIP	✓	RELATIONSHIP
	Spouse (SE)		Parent (PA)		Grandparent (GP)
	Former Spouse (XS)		Sibling (Brother/Sister) (SB)		In-Law (IL)
	Boyfriend/Girlfriend (BG) (Dating Relationship)		Step-child (SC)		Person with Disability (PD)
	Child in Common (CC) (parties not married)		Step-sibling (SS)		Person Responsible for High-Risk Adult (PR)
	Shared/common dwelling (CS)		Step-parent (SP)		Personal Assistant or Caregiver to Person with Disability (PC)
	Child (CH)		Grandchild (GC)		Other Related by Blood or Marriage (OF)

FINDINGS [General]

In granting the following remedies, the Court has considered all relevant factors, including, but not limited to the nature, frequency, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of his/her location in order to evade service of process or notice, and the likelihood of danger of future abuse, neglect, or exploitation of the party(ies) to be protected; and, if a child(ren) is/are involved, the danger that any minor child(ren) will be abused, neglected, or improperly removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker.

The Court, having reviewed the verified petition and having heard the evidence and the testimony of the petitioner under oath or affirmation, further finds that:

- Venue is proper (750 ILCS 60/209).
- Respondent has abused the Petitioner and/or the child(ren) so identified on Part C (page 6 of 13) of this order and/or the protected person(s) listed on Page 1 of 13 of this order (750 ILCS 60/214(a)).
- The conduct or actions of the Respondent, unless prohibited, will likely cause irreparable harm or continued abuse.
- It is necessary to grant the requested relief in this order to protect the Petitioner and/or other alleged abused persons.
- The abused person(s) is/are unable to bring this Petition on his/her own behalf due to age, health, disability, or inaccessibility (750 ILCS 60/214(a)).
- The Petition has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.
- The parties stipulate to a factual basis for issuance of an Order of Protection.
- An Order of Protection has previously been entered in the instant proceeding or in another proceeding in which any party, or a child of any party, or both has/have been designated as either a respondent or a protected person (750 ILCS 60/223.1).

IT IS ORDERED the following remedies that are checked apply in this case.

PART A. REMEDIES INVOLVING PERSONAL PROTECTION

- 1. **(R01)(Police Enforced)** With respect to all protected persons, Respondent is prohibited from committing the following acts of abuse or threats of abuse (check all that apply):
 - Harassment, interference with personal liberty, physical abuse, or stalking.
 - Intimidation of a dependent.
 - Willful deprivation.
 - Neglect.
 - Exploitation.
- 2. **(R03)(Police Enforced) Stay Away**
 - a. That the Respondent is ordered to stay at least _____ feet away from the Petitioner and/or protected person(s)' and their residence, school, daycare, employment and any other specified place.

"Stay Away" means for the respondent to refrain from both physical presence and nonphysical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes), or through third parties who may or may not know about the order of protection.
 - b. Respondent is prohibited from entering or remaining while Petitioner and/or protected person(s) is/are present at:
 - Their place of residence currently located at _____.
 - Their place of employment at _____.
 - Their school, located at _____.
 - Any of the following specified places, when Petitioner and/or protected person(s) is/are present: _____.

- 3. **(R14)(Police Enforced)** Respondent is prohibited from entering or remaining in the residence or household while under the influence of drugs or alcohol and constituting a threat to the safety or well-being of Petitioner or Petitioner's children.

PART B. REMEDIES INVOLVING PROPERTY

- 1. **(R02)(Police Enforced)** Petitioner is granted exclusive possession of, and Respondent is prohibited from entering or remaining present at the residence/household located at:

 (Street / P.O. Box) (City) (State) (Zip Code)

- Petitioner has a right to occupancy and Respondent has no such right, or
- Petitioner and Respondent both have right to occupancy but the balance of hardships favors temporary possession by Petitioner, the court having considered the factors set forth in 750 ILCS 60/214(c)(2).

- 2. **(R10)(Court Enforced) Personal Property**

- a. Petitioner is granted possession of the following personal property: _____

- b. If the Respondent has possession of the property listed in 2a above, the Respondent shall promptly make it available to the petitioner.

With respect to 2a and 2b above, the Court finds as follows:

- The Petitioner, but not Respondent, owns the property, or
- The parties own the property jointly, and sharing it would risk abuse or is impracticable and the balance of hardships favors temporary possession by Petitioner, and/or
- Petitioner claims property as marital property, and a proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act ("IMDMA").

- c. Respondent is given his/her clothing personal adornments medicine other personal property, namely _____.

- 3. **(R10)(Police Enforced)** Personal property shall be transferred

- at the residence, or
- at _____
 (Street) (City) (State) (Zip Code)

That the transfer of personal property shall take place in the presence of:

- law enforcement, or an agreed-upon third party, namely _____
- Respondent Petitioner shall have the right to enter the residence to retrieve the property but only in the presence of law enforcement or the designated third party.

Time and date of transfer: _____
(This transfer does not affect title to property (750 ILCS 60/214(b)(2)).

- 4. **(R11)(Court Enforced)** Respondent is prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of any real or personal property, except as explicitly authorized by the Court because:

- Petitioner, but not Respondent, owns the property, or
- The parties own the property jointly, and the balance of hardships favors granting this remedy, and/or
- Petitioner claims the property as marital property and a proceeding has been filed under the IMDMA.

- 5. **(R11)(Court Enforced)** Respondent is prohibited from using financial or other resources of an aged member of the family or household for the profit or advantage of Respondent or any other person.

- 6. **(R11.5)(Court Enforced)** That the petitioner is granted the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to

stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal.

PART C. REMEDIES INVOLVING CHILDREN

The minor child(ren) of the parties is/are:

<u>Full Name</u>	<u>Age</u>	<u>State of Residence</u>	<u>Relationship to Petitioner</u>	<u>Included as Protected Party</u>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>

1. The primary caretaker of the minor child(ren) is Petitioner Respondent
 Other person: _____
(Name and Address)

2. **(R05)(Police Enforced)** Petitioner is granted the physical care and possession of the minor child(ren) of the parties, and
 a. Respondent is ordered to return the minor children to the physical care of:
 Petitioner Other _____
(Name and Address)
on _____ at _____ am/pm in the presence
of _____

b. Respondent is further ordered not to remove the minor child(ren) from the physical care of the Petitioner, school/school grounds, or babysitter/daycare provider or other person *in loco parentis* (750 ILCS 60/214(b)(5)).

c. The Circuit Clerk shall, within 24 hours of the issuance of this Order, send written notice of the Order to any protected child’s day care or school to the following: (list child’s name and the name and address of each child’s school/day care.

If this box is checked, the petitioner shall provide this information to the clerk by a separate written notice which the clerk shall impound to prevent further abuse.

3. **(R06)(Police Enforced)** Petitioner is granted temporary custody of the minor child(ren) of the parties.

a. Said children were born of the marriage between the parties.

b. The parties were never married, said children are children in common of the parties, and there **has** / **has not** been a prior legal determination of parentage.

c. An issue has been raised concerning the UCCJA and/or PKPA; the court considered the issue and has determined that this order meets the requirements and is consistent with these statutes (750 ILCS 35/1 et seq. and 28 U.S.C. § 1738A).

4. **(R07)(Court Enforced) Visitation of the minor child(ren)**

a. Visitation is **denied** / **restricted** because Respondent has or is likely to:

Abuse or endanger the minor child(ren) during visitation.

Use visitation as an opportunity to abuse or harass Petitioner, Petitioner’s family, or household members.

Improperly conceal or detain the minor child(ren).

Act in a manner that is not in the best interest of the minor child(ren).

- b. Visitation is **reserved** until further order of court, or until _____.
- c. Visitation is **granted** as follows: (Check all that apply)
 - Every _____ from ____ am/pm to ____ am/pm.
 - Each** weekend or **Alternating** weekends.
 - Friday at _____ am/pm to Saturday at _____ am/pm
 - Friday at _____ am/pm to Sunday at _____ am/pm
 - Saturday at _____ am/pm to Sunday at _____ am/pm
 - Saturday at _____ am/pm to Saturday at _____ am/pm
 - Sunday at _____ am/pm to Sunday at _____ am/pm
 - Major holidays shall be divided as follows:

Major holidays	Even-numbered years	Odd-numbered years
New Years Day		
Easter		
Memorial Day		
4th of July		
Labor Day		
Thanksgiving Day		
Christmas Eve		
Christmas Day		
Other * : _____		

(* - including other special days, holidays and /or religious observances)

- Extended school vacation periods such as summer vacation, spring break, winter break and Thanksgiving weekend (be specific as to start and end times):

- When there is a conflict between holiday visitation and other visitation periods, the provision for holiday visitation shall control with no requirement for makeup visitation. Unless otherwise specified holiday visitation shall begin on the holiday at: ____ am/pm and end at ____ am/pm.
- Mother's Day shall always be with mother and Father's Day shall always be with father.
- Other _____
- d. The Court, finding it necessary to protect Petitioner or other protected parties from further abuse, prohibits Respondent from going to Petitioner's residence to meet the minor child(ren) for visitation.
- e. Visitation Transportation
 - Each parent shall provide transportation one-way for visitation, **or**
 - _____ shall provide all transportation for visitation, **or**
 - Other arrangements _____
- f. Visitation shall take place at _____
(Street Address/City)
- g. Visitation is to be supervised by _____ who is approved to supervise visitation and who has filed an affidavit accepting responsibility and acknowledging accountability to the Court.
- h. Respondent shall return the child(ren) to Petitioner or Petitioner's designated person immediately at the end of visitation.

Notice to Respondent

The Petitioner may, by law, deny Respondent access to the minor child(ren) if, when Respondent arrives for visitation, Respondent is under the influence of drugs or alcohol and constitutes a threat to the safety and well-being of Petitioner or Petitioner's minor child(ren) or is behaving in a violent or abusive manner (750 ILCS 60/214(b)(7)).

- 5. **(R08)(Police Enforced)** Respondent is ordered not to conceal the minor child(ren) within the State or remove the child(ren) from the State of Illinois.
- 6. **(R09)(Court Enforced)** Respondent is ordered to appear at the _____, _____ in Courtroom _____, on _____, 20____ at _____ am/pm Alone / With the minor children:
 - To prevent abuse, neglect, removal or concealment of the child,
 - To return the child to the custody or care of the Petitioner, **or**
 - To permit a court-ordered interview or examination of the child or Respondent.
- 7. **(R15)(Court Enforced)** Respondent is denied access to and is prohibited from inspecting, obtaining, or attempting to inspect or obtain school or any other records of the minor child(ren) in the care of the Petitioner because:
 - The Order of Protection prohibits Respondent from having contact with the minor child(ren), **or**
 - Petitioner's actual address is omitted due to the risk of further abuse, **or**
 - It is necessary to prevent abuse or wrongful removal or concealment of the minor child(ren).

PART D. FIREARMS

- 1. **(R14.5)(Police Enforced)** The Court has examined the Petitioner and any other witnesses under oath, has examined the petition and other relevant evidence on the issue of whether Respondent has threatened or is likely to use a firearm(s) illegally against Petitioner, and finds that there is a danger of the illegal use of firearms.

The Court finds that the Respondent:

- Has appeared personally in court
- Failed to appear personally after having received actual notice.

- 2. Respondent is ordered to turn over any and all firearms, including the following:

- 3. Respondent shall turn over the above-listed firearm(s) to:

- the _____ County Sheriff's Office
- the _____ Police Department

on or before _____, 20____ for safekeeping, to be returned to the Respondent on _____, 20____ (Period not to exceed two years unless otherwise prohibited under federal law. 18 U.S.C. §§ 922(d) and (g)(8), and 922(d) and (g)(9)).

- 4. The Circuit Clerk will notify

- the _____ County Sheriff's Office
- the _____ Police Department

of this provision, and such law enforcement agency shall take possession of said firearm(s) for safekeeping in accordance with the provisions of this Order.

PART E. ECONOMIC REMEDIES

1. **(R12)**(Court Enforced) The Court finds that the Respondent is:

unemployed employed by

_____ at _____ and has an
 (Employer) (Street Address) (City/State)

approximate take-home pay of \$_____ Weekly Bi-weekly ___/___ of month Monthly.

a. Respondent is ordered to pay temporary child support in the sum of \$_____

Weekly Bi-weekly ___ / ___ of month Monthly.

b. Respondent is ordered to pay temporary support to the Petitioner in the sum of \$_____

Weekly Bi-weekly ___ / ___ of month Monthly.

c. Payments will commence on _____ 20__ and a like amount each period until further order of the Court, said payments to be made through the: Circuit Clerk SDU

Payment shall not be paid directly to the Petitioner. Uniform Order of Support shall also be entered.

d. Uniform Order of Support and Notice of Withholding to be filed by Petitioner, if applicable. (See Circuit Clerk for the forms).

2. **(R13)**(Court Enforced) Respondent is ordered to pay Petitioner for losses suffered as a direct result of abuse, neglect, or exploitation, specifically:

Medical expenses \$ _____

Lost earnings \$ _____

Repair/replacement of property damaged or taken \$ _____

Reasonable attorneys' fees \$ _____

Moving and other travel expenses \$ _____

Reasonable expenses for temporary housing other than a domestic violence shelter/meals \$ _____

Expenses for search and recovery of children \$ _____

Other \$ _____

a. Respondent is ordered to:

Pay said amount on or before _____, 20____.

Pay \$_____ weekly bi-weekly ___ / ___ of month monthly commencing on _____, 20____, until amount is paid in full.

b. Payments are to be made to _____.

3. **(R16)**(Court Enforced) Respondent is ordered to reimburse:

a. A shelter providing temporary housing or counseling to Petitioner in the sum of \$_____

- payable to _____
 (Name/Address)

b. The Court finds the cost of the services has been certified by the shelter and deems the costs to be reasonable.

4. Respondent is ordered to:

Pay said amount on or before _____, 20____.

Pay \$_____ weekly bi-weekly ___ / ___ of month monthly.

commencing on _____, 20____, until said amount is paid in full.

PART F. MISCELLANEOUS REMEDIES

1. **(R04)**(Court Enforced) Respondent is ordered to undergo and successfully complete counseling with _____, (Name/Address) commencing on _____, 20____.

2. **(R17)** Respondent is further ordered and enjoined as follows: _____

3. Cause is continued for compliance hearing to _____, 20____, at _____ am/pm (Month/Day) on the following issues: _____ Respondent is ordered to appear and bring the following documents: _____

PART G. RULINGS PURSUANT TO 750 ILCS 60/221 (a)(2) and (b)(2)

The relief requested in paragraph(s) _____ of the Petition is/are Denied / Reserved because the balance of hardships does not support the granting of the remedy, and the granting of the remedy will result in hardship to Respondent that would substantially outweigh the hardship to the Petitioner from the denial of the remedy, or because _____

INTERIM ORDERS ONLY:

THIS ORDER WAS ISSUED ON: Date: _____ Time _____ am/pm

THIS ORDER WILL EXPIRE ON: Date: _____ Time _____ am/pm (not more than 30 days).

HEARING ON ENTRY OF INTERIM/PLENARY (FINAL) ORDER SET FOR:

Date: _____, 20____ Time _____ am/pm at the: _____ in Courtroom: _____

PLENARY (FINAL) ORDERS ONLY:

This order will remain in effect until: _____, 20____ (not to exceed 2 years), unless this order is entered in conjunction with:

civil proceeding, Case No. _____

criminal proceeding, Case No. _____

THIS PLENARY (FINAL) ORDER WAS ISSUED ON: Date: _____, 20____ Time _____ am/pm.

ENTER:

JUDGE

I hereby certify that this is a true and correct copy of the original order on file with the court.

Clerk of the Circuit Court of
CLINTON County, Illinois

(Seal of the Clerk of Circuit Court)

Date: _____

NOTICE TO RESPONDENT: (Interim Order of Protection only) You may petition the court, in accordance with Section 224 of the Act, to re-open the order if you did not receive actual prior notice of the hearing in accordance with Section 211 of the Act, alleging that you have a meritorious defense to the order or that the order, or any of its remedies, was not authorized by the act.

Petitioner Respondent given copy of this Order of Protection in open court on

_____, 20____, at ____ am/pm.
(Month/Day)

cc: Petitioner Respondent(via Sheriff) Counsel of Record Sheriff Advocate Jail
 States Attorney

DEFINITION OF TERMS USED IN THIS ORDER

These definitions are incorporated in and made a part of this order to which they are attached.

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person *in loco parentis*.
2. **Domestic Violence:** Domestic Violence means abuse as defined in paragraph one.
3. **Exploitation:** "Exploitation" means the illegal, including tortuous, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
4. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, and persons with disabilities and their personal assistants. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
5. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
 - a) creating a disturbance at petitioner's place of employment or school;
 - b) repeatedly telephoning petitioner's place of employment, home or residence;
 - c) repeatedly following petitioner about in a public place or places;
 - d) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
 - e) repeatedly threatening to improperly remove a child of petitioner's from the jurisdiction, improperly concealing that child from petitioner or making a single such threat following an actual or attempted improper removal or concealment;
 - f) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
 - g) threatening physical force, confinement or restraint on one or more occasions.
6. **Interference with Personal Liberty:** "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so

as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.

7. **Intimidation of a Dependent:** "Intimidation" means subjecting a person who is dependent because of age, health or disability to participation in, or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as herein defined, regardless of whether the abused person is a family or household member.
8. **Neglect:** "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
 - a) the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
 - b) the repeated, careless imposition of unreasonable confinement;
 - c) the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
 - d) the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
 - e) the failure to protect a high-risk adult with disabilities from health and safety hazards.
9. **Physical Abuse:** "Physical abuse" includes sexual abuse and means any of the following:
 - a) knowing or reckless use of physical force, confinement, or restraint; or
 - b) knowing, repeated and unnecessary sleep deprivation; or
 - c) knowing or reckless conduct which creates an immediate risk of physical harm.
10. **Stalking:** "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and:
 - a) at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or
 - b) placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
 - c) placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.
11. **Willful Deprivation:** "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.