

THE INFORMATION PROVIDED ON THIS FORM WILL **NOT** BE SCANNED INTO THE CASE FILE AND WILL **ONLY** BE SEEN AND USED BY THE CLERK'S OFFICE PERSONNEL.

Escambia County Circuit Clerk's Office	w PFA FILER INFORMATION	CASE NUMBER: _____
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IN THE CIRCUIT COURT OF ESCAMBIA COUNTY ALABAMA _____ v. _____ Plaintiff Defendant

Please complete the mandatory fields denoted by an asterisk '*'

* Name of Plaintiff (Filer)	* Telephone Number(s)
* Address of Plaintiff (Filer)	<div style="display: flex; justify-content: space-between;"> City State Zip Code </div>

THE INFORMATION PROVIDED ON THIS FORM WILL **NOT** BE SCANNED INTO THE CASE FILE AND WILL **ONLY** BE SEEN AND USED BY THE CLERK'S OFFICE PERSONNEL.

PETITION FOR PROTECTION FROM ABUSE

Court Case Number: _____

IN THE CIRCUIT COURT OF _____ COUNTY, ALABAMA
(Name of County)

_____ V. _____
(Plaintiff (Victim)) (Defendant (Person to be Restrained))

_____ filling on behalf of _____
(Plaintiff) (Victim) (Defendant's Address (Office or Home))

Section 30-5-5(f)(1), Ala. Code 1975, provides "...[t]he following information shall not be contained on any court document made available to the public and the defendant by the circuit clerk's office: The plaintiff's home address and, if applicable, business address; a plaintiff's home telephone number and, if applicable, business telephone number; the home or business address or telephone number of any member of the plaintiff's family or household; or an address that would reveal the confidential location of a shelter for victims of domestic violence as defined in Section 30-6-1."

(City) (State) (Zip Code)

(Defendant's Date of Birth)

-**-*

(Defendant's Social Security Number - Last 4 Only)

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

ELIGIBLE PLAINTIFFS (CHECK ALL THAT APPLY):

(Note: The word, "Plaintiff," is used in this block to describe the victim and/or the person(s) filing on behalf of the victim):

- I am 18 years of age or older and am a victim of abuse or have reasonable cause to believe I am in imminent danger of becoming the victim of any act of abuse.
- I am a parent; or a legal guardian; or a next friend; or a court appointed guardian ad litem; or the State Department of Human Resources seeking protection from domestic violence on behalf of the victim who is: a minor child; or a person prevented by physical or mental incapacity from seeking a protection order.
- I am under 18 years of age, emancipated, and am a victim of abuse or have reasonable cause to believe I am in imminent danger of becoming the victim of any act of abuse.

In order to qualify for the issuance of a protection order pursuant to the Protection from Abuse Act, you must check ONE of the boxes below, showing you have one of the following relationships with the Defendant.

- 1. The Defendant is the victim's spouse (Describe: _____) or former spouse (Describe: _____); or the Defendant is in or had a common-law marriage with the victim (Describe: _____).
Date of Marriage: _____ Date of Divorce (if applicable): _____
- 2. The Defendant and the victim has or had a dating relationship (Describe: _____)
(A dating relationship means a relationship or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party; includes the period of engagement to be married; and does not include a casual or business relationship or a relationship that ended more than 12 months prior to the filing of the petition for a protection order).
- 3. The Defendant is a current or former household member of the victim (A household member excludes non-romantic or non-intimate co-residents). Describe victim's relationship to the above-named Defendant: _____
- 4. The Defendant and the victim have a child in common regardless of whether the victim and Defendant have ever been married and regardless whether they are currently residing or have in the past resided together in the same household (defined in 3 above). Describe victim's relationship to the above-named Defendant: _____
- 5. The victim is a relative of a current or former household member defined in 3 above who also lived with the Defendant. Describe victim's relationship to the above-named Defendant: _____
- 6. The victim is an individual who is a parent, step-parent, child, step-child, grandparent, step-grandparent, grandchild, or step-grandchild. Describe the victim's relationship to the above-named Defendant: _____

(NOTE: The word "Plaintiff" in the remainder of this form refers to the victim for whom protection is being sought.)

I state that the following is true and correct:

The Plaintiff is a resident of _____ in _____, The Plaintiff's age is _____ years old.
(Name of County) (Name of State)

Is the Plaintiff involved in any other civil, domestic relations, child support, or juvenile case (for example, divorce, paternity or custody) with the Defendant? YES NO

If YES, please state the County and State in which the case was brought: _____ County,

(Name of State) (Name of County)

Are there any criminal charges against the Defendant because of abuse to the Plaintiff? YES NO

If YES, the charges were brought in _____ County, _____
(Name of County) (Name of State)

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

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

- The Plaintiff left his or her residence to avoid further abuse or threat of abuse, and the Plaintiff is temporarily located in _____ County, Alabama. (Name of County)
- The Defendant lives in _____ County, _____ (Name of County) (Name of State)
- The abuse occurred in _____ County, Alabama. (Name of County)
- The Defendant is _____ years old.
- I am requesting a protection order; a change in a current protection order; an emergency order; a change in an emergency order.

II. To Get a Protection Order, the Defendant Must Have Done One or More of the Following (Check all that apply):

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Threatened to confine the Plaintiff <input type="checkbox"/> Made the Plaintiff afraid that the Plaintiff would be seriously injured <input type="checkbox"/> Made the Plaintiff have sex by force or threat of force <input type="checkbox"/> Kidnapped the Plaintiff or his or her child(ren) <input type="checkbox"/> Trespassed on the Plaintiff's property <input type="checkbox"/> Tortured or willfully abused the Plaintiff's child(ren) <input type="checkbox"/> Stole from the Plaintiff <input type="checkbox"/> Recklessly engaged in conduct which risked serious injury to the Plaintiff <input type="checkbox"/> Tortured or willfully abused the Plaintiff's child(ren) multiple times | <ul style="list-style-type: none"> <input type="checkbox"/> Exposed the Plaintiff's child(ren) to drugs <input type="checkbox"/> Injured the Plaintiff <input type="checkbox"/> Tried to do one or more of the acts in this section <input type="checkbox"/> Threatened to injure/hurt the Plaintiff <input type="checkbox"/> Stalked the Plaintiff <input type="checkbox"/> Set fire to the Plaintiff's house <input type="checkbox"/> Restrained the Plaintiff <input type="checkbox"/> Other (please specify): _____ |
|---|---|

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

Date and place where the abuse occurred:

Describe how the Defendant hurt or threatened the Plaintiff or how the Plaintiff is in imminent danger of becoming a victim:

I genuinely fear the Defendant will cause further abuse because:

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

There is a current restraining or protection order against the Defendant:
 YES; I don't know; NO. If YES, the County and State where it was issued: _____ County, _____ (Name of County) (Name of State)

The Defendant has a current restraining or protection order against the Plaintiff:
 YES; No. If YES, the County and State where it was issued: _____ County, _____ (Name of County) (Name of State)

(Note: If there are more current restraining or protection orders against the Defendant or against the Plaintiff, please attach additional 8" x 11" sheets of paper, if necessary, stating the case number(s), County(ies), and State(s) in which these Orders were issued).

PETITION FOR PROTECTION FROM ABUSE

Court Case Number:

V. Child(ren)

A. The name(s) and date(s) of birth of any child(ren) of the Defendant and the Plaintiff, who are under 19 years old.

Name: _____ Date of Birth: _____

Name: _____ Date of Birth: _____

Name: _____ Date of Birth: _____

Name: _____ Date of Birth: _____

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

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

Child: _____ Lived with: _____ State: _____

Child: _____ Lived with: _____ State: _____

Child: _____ Lived with: _____ State: _____

Child: _____ Lived with: _____ State: _____

VI. Residence

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

The place where the Plaintiff lives is: Owned by: the Plaintiff; or the Defendant; or both the Plaintiff and the Defendant.

Rented by: the Plaintiff; or the Defendant; or both the Plaintiff and the Defendant.

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

VII. Ex Parte Relief Requested (Please Check the Boxes To Show What is Requested):

I am asking the Court for the following for myself and/or the person(s) for whom I am applying:

(1) Enjoin the Defendant from threatening to commit or committing acts of abuse, as defined in the Protection from Abuse Act, against the Plaintiff; and/or child(ren) of the Plaintiff; and/or any designated person. List the name(s) of person(s) who need protection: _____

(2) Restrain and enjoin the Defendant from annoying, harassing, stalking, threatening, and engaging in conduct that would place the Plaintiff and/or minor(s); and/or child(ren) of the Plaintiff; and/or any designated person in reasonable fear of bodily injury or from contacting the Plaintiff or the children of the Plaintiff. List the name(s) of the person(s) who need protection: _____

* "Contacting" includes, but is not limited to, communicating with the victim verbally or in any written form, either in person, telephonically, electronically, or in any other manner, either directly or indirectly through a third person.

Original - Court Record

Copy - Law Enforcement

Copy - Plaintiff

Copy - Defendant

PETITION FOR PROTECTION FROM ABUSE

Court Case Number:

- (3) Restrain and enjoin the Defendant from having any physical or violent contact with the Plaintiff or the Plaintiff's property, or from going within a minimum of 300 feet of the Plaintiff's residence, even if the residence is shared with the Defendant, school, or place of employment of the Plaintiff, any children, or any other person designated by the court, or order the Defendant to stay away from any specified place frequented by the Plaintiff, any children, or any person designated by the court where the court determines the Defendant has not legitimate reason to frequent.
- (4) Award temporary custody of the child(ren) to _____
(Please specify the name of the person to whom custody should be given)
- (5) Enjoin the Defendant from interfering with the Plaintiff's efforts to remove any of the Plaintiff's child(ren) or from removing any children from the jurisdiction of the court and direct the appropriate law enforcement officer to accompany the Plaintiff during the effort to remove any of the Plaintiff's child(ren) as necessary to protect the Plaintiff or any children from abuse or child abuse.
- (6) Enjoin the Defendant from removing any child(ren) from _____
[the individual having legal custody of the child(ren)], except as subsequently authorized by a custody or visitation order issued by a court of competent jurisdiction.
- (7) Remove and exclude the Defendant from the residence of the Plaintiff, regardless of ownership of the residence.
- (8) Order possession and use of an automobile; and/or other essential personal effects regardless of ownership, and direct the appropriate law enforcement officer to accompany the Plaintiff to the residence of the parties or to other specified locations as necessary to protect the Plaintiff or any children from abuse.
- (9) Prohibit the Defendant from transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties (Please describe property): _____
- (10) Order other relief deemed necessary to provide for the safety and welfare of the Plaintiff; and/or any child(ren); and/or any designated person.
List the name(s) of the person(s) who need protection: _____

VIII. Additional relief requested for final hearing (permanent order):

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

- (11) Order the Defendant to comply with the following visitation arrangements of any child(ren):
 Visitation; Deny visitation; Require supervision by a third party
(Please specify visitation arrangements of any child(ren) below giving primary consideration to the safety of the Plaintiff or any child(ren) or both):

- (12) Order the Defendant to pay attorney's fees and court costs.
- (13) Grant possession of the residence or household to the Plaintiff to the exclusion of the Defendant by evicting the Defendant; restoring possessions to the Plaintiff; or both; or agreeing to allow the Defendant to provide suitable alternate housing.
- (14) Order the Defendant to pay temporary reasonable child support for the Plaintiff and/or any child(ren) in the Plaintiff's custody, or both, in accordance with the Child Support Guidelines. (If this relief is sought, you must attach COMPLETED copies of Form CS-41, Child Support Obligation Income Statement/Affidavit, Form CS-42, Child Support Guidelines, and Form CS-47, Child Support Information Sheet).

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

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

(17) Order the Defendant to surrender all firearms.

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

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

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

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

(Plaintiff (Please print))

(Plaintiff (Signature))

(Signature of Officer Authorized to Administer Oaths/Notary Public)

(Notary Public Only: My Commission expires on _____ (Date)).

NOTICE TO DEFENDANT

The Defendant is advised that (1) he or she has the right to counsel at his or her own expense at the final hearing on this Petition but not counsel appointed by the court; and (2) he or she has a right to request a final hearing prior to 10 days of perfection of Service of this Petition.

Original - Court Record

Copy - Law Enforcement

Copy - Plaintiff

Copy - Defendant

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

Amended Order
For Cases Filed on or After January 1, 2016

Case No. _____

In the Circuit Court of _____ County, Alabama

PLAINTIFF (Victim)

First Middle Last
and any minor(s) on whose behalf the Petition
for Protection from Abuse was filed [List Name(s) and DOB(s)]:

Date of Birth (DOB) of Plaintiff (Victim)
Other Protected Persons(s) [List Name(s) and DOB(s)]:

DEFENDANT

First Middle Last

- Relationship to Victim: Spouse Former-Spouse
 Common-Law Marriage Former Common-Law Marriage
 Child in Common
 Current or Former Dating Relationship
 Current or Former Household Member
 Relative of Current or Former Household Member:
 Parent Stepparent
 Child Stepchild

SEX	RACE	DOB	HT	WT
EYES	HAIR	DISTINGUISHING FEATURES		
DRIVER'S LICENSE #		STATE	EXP. DATE	
VEHICLE		TAG#		

Defendant's Home Address & Telephone #: _____

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

Do NOT write below this line

Do NOT write below this line

THE COURT HEREBY FINDS (Check all that apply):

Pursuant to the sworn Affidavit/Petition and/or testimony of the Plaintiff seeking protection from abuse, the Court finds that it has jurisdiction over the parties and matter under the law of the State and the Defendant is being provided with sufficient notice, including notice of his right to request a hearing within 10 days of service, in order to protect his or her rights to due process.

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

THE COURT HEREBY ORDERS (Check all that apply):

- That the above-named Defendant be enjoined from threatening to commit or committing acts of abuse as defined in the Protection from Abuse Act.
 That the above-named Defendant be restrained from any contact with the Plaintiff, and/or child(ren); and/or any designated person, to wit: _____
 Additional terms of this order follow on succeeding pages.

The terms of this order shall be effective until _____; or further order of the Court. **THIS ORDER IS VALID AND ENFORCEABLE IN ALL COUNTIES IN THE STATE OF ALABAMA. LAW ENFORCEMENT OFFICERS MAY USE THEIR ARREST POWERS PURSUANT TO SECTION 15-10-3 TO ENFORCE THE TERMS OF THE INJUNCTION.**

NOTICE TO LAW ENFORCEMENT

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

WARNINGS TO DEFENDANT:

This Order shall be enforced, even without registration, by the courts and any law enforcement officer of any State, the District of Columbia, and any U. S. territory, and may be enforced by Tribal Lands (18 U.S.C.A. Section 2265). Crossing state, territorial or tribal boundaries to violate this Order may result in penalties, including federal imprisonment (18 U.S.C.A. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualified protection order or after being convicted of a misdemeanor crime of domestic violence [18 U.S.C.A. Sections 922(g)(8) and 922(g)(9)]. Section 13A-11-72(a) provides that it is a Class C felony for a person convicted in the State of Alabama or elsewhere of a misdemeanor offense of domestic violence or subject to a valid protection order for domestic abuse to own a firearm or have one in his or her possession or under his or her control. This Order is also enforceable on U.S. Department of Defense installations (10 U.S.C.A. Section 1561a). A violation of this ORDER is a Class A misdemeanor. Section 13A-6-142, Ala. Code 1975. The Defendant is notified the he or she has a right to request a final hearing prior to 10 days of perfection of service of the Petition for Protection from Abuse.

ONLY THE COURT CAN CHANGE THIS ORDER

Original-Court Record Copy-Law Enforcement Copy-Plaintiff Copy-Defendant

Judge's Initials: _____

EX PARTE PROTECTION ORDER

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

Amended Order

Case No. _____

In the Circuit Court of _____ County, Alabama

THE COURT FURTHER ORDERS THAT (Check all that apply):

(1) The Defendant is enjoined from threatening to commit, or committing acts of abuse, as defined in the Protection from Abuse Act, against the: Plaintiff, and/or child(ren) of the Plaintiff; and/or any designated person, to wit: _____.

(2) The Defendant is restrained and enjoined from harassing, stalking, annoying, threatening or engaging in conduct that would place the following in reasonable fear of bodily injury, the: Plaintiff; and/or child(ren) of the Plaintiff; and/or any designated person, to-wit: _____ or from contacting the Plaintiff and/or children of the Plaintiff, .

(3) The Defendant is restrained and enjoined from having physical or violent contact with: the Plaintiff or the Plaintiff's property; place of employment; school; and/or the child(ren)'s: residence; place of employment; school; and/or any designated person's , to-wit: _____; residence; place of employment; school.

The Defendant is ordered to stay away from any specified place, as designated below which the court determines the Defendant has no legitimate reason to frequent, frequented by the Plaintiff; child(ren); and/or any designated person.
Name(s) and location(s) of the other specified place(s): _____.

The Defendant is ordered to not go within _____ feet (minimum of 300 feet) of the Plaintiff's residence (even if the residence is shared with the Plaintiff); school; and/or place of employment; and/or the child(ren)'s school; and/or place of employment; any designated person's, to-wit: _____ school and/or place of employment.

(4) Temporary custody of the child(ren) of the parties is hereby awarded to: _____.

(5) The Defendant is enjoined from interfering with the Plaintiff's efforts to remove any of the Plaintiff's child(ren) or from removing any children from the jurisdiction of the court. I direct the appropriate law enforcement officer to accompany the Plaintiff during this effort.

(6) The Defendant is enjoined from removing any child(ren) from the individual, to wit: _____, having legal custody of the child(ren), except as subsequently authorized by a custody or visitation order issued by a court of competent jurisdiction.

(7) The Defendant is removed and excluded from the residence of the Plaintiff, regardless of ownership of the residence.

(8) The possession and use of the automobile, _____, is awarded to _____ (DESCRIBE YEAR, MAKE) and other essential personal effects,

_____ (Please specify) are awarded to _____.

The appropriate law enforcement officer shall accompany the Plaintiff to the residence of the parties and/or other specified locations, to-wit: _____ as necessary to protect the Plaintiff or any child(ren) from abuse.

(9) The Defendant is prohibited from: transferring; concealing; encumbering; or otherwise disposing of specified property mutually owned or leased by the parties, as follows : _____.

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

State of Alabama Unified Judicial System Form C-4 Page 3 of 3
Rev. 1/2016

Case No. _____

In The Circuit Court of _____ County, Alabama

Amended Order

(10) The Defendant is ordered to obey the following grant of relief deemed necessary to provide for the safety and welfare of the: Plaintiff; and/or any child(ren); and/or any designated person, as follows:

(11) Other (please specify) _____

This matter is set for a final hearing on _____ (date) at _____ (time) to be held at _____ (place).

The Defendant is advised that he or she has the right to counsel at this final hearing at his or her expense, but not counsel appointed by the court.

Date

Judge

RETURN ON SERVICE

Return receipt of certified mail received in this office on _____ (Date)

I certify that I personally delivered a copy of the Ex Parte Protection Order to _____

in _____ County, Alabama on _____ (Date)

Date

Server's Signature

Type of Process Server

Office Address of Server

Office Telephone Number of Server