

Case \_\_\_\_\_

Please Print

Please read and complete

TO HELP LAW ENFORCEMENT PROTECT YOU  
PLEASE FILL IN EVERYTHING THAT YOU CAN!

\*IF YOU ARE THE VICTIM OF DOMESTIC ABUSE you have the right to fill out the attached petition. The petition is a request for an order of Protection. A court date will be set for you to go before the judge and make your request.

*\*If you need help with this petition and/or housing due to domestic abuse, contact CHIPS at 423/743-0022. Chips is also available to help you through the court proceedings and, in some instances, help you obtain a lawyer.*

\*Free legal representation may be available for you on this matter at Legal Aid of East TN 423/928-8311.

\*When filling out this petition You are the **Petitioner**; the person you are filing against is the **Respondent**.

\*We must have an address where the Respondent can be found for service.

## ORDER OF PROTECTION INFORMATION

PETITIONER (YOU) \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth \_\_\_\_\_

Phone Number: \_\_\_\_\_

RESPONDENT (OTHER PARTY) \_\_\_\_\_

Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ State of Birth \_\_\_\_\_

License Plate # \_\_\_\_\_ State of Plate \_\_\_\_\_

Vehicle Make \_\_\_\_\_ Model \_\_\_\_\_ Yr \_\_\_\_\_

Any information that may be helpful in the service of this person: \_\_\_\_\_

Please continue with all information on the following pages.

Read each question and answer if applicable.



① Check all of the following that apply to the Petitioner:

- a.  We are married or used to be married.
- b.  We live together or used to live together.
- c.  We have a child together.
- d.  We are dating, used to date, or have had sex.
- e.  We are relatives, related by adoption, or are/were in-laws. (Specify): \_\_\_\_\_
- f.  We are the children of a person whose relationship is described above (Specify): \_\_\_\_\_
- g.  The Respondent has stalked me.
- h.  The Respondent has sexually assaulted me.
- i.  Other: \_\_\_\_\_

**Warning!**

- Weapon involved
- Has or owns a weapon



② List all children under 18 that you have:

\*  Check here if listing addresses would put you or your child in danger. If so, leave any spaces for addresses blank.

Name of Child	Age	Is Respondent the parent of the child? (Write "yes" or "no")	Does the child need to be protected from the Respondent?	Child's address

③ Where else have the children (that you and Respondent have together) lived during the last 6 months?

Children's previous addresses

Who did they live with at this address?

_____	_____
_____	_____
_____	_____

④ **Other Court Cases** – Is there any court, other than this court, in which the respondent and petitioner are parties to an action? (including cases in which the parties have children in common)

Yes  No If "Yes," fill out below:

County and State of other case: \_\_\_\_\_ Case Number (if you know it): \_\_\_\_\_

Kind of case (check all that apply):  Divorce  Domestic Violence  Criminal  Juvenile  Child Support  
 Other (specify): \_\_\_\_\_

- ⑤ **Custody Rights** – Does anyone besides you or the Respondent claim to have custody or visitation rights to the children that you and Respondent have together?  Yes  No If “Yes,” who?

Name

Address

⑥ **Describe Abuse – (use additional sheets of paper if necessary and attach to Petition)**

Describe abuse, stalking or assault (include, IF APPLICABLE, information about abuse or fear of abuse to your child(ren), personal property or animals)

Where and when did this happen?

Describe any weapons used.

I ask the court to make the following Orders after the hearing: (check all that apply)

- ⑦  **No Contact**  
Please order the Respondent to not contact:  me  our children under 18, either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.
- ⑧  **Stay Away**  
Please order the Respondent to stay away from  my home  my workplace or  from coming about me for any purpose.

- ⑨  **Personal Conduct**  
 Please order the Respondent not to:  
 Cause intentional damage to my property or interfere with the utilities at my home.  
 Hurt or threaten to hurt any animals that I/we own or keep.

- ⑩  **Temporary Custody**  
 Please give me temporary custody of our children.

- ⑪  **Child Support**  
 Please order the Respondent to pay reasonable child support.

- ⑫  **Petitioner Support (if married)**  
 Please order the Respondent to pay reasonable spousal support.

- ⑬  **Move-out / Provide other housing**  
 Please order the Respondent to (*check one*):  move out of our family home immediately  
 or  provide other suitable housing (if married)

Check here if your home or lease is in the Respondent's name **only**.

If the parties share a residence, please allow the Respondent to obtain his/her clothing and personal effects such as medicine and other things he/she may need.

- ⑭  **Counseling/Substance Abuse Programs**  
 Please order the Respondent to go to a certified batterers' intervention program if one available in the area or a counseling program.

- ⑮  **No Firearms**  
 Please order the Respondent not to have, possess, transport, buy, receive, use or in any other way get any firearm.

List all firearms that you believe the Respondent owns, controls, or has access to:

Type of Firearm (Pistol, Rifle, etc.)	Location

- ⑯  **Animals / Pets**  
 Please give me custody and control of any animal owned, possessed, leased, kept or held by me, the Respondent, or the children listed above.

- ⑰  **Costs, fees, and litigation taxes**  
 Please order the Respondent to pay all court costs, lawyer fees, and taxes for this case.

- ⑱  **Transfer the billing responsibility for and rights to wireless telephone number(s)**  
 Please issue an order directing \_\_\_\_\_, a wireless telephone service provider, to transfer the billing responsibility for and rights to the wireless telephone number or numbers of petitioner since petitioner is not the account holder.

Current account holder (name): \_\_\_\_\_

Billing telephone number: \_\_\_\_\_

New account holder (name): \_\_\_\_\_

All telephone numbers to transfer to new account holder:

Telephone number (include area code): \_\_\_\_\_

Telephone number (include area code): \_\_\_\_\_

Telephone number (include area code): \_\_\_\_\_

Telephone number (include area code): \_\_\_\_\_

Check box to include attachment with additional telephone number(s).

*If the judge makes this order, you will be financially responsible for the transferred wireless telephone number or numbers, including the monthly service costs and costs of any mobile device associated with the wireless telephone number or numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.*

19

**Other Orders:** (General Relief) \_\_\_\_\_

**I also ask the court to:**

1. Make an immediate Temporary Order of Protection. (*Ex-Parte Order of Protection*)
2. Notify law enforcement in this county of that Order.
3. Serve the Respondent a copy of that Order and Notice of Hearing to take place within 15 days of service.
4. Serve a copy of the Request, Notice of Hearing and Temporary Order on the parents of the Petitioner (if the Petitioner is under 18 years of age) unless the Court finds that this would create a serious threat of serious harm to the Petitioner. *T.C.A. §36-3-605 (c)*

**Petitioner (parent/legal guardian/caseworker/law enforcement personnel) signs below in front of a notary public and swears that he/she believes the above information is true:**

➔ \_\_\_\_\_ Date: \_\_\_\_\_

**Notary fills out below (TCA §36-3-602) –**

I declare that the Petitioner has read this Petition, and swears it be true to the best of her/his knowledge.

Sworn and subscribed before me, the undersigned authority,

By (Print name of notary): \_\_\_\_\_

On this date: \_\_\_\_\_



\_\_\_\_\_  
Notary or Court Clerk or Judicial Officer signs here      Date notary's commission expires

The court finds good cause and will issue a Temporary Order of Protection.

The court does not find good cause and denies a Temporary Order of Protection - The court finds there is no immediate and present danger of abuse to the petitioner and denies the Petitioner's request for a *Temporary Order of Protection*. The court will set the matter for hearing.

### ORDER FOR HEARING

The Petitioner and Respondent must go to court and explain to the judge why the judge should or should not issue an Order of Protection against the Respondent.

This hearing will take place on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  a.m.  p.m.

at (location): 100 NORTH MAIN AVE, ERWIN, TN 37650 (UC COURTHOUSE)

\_\_\_\_\_ Date \_\_\_\_\_

Judicial Officer's signature

<p><b>Proof of Service of Petition, Notice of Hearing and Temporary Order of Protection:</b></p> <p>Respondent was served on (date): _____ at (time): _____ by (check one):</p> <p><input type="checkbox"/> Personal service <input type="checkbox"/> U.S. Mail per TCA §§ 20-2-215 and 20-2-216 (The Respondent does not live in Tennessee.)</p> <p>_____ Server's signature</p> <p>_____ Print Name</p> <p>Petitioner was served on (date): _____ at (time): _____ by (check one):</p> <p><input type="checkbox"/> Personal service</p> <p>_____ Server's signature</p> <p>_____ Print Name</p>	<p><b>If the Petitioner is under 18 (and Petitioner is a social worker filing on behalf of a minor) and service of these documents would not put him/her at risk, the Clerk will serve and fill out below. (TCA § 36-3-605(c))</b></p> <p><i>I served the child's parents of copies of the Petition, Notice of Hearing, and Temporary Order of Protection by personal delivery or U.S. Mail on: (date): _____ at (address): _____</i></p> <p>_____ Clerk's signature:</p>
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### Notice to the Respondent about Firearms

If the court grants the Petitioner's request for a Protective Order:

- You will not be able to have a firearm while this or any later protective order is in effect. You will have to transfer all firearms in your possession within 48 hours to any person who is legally allowed to have them. 18 U.S.C. §922(g)(8), TCA §36-3-606(g), TCA §36-3-625.
- You will not be allowed to buy a firearm until the court says otherwise.