

THE SUPERIOR COURT FOR THE COUNTY OF ATHENS-CLARKE

STATE OF GEORGIA

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

FAMILY VIOLENCE EX PARTE PROTECTIVE ORDER

The Petitioner having prayed pursuant to O.C.G.A. §§ 19-13-1 *et seq.*, that a Protective Order be issued, and alleged that Respondent has committed acts of family violence, and that Petitioner is in reasonable fear of the Petitioner’s safety and the safety of Petitioner’s children, and it appearing to the Court that probable cause exists that family violence has occurred in the past and may occur in the future, IT IS HEREBY ORDERED AND ADJUDGED:

1. That these proceedings be filed in the office of the Clerk of this Court.
2. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. § 19-13-4 (d). Law enforcement officers may use their arrest powers pursuant to O.C.G.A. §§ 19-13-6 and 17-4-20 to enforce the terms of this Order.
3. That a copy of this Order be given to law enforcement and the Respondent be served with a copy of this Order and Petition for Temporary Protective Order instantler.

4.

<p>That the Respondent appear before this Court, on the _____ day of _____, 20____ at _____ m. in room _____ of the _____ County Courthouse at _____ to show cause if s/he can why the requests of the Petitioner should not be granted.</p>

5. That Respondent is hereby enjoined and restrained from doing, or attempting to do, or threatening to do, any act of injury, maltreating, molesting, following, harassing, harming or abusing the Petitioner and/or the minor children in any manner. Respondent is not to interfere with Petitioner's travel, transportation, or communication. Respondent shall not follow, place under surveillance, or contact the Petitioner at any place of the Petitioner for the purpose of harassing and intimidating the Petitioner.
6. That the Respondent is enjoined and restrained from doing or threatening to do any act of injury, maltreating, molesting, harassing, harming, or abusing the Petitioner's family or household.
7. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and the Court ordered that the Respondent be given reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights. This Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY THE FOLLOWING THAT ARE INITIALED BY THE JUDGE SHALL APPLY:

- _____ 8. That until further Order by this Court, Petitioner is awarded sole and exclusive use
[pco03] of the family residence at _____.
- _____ 9. Respondent is ordered to leave the family residence immediately. Law enforcement _____ (sheriff or police department) is ordered to assist Petitioner in returning to the family residence and to remove the Respondent from the residence. Respondent is to immediately surrender to law enforcement _____ (sheriff or police department) all and any keys, garage door openers, and other access /security devices to the family residence, and law enforcement is to ensure that these are given to the Petitioner.
- _____ 10. Respondent is ordered to provide suitable alternate housing for Petitioner and/or Petitioner's children by _____.
- _____ 11. Petitioner's address is ordered to be kept confidential.

_____ 12. Respondent is ordered to stay away from Petitioner's and Petitioner's minor children's residence at _____ and Petitioner's workplace at _____, and Petitioner's and/or Petitioner's minor children's school(s) at _____, and any subsequent residence or workplace or school of Petitioner and Petitioner's minor children.

_____ 13. That until further Order of this Court, Respondent is restrained and enjoined from approaching within ____ yards of Petitioner and Petitioner's minor children.

_____ 14. Respondent is ordered not to have any contact whatsoever with Petitioner, direct, indirect or through another person, by telephone, voice mail, text message, social media, fax, e-mail or any other means of communication whatsoever.

_____ 15. That Petitioner shall have temporary legal and physical custody of the parties' minor children until further hearing on this matter.

_____ YOB _____ sex _____
_____ YOB _____ sex _____
_____ YOB _____ sex _____
_____ YOB _____ sex _____

Respondent is ordered not to interfere with the physical custody of the children.

_____ [pco06] Check here **only if Respondent** is awarded temporary custody of child/ren.

_____ 16. That Respondent is ordered to pay temporary child support for the minor child/ren to Petitioner in the amount of \$_____ every _____ beginning _____.

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

_____ 17. That Respondent is ordered to pay temporary support for the Petitioner in the amount of \$_____ every _____ beginning _____.

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

- _____ 18. That Respondent shall be able to remove from the Petitioner's residence his/her clothing, personal items, and, if applicable, other items as follows: _____ **only when accompanied by local law enforcement**, and at a time and date agreeable to the Petitioner as arranged by and through local law enforcement.
- _____ 19. That Respondent is ordered not to sell, encumber, trade, damage, contract to sell, or otherwise dispose of or remove from the jurisdiction of this Court any of the property or pets of the Petitioner or joint property or pets of the parties, except in the ordinary course of business.
- _____ 20. That Respondent is ordered not to disconnect or have disconnected the home utilities, change or have changed and/or cancel or have canceled any cell phone service, auto, health or life insurance for Petitioner and/or Petitioner's children, and not to interfere with Petitioner's and/or Petitioner's children's mail.
- _____ 21. That Petitioner is awarded temporary sole possession of the vehicle:
Make _____ Model _____ Year _____ Color _____.
Respondent shall immediately upon service of this Order surrender all keys/key fobs, proof of insurance, and registration to this vehicle to law enforcement, and law enforcement shall immediately provide said items to Petitioner.
- _____ 22. That Petitioner shall be allowed to remove the following property from the family residence for Petitioner and/or Petitioner's child/ren's use: _____.
Local law enforcement is hereby ordered to assist the Petitioner during this removal at a time and date to be arranged by Petitioner by and through local law enforcement.
- _____ 23. That Respondent shall be required to return the following property for Petitioner and/or Petitioner's children's use: _____

- _____ 24. **It is further Ordered** pursuant to O.C.G.A. § 19-13-3(b) as necessary to protect the Petitioner and/or the minor child/ren from violence: _____

- _____ 25. OTHER: _____

- _____ 26. At the second hearing on this matter, the Court shall determine whether to order Respondent to complete a certified family violence intervention program (FVIP). If the court orders Respondent to attend such certified FVIP, a list of local certified

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agencies will be given to Respondent. Furthermore, if ordered to attend a FVIP, Respondent will be required to provide this Court with proof of his application, attendance, and completion of the FVIP during future hearings before this Court, dates to be set by this Court.

SO ORDERED this _____ day of _____, 20____.

JUDGE, SUPERIOR COURT
Athens-Clarke County, Georgia

Print or stamp Judge's name

Violation of the above Order may be punishable by arrest.

NOTICE TO RESPONDENT

- 1. Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.**
- 2. This Order shall remain in effect unless specifically superseded by a subsequent signed and filed Order, by operation of law, or by Order of dismissal, whichever occurs first. Only this Court can void, modify or dismiss this Order. Either party may ask this Court to change or dismiss this Order.**
- 3. A person commits the offense of Aggravated Stalking when such person, in violation of a temporary or permanent protective Order prohibiting this behavior, follows, places under surveillance, or contacts Petitioner on public or private property for the purpose of harassing and intimidating the other person. This activity can subject the Respondent to arrest and prosecution for felony Aggravated Stalking, which carries penalties of imprisonment for not less than 1 year nor more than 10 years and a fine of up to \$10,000.00.**