

**IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF _____
MAGISTRATE DIVISION**

_____))
Petitioner)
(Protected Person))
vs.)
_____))
Respondent)
(Restrained Person) _____))

Case No.: _____
[] 90 DAY
[] ONE YEAR
[] OTHER _____

PROTECTION ORDER

Petitioner Appeared [] Yes [] No Represented by: _____
Respondent Appeared [] Yes [] No Represented by: _____

[] The Respondent agreed to the entry of a protection order
[] The Court found, after a hearing, that a protection order should be entered

IT IS HEREBY ORDERED THAT:

1. The [] Respondent [] Petitioner shall not commit, threaten to commit, or attempt to commit (either in person or through any other person) any act of physical injury, sexual abuse, or forced imprisonment upon the:
[] Petitioner
[] Minor children listed in Paragraph 5 of sworn application for protection order
[] Others _____

2. [] **Respondent** [] **Petitioner** shall not harass or follow the other and shall not contact or attempt to contact the other
[] In person [] In writing
[] By a third person [] By telephone

Exceptions are:
[] no exceptions
[] to contact by telephone to arrange visitation
[] to contact by telephone between ____ .m. and ____ .m. on _____
for the following purposes: _____

[] to participate in counseling/mediation
[] to meet with or through attorneys and/or during legal proceedings
[] to respond to emergency involving the children
[] other:

3. Respondent shall not, **EVEN IF INVITED BY THE PETITIONER**, go within 300 feet yards of the:
 Petitioner's residence. The Petitioner lives at: _____

Petitioner's workplace. The Petitioner now works at: _____

Petitioner's children's school and child care: _____

Other: _____

4. Respondent shall immediately remove himself/herself from the residence listed in Paragraph 3 above or from _____ and take **ONLY** tools or items of employment, necessary personal clothing and personal effects (peace officer's discretion) from the dwelling. **The time for removal shall be at the peace officer's discretion**, but no later than _____ hours following service of this Order. Law enforcement officers are ordered and directed to remove the Respondent from the residence.

5. Custody of the minor children others (list names and ages) listed in Paragraph 5 of the sworn application for protection order:

to the Petitioner
 to the Respondent
 as provided in the existing child custody order entered: _____

6. Parent without custody Petitioner Respondent
 shall NOT have visitation until further ordered by the Court
 shall have visitation as follows (list days, times, and conditions):

supervised by: _____

neutral drop off/pick up location: _____

children to be transported by: _____

neither party shall remove child/ren more than _____ miles from _____, Idaho.

7. Within _____ days of this Order, Respondent Petitioner shall report to _____ and participate and complete all scheduled treatment or counseling. A written report shall be submitted to the Court within _____ days of this order.

8. Respondent is Ordered to pay \$ _____ to Petitioner within _____ days of the date of service of this Order for costs and/or attorney fees in bringing this action.

9. Respondent represents a credible threat to the physical safety of the petitioner and is notified that

FEDERAL LAW PROHIBITS YOU FROM POSSESSING OR TRANSPORTING FIREARMS OR AMMUNITION. IF YOU HAVE A FIREARM OR AMMUNITION, YOU SHOULD IMMEDIATELY DISPOSE OF THE FIREARM OR AMMUNITION. VIOLATION OF THIS LAW IS A FEDERAL CRIME PUNISHABLE BY CONFINEMENT FOR UP TO 10 YEARS.

The parties have stipulated that the court may, without hearing, modify this protection order to reflect any changes in address.

The parties have waived their right to personal service by the sheriff and agreed that all future notices of hearing may be served by certified mail.

THE PARTIES ARE ORDERED TO ADVISE THE CLERK OF THE COURT OF ANY CHANGE IN ADDRESS

IT IS FURTHER ORDERED THAT PEACE OFFICERS ARE AUTHORIZED AND DIRECTED TO ENFORCE THIS ORDER BY ALL NECESSARY MEANS, **INCLUDING ARREST**, AND:

Assist the Petitioner by supervising the removal of Petitioner's Respondent's personal belongings (officer's discretion) from the residence, on

Date: _____ Time: _____

Other: _____

THIS ORDER SHALL BE IN EFFECT FOR 90 DAYS UNLESS OTHERWISE ORDERED BY THE COURT. EXPIRING ON _____:at 11:59 p.m.

VIOLATION OF ANY PROVISION OF THIS ORDER BY THE RESPONDENT OR A PERSON WHO IS RESTRAINED BY THIS ORDER WHICH COULD INCLUDE THE PETITIONER AFTER ACTUAL NOTICE OF ITS TERMS IS A CRIME AND MAY RESULT IN ARREST AND SENTENCING UP TO ONE YEAR IN JAIL AND A \$5,000 FINE, EVEN IF THE PETITIONER CONSENTS TO THE VIOLATION.

PURSUANT TO THE VIOLENCE AGAINST WOMEN ACT OF 1994, 18 U.S.C. SECTION 265, THIS ORDER IS ENFORCEABLE IN ALL FIFTY (50) STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS AND THE U.S. TERRITORIES.

IF YOU TRAVEL ACROSS STATE OR TRIBAL LINES WITH THE INTENT TO VIOLATE THIS PROTECTION ORDER AND SUBSEQUENTLY VIOLATE SUCH ORDER, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE. YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE PETITIONER/PROTECTED PERSON TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. SECTION 2262(a).

THE PETITIONER AND RESPONDENT CANNOT AGREE TO CHANGE ANY TERM OF THIS ORDER WITHOUT COURT APPROVAL.

IT IS FURTHER ORDERED THAT THE CLERK OF THE COURT SHALL FORWARD A COPY OF THIS ORDER TO THE APPROPRIATE LAW ENFORCEMENT AGENCY FOR IMMEDIATE SERVICE UPON RESPONDENT AND THE CLERK SHALL DELIVER OR MAIL A COPY OF THIS ORDER TO THE PETITIONER.

- [] If a Domestic Violence Protection Order is issued by another Court, other than the Court in a Divorce or Modification proceeding, the first Protection Order issued shall be in effect unless modified or dismissed by the Court that issued the first Protection order.
- [] If there is a divorce or modification proceeding pending, the Judge of that case may modify this order; and any subsequently entered order in the divorce or modification proceeding shall control over the conflicting provisions.

Date: _____
_____ Judge

Receipt and service of a copy of this Order is acknowledged:

Date: _____ Signed: _____
Petitioner

Date: _____ Signed: _____
Respondent

ATTENTION PETITIONER: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS