

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.: \_\_\_\_\_

**TEMPORARY PROTECTION ORDER**  
AND  
NOTICE OF HEARING

Represented by: \_\_\_\_\_

**IT IS HEREBY ORDERED THAT:**

1. The Respondent 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 and:

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  
 Petitioner's residence at: \_\_\_\_\_  
\_\_\_\_\_  
 Petitioner's workplace at: \_\_\_\_\_  
\_\_\_\_\_  
 Petitioner's children's school and child care. \_\_\_\_\_  
\_\_\_\_\_  
 Other prohibited locations: \_\_\_\_\_  
\_\_\_\_\_

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. [ ] Temporary custody of the [ ] minor children [ ] others(list names and ages):  
\_\_\_\_\_  
is awarded:  
[ ] to the Petitioner [ ] to the Respondent  
[ ] as provided in the existing child custody order entered: \_\_\_\_\_  
in \_\_\_\_\_ county, \_\_\_\_\_ state.

6. Parent without temporary 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. [ ] Other: \_\_\_\_\_  
\_\_\_\_\_

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

[ ] Assist the Petitioner by supervising the removal of [ ] petitioner's  
[ ] respondent's personal belongings (officer's discretion) from the residence.

[ ] Other: \_\_\_\_\_

**THIS ORDER SHALL BE IN EFFECT FOR 14 DAYS UNLESS OTHERWISE ORDERED BY THE COURT.**  
**EXPIRING ON: \_\_\_\_\_ at 11:59 p.m.**

NOTICE OF HEARING

The Petitioner and Respondent are ordered to appear before Judge \_\_\_\_\_ for a hearing before the Court on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ .m, at the \_\_\_\_\_ County Courthouse in \_\_\_\_\_, Idaho, to decide whether a 90 Day protection order will be issued.

IF THE RESPONDENT DOES NOT APPEAR AT THE HEARING, A THREE (3) MONTH PROTECTION ORDER MAY BE ISSUED AGAINST THE RESPONDENT. IF THE PETITIONER FAILS TO APPEAR, THE PETITION MAY BE DISMISSED.

VIOLATION OF ANY PROVISION OF THIS ORDER BY 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.

THE PETITIONER AND RESPONDENT CANNOT AGREE TO CHANGE ANY TERMS OF THIS ORDER WITHOUT PRIOR 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 THE 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: \_\_\_\_\_ Signed: \_\_\_\_\_  
Judge

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

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Petitioner

ATTENTION PETITIONER:

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