

Order of Protection

Amended Order

Petitioner is under 18

Case # (the clerk fills this in):

In the _____ Court of _____ County, TN

Petitioner (person needing protection)

_____ first middle last

Petitioner's Children under 18 Protected by this Order:

| | |
|---------------------------------------|---------------------------------------|
| Name, Age, Relationship to Respondent | Name, Age, Relationship to Respondent |
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

Respondent's Information (person you want to be protected from):

_____ first middle last date of birth (MM/DD/YYYY)

_____ street address city state zip

Respondent's Employer: _____
Employer's name Employer's phone #

Describe Respondent:

| Sex | Race | Hair | Eyes | Height – Weight – SSN – Other | | |
|--|--|---|---|-------------------------------|---|--|
| <input type="checkbox"/> Male <input type="checkbox"/> Female | <input type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Black <input type="checkbox"/> Grey <input type="checkbox"/> Blond <input type="checkbox"/> Bald <input type="checkbox"/> Brown <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Brown <input type="checkbox"/> Hazel <input type="checkbox"/> Blue <input type="checkbox"/> Green <input type="checkbox"/> Grey <input type="checkbox"/> Other: _____ | Height | Weight | |
| | | | | Social Sec. # (If known) | (Provided to Clerk's office if known) Do not list it here. XXXXX | |
| | | | | Scars/Special Features | | |
| | | | | Phone Number | | |

Petitioner's relationship to the Respondent (Check all that apply):

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

This is a Court Order.

Findings About Abuse:

1. The Court has jurisdiction over the parties and this case. The Respondent was given reasonable notice of the hearing and an opportunity to be heard.

2. Based on the information in the *Petition*, and the hearing held, the court finds that the Respondent:

Did the things listed in the *Petition* and the court adopts these as facts and incorporates them by reference, AND/OR

Did the following things:

AND there is credible evidence that Respondent is a threat to the safety of the Petitioner and Petitioner's Minor Children.

3. Respondent has specifically: *(check all that apply)*:

Abused/Threatened to Abuse

Sexually Assaulted

Stalked

Sexually Exploited a Minor

Human Trafficking of

the Petitioner AND Petitioner's Minor Children

Findings about the minor children of the parties: *(check one)*:

The Court has jurisdiction over custody for the child(ren) of the parties because his/her/their home state is Tennessee.

The Court has temporary emergency jurisdiction over custody for the children of the parties listed above because they are in Tennessee now, and they (or the Petitioner) were at risk. (If another state has jurisdiction over child custody under UCCJEA, this Court's temporary jurisdiction will end on _____ or when the other state's Court makes an order.)

Findings About Firearms:

The Respondent *(check all that apply)*:

Has no firearms

Has firearms that he/she must give to someone else who is allowed to have them (TCA § 36-3-625).

Has firearms that are registered under the National Firearms Act and must be either transferred to a responsible third party, or locked in a safe or other secure container to which the Respondent does not have access. A state or federal agency must give its approval before the firearms are turned in.

Has a federal firearms license (FFL) or is a responsible party under an FFL, and has firearms under that FFL that qualify as business inventory, and *(check one)*:

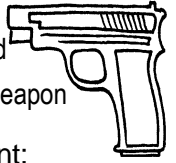
There is **no** responsible party listed on the FFL other than the Respondent in this case. The Respondent must turn in or transfer all firearms inventory under his/her control to a separate FFL holder who is legally allowed to have firearms.

There **is** another responsible party listed on the FFL other than the Respondent in this case. This Order does not require the Respondent to turn in or transfer the firearms inventory.

Warning!

Weapon involved

Has or owns a weapon



Other Findings:

Petitioner is a party to a lease or rental agreement and that continuing to reside in the rented or leased premises may jeopardize the life, health and safety of the petitioner or the petitioner’s children.

Petitioner has proven by a preponderance of the evidence that petitioner and any minor children in the petitioner’s care are the primary users of the wireless telephone number(s): _____ and the Court should enter a separate order, pursuant to TCA §36-3-627, 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.

The Court orders Respondent to:

- Obey all orders on this form.
- Not abuse or threaten to abuse Petitioner or Petitioner’s minor children.
- Not stalk or threaten to stalk Petitioner or Petitioner’s minor children.

Other Orders to the Respondent (Check all that apply):

No Contact

You must not come about the Petitioner (including coming by or to a shared residence) for any purpose and must not contact Petitioner AND Petitioner’s children, either directly or indirectly, by phone, email, messages, text messages, mail or any other type of communication or contact.

Stay Away

You must stay away from the Petitioner’s home Petitioner’s workplace Children’s home and workplace.

Personal Conduct –

You must not cause intentional damage to the Petitioner’s (or Petitioner’s children’s) property or interfere with the utilities at their home(s).

You must not hurt or threaten to hurt any animals owned or kept by the Petitioner/Petitioner’s children.

Counseling/Substance Abuse Programs

You must go to the following program(s) and give the court proof that you have gone, participated and have made progress in this program (contact information): _____

Parenting Time

The Petitioner will have custody of the minor child(ren) in this case.

You will have parenting time with your minor child(ren) at the following times:

Your parenting time will be supervised by: _____ at: _____.

Exchange of the children will take place at and will happen as follows:

The person in charge of getting the minor children to and from visitation will be:

Mom Dad Other (name): _____ to the visits

Mom Dad Other (name): _____ from the visits.

This is a Court Order.

Child Support \$ ____/ each _____ (month/week, etc) beginning _____ (date).

- This is the guideline amount. See the attached DHS *Child Support Worksheet*.
- This is **not** the guideline amount and is a deviation from the guideline amount. The Court has considered the best interest of each child in this case, and finds that guideline support would be unjust or inappropriate in this case.
- Other: _____

Payment method:

- Pay the Petitioner directly by the _____ day of each month. (the court finds that this does not endanger the Petitioner or the Petitioner's minor children and it is not a violation to send payment only with no notes or comments to the Petitioner)
- Take payment to this Court Clerk's Office. You will also have to pay a clerk fee of ____% on each payment. The additional clerk fee amount is \$_____ each month.
- Support payments will be withheld from your paycheck (Contact the Central Collection and Disbursement Unit at 800-838-6911 by _____ or shall be sent directly to Central Collection Disbursement Unit at Central Child Support Receiving Unit, P. O. Box 305200, Nashville, TN 37229.

Petitioner Support \$ ____/ each month.

Payment method:

- Pay the Petitioner directly by the _____ day of each month. (The court finds that this does not endanger the Petitioner or the Petitioner's minor children and it is not a violation to send payment only with no notes or comments to the Petitioner)
- Take payment to this Court Clerk's Office. You will also have to pay a clerk fee of ____% on each payment. The additional clerk fee amount is \$_____ each month.
- Payment will be
 - withheld from your paycheck (Contact the Central Collection and Disbursement Unit at 800-838-6911 by _____(date)
 - shall be sent directly to Central Collection Disbursement Unit at Central Child Support Receiving Unit, P. O. Box 305200, Nashville, TN 37229.

Control of all Types of Property

Petitioner only and/or Petitioner's children are the only ones who can live in the property at:

(address)

- You must move out immediately from (address): _____
- You must provide suitable alternate housing for the Petitioner by (date): _____, 20____.
- You must pay to the petitioner all costs, expenses and fees pertaining to the petitioner's breach of a lease or rental agreement for residential property in the amount of _____.
- Only the Petitioner can use, control, and possess the following property, things, and animals:

If the parties shared a residence, Respondent can obtain his/her clothing and personal effects such as medicine as follows: (List items to be obtained and process as approved by local law enforcement personnel):

Orders to the Respondent about Firearms:

- You must not have, or attempt to have, receive or attempt to receive or in any other way get any firearm while this or any later protective order is in effect.

This is a Court Order.

- You must transfer all firearms in your possession within 48 hours to any person who is legally allowed to have them.
- You must fill out and file a *Firearms Declaration* within 1 business day of transferring your firearms. You may take more than 1 business day to file this form **only** if the Court gave you a later deadline. (You can get the *Firearms Declaration* form from the Court Clerk's Office or at www.tncourts.gov.)
- If a state or federal agency approves it, your weapons that are registered under the National Firearms Act must be either transferred to a responsible third party, or placed in a locked safe or other secure container to which you do not have access.
- If your *Firearms Declaration* shows that you have a federal firearms license (FFL), and that you are the **only** responsible party listed on that FFL, you must transfer all firearms inventory under your control to a separate FFL holder or another responsible party.

Costs, fees and litigation taxes

You must pay all court costs (Petitioner's costs and your costs), lawyer fees, and other fees or taxes related to this case.

Other Orders:

Petitioner and any minor children in the petitioner's care are the primary users of the wireless telephone number(s): _____ and a separate order shall be entered per to TCA §36-3-627, 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.

THIS ORDER TAKES EFFECT IMMEDIATELY UPON SIGNING.

| |
|--|
| <p>This Order starts today, (date): _____ This Order ends (date): _____</p> <p><input type="checkbox"/> In 1 year. (The Petitioner may ask to extend the Order) <input type="checkbox"/> In 5 years (1st violation of current PO)</p> <p><input type="checkbox"/> In 10 years (2nd or more violation of current PO)</p> |
|--|

Date: _____ **Time:** _____ a.m.
 p.m.

▶ _____
Signature of Judge or Chancellor

| | |
|--|--|
| <p>Certificate of Service – Respondent (check one):</p> <p><input type="checkbox"/> Signed by Respondent: _____</p> <p><input type="checkbox"/> Signed by Respondent's counsel: _____</p> <p><input type="checkbox"/> Hand delivered to Respondent.</p> <p><input type="checkbox"/> Hand delivered to Respondent's counsel.</p> <p><input type="checkbox"/> U.S. mail, prepaid postage to Respondent's last known address</p> <p><input type="checkbox"/> U.S. mail, prepaid postage to Respondent's counsel's last known address</p> <p><input type="checkbox"/> Reasonable attempts to find the Respondent's address were made, but there is no known address at this time.</p> <p>Signature of Server: _____</p> <p>Server's title (check one): <input type="checkbox"/> Clerk <input type="checkbox"/> Deputy Clerk <input type="checkbox"/> Authorized Officer <input type="checkbox"/> Attorney</p> <p>Service was made on: Date: _____ Time: _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.</p> | <p>Certificate of Service – Petitioner (check one):</p> <p><input type="checkbox"/> Signed by Petitioner: _____</p> <p><input type="checkbox"/> Signed by Petitioner's counsel: _____</p> <p><input type="checkbox"/> Hand delivered to Petitioner.</p> <p><input type="checkbox"/> Hand delivered to Petitioner's counsel.</p> <p><input type="checkbox"/> U.S. mail, prepaid postage to Petitioner's last known address.</p> <p><input type="checkbox"/> U.S. mail, prepaid postage to Petitioner's counsel's last known address.</p> <p><input type="checkbox"/> Reasonable attempts to find the Petitioner's address were made, but there is no known address at this time.</p> <p>Signature of Server: _____</p> <p>Server's title (check one): <input type="checkbox"/> Clerk <input type="checkbox"/> Deputy Clerk <input type="checkbox"/> Authorized Officer <input type="checkbox"/> Attorney</p> <p>Service was made on: Date: _____ Time: _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.</p> |
|--|--|

The Clerk certifies a copy of this Order was forwarded to 911, local law enforcement, and any court in which the respondent and petitioner are parties to an action.

This is a Court Order.

Warnings to Respondent:

This Order is valid everywhere in the U.S.

If you travel to another state, territory or tribal land, with the intention of disobeying this Order, you can be charged with a federal crime. The courts of any U.S. state, the District of Columbia, all tribal lands, and U.S. territories, must enforce this Order, even if the Order is not registered. (18 U.S.C. §§ 2262, 2265)

No Guns, Firearms

You must not have any firearm while this Order is in effect. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any firearm or ammunition.

You must legally transfer, sell, or turn in any firearm that you have within 48 hours. Transfers are only legal if the person you transfer to is allowed to have firearms. You may get your firearms back when the Order of protection ends.

You will face separate charges if you disobey this Order

You may face separate, criminal contempt charges and/or civil penalties if:

- You disobey this Order on purpose (TCA § 36-3-610).
The penalty for each violation is **up to 10 days in jail and a \$10 or \$50 fine** (TCA § 29-9-103).
- You may also have to pay a civil penalty of up to \$50 for each violation (TCA § 36-3-610).

You may face separate, Class A misdemeanor charges if:

- You violate this Order (Public Chapter No. 422, effective July 1, 2019).
A violation is punishable by **up to 11 months and 29 days in jail and a fine of not less than \$100 nor more than \$2500 for each violation.**
- You do not transfer your firearm(s) legally by the deadline (TCA § 36-3-625).
- You have a firearm while the Order is in effect (TCA § 39-13-113(h)(1)).
The penalty for each violation is **up to 11 months and 29 days in jail and a fine of up to \$2,500** (TCA § 40-35-111(e)(1)). There may be other charges if domestic violence is involved.
- You do not transfer, sell, or turn in any firearm. You may face Class A misdemeanor charges and you may also be charged with a federal crime. (TCA §§ 39-13-113(h)(1), 39-17-1307; 18 U.S.C. § 922(g)(8)).

You may face separate, Class C felony charges if:

- You hurt or try to hurt anyone while this Order, probation, or diversion is in effect; you may face charges for aggravated assault (TCA §§ 36-3-610, 39-13-102(c)).
The penalty for each violation is **not less than 3 years nor more than 15 years and a fine of up to \$10,000** (TCA § 40-35-111(b)(3)).

Only the Court can change this Order:

Neither you nor the Petitioner can agree to change this Order. Even if the Petitioner attempts to contact you or agrees to have contact with you, you must obey this Order. If you do not, you can be jailed for **up to 11 months and 29 days and fined up to \$2,500.**

To the Petitioner:

You may ask any government agency or utility provider to keep private any information that could be used to locate you, such as addresses, phone numbers, and/or social security number. To do so, give a copy of this Protective Order to the Records Department of the agency or utility. (TCA § 10-7-504(a)(15-16))

This is a Court Order.