

THE SUPERIOR COURT FOR THE COUNTY OF _____
STATE OF GEORGIA

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

PETITION FOR DATING VIOLENCE TEMPORARY PROTECTIVE ORDER

Petitioner, pursuant to O.C.G.A. § 19-13A-1 et seq., files this Petition for a Dating Violence Temporary Protective Order and in support shows the Court the following:

- 1. Petitioner is a resident of _____ County, Georgia. Petitioner is over the age of 18.
- 2. Respondent is a resident of _____ County, Georgia, and may be served at _____, Georgia. Jurisdiction and venue are proper with this Court.

OR

- 2.1 Respondent is a resident of the State of _____. Under O.C.G.A. § 19-13A-2 (b), jurisdiction and venue are proper with this Court because the abuse occurred in the State of Georgia in _____ County and/or Petitioner lives in _____ County. Respondent is subject to the jurisdiction of this Court and may be served at _____

_____.

- 3. Petitioner and Respondent are currently, or within the last six months were, in a dating relationship as described by O.C.G.A. § 19-13A-1 (check all that apply):

[] Yes [] No Is either party pregnant with the other party's child?

[] Yes [] No Are you currently in a committed romantic relationship with Respondent?

[] Yes [] No

If you and Respondent are not currently in a committed romantic relationship, were you in a committed romantic relationship *within the last six (6) months?*

Please describe what makes your relationship with the Respondent a romantic or dating relationship, including (1) how long you have dated, (2) how you spend time together, (3) how often you communicate and see each other, (4) how you have represented the relationship to others (such as on social media), and (5) whether you are physically intimate with each other (i.e., do you hold hands, kiss, have sex, sleep together, etc.):

4. On or about _____, 20____, Respondent committed the following acts of Dating Violence (simple battery, battery, simple assault, stalking, any felony) against Petitioner (please describe): _____

_____ and Petitioner is in reasonable fear for Petitioner’s own safety.

- 5. At other times Respondent has committed other such acts/crimes against Petitioner, including but not limited to (approximate dates and what happened):

- 6. **There is a substantial likelihood that Respondent will commit such acts of violence against Petitioner in the immediate future if relief is not granted as provided pursuant to O.C.G.A. § 19-13A-4.**

Check the paragraphs below that apply to your case. Fill in the information needed by each paragraph you check.

- ____ 7. Petitioner fears that if Respondent learns of Petitioner's current address that Respondent will hurt or injure Petitioner. Petitioner requests that Respondent not be informed of Petitioner's current residence.

- ____ 8. Petitioner asks that the Court award possession of the following property to Petitioner (list items specifically including household goods, keys, pets):

THEREFORE, Petitioner asks:

- (a) That the Court set a hearing no later than thirty (30) days from the filing of the Petition and direct Respondent to appear before this Court and show any reasons why the demands of Petitioner should not be granted;
- (b) That Respondent be served a copy of this Petition and Ex Parte Protective Order as required by law;
- (c) That this Court direct law enforcement to enforce this Order;
- (d) That this Court direct Respondent to stop abusing, harassing and intimidating Petitioner;
- (e) That this Court restrain and enjoin Respondent from having any direct or indirect contact with Petitioner;
- (f) That this Court order that Respondent be enjoined from approaching within _____ yards of Petitioner;
- (g) That this Court make findings of fact and conclusions of law concerning the issues in this case;
- (h) That Petitioner have such other and further relief as the Court may deem just and proper;
- (i) That this Court issue Dating Violence Ex Parte and Twelve Month Protective Orders to: _____

Check the paragraphs below that apply to your case. Fill in the information needed by each paragraph you check.

_____ order Respondent to stay away from Petitioner's place of residence, place of employment, and/or school, as well as return any and all keys, garage door openers, and other security and access devices to Petitioner;

_____ award Petitioner costs and attorney's fees for having to bring this action;

_____ order that Petitioner's current address be kept confidential;

_____ enjoin and restrain Respondent from selling, disposing or encumbering, trading, contracting to sell, or otherwise disposing or removing from the jurisdiction of this Court any of the property of Petitioner or of the parties except in the ordinary course of business;

_____ permit Petitioner to remove the following property of Petitioner's from Respondent's residence for the exclusive use by Petitioner _____

_____ and law enforcement _____ (sheriff or police department) be ordered to assist Petitioner during this removal;

_____ order Respondent to undergo appropriate psychiatric, psychological, or educational services (i.e., an appropriate intervention program);

_____ order Respondent to undergo evaluation for drug/alcohol abuse and to follow the recommended treatment;

_____ order Respondent to return the following property _____

_____ to Petitioner immediately;

_____ order additional relief as follows: _____

Respectfully submitted,

Petitioner's Signature

Petitioner's Address

Telephone: _____
(Do not give current address if confidential;
give alternative address)

CIVIL ACTION FILE NO. _____

THE SUPERIOR COURT FOR THE COUNTY OF _____
STATE OF GEORGIA

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

VERIFICATION

Personally appeared _____, who being duly sworn states that she/he is the Petitioner in the above styled case and that the facts set forth in the foregoing Petition are true and correct.

Petitioner

Sworn and subscribed before
me this _____ day of _____, 20____.

NOTARY PUBLIC/JUDGE/CLERK
My commission expires:

CIVIL ACTION FILE NO. _____

Pursuant to O.C.G.A. § 19-13A-3,

Petitioner assisted by

Name: _____

Address: _____

Phone: _____

REMOVE THIS PAGE FROM ORDER AND FILE SEPARATELY UNDER SEAL

CONFIDENTIAL INFORMATION FORM - ATTENTION COURT STAFF: THIS PAGE IS A RESTRICTED-ACCESS DOCUMENT. This document is not accessible to the public or to other parties.

RESPONDENT'S IDENTIFYING FACT SHEET

(please complete as much as possible; one of these must be provided to have the order placed in the National CrimeInformation Center registry: Respondent's date of birth OR social security number)

Respondent's social security number is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag no: _____ (Expires: _____) and has a _____ (state) driver's license no: _____ (Expires: _____). Respondent's home address is _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____. Respondent has the following known aliases: _____.

PROTECTED PARTIES' IDENTIFYING INFORMATION

Petitioner:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____
Other:	_____	DOB _____	sex _____	race _____

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

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

DATING VIOLENCE EX PARTE PROTECTIVE ORDER

Petitioner having prayed pursuant to O.C.G.A. § 19-13A-1 et seq., that a Protective Order be issued; and alleged that Respondent has committed acts of Dating Violence; and the Court finds that probable cause exists to establish that the parties are currently, or within the last six months were, in a dating relationship or that a party to this action is currently pregnant with the other party's child (check all that apply).

- _____ a. There is a committed romantic relationship between the parties that is more intimate than what is associated with mere friendship or ordinary business, social, or educational fraternization;
- _____ b. Factors exist which corroborate the dating relationship;
- _____ c. The parties developed interpersonal bonding above a mere casual fraternization;
- _____ d. The length of the relationship between the parties is indicative of a dating relationship;
- _____ e. The nature and frequency of the parties' interactions, including communications, indicate the parties intended to be in a dating relationship;
- _____ f. The parties by statement or conduct demonstrated an affirmation of their relationship to others;
- _____ g. Both parties have acknowledged the dating relationship; or,
- _____ h. A party to this action is currently pregnant with the other party's child.

The Court relied on the following specific facts in finding the above: _____

The Court further finds that probable cause exists that the following act(s) of Dating Violence has/have occurred in the past and may occur in the future:

_____ Simple battery (O.C.G.A. § 16-5-23)

_____ Battery (O.C.G.A. § 16-5-23.1)

_____ Simple assault (O.C.G.A. § 16-5-20)

_____ Stalking (O.C.G.A. § 16-5-90)

_____ The felony offense(s) of _____

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. § 19-13A-4. Law enforcement officers may use their arrest powers pursuant to O.C.G.A. §§ 19-13A-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 Respondent be served with a copy of this Order and Petition for Temporary Protective Order instanter.

4.

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

5. [pco01] 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 Petitioner in any manner. Respondent is not to interfere with Petitioner’s travel, transportation, or communication. Respondent shall not follow, place under surveillance, or contact Petitioner at any place of Petitioner for the purpose of harassing and intimidating Petitioner.
6. 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 Respondent be given reasonable notice and opportunity to be heard sufficient to protect 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:

_____ 7. Respondent is ordered to permit Petitioner to enter Respondent's residence to retrieve Petitioner's property and law enforcement _____ (sheriff or police department) is ordered to assist Petitioner in returning to Respondent's residence and retrieving Petitioner's property.

_____ 8. Respondent is to immediately surrender to law enforcement _____ (sheriff or police department) all and any keys, garage door openers and other security devices to Petitioner's residence and law enforcement is to ensure that these are given to Petitioner.

_____ 9. Petitioner's address is ordered to be kept confidential.

_____ 10. Respondent is ordered to stay away from Petitioner's residence at
[pco04] _____ and workplace at
_____ and
_____ school and any subsequent residence or workplace or school of Petitioner.

_____ 11. That until further Order of this Court, Respondent is restrained and enjoined from
[pco01,04] approaching within _____ yards of Petitioner.

_____ 12. Respondent is ordered not to have any contact, direct, indirect or through another person,
[pco05] with Petitioner, by telephone, fax, e-mail, electronic media or any other means of communication except as specified in this Order.

_____ 13. That Respondent, only when accompanied by local law enforcement, shall be able to remove his/her clothing and personal items from Petitioner's residence as follows: _____

_____ on _____, 20____ at _____.m.

_____ 14. Respondent is ordered not to interfere with Petitioner including that Respondent may not sell, encumber, trade, damage, contract to sell, or otherwise dispose of or remove from the jurisdiction of this court any of the property of Petitioner.

_____ 15. That Petitioner shall be allowed to remove the following property from Respondent's residence for Petitioner's use: _____

_____ and on _____, 20 ____ at _____ .m. law enforcement _____ (sheriff or police department) is hereby ordered to assist Petitioner during this removal.

_____ 16. That Respondent shall be required to return the following property for Petitioner's use: _____

_____ and on _____, 20 ____ at _____ .m. law enforcement _____ (sheriff or police department), is hereby ordered to assist Petitioner during this return.

_____ 17. It is further Ordered:

[pcc08]

SO ORDERED this _____ day of _____, 20____.

JUDGE, SUPERIOR COURT

_____ County

_____ 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 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.**

CIVIL ACTION FILE NO. _____

Pursuant to O.C.G.A. § 19-13A-3,
Petitioner assisted by

Name: _____

Address: _____

Telephone: _____

REMOVE THIS PAGE FROM ORDER AND FILE SEPARATELY UNDER SEAL

**CONFIDENTIAL INFORMATION FORM - ATTENTION COURT STAFF:
THIS PAGE IS A RESTRICTED-ACCESS DOCUMENT. This
document is not accessible to the public or to other parties.**

***For transmittal to the Georgia Protective Order Registry and, if applicable,
the National Crime Information Center.***

RESPONDENT'S IDENTIFYING FACT SHEET

(please complete as much as possible; one of these must be provided to have the order placed in the National Crime Information Center registry: Respondent's date of birth OR social security number)

Respondent's social security number is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, weight _____. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag no: _____ (Expires: _____) and has a _____ (state) driver's license no: _____ (Expires: _____). Respondent's home address is _____ and is employed by _____ at _____ and works from _____ to _____ on (days) _____. Respondent has the following known aliases: _____.

PROTECTED PARTIES' IDENTIFYING INFORMATION

Petitioner: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____
Other: _____ DOB _____ sex _____ race _____

Transmitted to Georgia Protective Order Registry

Date _____ Clerk _____

General Civil and Domestic Relations Case Filing Instructions

1. Provide the class of court and county in which the case is being filed.
2. Provide the plaintiff's and defendant's names.
3. Provide the plaintiff's attorney's name and State Bar number. If you are representing yourself, provide your own name and check the self-represented box.
4. Provide the primary type of case by checking only *one* appropriate box. Cases can be either general civil or domestic relations and only *one* type of primary case within those categories. Check the case type that most accurately describes the primary case. If applicable, check one sub-type under the primary case type. If you are making more than one type of claim, check the case type that involves the largest amount of damages or the one you consider most important. See below for definitions of each case type.
5. Provide an answer to the four questions by checking the appropriate boxes and/or filling in the appropriate lines.

Case Type Definitions

General Civil Cases

Automobile Tort: Any tort case involving personal injury, property damage, or wrongful death resulting from alleged negligent operation of a motor vehicle.

Civil Appeal: Any case disputing the finding of a limited jurisdiction trial court, department, or administrative agency.

Contempt/Modification/Other Post-Judgment: Any case alleging failure to comply with a previously existing court order, seeking to change the terms of a previously existing court order, or any other post-judgment activity in a general civil case.

Contract: Any case involving a dispute over an agreement between two or more parties.

Garnishment: Any case where, after a monetary judgment, a third party who has money or other property belonging to the defendant is required to turn over such money or property to the court.

General Tort: Any tort case that is not defined or is not attributable to one of the other types of torts listed.

Habeas Corpus: Any case designed to review the legality of the detention or imprisonment of an individual, but not the question of his or her guilt or innocence.

Injunction/Mandamus/Other Writ: Cases involving a written court order directing a specific person to perform or refrain from performing a specific act.

Landlord/Tenant: Any case involving a landlord/tenant dispute if the landlord removed a tenant and his or her property from the premises or placed a lien on the tenant's property to repay a debt.

Medical Malpractice Tort: Any tort case that alleges misconduct or negligence by a person in the medical profession acting in a professional capacity, such as doctors, nurses, physician's assistants, dentists, etc.

Product Liability Tort: Any tort case that alleges an injury to a person was caused by the manufacturer or seller of an article due to a defect in, or the condition of, the article sold or an alleged breach of duty to provide suitable instructions to prevent injury.

Real Property: Any case involving disputes over the ownership, use, boundaries, or value of land.

Restraining Petition: Any petition for a restraining order that does not result from a domestic altercation or is not between parties in a domestic relationship.

Other General Civil: Any case that does not fit into one of the other defined case categories in which a plaintiff is requesting the enforcement or protection of a right or the redress or prevention of a wrong.

Domestic Relations Cases

Adoption: Cases involving a request for the establishment of a new and permanent parent-child relationship between persons not biologically parent and child.

Contempt: Any case alleging failure to comply with a previously existing court order. If the contempt action deals with the non-payment of child support, medical support, or alimony, also check the corresponding sub-type box.

Dissolution/Divorce/Separate Maintenance/Alimony: Any case involving the dissolution of a marriage or the establishment of alimony or separate maintenance.

Family Violence Petition: Any case in which a protective order from a family member or domestic partner is requested.

Modification: Any case seeking to change the terms of a previously existing court order. If the modification deals with custody, parenting time, or visitation, also check the corresponding sub-type box.

Paternity/Legitimation: Cases involving establishment of the identity and/or responsibilities of the father of a minor child or a determination of biological offspring.

Support – IV-D: Cases filed by the Georgia Department of Human Services to request maintenance of a minor child by a person who is required under Title IV-D of the Social Security Act of 1973 (42 USC §§ 651-669b) to provide such maintenance.

Support – Private (non-IV-D): Cases filed to request maintenance of a parent/guardian or a minor child by a person who is required by a law other than Title IV-D of the Social Security Act of 1973 (42 USC §§ 651-669b) to provide such maintenance.

Other Domestic Relations: Domestic relations cases that do not adequately fit into any of the other case types, including name changes.

Please note: This form is for statistical purposes only. It shall have no legal effect in a case. The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or court rules. Information on this form will not be entered into evidence.

General Civil and Domestic Relations Case Disposition Form Instructions

1. Provide the class of court and county in which the case is being disposed.
2. Provide the plaintiff's and defendant's names.
3. Provide the reporting party (the individual completing the form).
4. Provide the attorneys' names and State Bar numbers. If parties represented themselves, provide their names and check the self-represented box.
5. Provide the manner of disposition by checking the appropriate box. See below for definitions.
6. Provide an answer to the three questions by checking the appropriate boxes.

Manner of Disposition Definitions

Jury Trial: Cases in which a jury is impaneled to determine the issues of fact in the case. A jury trial should be counted when the jury has been sworn, regardless of whether a verdict is reached.

Bench/Non-Jury Trial: Cases in which a judge or judicial officer is assigned to determine both the issues of fact and law in the case. A bench/non-jury trial should be counted when the first evidence is introduced, regardless of whether a judgment is reached.

Non-Trial Disposition: Cases in which the disposition does not involve either a jury trial or a bench trial.

Alternative Dispute Resolution: If a case was disposed of via a non-trial disposition and the method of disposition was alternative dispute resolution. If this box is checked, then the Non-Trial Disposition box must also be checked. Only check if the whole case was resolved via alternative dispute resolution.

General Civil and Domestic Relations Case Disposition Information Form

Superior or State Court of _____ County

For Clerk Use Only

Date Disposed _____
MM-DD-YYYY

Case Number _____

Case Style _____

Plaintiff(s)

Defendant(s)

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Reporting Party _____

Plaintiff's Attorney _____ State Bar Number _____ Self-Represented

Defendant's Attorney _____ State Bar Number _____ Self-Represented

Manner of Disposition

Check Only One

- Jury Trial
- Bench/Non-Jury Trial
- Non-Trial Disposition, such as:
 - Alternative Dispute Resolution

- Check if any party was self-represented at any point during the life of the case.
- Check if the court ordered an interpreter for any party, witness, or other involved individual.
- Check if the case was referred/ordered to a court-annexed alternative dispute resolution process.