

STATE OF INDIANA

IN THE CIRCUIT COURT

COUNTY OF VERMILLION

CASE NO. 83C01-_____-PO-_____

Name of Minor Child, Petitioner

By Child's Next Friend, (Your Name)

vs.

Respondent (Person to be Restrained)

PETITION FOR AN ORDER FOR PROTECTION AND REQUEST FOR A HEARING—Filed on Behalf of a Child

**IMPORTANT: This is a public document and a copy of it will be placed in the Court's file. A copy may also be sent to the Respondent.
(Check those which apply)**

1. I am filing this Petition for a child. The child who needs protection is or has been a victim of domestic or family violence, a sex offense, or stalking, and I am that person's:

- parent
- guardian
- other representative (*describe:* _____).

2. What is the Respondent's relationship to the child who needs protection?

a. The Respondent is a family or household member (*check only the line which best applies*):

- the Respondent is, or used to be my spouse and the child lived with us;
- the Respondent and I resided together in an intimate relationship and the child lived with us;
- the Respondent is a parent of the child;
- the Respondent is, or used to, date the child;
- the Respondent is, or has been, engaged in a sexual relationship with the child;
- the Respondent and the child who needs protection have a child in common;
- the Respondent and the child are related by blood or adoption. The Respondent is the child's _____;
- the Respondent and the child are, or used to be, related by marriage. The Respondent is the child's _____;
- the Respondent is, or used to be, the child's guardian;
- the Respondent is, or used to be, the child's custodian;
- the Respondent is, or used to be, the child's foster parent;

- the child who needs protection is a minor child of someone in one of the types of relationships described above.
- b. the Respondent has committed stalking against the child who needs protection.
- c. the Respondent has committed a sex offense against the child who needs protection.

3. **How old is the Respondent?** _____ years old.

4. **Please list all cases (divorce, protection orders, paternity, guardianship, criminal, juvenile, civil) involving the Respondent, or the Child you have with the Respondent (attach additional sheets of paper if necessary):**

Case Name	Case Number	County & State

 Continued on Attachment 4a.

5. **This case is filed in this county because:**

- a. the Respondent lives in this county.
- b. the incident(s) of domestic or family violence, stalking, or the sex offense happened in this county.
- c. the child who needs protection lives in this county.
- d. the Petitioner lives in this county.

6. **If you are not represented by an attorney, fill in your public mailing address:**

This address will not be kept secret, so you should use a mailing address that you feel comfortable having public. If the Court grants the order, you may be eligible to obtain a confidential address through the Attorney General's Address Confidentiality Program (ACP). Email the ACP at: confidential@atg.state.in.us to get information on how to participate in that program.

7. **The Respondent has committed the following act(s) of domestic or family violence, stalking, or a sex offense (check those which apply):**

- the Respondent attempted to cause physical harm to the child who needs protection;
- the Respondent threatened to cause physical harm to the child who needs protection;
- the Respondent did cause physical harm to the child who needs protection;
- the Respondent placed the child who needs protection in fear of physical harm;
- the Respondent caused the child who needs protection to involuntarily

- _____ engage in sexual activity by force, threat of force, or duress;
- _____ the Respondent committed stalking against the child who needs protection;
- _____ the Respondent committed a sex offense against the child who needs protection.
- _____ the Respondent committed an act of animal cruelty by beating, torturing, mutilating, or killing a vertebrate animal without justification with an intent to threaten, intimidate, coerce, harass or terrorize a family or household member.

8. Describe what happened in each of the above incidents including the date(s), place(s) and witnesses to each incident (*attach additional sheets of paper if necessary*):

Date of Incident #1: _____
Place of Incident: _____
Description of Incident:

List the names of all of the people who were present during the incident. You must include your own name if you were present:

Date of Incident #2: _____
Place of Incident: _____
Description of Incident:

List the names of all of the people who were present during the incident. You must include your own name if you were present:

Date of Incident #3: _____
Place of Incident: _____
Description of Incident:

List the names of all of the people who were present during the incident. You must include your own name if you were present:

_____ **Continued on Attachment 8a.**

9. I am asking the Court to order the following relief (check all which apply):

___ Prohibit the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the child who needs protection;

___ Prohibit the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the family or household members of the child who needs protection. Their names are:

_____;

___ Prohibit the Respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the child who needs protection;

___ Order the Respondent to stay away from the child's residence, school, place of employment, or other place, which is the _____, located at: _____;

___ Order the Respondent to stay away from the following location(s) frequented by the family or household member(s) of the child, which may include a residence, school, or place of employment:

_____;

Please complete:

Please list all owners or lease signers at the Child's residence:

_____.

NOTE: The following requested relief may be granted immediately by the Judge, but the Court must hold a hearing within thirty (30) days:

___ Evict the Respondent from the child's residence, which is located at: _____;

___ Order the Respondent to give the child the possession and use of the following:

___ The residence located at: _____;

___ An automobile/other motor vehicle described as: _____;

___ Other necessary personal items, described as: _____;

_____;

___ Prohibit Respondent from removing, transferring, injuring, concealing, harming, attacking, mistreating, threatening to harm, or otherwise disposing of the animal(s) listed below.

Example	Name:	Max
	Age/Type:	9 year old dog
	Size /Breed:	Large 55 pound black lab
	Description:	Black hair, pink collar

Animal 1 Name: _____
Age/Type: _____
Size/Breed: _____
Description: _____

Animal 2 Name: _____
Age/Type: _____
Size/Breed: _____
Description: _____

Additional animals listed on Attachment 9(a).

____ Order that I will have the exclusive possession, care, custody, or control of an animal(s) owned, possessed, kept, or cared for by myself, the Respondent, a minor child of myself or the Respondent, or any other family or household member listed below.

Animal 1 Name: _____
Age/Type: _____
Size/Breed: _____
Description: _____

Animal 2 Name: _____
Age/Type: _____
Size/Breed: _____
Description: _____

Additional animals listed on Attachment 9(a).

____ Order the following additional relief necessary to provide for the child's safety and welfare and the safety and welfare of the child's family or household members:

NOTE: The following requested relief may be granted ONLY after notice to the Respondent and at a hearing to be held within thirty (30) days:

- ____ Specify the arrangements for parenting time;
- ____ Require that parenting time be supervised by a third party;
- ____ Deny the Respondent parenting time;
- ____ Order the Respondent to pay the Petitioner's or child's attorney fees;
- ____ Order the Respondent to pay rent for the child's residence;
- ____ Order the Respondent to make payment on a mortgage for the child's residence;

___ Order the Respondent to pay support for the child, or for minor child(ren) in common with the child who needs protection;

___ Order the Respondent to reimburse the Petitioner and/or the child who needs protection for expenses related to the domestic or family violence, stalking, or sex offense as follows

(specify the amount for each expense and bring documentation of the expense with you to Court for the Hearing):

___ Medical expenses: \$ _____
___ Counseling: \$ _____
___ Shelter: \$ _____
___ Repair or replacement of
damaged property: \$ _____
___ Other costs or fees the Petitioner or child
has as a result of bringing this case: \$ _____

___ Prohibit the Respondent from using or possessing a firearm, ammunition, or deadly weapon;

___ Order the Respondent to surrender the following firearm(s), ammunition, or deadly weapon(s) to a specified law enforcement agency *(list each item below and attach an additional sheet of paper if necessary):*

_____;

___ **Continued on Attachment 9b.**

___ Order a wireless service provider to transfer to me the right to continued use of, and financial responsibility for, the following telephone number(s) used by a minor child in my custody:

Telephone Number and User: _____
Wireless Service Provider: _____
Current Account Holder: _____

Telephone Number and User: _____
Wireless Service Provider: _____
Current Account Holder: _____

Additional telephone numbers listed on Attachment 9(c)

NOTE: A wireless service provider's normal requirements for setting up a new cellular telephone account still apply. You should consider whether you will be able to set up an account in your own name and whether you will be able to pay for the account.

10. **Number of pages attached:** _____

By filing this Petition, I am respectfully requesting that the Court immediately issue an Ex Parte Order for Protection. I understand that, if I have asked for relief from the Court regarding any of the following:

- evicting the Respondent from the child's home;
- giving the child the possession of personal property;
- giving me possession of an animal;
- prohibiting Respondent from taking action against an animal;
- establishing rules for child parenting time;
- requiring the Respondent to pay fees, expenses, or child support;
- forbidding the Respondent from possessing a firearm, ammunition, or a deadly weapon;
- ordering the Respondent to surrender firearm(s), ammunition, or deadly weapons; or
- allowing me or a child in my custody to continue to use a telephone number that I will be financially responsible for;

I must also ask the Court to set a date for a Hearing within thirty (30) days of today's date.

I understand that if a Hearing is set, and if I fail to appear for the Hearing, the Court may terminate the Ex Parte Order and dismiss the case.

I affirm, under the penalties for perjury, that the foregoing representations are true:

- a. on the basis of my own personal knowledge.
- b. on the basis that I have been informed and believe that the facts stated are true. *(NOTE: If this Petition is made solely on the basis of Petitioner's information and belief, Petitioner must attach affidavits by one or more persons who have personal knowledge of the facts stated.)*

DATE: _____

PETITIONER - Type or print name of child

Signature of child's next friend

Form Administrative Rule 9-G1

STATE OF INDIANA
IN THE VERMILLION CIRCUIT COURT

Plaintiff(s),

Case No: 83C01-_____-PO-_____

vs.

Defendant(s)

**Administrative Rule 9(G)(5) Notice of Exclusion
of Confidential Information from Public Access
(FILED WITH TRIAL COURT CLERK)**

Contemporaneous with the filing of this notice, [party name] has filed confidential information on green paper in accordance with Administrative Rule 9(G)(6). Pursuant to Administrative Rule 9(G)(5), [party name], provides this notice that the confidential information contained on that green paper is to remain excluded from public access in accordance with the authority listed below:

Name or description of document
filed on green paper.

Administrative Rule 9(G) grounds upon which
exclusion is authorized.

PO-0104, Confidential Form

1. Admin. R. 9 (G) (2) (g) (i)
2. Admin. R. 9 (G) (3) (b)
3. Ind. Code 5-2-9-5.5 (c)
4. Ind. Code 5-2-9-6
5. Ind. Code 5-2-9-7
6. Ind. Code 31-37-19-2 (2)
7. Ind. Code 33-39-1-8 (i) (2)
8. Ind. Code 34-26-5-3 (a) (C)
9. Ind. Code 34-26-6-13
10. Ind. Code 35-33-8-3.2 (f) (2)
11. Ind. Code 35-38-2-2.3 (f) (2)

Respectfully submitted,

[Insert Name]

CERTIFICATE OF SERVICE

I certify that on this _____ day of _____, 20____, the foregoing was served upon the following by [state method of service]: _____
_____. [list names and addresses of counsel of record]

[Signature]

CASE IDENTIFICATION INFORMATION FOR CONFIDENTIAL FORM

For use by Court, Clerk, Prosecuting Attorney, and Law Enforcement Personnel ONLY

DIVISION OF STATE COURT ADMINISTRATION

STATE OF INDIANA COUNTY OF VERMILLION <hr/> PETITIONER/PLAINTIFF/NEXTFRIEND/STATE OF INDIANA v. <hr/> RESPONDENT/DEFENDANT <hr/> EMPLOYEE (IF WVRO)	COURT: CASE #: 83C01- _____ -PO- _____
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PERSON RESTRAINED

Name:	Home: () _____			
	Work: () _____			
Home address:	Cell: () _____			
	Email: _____			
Postal address (if different from home address):	Location of place of business or where person is usually or often found:			
Sex: <input type="checkbox"/> male <input type="checkbox"/> female				
DOB:	Describe nature and location of any scars or tattoos:			
Any scars or tattoos? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Race:	Hair color:	Eye Color:	Height:	Weight:

List the name(s), age, race, and sex of any person(s) residing at the household of the protected person who are NOT PROTECTED parties. Protected parties are listed on the Confidential Form which follows. Attach an additional sheet of paper if necessary.

Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
Name:	Age: Race:	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female

CONFIDENTIAL FORM

Note: The following information is confidential under Indiana law pursuant to Indiana Code § 5-2-9-7, and it may not be released.

PETITIONER

Home address:

DOB:
Race:
Sex: male female

SSN: (optional)

Home: () _____
Work: () _____
Fax: () _____
Cell: () _____
Email: _____

PROTECTION ORDERS ONLY:

Do you wish to receive notifications when the order is issued, served, and about to expire? Yes No

Method: Email Text Fax

Cell Phone Service Provider (if you selected Text as the notification method): _____

You must provide data in the proper fields above to match the Method of notification chosen. See Notification Information at the bottom of this form.

Postal address (if different from home address):

When can protected person be reached at the above numbers or any alternative numbers?

Other protected address:

List the cities/counties where the protected person would like a copy of the order sent:

Address from confidentiality program of Attorney General:

OTHER PROTECTED PARTIES

Name: Age: Sex: Male Female
Date of Birth: Race:

Name: Age: Sex: Male Female
Date of Birth: Race:

Name: Age: Sex: Male Female
Date of Birth: Race:

Attach an additional sheet of paper if necessary to list additional protected parties.

PERSON RESTRAINED

SSN: _____

The "Confidential Form" portion of this form must be on green paper according to Admin. Rule 9

Notification Information

- The user will incur standard text-messaging fees for any messages received.
- The user is responsible to notify the Clerk's office of any changes to their contact information which may include their cell phone number and email address.
- The Indiana Supreme Court's Division of State Court Administration may not be held liable for the failure of the receipt of a notification.
- The notifications sent to users are a service being provided by the Indiana Supreme Court's Division of State Court Administration.
- Cell Phone Service Providers Supported: Alltel, AT&T, Boost, Cellular South, Centennial Wireless, Cincinnati Bell, Cricket Wireless, Metro PCS, Powertel, Qwest, Rogers, Sprint, Suncom, Telus, T-Mobile, US Cellular, Verizon Wireless, Virgin Mobile