Petition for Dating Violence Temporary Protective Order Instructions and Steps:

Please carefully read and follow the guidelines below:

- Make sure the paperwork is legible;
- Read through the Petition carefully; fill out all appropriate spaces and check all appropriate areas;
- Include full birthdates (month, day, year) when possible;
- Make sure to select the type of relationship that exists and describe what makes your relationship with the Respondent a romantic or dating relationship in paragraph 3;
- Provide detailed facts of the incidents that constitute dating violence, including date(s) and details about the acts in Paragraph 4 and 5 of the Petition;
- If you wish to keep your address confidential, see paragraph 7;
- If you truly need property that the Respondent has possession of, such as keys, pets, household goods, see paragraph 8;
- Make sure to check all lines where you are requesting relief from the Court located on page 4 & 5 of the Petition;
- Complete the 'Respondent's Identifying Fact Sheet' (last page for both the Petition and Ex Parte Order); include any protected parties (this would include yourself and potentially anyone that currently lives with you);
- **You must sign the Petition and Verification in the presence of a Notary Public**. Under your signature, print your name and give an address and, if you have one, telephone number. If you are requesting your address be kept confidential, please provide an alternate and reliable mailing address to receive notices about hearings or other information about your case;
- The completed Petition and Order will need to be submitted to the Clerk of Superior Court who will then deliver the Petition to one of the three Judges of the Northern Judicial Circuit;
- The Judge will review the Petition and either approve it or decline to approve it;
- The Petitioner should remain at the Clerk's office until the Judge responds so that the Petitioner can obtain a copy of the filed-stamped Petition and signed Order, unless otherwise instructed by the Clerk's office.
    - *(Note: Even if the Judge declines to enter an Ex Parte Temporary Protective Order, the Petitioner may still request the Clerk of Superior Court to schedule a hearing be held.)*

Note: The office of the Clerk of Superior Court cannot provide any legal advice, such as advice on completing the Petition. If you need assistance, you may consult an attorney or contact the Northeast Georgia Council on Domestic Violence at (706) 376-7111, available 24 hours.

SC-28

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

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

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 Courtand 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: _____

CIVIL ACTION FILE NO. _____

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 _____

Rev'd 1/22

ORI Number _____

SC-29

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. **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.**

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

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

_____ 12. [pco05] Respondent is ordered not to have any contact, direct, indirect or through another person, 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:
[pco08] _____
_____
_____

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: _____

CIVIL ACTION FILE NO. _____

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** _____

Rev'd 1/22