Petition for Stalking 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;
- Provide detailed facts of the incidents that constitute stalking, including date(s) and details about the acts in paragraph 3 and 4 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.

THE SUPERIOR COURT FOR THE COUNTY OF _____

STATE OF GEORGIA

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

PETITION FOR STALKING TEMPORARY PROTECTIVE ORDER

The Petitioner, pursuant to O.C.G.A. § 16-5-94, hereby files this Petition for a Stalking Temporary Protective Order and in support shows the Court the following:

1. The Petitioner is a resident of _____ County, Georgia and is over the age of 18 years of age or is an emancipated minor. Petitioner's year of birth is _____, sex _____, and race _____.

2. The Respondent is a resident of _____, Georgia, and may be served at _____, _____ County, Georgia.

OR

2.1 Respondent is a resident of the State of _____. Under O.C.G.A. §§19-13-2(b) and 16-5-94(b) jurisdiction and venue are proper with this Court because the stalking 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. On or about _____, 20___, the Respondent has knowingly and willfully committed the following acts of stalking under O.C.G.A. §§ 16-5-90 et seq.
_____
_____
_____
_____
and similar events may occur in the future. These acts had no legitimate purposes, happened at places other than the residence of the Respondent, were without the consent of the Petitioner, and placed Petitioner in reasonable fear for her/his own safety and/or the safety of her/his immediate family.

4. In the past on or about _____, 20_____, the Respondent committed the following acts of stalking under O.C.G.A § 16-5-90 et seq.
_____
_____

_____

_____

THEREFORE, Petitioner requests:

(a) That the Court set a hearing within thirty (30) days of the signing of the Order and to direct Respondent to appear before this Court and to show any reasons why the demands of the Petitioner should not be granted;

(b) That the 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's child/ren;

(e) That this Court restrain and enjoin Respondent from having any direct or indirect contact with the petitioner and/or Petitioner's child/ren;

(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 a Stalking Act Ex Parte and Twelve Month Protection Order; and

(j) That this Court grant such other relief as it determines just and equitable.

Respectfully submitted,

_____

Petitioner

Address

_____

_____

_____

Telephone: _____

(Do not give current address if confidential; give alternative address)

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 for Stalking Temporary Protective Order are true and correct.

_____
Petitioner

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

_____
NOTARY PUBLIC
My commission expires:

CIVIL ACTION FILE NO. _____

Please note: This form has been provided by the Georgia Legal Services Program and can be used to petition for a Temporary Stalking Protective Order. This petition has not been adopted by the Council of Superior Court Judges as an official state form.

Pursuant to O.C.G.A. § 19-13-3,
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 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 _____ 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 1/17

ORI Number _____

SC-17

THE SUPERIOR COURT FOR THE COUNTY OF_____

STATE OF GEORGIA

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

STALKING EX PARTE TEMPORARY PROTECTIVE ORDER

Upon proceedings before me, the Petitioner having demanded pursuant to O.C.G.A. § 16-5-94 that a Protective Order be issued; and alleged that Respondent has knowingly and willfully committed or attempted to commit acts in violation of O.C.G.A. § 16-5-90 et seq., and such acts were not at the home of the Respondent, had no legitimate purpose and that Petitioner is in reasonable fear of her/his safety and/or the safety of her/his immediate family; and it appearing to the Court that probable cause exists to believe that similar events will occur in the future, IT IS HEREBY ORDERED AND ADJUDGED:

1. That Respondent is enjoined and restrained from any acts directly or indirectly [pco01,02] which harass and/or intimidate the Petitioner or her/his immediate family.

2. That Respondent is enjoined from approaching within _____ yards of Petitioner.
[pco01,04]

3. That Respondent have no contact of any type, direct or indirect, or through another person with Petitioner, or her/his immediate family, including but not limited to telephone, fax, or any other means of communication.

4. **That the 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 the Petitioner should not be granted.**

5. That a copy of this Order be given to local law enforcement and the Respondent be served with a copy of this Order and Petition for Stalking Temporary Protective Order instanter.

CIVIL ACTION FILE NO. _____

6. 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. §§ 16-5-94 (e) and 19-13-4 (d). Law enforcement may use their arrest powers pursuant to O.C.G.A. §§ 16-5-91 and 17-4-20 to enforce the terms of this Order.

7. That these proceedings be filed in the office of the Clerk of this Court.

8. 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 the Respondent be given reasonable notice and opportunity to be heard sufficient to protect the Respondent's due process rights and 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 ordered as if an Order of the enforcing state or jurisdiction.

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.

CIVIL ACTION FILE NO. _____

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 the 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. § 19-13-3,
Petitioner assisted by
Name: _____

Address: _____

_____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the court's application of the law and facts to an individual case.

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 _____ 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** _____