

How to Obtain an Order of Protection

You are about to ask for a Temporary Order of Protection as a victim of abuse. This sheet has information to guide you through the legal process and answer some of the questions you may have.

You are the PETITIONER. The Petitioner is the person alleging abuse and asking for protection. The RESPONDENT is the person you are asking the court to protect you from. A Temporary Order of Protection is an order, signed by a judge, which restricts or prohibits the Respondent from contacting you. Generally, a Temporary Order of Protection is good for 20 days.

If you are a minor, your parent, guardian, or other representative may file a petition for a Temporary Order of Protection on your behalf against the Respondent.

You have the right to appear in court on your own to request a Temporary Order of Protection. However, the following resources are available in your community to help you through this process:

When signed by a Judge, a Temporary Order of Protection is valid immediately. After the judge signs the Order, these are the next steps:

- Your Petition and a copy of the Order must be given to law enforcement for service upon the Respondent.
- There must be a hearing within 20 days. If law enforcement cannot find the Respondent within 20 days, you will need to ask the court to set a new hearing date.
- At the hearing you must be prepared to explain to the court why you are asking for an Order of Protection, which includes bringing witnesses to the hearing who have knowledge about the facts in your Petition.

Stay in contact with the Clerk of Court for information about your case. The Clerk's number is: _____.

You should keep copies of your Order with you at all times. It is a good idea to always carry one in your purse or wallet, as well as having a copy at work and at your children's schools.

Name
Address
City, State, Zip
Telephone No.

IN THE _____ COURT
STATE OF MONTANA
COUNTY OF _____

_____)	No. _____
Petitioner,)	
v.)	SWORN PETITION FOR
)	TEMPORARY
)	ORDER OF PROTECTION
)	AND REQUEST FOR HEARING
_____)	
Respondent.)	

The law requires that Respondent be given a copy of this completed form and all attachments.

1. **Request for Temporary Order of Protection.** Under oath and as provided by Mont. Code Ann. § 40-15-201, I request that the Court issue a Temporary Order of Protection against Respondent. I believe I am in danger of harm if the court does not issue a Temporary Order of Protection immediately.
2. **Protected Person/s.** I am seeking an Order of Protection for *(check all that apply)*:
- ☐ Myself
- ☐ The following minor child/ren:

Child/ren	Age	How child is related to: You Respondent		Who does child live with?

☐ Other people you would like to be protected (*first and last names and relationship to both you and Respondent*): _____

3. **Residence.** I live or am staying in the City of _____,
County of _____, State of _____.
The Respondent lives in the City of _____,
County of _____, State of _____.
The abuse happened in the City of _____,
County of _____, State of _____.

(*Check all that apply*).

- ☐ The Respondent does not live with me.
☐ I live with the Respondent at _____
☐ I have left a residence where I lived with the Respondent. I want to return:
☐ to live at that residence
☐ to get personal belongings
☐ other (*describe*): _____
☐ A business is run from the home.
Type of business (*describe*): _____
The business is run by: ☐ me ☐ Respondent ☐ both me and Respondent

4. **Relationship.** (*Please check all that apply to the relationship between the Respondent (the person you want restrained) and you or the person(s) for whom you are seeking protection*)

- ☐ I (or the person I want protected) have/has a relationship with Respondent as follows:
☐ Married
☐ Were married, but are now separated
☐ Divorced
☐ Are currently dating or having an ongoing intimate relationship
☐ Live together
☐ Lived together in the past
☐ Have a child and/or children together
☐ Is a family member or a former family member of Respondent
☐ Dated or had an ongoing intimate relationship in the past

If a dating relationship please describe:

Nature of relationship _____

Length of time of the dating relationship _____

How often saw each other _____

Time since relationship ended _____

☐ Victim of Sexual Assault/ Stalking/ Other: *(describe how you know Respondent)*

☐ I am the parent, guardian or other person supervising the welfare of a child less than 16 years of age and request that Respondent, who is a person over 18 years of age and who has no legal right of supervision or control over the child, to stop contacting the child because I believe that the contact is not in the child's best interests as set forth in MCA § 45-5-622 (4).

5. Information about the violence. Please explain what the Respondent did to you (and/or the person you want protected). Be specific. Write down places and dates as well as you can remember. It does not matter when the abuse happened or whether you reported it to the police. But you must tell the judge why you are afraid now.

A. RECENT ABUSE

Date of the most recent abuse: _____

Who was there? _____

Where did it take place? _____

What did the Respondent do or say that made you (and/or the person you want protected) afraid? ____

Did the Respondent use or threaten to use a gun or other weapon? If yes, list how: _____

Describe any injuries: _____

Did the police come? ☐ Yes ☐ No

B. PAST ABUSE

Describe any past abuse. Explain what happened in past situations. Be sure to explain when the abuse occurred, where it happened, and who was there. Explain why you (and/or the person you want protected) are afraid now. _____

[illegible]

☐ Check here if you need more space to write. Attach a sheet of 8 ½ x 11 paper and write: "Explanation of What Happened" at the top. Do **NOT** use the back of this form.

6. Firearms *(Check all that apply)*

To the best of your knowledge, does Respondent currently possess firearms?

☐ No ☐ Yes

Where are the firearms located? _____

7. Other Court Cases *(Check all that apply)*

☐ A divorce, legal separation or custody case between me (and/or the person I want protected) and Respondent has been filed in _____ County, State of _____

Is the family law case listed above still pending? ☐ Yes ☐ No

Did the Court issue a parenting plan? ☐ Yes ☐ No

☐ A criminal charge of _____ was filed against me or Respondent in _____ Court in _____ County, State of _____

☐ List any other cases that you (and/or the person you want protected) or Respondent are or have been involved in: _____

I ask the Court to Order the Following:

1. ☐ Respondent shall not commit or threaten to commit acts of violence against me (and/or the person I want protected) and the following people including family members: _____

2. ☐ Respondent shall not harass, annoy, disturb the peace of, telephone, email, contact, or otherwise communicate, directly or indirectly, with me (or the person I want protected), and the following family members, other victims of the abuse, or witnesses to the abuse: _____

3. ☐ Respondent shall not take the following child/ren out of this County or State: _____

4. ☐ (List the distance, up to 1500 feet, that you want Respondent to stay away from you and/or the person you want protected and the places you check below).

Respondent shall stay at least _____ feet from:

☐ Me (Petitioner)

☐ Minor child/ren _____

☐ Other people: _____

☐ My home (if you want the location of your home to be secret, do not list)

☐ My job or workplace: _____

☐ My vehicle: _____

☐ The child/ren's school and/or child care: _____

☐ Other places (describe): _____

5. ☐ Respondent used or threatened me with firearms. Respondent shall not possess these firearms (describe): _____

6. ☐ Respondent shall not take, hide, sell, damage or dispose of property belonging to me (and/or the person who I want protected) or Respondent or both of us.

7. ☐ Respondent shall give me (or the person I want protected) possession or use of the following items (items may include the residence, automobile and other essential personal property no matter who owns it): _____

8. ☐ I (and/or the person I want protected) need a peace officer to help get possession of the property listed in Number 7, or I request that a peace officer come with Respondent when picking up his/her property or belongings.

9. ☐ The Court should order Respondent to complete violence counseling, which may include alcohol or chemical dependency counseling or treatment, if appropriate.

10. ☐ The Court should order the following to provide for the safety and welfare of me and/or the person I want protected, and family: _____

11. Parenting of Child/ren

Note: Justice and City and Municipal Courts can protect minor children by listing them on the Order of Protection. Although these courts can provide short term visitation plans, they cannot make parenting plans. If you need a parenting plan, you need to file an action in your local District or Tribal Court.

(Choose one)

- ☐ Parenting of children does not apply in this case.
- ☐ The protections I have asked for in Paragraph 2 will keep Respondent away from the children. Therefore a visitation schedule is unnecessary.
- ☐ I want the children listed in Appendix A to have parenting time with Respondent. I am attaching Appendix A that says what visitation schedule I want. *(Fill in and attach Appendix A).*

12. Other Relief: The Court should order other protection as it deems just and proper.

I SWEAR UNDER OATH OR AFFIRM I HAVE READ THIS APPLICATION, OR HAVE HAD IT READ TO ME, AND THE FACTS STATED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I ALSO UNDERSTAND THAT PROVIDING FALSE INFORMATION IS A CRIME.

Date: _____ Signed: _____
Petitioner

NOTARY SEAL OR JUDGE'S SIGNATURE

STATE OF MONTANA)
 : ss.
County of _____)

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20_____.

JUDGE/CLERK/NOTARY

(For use by notary)

_____ (signed)

Name _____ (printed)

Notary Public for the State of Montana.

Residing at _____

My Commission Expires _____

APPENDIX A

In this form, you will tell the Judge how the temporary visitation will take place under safe and peaceful conditions. You must have a very good reason before the Judge will deny the Respondent visitation. The visitation schedule will be temporary. For permanent parenting arrangements, you must file an action with your local District or Tribal Court.

Parenting schedules generally include:

- visits that take place on a regular basis;
- visits that vary in length depending on the ages and needs of the children.

Children *(List all children, whether or not you have asked that they be protected by the Order of Protection)*:

Children	Age	How child is related to You Respondent		Who does child live with?	State(s) where child lived in the last 6 months?

CHECK the visitation option that you want.

☐ I request the following visitation schedule:

☐ Supervised visits *(List why, and supervised by whom)*: _____

☐ Neutral drop off and pick up location: _____

☐ Transportation provided by: _____

☐ I request the Respondent have no visitation with the children because: _____

LAW ENFORCEMENT SERVICE INFORMATION

Confidential

Please provide as much information as you can. **YOU MUST FILL IN ALL THE SHADED AREAS.** If you do not, law enforcement will not serve your order and the form will be returned to the court clerk.

You (Remember you **MUST** fill in all the shaded areas):

Last Name:		First:		Middle Initial:	
Date of Birth:	Race:	Male () Female ()		Social Security No.:	
Home Address:		City:		State:	Zip:
Home Phone No.:			Message Phone No.:		
Work Name and Address:				Phone No.:	
Name of Relative or Friend Not Living With You:				Phone No.:	

Other Persons You Wish Protection For: (Please use additional page, if needed)

Last Name:		First:		Middle Initial:	
Date of Birth:	Race:	Male () Female ()		Social Security No.:	
Home Address:		City:		State:	Zip:
Last Name:		First:		Middle Initial:	
Date of Birth:	Race:	Male () Female ()		Social Security No.:	
Home Address:		City:		State:	Zip:
Last Name:		First:		Middle Initial:	
Date of Birth:	Race:	Male () Female ()		Social Security No.:	
Home Address:		City:		State:	Zip:
Last Name:		First:		Middle Initial:	
Date of Birth:	Race:	Male () Female ()		Social Security No.:	
Home Address:		City:		State:	Zip:

The Person Against Whom You Are Seeking the Order:

Last Name:		First:		Middle Initial:	
Date of Birth:	Race:	Male () Female ()		Social Security No.:	
Home Address:		City:		State:	Zip:
Home Phone No.:			Message Phone No.:		
Height:	Weight:	Hair Color:		Eye Color:	
Describe any tattoos or scars:					
Employer:		Phone No.:		Work Days/Hours:	
Address:		City:		State:	Zip:
Name of Relative or Friend:				Phone No.:	
Make & Model of Car:				Year:	Color:

License Plate No.:	State:
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Additional Important Information:

Has this person been convicted of a crime? YES <input type="checkbox"/> NO <input type="checkbox"/> Don't Know <input type="checkbox"/>	If YES, What?
Does this person have any weapons? YES <input type="checkbox"/> NO <input type="checkbox"/> Don't Know <input type="checkbox"/>	
Do you consider this person dangerous? YES <input type="checkbox"/> NO <input type="checkbox"/>	
Places this person may be found:	

Include written directions or a map if a street address is not available. Without sufficient address information, service of the order may be delayed or may not be possible.

Please use this space for any additional information (i.e. Additional Protected Family Members)

Temporary Order of Protection

☐ Temporary Ex Parte Order and Notice of Hearing

☐ Amended Temporary Order and Notice of Hearing

Case: _____

Court: _____

County: _____ **State of Montana**

Before the Honorable: _____

Petitioner /Protected Person

--	--	--

First Middle Last

☐ And / Or on behalf of family members (Protected Person/s)
(List name / year of birth / sex)

Petitioner/Protected Person Identifiers

--

Year of Birth of Petitioner

☐ Other protected Person/s
(List Name/ Year of birth/ Sex)

--

Petitioner's/Protected Person's Relationship to Respondent:

- ☐ Married
☐ Were married, but are now separated or divorced
☐ Are currently dating or having an ongoing intimate relationship
☐ Live together
☐ Lived together in the past
☐ Has a child / children together
☐ Is a family member or a former family member of Respondent
☐ Dated or had an ongoing intimate relationship in the past
☐ Victim of sexual assault / ☐ stalking / ☐ assault / ☐ other:

Respondent

--	--	--

First Middle Last

Respondent's Address:

Respondent Identifiers:

Sex	Race	Year of Birth	HT	WT
Eyes	Hair	Distinguishing Features		
Driver's License State				

CAUTION: ☐ WEAPON ALLEGED TO BE INVOLVED

The court has jurisdiction over the parties and subject matter.

The terms of this Order shall be effective until:

at 11:59 P.M. /unless terminated earlier by another Court Order.

WARNINGS: This Order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)(9)).

Violation of this Order may be a criminal offense under applicable Federal or Tribal law and is a criminal offense under Mont. Code Ann. § 45-5-220 or § 45-5-626 and may carry penalties of up to \$10,000 in fines and up to a 5 year jail sentence. It is a misdemeanor under Montana Code Annotated [45-5-220](#) and/or [45-5-626](#) for the Respondent, even if invited and after notice of this Order, to violate the provisions of this Order. Further, under Montana Code Annotated §§ 45-2-301 and 302(3), it is a crime for any person to aid and abet a crime, or, not being present, to advise and encourage a crime. Under Montana Code Annotated § 45-2- 303, any person who counsels, aids, solicits or incites another to commit a misdemeanor is guilty of a misdemeanor. Therefore, it may be a crime for any person to encourage or invite contact between the Respondent and the Petitioner, except such contact as is expressly permitted by the above Order.

FINDINGS

THE COURT FINDS from the Petition that the Petitioner and/or Protected Persons is/are in danger of harm. This Court acts without notice or upon hearing to the Respondent because harm may result to the Petitioner and/or Protected Persons if the Temporary Order of Protection is not issued immediately.

THE COURT ORDERS:

1. ☐ Respondent shall not threaten to commit or commit acts of violence against Petitioner and/or the following Protected Persons: _____ (PCO 01)

2. ☐ Respondent shall not harass, annoy, disturb the peace of, telephone, email, contact, or otherwise communicate, directly or indirectly, with Petitioner and/or the following Protected Persons: _____ (PCO 05)

3. ☐ Respondent shall not take the following child(ren) out of this County or State:

4. ☐ Respondent shall stay at least _____ feet from:

☐ Petitioner

☐ Minor child/ren: _____

☐ Other people: _____

☐ Petitioner's and/or ☐ Protected Person's residence at: _____

☐ Petitioner's and/or ☐ Protected Person's job or workplace at: _____

Petitioner's and/or Protected Person's vehicle at: _____

☐ The child/ren's school and/or child care: _____

☐ Other places (*describe*): _____

(PCO 04)

5. ☐ Respondent shall not possess the following firearms: _____ (PCO 07)

6. ☐ Respondent shall not take, hide, sell, damage or dispose of the following property:

7. Respondent shall give Petitioner and/or the Protected Person's possession or use of the following items (items may include the residence, automobile and other essential personal property no matter who owns it:

8. Law enforcement shall:

☐ Remove the Respondent from the residence at: _____

The time for removal shall be at the peace officer's discretion, but no later than _____ hours after service of this Order.

☐ Place the Protected Person in possession of the residence at: _____

☐ Supervise the removal of Protected Person's property (listed in Number 7)

☐ Respondent's items needed for employment and necessary personal effects (at the peace officer's discretion) from the residence.

9. ☐ The following is also ordered to provide for the safety and welfare of Petitioner and/or the Protected Persons: _____

10. ☐ There are other civil or criminal actions pending involving the petitioner and/or respondent as follows (List Court and Type of Case):

☐ There are no other pending actions.

11. ☐ **Conflicting Orders.** If any term of another Order conflicts with any term of this Order you must follow the more restrictive term.

12. ☐ **Change in Address.** The parties shall keep the Court informed of their current mailing addresses.

13. ☐ **Other Relief**

☐ Respondent shall NOT have contact with the child/ren until further Order of the Court.

☐ Supervised visitation is necessary:

☐ Supervised by: _____

☐ Neutral drop off/pick up location: _____

☐ Child/ren to be transported by: _____

☐ Temporary visitation shall be awarded as follows: _____

This visitation schedule shall be in effect until _____, 20____.
(Month / Day / Year)

The parties are encouraged to file an action in the appropriate District or Tribal Court for permanent parenting arrangements.

☐ Neither party shall remove the child/ren from _____ County.

☐ Other relief: _____

HEARING

14. A hearing on this Temporary Order, including whether it should be made into a Permanent Order of Protection for a specific time or effective permanently, will be held before this Court on (Date): _____ or as soon thereafter as the matter may be heard, in the courtroom at (Address): _____

This Temporary Order of Protection shall continue in full force and effect until.

DATE: _____

NOTICE:

Petitioner: If you do not appear at the hearing, the petition shall be dismissed. You should immediately report any violation of this Order to law enforcement. You also have the right to return to court to report any violation of this Order.

Respondent: If you fail to appear for the hearing, the judge will make a decision about the Order of Protection in your absence. A longer protection may be issued against you. This decision could affect your ability to own or possess firearms.

15. ☐ **Order to Clerk.** It is further ordered that the clerk of the court shall forward a copy of this Order to the appropriate law enforcement agency for immediate service upon Respondent; and the clerk shall deliver or mail a copy of this Order to the Petitioner

WARNING

Violation of this Order may be a criminal offense under applicable Federal or Tribal law and is a criminal offense under Mont. Code Ann. § 45-5-220 or § 45-5-626 and may carry penalties of up to \$10,000 in fines and up to a 5 year jail sentence. This Order is issued by the Court and the Respondent is forbidden to do any act listed in the Order, even if invited by the Petitioner or another person. It may be a crime for any other person to encourage or invite contact between the Petitioner and the Respondent, unless such contact is expressly permitted by this Order. This Order may be amended only by further Order of this Court or another court that assumes jurisdiction over this matter.

The Sheriff is hereby directed to serve, without cost to Petitioner, a copy of this Temporary Order of Protection together with a copy of Petitioner's Petition upon Respondent and to file a return of service with the clerk of this court. This service will be as soon as possible and before the date of the hearing. Upon receipt of proof of this Order, the clerk is hereby directed to mail or otherwise promptly deliver a copy of this Order, together with a copy of the proof of service, to the following law enforcement agencies:

Date: _____

Signed: _____
Judge

I have received a copy of this Order. I understand I am required to notify the court of my current mailing address and telephone number as future notices will be delivered to me by mail.

Date: _____

Signed: _____
Petitioner

I have received a copy of this Order. I understand I am required to notify the court of my current mailing address and telephone number as future notices will be delivered to me by mail.

Date: _____

Signed: _____
Respondent

ATTENTION: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS. IMMEDIATELY REPORT ANY VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.

SHERIFF'S RETURN

I served this Temporary Order of Protection on the Respondent by delivering a copy to
him/her at (address): _____,
on _____, 20__ at _____ a.m./p.m.

Dated this _____ day of _____, 20__.

Sheriff

Protection Order

☐ Order After Hearing

☐ Amended Order

Date of Issuance: _____

Order Expires: _____

Case No.

Court _____

County State of Montana

Before the Honorable _____

PETITIONER (PROTECTED PERSON)

First Middle Last

☐ And/Or on behalf of family members (Protected People)

(List name / year of birth / sex)

PETITIONER/PROTECTED PERSON IDENTIFIERS

Year of Birth of Petitioner

☐ Other Protected Person(s):(List name / year of birth / sex)

RESPONDENT

First Middle Last

Respondent's Address

Petitioner's/Protected Person's Relationship to Respondent:

- ☐ Married
- ☐ Were married, but are now separated
- ☐ Divorced
- ☐ Are currently dating or having an ongoing intimate relationship
- ☐ Live together
- ☐ Lived together in the past
- ☐ Have a child and/or children together
- ☐ Is a family member or a former family member of Respondent
- ☐ Dated or had an ongoing intimate relationship in the past
- ☐ Victim of sexual assault / stalking / assault / Other

SEX	RACE	Year of Birth	HT	WT
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
EYES	HAIR	DISTINGUISHING FEATURES		
<input type="text"/>	<input type="text"/>	<input type="text"/>		
Drivers License State		<input type="text"/>		
<input type="text"/>		<input type="text"/>		

CAUTION: ☐ Weapon Alleged to be Involved.

The court has jurisdiction over the parties and subject matter. The Respondent has been provided with reasonable notice and opportunity to be heard.

The terms of this order shall be effective until _____ at 11:59 P.M. /unless terminated earlier by another court order. **WARNINGS:** This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced on Tribal Lands (18 U.S.C. Section 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922(g)(8)).

Violation of this Order may be a criminal offense under applicable Federal or Tribal law and is a criminal offense under Mont. Code Ann. § 45-5-220 or § 45-5-626 and may carry penalties of up to \$10,000 in fines and up to a 5 year jail sentence. It is a misdemeanor under Montana Code Annotated [45-5-220](#) and/or [45-5-626](#) for the Respondent, even if invited and after notice of this order, to violate the provisions of this order. Further, under Montana Code Annotated §§ 45-2-301 and 302(3), it is a crime for any person to aid and abet a crime, or, not being present, to advise and encourage a crime. Under Montana Code Annotated § 45-2-303, any person who counsels, aids, solicits or incites another to commit a misdemeanor is guilty of a misdemeanor. Therefore, it may be a crime for any person to encourage or invite contact between the Respondent and the Petitioner, except such contact as is expressly permitted by the above order.

FINDINGS

The Court found, after a hearing, Petitioner and/or the protected persons are in danger of harm and that an Order of Protection is necessary to protect the same.

Petitioner Appeared: ☐ Yes ☐ No Represented by: _____

Respondent Appeared: ☐ Yes ☐ No Represented by: _____

☐ The Respondent agreed to entry of a protection order.

THE COURT ORDERS:

1. ☐ Respondent shall not threaten to commit or commit acts of violence against Petitioner and/or the following protected persons: _____

(PCO 01)

2. ☐ Respondent shall not harass, annoy, disturb the peace of, telephone, email, contact, or otherwise communicate, directly or indirectly, with Petitioner and/or the following protected persons: _____

(PCO 05)

3. ☐ Respondent shall not take the following child(ren) out of this county or State:

4. ☐ Respondent shall stay at least _____ feet from: (PCO 04)

☒ Petitioner

☐ Minor child/ren: _____

☐ Other people: _____

☐ Petitioner's and/or ☐ protected person's residence at:

☐ Petitioner's and/or ☐ protected person's job or workplace at:

☐ Petitioner's and/or ☐ protected person's vehicle at:

☐ The child(ren)'s school and/or child care: _____

☐ Other places (describe): _____

5. ☐ Respondent shall not possess the following firearms: _____ (PCO 07)

6. ☐ Respondent shall not take, hide, sell, damage or dispose of the following property:

7. ☐ Respondent shall give Petitioner and/or the protected persons possession or use of the following items (items may include the residence, automobile and other essential personal property no matter who owns it:

8. ☐ Law enforcement shall:

☐ Remove the Respondent from the residence at _____. The time for removal shall be at the peace officer's discretion, but no later than _____ hours after service of this order.

☐ Place the Protected Person in possession of the residence at _____.

☐ Supervise the removal of

☐ Protected Person's property listed in Number 7

☐ Respondent's items needed for employment and necessary personal effects (at peace officer's discretion) from the residence.

9. ☐ Respondent shall complete violence counseling, which may include alcohol or chemical dependency counseling or treatment, as follows: _____

10. ☐ The following is also ordered to provide for the safety and welfare of Petitioner and/or the protected persons:

11. ☐ There are other civil or criminal actions pending involving the Petitioner and/or Respondent as follows: (List Court and Type of Case):

☐ There are no other pending actions.

12. ☐ **Conflicting Orders.**

If any term of another order conflicts with any term of this order you must follow the more restrictive term.

13. ☐ **Change in Address.** The parties shall keep the Court informed of their current mailing addresses.

14. ☐ **Future Notices.**

☐ The parties have waived their right to personal service and agreed that all future notices of hearing may be served by mail.

15. ☐ **Other Relief as deemed appropriate by the Court :**

☐ Respondent shall NOT have the child/ren until further order of the Court.

☐ Supervised visitation is necessary:

☐ supervised by: _____

☐ neutral drop off/pick up location: _____

☐ child/ren to be transported by: _____

☐ Temporary visitation shall be awarded as follows:

This visitation schedule shall be in effect until _____, 20___. The parties are encouraged to file an action in the appropriate District or Tribal Court for permanent parenting arrangements.

☐ Neither party shall remove the child/ren from _____ County

☐ Other relief: _____

This Order of Protection shall continue in full force and effect until

(Date) _____

16. ☐ **Order to Clerk.** It is further ordered that the clerk of the court shall forward a copy of this order to the appropriate law enforcement agency for immediate service upon Respondent; and the clerk shall deliver or mail a copy of this order to the Petitioner.

Date: _____

Signed: _____

Clerk of Court/ Judge

The Sheriff is hereby directed to serve, without cost to Petitioner, a copy of this Order of Protection upon Respondent and to file a return of service with the clerk of this court. This service will be as soon as possible. Upon receipt of proof of this Order, the clerk is hereby directed to mail or otherwise promptly deliver a copy of this Order, together with a copy of the proof of service, to the following law enforcement agencies:

_____.

Date: _____

Signed: _____

Judge

I have received a copy of this order. I understand I am required to notify the court of my current mailing address and telephone number as future notices will be delivered to me by mail.

Signed: _____
Petitioner

Date: _____

I have received a copy of this order. I understand I am required to notify the court of my current mailing address and telephone number as future notices will be delivered to me by mail.

Signed: _____
Respondent

Date: _____

ATTENTION: KEEP A COPY OF THIS ORDER IN YOUR POSSESSION AT ALL TIMES IN ORDER TO ASSIST PEACE OFFICERS. IMMEDIATELY REPORT ANY VIOLATION OF THIS ORDER TO LAW ENFORCEMENT.

Petitioners Are Eligible To Apply For A Hope Card At: <https://doj.mt.gov/victims/hope-cards/>

SHERIFF'S RETURN

I served this Permanent Order of Protection on the Respondent by delivering a copy to
him/her at

_____ ,

on _____, 20____ at _____ a.m./p.m.

Dated this _____ day of _____, 20____.

Sheriff