

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR SANTA ROSA COUNTY, FLORIDA**

, Petitioner

vs.

, Respondent

Case No.:

Division :

**FINAL JUDGMENT OF INJUNCTION
FOR PROTECTION AGAINST DOMESTIC VIOLENCE
WITH MINOR CHILD(REN) (AFTER NOTICE)**

The Petition for Injunction Against Domestic Violence under § 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter.

It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.

HEARING

THIS CAUSE came before the Court for a hearing to determine whether an Injunction for Protection Against Domestic Violence in this case should be (XX) issued () modified () extended.

The hearing was attended by: () Petitioner with counsel without counsel
() Respondent with counsel without counsel

FINDINGS

On _____, a notice of this hearing was served on Respondent together with a copy of Petitioner's petition to this Court and the temporary injunction, if issued. Service was within the time required by Florida law, and Respondent was afforded an opportunity to be heard.

After hearing the testimony of each party present and of any witnesses, or upon consent of Respondent, the Court finds, based on the specific facts of this case, that Petitioner is a victim of domestic violence or has reasonable cause to believe that he/she is in imminent danger of becoming a victim of domestic violence by Respondent.

INJUNCTION AND TERMS

This injunction shall be in full force and effect until () further Order of the Court or () _____. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the

Court to change or end this injunction at any time.

Any violation of this Injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain wilful violations of the terms of this injunction, such as refusing to vacate the dwelling the parties share; going to Petitioner's residence, place of employment, school, or other place prohibited by this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this Injunction; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by § 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. §2262.

ORDERED AND ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnaping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members who are residing in the same single dwelling unit with Petitioner. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with the Petitioner unless otherwise provided in this section, or unless the paragraphs 13 through 19 below provide for contact connected with temporary custody of and visitation with minor child(ren).**
 - a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact with anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:**

Petitioner's current residence: or any residence to which the petitioner may move;

Petitioner's current place of employment: or any subsequent place of employment;

Petitioner's school:

OR,

Other Places where Petitioner or Petitioner's minor child(ren) go often (If Requested by the Petitioner):

or any subsequent school or daycare,

Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

b. Other provisions regarding contact:

3. Firearms. Unless paragraph a. is initialed below, Respondent shall not have in his or her care, custody, possession or control any firearm or ammunition. It is a violation of section 790.233, Florida Statutes, and a first degree misdemeanor, for the respondent to have in his or her care, custody, possession or control any firearm or ammunition.

[Initial if applies; Write N/A if not applicable]

_____ a. Respondent is a state or local officer as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency and is not prohibited by the Court from having in his or her care, custody, possession or control a firearm or ammunition. The officer's employing agency may prohibit the officer from having in her or her care, custody, possession or control a firearm or ammunition.

X b. **Respondent shall surrender any firearms and/or ammunition in the Respondent's possession to Santa Rosa County Sheriff's Department, or any other county Sheriff's Department when served, until further order of the court.**

_____ c. Other directives relating to firearms and ammunition: _____

NOTE: RESPONDENT IS ADVISED THAT IT IS A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. § 922(g)(8).

4. Evaluation/Counseling.

[Initial all that apply; Write N/A if not applicable]

a. The Court finds the Respondent has:

- _____ i. Willfully violated the ex parte injunction;
- _____ ii. Been convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of violence; and/or
- _____ iii. In this state or any other state, had at any time a prior injunction for protection entered against the respondent after a hearing with notice.

Note: If respondent meets any of the above enumerated criteria, the Court must order the Respondent to attend a batterers' intervention program unless it makes written factual findings stating why such a program would not be appropriate. Section 741.30(6)(d), Florida Statutes.

b. Within () 10 days () _____ days (but no more than 10 days) of the date of this injunction, Respondent shall enroll in and thereafter without delay complete the following, and **Respondent shall provide proof of such enrollment to the Clerk of the Circuit Court** within () 30 days () _____ days (but no more than 30 days) of the date of this injunction:

[Initial all that apply]

- _____ i. A certified batterers' intervention program from a list of programs to be provided by the Court or any entity designated by the Court. Respondent shall also successfully complete any substance abuse or mental health evaluation the assessing program counselor deems necessary as a predicate to completion of the batterers' intervention program.
- _____ ii. A substance abuse evaluation at a qualified facility and any substance abuse treatment recommended by that evaluation.
- _____ iii. A mental health evaluation by a licensed mental health professional and any mental

health treatment recommended by that evaluation.

iv.

Other: _____

____ c. Although Respondent meets the statutory mandate of attendance at a batterers' intervention program, the Court makes the following written findings as to why the condition of batterers' intervention program would be inappropriate:

____ d. Petitioner is referred to a certified domestic violence center and is provided with a list of certified domestic violence centers in this circuit, which Petitioner may contact.

5. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within ten (10) days of the change. All further papers (excluding pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail will be complete upon mailing. Rule 12.080, Florida Family Law Rule of Procedure, § 741.30, Florida Statutes.

6. **Other Provisions Necessary to Protect Petitioner from Domestic Violence:**

TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

[Initial if applies; Write N/A if not applicable]

7. **Possession of the Home.** () Petitioner () Respondent shall have temporary exclusive use and possession of the dwelling located at:

8. **Transfer of Possession of the Home.** A law enforcement officer with jurisdiction over the home shall accompany () Petitioner () Respondent to the home, and shall place () Petitioner () Respondent in possession of the home.

9. **Personal Items.** () Petitioner () Respondent, **in the presence of a law enforcement officer**, may return to the premises described above () on _____, at _____ am/pm, or () at a time arranged with the law enforcement department with jurisdiction over the home, accompanied by a law enforcement officer only, for the purpose of obtaining his or her clothing, items of personal health and hygiene, and tools of the trade. A law enforcement officer with jurisdiction over the premises shall go with the () Petitioner () Respondent to the home and stand by to insure that he/she vacate the premises with only his/her personal clothing, toiletries, tools of the trade and any items listed below. The law enforcement agency shall not be responsible for storing or transporting any property. **IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.**

10. The following other personal possessions may also be removed from the premises at this time:

11. _____ Other:

PARENTAL RESPONSIBILITY FOR MINOR CHILD(REN)

12. **Jurisdiction.** Jurisdiction to determine parental responsibility of and parenting time with any minor child(ren) listed below is proper under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA).
13. **Parental Responsibility of Minor Child(ren).** () Petitioner () Respondent shall have sole temporary responsibility of the parties' minor child(ren) listed below:

NAME	BIRTH DATE	NAME	BIRTH DATE

When requested by the parent designated with sole parental responsibility, law enforcement officers shall use any and all reasonable and necessary force to physically deliver the minor child(ren) listed above to that parent. The other parent shall not directly or indirectly interfere with the authority of the parent with sole parental responsibility of the child(ren), which means he/she shall not take the child(ren) from the possession of that parent or any child care provider or other person entrusted by that parent with the care of the child(ren). Neither party shall permanently remove the minor child(ren) from the State of Florida without further order of this Court. (This paragraph does not prohibit the parties from taking the child(ren) on reasonable weekend visits or short term vacations outside of the State of Florida with the approval of the parent with sole parental responsibility).

If requested, law enforcement offices shall assist either party in enforcing the parenting plan provisions of this order, by using any and all reasonable and necessary force to physically deliver the minor child(ren) listed above to the appropriate parent at the beginning or termination of any parenting time.

14. **Type of Contact/Parenting Time with Minor Child(ren).** The parent not having sole parental responsibility of the minor child(ren) shall have:

[Initial **one** only]

- _____ a. **No contact** with the minor child(ren) until further order of the Court.
- _____ b. Visitation pursuant to the standard parenting plan, a copy which is attached to this order and incorporated by reference herein, subject to any limitations set out below.
- _____ c. The following **specified visitation**, subject to any limitations set out below: [specify days & times]

15. **Limitations on Contact/Parenting Time.** The above reasonable or specified visitation shall be:

[Initial **all** that apply; Write N/A if **not** applicable]

_____ a. Unsupervised

_____ b. Supervised by the following specified responsible adult:

_____ c. At the Fran L. Frick Family Visitation Center, (see attached flyer for location and contact information), and shall be subject to the available times and rules of the visitation center. The cost of such visits shall be paid by: () custodial parent () non-custodial parent () costs split equally between both parents.

16. Arrangements for Contact with Minor Child(ren).

[Initial **all** that apply; Write N/A if **not** applicable.]

_____ a. If contact/parenting time is provided in paragraph 15 above, the parties may have contact as specified: () person to person () telephone () fax, email or mail, to arrange parenting time and to discuss issues relating to the child(ren). Any contact between the Petitioner and Respondent shall be strictly limited to that issue and no other topics will be discussed

_____ b. A responsible third party shall coordinate the parenting time arrangements of the minor child(ren). If specified, the third party will be:

_____ c. Other conditions for visitation arrangements as follows:

17. Exchange of Minor Child(ren).

[Initial **all** that apply; Write N/A if **not** applicable.]

_____ a. The parties shall exchange the children at () school or daycare, or () at the following location(s):

_____ b. A responsible person shall conduct all exchanges of the child(ren). The Respondent parent shall not be present during the exchange. If specified, the responsible person shall be:

_____ c. Other conditions for visitation exchange as follows:

18. Other Additional Provisions Relating to the Minor Child(ren).

TEMPORARY SUPPORT

19. Temporary Alimony.

[Initial **all** that apply; Write N/A if **not** applicable.]

_____ a. The Court finds there is a need for temporary alimony and that () Petitioner () Respondent (hereinafter Obligor) has the present ability to pay alimony and shall pay temporary alimony to () Petitioner () Respondent (hereinafter Obligee) in the amount of \$_____ per month, payable () in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month () other [explain]_____ beginning ___/___/20___. This alimony shall continue until modified by court order, until a final judgment of dissolution of marriage is entered, until Obligee dies, until this injunction expires, or until ___/___/20___, whichever occurs first.

_____ b. () Petitioner () Respondent shall be required to maintain health insurance coverage for the other party. Any uncovered medical costs for the party awarded alimony shall be assessed as follows:

_____ c. Other provisions relating to alimony:

20. Temporary Child Support.

[Initial **all** that apply; Write N/A if **not** applicable.]

_____ a. The Court finds there is a need for temporary child support and that the non-custodial parent (hereinafter Obligor) has the present ability to pay child support. () The amounts in the Child Support Guidelines Worksheet pursuant to Florida Family Law Form 12.902(e) previously filed herein are correct **OR** () The Court makes the following findings:

Petitioner's net monthly income: \$_____ (Child support guidelines %: _____)
Respondent's net monthly income: \$_____ (Child support guidelines %: _____)

Monthly child care costs: \$_____ (Paid by: mother father)
Monthly health/dental insurance costs: \$_____ (Paid by: mother father)

_____ b. **Amount.** Obligor shall pay temporary child support in the amount of \$_____ per month, payable () in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month () other [explain]_____ beginning ___/___/20___. This temporary child support shall continue until modified by court order, or until ___/___/20___. If the child support ordered deviates from the guidelines by more than 5%, the factual findings which support that deviation are

_____ c. () Petitioner () Respondent shall be required to maintain () health insurance () dental insurance coverage for the parties' minor child(ren) so long as reasonably available **OR** () health insurance () dental insurance coverage is not reasonably available at this time.

_____ d. Any reasonable and necessary **uninsured medical/dental/prescription drug costs** for the minor child(ren) shall be assessed as follows:

_____ e. Florida Supreme Court Approved Family law Form 12.902(i), **Notice of Social Security Number**, is incorporated herein by reference.

_____ f. Other provisions relating to child support:

21. **Method of Payment.** [Initial **one** only.]

_____ a. The Obligor shall pay any temporary child support/alimony ordered through income deduction, and such support shall be paid to the State of Florida Disbursement Unit (FLSDU), State of Florida, P. O. Box 8500, Tallahassee, Florida 32314-8500. Obligor is individually responsible for paying this support obligation in the event that all or any portion of said support is not deducted from Obligor's income. Obligor shall also pay the applicable state disbursement unit service charge and a clerk's processing fee as provided in §61.181, Fla. Stat. The amount of the processing fee is 4% of the total payment, but not more than \$5.25. **Until child support/alimony payments are deducted from Obligor's paycheck pursuant to the Income Deduction Order, Obligor is responsible for making timely payments directly to the state disbursement unit.**

XX b. Temporary child support/alimony shall be paid through the State of Florida Disbursement Unit (FLSDU), State of Florida, P.O. Box 8500, Tallahassee, Florida 32314-8500. Obligor shall also pay the applicable state disbursement unit service charge and a clerk's processing fee as provided in §61.181, Fla. Stat. The amount of the processing fee is 4% of the total payment, but not more than \$5.25. Income deduction is **not** in the best interests of the child(ren) because: _____

_____ c. Other provisions relating to method of payment:

OTHER SPECIAL PROVISIONS

(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)

DIRECTIONS TO LAW ENFORCEMENT OFFICERS IN ENFORCING THIS INJUNCTION
(Provisions in this Injunction that do not include a line for the judge to either initial, or write N/A are considered mandatory provisions and should be interpreted to be part of this Injunction.)

1. **This injunction is valid in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest without warrant, pursuant to § 901.15, Florida Statutes, for any violation of its provisions, except those regarding child support and/or alimony, which constitutes a criminal act under §741.31, Florida Statutes. **When inconsistent with this order, any subsequent court order issued under Chapter 61, Florida Statutes, shall take precedence over this order on all matters relating to property division, alimony, child custody, or child support.**

2. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA, AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO § 901.15(6), FLORIDA STATUTES. The arresting agency shall notify the State Attorney's Office immediately after arrest.
3. **Reporting Alleged Violations.** If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation, or the Petitioner may contact the Domestic Violence Unit of the State Attorney's Office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.
4. Respondent, upon service of this injunction, shall be deemed to have knowledge of and to be bound by all matters occurring at the hearing and on the face of this injunction.
5. The temporary injunction, if any, entered in this case is extended until such time as service of this Injunction is effected upon Respondent.

DONE AND ORDERED at Milton, Santa Rosa County, Florida, this day of _____, 20, at _____ am/pm.

CIRCUIT JUDGE

Copies furnished to:

- Sheriff of Santa Rosa County
 Petitioner (or his or her attorney): _____ by hand delivery in open court (Petitioner must acknowledge receipt in writing on the face of the original order - see below.)
 _____ by U.S. Mail
 Respondent (or his or her attorney): _____ by hand delivery in open court (Respondent must acknowledge receipt in writing on the face of the original order - see below.)
 _____ forwarded to Sheriff for service
 _____ by certified mail (may only be used when Respondent is present at the hearing and Respondent fails or refuses to acknowledge the receipt of a certified copy of this injunction.)

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court, Santa Rosa County, Florida, and that I have furnished copies of this order as indicated above.

MARY M. JOHNSON
 CLERK OF THE CIRCUIT COURT

BY: _____ (SEAL)
 Deputy Clerk

ACKNOWLEDGMENT OF RECEIPT OF FINAL JUDGMENT

I, , acknowledge receipt of a certified copy of this Injunction for Protection.

X _____
Petitioner

I, , acknowledge receipt of a certified copy of this Injunction for Protection.

X _____
Respondent