

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

Case Number _____

Division _____

_____, Petitioner,

and

_____, Respondent.

PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE

I, *{full legal name}* _____, being sworn, certify the following statements are true:

SECTION I. PETITIONER (This section is about you. It must be completed. However, **if you fear that disclosing your address to the respondent would put you in danger**, you should complete and file **Petitioner's Request for Confidential Filing of Address**, and write "Confidential" in the space provided on this form for your address and telephone number.

1. Petitioner currently lives at: *{street address, city, state and zip code}*:

Telephone Number *{area code and number}*: (_____) _____

2. Petitioner's attorney's name, address and telephone number is:

{If you do not have an attorney, write "None"}

SECTION II. RESPONDENT. (This section is about the person you want to be protected from. It must be completed.)

1. Respondent currently lives at: *{street address, city, state and zip code}*

Respondent's Telephone Number: *{if known}* _____

2. Respondent is: [**one** only]

() a. The spouse of Petitioner. Date of Marriage: _____

() b. The former spouse of Petitioner.

Date of Marriage: _____ Date of Divorce: _____

() c. Related by blood or marriage to Petitioner.

Specify relationship:

() d. A person who is or was living in one home with Petitioner, as if a family.

() e. A person with whom Petitioner has a child in common, even if Petitioner and Respondent were never married or living together.

3. Petitioner has known Respondent since: *{date}* _____

4. Respondent's last known place of employment:

Employment address:

Working Hours:

5. Physical Description of Respondent: Race: _____ Sex: Male Female

Date of Birth: _____ Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

Distinguishing Marks or Scars:

Vehicle: (make/model) _____ Color: _____ Tag #: _____

6. Other names Respondent goes by (aliases or nicknames):

7. Respondent's attorney's name, address and telephone number is:

{If you do not know whether the Respondent has an attorney, write "Unknown". If

Respondent does not have an attorney, write "None."

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION

(This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence against Respondent in this or any other court? () Yes () No

If yes, what happened in that case? (Include case number, if known): _____

2. Has Respondent ever received or tried to get an injunction for protection against domestic violence against Petitioner? () Yes () No

If yes, what happened in that case? (Include case number, if known): _____

3. Describe **any other** court case that is either going on now or that happened in the past, including a dissolution of marriage (divorce), paternity action, dependency or child support enforcement action, **between Petitioner and Respondent** {include city, state and case number, if known}:

4. Petitioner is either a victim domestic violence **or** has reasonable cause to believe that he or she is in imminent danger of becoming the victim of domestic violence because: (mark all sections that apply and describe in the spaces below the incidents of violence or threats of violence, specifying when and where they occurred, including, but not limited to, locations such as a home, school, place of employment, or visitation exchange)

() a. Committed or threatened to commit domestic violence defined in S.741.28, Florida Statutes, as any assault, aggravated assault, battery, aggravated battery,

sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member or another. With the exception of persons who are parents of a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

- () b. Previously threatened, harassed, stalked, or physically abused the petitioner.
- () c. Attempted to harm the petitioner or family members or individuals closely associated with the petitioner.
- () d. Threatened to conceal, kidnap, or harm the petitioner's child or children
- () e. Intentionally injured or killed a family pet.
- () f. Used, or has threatened to use, against the petitioner any weapons such as guns or knives.
- () g. Physically restrained the petitioner from leaving the home or calling law enforcement.
- () h. Has a criminal history involving violence or the threat of violence (if known).
- () i. There was another order of protection issued against him or her previously or from another jurisdiction (if known).
- () j. Destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.
- () k. Engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence.

Below is a brief description of the latest act of violence or threat of violence that causes Petitioner to honestly fear imminent domestic violence by Respondent. (Use additional sheets, if necessary.)

On {date} _____, at
(location) _____,
the Respondent

Blank lined area for text entry.

Check here if you are attaching additional pages to continue these facts..

5. **Additional Information** [**all** that apply]

() a. Other acts or threats of domestic violence as described on attached sheet.

() b. This or other acts of domestic violence have been previously reported to *{person or*

agency}: _____

() c. Respondent owns, has and/or is known to have guns or other weapons.

Describe weapon(s):

() d. Respondent has a drug problem.

() e. Respondent has an alcohol problem.

() f. Respondent has a history of mental health problems. (If checked, answer the following, if known):

Has Respondent ever been the subject of a Baker Act proceeding? () Yes () No

Is Respondent supposed to take medication for mental health problems? () Yes ()

No

If yes, is Respondent currently taking his/her medication? () Yes () No

SECTION IV. TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME (Complete this section **only** if you want the Court to grant you temporary exclusive use and possession of the home that you share with the Respondent.)

1. Petitioner claims the following about the home Petitioner and Respondent share or that Petitioner left because of domestic violence. [**all** that apply]

() a. Petitioner needs the exclusive use and possession of the home the parties share at:
{street address}

() b. Petitioner cannot get another safe place to live because:

() c. If kept out of the home, Respondent has the money to get other housing or may live
without money at: *{street address}*

{city, state, zip code}

2. The home is: [**only** one]

() a. Owned or rented by Petitioner and Respondent jointly.

() b. Solely owned or rented by Petitioner.

() c. Solely owned or rented by Respondent.

SECTION V. TEMPORARY PARENTAL RESPONSIBILITY OF MINOR

CHILD(REN). (Complete this section **only** if you are seeking an order addressing temporary parental responsibility of any minor child. You must be the natural parent, adoptive parent, or guardian by court order of the minor child(ren). If you are asking the court to determine issues of temporary parental responsibility with regards to a minor child, you must also complete and file a **Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) Affidavit.**

Note: If the paternity of the minor child(ren) listed below has not been established through either marriage or court order, the Court may deny temporary parental responsibility, timesharing and/or support

1. Petitioner is the natural parent, adoptive parent or guardian by court order of the minor

child(ren) whose name(s) and age(s) is (are) listed below:

NAME	DATE OF BIRTH	PLACE OF BIRTH	SEX

2. The minor child(ren) whom Petitioner is seeking an order addressing temporary parental responsibility of: [**only** one]

- a. Saw the domestic violence in this petition happen.
- b. Were at the place where the domestic violence happened, but did not see it.
- c. Were not there when the domestic violence happened this time, but have seen previous acts of domestic violence by Respondent.
- d. Have not witnessed domestic violence by Respondent.

3. Name **any other** minor child(ren) who were there when the domestic violence happened. Include child(ren)'s name(s), age(s), sex and parents' names.

4. **Time Sharing Schedule** [**all** that apply]

- a. Petitioner request the Court order that the petitioner shall have sole parental responsibility of the minor child(ren).
- b. Petitioner request the Court order the parties to share parental responsibility of the minor child(ren).

- () c. Petitioner requests the Court order reasonable time sharing schedule by Respondent with the minor child(ren), as follows:

- () d. Petitioner requests the Court order supervised exchange of the minor child(ren) or exchange through a responsible person designated by the Court. The following person is suggested as a responsible person for purposes of such exchange. Explain.

- () e. Petitioner requests the Court limit time sharing schedule by Respondent with the minor child(ren). Explain.

- () f. Petitioner requests the Court prohibit time sharing schedule by Respondent with the minor child(ren) because Petitioner genuinely fears that Respondent imminently will abuse, remove, or hide the minor child(ren) from Petitioner. Explain.

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SECTION VI. TEMPORARY SUPPORT (Complete this section **only** if you are seeking financial

support from the Respondent. You must also complete and file a **Financial Affidavit**, and if you are seeking child support, a **Notice of Social Security Number**. A Child Support Guidelines Worksheet must be filed with the Court at or prior to a hearing to establish or modify child support.

[**all** that apply]

- () 1. Petitioner claims a need for the money he or she is asking the Court to make Respondent pay, and that Respondent has the ability to pay that money.
- () 2. Petitioner requests the Court order Respondent to pay the following temporary alimony

to _____ Petitioner. (Petitioner must be married to Respondent to ask for temporary alimony.)

Temporary alimony requested: \$_____ every () week () 2 weeks () month

- () 3. Petitioner requests the Court order Respondent to pay the following temporary child support to Petitioner. (The Respondent must be the natural parent, adoptive parent, or _____ guardian by court order of the minor child(ren) for the Court to order Respondent to pay _____ child support.)

Temporary child support is requested in the amount of \$_____ every () week () 2 weeks () month.

SECTION VII. INJUNCTION (This section summarizes what you are asking the Court to include in the injunction. This section must be completed.)

1. Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against domestic violence that will be in place from now until the scheduled hearing in this matter.
2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a Final Judgment on Injunction prohibiting Respondent from committing any acts of domestic violence against Petitioner **and**
 - a. Prohibiting Respondent from going to or within 500 feet of any place the Petitioner lives.
 - b. Prohibiting Respondent from going to or within 500 feet of the Petitioner's place(s) of employment or school. The address of Petitioner's place(s) of employment or school is:

Employment:

School:

- c. Prohibiting Respondent from contacting Petitioner by mail, telephone, through another person or in any other manner.
 - d. Prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle.
 - e. Prohibiting Respondent from defacing or destroying Petitioner's personal property.
- [**all** that apply]

- () f. Prohibiting Respondent from going to or within 500 feet of the following place(s)
Petitioner or Petitioner's minor child(ren) must go often *{include address}*

-
- () g. Granting Petitioner temporary exclusive use and possession of the home Petitioner and Respondent share
- () h. Granting Petitioner sole parental responsibility of the minor child(ren).
- () i. Granting a temporary parenting plan, including a temporary time-sharing schedule with regard to, the minor child(ren) of the parties which might involve, prohibiting or limiting time-sharing or requiring that it be supervised by a third party.
- () j. Granting temporary alimony for Petitioner
- () k. Granting temporary child support for the minor child(ren)
- () l. Ordering Respondent to participate in treatment, intervention and/or counseling services
- () m. Referring Petitioner to a certified domestic violence center; and

any other terms the Court deems necessary for the protection of Petitioner and/or Petitioner's child(ren), including injunctions or directives to law enforcement agencies, as provided in section 741.30, Florida Statutes.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

(Initials)

DATED: _____, 20____.

SIGNATURE OF PETITIONER

STATE OF FLORIDA

COUNTY OF _____

Sworn to or affirmed and signed before me this _____ day of _____,
20 ____.

Clerk of the Circuit Court & Comptroller

BY: _____
Deputy Clerk (SEAL)

- () Personally Known
- () Produced Identification

Type of Identification Produced: _____