Sample Forms

Authorization for Temporary Protective Custody (JVO06)

Application for Order of Protective Custody (JVO04)

Petition (JVF09)

Order for Protective Custody (JVO11)

Petition for Order of Child Protection (CP50)

Ex Parte Order of Child Protection (CP20)

Adult Abuse/Stalking Petition for Order of Protection (AA40)

Adult Abuse/Stalking Ex Parte Order of Protection (AA10)

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:		**Case Number:**	
In the Interest of:		Juvenile / Family Court Address:	
☐ Male ☐ Female	DOB:		(Date Stamp)

Authorization for Temporary Protective Custody

Pursuant to Missouri Supreme Court Rule 111.12, the juvenile officer authorizes the temporary protective custody of the juvenile for a period not to exceed twenty-four hours at:

☐ Division of Family Services for suitable placement

☐ other:

Based upon the information presented to the juvenile officer, there is reasonable cause to believe that the juvenile is without proper care, custody or support and that temporary protective custody is necessary to prevent personal harm to the juvenile.

_____	_____	_____
Time	Date	Juvenile Officer
		_____
		Address
		_____
		_____
		Telephone Number

Release of Juvenile by the Juvenile Officer

The juvenile was released to _____, (name) whose relationship to said juvenile is: mother/father/custodian/other: _____, and whose address is: _____

_____	_____	_____
Time	Date	Juvenile Officer/Deputy Juvenile Officer

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:		**Case Number:**	
In the Interest of:		Juvenile / Family Court Address:	
☐ Male ☐ Female	DOB:		(Date File Stamp)

Application for Order of Protective Custody

The juvenile officer upon information and belief makes application for an order of protective custody on the above referred juvenile for reason that said juvenile is without proper care, custody, or support as alleged in the petition (motion to modify) filed in the above referred cause.

Probable cause to believe the juvenile is in need of the care and protection of the Court is established by:

Pursuant to the provisions of Title IV-E of the Social Security Act, based upon information provided by the Division of Family Services the applicant states that:

(Please check only one box.)

☐ The first contact with the juvenile's family occurred during an emergency in which the juvenile could not safely remain at home and continuation of the juvenile in the home was contrary to the welfare of the juvenile. Therefore, it was reasonable to remove the juvenile due to the emergency circumstances.

☐ Reasonable efforts were made to keep the juvenile in the home but continuation of the juvenile in the home is contrary to the welfare of the juvenile.

☐ Reasonable efforts to prevent removal from the juvenile's home were not made, but reasonable efforts are now being made to return the juvenile to the home. Continuation of the juvenile in the home is contrary to the welfare of the juvenile.

Temporary protective custody of the juvenile was assumed on (date) at (time) a.m. by (name) (title).

_____
Juvenile Officer

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

JUVENILE/FAMILY COURT DIVISION

In the Interest of:

Name:	)	
Age:	)	**Case Number:**
Sex:	)	
DOB:	)	

Petition

The juvenile officer of County states to the Court:

1. This petition is filed in the interest of:

   (Name)
   (Street Address)
   (City, State)
   (DOB)

2a. The name and address of the juvenile's father is:

   (Name)
   (Street Address)
   (City, State)

2b. The name and address of the juvenile's mother is:

   (Name)
   (Street Address)
   (City, State)

3. The juvenile is in the custody of:

   (Name)
   (Street Address)
   (City, State)

4. The juvenile is subject to the jurisdiction of this Court (by reason of residency) and/or (by reason of being found in County, Missouri) and/or (in that the alleged offense(s) occurred in County, Missouri).

5. Pursuant to Section 211.031 RSMo, said juvenile is in need of the care and treatment of this Court in that: (Allegation of ☐ abuse, ☐ neglect, ☐ delinquency, ☐ status).

6. At the time of filing, juvenile is in detention.

Wherefore, petitioner prays that the Court make and enter such judgment as the Court shall find to be necessary in the best interests of the juvenile and the best interests of the state.

_____
Juvenile Officer

_____
Address

_____

_____
Telephone Number

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:		**Case Number:**	
In the Interest of:		Juvenile / Family Court Address:	
☐ Male ☐ Female	DOB:		(Date File Stamp)

Order for Protective Custody

Having been informed that the juvenile is in protective custody, and upon the request of the juvenile officer that the juvenile be held in protective custody, the Court makes the following determinations:

☐ A Petition/Motion to Modify has been filed by the juvenile officer.

☐ The Court has reviewed the following document(s):

- ☐ police report
- ☐ Division of Family Services report
- ☐ Application for Order of Protective Custody
- ☐ other:

☐ The conditions requiring protective custody continue to exist.

☐ Upon review of the foregoing documents, the Court finds that probable cause exists to believe that the juvenile is within the jurisdiction of the Court under Section 211.031.1 (1) RSMo.

Pursuant to the provisions of Title IV-E of the Social Security Act, the Court finds that:

- ☐ The first contact with the juvenile's family occurred during an emergency in which the juvenile could not safely remain at home and continuation of the juvenile in the home was contrary to the welfare of the juvenile. Therefore, it was reasonable to remove the juvenile due to the emergency circumstances.
- ☐ Reasonable efforts were made to keep the juvenile in the home but continuation of the juvenile in the home is contrary to the welfare of the juvenile.
- ☐ Reasonable efforts to prevent removal from the juvenile's home were not made, but reasonable efforts are now being made to return the juvenile to the home. Continuation of the juvenile in the home is contrary to the welfare of the juvenile.

Accordingly, the Court enters the following order:

☐ Until further order of the Court, the juvenile is to remain in protective custody and in the temporary legal custody of:

☐ Division of Family Services for suitable placement.

☐ other:

☐ The juvenile officer's Application for Order of Protective Custody is denied and the juvenile is ordered released forthwith.

☐ The juvenile is ordered released forthwith to:

☐ mother ☐ custodian:

☐ father ☐ other suitable person:

☐ is appointed as guardian ad litem for the juvenile.

☐ The juvenile officer is ordered to provide written notice to the parties of their right to a protective custody hearing by the Court.

Time	Date	Judge

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:

In the interest of: (Include name and date of birth or age of each child)

(Date File Stamp)

Petitioner: Petitioner's DOB: SSN: Sex ☐ F ☐ M Race:	Respondent's Home Address:
Respondent: Respondent's DOB: SSN (if known): Race: Sex ☐ F ☐ M Age: Height: Eye Color: Weight: Hair Color: (Identifying Information for use by Law Enforcement)	Respondent's Work Address:

Motion to Modify Judgment/Full Order of Child Protection

(Check each box that applies)

☐ A Judgment/Full Order of Child Protection was entered in County, Missouri.

A change has occurred in the circumstances of the child(ren) or his/her custodian and the modification is necessary to serve the best interests of the child. Please provide the specific facts, including dates and times, which you claim are a violation of the court's judgment.

I request that the court find grounds for modification for:
(check the box that applies)

☐ Installments of maintenance or support.

☐ Custody.

☐ Visitation.

☐ Other (specify):

I swear /affirm under penalty of perjury that these facts are true according to my best knowledge and belief.

Date

Your Signature

Your Street Address

City State Zip

Your Telephone Number

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:

In the interest of: (Include name and date of birth or age of each child)

vs.

(Date File Stamp)

Petitioner: Petitioner's DOB: SSN: Sex:	Respondent's Home Address: Home Phone Number:
Respondent: Alias/Nicknames: Respondent's DOB: SSN: (if known) Race: Sex: ☐ F ☐ M Skin/Complexion: Age: Eye Color: Height: Hair Color: Weight: Hair Length/Style: (Identifying Information for use by Law Enforcement)	Respondent's Work Address: Work Phone Number: Work Hours: Other Locations Where Respondent May Be Served:

Visible Identifying Marks (e.g., tattoos, birthmarks, braces, mustache, beard, pierced ear, glasses)

Appearances: ☐ Petitioner ☐ Respondent ☐ Other
☐ Petitioner's Attorney ☐ Respondent's Attorney
☐ Guardian Ad Litem ☐ Court Appointed Special Advocate

Judgment/Full Order of Child Protection

☐ Petitioner has filed a verified petition requesting a Full Order of Child Protection. Notice of the date set for hearing, together with a copy of the petition and any Ex Parte Order of Child Protection, was served on Respondent at least three days prior to the hearing. A Guardian ad Litem or Court Appointed Special Advocate has been appointed pursuant to Section 455.513.2 RSMo. The matter was heard and submitted to the court which, after due consideration, finds, pursuant to Section 455.516 RSMo, that Petitioner has proved the allegations of abuse. No prior order regarding custody is pending or has been made.

☐ Petitioner and Respondent submit this judgment by consent and request that the court order the following:

Order

(Only those provisions checked apply)

☐ This Order replaces and supersedes the Ex Parte Order of Child Protection entered in this cause on date and serves as notice of termination of that Order.

☐ This Order extends the Full Order of Child Protection entered in this cause on date and serves as notice of extension of that Order.

☐ Respondent shall not stalk, abuse, threaten to abuse, molest, or disturb the peace of the child victim(s). [08]

☐ Respondent shall not have any contact with the child victim(s), except as specifically authorized by this Order. (See "Special Conditions" on page 2. [08]

☐ Respondent shall not enter the family home of the child victim(s) located at , except as specifically authorized by this Order. (See "Special Conditions" on page 2.) [08]

☐ Custody of child(ren) shall be awarded as follows:

Child's Name	Person Awarded Custody

☐ A visitation schedule for the child(ren) shall be established as follows: .[08]

☐ Petitioner and Respondent shall exchange the child(ren) for visitation at:

☐ Respondent shall pay child support to Petitioner as follows: $ ☐ per week ☐ per month, with the first payment due (date).

☐ Respondent shall pay maintenance to Petitioner as follows: $ ☐ per week ☐ per month, with the first payment due (date).

☐ Respondent shall execute an income assignment for: ☐ child support ☐ maintenance.

☐ Respondent shall pay the rent or mortgage payments on the residence occupied by the child victim(s) in the amount of $ per to , with the first payment due (date).

☐ Respondent shall pay for housing and other services provided to the child victim(s) by a shelter for victims of domestic violence in the amount of $ per to , with the first payment due (date).

☐ Respondent shall participate in a court approved counseling program at to ☐ help child abusers stop violent behavior ☐ treat substance abuse, beginning (date).

☐ Respondent shall pay the cost of his or her treatment and the treatment of the child victim(s).

☐ Respondent shall pay to Petitioner attorney's fees in the amount of $.

☐ Respondent shall pay to the Guardian ad Litem fees in the amount of $.

☐ Court costs are assessed against .

☐ Court costs are waived.

☐ Special Conditions:

Violation of this Order may result in your conviction of a Class A misdemeanor. **The punishment for a Class A misdemeanor is a term of imprisonment not to exceed one year, a fine not to exceed $1000.00, or both such fine and imprisonment.**

This Order shall be effective until _____ (date), unless sooner terminated or extended.

So Ordered:

_____ Date

_____ Judge

☐ The parties are notified that the foregoing Findings and Recommendations have been entered this date by a commissioner, and all papers relative to the case or proceedings, together with the Findings and Recommendations, have been transferred to a Judge of the Court. The Findings and Recommendations shall become the Judgment of the Court upon adoption by order of the Judge.

Order and Judgment Adopting Commissioner's Findings and Recommendations

It is hereby ordered, adjudged and decreed that the foregoing Findings and Recommendations entered by the commissioner are adopted and confirmed as a final Judgment of the Court.

_____ Date

_____ Judge

Notice of Right to Rehearing

Unless waived by the parties in writing, a party to the case or proceeding heard by a commissioner, within fifteen days after the mailing of notice of the filing of the Judgment of the Court, may file a motion for rehearing by a Judge of the Court. If the motion for rehearing is not ruled on within forty-five days after the motion is filed, the motion is overruled for all purposes. Rule 129.13

_____ Date

_____ Commissioner

Consent Order Only

Respondent consents to entry of the above orders, but this consent shall not be taken as an admission by Respondent that the allegations contained in the petition are true.

_____ Petitioner's Signature	_____ Respondent's Signature
_____ Attorney for Petitioner's Signature	_____ Attorney for Respondent's Signature
_____ Court Appointed Special Advocate	_____ Guardian ad Litem

Notice of Extension of Order

This Full Order of Child Protection may be extended for additional periods of time upon application and a court hearing. Any application should be made at least two weeks before the expiration date indicated on the Full Order of Child Protection.

Notice to the Person Obligated to Pay Support or Maintenance (Pursuant to Section 452.340)

Effective January 1, 1994, for every order for child support or maintenance entered or modified by the court under the authority of Chapter 452 or otherwise, income withholding under Section 452.350 RSMo shall be initiated on the effective date of the order unless the court finds there is good reason not to require immediate income withholding or a written agreement between the parties provides for an alternative arrangement.

Instructions to Clerk

1. A copy of the Full Order of Child Protection shall be issued to Petitioner, Respondent, and the law enforcement agency (police or sheriff) in the city or county where Petitioner resides.
2. A copy of the Full Order of Child Protection shall be issued the same day the order is granted to the law enforcement agency responsible for maintaining the Missouri Uniform Law Enforcement System (MULES).
3. A copy of the Full Order of Child Protection shall be served upon or mailed by certified mail to Respondent(s) at his or her last known address.
4. **If Findings and Recommendations were entered by a Commissioner and transferred to a Judge for adoption, check the ☐ in the "Notice of Rehearing" section.**

Sheriff's or Server's Return

I certify that I served this Order at _____(address)

in _____County, _____(state), on _____(date) at _____(time), by:

(Check one)

☐ delivering a copy of the Order to _____(name);

☐ leaving a copy of the Order at the dwelling place or usual abode of _____(name)

with _____(name), a person of _____'s (name) family over the age of 15 years.

☐ other (describe) _____

_____ Printed Name of Sheriff or Server	_____ Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer

Subscribed and sworn to before me on _____.

(Seal). My commission expires: _____ Date _____ Notary Public

Sheriff's Fees
Summons $_____
Non Est $_____
Mileage $_____ (_____miles @ $._____ per mile)
Total $_____

Complete for Out of State Service

I certify that:

1) I am authorized to serve process in civil actions within the state or territory where the above Order was served.

2) My official title is _____ of _____ County, _____(state).

Served in _____ County, _____(state), on _____(date) at _____(time).

Subscribed and Sworn to me before this _____(date) day of _____(month), _____(year).

I am: (check one)
- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons.

(Seal)

_____
Signature and Title

Directions to Officer Making Return on Service

A copy of the Order must be served on each person. If any person refuses to receive the copy of the Order when offered to him, the return shall be prepared to show the offer of the officer to deliver the order and the person's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an incompetent person not having a legally appointed guardian, by delivering a copy of the Order to the individual personally or by leaving a copy of the Order at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the Order to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an incompetent person who has a legally appointed guardian, by delivering a copy of the Order to the guardian personally.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

If served outside of Missouri, the officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

The return should be made promptly.

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:	**Case Number:**
	Court ORI Number:
Petitioner: Petitioner's DOB: SSN: Sex ☐ F ☐ M Race: vs.	Respondent's Home Address:
Respondent: Alias/Nicknames: Respondent's DOB: SSN (if known): Race: Age: Sex ☐ F ☐ M Eye Color: Height: Hair Color: Weight: (Identifying Information for use by Law Enforcement)	Respondent's Work Address: Respondent's Relationship to Petitioner: ☐ Spouse ☐ Ex-Spouse ☐ Related by Blood/Marriage ☐ Child(ren) in Common ☐ Resided Together ☐ Other

(Date File Stamp)

Adult Abuse/Stalking Petition for Order of Protection

1. I am Petitioner and ☐ at least 18 years of age ☐ under 18 but emancipated
   Respondent is ☐ at least 18 years of age ☐ under 18 but emancipated

2. I reside in (city), (state), in the County of .
   Respondent may be found in (city), (state), in the County of .

3. An act of abuse or stalking occurred at (address), (city), (state), in the County of .

4. Respondent and I: (check one or more)
   - ☐ are related by blood
   - ☐ are spouses.
   - ☐ were spouses.
   - ☐ have child(ren) in common.
   - ☐ are or were residing together.
   - ☐ were related by marriage.
   - ☐ are related by marriage.
   - ☐ have no relationship other than Respondent has stalked me.
   - ☐ are in a continuing romantic or intimate social relationship.
   - ☐ were in a continuing romantic or intimate social relationship.

Complete for Adult Abuse Petition Only.

5. Respondent and I: (check one or more)
   - ☐ reside together.
   - ☐ previously resided together at (address), (city), (state), in the County of .
   - ☐ never resided together.

Complete for Stalking Petition Only.

6. Respondent is stalking me. Explain relationship (example: co-workers, neighbors, etc.)

Complete for Adult Abuse Petition Only.

7. The residence in which I live is: (check one or more)
   - ☐ jointly owned, leased or rented or jointly occupied by Respondent and me.
   - ☐ owned, leased, rented or occupied by me.
   - ☐ jointly owned, leased, rented or occupied by me and someone other than Respondent.
   - ☐ owned, leased, rented or occupied by someone else, and Respondent is my spouse.
   - ☐ jointly occupied by me and another person, and Respondent has no property interest therein.

8. Respondent has knowingly and intentionally: (check at least one)
   - ☐ coerced me
   - ☐ stalked me
   - ☐ harassed me
   - ☐ sexually assaulted me
   - ☐ unlawfully imprisoned me
   - ☐ followed me from place to place
   - ☐ caused or attempted to cause me physical harm
   - ☐ placed or attempted to place me in apprehension of immediate physical harm
   - ☐ threatened to do any of the above

by the following act(s): (Include the most recent date(s) of each act described.)

9. I am afraid of Respondent, and there is an immediate and present danger of abuse or stalking of me because: (describe)

10. ☐ Photographs/Exhibits are filed as evidence of my injuries.

Complete for Adult Abuse Petition Only.

11. It is in the best interest of the minor children that custody be awarded as follows:

	Child's Name	DOB	SSN	Age	Address (If other than Petitioner)
1.					
2.					
3.					
4.					
5.					

	Who did each Child reside with during last six months	Relationship to Parties (Explain if not Respondent's Child)	Persons to Receive Custody	Custody (check one or both) Temporary	Full
1.				☐	☐
2.				☐	☐
3.				☐	☐
4.				☐	☐
5.				☐	☐

(If necessary, attach additional sheets.)

12. Indicate any prior or pending custody court cases before, or orders entered by, this court or other parties. (If none, so state):

    a. Petitioner

    b. Respondent

    c. Children (identified in item 11)

13. Pursuant to Section 455.010 to Section 455.085 RSMo, it is requested that the court issue an Ex Parte Order of Protection restraining Respondent from: (check all that apply)

    ☐ abusing, threatening to abuse, molesting or disturbing the peace of Petitioner wherever Petitioner may be found.
    ☐ stalking Petitioner.
    ☐ entering the dwelling of the Petitioner located at (see notice below)
    ☐ communicating with Petitioner in any manner through any medium.
    ☐ other:

14. It is further requested that, upon the hearing of this cause, the court issue an Order of Protection enjoining Respondent from the above acts for such time as is necessary to protect Petitioner and that the court: (one or more may be selected)

- ☐ Award custody of the minor child(ren) to ☐ Petitioner ☐ Respondent.
- ☐ Order visitation with the minor child(ren) to ☐ Petitioner ☐ Respondent as follows:
- ☐ Order ☐ Petitioner ☐ Respondent to pay child support to ☐ Petitioner ☐ Respondent in the amount of $ (check one) ☐ per week ☐ per month.
- ☐ Order ☐ Petitioner ☐ Respondent to pay maintenance to ☐ Petitioner ☐ Respondent in the amount of $ (check one) ☐ per week ☐ per month.
- ☐ Order that Respondent make or continue to make the rent or mortgage payments in the amount of $ on the residence occupied by Petitioner.
- ☐ Order that Respondent pay Petitioner's rent at a residence, other than the residence previously shared with Respondent, in the amount of $.
- ☐ Order that Petitioner be given temporary possession of the following personal property:
- ☐ Prohibit Respondent from transferring, encumbering, or otherwise disposing of the following property mutually owned or leased with Petitioner:
- ☐ Order Respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior.
- ☐ Order Respondent to pay a reasonable fee for housing and other services provided to Petitioner by a shelter for victims of domestic violence.
- ☐ Order Respondent to pay the cost of medical treatment or services provided to Petitioner as a result of injuries sustained by an act of domestic violence committed by Respondent.
- ☐ Order Respondent to pay Petitioner's attorneys fees.
- ☐ Order Respondent to pay court costs.
- ☐ Other (specify):

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief.

Notice: Section 455.030.3 RSMo provides that a Petitioner seeking protection under the Adult Abuse Act is not required to reveal any current address or place of residence on this petition. **Do not provide this information if doing so will endanger you.**

Petitioner's Signature

Address (Optional)

City, State And Zip

Telephone

Attorney's Name, Missouri Bar No., if Applicable

Address

City, State and Zip

Telephone

IN THE CIRCUIT COURT OF COUNTY, MISSOURI

Judge or Division:	**Case Number:** Court ORI Number:
Petitioner: Petitioner's DOB: SSN: Sex ☐ F ☐ M Race: vs.	Respondent's Home Address: Home Phone Number:
Respondent: Alias/Nicknames:	Respondent's Work Address: Work Phone Number: Work Hours:
Respondent's DOB: SSN (if known): Race: Sex: ☐ F ☐ M Skin/Complexion: Age: Eye Color: Height: Hair Color: Weight: Hair Length/Style: (Identifying Information for use by Law Enforcement)	Other Locations Where Respondent May Be Served: Respondent's Relationship to Petitioner: ☐ Spouse ☐ Ex-Spouse ☐ Related by Blood/Marriage ☐ Child(ren) in Common ☐ Resided Together ☐ Other
Visible Identifying Marks (e.g., tattoos, birthmarks, braces, mustache, beard, pierced ear, glasses)	

(Date File Stamp)

Adult Abuse/Stalking Ex Parte Order of Protection

The State of Missouri to: Name of Respondent

Petitioner has filed a verified petition (copy attached) requesting an Order of Protection against you. Pursuant to Sections 455.035 to 455.045 RSMo, the court finds that there is an immediate and present danger of abuse to Petitioner by you or that Petitioner has been a victim of stalking by you and that there is good cause to issue an Order of Protection.

Therefore, the court orders that you, Name of Respondent, **Respondent, not:**

- ☐ Abuse, threaten to abuse, molest or disturb the peace of Petitioner wherever Petitioner may be found.[01 & 04]
- ☐ Stalk Petitioner.[01]
- ☐ Enter or stay upon the premises of wherever Petitioner may reside.
  - ☐ located at (unless disclosure waived) .[08]
- ☐ Communicate with Petitioner in any manner or through any medium. [05]
- ☐ Other: .[08]

It is further ordered that: Custody of the minor children shall be awarded, until further order of court, as follows

Child's Name	Age	Person Awarded Custody [Respondent-06, Petitioner-08]

(Attach additional sheets if necessary)

It is further ordered that:

Violation of this Order may be punished by confinement in jail for as long as five years and by a fine of as much as five thousand dollars. Violation of this order is a Class A Misdemeanor, or a Class D Felony if Respondent has previously pled or was found guilty of any violation of an Order of Protection within five (5) years of this order.

If so ordered by the court, Respondent is forbidden to enter or stay at Petitioner's residence.

The hearing of this cause will be in Division of the Circuit Court of County, in , Missouri at (time) on (date).

So Ordered: _____ _____

Date Judge

Sheriff's or Server's Return

I certify that I served this Order and the petition at _____ (address) in _____ County, _____ (state), on _____ (date), at _____ (time), by:

(Check one)

☐ delivering a copy of the Order and petition to _____ (name);

☐ leaving a copy of the Order and petition at the dwelling place or usual abode of _____ (name), with _____ (name), a person of _____'s (name) family over the age of 15 years.

☐ other (describe) _____

_____ Printed Name of Sheriff or Server

_____ Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer

Subscribed and sworn to before me on _____.

(Seal)

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees

Summons $_____

Non Est $_____

Mileage $_____ (_____ miles @ $._____ per mile)

Total $ _____

Complete for Out of State Service

I certify that:

1) I am authorized to serve process in civil actions within the state or territory where the above Order was served.

2) My official title is _____ of _____ County, _____ (state)

Served in _____ County, _____ (state), on _____ (date) at _____ (time).

Subscribed and Sworn To before me this _____ (date) day of _____ (month), _____ (year).

I am: (check one)

☐ the clerk of the court of which affiant is an officer.

☐ the judge of the court of which affiant is an officer.

☐ authorized to administer oaths in the state in which the affiant served the above summons.

(Seal)

_____ Signature and Title

Directions to Officer Making Return on Service

A copy of the Order and petition must be served on each person. If any person refuses to receive the copy of the Order and petition when offered to him, the return shall be prepared to show the offer of the officer to deliver the Order and petition and the person's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an incompetent person not having a legally appointed guardian, by delivering a copy of the Order and petition to the individual personally or by leaving a copy of the Order and petition at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the Order and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an incompetent person who has a legally appointed guardian, by delivering a copy of the Order and petition to the guardian personally.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

If service is made outside of Missouri, the officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

The return should be made promptly.

Notice to Respondent

You are notified that under Section 455.050 RSMo if the court finds in favor of Petitioner or you default, the court may grant any of the following forms of relief:

1. Order you not to stalk, abuse, threaten to abuse, molest or disturb the peace of Petitioner wherever Petitioner may be;
2. Order you not to enter upon the premises of the dwelling of Petitioner;
3. Order you not to transfer, encumber or otherwise dispose of mutually owned or leased property;
4. Grant Petitioner temporary possession of specified personal property;
5. Order you to participate in court approved counseling for batterers and/or substance abuse treatment;
6. Award custody of minor children;
7. Establish a visitation schedule;
8. Order you to pay child support and/or maintenance to Petitioner;
9. Order you to make an assignment of earnings or other income;
10. Order you to pay Petitioner's rent or mortgage;
11. Order you to pay for housing or other services provided to Petitioner by a shelter;
12. Order you to pay court costs;
13. Order you to pay Petitioner for the cost of maintaining or defending the action;
14. Order you to pay Petitioner's attorney fees;
15. Order you to pay the cost of medical treatment and services provided to Petitioner as a result of injuries sustained by an act of domestic violence committed by you;
16. Temporarily enjoin you from communicating with Petitioner in any manner or through any medium.

If you have a disability requiring special assistance for your court appearance, please contact the court at least 48 hours in advance of the scheduled hearing date and time.

Definition of Abuse

You are notified that under Section 455.010(1) RSMo the term "abuse" includes, but is not limited to:

1. the occurrence of, or
2. attempt to do, or
3. threats to do any of the following acts against Petitioner:
   (a) purposely or knowingly placing or attempting to place Petitioner in fear of physical harm;
   (b) purposely or knowingly causing physical harm to Petitioner with or without a deadly weapon;
   (c) compelling Petitioner by force or threat of force to engage in conduct from which Petitioner has a right to abstain or to abstain from conduct in which Petitioner has a right to engage;
   (d) engaging in a purposeful or knowing course of conduct involving more than one incident that alarms or causes distress to Petitioner and serves no legitimate purpose. The course of conduct must be such as would cause a reasonable adult to suffer substantial emotional distress and must actually cause substantial emotional distress to Petitioner. Such conduct might include, but is not limited to:
      a. Following Petitioner about in a public place or places;
      b. Peering in the window or lingering outside the residence of Petitioner;
   (e) causing or attempting to cause Petitioner to engage involuntarily in any sexual act by force, threat of force, or duress; or
   (f) holding, confining, detaining, or abducting Petitioner against Petitioner's will.

Definition of Stalking

You are notified that, under Section 455.010(10) RSMo, the term "stalking" is when a person purposely and repeatedly harasses or follows with the intent of harassing another person. As used in this subdivision, "harass" means to engage in a course of conduct directed at a specific person that serves no legitimate purpose, that would cause a reasonable person to suffer substantial emotional distress. As used in this subdivision, "course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.

Instructions to Clerk

1. A copy of the Ex Parte Order of Protection and a copy of the petition must be personally served upon Respondent immediately and not less than 3 days prior to the date of the hearing.
2. A copy of the Ex Parte Order of Protection shall be issued to Petitioner.
3. A copy of the Ex Parte Order of Protection shall be issued to the local law enforcement agency (police or sheriff) in the city or county where Petitioner resides.
4. A copy of the Ex Parte Order of Protection shall be issued the same day the order is granted to the local law enforcement agency responsible for maintaining the Missouri Uniform Law Enforcement System (MULES).