



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI
Judgment of the Full Order of Protection - Adult

Judge or Division: _____ Petitioner: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> Relationship to Respondent (specified on petition): _____ vs. _____ Respondent: <div style="border: 1px solid black; height: 20px; width: 100%;"></div> Address _____ _____ _____ CAUTION: <input type="checkbox"/> Weapon Involved <input type="checkbox"/> Concealed Carry Permit Holder	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="5">Case Number: _____</td> </tr> <tr> <td colspan="5">Court ORI Number: _____</td> </tr> <tr> <td colspan="5">MSHP Number: _____</td> </tr> <tr> <td colspan="5">Responsible Law Enforcement ORI: _____</td> </tr> <tr> <td colspan="4">Related Cases: _____</td> <td style="text-align: right;">(Date File Stamp)</td> </tr> <tr> <td colspan="5">Respondent Identifiers:</td> </tr> <tr> <td style="text-align: center;">SEX</td> <td style="text-align: center;">RACE</td> <td style="text-align: center;">DOB</td> <td style="text-align: center;">HT</td> <td style="text-align: center;">WT</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td style="text-align: center;">HAIR</td> <td style="text-align: center;">EYES</td> <td colspan="3" style="text-align: center;">SOCIAL SECURITY # (last four digits)</td> </tr> <tr> <td> </td> <td> </td> <td colspan="3"> </td> </tr> <tr> <td colspan="2" style="text-align: center;">DRIVERS LICENSE #</td> <td style="text-align: center;">STATE</td> <td colspan="2" style="text-align: center;">EXP DATE</td> </tr> <tr> <td colspan="2"> </td> <td> </td> <td colspan="2"> </td> </tr> <tr> <td colspan="5">Distinguishing Features _____</td> </tr> <tr> <td colspan="5"> </td> </tr> </table>	Case Number: _____					Court ORI Number: _____					MSHP Number: _____					Responsible Law Enforcement ORI: _____					Related Cases: _____				(Date File Stamp)	Respondent Identifiers:					SEX	RACE	DOB	HT	WT						HAIR	EYES	SOCIAL SECURITY # (last four digits)								DRIVERS LICENSE #		STATE	EXP DATE							Distinguishing Features _____									
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Appearances: <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Respondent Fails to Appear <input type="checkbox"/> GAL <input type="checkbox"/> Petitioner's Attorney <input type="checkbox"/> Respondent's Attorney <input type="checkbox"/> Other _____																																																																							

This Judgment shall be effective until: _____, 20__

ONLY THE COURT CAN CHANGE THIS ORDER

Violation of this Order may be punished by confinement in jail for as long as four years and/or by a fine of as much as five thousand dollars. If so ordered by the court, the Respondent is forbidden to enter or stay at the Petitioner's residence.

Visit www.courts.mo.gov for more information regarding orders of protections.

I. JURISDICTION & NOTICE

Petitioner has filed a verified petition requesting the issuance of a Judgment of a Full Order of Protection. The court hereby finds that it has jurisdiction over the parties and the subject matter. This court finds that Respondent was provided with reasonable notice and an opportunity to participate and be heard. A copy of the petition, a notice of the date set for the hearing, and the Ex Parte Order of Protection (if issued) were served upon Respondent at least three days prior to today's hearing.

II. ENFORCEABILITY

This Judgment meets all the requirements of the Violence Against Women Act, 18 U.S.C. Section 2265. This court has jurisdiction of the parties and the subject matter; the defendant has been given reasonable notice and opportunity to be heard. This order is enforceable in all 50 states, the District of Columbia, all Indian tribal lands, and all United States territories and shall be enforced as if it were an order of that jurisdiction without registration pursuant to 18 U.S.C. Section 2265.

III. FINDINGS

This court makes the following finding:

Evidence adduced. Upon due consideration of the matter, this court finds, pursuant to section 455.040, RSMo, that Petitioner has proven allegations of domestic violence, stalking, and/or sexual assault against Respondent and the Respondent cannot show that his or her actions alleged to constitute abuse were otherwise justified under the law. This court, therefore, orders and finds the following as described in Section IV below.

Petitioner and Respondent submit a proposed Consent Judgment to this court. Pursuant to the parties' request, this court orders and finds the following as described in Section IV below.

This court finds that Respondent's relationship to Petitioner is as follows:

A. Is current or former spouse* **B.** Has child(ren) in common* **C.** Reside(d) together*

D. (Is/was) related by blood/marriage **E.** Romantic/intimate social relationship **F.** None (stalking or sexual assault alleged)

This court further finds that Respondent represents a credible threat to the safety of the Petitioner.*

* See Section VI Firearms.

IV. TERMS (Only Checked Provisions Apply)

The court orders:

- This Judgment of the Full Order of Protection replaces and supersedes the Ex Parte (Temporary) Order of Protection entered in this cause on (date) and serves as notice of the termination of that Order.
This Judgment renews the Judgment of the Full Order of Protection entered on (date) and serves as notice of the extension of that Judgment.

A. CONTACT

- Respondent SHALL NOT COMMUNICATE with Petitioner, in any manner or through any medium. The use of third parties (including children) to communicate is strictly prohibited. [05]
Respondent shall not commit or threaten to commit domestic violence, molesting, stalking, sexual assault, or disturbing the peace of Petitioner. [01 & 04]
Respondent shall not harass, stalk or threaten Petitioner or engage in other conduct that would place Petitioner in reasonable fear of bodily injury to Petitioner.*
Respondent shall not use, attempt to use, or threaten to use physical force against Petitioner that would reasonably cause bodily injury.* [01]

* See Section VI Firearms.

B. RESTRICTIONS

- Petitioner is granted exclusive possession of the premises of Petitioner's/the parties' residence (located at (address)). Respondent shall immediately vacate and/or shall not enter upon the premises of Petitioner's/the parties' residence (or the residence located at (address)). Further, Respondent shall not knowingly enter upon the premises of any future residence of Petitioner. RESPONDENT IS FORBIDDEN TO ENTER OR STAY AT PETITIONER'S RESIDENCE. [03 & 04]
Respondent may only enter Petitioner's residence located as listed above on (date), for the purpose of removing his/her clothing, toiletries, tools of trade and the following personal property (list items). Respondent must be accompanied by a law enforcement officer.
This court finds that, in order to ensure Petitioner's safety, Respondent shall not: [04]
Enter onto the premises of Petitioner's school, located at (address).
Enter onto the premises of Petitioner's place of employment, located at (address).
Come within (distance) feet of Petitioner.
Other: (description).
Respondent shall not take, hide, transfer, sell, damage, encumber or otherwise dispose of property mutually owned or leased with Petitioner: (description). [08]
Petitioner shall receive temporary possession of the personal property.
Petitioner is granted the possession and use of the following vehicle(s): (description).

Respondent must not be present in the restricted locations at any time unless expressly permitted by another term in this Judgment.

C. CUSTODY

- The parties have no unemancipated children in common.
A prior judgment/order regarding custody of the parties' unemancipated child(ren) is pending or has been made. Therefore, pursuant to section 455.050.3(1), RSMo, this court cannot change the previous custodial arrangements through this Judgment.
No prior judgment/order regarding custody of the parties' unemancipated child(ren) is pending or has been made. Custody of the children shall be awarded as follows:
Child's Name Person Awarded Custody [Respondent-06, Petitioner-09]
A visitation schedule shall be established for Petitioner Respondent [06] as follows:
The parties shall exchange the minor child(ren) for visitation at (location).

D. SUPPORT

1. Child Support

The Form 14 (Child Support Calculation Guidelines Worksheet) is attached and recommends that Respondent/Petitioner pay Petitioner/Respondent \$_____ per month (Pursuant to Rule 88.01).

(Only Checked Provision(s) Apply)

a. This court finds that the Form 14 amount is unjust and inappropriate. Accordingly, Respondent Petitioner must pay Petitioner Respondent \$_____ per month per week, with the first payment due on _____ (date).

b. This court finds that child support should be in accordance with the attached Form 14 amount and orders that Respondent Petitioner pay Petitioner Respondent \$_____ per month per week, with the first payment due on _____ (date).

2. Maintenance

Respondent Petitioner shall pay \$_____ per month per week in maintenance to Petitioner Respondent, with the first payment due on _____ (date).

3. Other Support

a. Respondent shall pay Petitioner's rent or mortgage in the amount of \$_____ per month per week, with the first payment due on _____ (date) to Petitioner other: _____.

b. Respondent shall pay for housing or other services provided to Petitioner by a shelter for victims of domestic violence in the amount of \$_____ per month per week, with the first payment due on _____ (date) to Petitioner other: _____.

c. Respondent shall pay \$_____ to Petitioner for out-of-pocket losses (which can include medical, dental, relocation and moving expenses; counseling costs; loss of earnings; and costs of repair or replacement of real or personal property) sustained by an act/acts of domestic violence committed by Respondent.

4. Income Assignment

Respondent Petitioner shall execute an income assignment in favor of Petitioner Respondent for: child support maintenance.

NOTE: This Judgment does not permanently resolve support issues. (Section 455.060.4, RSMo)

E. COUNSELING/TREATMENT

1. Respondent shall participate in a court approved counseling program(s) for batterers and/or substance abuse treatment at _____ beginning on _____ (date).

F. CONCEALED CARRY PERMIT (Pursuant to section 571.104, RSMo)

If Respondent has a concealed carry permit, he/she must immediately surrender the permit to this court.

G. OTHER CONDITIONS OR RELIEF ORDERED:

- 1. Petitioner's residential address on voter's registration record to be closed to the public.
- 2. Petitioner to be transferred existing wireless telephone number(s) and billing responsibility from respondent. See attached Wireless Telephone Number Transfer Addendum.
- 3. _____

H. COSTS/FEES

- 1. Respondent shall pay to Petitioner Petitioner's attorney attorney's fees in the amount of \$_____.
- 2. Respondent shall pay the Guardian ad Litem's attorney fees in the amount of \$_____.
- 3. Respondent shall pay the following court costs: _____.

I. COMPLIANCE REVIEW DATE

1. Respondent must return to court on _____ (date), at _____ a.m./p.m. to demonstrate compliance with this court's Judgment. Petitioner need not return to court to enforce this Judgment.

V. DURATION

This Judgment shall be effective until _____ (date), unless sooner terminated or extended by this court.

This court finds that it is in the parties' best interests that this Order shall automatically renew after one year, making this Order effective until _____ (date), unless the Respondent requests a hearing by 30 days prior to the expiration. (Note: this provision only applies to full orders of protection that have a duration of one year.)

VI. FIREARMS

- The court finds that:
- a. as a result of a hearing at which the Respondent received notice and had an opportunity to participate; and,
 - b. Respondent is a spouse, former spouse, is or was cohabitating, or has a child in common with the Petitioner; and,
 - c. Respondent is a credible threat to the physical safety of, or is explicitly prohibited within this Order from the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury against the Petitioner; and,
 - d. Respondent is restricted from harassing, stalking or threatening the Petitioner, the child they have in common or a child of the Petitioner's partner, or from engaging in any conduct that would place the Petitioner in reasonable fear of bodily injury to him or herself, the child in common, or child of the Petitioner's partner.

THEREFORE, FEDERAL LAW PROHIBITS RESPONDENT FROM POSSESSING, SHIPPING, TRANSPORTING AND/OR RECEIVING ANY FIREARM FOR THE DURATION OF THIS JUDGMENT [SEE 18 U.S.C. SECTION 922(g)(8)].

VII. MODIFICATION OF JUDGMENT

The parties cannot change the terms of this Judgment on their own. This Judgment may only be modified by this court.

VIII. NOTIFICATION OF JUDGMENT OF FULL ORDER TO RESPONDENT

This Judgment is to be provided to Respondent by: hand delivery (in court) personal service certified mail.

FOR CONSENT JUDGMENT ONLY

Respondent's consent is not to be considered an admission that the allegations contained in the Petition are true; however, Respondent consents to this court's issuance of this Judgment. Respondent acknowledges the receipt of this Judgment of the Full Order of Protection.

PETITIONER'S SIGNATURE

RESPONDENT'S SIGNATURE

PETITIONER'S ATTORNEY'S SIGNATURE

RESPONDENT'S ATTORNEY'S SIGNATURE

SO ORDERED:

Date

Judge

Notice of Findings and Recommendations & Notice of Right to Rehearing

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. 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. SCR 130.13

Date

Commissioner

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

Sheriff's or Server's Return

I certify that I served this Order at _____ (address)
in _____ (County/City of St. Louis), MO, 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) _____.

Respondent is under the age of 17 and not emancipated. A custodial parent, guardian, or court appointed GAL was served and is required to appear and bring Respondent before the court.

Complete any known identifying information regarding Respondent that has not been already provided:

Age: _____ D.O.B.: _____ S.S.N. (last four digits): _____ Race: _____ Sex: _____
Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____ License Plate No.: _____
Identifying Marks: _____

Printed Name of Sheriff or Server

Sheriff or Server

Agency ORI

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

Subscribed and sworn to before me on this _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Respondent's permit has been surrendered for concealed carry suspension and is attached.

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

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 on this _____ (date).

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. (use for out-of-state officer)
- authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Respondent's Missouri concealed carry permit has been surrendered for concealed carry suspension and is attached.

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

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/her, 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 _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Petition for Order of Protection - Adult

Notice to Petitioner: Respondent will receive a copy of this petition with service.

Judge or Division:	Case Number:	
	Court ORI Number:	
Petitioner:	MSHP Number:	
	Responsible Law Enforcement ORI:	
	Related Cases:	(Date File Stamp)
Respondent:	Respondent's Home Address:	
Alias/Nicknames:	Home Phone Number:	
Respondent's DOB:	Respondent's Work Address:	
Age:	Work Phone Number:	
SSN (if known, last four digits):	Work Hours:	
Race: Sex: <input type="checkbox"/> F <input type="checkbox"/> M	Other Locations Where Respondent May Be Served:	
Hair Color: Height:	Petitioner's Relationship to Respondent pursuant to 18 U.S.C. §§ 921(a)(32) and 922(g)(8) determination: <input type="checkbox"/> Spouse <input type="checkbox"/> Child(ren) in common <input type="checkbox"/> Former spouse <input type="checkbox"/> Intimate residing/resided together <input type="checkbox"/> Are/were in a continuing social relationship of a romantic/intimate nature <input type="checkbox"/> Related by blood. Define relationship: _____ <input type="checkbox"/> Related by marriage. Define relationship: _____ <input type="checkbox"/> Residing/resided together; no intimacy <input type="checkbox"/> Stalking/Sexual Assault. Define relationship: _____	
Eye Color: Weight:		
(Identifying information for use by Law Enforcement)		
Visible Identifying Marks (e.g. tattoos, birthmarks, braces, mustache, beard, pierced ear, glasses):		

I. PETITIONER INFORMATION

- I am Petitioner and at least 17 years of age under 17 but emancipated
- I reside in _____ (city), _____ (state),
in the County of _____.

II. RESPONDENT INFORMATION

- Respondent is at least 17 years of age or emancipated under 17
- Respondent may be found in _____ (city), _____ (state),
in the County of _____.

III. LOCATION WHERE DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT OCCURRED

- An act of domestic violence, stalking, or sexual assault occurred at _____ (address),
_____ (city), _____ (state), in the County of _____.

IV. COMPLETE FOR DOMESTIC VIOLENCE PETITION ONLY

Relationship with Respondent

6. Respondent and I: (check one or more)

- reside together.
- previously resided together at _____ (address),
_____ (city), _____ (state), in the
County of _____.
- never resided together.

Residency

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.

Custody

List only the children that the Petitioner and Respondent have in common. The court cannot change custody if a prior order regarding custody is pending or has been made.

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

	<u>Child's Name</u>	<u>SSN (last 4 digits only)</u>	<u>Age</u>	<u>Address</u> (If other than Petitioner)
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

	<u>Who did each Child reside with during last six months</u>	<u>Persons to Receive Custody</u>	<u>Custody</u> (check one or both)	
			<u>Temporary</u>	<u>Full</u>
1.	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
2.	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
3.	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
4.	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
5.	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

(If necessary, attach additional sheets.)

V. COMPLETE FOR STALKING OR SEXUAL ASSAULT PETITION ONLY

9. Respondent is stalking or sexually assaulting me. Explain relationship (example: co-workers, neighbors, etc.)

VI. COMPLETE FOR ALL CASES

10. Indicate any prior or pending custody court cases before, or orders entered by, this court or any other court involving the following parties. Indicate the case numbers.

(If none, so state):

- a. Petitioner _____
- b. Respondent _____
- c. Children (identified in item 9) _____

Acts Committed by Respondent:

11. Respondent has knowingly and intentionally: (check at least one)

- | | |
|---|--|
| <input type="checkbox"/> caused or attempted to cause me physical harm | <input type="checkbox"/> sexually assaulted me |
| <input type="checkbox"/> placed or attempted to place me in apprehension of immediate physical harm | <input type="checkbox"/> unlawfully imprisoned me |
| <input type="checkbox"/> coerced me | <input type="checkbox"/> followed me from place to place |
| <input type="checkbox"/> stalked me | <input type="checkbox"/> threatened to do any of the above |
| <input type="checkbox"/> harassed me | |

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

_____.

12. I am afraid of Respondent and there is an immediate and present danger of domestic violence to me or other good cause for an emergency temporary order of protection because: (describe)

_____.

13. Photographs/Exhibits are filed as evidence of my injuries.

VII. PETITIONER'S REQUESTS

14. Order Petitioner's residential address on voter's registration record to be closed to the public.

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

- committing or threatening to commit domestic violence, sexual assault, molesting, or disturbing the peace of Petitioner wherever Petitioner may be found.
- stalking Petitioner.
- entering the dwelling of Petitioner located at (see notice below) _____
_____.
- entering the premises of the Petitioner's school, located at _____.
- entering onto the premises of the Petitioner's place of employment, located at _____.
- come within _____ (feet) of the Petitioner.
- communicating with Petitioner in any manner or through any medium.
- other: _____
_____.

Additional Requests:

It is further requested that, upon the hearing of this cause, the court also issue a Full 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)

Custody

- 16. Award custody of the minor child(ren) to Petitioner Respondent.
- 17. Order visitation with the minor child(ren) to Petitioner Respondent as follows:

_____.

Child Support/Maintenance

- 18. Order Petitioner Respondent to pay child support to Petitioner Respondent in the amount of \$ _____ (check one) per week per month.
- 19. Order Petitioner Respondent to pay maintenance to Petitioner Respondent in the amount of \$ _____ (check one) per week per month.

Other Support

- 20. Order that Respondent make or continue to make the rent or mortgage payments in the amount of \$ _____ (check one) per week per month on the residence occupied by Petitioner.
- 21. Order that Respondent pay Petitioner's rent at a residence, other than the residence previously shared with Respondent, in the amount of \$ _____ (check one) per week per month.
- 22. Order Respondent to pay a reasonable fee for housing and other services provided to Petitioner by a shelter for victims of domestic violence.
- 23. 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.

Personal Property

- 24. Order that Petitioner be given temporary possession of the following personal property:

- 25. Prohibit Respondent from transferring, encumbering, or otherwise disposing of the following property mutually owned or leased with Petitioner:

Counseling/Treatment

- 26. Order Respondent to participate in a court-approved counseling program designed for batterers and/or substance abuse.

Costs/Fees

- 27. Order Respondent to pay court costs.
- 28. Order Respondent to pay Petitioner's attorney fees.

Other Orders

- 29. Order the full order of protection issued for one year be automatically renewed unless Respondent requests a hearing by 30 days prior to the expiration of the order.
- 30. Petitioner to receive wireless telephone number(s) and billing responsibilities from Respondent. (Note: If checked, complete the Wireless Telephone Number Transfer Addendum form.)
- 31. Other (specify): _____

VIII. PETITIONER'S SIGNATURE

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief. **I understand that a copy of this petition will be served on the respondent.**

_____ Date

_____ Petitioner's Signature

_____ Address (Optional)

_____ City, State and Zip

_____ Telephone

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

_____ Address

_____ City, State and Zip

_____ Telephone

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



IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Ex Parte Order of Protection - Child

Use this form when two to five children are involved with this case. Use CP10 for one child and CP11 for six to ten children.

Judge or Division:	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Case Number:</td></tr> <tr><td>Court ORI Number:</td></tr> <tr><td>MSHP Number:</td></tr> <tr><td>Responsible Law Enforcement ORI:</td></tr> <tr><td>Related Cases: (Date File Stamp)</td></tr> </table>	Case Number:	Court ORI Number:	MSHP Number:	Responsible Law Enforcement ORI:	Related Cases: (Date File Stamp)	
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Responsible Law Enforcement ORI:							
Related Cases: (Date File Stamp)							
Petitioner: Protected Child 1: Age of Protected Child: Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: Protected Child 2: Age of Protected Child: Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: Protected Child 3: Age of Protected Child: Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: Protected Child 4: Age of Protected Child: Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: Protected Child 5: Age of Protected Child: Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race:	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Protected Child's Relationship to Respondent pursuant to 18 U.S.C. §§ 921(a)(32) and 922(g)(8) determination:</td></tr> <tr><td>Protected Child's Relationship to Respondent (Child 1): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____</td></tr> <tr><td>Protected Child's Relationship to Respondent (Child 2): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____</td></tr> <tr><td>Protected Child's Relationship to Respondent (Child 3): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____</td></tr> <tr><td>Protected Child's Relationship to Respondent (Child 4): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____</td></tr> <tr><td>Protected Child's Relationship to Respondent (Child 5): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____</td></tr> </table>	Protected Child's Relationship to Respondent pursuant to 18 U.S.C. §§ 921(a)(32) and 922(g)(8) determination:	Protected Child's Relationship to Respondent (Child 1): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____	Protected Child's Relationship to Respondent (Child 2): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____	Protected Child's Relationship to Respondent (Child 3): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____	Protected Child's Relationship to Respondent (Child 4): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____	Protected Child's Relationship to Respondent (Child 5): <input type="checkbox"/> Child <input type="checkbox"/> Step-Child or Former Step-Child <input type="checkbox"/> Parent is Unmarried, Intimate Residing/Resided with Respondent <input type="checkbox"/> Other (specify) _____
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vs.							
Respondent: Alias/Nicknames: Respondent's DOB: Age: SSN (if known, last four digits): Race: Sex: <input type="checkbox"/> F <input type="checkbox"/> M Hair Color: Height: Eye Color: Weight: (Identifying Information for use by Law Enforcement)	<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Respondent's Home Address:</td></tr> <tr><td>Home Phone Number:</td></tr> <tr><td>Respondent's Work Address:</td></tr> <tr><td>Work Phone Number: Work Hours:</td></tr> <tr><td>Other Locations Where Respondent May Be Served:</td></tr> </table>	Respondent's Home Address:	Home Phone Number:	Respondent's Work Address:	Work Phone Number: Work Hours:	Other Locations Where Respondent May Be Served:	
Respondent's Home Address:							
Home Phone Number:							
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):							

The State of Missouri to Respondent

Petitioner has filed a verified petition (copy attached) requesting a Full Order of Protection - Child against you. Pursuant to chapter 455, RSMo, the court finds that there is an immediate and present danger of domestic violence, sexual assault, or stalking by you, to the child(ren) listed above, or there is other good cause to issue an Ex Parte Order of Protection and that no prior order regarding custody is pending or has been made involving these children.

- In determining that the respondent is excluded from the family home, the court further finds:**
- An Ex Parte Order of Protection is in the best interest of the child(ren) remaining in the home;
 - The verified allegations of domestic violence present a substantial risk to the child(ren) unless Respondent is excluded from the family home; and
 - A remaining adult family or household member is able to care adequately for the child(ren) in the absence of Respondent.

Therefore, the court orders that you, _____, Respondent, not:

- Commit or threaten to commit domestic violence, stalking, sexual assault, molesting, or disturbing the peace of the protected child(ren). [01]
 - Communicate with the protected child(ren) in any manner or through any medium, except as specifically authorized by this Order. (See "Special Conditions") [05]
 - Enter the family home, place of employment or school of the protected child(ren), located at _____, except as specifically authorized by this Order. (See "Special Conditions") [04]
 - Be within _____ (distance) of the protected child(ren).
 - Other: _____
- _____ . [08]

It is further ordered that _____ shall be appointed

- Guardian Ad Litem
- Court Appointed Special Advocate for the child(ren).

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

<u>Child's Name</u>	<u>Age</u>	<u>Person Awarded Custody</u> [Respondent - 06], [Petitioner - 09]
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Special Conditions:

Violation of this Order may be punished by confinement in jail for as long as one year and/or by a fine of as much as one thousand dollars. If so ordered by the court, Respondent is forbidden to enter or stay at the protected child's residence.

The hearing of this cause shall be in Division _____ of the Circuit Court of _____ (County/City of St. Louis), in _____, Missouri, at _____ (time) on _____ (date).

So Ordered:

_____ Date

_____ Judge/Commissioner

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.

Notice to Respondent

You are notified that, under section 455.523, RSMo, if the court finds in favor of Petitioner, whether you appear or not, the court may grant any of the following forms of relief:

1. Temporarily enjoin you from committing or threatening to commit domestic violence, stalking, sexual assault, molesting, or disturbing the peace of the protected child(ren);
2. Temporarily enjoin you from entering the family home of the protected child(ren);
3. Temporarily enjoin you from having any contact with the protected child(ren);
4. Order you not to enter upon the premises of the protected child's place of employment or school, or be within a certain distance of the protected child(ren).
5. Award custody of the child(ren);
6. Award visitation;
7. Award child support;
8. Award maintenance to Petitioner;
9. Order you to make an assignment of earnings or other income;
10. Order you to pay or to continue to pay the rent or mortgage payments on the residence occupied by the protected child(ren) if you have a duty to support the protected child(ren) or other dependent household members;
11. Order you to participate in a court approved counseling program to help child abusers stop violent behavior or to treat substance abuse;
12. Order you to pay the costs of your treatment and of the treatment of the protected child(ren);
13. Order you to pay a reasonable sum for housing and other services provided to the protected child(ren) by a shelter for victims of domestic violence;
14. Order you to pay court costs;
15. Order you to pay Petitioner's attorney fees.

A Full Order of Protection could last up to three years.

Sheriff's or Server's Return

I certify that I served this Order at _____ (address)
in _____ (County/City of St. Louis), MO, 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) _____.

Respondent is under the age of 17 and not emancipated. A custodial parent, guardian, or court appointed GAL was served and is required to appear and bring Respondent before the court.

Complete any known identifying information regarding Respondent that has not been already provided:

Age: _____ D.O.B.: _____ S.S.N. (last four digits): _____ Race: _____ Sex: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____ License Plate No.: _____

Identifying Marks: _____

Printed Name of Sheriff or Server

Sheriff or Server

Agency ORI

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

Subscribed and sworn to before me on this _____ (date).

(Seal)

My commission expires: _____
Date Notary Public

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

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 on this _____ (date).

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.
(use for out-of-state officer)
- authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

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/her, 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 _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI
Judgment of the Full Order of Protection - Child

Use this form when two to five children are involved with this case. Use CP20 for one child and CP21 for six to ten children.

Judge or Division:	Case Number:	(Date File Stamp)
PETITIONER:	Court ORI Number:	
	MSHP Number:	
	Responsible Law Enforcement ORI:	
	Related Cases:	

Protected Child 1: Relationship to Respondent (specified on petition): Protected Child Identifiers: Age: _____ Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: _____	Protected Child 2: Relationship to Respondent (specified on petition): Protected Child Identifiers: Age: _____ Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: _____
Protected Child 3: Relationship to Respondent (specified on petition): Protected Child Identifiers: Age: _____ Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: _____	Protected Child 4: Relationship to Respondent (specified on petition): Protected Child Identifiers: Age: _____ Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: _____
Protected Child 5: Relationship to Respondent (specified on petition): Protected Child Identifiers: Age: _____ Sex: <input type="checkbox"/> F <input type="checkbox"/> M Race: _____	

vs.

RESPONDENT:	Respondent Identifiers:				
Address: _____ _____ _____	SEX	RACE	DOB	HT	WT
	EYES	HAIR	SOCIAL SECURITY # (last four digits)		
	DRIVERS LICENSE #	STATE	EXP DATE		
CAUTION: <input type="checkbox"/> Weapon Involved <input type="checkbox"/> Concealed Carry Permit Holder	Distinguishing Features _____ _____				

Respondent is at least 17 years old or emancipated. Respondent is under the age of 17.

Appearances for Hearing: Petitioner Respondent Guardian Ad Litem (GAL)
 Petitioner's Attorney Respondent's Attorney Court Appointed Special Advocate
 Respondent Fails to Appear Other _____

This Judgment shall be effective until: _____, 20__

ONLY THE COURT CAN CHANGE THIS ORDER

Violation of this Order may be punished by confinement in jail for as long as one year and/or by a fine of as much as one thousand dollars. If so ordered by the court, Respondent is forbidden to enter or stay at the protected child's residence.

Visit www.courts.mo.gov for more information regarding orders of protections.

I. JURISDICTION & NOTICE

Petitioner has filed a verified petition requesting the issuance of a Judgment of a Full Order of Protection. Pursuant to section 455.032, RSMo, this court hereby finds that it has jurisdiction over the parties and the subject matter. As to any children addressed in this Judgment, this court has jurisdiction over the custody arrangements of the minor child(ren), as defined by the Uniform Child Custody Jurisdiction and Enforcement Act, section 452.700, RSMo. This court finds that Respondent was provided with reasonable notice and an opportunity to participate and be heard -- in that a copy of the petition, a notice of the date set for the hearing, and the Ex Parte Order of Protection (if any was issued) were served upon Respondent, as provided by law, at least three days prior to today's hearing.

II. FINDINGS

This court makes the following findings as to domestic violence, stalking, or sexual assault:

- Evidence adduced. Upon due consideration of the matter, this court finds, pursuant to section 455.040, RSMo., that Petitioner has proven allegations of domestic violence, stalking, and/or sexual assault against Respondent. This court, therefore, orders and finds the following as described in Section III below.
- Petitioner and Respondent submit a proposed Consent Judgment to this court. Pursuant to the parties' request, this court orders and finds the following as described in Section III below.
- Parent Guardian Juvenile Officer Guardian Ad Litem Court Appointed Special Advocate: Has filed a motion for renewal of the full order of protection. Notice of the date set for hearing, together with a copy of the motion, was served on all parties to the proceeding as provided by law. The matter was heard and submitted to the court which, after due consideration, finds pursuant to section 455.516, RSMo, that the full order of protection should be renewed.
- This court further finds that Respondent represents a credible threat to the safety of the protected child(ren).

III. TERMS (Only Checked Provisions Apply)

This court orders:

- 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 renews the Full Order of Child Protection entered in this cause on _____ (date) and serves as notice of renewal of that Order.

A. CONTACT

- 1. Respondent **SHALL NOT COMMUNICATE** with the protected child(ren), in any manner or through any medium, except as specifically authorized by this Order. See "Special Conditions" on page 4. The use of third parties (including children) to communicate is strictly prohibited.
- 2. Respondent shall not commit or threaten to commit domestic violence, stalking, sexual assault, molesting, or disturbing the peace of the protected child(ren). [01]
- 3. Respondent is restricted from harassing, stalking or threatening the protected child(ren), or from engaging in other conduct that would place the protected child(ren) in reasonable fear of bodily injury to Petitioner or the protected child(ren).
- 4. Respondent shall not use, attempt to use, or threaten to use physical force against Petitioner or the protected child(ren) that would reasonably cause bodily injury.
- 5. Respondent shall not have any contact with the protected child(ren), except as specifically authorized by this Order. See "Special Conditions" on page 4. [05]

It is no defense for Respondent to contact Petitioner in response to Petitioner's making or attempting to make an initial contact with Respondent. Respondent may not return Petitioner's telephone calls, e-mail, text messages or other forms of communication (unless expressly permitted by another term in this Judgment). Petitioner does not have the authority to change the terms of this Judgment. Only the court can change the terms of this Judgment.

B. GEOGRAPHICAL RESTRICTIONS

- 1. Petitioner is granted exclusive possession of the premises of Petitioner's/the parties' residence (located at _____, _____). Respondent shall immediately vacate and/or shall not enter upon the premises of Petitioner's/the parties' residence (or the dwelling located at _____). Further, Respondent shall not knowingly enter upon the premises of any future residence of Petitioner. **RESPONDENT IS FORBIDDEN TO ENTER OR STAY AT THE PROTECTED CHILD'S RESIDENCE.**
- 2. Respondent may only enter Petitioner's residence located as listed above on _____ (date), between _____ a.m./p.m. and _____ a.m./p.m., for the purpose of removing his/her clothing, toiletries, tools of trade, and the following personal property. Respondent must be accompanied by a law enforcement officer.

This court finds that, in order to ensure the protected child(ren)'s safety, Respondent shall not:

- enter the family home of the protected child(ren) located at _____.[04]
- enter onto the premises of the protected child's school, located at _____.
- enter onto the premises of the protected child's place of employment, located at _____.
- come within _____ feet of the protected child(ren).
- Other: _____.

Respondent must not be present in the restricted locations at any time (unless expressly permitted by another term in this Judgment). It is no defense for Respondent to be present at any of the restricted locations, even with the agreement or at the invitation of Petitioner. Petitioner does not have the authority to change the terms of this Judgment. Only the court can change the terms of this Judgment.

C. CUSTODY

- 1. The parties have no unemancipated children in common.
- 2. A prior judgment/order regarding custody of the parties' unemancipated child(ren) is pending or has been made. Therefore, pursuant to section 455.523.2, RSMo, this court cannot change the previous custodial arrangements through this Judgment.
- 3. No prior judgment/order regarding custody of the parties' unemancipated child(ren) is pending or has been made.

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

Child's Name

Person Awarded Custody [Respondent-06, Petitioner-09]

- 4. A visitation schedule shall be established for the child(ren) as follows [Respondent - 06]: _____
- 5. The parties shall exchange the minor child(ren) for visitation at _____

NOTE: This Judgment does not permanently resolve child custody issues. (Sections 455.060.4 and 455.060.6, RSMo)

D. SUPPORT

1. Child Support

- The Form 14 (Child Support Calculation Guidelines Worksheet) is attached and recommends that Respondent/Petitioner pay Petitioner/Respondent \$_____ per month (Pursuant to Rule 88.01).

(Only Checked Provision(s) Apply)

- a. This court finds that the Form 14 amount is unjust and inappropriate. Accordingly, Respondent must pay child support in the amount of \$_____ per month per week, with the first payment due on _____ (date).
- b. This court finds that child support should be in accordance with the attached Form 14 amount and orders that Respondent pay child support in the amount of \$_____ per month per week, with the first payment due on _____ (date).

2. Maintenance

- Respondent shall pay \$_____ per month per week in maintenance to Petitioner, with the first payment due on _____ (date).

3. Other Support

- a. Respondent shall pay the rent or mortgage payments on the residence occupied by the protected child(ren) in the amount of \$_____ per month per week to _____, with the first payment due on _____ (date).
- b. Respondent shall pay for housing or other services provided to the protected child(ren) by a shelter for victims of domestic violence in the amount of \$_____ per month per week to _____, with the first payment due on _____ (date).
- c. Respondent shall pay \$_____ to Petitioner as a result of out-of-pocket losses (which can include medical, dental, relocation and moving expenses; counseling costs; loss of earnings; and costs of repair or replacement of real or personal property) sustained by an act/acts of domestic violence committed by Respondent.

4. Income Assignment

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

NOTE: This Judgment does not permanently resolve support issues. (Section 455.060.4, RSMo)

E. COUNSELING/TREATMENT

- 1. Respondent shall participate in a court approved counseling program(s) at _____ to help child abusers stop violent behavior and/or treat substance abuse, beginning on _____ (date).

F. CONCEALED CARRY PERMIT (Pursuant to section 571.104, RSMo)

If Respondent has a concealed carry permit, he/she must immediately surrender the permit to this court.

G. OTHER CONDITIONS OR RELIEF ORDERED:

- 1. Petitioner to be transferred existing wireless telephone number(s) and billing responsibility from respondent. See attached Wireless Telephone Number Transfer Addendum.
- 2. _____

H. SPECIAL CONDITIONS ORDERED:

I. COSTS/FEES

- 1. Respondent shall pay to Petitioner attorney’s fees in the amount of \$_____.
- 2. Respondent shall pay to the Guardian ad Litem fees in the amount of \$_____.
- 3. Respondent shall pay the cost of his/her treatment and the treatment of the protected child(ren).
- 4. Respondent shall pay the following court costs: _____.

J. COMPLIANCE REVIEW DATE

- 1. Respondent must return to court on _____ (date), at _____ a.m./p.m. to demonstrate compliance with this court’s Judgment. Petitioner need not return to court to enforce this Judgment.

IV. DURATION

This Judgment shall be effective until _____ (date), unless sooner terminated or extended by this court.

- This court finds that it is in the parties’ best interests that this Order shall automatically renew after one year, making this Order effective until _____ (date), unless the Respondent requests a hearing by 30 days prior to the expiration. (Note: this provision only applies to full orders of protection that have a duration of one year.)**

V. FIREARMS

- The court finds that:
 - a. as a result of a hearing at which the Respondent received notice and had an opportunity to participate; and,
 - b. Respondent is a spouse, former spouse, is or was cohabitating, or has a child in common with the Petitioner; and,
 - c. Respondent is a credible threat to the physical safety of, or is explicitly prohibited within this Order from the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury against the protected child(ren); and,
 - d. Respondent is restricted from harassing, stalking or threatening the protected child(ren) or from engaging in any conduct that would place the protected child(ren) in reasonable fear of bodily injury to him or her self.

THEREFORE, FEDERAL LAW PROHIBITS RESPONDENT FROM POSSESSING, SHIPPING, TRANSPORTING AND/OR RECEIVING ANY FIREARM FOR THE DURATION OF THIS JUDGMENT [SEE 18 U.S.C. SECTION 922(g)(8).]

VI. MODIFICATION OF JUDGMENT

The parties cannot change the terms of this Judgment on their own. This Judgment may only be modified by this court.

VII. NOTIFICATION OF JUDGMENT OF FULL ORDER TO RESPONDENT

This Judgment is to be provided to Respondent by: hand delivery (in court) personal service certified mail.

FOR CONSENT JUDGMENT ONLY

Respondent's consent is not to be considered an admission that the allegations contained in the Petition are true; however, Respondent consents to this court's issuance of this Judgment. Respondent acknowledges the receipt of this Judgment of the Full Order of Protection.

PETITIONER'S SIGNATURE

RESPONDENT'S SIGNATURE

PETITIONER'S ATTORNEY'S SIGNATURE (and MBN)

RESPONDENT'S ATTORNEY'S SIGNATURE (and MBN)

SO ORDERED:

Date

Judge

Notice of Findings and Recommendations & Notice of Right to Rehearing

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. 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. SCR 130.13

Date

Commissioner

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

Sheriff's or Server's Return

I certify that I served this Order at _____ (address) in _____ (County/City of St. Louis), MO, 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) _____.
- Respondent is under the age of 17 and not emancipated. A custodial parent, guardian, or court appointed GAL was served and is required to appear and bring Respondent before the court.

Complete any known identifying information regarding Respondent that has not been already provided:

Age: _____ D.O.B.: _____ S.S.N. (last four digits): _____ Race: _____ Sex: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____ License Plate No.: _____

Identifying Marks: _____

Printed Name of Sheriff or Server

Sheriff or Server

Agency ORI

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

Subscribed and sworn to before me on this _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Respondent's permit surrendered for concealed carry suspension and is attached.

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. section 3796gg-5)

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 on this _____ (date).

- 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. (use for out-of-state officer)
 - authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Respondent's Missouri concealed carry permit has been surrendered for concealed carry suspension and is attached.

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

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/her, 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.



Petition for Order of Protection - Child

Notice to Petitioner: Respondent will receive a copy of this petition with service.

Use this form when two to five children are involved with this case. Use CP40 for one child and CP41 for six to ten children.

Form with fields for Judge or Division, Case Number, Court ORI Number, MSHP Number, Responsible Law Enforcement ORI, Related Cases, Protected Child's Relationship to Respondent (Child 1-5), Respondent's Home Address, Home Phone Number, Respondent's Work Address, Work Phone Number, Work Hours, Other Locations Where Respondent May Be Served.

I. PROTECTED CHILD INFORMATION

Complete questions 1 – 7 for each protected child.

Protected Child 1:

1. I am Petitioner and the: (check appropriate boxes)

- parent or guardian of the child.
guardian ad litem for the child.
court appointed special advocate for the child.
juvenile officer.

2. Respondent is:

- a household member who is residing with the child.
a household member who resided with the child in the past.
an emancipated child who is residing with the child.
an emancipated child who resided with the child in the past.
stalking the child.
a household member under 17 who is residing with the child.
a household member under 17 who resided with the child.
a person under 17 stalking the child.
sexually assaulting the child.

3. The act(s) of domestic violence, stalking, or sexual assault occurred at _____ (address) _____ (city) _____ (County/City of St. Louis), Missouri.

3.a. The county in which this petition is being filed is where the protected child lives respondent may be served act(s) of domestic violence, stalking, or sexual assault occurred. (check appropriate boxes)

4. There are no prior or pending custody orders for this child.
 There is a prior or pending custody order for this child.

5. The family home of the child is: (check appropriate boxes)

owned leased rented

By: Respondent Petitioner Other (name) _____

Occupied by: (include name only if different from above) _____.

6. Respondent has knowingly and intentionally: (check at least one)

- | | |
|--|---|
| <input type="checkbox"/> caused or attempted to cause physical harm to the child | <input type="checkbox"/> sexually assaulted the child |
| <input type="checkbox"/> placed or attempted to place the child in apprehension of immediate physical harm | <input type="checkbox"/> unlawfully imprisoned the child |
| <input type="checkbox"/> coerced the child | <input type="checkbox"/> followed the child from place to place |
| <input type="checkbox"/> stalked the child | <input type="checkbox"/> threatened to do any of the above |
| <input type="checkbox"/> harassed the child | |

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

7. An immediate and present danger of domestic violence, stalking, or sexual assault to the child exists because: (describe) _____

Protected Child 2:

1. I am Petitioner and the: (check appropriate boxes)

- parent or guardian of the child.
 guardian ad litem for the child.
 court appointed special advocate for the child.
 juvenile officer.

2. Respondent is:

- | | |
|---|--|
| <input type="checkbox"/> a household member who is residing with the child. | <input type="checkbox"/> a household member under 17 who is residing with the child. |
| <input type="checkbox"/> a household member who resided with the child in the past. | <input type="checkbox"/> a household member under 17 who resided with the child. |
| <input type="checkbox"/> an emancipated child who is residing with the child. | <input type="checkbox"/> a person under 17 stalking the child. |
| <input type="checkbox"/> an emancipated child who resided with the child in the past. | <input type="checkbox"/> sexually assaulting the child. |
| <input type="checkbox"/> stalking the child. | |

3. The act(s) of domestic violence, stalking, or sexual assault occurred at _____ (address) _____ (city) _____ (County/City of St. Louis), Missouri.

3.a. The county in which this petition is being filed is where the protected child lives respondent may be served act(s) of domestic violence, stalking, or sexual assault occurred. (check appropriate boxes)

4. There are no prior or pending custody orders.
 There is a prior or pending custody order for this child.

5. The family home of the child is: (check appropriate boxes)

owned leased rented

By: Respondent Petitioner Other (name) _____

Occupied by: (include name only if different from above) _____.

6. Respondent has knowingly and intentionally: (check at least one)

- | | |
|--|---|
| <input type="checkbox"/> caused or attempted to cause physical harm to the child | <input type="checkbox"/> sexually assaulted the child |
| <input type="checkbox"/> placed or attempted to place the child in apprehension of immediate physical harm | <input type="checkbox"/> unlawfully imprisoned the child |
| <input type="checkbox"/> coerced the child | <input type="checkbox"/> followed the child from place to place |
| <input type="checkbox"/> stalked the child | <input type="checkbox"/> threatened to do any of the above |
| <input type="checkbox"/> harassed the child | |

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

7. An immediate and present danger of domestic violence, stalking, or sexual assault to the child exists because: (describe) _____

Protected Child 3:

1. I am Petitioner and the: (check appropriate boxes)

- parent or guardian of the child.
- guardian ad litem for the child.
- court appointed special advocate for the child.
- juvenile officer.

2. Respondent is:

- | | |
|---|--|
| <input type="checkbox"/> a household member who is residing with the child. | <input type="checkbox"/> a household member under 17 who is residing with the child. |
| <input type="checkbox"/> a household member who resided with the child in the past. | <input type="checkbox"/> a household member under 17 who resided with the child. |
| <input type="checkbox"/> an emancipated child who is residing with the child. | <input type="checkbox"/> a person under 17 stalking the child. |
| <input type="checkbox"/> an emancipated child who resided with the child in the past. | <input type="checkbox"/> sexually assaulting the child. |
| <input type="checkbox"/> stalking the child. | |

3. The act(s) of domestic violence, stalking, or sexual assault occurred at _____ (address) _____ (city) _____ (County/City of St. Louis), Missouri.

3.a. The county in which this petition is being filed is where the protected child lives respondent may be served act(s) of domestic violence, stalking, or sexual assault occurred. (check appropriate boxes)

4. There are no prior or pending custody orders for this child.
 There is a prior or pending custody order for this child.

5. The family home of the child is: (check appropriate boxes)

- owned leased rented

By: Respondent Petitioner Other (name) _____

Occupied by: (include name only if different from above) _____

6. Respondent has knowingly and intentionally: (check at least one)

- | | |
|--|---|
| <input type="checkbox"/> caused or attempted to cause physical harm to the child | <input type="checkbox"/> sexually assaulted the child |
| <input type="checkbox"/> placed or attempted to place the child in apprehension of immediate physical harm | <input type="checkbox"/> unlawfully imprisoned the child |
| <input type="checkbox"/> coerced the child | <input type="checkbox"/> followed the child from place to place |
| <input type="checkbox"/> stalked the child | <input type="checkbox"/> threatened to do any of the above |
| <input type="checkbox"/> harassed the child | |

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

7. An immediate and present danger of domestic violence, stalking, or sexual assault to the child exists because:
(describe) _____
_____.

Protected Child 4:

1. I am Petitioner and the: (check appropriate boxes)

- parent or guardian of the child.
- guardian ad litem for the child.
- court appointed special advocate for the child.
- juvenile officer.

2. Respondent is:

- a household member who is residing with the child.
- a household member who resided with the child in the past.
- an emancipated child who is residing with the child.
- an emancipated child who resided with the child in the past.
- stalking the child.
- a household member under 17 who is residing with the child.
- a household member under 17 who resided with the child.
- a person under 17 stalking the child.
- sexually assaulting the child.

3. The act(s) of domestic violence, stalking, or sexual assault occurred at _____ (address)
_____ (city) _____ (County/City of St. Louis),
Missouri.

3.a. The county in which this petition is being filed is where the protected child lives respondent may be served act(s) of domestic violence, stalking, or sexual assault occurred. (check appropriate boxes)

4. There are no prior or pending custody orders for this child.
 There is a prior or pending custody order for this child.

5. The family home of the child is: (check appropriate boxes)

- owned leased rented

By: Respondent Petitioner Other (name) _____

Occupied by: (include name only if different from above) _____.

6. Respondent has knowingly and intentionally: (check at least one)

- caused or attempted to cause physical harm to the child
- placed or attempted to place the child in apprehension of immediate physical harm
- coerced the child
- stalked the child
- harassed the child
- sexually assaulted the child
- unlawfully imprisoned the child
- followed the child from place to place
- threatened to do any of the above

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

_____.

7. An immediate and present danger of domestic violence, stalking, or sexual assault to the child exists because:
(describe) _____
_____.

Protected Child 5:

1. I am Petitioner and the: (check appropriate boxes)

- parent or guardian of the child.
- guardian ad litem for the child.
- court appointed special advocate for the child.
- juvenile officer.

2. Respondent is:
- a household member who is residing with the child.
 - a household member who resided with the child in the past.
 - an emancipated child who is residing with the child.
 - an emancipated child who resided with the child in the past.
 - stalking the child.
 - a household member under 17 who is residing with the child.
 - a household member under 17 who resided with the child.
 - a person under 17 stalking the child.
 - sexually assaulting the child.

3. The act(s) of domestic violence, stalking, or sexual assault occurred at _____ (address) _____ (city) _____ (County/City of St. Louis), Missouri.

3.a. The county in which this petition is being filed is where the protected child lives respondent may be served act(s) of domestic violence, stalking, or sexual assault occurred. (check appropriate boxes)

4. There are no prior or pending custody orders for this child.
 There is a prior or pending custody order for this child.

5. The family home of the child is: (check appropriate boxes)

- owned leased rented

By: Respondent Petitioner Other (name) _____

Occupied by: (include name only if different from above) _____.

6. Respondent has knowingly and intentionally: (check at least one)

- caused or attempted to cause physical harm to the child
- placed or attempted to place the child in apprehension of immediate physical harm
- coerced the child
- stalked the child
- harassed the child
- sexually assaulted the child
- unlawfully imprisoned the child
- followed the child from place to place
- threatened to do any of the above

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

 _____.

7. An immediate and present danger of domestic violence, stalking, or sexual assault to the child exists because: (describe) _____

_____.

II. RESPONDENT INFORMATION

8. Respondent is at least 17 years of age or emancipated under 17

9. Respondent may be found in _____ (city), _____ (state), in the County of _____.

III. CUSTODY

The court cannot change custody if a prior order regarding custody is pending or has been made.

10. It is in the best interest of the child(ren) that custody be awarded as follows:

<u>Child's Name</u>	<u>Relationship to Parties</u>	<u>Person to Receive Custody</u>	<u>Temporary</u>	<u>Full</u>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

11. Indicate any prior or pending custody court cases before, or orders entered by, this court or any other court involving the following parties.

(If none, so state):

- a. Petitioner: _____.
- b. Respondent: _____.
- c. Child(ren) (identified in item 10): _____.

12. Award visitation with the child(ren) as follows: _____

IV. PETITIONER'S REQUESTS

13. Pursuant to chapter 455, RSMo, it is requested that the court issue an Ex Parte Order of Protection restraining Respondent from: (check boxes that apply)

- Committing or threatening to commit domestic violence, stalking, sexual assault, molesting, or disturbing the peace of the protected child(ren).
- Having any contact with the protected child(ren), except as specifically authorized by this Order.
- Entering the family home of the protected child(ren), located at _____.
- Entering the place of employment or school of the protected child(ren), located at _____.
- Communicating with the protected child(ren) in any manner or through any medium.
- Come within _____ (feet) of the protected child(ren).
- Other: _____.

14. It is further requested that the Ex Parte Order of Protection exclude Respondent from the family home of the protected child(ren) because:

- It is in the best interest of the child(ren) remaining in the home;
- A substantial risk to the child(ren) exists unless Respondent is excluded;
- A remaining adult family or household member is able to care adequately for the child(ren) in the absence of Respondent; and
- A commitment has been obtained from the Children's Division to provide appropriate social services to the family or household members during the period of time during which an Order of Protection is in effect.

15. Exclusion of the Respondent from the family home of the protected child(ren) is not being requested.

Additional Requests:

16. It is further requested that, upon the hearing of this cause, the court also issue a Full Order of Protection - Child enjoining Respondent from the above acts for such time as is necessary to protect the protected child(ren) and that the court:

- Order Respondent not to commit or threaten to commit domestic violence, stalking, sexual assault, molesting, or disturbing the peace of the protected child(ren).
- Order Respondent not to have any contact with the protected child(ren), except as specifically authorized by this order.
- Order Respondent not to enter the family home, place of employment or school of the protected child(ren), except as specifically authorized by this order.
- Award custody of the child(ren) to _____.

Child Support/Maintenance

- 17. Order Respondent to pay child support in the amount of \$ _____ (check one) per week per month.
- 18. Order Respondent to pay maintenance in the amount of \$ _____ (check one) per week per month.

Other Support

- 19. Order that Respondent make or continue to make the rent or mortgage payments to the residence occupied by the protected child(ren) in the amount of \$ _____ per week per month.
- 20. Order Respondent to pay a reasonable fee for housing and other services provided to the protected child(ren) by a shelter for victims of domestic violence.
- 21. Order Respondent to pay the cost of medical treatment or services provided to protected child(ren) as a result of injuries sustained by an act of domestic violence committed by Respondent.

Counseling/Treatment

- 22. Order Respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or a substance abuse program.

Costs/Fees

- 23. Order Respondent to pay court costs.
- 24. Order Respondent to pay Petitioner's attorney fees.

Other

- 25. Order the full order of protection issued for one year be automatically renewed unless Respondent requests a hearing by 30 days prior to the expiration of the order.
- 26. Petitioner to receive wireless telephone number(s) and billing responsibilities from Respondent. (Note: If checked, complete the Wireless Telephone Number Transfer Addendum form.)
- 27. Other (specify): _____
_____.
- 28. I believe that revealing my address will endanger myself or the protected child(ren). (Note: If checked, complete the Child Protection Petitioner and Protected Child Information (Confidential Record) form.)
- 29. Order Petitioner's residential address on voter's registration record be closed to the public.

V. PETITIONER'S SIGNATURE

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge and belief. **I understand that a copy of this petition will be served on the Respondent.**

Date

Petitioner's Signature

Address (Optional)

City, State and Zip

Telephone

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

Address

City, State and Zip

Telephone

NOTICE: Section 455.510.3, RSMo, provides that a Petitioner seeking protection under the Child Protection Orders Act is not required to reveal any current address or place of residence of the child(ren) on this petition. **Do not provide this information if doing so will endanger the child(ren).**