



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:	Case Number: Court ORI Number:
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: _____	MSHP Number: Responsible Law Enforcement ORI: Related Cases: _____ (Date File Stamp)
vs.	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) _____
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)	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 four years and/or by a fine of as much as \$10,000. 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.