



IN THE CIRCUIT COURT OF _____ COUNTY, MISSOURI

Judge or Division:	Case Number:
	Court ORI Number:
Petitioner: Petitioner's DOB: SSN: Sex <input type="checkbox"/> F <input type="checkbox"/> M Race: vs.	Respondent's Home Address: Home Phone Number: (Date File Stamp)
Respondent: Alias/Nicknames:	Respondent's Work Address: Work Phone Number: Work Hours:
Respondent's DOB: SSN (if known): Race: Sex: <input type="checkbox"/> F <input type="checkbox"/> 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: <input type="checkbox"/> Spouse <input type="checkbox"/> Ex-Spouse <input type="checkbox"/> Related by Blood/Marriage <input type="checkbox"/> Child(ren) in Common <input type="checkbox"/> Resided Together <input type="checkbox"/> Other _____
Visible Identifying Marks (e.g., tattoos, birthmarks, braces, mustache, beard, pierced ear, glasses) _____	

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, _____, 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).