

Defendant's Guide Sheet for Protective Orders - Please Read Carefully

The following information is provided to further explain the protective order that has been served upon you and your responsibilities as the Defendant.

1. You have been served with one of the following protective orders as indicated on the front of this document:

ORDER OF PROTECTION: An Order of Protection is used for a "family" relationship between you and the Plaintiff. This can include one of the following: 1) married now or in the past, 2) live together now or lived together in the past, 3) parent of a child in common, 4) one of you is pregnant by the other, 5) you are a relative (parent, in-law, brother, sister, or grandparent), or 6) current or previous romantic relationship. The Plaintiff has alleged that you have committed or may commit an act of domestic violence.

INJUNCTION AGAINST HARASSMENT: The Plaintiff has alleged that you have committed a series of acts (more than one) of harassment against the Plaintiff within the last year.

INJUNCTION AGAINST WORKPLACE HARASSMENT: This Injunction, alleging a single act or series of acts of harassment, has been filed against you by an employer or owner of a business or operation for the benefit of an employee or the business.

2. **OTHER PROTECTED PERSONS:** It is possible that you will be referred to Superior Court if your children are listed as protected persons in this order. Only a Superior Court Judge can decide child custody or parenting time in a separate action.
3. **SERVICE AND EFFECT:** This protective order is valid for one year from the date it was served on you and is enforceable by law enforcement in any state or tribal nation in the United States.
4. **PROTECTIVE ORDER HEARING:** If you disagree with this protective order, you have the right to request a hearing which will be held within 5 to 10 business days after your written request has been filed in the court that issued this order. If a hearing is held and the Order remains in effect or is modified, and you and the Plaintiff 1) are married now or in the past, 2) live together now or lived together in the past, or 3) are parents of a child in common, the Court will prohibit you from possessing a firearm. This firearms prohibition automatically applies even if you fail to appear for the hearing. If you have questions as to whether your request for a hearing can result in this firearms prohibition, you should contact an attorney. The Court cannot give you legal advice.
5. **MODIFYING OR QUASHING (DISMISSING) THIS PROTECTIVE ORDER:** Only a judge can modify or quash (dismiss) this protective order. If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Plaintiff, you need to advise this court at once. Nothing the Plaintiff does can stop, change, or undo this protective order without the Court's written approval.
6. **PLAINTIFF CONTACT:** Even if the Plaintiff initiates contact, you could be arrested for violating this protective order. You have the right to request a protective order against the Plaintiff if you do not want the Plaintiff to contact you.
7. **LAW ENFORCEMENT STANDBY:** If standby has been ordered by the judge on this protective order, you may return to the residence once with a law enforcement officer to obtain necessary personal belongings. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.
8. **FIREARMS:** If the judge has ordered under state law that you shall not possess, receive, or purchase firearms or ammunition, you must surrender them within 24 hours after service to the law enforcement agency named on this protective order and should request them to issue proof of that surrendering. You may also be required to provide documentation to the court that firearms were transferred to the appropriate law enforcement agency.

Date(s) Describe what happened (continued) Case No.: _____

5. The following persons should also be on this Order. As stated in number 4, the Defendant is a danger to them:

Name: _____ Birth Date: _____ Name: _____ Birth Date: _____
Name: _____ Birth Date: _____ Name: _____ Birth Date: _____

6. Defendant should be ordered to stay away from these locations, at all times, even when I am not present:

Home: _____
 Work: _____
 School/Others: _____

7. If checked, because of the risk of harm, order the defendant NOT to possess firearms or ammunition.

8. If checked, request an order for the Defendant to participate in domestic violence counseling or other counseling.

9. Other: _____

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge, and I request an Order / Injunction granting relief as allowed by law.

Plaintiff _____ Judicial Officer/Attest _____ Date _____

To request this document in an alternative format, please call 602-262-1625 or 602-495-0733 TTY.

Plaintiff's Guide Sheet for Protective Orders - Please Read Carefully

It is important to remember that a protective order does not guarantee your personal safety. The Plaintiff should carry a copy of the court issued protective order at all times and give copies to others (e.g. employer, apartment manager, school, etc.). The Plaintiff should immediately report any protective order violations to law enforcement.

1. You can request one of the following types of protective orders:

ORDER OF PROTECTION (OOP): This order is used for a "family" relationship between you and the Defendant. This can include one of the following: 1) married now or in the past, 2) live together now or in the past, 3) parent of a child in common, 4) one of you is pregnant by the other, 5) you are a relative (parent, in-law, brother, sister, or grandparent), or 6) current or previous romantic or sexual relationship. Also, you must state how an act of domestic violence was threatened or committed against you within the last year.

INJUNCTION AGAINST HARASSMENT (IAH): The Defendant, who is not a "family" member, has committed a series of acts (more than one) of harassment against you in the last year. There is no fee for service of process if the petition arises out of a dating relationship.

INJUNCTION AGAINST WORKPLACE HARASSMENT (IAWH): This Injunction may be filed by an employer or owner of a business or operation for the benefit of an employee or the business against a single act or series of acts of harassment.

2. **ANIMALS and ORDERS OF PROTECTION:** You may also ask the court to grant you the custody, care, and control of any animal owned by you, the defendant, or a minor child living in your household if you believe that the defendant is a danger to the animal(s). (A.R.S. § 13-3602(G)(7)) If you are asking the court to include animals on an Order of Protection, please write your request on Line 9 of the Petition.

3. **OTHER PROTECTED PERSONS:** It is possible that you will be referred to Superior Court if your children are listed as protected persons in this order. Only a Superior Court Judge can decide child custody or parenting time in a separate action.

4. **ONE DEFENDANT:** A separate petition must be filed for each defendant. A copy of your petition and the order will be given to the Defendant and may be used in future judicial proceedings.

5. **SERVICE AND EFFECT:** This protective order is valid for one year from the date it is served on the Defendant and is enforceable by law enforcement in any state or tribal nation in the United States. There is no fee for law enforcement service of an OOP or IAH involving a dating relationship. There is a fee to serve an IAH not involving a dating relationship or an IAWH. The court will instruct you on how service can be made. The cost to serve injunctions depends on mileage and attempts. If you cannot afford to hire a process server, you can ask the judge to defer or waive the fee.

6. **PROTECTIVE ORDER HEARING:** If the Defendant disagrees with this protective order, he/she has the right to request a hearing which will be held within 5 to 10 business days after a written request has been filed in the court that issued this order. If you do not appear at the hearing, your Order may be quashed (dismissed); therefore, you must notify the court of any change in your contact information to assure you are notified of any hearings.

7. **MODIFYING OR QUASHING (DISMISSING) THIS PROTECTIVE ORDER:** Only a judge can modify or quash (dismiss) this protective order. If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Defendant, advise this court at once. Nothing you do can stop, change, or undo this protective order without the Court's written approval.

8. **PLAINTIFF CONTACT:** Even if you initiate contact, the Defendant could be arrested for violating this protective order. If the Defendant does not want contact with you they have the right to request a protective order against you.

9. **LAW ENFORCEMENT STANDBY:** If you or the Defendant needs to get personal belongings from the other, you may request standby from the judge. Standby allows you or the Defendant to return once with a law enforcement officer to obtain necessary personal belongings from the residence. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

10. **FIREARMS:** You may request the judge order the Defendant not to possess, receive, or purchase firearms or ammunition.

11. **COUNSELING:** If requested, counseling for the Defendant can only be ordered at a hearing at which you and the Defendant must appear.

12. **THIRD PARTIES:** A protective order is not valid against third parties such as landlords, which means an order containing an exclusive use of a residence provision may not be honored if the Plaintiff is not the lease holder.

13. **PUBLIC ACCESS:** Only the information contained in the served protective order, not the petition, will be entered into the state computer system and will be made public on the internet.