PETITION FOR PROTECTIVE ORDER	District Court of Oklahoma County State of Oklahoma Case No. PO-20_____ Court Phone Number (___)_____
Petitioner _____ First Middle Last and/or on behalf of minor family member(s)	**Additional Petitioner Information** Name(s) and age(s) of minor family member(s) _____ _____ _____
-VS- **Defendant** _____ First Middle Last Relationship to Petitioner: _____ **Defendant's Address** (Street address, City, State, Zip Code)	**Defendant Identifiers**

SEX	RACE	DOB	HT	WT
EYES	**HAIR**	**DISTINGUISHING FEATURES**		
DRIVERS LICENSE #		**STATE**	**EXPIRES**	
Other				

(Clerk's File Stamp Below)

Petitioner, being sworn, states:

1. Petitioner's Relationship to the Defendant

INSTRUCTION: Check all boxes that apply to the relationship between Petitioner and Defendant

☐Married
☐Parent & Child
☐Persons Related by Marriage
☐Persons Living Same Household
☐Biological Parents of Same Child
☐Victim of Rape
☐Divorced
☐Persons Related by Blood
☐Present Spouse of an Ex-Spouse
☐Formerly Living in Same Household
☐Persons in a Previous Dating Relationship

*** If you do not meet one of the above relationship tests then a protective order is only available if you are a victim of Stalking. Under the Protection from Domestic Abuse Act,** *"Stalking" means the willful, malicious, and repeated*

following or harassment of a person by an adult, emancipated minor, or minor thirteen (13) years of age or older, in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested and actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed or molested. Stalking also means a course of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose or unconsented contact with a person that is initiated or continued without the consent of the individual or in disregard of the expressed desire of the individual that the contact be avoided or discontinued. Unconsented contact or course of conduct includes, but is not limited to: (a.) following or appearing within the sight of that individual, (b.) approaching or confronting that individual in a public place or on private property,(c.) appearing at the workplace or residence of that individual, (d.) entering onto or remaining on property owned, leased, or occupied by that individual, (e.) contacting that individual by telephone, (f.) sending mail or electronic communications to that individual, or (g.) placing an object on, or delivering an object to, property owned, leased or occupied by that individual; 22 O.S. §60.1(2). **If you are seeking a protective order as a victim of Stalking, and you do not meet one of the above relationship tests, you must have filed a complaint against the defendant with the proper law enforcement agency before filing this Petition (a copy of the complaint must be attached or provided at the hearing).**

☐Victim of Stalking

2. Statement of Jurisdiction

INSTRUCTION: Check all that apply

☐Petitioner is a resident of the county wherein this Petition is filed.

☐Defendant is a resident of the county wherein this Petition is filed.

☐The domestic abuse occurred in the county wherein this Petition is filed.

3. Actions of the Defendant

INSTRUCTION: Check and complete one or more of the following. Fill in the blank lines of checked items.

☐The Defendant has caused or attempted to cause physical harm to: _____. (Name(s))

☐The Defendant has threatened* imminent physical harm to: _____
_____(Name(s))

** According to 22 O.S. §60.1(1), "Threat" means a threat of imminent physical harm which is committed by an adult, emancipated minor, or minor child thirteen (13) years of age or older against another adult, emancipated minor, or minor child who are family or household members or who are or were in a dating relationship.*

☐The Defendant has harassed*_____. (Name(s))

** According to 22 O.S. §60.1(3), "Harassment" means a knowing and willful course or pattern of conduct by a family or household member or an individual who is or has been involved in a dating relationship with the person, directed at a specific person which seriously alarms or annoys the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial distress to the person. "Harassment" shall include, but not be limited to, harassing or obscene telephone calls in violation of 21 O.S. §1172 and fear of death or bodily injury.*

☐The Defendant has stalked* _____. (Name(s))

**If the Petitioner is a victim of stalking, but is not a family or household member or an individual who is or has been in a dating relationship with the Defendant, you <u>must</u> file a complaint against the Defendant with the proper law enforcement agency before filing a petition for a protective order with the District Court. The Petitioner shall attach a copy of the complaint to the petition or present the complaint to the court at the time of the hearing. (See definition of "stalking" in section 1, above)*

4. Description of Incident(s)

The incident(s) which caused the filing of the petition occurred on or about _____.
(Date(s))

Describe what happened, when and where the event(s) occurred. List all actions or behaviors you intend to present to the Court at the hearing.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

ATTACH ADDITIONAL PAGES IF NECESSARY

5. Type of Order Requested

INSTRUCTION: Check either A or B

☐**A.** Petitioner does not request an Emergency Ex Parte Protective Order but does request the following relief, checked below, after notice and hearing, in a Final Order;

OR

☐**B.** Petitioner does request an Emergency Ex Parte Order because it is necessary to protect the petitioner(s) from immediate and present danger of domestic abuse, stalking, or harassment (22 O.S. §60.3). Petitioner requests the following relief, checked below, in the Ex Parte Order and, after notice and hearing, requests the same relief in a Final Order.

RELIEF REQUESTED

INSTRUCTION: Check EACH item which you are requesting from the Court

☐1. Defendant should be prohibited from attempting or having **ANY CONTACT** whatsoever with the Petitioner, either in person, through others or by telephone, mail, electronic means, or any other manner, at any time or place unless specifically authorized by the Court.

☐2. Defendant should be prohibited from injuring, abusing, sexually assaulting, molesting, harassing, stalking or threatening the Petitioner, and from use, attempted use or threatened use of physical force against the Petitioner that would reasonably be expected to cause bodily injury.

☐3. Defendant should be prohibited from engaging in other conduct that would place the Petitioner in reasonable fear of bodily injury to the Petitioner or the Petitioner's household members or relatives.

☐4. Defendant should be ordered to leave and remain away from the residence located at:_____,_____, Oklahoma, on or before the ____ day of _____, 20__ at _____ a.m./p.m., and take no action to change utilities or telephone service.

☐5. The Court should order Law Enforcement Officers to accompany the **Defendant** to the above residence to remove necessary clothing and personal effects, and remain in attendance until Defendant leaves the premises, and the Court should further order Defendant NOT to go to the above residence to remove necessary clothing and personal effects unless Law Enforcement Officers are present.

☐6. The Court should Order Law Enforcement Officers to accompany the **Petitioner** (i.e. provide a "civil standby") to the current or recent past residence to remove necessary clothing and personal effects, and remain in attendance until Petitioner leaves the premises. Such residence is located at the following address:

_____,_____, Oklahoma.

☐7. Order Defendant, who is a minor, to leave the residence located at

_____

_____

(address, city, state) by immediately placing Defendant in any type of care authorized for children taken into custody pursuant to 10A O.S. §2-2-101(A).

Circle Age of Minor Defendant: 13 14 15 16 17

☐8. There is an existing child visitation order and the Court should suspend or modify child visitation to protect from threats of abuse or physical violence by the Defendant or a threat to violate a custody order. 22 O.S. §60.4(I)(1).

☐9. The Defendant should be ordered to obtain domestic abuse counseling or treatment. 22 O.S. §60.4(C)(1) and (E)(1).

☐10. To protect an animal(s) owned by either of the parties or any child living in the household, the Court should order Defendant to have no contact with said animal(s) and order possession and exclusive care of said animal(s) to the Petitioner.

☐11. Pursuant to 22 O.S. §60.17, Petitioner makes application to monitor the location of the Defendant by computer or cellular inquiry. The Defendant should be ordered to use an active, real-time, twenty-four-hour GPS monitoring device pursuant to 22 O.S. §60.17, and costs of the GPS device and monitoring should be paid by Defendant.

☐12. Defendant should immediately surrender all firearms and other dangerous weapons within the Defendant's possession or control and any concealed carry license to _____.

☐13. The Defendant should be ordered to pay the court costs and service of process fees (pursuant to 22 O.S. §60.2(C)(1), no fees or costs shall be charged to the petitioner except if the Court finds this petition has been filed frivolously).

☐14. The Defendant should be ordered to pay the Petitioner's attorney's fees in the amount of $_____

PETITIONER REQUESTS THE COURT TO ORDER THE FOLLOWING ADDITIONAL RELIEF:

_____

_____

_____

_____

_____

_____

6. Warnings To Petitoner:

A. Whoever makes a statement or allegation in this Petition for Protective Order but does not believe that the statement or allegation is true, or knows that it is not true, or intends thereby to avoid or obstruct the ascertainment of the truth, may be found guilty of perjury. Pursuant to 21 O.S. §§500 and 504, the penalty for perjury, or subornation of perjury, is a felony punishable by imprisonment for not more than five (5) years.

B. If the court makes specific findings that a petition for a protective order has been filed frivolously and no victim exists, the court may assess attorney fees and court costs against the plaintiff pursuant to 22 O.S. §60.2 (C)(2).

C. It is against the law to file a petition for a protective order against a spouse or former spouse for the purposes of harassment, undue advantage, intimidation or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause. Violators may be subject to criminal penalties pursuant to 22 O.S. §60.4(H).

7. Sworn Statement/Affirmation of Truth

Petitioner, being first duly sworn on oath states: I have read the above and foregoing document, understand the meaning thereof, and declare, under penalty of perjury, that the facts and statements contained herein are true to the best of my knowledge and belief.

_____
PETITIONER

Subscribed and sworn to before me this ____ day of _____, 20____.

_____
Deputy Court Clerk, Judge or Notary

Petitioner requests the following law enforcement agencies receive a copy of any Protective Order entered herein:

_____
Name of Agency or Agencies (use additional pages if necessary)