

IN THE SUPERIOR COURT FOR THE COUNTY OF ATHENS-CLARKE

STATE OF GEORGIA

_____, :
 Petitioner, : Civil Action File
 v. :
 _____, :
 :
 _____, : No. _____
 Respondent. :
 _____.

PETITION FOR FAMILY VIOLENCE PROTECTIVE ORDER

The Petitioner, pursuant to the Family Violence Act O.C.G.A. §§ 19-13-1 *et seq.*, files this Petition for a Family Violence Protective Order, and in support shows the Court the following:

1. Petitioner is a resident of _____ County, Georgia, and is eighteen (18) years of age or older, or is an emancipated minor.
2. Respondent is a resident of _____ County, Georgia, and may be served at _____, Georgia. Jurisdiction and venue are proper with this Court.

OR

- 2.1 Respondent is a resident of the State of _____. Under O.C.G.A. § 19-13-2(b), jurisdiction and venue are proper with this Court because the abuse occurred in the State of Georgia in _____ County and/or Petitioner lives in _____ County. Respondent is subject to the jurisdiction of this Court and may be served at _____.

3. Petitioner and Respondent are:

- 1. Present or past spouses
- 2. Parents of the same child/ren
- 3. Parent and child
- 4. Persons who used to live in the same household
- 5. Persons currently living in the same household
- 6. Foster parent and foster child
- 7. Stepparent and stepchild

4. On or about _____, Respondent committed the following acts of family violence against Petitioner and/or the minor child/ren:

- Use or threat of the use of a firearm was involved in this/these incident(s).
- No use or threat of the use of a firearm was involved in this/these incident(s).
- Petitioner does not wish to confirm or deny the use or threat of use of firearms.

Petitioner is in reasonable fear for Petitioner's own safety and/or the safety of the minor child/ren.

5. At other times Respondent has committed other such acts, including but not limited to (approximate dates and what happened):

- Use or threat of the use of a firearm was involved in this/these incident(s).
- No use or threat of the use of a firearm was involved in this/these incident(s).
- Petitioner does not wish to confirm or deny the use or threat of use of firearms.

6. There is a substantial likelihood that Respondent will commit such acts of violence against Petitioner and the minor child/ren in the immediate future if relief is not granted as provided pursuant to O.C.G.A. § 19-3-4.

Check the paragraphs below that apply to this case and fill in the information needed in each checked paragraph.

7. Petitioner and Respondent have _____ child/ren under the age of eighteen (18). Their names, years of birth, sex, and ages are:

- These child/ren have lived only with Petitioner or with Petitioner and Respondent together during the past five (5) years; OR
- These child/ren have lived in a home where neither the Petitioner nor the Respondent was living during the last five years. The names of the persons with whom the children lived, their addresses, and the dates the child/ren resided with these persons are:

- The parties are married or have formerly been married.
- The parties are not married and have never been married to each other.
- Respondent has legitimated the children.

Petitioner does have knowledge concerning custody orders or pending claims of custody concerning these child/ren, including divorce, legitimation, juvenile court, and DFCS cases. If applicable, specify court location and type of case:

The minor child/ren is/are currently in the custody and control of _____ and Petitioner asks for temporary sole legal and sole physical custody.

8 In addition to the minor children listed in the above paragraph, Petitioner has the following minor child/ren living with Petitioner whom Petitioner wishes protected from Respondent and included in the Protective Order (list names and ages):

9. Petitioner fears that if Respondent learns of Petitioner's current address that Respondent will hurt or injure Petitioner or Petitioner's immediate family. Petitioner requests that Respondent not be informed of Petitioner's current residence.

10. Petitioner is dependent upon the family residence for shelter and asks that Petitioner be granted the temporary use and possession of said residence, located at _____, together with all personal property contained therein, with the exception of the Respondent's personal effects and clothing.

11. Petitioner and the minor child/ren are dependent upon the Respondent for support and Petitioner requests that Petitioner be awarded temporary child support.

12. Petitioner is dependent upon Respondent for financial support and asks that Petitioner be awarded temporary financial support.

13. Petitioner asks that the following assets/property of Petitioner be returned to Petitioner by the Respondent:

14. Petitioner believes Respondent has a criminal record and has been arrested for and/or charged with the following crimes (list type of crime and approximate date):

15. Petitioner believes that Respondent has access to the following firearms (descriptions and usual locations): _____

OR

Respondent does not own or possess a firearm to the best of Petitioner's knowledge and belief.

OR

Petitioner does not know if Respondent owns or possesses a firearm.

OR

Petitioner does not wish to answer this question.

THEREFORE, Petitioner asks:

- (a) That the Court set a hearing no later than thirty (30) days from the filing of this Petition and direct Respondent to appear before this Court and show any reasons why the demands of the Petitioner should not be granted;
- (b) That the Respondent be served a copy of this Petition and any Ex Parte Protective Order or Rule Nisi as required by law;
- (c) That this Court direct law enforcement to enforce the terms of this Order;
- (d) That this Court direct Respondent to stop abusing, harassing, and intimidating Petitioner and/or Petitioner's child/ren;
- (e) That this Court restrain and enjoin Respondent from having any direct or indirect contact with the Petitioner and/or Petitioner's child/ren at Petitioner's residence, and Petitioner's place of employment and/or school;
- (f) That this Court order that Respondent be enjoined from approaching within 100 yards of Petitioner;
- (g) That this Court make findings of fact and conclusions of law concerning the issues of this case;
- (h) That this Court issue Family Violence Ex-Parte and Twelve Month Protective Orders to:

Check the paragraphs below that apply to this case and complete the required information.

- Order Respondent to vacate the family residence at _____ instanter;
- Grant Petitioner temporary exclusive use and possession of the family residence at _____

_____ and all personal property of the parties located at the family residence with the exception of Respondent's personal effects and clothing. Order law enforcement to assist Petitioner in returning to the family residence as necessary and ensure that the Respondent vacates said residence. Order law enforcement to take all keys, garage door openers, and other access or security devices to the family residence and deliver the same to the Petitioner;

- Order Respondent to continue to pay the rent / mortgage and utilities on the family residence until further order of the Court;
- Order Respondent to provide suitable alternate housing for Petitioner and Petitioner's children;
- Order Respondent to stay away from Petitioner's and/or Petitioner's minor child/ren's place of residence, place of employment, and/or school;
- Award Petitioner temporary sole legal and sole physical custody of the minor child/ren;
- Order that Respondent's visitation with the minor child/ren be limited to no visitation until the hearing in this matter or be as described here:
 - Order Respondent to pay to Petitioner child support for the minor child/ren;
 - Order Respondent to pay financial support for Petitioner;
 - Award Petitioner costs and attorney's fees for having to bring this action;
 - Order that Petitioner's current address be kept confidential;
- Order that Respondent be enjoined and restrained from selling, disposing or encumbering, trading, contracting to sell, or otherwise disposing of or removing from the jurisdiction of this Court any of the property of Petitioner or any joint property of the parties, except in the ordinary course of business;
- Order that Respondent be enjoined and restrained from disconnecting the home utilities, from changing and/or canceling any cell phone service, auto, health or life insurance for the parties and/or the minor child/ren, and from interfering with Petitioner's and the Petitioner's minor child/ren's mail;
- Grant Petitioner exclusive use of the following automobile: Make _____, Model _____, Year _____, and order law enforcement to take all keys/key fobs to said vehicle from the Respondent and immediately return them to Petitioner;
- Grant Petitioner permission to remove the following property from the family residence for the exclusive use of Petitioner and/or the minor child/ren _____ and order law enforcement to assist Petitioner during this removal;

- Order Respondent to undergo evaluation for drug/alcohol abuse and to follow the recommended treatment;
- Order Respondent to enroll and participate in a **certified Family Violence Intervention Program**;
- Order Respondent to return the following property to Petitioner immediately:

- Order Respondent to reimburse Petitioner for damages or expenses for the following:

- Order additional relief as necessary to protect the Petitioner and/or the minor child/ren from violence as follows:

- (i) That this Court order such other and further relief as may be just and appropriate in this matter.

Signature of Petitioner

Printed Name of Petitioner

Petitioner's address line 1

Petitioner's address line 2

Petitioner's contact phone number

**IN THE SUPERIOR COURT FOR THE COUNTY OF ATHENS-CLARKE
STATE OF GEORGIA**

_____,
Petitioner,
v.
_____,
Respondent.
: : : :
Civil Action File
No. _____

VERIFICATION

Personally appeared _____ who being duly sworn states that she/he is the Petitioner in the above-styled case, and that the facts set forth in the foregoing ***Petition for Family Violence Protective Order*** are true and correct.

Petitioner

Sworn and subscribed before
me this _____ day of _____, 20 _____.

[Signature]

NOTARY PUBLIC
My commission expires: _____

REMOVE THIS PAGE FROM ORDER AND FILE SEPARATELY UNDER SEAL

**CONFIDENTIAL INFORMATION FORM - ATTENTION COURT STAFF:
THIS PAGE IS A RESTRICTED-ACCESS DOCUMENT.
This document is not accessible to the public or to other parties.**

RESPONDENT'S IDENTIFYING FACT SHEET

Complete as much as possible:

Respondent's SSN is _____, date of birth is _____, sex _____, color of hair _____, color of eyes _____, height _____, _____", weight _____ lbs. Respondent's race is _____, ethnic background _____. Respondent has distinguishing marks (tattoos, scars, etc.) _____. Respondent drives a _____, license tag number _____ and has a _____ (state) driver's license number _____. Respondent's home address _____ and is employed by _____ at _____ and works from _____ to _____ on (days of the week) _____.

PROTECTED PARTIES' IDENTIFYING INFORMATION

Petitioner: _____ DOB _____ sex _____ race _____

Other: _____ DOB _____ sex _____ race _____