***Official Use Only:***

***Petitioner Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** Docket#: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Petitioner Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*** Court Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Petitioner Contact: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

**TEMPORARY PROTECTIVE ORDER CHECKLIST**

**Today’s Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

***IF YOU DO NOT HAVE A CURRENT PHYSICAL HOME ADDRESS FOR THE RESPONDENT, PLEASE DO NOT PROCEED IN COMPLETING THIS FORM. YOU MUST HAVE A NEWTON COUNTY ADDRESS FOR THE RESPONDENT FOR SERVICE OF THE PETITION.***

The petition must be filed in the county where the Respondent (abuser/stalker) resides. This means that the person against whom you are seeking a protective order must live in Newton County to file the petition here. However, if the Respondent lives outside the state of Georgia, and is stalking, threatening, or harming you here, you may also file the petition here in Newton County. There are a few exceptions. Speak with a Victim Services employee if you have questions.

**Petitioner (Victim’s) Information Respondent (Defendant’s) Information**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Last, First, Maiden (Jr./Sr.) Last, First, Maiden (Jr./Sr.)**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date of Birth Race Sex Age Date of Birth Race Sex Age**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Street Address / P.O. Box Street Address / P.O. Box**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**City, State, Zip City, State, Zip**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Home Phone Number Home Phone Number**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Cellular Phone Number/Secure E-mail Address Cellular Phone Number**

A temporary protective order (TPO) provides protection for someone who is in an *abusive situation, or who is in danger because of the intimidating and threatening behavior of another*. **A TPO is NOT an alternative to a divorce proceeding, custody proceeding, child support proceeding or a civil lawsuit.** Even if a TPO is not appropriate for your situation, you may still be able to seek relief through the citizen warrant application process in Magistrate Court, the eviction process in Magistrate Court, or a civil small claims lawsuit in Magistrate Court.

In Georgia, there are two types of Protective Orders. A **Family Violence Protective Order** is a document signed by a Superior Court Judge which orders a person who has committed domestic violence away from his or her victim. It may also evict the abuser from the home and give the victim temporary custody of the parties’ children. To be eligible for a Family Violence TPO, you ***must*** *currently fear for your safety or the safety of your minor children* *because of violence or threats of violence against you by the abuser/stalker.*

A **Stalking Temporary Protective Order** is a document signed by a Superior Court Judge that orders a person who has committed stalking to stay away from his or her victim. To qualify for a Stalking TPO, you ***must*** *be in reasonable fear for your own safety or the safety of a member of your immediate family because of the stalker’s harassing and/or intimidating behavior.*

The TPO you receive today will go into effect when the abuser/stalker is personally served with a copy of the order by a Newton County Sheriff’s Deputy. That Order will remain in effect until you have a court hearing about the TPO. These hearings are typically held within thirty days of the date of the TPO is issued. You will be required to attend this hearing. At the hearing, the judge will hear from both sides, and may change certain provisions in the TPO.

**A TPO is a temporary “fix” for an emergency situation**. A permanent resolution of issues such as custody of children, child support or spousal support, possession of a family home, and property ownership must still be resolved through the legal process. You will likely require the assistance of an attorney for the permanent resolution of such issues. *The Victim – Witness Assistant is not an attorney, and is prohibited by state law from giving you legal advice.* ***Please do not ask her for legal advice****.*

Please read and answer the questions below.

1. Are you over 18 years old?\_\_\_\_\_ Yes\_\_\_\_\_ No

If you are under the age of 18, you must have an adult file on your behalf.

2. Please check the relationship between you and the Respondent:

\_\_\_\_\_Present Spouse \_\_\_\_\_Former Spouse \_\_\_\_\_Neighbors

\_\_\_\_\_Parent / Child \_\_\_\_\_Stepparent / Stepchild

\_\_\_\_\_Siblings \_\_\_\_\_Boyfriend / Girlfriend \_\_\_\_\_Other (describe): ­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3. Do you have children with the Respondent?\_\_\_\_\_ Yes \_\_\_\_\_ No

4. Do you currently fear for your safety or for the safety of your minor children because of violence or the threat of violence against you by the Respondent?\_\_\_\_\_\_Yes \_\_\_\_\_\_ No

5. Do you live with the Respondent?\_\_\_\_\_\_\_Yes\_\_\_\_\_\_No

6. If you answered Yes on #5, is your name on the lease/mortgage/agreement? \_\_\_\_\_\_\_Yes \_\_\_\_\_\_\_No

7. Have you ever lived with the Respondent?\_\_\_\_\_\_Yes\_\_\_\_\_\_No

I understand that if my TPO is granted by a Superior Court Judge, I am required to appear in court within 30 days for a hearing. It is my responsibility to provide a working telephone # and current address to the Victim-Witness Assistant to get information regarding my hearing date and to be notified when my copy of the TPO is available for me to pick up from the Newton County District Attorney’s Office. If I fail to appear for the hearing, I understand that I may be charged with contempt of court and may also be charged $210.00 for the Superior Court filing fee.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Petitioner