RENEWING A RESTRAINING ORDER

UNDER THE FAMILY ABUSE PREVENTION ACT (FAPA)

IMPORTANT NOTE: PROCEDURES FOR RENEWING RESTRAINING ORDERS VARY FROM COURT TO COURT. CHECK WITH YOUR LOCAL COURT FOR MORE INFORMATION.



CAN I RENEW A RESTRAINING ORDER?

If you are the petitioner (the person who asked for the order), you can ask the court to renew it for 2 more years if you are afraid you may be abused by the respondent in the future. You do not have to show that new abuse has occurred. You do have to explain why you want the order renewed.

HOW DO I ASK FOR MY RESTRAINING ORDER TO BE RENEWED?

Fill out the renewal forms and submit them to the court where you got your original restraining order.

File your request with the court before the current order ends. Restraining orders last for 2 years from the day of the judge's signature. To renew the current order, your papers must be filed before the end of that year. You may lose your chance to renew if you do not file before the date the current order ends.

WHAT HAPPENS NEXT?

After you file your renewal forms, the judge will decide if it is reasonable for a person in your situation to be afraid of future abuse by the respondent if the restraining order is not renewed. Ask the court clerk how the court handles renewal requests. If your request is granted, make sure you get enough copies from the court to serve the respondent. The court will provide copies to you at no charge.

Service - You cannot serve the papers yourself. Have one of the copies hand-delivered to the respondent. This can be done by a sheriff, a private process server, or any competent¹ person who is 18 or older, as long as the server lives in the state where the papers are served. The server must complete a *Certificate of Service* and file with the court. There is a form in the packet, but some servers use their own forms. Talk to the court clerk about ways to get the respondent served.

The respondent has 30 days from the date of service to request a hearing. If the respondent does not request a hearing, the renewed restraining order will stay in effect.

If the respondent requests a hearing, it will be held within 21 days after receiving the hearing request. The court will mail you a notice of the hearing date and time or may notify you by phone. It is very important for you to give the court a reliable address and phone number where you can be contacted. If you do not appear at the hearing, your restraining order may be dismissed. **Be sure the court always has your current contact address and contact phone number so you get notice of any hearing.** Use a <u>safe</u> contact address and contact phone number.

¹ "Competent" means that a person who can understand, remember, and tell others about an event

DO I NEED A LAWYER?

If you have questions about how the law works or what it means, you may need to talk to a lawyer. Court staff cannot give you legal advice. You may have a lawyer represent you at the hearing but it is not required. If you need help finding a lawyer, call the Oregon State Bar's Lawyer Referral Service at 503.684.3763 or 800.452.7636. If you believe you cannot afford a lawyer, ask court staff if your area has any legal services (legal aid) programs that might help you.

WHAT IF I NEED AN ACCOMMODATION OR AN INTERPRETER?

If you have a disability and need an accommodation, or if you need a foreign language interpreter, tell the court as soon as possible, at least four days before your hearing. Tell the clerk that you have a disability and what type of assistance you need or prefer, or which language you speak.

<u>COURT FORMS</u> Forms that can be used in all Oregon courts are available here: <u>www.courts.oregon.gov/forms</u>

		Case No:
	Petitioner v.	PETITION TO RENEW RESTRAINING ORDER
	Respondent (Person restrained)	(Family Abuse Prevention Act)
	I need an interpreter: 🗌 Spanish 🗌 Russian	• other:
ſ	NOTICE TO P	ETITIONER
	Contact Address and Telephone Nur know your residential address or phone number number so the court and the sheriff can re	

I am the Petitioner. I declare that the following information is true:

I fear further acts of abuse by Respondent if the Restraining Order is not renewed because (you do not have to show that there have been new acts of abuse since the original Order):

I ask the court to renew the *Restraining Order* for a period of 2 years, and continue the security amount entered in the original order

The Restraining Order was first signed by the judge on (date):_____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

OJD Official (*Mar 2025*) Submitted by
Petitioner
Attorney for Petitioner

Date	Petitioner Signature		
Email	Name (print	ted)	
Contact Address (use a SAFE address)	City, State, ZIP	Contact Phone (use a SAFE number)	
Attorney for Petitioner:			
Date	Signature		
OSB#	Name (print	ed)	
Address	City, State, ZIP	Phone	

		Case No:	
and	Petitioner	CON	NFIDENTIAL
			MATION FORM Amended CIF
	Respondent		Abuse Prevention Act) UTCR 2.130
	This document is not accessibl	e to the public or c	other
	parties. Exceptions may apply.	-	
File one CIF for each pa			
Submitted by: 🗌	Petitioner 🗌 Respondent 🗌 otl	her:	
Information abou	ut (name):		
	(first, middle, la	ist)	
Pe	titioner 🗌 Respondent 🗌 other: _		
Date	of Birth:		
Respondent's Fr	nployer's Name, Address, and P	hone: (not require	ed for Petitioner)
Respondent 5 En	ipioyer s ivanie, Address, and i	none. (not require	
Minor children o	f the parties:1		
Name:		e of Birth:	_

Additional page attached

¹ The names of parties and children, and children's ages are not confidential. This form can only be viewed by the party who files it unless the court orders otherwise.

	.	Case No:	
and	Petitioner	CON	NFIDENTIAL
			MATION FORM Amended CIF
	Respondent		Abuse Prevention Act) UTCR 2.130
	This document is not accessibl	e to the public or c	other
	parties. Exceptions may apply.	-	
File one CIF for each pa			
Submitted by: 🗌	Petitioner 🗌 Respondent 🗌 otl	her:	
Information abou	ut (name):		
	(first, middle, la	ist)	
Pe	titioner 🗌 Respondent 🗌 other: _		
Date	of Birth:		
Respondent's Fr	nployer's Name, Address, and P	hone: (not require	ed for Petitioner)
Respondent 5 En	ipioyer s ivanie, Address, and i	none. (not require	
Minor children o	f the parties:1		
Name:		e of Birth:	_

Additional page attached

¹ The names of parties and children, and children's ages are not confidential. This form can only be viewed by the party who files it unless the court orders otherwise.

	Cas	se No:
and	Petitioner	NOTICE OF FILING OF CONFIDENTIAL INFORMATION FORM (CIF)
	Respondent	
		Amended CIF
		out the following parties to this case as applete a section for each party you filed
	t, Middle, Last): Information contained in C _ children's date of birth	IF (check all that apply):
🗌 date of birth [rst, Middle, Last): Information contained in C] children's date of birth me, address, and telephone	
Submitted by: 🗌 Petitioner 🗌 A	ttorney for Petitioner 🗌 Resp	ondent 🗌 Attorney for Respondent
Date	Signature	
OSB# (Attorneys only)	Name (print	ed)
Contact Address	City, State, ZIP	Contact Phone

Petitioner

v.

luonei

ORDER RE: RENEWING RESTRAINING ORDER

Case No:

Respondent (Person restrained) (Family Abuse Prevention Act)

NOTICE TO RESPONDENT

- This Order continues the original (or modified) *Restraining Order* and is effective immediately
- Violation of the Restraining Order may result in your arrest, or in civil or criminal penalties
- The *Restraining Order* is enforceable in every state, the District of Columbia, and all tribal lands and territories of the United States
- If you want to oppose the continuation of the order, see the *Notice to Respondent* and *Request for Hearing* forms you received with this order

The court reviewed the Petition to Renew Restraining Order

THE COURT FINDS:

A person in Petitioner's situation would reasonably fear further acts of abuse by Respondent if the *Restraining Order* is not renewed

 $\hfill\square$ No further service is necessary because Respondent appeared in person before the court

Other:_____

THE COURT ORDERS:

The *Restraining Order* in this case is RENEWED for 2 years, expiring on *(date)*:_____

Firearms Surrender - The prior Order was signed before January 1, 2020.

- Respondent is ordered to surrender all firearms and ammunition according to the attached *Firearms Surrender and Return Terms*, which are incorporated and made part of this *Order*. Criminal penalties apply for violation of the firearms prohibition.
- Respondent is ordered to file a *Declaration of Firearms Surrender* with any required attachments according to the *Firearms Surrender and Return Terms*

Other Orders:

SECURITY AMOUNT for violation of any provision of this Order or the original Order is **\$5,000** unless otherwise specified here: **\$_____**

CERTIFICATE OF COMPLIANCE WITH THE VIOLENCE AGAINST WOMEN ACT

This protective order meets all full faith and credit requirements of the Violence Against Women Act. (18 U.S.C. 2265) This court has jurisdiction over the parties and the subject matter. The Respondent is being afforded notice and timely opportunity to be heard as provided by the law of the jurisdiction. This order is valid and entitled to enforcement in this and all other jurisdictions.

Judge Signature:

Certificate of Readiness

This proposed Order is ready for judicial signature because it is submitted \square **ex parte** as allowed by statute or rule; or \square in **open court** with all parties present

Submitted by
Petitioner
Attorney for Petitioner

Date

OSB# (attorneys only)

Contact Address (use a SAFE address) City, State, ZIP

Signature

Name (printed)

Contact Phone (*use a SAFE number*)

FIREARMS PROHIBITIONS APPLY TO YOU

If the firearms prohibition in Paragraph 10 or 11 (Paragraph 18 if issued after January 1, 2020) of the original *Restraining Order to Prevent Abuse* is initialed by the judge and has not been changed, it is unlawful for you to possess or purchase a FIREARM, including a rifle, pistol, or revolver, and AMMUNITION under ORS 107.718(1)(h).

As a result of this order, or any order renewing or changing this order, it may be unlawful for you to possess or purchase a firearm, including, a rifle, pistol, or revolver, or ammunition under federal law (18 U.S.C. § 922(g)(8)). State law also prohibits you from possession or purchase of a firearm (ORS 166.250 to 166.270). This order may affect your ability to serve in the Armed Forces of the United States or to be employed in law enforcement. If you have any questions about how these laws apply to you, talk to a lawyer.

You may be prohibited from:

- Traveling across state lines or tribal land lines with the intent to violate this order and then violating this order
- Causing the Petitioner to cross state lines or tribal land lines for the purpose of violating the order

If this renewal is granted, criminal penalties apply for violation of the firearms prohibition

Other Laws May Also Apply To You

Whether or not a *Restraining Order* is in effect, federal law may prohibit you from:

- Traveling across state lines or tribal land lines with the intent to injure the Petitioner and then intentionally committing a crime of violence causing bodily injury to the Petitioner
- Causing the Petitioner to travel across state lines or tribal land lines if your intent is to cause bodily injury to the Petitioner or if the travel results in your causing bodily injury to the Petitioner

SERVICE INFORMATION

*** The Respondent will receive a copy of this inform If you do not want Respondent to know your residential address of contact address in the state where you reside or a contact phone m sheriff can reach you if necessary. Check for mail at this address fr assume that you receive all notices sent to your contact address.	r phone number, use a umber so the court and the
PETITIONER: (Name)	🗌 Female 🗌 Male
Residence/Contact Address (use a safe address): Street, Apartment	t, City, State, ZIP County
Contact Phone Number(Use saf	fe contact number)
AgeRace/EthnicityHeightWeig Eye ColorHair Color	ght
RESPONDENT: (Name)	Female 🗌 Male
Residence Address	County
Phone Number	
AgeRace/EthnicityHeight	Weight
Eye ColorHair Color	
PLEASE FILL OUT THIS INFORMATIO TO HELP WITH SERVICE OF THE RESTRAINI	
Where is Respondent most likely to be found? Residence Hours Address above Employment Hours Address on CIF form Other: Hours Address	
Description of Vehicle	
Is there anything about the other party's character, past behavior, or the p that he or she may be a danger to others? To him/herself? (<i>Explain</i>):	
Does the other party have any weapons , or access to weapons? (<i>Expl</i>	ain):
Has the other party ever been arrested for or convicted of a violent cr	ime? (<i>Explain</i>):

PETITIONER:

THIS FORM MUST BE ATTACHED TO <u>ALL</u> COPIES OF THE *RESTRAINING ORDER*

NOTICE TO RESPONDENT AND REQUEST FOR HEARING

TO RESPONDENT: A *restraining order* has been issued by the court that affects your rights. The order is now in effect for **2** years.

Follow the instructions in the column checked below

No hearing is scheduled	An Exceptional Circumstance hearing
	is scheduled
	is seried and a
If you want a hearing because you oppose the	A hearing is scheduled on:
<i>Restraining Order</i> , including any parenting time or custody orders, fill out the attached	Date:
Request for Hearing form.	Time:
Mail or deliver your <i>Request</i> to the court	Courtroom:
address on Page 2 within <u>30</u> days after you	
received the order.	The court has decided that there are
The hearing will be held within 5 business	exceptional circumstances affecting your children. Temporary custody will be decided
days if you are contesting a custody order	at this hearing. If you want to be heard on
(not parenting time), or within 21 calendar	any of the terms of the Order, you must
days otherwise	appear at the date and time above.
If you do not go to the hearing, the	This will be your only chance to oppose the
restraining order may remain in effect for 2	Order. If you do not go to the hearing, the
years. At the hearing, a judge will decide whether the order should remain in effect, be	<i>Restraining Order</i> may remain in effect for 2
changed, or be dismissed.	years.
	If you want an earlier hearing than the date
	above, complete the <i>Request for Hearing</i> form below and mail or deliver it to the
	address on Page 2

Enforceability of the Restraining Order

The *Restraining Order* you have received is in effect until the court changes (modifies) or dismisses it, or until it expires

If you are arrested for violating this order, the security amount (bail) is \$5,000, unless a different amount is ordered by the court

The order is enforceable in every county in Oregon. It is enforceable in all 50 states, the District of Columbia, tribal lands, and territories of the United States. This includes any order renewing or changing this order.

Violation of the Restraining Order

Violation of any part of this order (or any order renewing or changing this order) is contempt of court. Contempt is punishable by a fine of up to \$500 or 1% of your annual gross income, whichever is greater, or a jail term of up to six months, or both. Other penalties may also be imposed.

FIREARMS PROHIBITIONS APPLY!

Criminal Penalties for Firearms Possession (ORS 166.255(1)(a))

You will be subject to criminal penalties for possessing firearms or ammunition effective the earliest of:

- (1) 30 days after you were served with the *Order Or*, *if you request a hearing:*
 - (2) the date of the hearing if the *Order* is not dismissed *or*
 - (3) the date of the hearing if you fail to appear at the hearing or
 - (4) the date you withdraw your request for a hearing

Contempt Penalties for Firearms Possession

If the firearms prohibition in Section 18 of the *Restraining Order* is initialed by the judge:

- it is immediately unlawful for you to possess or purchase any firearm or ammunition under ORS 107.718(1)(h)
- you are subject to contempt of court for violation of the firearms prohibition as soon as you are served with or become aware of the *Order*
- criminal penalties may also apply

You may also be prohibited from serving in the Armed Forces of the United States or being employed in law enforcement. Violating this order may subject you to federal criminal charges.

If you have any questions about how these laws apply to you, talk to a lawyer.

IF YOU COMPLETE THE REQUEST FOR HEARING FORM, MAIL OR DELIVER IT TO (address of court):

REQUEST FOR HEARING (To Be Completed By Respondent Only)

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF _____

			Case No:
	v.	Petitioner	REQUEST FOR HEARING
	(Person t	Respondent to be restrained)	(Family Abuse Prevention Act)
	I need an interpreter: 🗌 S	Spanish 🗌 ASL 🗌 of	ther:
	t he Respondent . I oppose already scheduled:	the Restraining Orde	er as follows and request a hearing if one
І оррс	Petitioner the custody order the parenting time orde	-	reatening, or attempting to contact the
	e to oppose the <i>Order</i> . I wan vill 🗌 will not be represente Name and bar numbe	ed by an attorney at th	he hearing
🗌 I w	ill need Americans with Disa	abilities Act accommo	odations at the hearing
	ning all required information		pleted and filed with the court clerk confidential by UTCR 2.130 for
Submi	tted by: 🗌 Respondent 🗌 Atto	orney for Respondent	
Date		Signature	
Email		Name (pri	nted)
Conta	ct Address	City, State, ZIP	Contact Phone

OJD OFFICIAL (Feb 2025)

Attorney for Respondent:

Date	Signature	Signature	
OSB#	Name (printed)		
Address	City, State, ZIP	Phone	

	Case No:
Petitioner	
v.	CERTIFICATE OF SERVICE
Respondent	(Family Abuse Prevention Act)
I, <i>(name)</i> . I am a competent perso lawyer in this case, and not the employee of a party.	, declare that I am a resident of the state of on 18 years of age or older. I am not a party to or
I certify that on <i>(date)</i> at <i>(time)</i> I served the Respondent named above by delivering the fo <i>(address or location of service)</i>	ollowing documents in person to
I served true copies of the original <i>(check all that apply)</i> : Restraining Order to Prevent Abuse and Petition for Order Renewing Restraining Order and Petition to Order to Show Cause re: Modifying Restraining Order Declaration in Support with the Notice to Respondent/Request for Hearing, Prevention Act Restraining Order, and Notice of Confi	o Renew Restraining Order der and Motion for Order to Show Cause & Instructions for Contesting a Family Abuse
Other (name all forms or documents served)	
I hereby declare that the above statements are tru I understand they are made for use as evidence in perjury. Date	
If person serving is NOT a sheriff or sheriff's deputy, add	Print Name dress and phone number of server:

NOTICE TO PETITIONERS RECEIVING ELECTRONIC NOTICE ABOUT RESTRAINING ORDERS

USE THIS FORM IF:

• You have <u>already provided</u> your email address or cell phone number to the sheriff's office to receive electronic notice when your *Restraining Order* has been served or is about to expire

AND

• Your email address or cell phone number has changed

DO NOT FILE THIS FORM WITH THE COURT

The information below must be provided to the sheriff's office in the county where the *Restraining Order* was issued

If your contact address or phone number has changed, you must separately inform the court that issued the Order

A common time to use this form is when you are RENEWING or MODIFYING your restraining order. This form can be used ANYTIME a restraining order is in effect and you have changed your email address or cell phone number and still want to receive electronic notice from the sheriff's office about service or expiration.

PETITIONER'S NOTICE TO SHERIFF'S OFFICE OF CHANGE OF CONTACT INFORMATION

Your Name:	
Respondent's Name:	
Court Case #:	
County where Order Issued:	
Your new cell phone number:	
Cell Carrier (AT&T, T-Mobile, Verizon. etc.):	
Your new email address:	-

NOTICE TO PETITIONERS: RECEIVING ELECTRONIC NOTICE ABOUT RESTRAINING ORDERS

The sheriff is required to provide you with proof of service showing when your Restraining Order has been served

<u>USE THIS FORM</u> if you would also like to receive electronic notice by text message and/or email when your *Restraining Order* has been served or is about to expire

The information below will be given to the sheriff for the county where the Restraining Order is issued

DO NOT FILE THIS FORM WITH THE COURT!

Give or send it to the sheriff for the county where you filed for your Restraining Order

This is a VOLUNTARY option. You do not have to provide this information. The sheriff will still notify you when your Restraining Order has been served.

If your contact address or phone number changes, you must separately inform the court that issued the Order. If the information below changes, notify the sheriff.

PETITIONER'S NOTICE TO SHERIFF'S OFFICE OF ELECTRONIC CONTACT INFORMATION

Your Name: _____

Respondent's Name: _____

Court Case #: _____

County where Order Issued: _____

Your cell phone number: _____

Cell Carrier (AT&T, T-Mobile, Verizon. etc.): _____

Your email address: _____