

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

Petitioner
v.

Case No: _____

**PETITION FOR RESTRAINING
ORDER TO PREVENT ABUSE**

Respondent
(Person to be restrained)

(Family Abuse Prevention Act)

➤ I need an interpreter: Spanish ASL other: _____

NOTICE TO PETITIONER

- You must provide **complete and truthful** information. If you do not, the court may cancel the restraining order. The court may also hold you in contempt.
- **Contact Address and Telephone Number:** If you don't want Respondent to know your residential address or phone number, use a contact address and telephone number so the court and the sheriff can reach you if necessary.

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

1. Residency

I live in the county of _____, state of _____

Respondent lives in the county of _____, state of _____

2. Age of Parties

Petitioner: _____ Respondent (must be 18 or older): _____

3. Relationship

Respondent: (check all that apply)

- is or was my spouse or Registered Domestic Partner (RDP)
- is related to me by blood, marriage, or adoption (explain) _____
- lives or has lived with me in a sexually intimate relationship (dates, from - to) _____
- has a sexually intimate relationship with me (or did within the past 2 years)
- is the parent of my child

4. Abuse within past 180 days (about 6 months)– Within the past 180 days*

Respondent has (check all that apply):

- caused me physical injury
- tried to cause me physical injury
- made me fear that I was about to be physically injured
- made me have sexual relations against my will by force or threat of force

*The 180-day period is increased by any time Respondent was in jail or prison, or lived more than 100 miles from your home

- Respondent was in jail or prison
Dates (from – to) _____
- Respondent lived more than 100 miles from my home
Dates (from – to) _____

5. Incidents of Abuse

A. Describe the incidents of abuse that happened **within the past 180 days**, starting with the most recent incident

Date: _____ County, State: _____

Additional details about this incident:

I was injured I sought medical care (*describe*): _____

Respondent had a weapon was using drugs or alcohol (*describe*): _____

The police were called (*name*): _____ was arrested

Date: _____ County, State: _____

Additional details about this incident:

I was injured I sought medical care (*describe*): _____

Respondent had a weapon was using drugs or alcohol (*describe*): _____

The police were called (*name*): _____ was arrested

Date: _____ County, State: _____

Additional details about this incident:

I was injured I sought medical care (*describe*): _____

Respondent had a weapon was using drugs or alcohol (*describe*): _____

The police were called (*name*): _____ was arrested

Additional page attached labeled "Incidents of Abuse – 180 Days"

B. There are other incidents of abuse that happened **more than 180 days ago** (*describe*):

Date: _____ County, State: _____

Date: _____ County, State: _____

Date: _____ County, State: _____

Additional page attached labeled "Additional Incidents of Abuse"

Describe any injuries, medical treatment, weapons, drug or alcohol use, and police involvement (including arrests) related to any of these incidents:

6. I am in **imminent danger of future abuse** by Respondent
Explain how or why Respondent presents a threat to your physical safety in the near future:

7. Firearms

I want the order to prohibit Respondent from possession or purchase of firearms or ammunition. Because of the abuse and danger detailed in this *Petition*, Respondent's having firearms affects my or my children's safety and welfare.

Additional information:

- Respondent has firearms (or has easy access to firearms)
- Respondent is already prohibited from possession or purchase of firearms or ammunition

8. Existing Restraining and Stalking Orders

- There is a current restraining order or stalking order between Respondent and me
 County and state: _____ Case #: _____
 County and state: _____ Case #: _____

9. Other Family Cases

- There is another court case between Respondent and me for divorce (dissolution), annulment, separation, paternity, or custody and parenting time
(include pending or finished cases)
 County and state: _____ Case #: _____
 County and state: _____ Case #: _____

10. Move-out Order

- I want Respondent ordered to move out of the residence *(check all that apply)*:
 - the residence is solely in my name
 - Respondent and I jointly own *(or)* lease or rent the residence
 - Respondent is my spouse or Registered Domestic Partner

11. Emergency Money

- I want an order for emergency monetary assistance. I want a one-time payment of \$ _____ from Respondent because *(explain)*: _____

12. Animals

- The following companion, service, therapy, or protection animals should be awarded to me

<i>Name, type of animal</i>	<i>Reason this animal should be awarded to me</i>
<i>{Rover, dog}</i>	
_____	_____
_____	_____
_____	_____
_____	_____

JOINT CHILDREN

Minor Children of the Parties (under the age of 18 and not married or emancipated)

13. Name and Age

Name	Age

Additional page attached labeled "Additional Children"

14. Current Residence

The children live with: me or (name and address): _____

For how long? _____

15. Children's Residences – 5 years

List everywhere the children have lived in the past 5 years (starting with the most recent address) and a *current* contact address for each caretaker.

Dates From/To	County, State	Name of Parent/Caretaker	Contact Address of Parent/Caretaker	Which Children

Additional page attached

16. My children have continuously lived in Oregon for the six months before the filing of this *Petition*

My children have **not** lived in Oregon continuously for six months, but my children and I live in Oregon now and I want the court to award me custody because of an emergency (*describe*): _____

17. Unmarried Parents – Parentage (complete all that apply)

Parentage (who the legal parents are) has been established for both parties by:

➤ petitioner respondent giving **birth** to (*names*): _____
with no gestational surrogacy agreement

- filing a **Birth Certificate** or **Voluntary Acknowledgment of Paternity form** listing petitioner respondent as the parent of children (*names*): _____

- **judicial** order or **administrative/agency** order
(*court/agency name*): _____ case number _____
located in (*county/state*) _____
re: petitioner respondent for children (*list names*): _____

- **other** method (*explain*): _____
re: petitioner respondent for children (*list names*): _____

18. Prior Cases

(*if you have a copy of existing judgments or orders, bring them with you to your hearing*)

- a. There are no other court orders (besides child support) currently in effect regarding any of the children listed (*include juvenile cases*)

except (list information for all cases):

Case #: _____

County and state: _____

- b. I have not participated as a party, witness, or in any other capacity in any other case concerning **custody or parenting time (visitation)** of the children

except: _____

- c. I do not know of any other legal proceeding that could affect this case (for example: custody/parenting time enforcement, domestic violence, protective orders, termination of parental rights, or adoption cases) in any state

except: _____

- d. I do not know of anyone other than Respondent who has physical custody of the children or who claims custody or parenting time (visitation) rights

except: _____

19. Custody Assistance

I believe that I will need the help of a peace officer to regain custody of my children from Respondent. The addresses where the children can most likely be found are listed on the proposed Order.

I believe the children are most likely to be found there because (*explain*): _____

20. Department of Human Services – Child Welfare (DHS)

DHS is involved with my children because (*explain*): _____

21. A *Confidential Information Form* (CIF) has been completed and filed with the court clerk containing all required information that is identified as confidential by UTCR 2.130 for: Petitioner Respondent

NOTICE TO PETITIONER

You must notify the court of any change of address or phone number. All hearing notices will be sent to this address. The court may dismiss the restraining order if you do not appear at a hearing. **You do NOT need to use your residential address or phone number.** If you don't want Respondent to have your residential address or phone number, use a "contact address" and "contact phone number" so the court and the sheriff can reach you if necessary.

I ask the court to order my requests as marked on the Restraining Order to Prevent Abuse

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.

Submitted by Petitioner Attorney for Petitioner

Date

Signature

Email

Print Name

Contact Address (*use a SAFE address*)

Contact Phone (*use a SAFE number*)

Attorney for Petitioner: _____

Date

Signature

OSB#

Name (printed)

Address

City, State, ZIP

Phone