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

Petitioner (your name))
)
)
vs.)
)

Respondent (person to be restrained))

Case No. _____
**RESTRAINING ORDER
TO PREVENT ABUSE
(Family Abuse Prevention Act)**

TO THE RESPONDENT

VIOLATION OF THIS RESTRAINING ORDER MAY RESULT IN YOUR ARREST AND IN CIVIL AND/OR CRIMINAL PENALTIES

THIS ORDER IS ENFORCEABLE IN EVERY STATE

REVIEW THIS ORDER CAREFULLY, EACH PROVISION MUST BE OBEYED

SEE YOUR RIGHTS TO A HEARING FOR FURTHER INFORMATION

The Court, having reviewed the petition, makes the following findings:

JUDGE'S INITIALS

- 1. Petitioner and respondent are related as follows (initial all that apply):
 - A. Petitioner and respondent are spouses. _____
 - B. Petitioner and respondent are former spouses. _____
 - C. Petitioner and respondent are adult persons related by blood, marriage or adoption. _____
 - D. Petitioner and respondent are cohabiting or have cohabited with each other. _____
 - E. Petitioner and respondent have been involved in a sexually intimate relationship with each other within the last two years. _____
 - F. Petitioner and respondent are unmarried parents of a child. _____
 - G. Petitioner is a minor and has been involved in a sexually intimate relationship with Respondent who is 18 years of age or older. _____

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2. Additional findings:

JUDGE'S INITIALS

A. Petitioner has been abused by respondent as defined in ORS 107.705. _____

B. The abuse of petitioner by respondent occurred within the last 180 days as provided in ORS 107.710. _____

C. Respondent represents a credible threat to the physical safety of petitioner or petitioner's child and there is an imminent danger of further abuse to petitioner. _____

D. If there are children, Oregon has jurisdiction over the issue of the custody of the children under ORS 109.701 to 109.834, on the following grounds: _____

a. Oregon is the **home state** of the child(ren) on the date this proceeding was commenced; _____
or Oregon was the **home state within six months** before this proceeding was commenced and the child is absent from the state, but a parent or person acting as a parent continues to live in Oregon under ORS 109.741(1)(a). _____

b. **No other state has home state jurisdiction** under ORS 109.741(1)(a); or _____
The home state of the child _____ (name) has declined jurisdiction and the child's parents have, or one of the child's parents or a person acting as a parent has, a significant connection with Oregon and substantial evidence is available here concerning the child's care, protection, training and personal relationships under ORS 109.741(1)(b). _____

c. All courts having jurisdiction under home state grounds under ORS 109.741(1)(a), or significant connections grounds under ORS 109.741(1)(b), have declined to exercise jurisdiction under ORS 109.741(1)(c). _____

d. No court of any other state has jurisdiction under ORS 109.741(1)(a), (b), or (c). _____

e. **Emergency grounds exist** for the exercise of temporary emergency jurisdiction because the child is present in this state and has been abandoned; or _____
Emergency grounds exist for the exercise of temporary emergency jurisdiction because it is necessary to protect the child because the child, or a sibling or parent of the child, is subjected to or threatened with mistreatment or abuse under ORS 109.751. _____

f. Because a previous child custody, parenting time, guardianship or juvenile dependency **determination has been made** in _____ (State/Tribe/Country), the custody and parenting time provisions in this order remain in effect for one year or until _____ (State/Tribe/Country) issues an order, whichever occurs first. _____

Because a child custody, parenting time, guardianship, or juvenile dependency **proceeding has been commenced** in _____ (State/Tribe/Country) the custody and parenting time provisions in this order remain in effect for one year or until _____ (State/Tribe/Country) issues as order, whichever occurs first; or

No child custody, parenting time, guardianship or juvenile dependency determination has been issued or proceeding commenced in another state, tribe or country having jurisdiction under ORS 109.701 to 109.834. The custody and parenting time provisions in this order shall become a final determination for purposes of ORS. 109.701 to 109.834, if Oregon becomes the home state of the child.

IT IS HEREBY ORDERED THAT:

Petitioner's Request

1. Respondent is restrained (prohibited) from intimidating, molesting, interfering with or menacing petitioner, or attempting to intimidate, molest, interfere with or menace petitioner.

2. Respondent is restrained (prohibited) from intimidating, molesting, interfering with or menacing any minor children in petitioner's custody; or attempting to intimidate, molest, interfere with or menace any minor children in petitioner's custody: _____

3. Respondent is restrained (prohibited) from entering or attempting to enter:

(INCLUDE NAMES AND ADDRESSES UNLESS WITHHELD FOR SAFETY REASONS)

Petitioner's current or subsequent residence. _____

Petitioner's business or place of employment. _____

Petitioner's school. _____

Other locations. _____

The area surrounding petitioner's current or subsequent residence or petitioner's school, business, place of employment or other named premises described as follows: (specifically describe the area) _____

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4. Except as otherwise specified in the parenting time provisions herein, respondent is restrained (prohibited) from:

Contacting, or attempting to contact, petitioner in person. _____

Contacting, or attempting to contact, petitioner by telephone. _____

Contacting, or attempting to contact, petitioner by mail (except to send a court-ordered emergency monetary assistance payment(s)). _____

5. Respondent is restrained (prohibited) from entering or attempting to enter:

The premises of the children's day care provider. _____

The children's school(s). _____

6. Respondent shall move from and not return to the residence located at: _____

_____ except with a peace officer in order to remove essential personal effects of the respondent, and if the respondent is the custodial parent, essential personal effects of respondent's children, including, but not limited to: clothing, toiletries, diapers, medications, social security cards, birth certificates, identifications, and tools of the trade.

7. A peace officer shall accompany the petitioner to the parties' residence in order to remove essential personal effects of petitioner, and if the petitioner is the custodial parent, essential personal effects of the petitioner's children, including, but not limited to: clothing, toiletries, diapers, medications, social security cards, birth certificates, identification, and tools of the trade. _____

8. Petitioner is awarded custody of the following children of the parties, subject to the parenting time terms set forth below: _____

Name: _____ Name: _____

Age _____ Age _____

Name: _____ Name: _____

Age _____ Age _____

JUDGE'S INITIALS

10. A peace officer of the county or city in which the children are located shall assist in recovering the custody of the children of the above parties whose custody has been awarded to petitioner. The peace officer is authorized to use any reasonable force necessary to that end.

11. Other relief: _____

IT IS FURTHER ORDERED that the party not awarded custody shall be allowed parenting time as set forth below.

Petitioner's Request

JUDGE'S INITIALS

12. NO PARENTING TIME due to _____

13. SUPERVISES PARENTING TIME: Three hours per week,
Supervised by: _____
As follows: (day of week, location, times) _____

14. Once per week on _____ (day) from _____ am/pm to _____
_____ am/pm.

15. On the FIRST and THIRD weekends of each month from 7:00 pm Saturday to 7:00 pm Sunday.
The first weekend is the one in which both Saturday and Sunday are in the new month.

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16. On the FIRST and THIRD weekends of each month from 7:00 pm Friday to 7:00 pm Sunday. _____

The first weekend is the one in which both Saturday and Sunday are in the new month.

17. OTHER PARENTING TIME AS FOLLOWS: _____

18. Parenting time details not provided for in this ORDER, including the days or hours of parenting _____

time, shall be arranged through _____
_____.

19. The parent not awarded custody will pick up and return the children at the curb, or driveway if _____

no curb, of the residence of the custodial parent or at _____

_____ (name & address

of different location) no more than 15 minutes early nor 15 minutes late.

IF RESPONDENT IS NOT AWARDED CUSTODY AND IF RESPONDENT IS OTHERWISE PROHIBITED FROM BEING AT PETITIONER'S RESIDENCE, RESPONDENT MAY BE AT THE CURB, OR DRIVEWAY IF NO CURB, OF PETITIONER'S RESIDENCE FOR A MAXIMUM OF FIVE MINUTES AT THE PARENTING TIME HOUR SPECIFIED IN THE ORDER TO PICK UP OR RETURN THE CHILDREN OR AT ANY OTHER TIME THE PARTIES AGREE TO.

20. No further service is necessary because respondent appeared in person before the court. _____

IT IS FURTHER ORDERED THAT:

SECURITY AMOUNT FOR VIOLATION OF ANY PROVISION OF THIS ORDER IS \$5,000 UNLESS

OTHERWISE SPECIFIED BELOW:

OTHER AMOUNT: \$ _____

THE ABOVE PROVISIONS OF THIS RESTRAINING ORDER ARE IN EFFECT FOR A PERIOD OF ONE YEAR (UNLESS RENEWED BEFORE IT EXPIRES) OR UNTIL THE ORDER IS VACATED, MODIFIED OR SUPERSEDED, WHICHEVER OCCURS FIRST.

IT IS HEREBY ORDERED THAT:

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The Petition for Restraining Order to Prevent Abuse is dismissed _____

_____.

Dated this _____ day of _____, 20 _____.

CIRCUIT JUDGE (Signature

Print, Type or Stamp Name of Judge

Submitted by: _____

Print Name _____

_____ Petitioner

_____ Attorney for Petitioner, OSB No. _____

Address or Contact Address

City State Zip

Telephone or Contact Telephone Number(s)

RELEVANT DATA

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RESPONDENT _____ Sex _____ Telephone No. _____

Residence Address _____

City/State/Zip _____ County _____

Birth Date _____ Age _____ Race _____

Height _____ Weight _____ Hair Color _____ Eye Color _____

PETITIONER (you) _____ Sex _____ Telephone No. * _____

Residence Address * _____

City/State/Zip _____ County _____

Birth Date _____ Age _____ Race _____

Height _____ Weight _____ Hair Color _____ Eye Color _____

*If you wish to have your residential address or telephone number withheld from respondent, use a contact address and telephone number so the court and the sheriff can reach you if necessary.

PLEASE FILL OUT THIS INFORMATION TO AID IN SERVICE OF THE RESTRAINING ORDER

Where is respondent most likely to be located?

- Residence Hours _____
- Employment Hours _____ Address: _____
- Other Hours _____ Address: _____

Description of vehicle _____

Does respondent have any weapons or access to weapons? EXPLAIN: _____

Has respondent ever been arrested for or convicted of a violent crime? EXPLAIN: _____

Is there anything about respondent's character, past behavior, or the present situation that indicates that respondent may be a danger to self or others? EXPLAIN: _____

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