

Helpful Tips When Filing for an Injunction

- **PLEASE WRITE CLEARLY & LEGIBLY.** Your Petition may be denied if the Judge is unable to read it.
- Full complete names must be used on every form (**first, middle, last, Jr., Sr., II, III...etc.**)
- Include all Birthdates, addresses and social security numbers for **all** parties when available.
- Provide a **complete physical address** for the Respondent. It can be a residence, place of employment or a location where the respondent spends time.
- Have your completed paperwork turned in before **4:00pm** if possible. If after **4:00pm** it may not be addressed until the following day.
- You are required to provide any address changes. Failure to do so may result in you missing a hearing among other things.
- **Do not** sign the forms until you are either sworn in by someone in the Clerk's Office or in front of a Notary Public.

IF YOU ARE FILING ON BEHALF OF (OBO) ANOTHER PERSON/CHILD:

- "Your Name OBO Child(ren)'s Name" means the injunction is for the child **only**.
- "Your Name AND OBO Child(ren)'s Name" means the injunction is for you **and** the child(ren).
- When filing OBO a minor that is not your child or a handicapped adult, proof of Guardianship/Custody or Power of Attorney must be provided.
- A Uniform Child Custody Jurisdiction and Enforcement Act (**UCCJEA**) form must be filed in every case if you and the Respondent have child(ren) in common.

ADDITIONAL FORMS THAT MAY BE REQUIRED:

- Confidential addresses; if you require your address to be Confidential, do not put that address on any of the documents. ***You will need to fill out a Request for Confidential Address form.***
- You are required to provide a mailing address that the Respondent, or the Respondent's attorney, can use to send legal notifications.
- If you are not filing OBO of the child(ren) a Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) form must be filed if you and the Respondent have child(ren) in common,

IF YOU ARE UNSURE ABOUT HOW TO FILL OUT YOUR PAPERWORK AND NEED ANY ASSISTANCE PLEASE CONTACT AN ADVOCATE AT THE LEE CONLEE HOUSE.

- **24 HR HOTLINE: 386-325-3141**
- **TEXT: 386-546-9260**
- **TOLLFREE: 1-800-500-1119**
- **COURTROOM ADVOCATE: 386-546-3811**

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE
FORM 12.928
COVER SHEET FOR FAMILY COURT CASES (10/21)**

When should this form be used?

The Cover Sheet for Family Court Cases and the information contained in it does not replace nor supplement the filing and service of pleadings or other documents as required by law. This form shall be filed by the petitioner/party opening or reopening a case for the use of the **clerk of the circuit court** for the purpose of reporting judicial workload data pursuant to Florida Statutes section 25.075.

This form should be typed or printed in black ink. The petitioner must **file** this cover sheet with the first pleading or motion filed to open or reopen a case in all domestic and juvenile cases.

What should I do next?

Follow these instructions for completing the form:

- I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of the petitioner(s) and respondent(s).

- II. Type of Action /Proceeding. Place a check beside the proceeding you are initiating. If you are filing more than one type of proceeding, (such as a modification and an enforcement proceeding) against the same party at the same time, then you must complete a separate cover sheet for each action being filed.
 - (A) Initial Action/Petition
 - (B) Reopening Case. If you check "Reopening Case," indicate whether you are filing a modification or supplemental petition or an action for enforcement by placing a check beside the appropriate action/petition.
 1. Modification/Supplemental Petition
 2. Motion for Civil Contempt/ Enforcement
 3. Other – All reopening actions not involving modification/supplemental petitions or petition enforcement.

- III. Type of Case. Place a check beside the appropriate case. If the case fits more than one category, select the most definitive. Definitions of the categories are provided below.
 - (A) Simplified Dissolution of Marriage- petitions for the termination of marriage pursuant to Florida Family Law Rule of Procedure 12.105.
 - (B) Dissolution of Marriage - petitions for the termination of marriage pursuant to Chapter 61, Florida Statutes, other than simplified dissolution.

- (C) Domestic Violence - all matters relating to injunctions for protection against domestic violence pursuant to section 741.30, Florida Statutes.
- (D) Dating Violence - all matters relating to injunctions for protection against dating violence pursuant to section 784.046, Florida Statutes.
- (E) Repeat Violence - all matters relating to injunctions for protection against repeat violence pursuant to section 784.046, Florida Statutes.
- (F) Sexual Violence - all matters relating to injunctions for protection against sexual violence pursuant to section 784.046, Florida Statutes.
- (G) Stalking-all matters relating to injunctions for protection against stalking pursuant to section 784.0485, Florida Statutes
- (H) Support - IV-D - all matters relating to child or spousal support in which an application for assistance has been filed with the Department of Revenue, Child Support Enforcement under Title IV-D, Social Security Act, except for such matters relating to dissolution of marriage petitions (sections 409.2564, 409.2571, and 409.2597, Florida Statutes), paternity, or UIFSA.
- (I) Support-Non IV-D - all matters relating to child or spousal support in which an application for assistance has **not** been filed under Title IV-D, Social Security Act.
- (J) UIFSA- IV-D - all matters relating to Chapter 88, Florida Statutes, in which an application for assistance has been filed under Title IV-D, Social Security Act.
- (K) UIFSA - Non IV-D - all matters relating to Chapter 88, Florida Statutes, in which an application for assistance has **not** been filed under Title IV-D, Social Security Act.
- (L) Other Family Court - all matters involving time-sharing and/or parenting plans relating to minor child(ren), support unconnected with dissolution of marriage, annulment, delayed birth certificates pursuant to Florida Statutes section 382.0195, expedited affirmation of parental status pursuant to Florida Statutes section 742.16, termination of parental rights proceedings pursuant to Florida Statutes section 63.087, declaratory judgment actions related to premarital, marital, post-marital agreements, or other matters not included in the categories above.
- (M) Adoption Arising Out Of Chapter 63 - all matters relating to adoption pursuant to Chapter 63, Florida Statutes, excluding any matters arising out of Chapter 39, Florida Statutes.
- (N) Name Change - all matters relating to name change, pursuant to section 68.07, Florida Statutes.
- (O) Paternity/Disestablishment of Paternity – all matters relating to paternity pursuant to Chapter 742, Florida Statutes.
- (P) Juvenile Delinquency - all matters relating to juvenile delinquency pursuant to Chapter 985, Florida Statutes.
- (Q) Petition for Dependency - all matters relating to petitions for dependency.
- (R) Shelter Petition – all matters relating to shelter petitions pursuant to Chapter 39, Florida Statutes.
- (S) Termination of Parental Rights Arising Out Of Chapter 39 – all matters relating to termination of parental rights pursuant to Chapter 39, Florida Statutes.
- (T) Adoption Arising Out Of Chapter 39 – all matters relating to adoption pursuant to Chapter 39, Florida Statutes.
- (U) CINS/FINS – all matters relating to children in need of services (and families in need of services) pursuant to Chapter 984, Florida Statutes.

- (V) Petition for Temporary or Concurrent Custody by Extended Family-all matters relating to petitions for temporary or concurrent custody pursuant to Chapter 751.
- (W) Emancipation of a Minor-all matters relating to emancipation of a minor pursuant to Chapter 743.

ATTORNEY OR PARTY SIGNATURE. Sign the Cover Sheet for Family Court Cases. Print legibly the name of the person signing the Cover Sheet for Family Court Cases. Attorneys must include a Florida Bar number. Insert the date the Cover Sheet for Family Court Cases is signed. Signature is a certification that filer has provided accurate information on the Cover Sheet for Family Court Cases.

Nonlawyer Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

A copy of this form must be filed with the court and served on the other party or his or her attorney. The copy you are serving to the other party must be either mailed, e-mailed, or hand-delivered to the opposing party or his or her attorney on the same day indicated on the certificate of service. If it is mailed, it must be postmarked on the date indicated in the certificate of service.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of General Practice and Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. The rules and procedures should be carefully read and followed.

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of General Practice and Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Florida Rules of General Practice and Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you must review Florida Rule of General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by email, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the Designation of Current Mailing and E-mail Address, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General), Florida Supreme Court Approved Family Law Form 12.914; Designation of Current Mailing and E-mail Address, Florida Supreme Court Approved Family Law Form 12.915;** and Florida Rule of General Practice and Judicial Administration 2.516.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. For further information, see Rule 12.100, Florida Family Law Rules of Procedure.

COVER SHEET FOR FAMILY COURT CASES

I. Case Style

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Judge: _____

Petitioner,

and

Respondent.

II. Type of Action/Proceeding. Place a check beside the proceeding you are initiating. If you are filing more than one type of proceeding (such as a modification and an enforcement proceeding) against the same party at the same time, then you must complete a separate cover sheet for each action being filed. **If you are reopening a case, choose one of the three options below it.**

- (A) Initial Action/Petition
- (B) Reopening Case
 - 1. Modification/Supplemental Petition
 - 2. Motion for Civil Contempt/Enforcement
 - 3. Other

III. Type of Case. If the case fits more than one type of case, select the most definitive.

- (A) Simplified Dissolution of Marriage
- (B) Dissolution of Marriage
- (C) Domestic Violence
- (D) Dating Violence
- (E) Repeat Violence
- (F) Sexual Violence
- (G) Stalking
- (H) Support IV-D (Department of Revenue, Child Support Enforcement)
- (I) Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (J) UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (K) UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (L) Other Family Court
- (M) Adoption Arising Out Of Chapter 63
- (N) Name Change

- (O) ___ Paternity/Disestablishment of Paternity
- (P) ___ Juvenile Delinquency
- (Q) ___ Petition for Dependency
- (R) ___ Shelter Petition
- (S) ___ Termination of Parental Rights Arising Out Of Chapter 39
- (T) ___ Adoption Arising Out Of Chapter 39
- (U) ___ CINS/FINS
- (V) ___ Petition for Temporary or Concurrent Custody by Extended Family
- (W) ___ Emancipation of a Minor

IV. Rule of General Practice and Judicial Administration 2.545(d) requires that a Notice of Related Cases Form, Family Law Form 12.900(h), be filed with the initial pleading/petition by the filing attorney or self-represented litigant in order to notify the court of related cases. Is Form 12.900(h) being filed with this Cover Sheet for Family Court Cases and initial pleading/petition?

- ___ No, to the best of my knowledge, no related cases exist.
- ___ Yes, all related cases are listed on Family Law Form 12.900(h).

ATTORNEY OR PARTY SIGNATURE

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature _____ FL Bar No.: _____
 Attorney or party (Bar number, if attorney)

 (Type or print name) (E-mail Address(es))

 Date

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS

BELOW: [fill in **all** blanks]

This form was prepared for the: *{choose only one}* ___ Petitioner ___ Respondent

This form was completed with the assistance of:

{name of individual} _____

{name of business} _____

{address} _____

{city} _____, *{state}* _____, *{zip code}* _____, *{telephone number}* _____.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.980(f),
PETITION FOR INJUNCTION FOR
PROTECTION AGAINST REPEAT VIOLENCE
(08/23)**

When should this form be used?

If you or a member of your immediate family are a victim of **repeat violence**, you can use this form to ask the court for a protective order prohibiting repeat violence. Repeat violence means that **two** incidents of violence have been committed against you or a member of your immediate family by another person, **one of which must have been within 6 months of filing this petition**. Repeat violence includes assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death. Because you are making a request to the court, you are called the **petitioner**. The person whom you are asking the court to protect you from is called the **respondent**. If you are under the age of eighteen and have never been married or had the disabilities of nonage removed by a court, one of your parents or your legal guardian must sign this petition on your behalf.

The parent or legal guardian of any minor child *who is living at home* may seek an injunction for protection against repeat violence on behalf of the minor child. With respect to a minor child who is living at home, the parent or legal guardian must have been an eye-witness to, or have direct physical evidence or **affidavits** from eye-witnesses of, the specific facts and circumstances that form the basis of the petition.

If the respondent is your **spouse**, former spouse, related to you by blood or marriage, living with you now or has lived with you in the past (if you are or were living as a family), or the other parent of your child(ren), whether or not you have ever been married or ever lived together, you should use **Petition for Injunction for Protection Against Domestic Violence**, Florida Supreme Court Approved Family Law Form 12.980(a), rather than this form.

This form should be typed or printed in black ink. You should complete this form (giving as much detail as possible) and sign it in the presence of a notary or in front of the **clerk of the circuit court** in the county where you live. The clerk will take your completed petition to a **judge**. You should keep a copy for your records. If you have any questions or need assistance completing this form, the clerk or **family law intake staff** will help you.

What should I do if the judge grants my petition?

If the facts contained in your petition convince the judge that you or a member of your immediate family are a victim of repeat violence and that an **immediate and present danger of repeat violence** to you or that family exists, the judge will sign a **Temporary Injunction for Protection Against Repeat Violence**, Florida Supreme Court Approved Family Law Form 12.980(k). A temporary injunction is issued without notice to the respondent. The clerk will give your **petition**, the temporary injunction, and any other papers filed with your petition to the sheriff or other law enforcement officer for **personal service** on the respondent. The temporary injunction will take effect immediately after the respondent is served with a copy of it. It lasts until a full **hearing** can be held or for a period of 15 days, whichever comes first. The court may extend the temporary injunction beyond 15 days for a good reason, which may include failure to obtain **service** on the respondent.

The temporary injunction is issued **ex parte**. This means that the judge has considered only the information presented by one side—YOU. Section I of the temporary injunction gives a date that you should appear in court for a hearing. You will be expected to testify about the facts in your petition. The respondent will be given the opportunity to testify at this hearing, also. At the hearing, the judge will decide whether to issue a **Final Judgment of Injunction for Protection Against Repeat Violence (After Notice)**, Florida Supreme Court Approved Family Law

Form 12.980(l), which will remain in effect for a specific time period or until modified or dissolved by the court. **If you and/or the respondent do not appear, the temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted, including entry of a permanent injunction and the imposition of court costs. You and respondent will be bound by the terms of any injunction or order issued at the final hearing.**

IF EITHER YOU OR RESPONDENT DO NOT APPEAR AT THE FINAL HEARING, YOU WILL BOTH BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.

If the judge signs a temporary or final injunction, the clerk will provide you with the necessary copies. **Make sure that you keep one certified copy of the injunction with you at all times!**

What can I do if the judge denies my petition?

If your petition is denied on the grounds that it appears to the court that no immediate and present danger of repeat violence exists, the court will set a full hearing on your petition. The respondent will be notified by **personal service** of your petition and the hearing. If your petition is denied, you may: amend your petition by filing a **Supplemental Affidavit in Support of Petition for Injunction for Protection**, Florida Supreme Court Approved Family Law Form 12.980(g); attend the hearing and present facts that support your petition; and/or dismiss your petition.

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** are defined in that section. The clerk of the circuit court or **family law intake staff** will help you complete any necessary forms. For further information, see Section 784.046, Florida Statutes, and Rule 12.610, Florida Family Law Rules of Procedure.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of General Practice and Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of General Practice and Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of General Practice and Judicial Administration** and you **must** review Florida Rule of General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MUST SERVE DOCUMENTS BY E-MAIL UNLESS EXCUSED PURSUANT TO FLORIDA RULES OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION 2.516(b)(1)(D). If a self-represented litigant has been excused from serving documents by e-mail and then elects to serve and receive documents by e-mail, the

procedures must always be followed once that election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of General Practice and Judicial Administration 2.516.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

PETITION FOR INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE

I, *{full legal name}* _____, being sworn, certify that the following statements are true:

SECTION I. PETITIONER

(This section is about you. It must be completed.)

1. Petitioner currently lives at the following address: *{address, city, state, zip code}* _____

{Indicate if applicable}

_____ **Petitioner seeks an injunction for protection on behalf of a minor child.** Petitioner is the parent or legal guardian of *{full legal name}* _____, a minor child who is living at home.

2. Petitioner's attorney's name, address, and telephone number is: _____

(If you do not have an attorney, write "none.")

SECTION II. RESPONDENT

(This section is about the person you want to be protected from. It must be completed.)

1. Respondent currently lives at the following address: *{address, city, state, and zip code}* _____

Respondent's Driver's License number is: *{if known}* _____

2. Petitioner has known Respondent since: *{date}* _____

3. Respondent's last known place of employment: _____

Employment address: _____

Working hours: _____

4. Physical description of Respondent:

Race: _____ Sex: Male ___ Female ___ Date of Birth: _____
Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____
Distinguishing marks and/or scars: _____
Vehicle: (make/model) _____ Color: _____ Tag Number: _____

5. Other names Respondent goes by (aliases or nicknames): _____

6. Respondent’s attorney’s name, address, and telephone number is: _____

(If you do not know whether Respondent has an attorney, write “unknown.” If Respondent does not have an attorney, write “none.”)

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence against Respondent in this or any other court?
_____ Yes _____ No If yes, what happened in that case? *{include case number, if known}*

2. Has Respondent ever received or tried to get an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence against Petitioner in this or any other court?
_____ Yes _____ No If yes, what happened in that case? *{include case number, if known}*

3. Describe any other court case that is either going on now or that happened in the past between Petitioner and Respondent *{include case number, if known}*: _____

4. Respondent has directed at least two incidents of violence, meaning assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death against Petitioner or a member of Petitioner’s immediate family. One of these two incidents of violence has occurred within 6 months of the date of filing of this petition. The most recent incident (including date and location) is described below.

On *{date}* _____, at *{location}* _____
Respondent _____

_____ Please indicate here if you are attaching additional pages to continue these facts.

5. Other prior incidents (including dates and location) are described below:

On {date} _____, at {location} _____,

Respondent _____

_____.

_____ Please indicate here if you are attaching additional pages to continue these facts.

6. Petitioner genuinely fears repeat violence by Respondent. Explain: _____

_____.

7. **Additional Information**

{Choose all that apply}

a. _____ Respondent owns, has, and/or is known to have guns or other weapons.

Describe weapon(s): _____

b. _____ This or prior acts of repeat violence have been previously reported to: *{person or agency}*

_____.

SECTION IV. INJUNCTION (This section must be completed.)

1. _____ Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against repeat violence that will be in place from now until the scheduled hearing in this matter.

2. _____ Petitioner asks the Court to enter, after a hearing has been held on this petition, a final judgment of injunction prohibiting Respondent from committing any acts of violence against Petitioner **and**:

a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives;

b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is: _____

_____;

c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner;

d. ordering Respondent not to use or possess any guns or firearms;

{Indicate all that apply}

e. _____ prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's immediate family must go to often: _____

_____.

f. _____prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle; and any other terms the Court deems necessary for the safety of Petitioner and Petitioner's immediate family.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING. I UNDERSTAND THAT IF EITHER RESPONDENT OR I FAIL TO APPEAR AT THE FINAL HEARING, WE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED AT THAT HEARING.

I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.

THIS PETITION MUST BE SIGNED BY THE PETITIONER BUT IT IS NOT REQUIRED TO BE NOTARIZED IF IT IS FILED DURING THE SCOPE AND DURATION OF A STATE OF EMERGENCY DECLARED BY A GOVERNMENTAL ENTITY.

Dated: _____

Signature of Petitioner
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Designated E-Mail Address(es): _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this ____ day of _____ 20 __, by _____.

NOTARY PUBLIC or DEPUTY CLERK

{Print, type, or stamp commissioned name of notary or clerk.}

Personally Known OR Produced Identification
Type of Identification Produced: _____

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA**

IN RE:

CASE NO: _____

DIVISION: _____

_____,
Petitioner

and

_____,
Respondent

PETITIONER'S WAIVER OR NON-WAIVER OF RETURN HEARING

I, _____, the Petitioner herein, have filed a Petition for Injunction for Protection against: **Domestic Violence** **Dating Violence** **Repeat Violence** **Sexual Violence** **Stalking**. I understand that, after reviewing the Petition, the court may:

- a) Issue a temporary injunction and set the case for hearing with notice to the Respondent, or
- b) Not issue a temporary injunction and set the case for hearing with notice to the Respondent, or
- c) Deny the temporary injunction and not set the case for hearing

Petitioner, initial either Paragraph A or B below:

_____ A. If the court does **NOT** issue a temporary injunction for protection, I **DO NOT** object to a hearing being set and understand that notice of the hearing and copy of the Petition for Injunction will be provided to the Respondent.

OR

_____ B. If the court does **NOT** issue a temporary injunction for protection, I request that a hearing **NOT** be set. I do **NOT** want the Respondent to be served with a notice of hearing or a copy of the Petition for Injunction without a temporary injunction for protection in place. I waive my right under F.S.§741.30(5)(b) to have this case set for hearing. I further understand that nothing herein affects my right to amend my petition.

I have signed this waiver or non-waiver freely and voluntarily.

Signature of Petitioner

Date

Printed Name: _____

DESCRIPTION SHEET FOR PETITIONER

CASE NO: _____-FD

PLEASE FILL OUT ALL INFORMATION BELOW (PLEASE PRINT LEGIBLY)

NAME OF PETITIONER: _____

OBO (if required, minor): _____

PHYSICAL ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

DOB: _____ SEX: _____ RACE: _____ SSN: _____

HOME/CELL/WORK PHONES: _____ Email address _____

RELATIONSHIP TO RESPONDENT: Spouse/Parent/Child or Other.

If other must state _____

Do you wish to be contacted once respondent is served? Yes or No

DESCRIPTION SHEET FOR RESPONDENT

NAME OF RESPONDENT: _____

LEGAL GUARDIAN/PARENT
TO BE SERVED (if juvenile) _____

Fla. R. Civ. P. 48.041

PHYSICAL ADDRESS: _____

CITY _____ STATE _____ ZIP _____ COUNTY _____

IS THE RESPONDENT CURENTLY IN JAIL? Yes or No Location _____

DOB: _____ HEIGHT _____ WEIGHT _____ SEX: _____ RACE: _____

HAIR: _____ EYES: _____ SOCIAL SECURITY #: _____

PLACE OF EMPLOYMENT/ADDRESS: _____

HOME/CELL/WORK PHONES: _____

Does the Respondent have any weapons: Yes or No. Type: _____

Respondents Vehicle:

Make _____ Model _____ Year _____

Color _____ Tag# _____

OTHER INFORMATION OR LOCATIONS FOR SERVICE: Use back if necessary

**STATE OF FLORIDA
SEVENTH JUDICIAL CIRCUIT
Circuit Court, Putnam County**

PREPPING FOR INJUNCTION HEARINGS 101 AND WHAT TO EXPECT

CASE # _____

- There are security guards and procedures at the doors of the courthouse and the parking may be difficult. Please budget your time accordingly.
- Roll call is taken beforehand so please be on time.
- If Petitioners are not present at the time the case is called the case may be dismissed.
- The way you dress shows respect to the Court
 - o Dress appropriately – suit, dress, skirt and top, pants, pant suits
 - o Avoid, if possible, sporty or casual clothes – jeans, cut offs, torn or revealing clothes, flip-flops, tank-tops, hats, etc.
 - o Advise your witnesses to dress appropriately as well
- Look for the Lee Conlee or Law Enforcement Domestic Violence Victim’s Advocates as you enter the Courtroom. They usually sit in the back, immediately to your right, as you enter the courtroom – identify yourself before Court begins.
- Cell phones must be TURNED OFF and PAGERS on VIBRATE before entering the courtroom. Upon going off they may be confiscated by the Court. Advise your witnesses of this rule.
- All hearings are RECORDED – if you need to speak with your attorney or a victim’s advocate, please ask them to step outside of the courtroom with you.
- Your children are NOT ALLOWED in the courtroom unless they have been pre-approved by the JUDGE. Children may wait outside the courtroom if accompanied by an adult. IF the children are not witnesses who have been pre-approved to testify, DO NOT BRING THEM TO COURT.
- BRING YOUR WITNESSES AND EVIDENCE TO COURT (pictures, tape recordings, etc.). REMEMBER- this is the time to present your case – YOU have the BURDEN of proving your case with COMPETENT SUBSTANTIAL EVIDENCE. One person’s word against another’s, WITHOUT CORROBORATING EVIDENCE, usually does not meet the burden of proof.
- The Court will normally give a ONE TIME CONTINUANCE to seek the assistance of an Attorney. You should give STRONG consideration to hiring an attorney to represent your interest. Community Legal Services of Mid-Florida may be able to provide you with

an attorney free of charge. It is your responsibility to make the appointment with their attorney and meet ahead of time if possible. Time is of the essence when hiring an attorney as final hearings are held within 2-weeks of filing the injunction pursuant to Florida Law.

- Speak audibly and clearly into the microphone when testifying. Remember the Judge is listening, even if he/she is not looking at you. The Judge is ALWAYS called "YOUR HONOR" or "JUDGE".
- TELL YOUR STORY – Do not assume the Judge is familiar with your case – tell your story slowly and to the point. If multiple incidents have occurred, begin with the most severe or most recent.
- WHEN THE JUDGE IS SPEAKING, PLEASE REFRAIN FROM SPEAKING – If the Judge interrupts you STOP speaking IMMEDIATELY and answer the question directly – Then ask the Judge if you may continue to speak or the Judge may tell you to continue.
- When there is a legal objection, PLEASE STOP SPEAKING IMMEDIATELY, so the Judge can make the appropriate ruling. Please advise your witnesses to do the same.
- DO NOT INTERRUPT the other side when they are speaking – everyone will have ample time and opportunity to present their case before the Court.
- Child Support can be awarded in injunction cases but only if it is properly pled for and the Petitioner asks for it during the hearing.
- If you have legal representation, please have your attorney speak with the opposing party or the opposing parties' attorney before your case is called. If the opposing parties' attorney approaches you, do not speak to them other than to advise them that you have an attorney, or will be hiring one. If you do not have representation, you may speak with them directly if you want to.

RESPONDENT'S FREQUENTLY PRESENT THEMSELVES IN THE FOLLOWING MANNER:

- May acknowledge family problems, or that an incident occurred, but will deny any violence.
- When confronted about his/her behavior, may respond by saying, "She/He bruises easily," "She/He was hysterical", "She/He was drunk or high", or "I had to restrain them".
- May contact you before the hearing to persuade you to drop the Protection Order. Report any violations of the Temporary Injunction to local Law Enforcement IMMEDIATELY.

When meeting with your attorney, please bring the following documents: Police Reports, Violation of Injunction Information, Witness list with addresses, Pending or Past Divorce or Custody Papers. Preserve all evidence such as Letters, Emails, Voice Mails, and Pictures. If

you know the Respondent has been convicted of Battery or any other Violent Crime, let your attorney know the County and Date of any Convictions.

VIOLATIONS OF THE INJUNCTION, whether TEMPORARY or PERMENANT, may include ANY contact with you directly or indirectly. This includes personal, telephonic, e-mail, facebook, or a message through a third person. Any Violation should be reported to local Law Enforcement IMMEDIATELY and you should ask for the case number they create. If it is an EMERGENCY, CALL 911. VIOLATIONS can also be reported to the CLERK OF COURT. The Clerk can provide you with the paperwork to report the Violation to the State Attorney's Office.

IMPORTANT PHONE NUMBERS

LEE CONLEE HOUSE DOMESTIC VIOLENCE SHELTER

- HOTLINE 386-325-3141
- TOLL FREE 1-800-500-1119
- OFFICE 386-325-4447

COMMUNITY LEGAL SERVICES OF MID-FLORIDA 386-328-8361 ext -2601

PUTNAM COUNTY SHERIFF'S DEPARTMENT 386-329-0800

PALATKA POLICE DEPARTMENT 386-329-0115

CRESENT CITY POLICE DEPARTMENT 386-698-1211

WELAKA POLICE DEPARTMENT 386-467-2303

INTERLACHEN POLICE DEPARTMENT 386-684-2164

STATE ATTORNEY'S OFFICE 386-329-0259

PUTNAM COUNTY HEALTH DEPARTMENT (Victim Advocates) 386-326-3200

CASE # _____

PREPPING FOR INJUNCTION HEARINGS 101 AND WHAT TO EXPECT

I _____ ACKNOWLEDGE THAT I HAVE RECEIVED AND READ A COPY OF "PREPPING FOR INJUNCTION HEARINGS 101 AND WHAT TO EXPECT".

SIGNATURE

DATE

REQUEST FOR EMAIL

Per Fla. R. Jud. Admin. 2.516
Service of Pleadings and Documents

**Be advised that you may receive court documents
through this email address.**

PLEASE PRINT CLEARLY

CASE NUMBER: _____

NAME: _____

EMAIL ADDRESS: _____

If you do not have an email address, please fill out completely your current mailing address:

Mailing Address: _____

City: _____ State: _____ Zip: _____

Signature of Party

BY: _____

Deputy Clerk

SEAL