

**IN THE SUPERIOR COURT OF HALL COUNTY
STATE OF GEORGIA**

_____	§	
PLAINTIFF,	§	
vs.	§	CIVIL ACTION
_____	§	FILE NO. _____
DEFENDANT.	§	

FAMILY VIOLENCE TWELVE MONTH PROTECTIVE ORDER

A hearing was held in this matter on _____ for which the Defendant had notice as required by law and at which the Defendant did/did not appear and was/was not represented by counsel and/or had the opportunity to be heard and the Plaintiff requested that the Protective Order entered in this case be continued. Having heard the evidence presented, reviewed the Petition and the entire record concerning this case and for good cause shown, **IT IS HEREBY ORDERED AND ADJUDGED:**

1. That these proceedings be filed in the office of the Clerk of this Court.
2. That this Order applies in every county throughout the state and it shall be the duty of every court and every law enforcement official to enforce and carry out the provisions of this Order pursuant to O.C.G.A. § 19-13-4(d). Law Enforcement officers may use their arrest powers pursuant to O.C.G.A. §§ 19-13-6 and 17-4-20 to enforce the terms of this Order.
3. That this Order shall be in effect for twelve (12) months from _____ until _____.
4. That the Defendant has violated the Family Violence Act, at O.C.G.A. § 19-13-1 et seq., by committing family violence, has placed the Plaintiff in reasonable fear for Plaintiff's safety, and represents a credible threat to the physical safety of Plaintiff and/or Plaintiff's child/ren. Defendant is hereby enjoined and restrained from doing, or attempting to do, or threatening to do any act of injury, maltreatment, molesting, following, harassing, harming or abusing the Plaintiff (and/or the Plaintiff's minor child/ren) in any manner. The Defendant is not to interfere with the Plaintiff's travel, transportation, or communication. The Defendant shall not

peo 1

follow, place under surveillance, or contact the Plaintiff at any place of the Plaintiff for the purpose of harassing and intimidating the Plaintiff.

5. That the Defendant is enjoined and restrained from doing, attempting to do, or threatening to do any act of injury, maltreatment, molesting, harassing, harming, or abusing the Plaintiff's family or household. pco 02

6. That this Court determined that it had jurisdiction over the parties and the subject matter under the laws of the State of Georgia and Defendant received reasonable notice and had the opportunity to be heard before this Order was issued sufficient to protect the Defendant's due process rights and this Order shall be presumed valid and pursuant to 18 U.S.C. § 2265(a) shall be accorded **full faith and credit** by any other state or local jurisdiction and shall be enforced as if an Order of the enforcing state or jurisdiction.

ONLY THE FOLLOWING THAT ARE INITIALED BY THE JUDGE SHALL APPLY

7. That the Plaintiff is awarded sole and exclusive possession of the family residence at _____. pco 03

8. That the Defendant is ordered to leave the family residence immediately and the Sheriff of Hall County is ordered to assist the Plaintiff in returning to the family residence and ensuring the Defendant leaves. The Defendant shall immediately surrender to the Sheriff of Hall County all keys, garage door openers, and other security devices to the family residence and law enforcement shall ensure these items are given to the Plaintiff.

9. That the Defendant is ordered to stay away from Plaintiff's and/or Plaintiff's child/ren's residence and workplace and/or school and any subsequent residence or workplace or school of Plaintiff and/or Plaintiff's minor child/ren. pco 04

10. That the Defendant is ordered to provide suitable alternate housing for Plaintiff and/or Plaintiff's minor children by _____, 20____.

11. That the Defendant is restrained and enjoined from approaching within 500 yards of the Plaintiff and/or the Plaintiff's minor children. pco 01 pco 04

12. That the Defendant will have absolutely no contact with Plaintiff. No contact includes, but is not limited to, no direct or indirect contact, no incidental or accidental contact, no contact or attempted contact by telephone, no contact or attempted contact by mail, pager, fax, e-mail or

any other means of communication, and no contact by third party on behalf of Defendant.

____ 13. That the Plaintiff is awarded temporary custody of the minor child/ren, namely:

pco 09

_____	DOB _____	sex _____
_____	DOB _____	sex _____
_____	DOB _____	sex _____
_____	DOB _____	sex _____

The Defendant is ordered not to interfere with the physical custody of the minor child/ren.

____ pco 06 Check here **only if Defendant** is awarded temporary custody of children.

____ 14. That the Defendant is ordered to pay to the Plaintiff support for the minor child/ren in the amount of \$ _____ every _____ beginning the _____ day of _____, _____

All payments are to be made by or to: _____ income deduction order
 _____ child support receiver
 _____ by mail directly to the Plaintiff
 or _____

The Child Support Order Addendum is attached and made a part of this Order.

____ 15. That the Defendant is ordered to pay temporary support for the Plaintiff in the amount of \$ _____ every _____ beginning _____.

All payments shall be made by or to: _____ income deduction order
 _____ child support receiver
 _____ by mail directly to the Plaintiff
 or _____

____ 16. That the Defendant shall have visitation with the minor child/ren according to the following schedule, beginning _____:

- _____ no visitation
- _____ no visitation until _____
- _____ supervised visitation, supervised by a third party as follows: _____
- _____ visitation every other weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m. beginning _____
- _____ other visitation _____

_____ circumstances concerning how Defendant shall pick up and return the minor child/ren shall be _____

Strict compliance with this visitation provision shall not be considered a violation of the restraining provisions of this Order.

____ 17. That the Defendant, **only if accompanied by local law enforcement**, shall be able to remove his/her clothing and personal items from the residence as follows: _____

On _____, 20__ at _____ m.

____ 18. That the Defendant is ordered not to sell, encumber, trade, damage, contract to sell, or otherwise dispose of or remove from the jurisdiction of this Court any of the property or pets of the Plaintiff or joint property or pets of the parties except in the ordinary course of business including closing any joint bank accounts.

____ 19. That the Defendant is ordered not to disconnect or have disconnected home utilities, change or have changed and/or cancel or have canceled auto, health, or life insurance for Defendant, Plaintiff, and/or Plaintiff's minor child/ren, or interfere with Plaintiff's or Plaintiff's child/ren's mail.

____ 20. That the Plaintiff shall have sole, exclusive temporary possession of the vehicle: Make _____ Model _____ Year _____ Color _____ The Defendant shall immediately surrender all keys, proof of insurance, and registration to this vehicle to the Hall County Sheriff's officer whereupon the officer shall immediately turn over said items to the Plaintiff.

____ 21. That Plaintiff shall be allowed to remove the following property from the family residence for Plaintiff and/or Plaintiff's child/ren's use _____

On _____, 20__ at _____ m. and the Sheriff of Hall County is hereby ordered to assist the Plaintiff during this removal.

____ 22. That the Defendant is ordered to undergo alcohol/drug abuse evaluation and follow the recommended treatment.

_____ 23. That the Defendant shall be required to return the following property for Plaintiff and/or Plaintiff's child/ren's use _____

on _____, 20__ at _____ m. and the Hall County Sheriff is hereby ordered to assist the Plaintiff during this return.

_____ 24. Plaintiff is awarded costs and attorney fees in the amount of _____

_____ 25. **FAMILY VIOLENCE INTERVENTION PROGRAM**

It is further Ordered: That the Defendant shall make arrangements to begin a certified family violence intervention program (FVIP) within fourteen (14) days of the signing of this Order, or if appropriate within fourteen (14) days upon release from incarceration. A list of local certified agencies will be given to the Defendant with this Order. Furthermore, Defendant shall appear before this court on _____ at _____ .__ m. for a hearing on the status of his/her application, attendance, and/or completion of the FVIP. At that hearing, Defendant is ordered to present to this court a written status report from the agency providing the certified FVIP. The status report shall detail Defendant's application, attendance and/or completion of or failure to apply, attend and/or complete the FVIP and shall be signed by an officer of the agency.

OR

_____ Defendant is ordered to undergo a certified family violence intervention program and comply with the attached compliance form.

OR

_____ Defendant is ordered to undergo a certified family violence intervention program.

OR

_____ Defendant is not ordered to undergo a certified family violence intervention program and the following reasons exist:

_____ 26. That the Plaintiff / protected party is either a spouse, former spouse, parent of a common child, Plaintiff's child, child of Defendant, cohabitates or has cohabited with the Defendant and qualifies for 18 U.S.C. 922 (g).
pco 07

_____ 27. It is further Ordered: That this Order shall serve as notice to the Hall
pco 08

Civil Action File No. _____

County Sheriff or any other appropriate law enforcement officer that the Defendant's return to the Plaintiff's residence or going to her/his place of work shall be the grounds for the immediate arrest and incarceration,

without bond, of the Defendant, charging the Defendant not only with misdemeanor Violation of Domestic Violence Order pursuant to O.C.G.A. § 19-13-6(b) but the Defendant shall be charged with Aggravated Stalking pursuant to O.C.G.A. § 16-5-91 (b) when such person, *in violation of a Temporary or Permanent Protective Order prohibiting this behavior* follows, places under surveillance, or contacts the Plaintiff at or about a place or places for the purpose of harassing and intimidating the Plaintiff.

The Sheriff of Hall County, his lawful deputies, and the officers of the City of Gainesville Police Department and all other law enforcement officers are authorized and directed to enforce this Order, if necessary, by incarcerating *without bond* the offending party for any violation of any term or condition of this Order until further order of the Court.

SO ORDERED, this _____ day of _____, 200__.

JUDGE
SUPERIOR COURT
NORTHEASTERN JUDICIAL CIRCUIT

1. **Violation of this Order may result in immediate arrest and criminal prosecution that may result in jail time and/or fines and/or may subject you to prosecution and penalties for contempt of court.**
2. **This Order shall remain in effect unless specifically superseded by a subsequent order signed and filed, by operation of law or by Order of dismissal, whichever occurs first. Only this Court can void, modify, or dismiss this Order. Either party may ask this Court to change or dismiss this Order.**
3. **If, after a hearing of which the Defendant received notice and had the opportunity to participate, a protective order is issued which restrains Defendant from harassing, stalking, or threatening an intimate partner, Defendant is prohibited from possessing, receiving, or transporting a firearm or ammunition which has been shipped or transported in interstate or foreign commerce for the duration of the Order, 18 U.S.C. § 922 (g).**
4. **A person commits the offense of Aggravated Stalking when such person, in violation of a Temporary or Permanent Protective Order prohibiting this behavior, follows, places under surveillance, or contacts another person at or about a place or places for the purpose of harassing and intimidating the other person. This activity can subject the Defendant to arrest and prosecution for felony Aggravated Stalking which carries penalties of imprisonment for not less than one (1) year nor more than ten (10) years and a fine of up to \$10,000.00.**

DEFENDANT IDENTIFYING FACT SHEET

Defendant's Social Security Number: _____
 Date of Birth _____ Color of Hair _____ Color of Eyes _____
 Height _____ Weight _____ Race _____ Ethnicity _____ Sex _____
 Address _____
 Place of Employment _____
 Works from _____ to _____ on (days) _____
 Defendant has distinguishing marks (tattoos, scars, etc.) _____

 Vehicle _____ Tag No. _____ Driver's License No. _____

PLAINTIFF'S IDENTIFYING INFORMATION

Protected parties: _____ DOB _____ sex _____ Race _____
 _____ DOB _____ sex _____ Race _____
 _____ DOB _____ sex _____ Race _____
 _____ DOB _____ sex _____ Race _____
 _____ DOB _____ sex _____ Race _____
 _____ DOB _____ sex _____ Race _____

Civil Action File No. _____

Pursuant to O.C.G.A. Section 19-13-3,

Plaintiff assisted by:

Name: _____

Address: _____

Telephone: _____

Note to Judges: This form is promulgated as a Uniform Superior Court Rule under the auspices of O.C.G.A. § 19-13-53. To order a specific provision, please initial in the space provided. The Court should delete or otherwise make inoperative any provision in the standardized form which is not supported by the evidence in the case and in order to comply with the Court's application of the law and facts to an individual case.

FAXED MAILED TO GEORGIA PROTECTIVE ORDER REGISTRY DATE _____ CLERK _____

CERTIFIED FAMILY VIOLENCE INTERVENTION PROGRAMS

- 1. NEW HOPE COUNSELING
322 SPRING STREET
GAINESVILLE, GA 30501
770-539-9669**
- 2. FAMILY RECOVERY
703 GROVE STREET
GAINESVILLE, GA 30501
770-535-1073**
- 3. CREATION COUNSELING
743 MAIN STREET
GAINESVILLE, GA 30501
OFFICE: 678-943-2749
CELL: 678-343-1451**
- 4. ANGELS RECOVERY & SPIRITUALITY
430 PRIOR STREET
GAINESVILLE, GA 30501
404-312-6531
(SPANISH AVAILABLE)**
- 5. LIFE WORKS COUNSELING
723 WASHINGTON STREET, S.W.
GAINESVILLE, GA 30501
770-503-7999
(SPANISH AVAILABLE, CALL CELL # 770-330-4580)**
- 6. ROAD TO RECOVERY
840 MAIN STREET
GAINESVILLE, GA 30501
770-220-2885
(SPANISH AVAILABLE)**