



North LA Criminal Law Seminar

When Family Problems Become Criminal Problems

Katherine E. Gilmer - September 11, 2026



Family Law Concerns:

- * Divorce
- * Property Settlement
- * Custody



Property Crimes

Our Stuff v. My Stuf

- * Simple/Aggravated Criminal Damage to Property
- * Unauthorized Entry of an Inhabited Dwelling
- * Home Invasion
- * Criminal Trespass
- * Entry on or Remaining After Being Forbidden
- * Theft



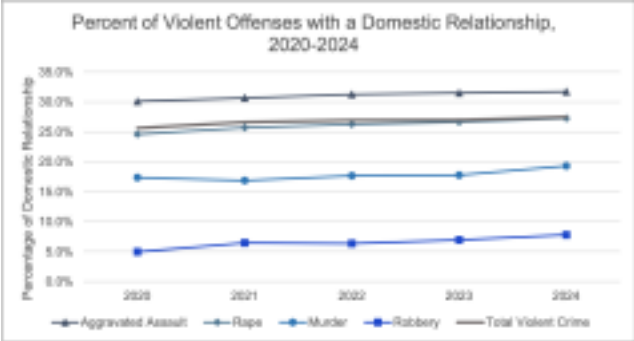
Crimes Against a Person
Domestic Violence & Related Offenses

- * Homicide
- * Domestic Abuse Battery
- * Domestic Abuse Aggravated Assault
- * Stalking
- * Cyberstalking
- * Unlawful Deepfakes
- * Unlawful Possession of Images of Another Person Created by Artificial Intelligence
- * Kidnapping
- * False Imprisonment
- * Cruelty to a Juvenile
- * Violation of a Protective Order

31%

*From 2020 to 2024, aggravated assault

was the crime with the highest percentage of domestic relationships reported as the victim to offender relationship. During that time, an average of 31% of aggravated assaults were domestic in nature.* Domestic Relationships & Violent Crimes, 2020-2024 - United States Department of Justice, 02/11/2026



When Family Problems Become Criminal P

Figure 5: Victim and offender age-range, by violent offenses, with domestic relationship, 2020-2024

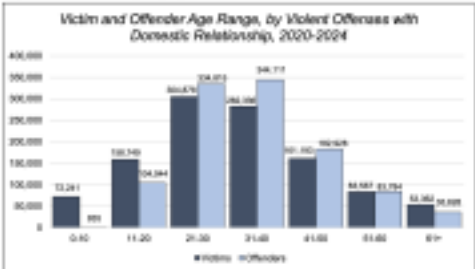


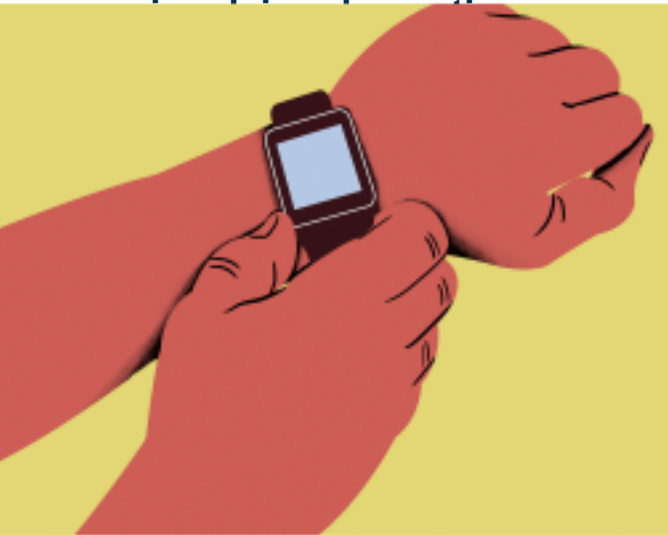
Table 2: Victim and offender race, by violent offenses, with domestic relationship, 2020-2024

Race	Victim	Offender
White	367,092	598,852
Black or African American	382,489	478,762
American Indian or Native Alaskan	18,532	18,012
Asian	78,289	18,086
Native Hawaiian or Pacific Island	3,565	3,754

Become Criminal Problems

“From 2020 through 2024, the

percentage of violent crimes



used
0
2

blems:

"B. Cyberstalking is action of any person to accomplish any of the following: (1) Use in electronic mail or electronic communication of any words or language threatening to inflict bodily harm to any person or to such person's child, sibling, spouse, or dependent, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person. (2) Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, for the purpose of threatening, terrifying, or harassing any person. (3) Electronically mail or electronically communicate to another and to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person's family or household with the intent to threaten, terrify, or harass. (4) Knowingly permit an electronic communication device under the person's control to be used for the taking of an action in Paragraph (1), (2), or (3) of this Subsection."

La. Stat. Ann. § 14:40.3 - Cyberstalking

"A. It shall be unlawful for any person, with the intent to coerce, harass, intimidate, or maliciously disseminate or sell any video or still image created by artificial intelligence that depicts another person who is totally nude or in a state of undress so as to expose the genitals, public area, buttocks, or female breast, when the person disseminating the video or still image knows or has reason to know that the person is not licensed or authorized to disseminate or sell such video or still image."

La. Stat. Ann. § 14:73.14 - Unlawful dissemination or sale of images of another person created by artificial intelligence

"A. (1) It shall be unlawful for any person, with the intent to harm, intimidate, threaten, or defraud, to intentionally impersonate another actual person, without the consent of that person, in order to engage in any of the following: (a) Open an electronic mail account, any other type of account, or a profile on a social networking website or other Internet website. (b) Post or send one or more messages on or through a social networking website or other Internet website. (2) It shall be unlawful for any person, with the intent to harm, intimidate, threaten, or defraud, to send an electronic mail, instant message, text message, or other form of electronic communication that references a name, domain address, phone number, or other item of identifying information belonging to another actual person without the consent of that person and with the intent to cause the recipient of the communication to believe that the other person authorized or transmitted the communication."

La. Stat. Ann. § 14:73.10 - Online impersonation



Crimes Against a Person

Sex Offenses

- * Rape
- * Sexual Battery
- * Bigamy
- * Carnal Knowledge of a Juvenile
- * Indecent Behavior with a Juvenile
- * Molestation of a Juvenile
- * Child Sexual Abuse Materials
- * Crime Against Nature

When Family Problems Become Criminal Problems

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Old

When Family Problems

Become Criminal Problems

The most common victim age range for both domestic and non domestic relationships for rape was 13 to 16 years old.

Domestic Relationships & Violent Crimes, 2020-2024 - United States Department of Justice, 02/11/2026

13-16 Years

15



Neglect, Abandonment & Child Support

- * Child Desertion
- * RE-Homing of a Child
- * Criminal Failure to Pay Child Support

When Family Problems Be

16



Child Custody

Protective Orders as Sword Not Shield

Title 46 - Protection from Domestic Abuse & Stalking
La. R.S. 46:2131 & 46:2151
Gwen's Law - Bond Condition
La C.Cr.P. Art. 313



So what do I do
when my
criminal law
case turns into
a family law
case?

What are my options?

The easiest options:

Phone a Friend

If you know someone who practices family law who can give you some advice, call them. This is not the time to pretend you know everything.



Refer the Case

That same friend can handle the family side of things, while you handle the criminal. Clients will sometimes complain about expense, but getting it right is always less expensive than having to fix it after its gone wrong.

And it is often less expensive to hire someone who already knows what they are talking about than to pay you to learn it.

Saddle up to handle that PO!

Protective Order hearings are a not insubstantial part of my criminal defense practice. I see it as an attempt to prevent the criminal prosecution in many cases.





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**The most
important
questions:**

LSA-C.Cr.P. Art. 313

Formerly cited as LA C.Cr.P. Art. 330.1, LA C.Cr.P. Art. 330.2, LA C.Cr.P. Art. 330.3, LA C.Cr.P. Art. 331

Art. 313. Gwen's Law; bail hearings; detention without bail

Effective: August 1, 2026

[Currentness](#)

A. (1) This Paragraph may be cited as and referred to as “Gwen's Law”.

(2)(a) A contradictory bail hearing, as provided for in this Paragraph, may be held prior to setting bail for a person in custody who is charged with domestic abuse battery, violation of protective orders, stalking, or any felony offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, as defined in [R.S. 46:2132](#) or upon the defendant's household member as defined in [R.S. 14:35.3](#), or upon the defendant's dating partner, as defined in [R.S. 46:2151](#). If the court orders a contradictory hearing, the hearing shall be held within five days from the date of determination of probable cause, exclusive of weekends and legal holidays. At the contradictory hearing, the court shall determine the conditions of bail or whether the defendant should be held without bail pending trial. If the court decides not to hold a contradictory hearing, it shall notify the prosecuting attorney prior to setting bail.

(b) Notwithstanding the provisions of Subsubparagraph (a) of this Subparagraph, a person charged with any crime listed in this Paragraph, and for whom a determination of probable cause has been made, may be held without bail for not less than forty-eight hours nor more than seventy-two hours following the determination of probable cause. This holding period shall run concurrently with the time period provided in Article 230.1.

(c) In deciding whether to impose the holding period authorized by Subsubparagraph (b) of this Subparagraph, the court shall consider any facts presented that indicate an increased risk to the victim, including but not limited to stalking, strangulation, violation of a protective order, use or threatened use of force or a deadly weapon, serious bodily injury, or documented threats to the victim, the victim's family, or the public.

(d) The holding period provided for in Subsubparagraph (b) of this Subparagraph may be referred to as a “cooling off” period for the benefit of the victim.

(3) In addition to the factors listed in Article 316, in determining whether the defendant should be admitted to bail pending trial, or in determining the conditions of bail, the judge or magistrate shall consider the following:

(a) The criminal history of the defendant.

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Art. 313. Gwen's Law; bail hearings; detention without bail, LA C.Cr.P. Art. 313

(b) The potential threat or danger the defendant poses to the victim, the family of the victim, or to any member of the public, especially children.

(c) Documented history or records of any of the following: substance abuse by the defendant; threats of suicide by the defendant; the defendant's use of force or threats of use of force against any victim; strangulation, forced sex, or controlling the activities of any victim by the defendant; or threats to kill. Documented history or records may include but are not limited to sworn affidavits, police reports, and medical records.

(4) Following the contradictory hearing and based upon the judge's or magistrate's review of the factors set forth in Subparagraph(A)(3) of this Article, the judge or magistrate may order that the defendant not be admitted to bail, upon proof by clear and convincing evidence either that the defendant might flee, or that the defendant poses an imminent danger to any other person or the community.

(5) If bail is granted, with or without a contradictory hearing, the judge or magistrate shall comply with the provisions of

Article 320, as applicable. The judge or magistrate shall consider, as a condition of bail, a requirement that the defendant wear an electronic monitoring device and be placed under active electronic monitoring and house arrest. The conditions of the electronic monitoring and house arrest shall be determined by the court and may include but are not limited to limitation of the defendant's activities outside the home and a curfew. The defendant may be required to pay a reasonable supervision fee to the supervising agency to defray the cost of the required electronic monitoring and house arrest. A violation of the conditions of bail may be punishable by revocation of the bail undertaking and the issuance of a bench warrant for the defendant's arrest or remanding of the defendant to custody or a modification of the terms of bail.

B. Upon motion of the prosecuting attorney, the judge or magistrate may order the temporary detention of a person in custody who is charged with the commission of an offense, for a period of not more than five days, exclusive of weekends and legal holidays, pending the conducting of a contradictory bail hearing. Following the contradictory hearing, upon proof by clear and convincing evidence either that there is a substantial risk that the defendant might flee or that the defendant poses an imminent danger to any other person or the community, the judge or magistrate may order the defendant held without bail pending trial.

C. (1) A contradictory bail hearing, as provided for in this Paragraph, shall be held prior to setting bail for a person in custody who is charged with the commission of a sex offense and who has been previously convicted of a sex offense.

(2) The court, after having been given notice of an applicable prior conviction as described in Subparagraph (5) of this Paragraph, shall order a contradictory hearing to be held within five days of receiving notice of the prior conviction, exclusive of weekends and legal holidays.

(3) At the contradictory hearing the court, in addition to hearing whatever evidence it finds relevant, shall, on motion of the prosecuting attorney, perform an in camera examination of the evidence against the accused.

(4) In addition to the factors listed in Article 316, the court shall take into consideration the previous criminal record of the defendant; any potential threat or danger the defendant poses to the victim, the family of the victim, or to any member of the public, especially children; and the court shall give ample consideration to any statistical evidence prepared by the United States Department of Justice relative to the likelihood of the defendant, or any person in general who has been convicted of sexually

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Art. 313. Gwen's Law; bail hearings; detention without bail, LA C.Cr.P. Art. 313

inappropriate conduct with a prepubescent child under the age of thirteen, to commit similar offenses against juvenile victims in the future.

(5) For purposes of this Paragraph, “sex offense” means any offense as defined as a sex offense in [R.S. 15:541](#) when the victim is under the age of thirteen at the time of commission of the offense and less than ten years have elapsed between the date of the commission of the current offense and the expiration of the maximum sentence of the previous conviction.

D. (1) A person charged with the commission of a capital offense shall not be admitted to bail if the proof is evident and the presumption great that he is guilty of the capital offense. When a person charged with the commission of a capital offense makes an application for admission to bail, the judge shall hold a hearing contradictorily with the state.

(2) The burden of proof at the contradictory bail hearing:

(a) Prior to indictment is on the state to show that the proof is evident and the presumption great that the defendant is guilty of the capital offense.

(b) After indictment is on the defendant to show that the proof is not evident or the presumption is not great that he is guilty of the capital offense.

Credits

[Acts 2016, No. 613, § 1, eff. Jan. 1, 2017](#). Amended by [Acts 2026, No. 834, § 1](#).

[Notes of Decisions \(17\)](#)

LSA-C.Cr.P. Art. 313, LA C.Cr.P. Art. 313

The Constitution, Revised Statutes Titles 1 to 3, 6, 9, 10, 12 to 14, 16, and 19, and the Codes are current through the 2026 Regular Session. Other Revised Statutes Titles are current through the 2025 Regular and First Extraordinary Sessions.

_____ COURT

PARISH/CITY OF _____

STATE OF LOUISIANA

DIVISION: _____ NUMBER: _____

FILED: _____

CLERK: _____

_____ PETITIONER

V.

_____ DEFENDANT

_____ Parent/Guardian name if defendant is a minor

PETITION FOR PROTECTION FROM ABUSE

Pursuant to La. R.S. 46:2131 et seq. or La. R.S. 46:2151

This petition is: Initial Petition Supplemental and Amending Petition

The petition of _____, born _____ your name month/day/year

a resident of the State of Louisiana, respectfully represents:

Paragraph 1: Petitioner/Protected Person(s)

COMPLETE THIS PAGE

Petitioner files this petition on behalf of:

- a. _____ Petitioner, and/or
- b. _____ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- c. _____ Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner)

_____	_____	_____
_____	_____	_____

Paragraph 2: Protected Person(s) Address

- a. _____ Petitioner requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential

OR

b. _____ Petitioner’s current address:

_ No. & Street Apt. No.

City State Zip Code

c. _____ The minor child’s or alleged incompetent’s current address:

_ No. & Street Apt. No.

_ City State Zip Code

Paragraph 3: Special Requests

a. _____ Petitioner requests interpreter service, for:

- ☐ self/protected person, in following language: _____
- ☐ witness(es), in following language: _____

b. _____ Petitioner requests criminal history record from sheriff for:

- ☐ defendant
- ☐ witness(es) (see information on Addendum, page 8)

Paragraph 4: Defendant Address

_____, defendant, resides in _____ Parish

at Abuser’s Name

_ No. & Street Apt. No. State Zip Code

Paragraph 5: Venue

This Court is the proper venue for this action because:

- The marital domicile is located in _____ Parish.
- _____ The household is located in _____ Parish.
- The defendant resides or is domiciled in _____ Parish.
- _____ The abuse occurred in _____ Parish.

COMPLETE THIS PAGE

_____ The protected person(s) resides or is domiciled in _____ Parish.
(Do not fill this out if address is to remain confidential.)

Paragraph 6: Relationship

a. The protected person(s) is related to the defendant as: (check all that apply)

- ☐ Current or former spouse ☐ Current or former dating partner ☐ Current or former intimate cohabitant ☐
- Parent, stepparent, or foster parent ☐ Child, stepchild, or foster child ☐ Grandparent or other ascendant ☐ Child
- of defendant’s current or former intimate partner ☐ Grandchild or other descendant ☐ Child currently or formerly
- living with defendant

b. _____ The protected person(s) and defendant have child(ren) in common.

Paragraph 7: Related legal action

- _____ A suit for divorce between the parties is **not** pending.
- _____ A suit for divorce between the parties is **pending** (fill out page 8 of this form, “Addendum”)

NOTE: If you were NOT the petitioner in the divorce suit, instead use form LPOR B-R entitled “Petition for Protection From Abuse, (Filed by the Defendant in the Pending Action as Petitioner-in-reconvention)”.

- ☐ There is a suit for custody pending involving children named in this petition (fill out page 8 of this form, “Addendum”).
- ☐ There is a custody order in effect involving children named in this petition (fill out page 8 of this form, “Addendum”, or attach a copy of the order if available).

Paragraph 8: Description of abuse

NOTE: Underlined items in (a) and all items in (b) below are indicators of increased potential for lethality.

a. Defendant abused protected person(s) in the following manner:

- ☐ Slapped protected person(s) ☐ Threatened protected person(s) with bodily harm ☐ Punched protected person(s) ☐ Threatened protected person(s)’ life
- ☐ Choked/strangled protected person(s). ☐ Threatened protected person(s) with a weapon. ☐ Shoved protected person(s) ☐ Sexually abused protected person(s)
- ☐ Kicked protected person(s) ☐ Abused petitioner’s child(ren) or alleged incompetent ☐ Stalked protected person(s)
- ☐ Abused or threatened to abuse pets or other animals ☐ Physically abused protected person while pregnant
- ☐ Other: _____

LPOR B

Page 2 of 8 v.15

3

- ☐ Abuse has been more severe over the past year
- ☐ The defendant has threatened/attempted suicide
- ☐ Protected person has left during the past year

c. The facts and circumstances of this abuse are as follows:

The most recent incident of abuse which caused petitioner to file this petition happened on or about _____
(month/day/year), at which time the defendant did:

COMPLETE THIS PAGE

b. Other indicators of potential danger to protected person:

- ☐ Abuse has happened more often over the past year.
- ☐ The defendant owns/possesses firearm(s).

Past incidents: _____

Paragraph 9: Requests for relief

Because of the immediate and present danger of abuse, petitioner requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

_____ a. prohibiting defendant from abusing, harassing, assaulting, stalking, following, tracking, monitoring, or threatening the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

_____ b. prohibiting the defendant from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.

_____ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:

No. & Street Apt. No. City State Zip Code

_____ d. ordering the defendant to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school located at:

Employment/School Address City State Zip Code

- _____

e. ordering the defendant not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).

COMPLETE THIS PAGE

- _____

f. granting the petitioner or protected person(s) the use of the residence located at:

_ No. & Street Apt. No. City State Zip Code

to the exclusion of defendant by **evicting** defendant and ordering the defendant to surrender any keys to that residence to the petitioner, and ordering _____ (Sheriff's office) to **evict** the defendant.

Said residence is:

_____ jointly owned by defendant and petitioner or protected person(s).

_____ jointly leased by defendant and petitioner or protected person(s).

_____ solely leased by defendant who has a duty to support petitioner or protected person(s).

(NOTE: If solely owned by defendant AND petitioner is awarded custody of child(ren) of the parties, check appropriate item in Paragraph 10.

_____ solely owned or leased by petitioner or protected person(s).

Presently occupied by _____.

- _____

g. granting petitioner or protected person(s) possession of the following property (including pets or other animals) **solely owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

-

-

-

-

-

granting petitioner or protected person(s) the exclusive use and possession of the following property (including pets or other animals) **jointly owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

-

-

-

-

-

_____ for _____ the _____ following _____ reasons:

-

-

- And ordering _____ (Sheriff's office) to accompany petitioner to where the above listed property is located to allow petitioner to take possession.
- _____ h. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner and/or the minor child(ren) or alleged incompetent.
- _____ i. allowing _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.
- _____ j. ordering a representative of _____ (Sheriff's office) to accompany _____ to the family residence to recover her/his personal clothing and necessities.
- _____ k. awarding the temporary custody of the minor child(ren) or alleged incompetent,
- _____

COMPLETE THIS PAGE

- to petitioner; the minor child(ren) or alleged incompetent is currently in the physical custody of _____
- _____
- _____ l. ordering a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned above is/are currently and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.
- _____ m. prohibiting defendant from interfering with the custody of the minor child(ren) or alleged incompetent.

Paragraph 10: Other Requests

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 9 should not be made into protective orders, and why defendant should not also be ordered:

- ___ to pay petitioner a reasonable amount of child support in accordance with Louisiana Law.
- ___ to pay petitioner a reasonable amount of spousal support (alimony).
- ___ to seek professional counseling or complete a court-monitored domestic abuse intervention program.
- ___ to submit to a medical evaluation and/or a mental health evaluation
- ___ to pay costs of court in this matter.
- ___ to pay attorney fees.
- ___ to pay evaluation fees.
- ___ to pay expert witness fees.
- ___ to pay cost of medical and/or psychological care for the petitioner, minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse or dating violence.
- ___ to vacate the residence or household, thereby granting petitioner possession thereof.
- ___ other: _____.

PRAYER

WHEREFORE, petitioner prays that service and citation issue herein, and that: (check all that apply)

- ___ orders appointing an interpreter be granted *ex parte*.
- ___ orders authorizing criminal history records be granted *ex parte*.
- ___ orders requested in Paragraph 9 be granted *ex parte*.
- ___ a rule issue to show cause why protective orders as requested in Paragraph 10 should not be granted.
- ___ defendant be cast with costs.
- ___ defendant be advised of penalties for violating Abuse Prevention Orders.
- ___ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by _____
PETITIONER, IN PROPER PERSON

ATTORNEY Signature Print Name La. Bar Roll No.

Phone No. Physical Address

_ Alternate Address (for service)

PLEASE SERVE DEFENDANT: _____ personally at his/her home or
place of employment at the following address:

COMPLETE THIS PAGE

OR

AFFIRMATION

STATE OF LOUISIANA
PARISH OF _____

have read the allegations contained therein and declared them to be true and correct to the best of my knowledge, information, and belief. Further I believe that the defendant poses a threat to my safety and/or to the child(ren) or to others for whom I have requested relief.

COMPLETE THIS PAGE
I am the petitioner in this Petition for Protection from Abuse; I

I am aware that any false statement made under oath

contained in the foregoing petition and this affirmation may constitute perjury pursuant to R.S. 14:123.

I have made this affirmation before the witness who signed below on _____ (Date).

WITNESS SIGNATURE

PETITIONER SIGNATURE

**** YOU MUST
PROVIDE ID ****

PRINTED NAME OF WITNESS:

ADDENDUM

Fill out the following ONLY if requesting an order for witness criminal history records in Paragraph 3 on page1 of this petition:

Identifying information for witness criminal history record:

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*

*optional

Fill out the following ONLY if directed to do so in Paragraph 7 on page 2 of this petition:

Divorce suit pending between parties:

Suit Name:

COMPLETE

Suit Number: _____ Division: _____
Court: _____
_____ Date
of last hearing: _____ Date of next hearing: _____

Custody suit pending involving children named in this petition:

Suit Name: _____
Suit Number: _____ Division: _____
Court: _____
Involving _____ children _____ (names):

Date of last hearing: _____ Date of next hearing: _____

Custody order in effect involving children named in this petition (attach copy if available):

Suit Name: _____ Suit
Number: _____ Division: _____
Court: _____
Involving children (names): _____

Custody terms/assignment: _____

Date Order Signed by Court: _____

Docket No. _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection Temporary
Restraining Order

Docket No.
Court: _____
City/Parish State CADDOPARISH
Filed: _____

V.

DEFENDANT NAME AND ADDRESS DEFENDANT IDENTIFIERS

First Middle Last

Name of minor defendant's parent or guardian

Defendant's Alias:

No. & Street Apt. No.

City State Zip Code

SEX	RACE	DOB	HT	WT
YES	HAIR	SOCIAL SECURITY #		
DRIVER'S LICENSE #		STATE	EXP DATE	

THE COURT HEREBY FINDS:

That is has jurisdiction over the parties and subject matter, and the defendant has been or will be provided with reasonable

FOR JUDGE ONLY

notice and opportunity to be heard. Additional findings of this court are as set forth on the following pages.

THE COURT HEREBY ORDERS:

That the above-named defendant be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.

EXPIRATION:

This order shall be effective through 11:59 PM on

(month/day/year)

ENFORCEMENT:

This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265).

WARNINGS TO DEFENDANT:

Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922[g][8]). See further notice on page 6 of this Order.

ONLY THE COURT CAN CHANGE THIS ORDER.

Docket No. _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

TEMPORARY RESTRAINING ORDER		
Pursuant to:		
☐ La. R.S. 46:2131 et seq. (Domestic Abuse)	☐ La. R.S. 46:2171 et seq. (Non-intimate stalking)	46:2171 and 46:2181 valid for relationships in Box C below ONLY
☐ La. R.S. 46:2151 (Dating Violence)	☐ La. R.S. 46:2181 et seq. (Non-intimate sexual assault)	

PETITIONER _____

Protected person is: ☐ Petitioner ☐

other(s) **V.**

DEFENDANT _____

COMPLETE SECTION A,B OR C

The protected person(s) is related to the defendant as: *(check all that apply)*

A

2. current or former intimate cohabitant

1. current or former spouse

B

1. current or former dating partner

2. parent, stepparent, or foster parent

3. child, stepchild, or foster child
4. child of defendant’s current or former intimate partner
5. protected person and defendant have a child(ren) in common

Violence

C

is marked above
1. stranger/no relationship
2. acquaintance

3. grandparent or other ascendant
4. grandchild or other descendant
5. child currently or formerly living with defendant

D

FINDING: Domestic Abuse or Dating

Select ONLY if R.S. 46:2171 or 46:2181

THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER OF STALKING.

FINDING: Sexual Assault
THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE A SEXUAL ASSAULT. **THUS, THE COURT ISSUES THE FOLLOWING ORDERS, WITHOUT A HEARING:**

FOR JUDGE ONLY

THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER TO THE PHYSICAL SAFETY OF THE PROTECTED PERSON(S).

FINDING: Stalking

The court orders interpreter services

The court orders the sheriff to provide criminal history records of defendant and/or witnesses

E

IT IS ORDERED THAT THE DEFENDANT BE SERVED WITH A COPY OF THIS ORDER.

Place check mark in the boxes next to orders you are requesting the court to grant. **11**
If checked box requires address info, please list address.

DO NOT INITIAL NEXT TO BOXES! Docket No. _____

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

_____ 1. THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

_____ 2. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.
Exceptions (if any): _____

_____ 3. THE DEFENDANT IS ORDERED NOT TO go within _____ (distance) of the protected person(s), without the express written permission of this court.
Exceptions (if any): _____

_____ 4. THE DEFENDANT IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

_ No. & Street Apt. No. City State Zip Code

_____ 5. THE DEFENDANT IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

_ Employment/School Address City State Zip Code

_ Employment/School Address City State Zip Code

_____ 6. THE DEFENDANT IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

_____ 7. THE COURT GRANTS THE PETITIONER or protected person(s) the use of the residence located at: _____
_____ No. & Street Apt.
_____ No. City State Zip Code

to the exclusion of defendant by **evicting** defendant. The Court orders the defendant to surrender any keys to that residence to the petitioner.
_____ (Sheriff's office) is ordered to **evict** the defendant.

_____ 8. THE COURT GRANTS THE PETITIONER or protected person(s) the use and possession of the following property (including pets or other animals) and/or the return of protected person(s) property including but not limited to telephones/other communication equipment, computers, medications, clothing, toiletries, social security cards, birth certificates/other forms of identification, tools of the trade, checkbooks, keys, automobiles, photographs, jewelry, or any other items or personal effects of protected person:

____ 9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to obtain property listed in Order No. 8 above.

Place check mark in the boxes next to orders you are requesting the court to grant.

DO NOT INITIAL NEXT TO BOXES! Docket No. _____

____ 10. THE COURT PROHIBITS EITHER PARTY from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or that which is necessary for the support of the petitioner and/or the minor child(ren).

____ 11. THE COURT WILL ALLOW _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency to recover his/her personal clothing and necessities, provided that s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.

____ 12. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany _____ to the residence located at _____ to recover her/his personal clothing and necessities.

DOMESTIC ABUSE, DATING VIOLENCE ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 13. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner:
(name, date of birth, and relationship to petitioner)

____ 14. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned in paragraph above is/are currently, and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.

____ 15. THE DEFENDANT IS ORDERED NOT TO interfere with the physical custody of the minor child(ren) or alleged incompetent.

____ 16. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be evicted from the solely owned residence or household and the petitioner granted possession.

____ 17. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay child support and/or spousal support (alimony) pursuant to Louisiana Law. **The court further orders the defendant to produce at the hearing: most recent income tax returns AND pay stubs or an employer statement documenting gross income to date for the CURRENT year. If the defendant is self-employed, income and expense statements shall be produced.**

STALKING, SEXUAL ASSAULT ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 18. THE DEFENDANT IS ORDERED NOT TO contact family members or acquaintances of the protected person(s).

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 19. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay

all court costs attorney fees
evaluation fees expert witness fees

cost of medical and/or psychological care for the petitioner, the minor child(ren), alleged incompetent, and/or other protected person(s) necessitated by the domestic abuse, dating violence, stalking or sexual assault.

____ 20. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to seek professional counseling, complete a court-monitored domestic abuse intervention program, submit to a medical evaluation and/or submit to a mental health evaluation.

13

Docket No. _____

____ 21. Other:

This image shows a blank sheet of white paper with horizontal ruling lines. On the left side, there are short vertical lines that serve as margins, creating a series of narrow columns. The paper is otherwise empty, with no text or other markings.

FOR JUDGE ONLY

IT IS FURTHER ORDERED THAT DEFENDANT show cause on _____

(month/day/year) First Judicial District

at _____ o'clock _____ M. in Courtroom No. _____ of the _____ Court,

located 501 Texas Street Shreveport

at _____ in _____, La., why

the above Temporary Restraining Order and other relief requested should not be made Protective Orders.

FULL FAITH AND CREDIT pursuant to 18 U.S.C. § 2265

This Order meets all requirements of the Violence Against Women Act (VAWA) **18 U.S.C. Section 2265**. This court has

jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued ex parte, the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.

THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.

Date of Order _____ month/day/year	Time of Order ____ AM ____ PM	Order effective through 11:59 PM on ____ month/day/year	_____ SIGNATURE OF JUDGE Order issued <i>ex parte</i> Order issued after notice and opportunity for hearing given to defendant _____ PRINT OR STAMP JUDGE'S NAME
--	---	---	---

NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.

NOTICE TO DEFENDANT - VIOLATION OF ORDER:
PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.
PURSUANT TO LA. R.S. 13:4611 AND LA. CH. C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$1,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.

Docket No. _____

NOTICE TO DEFENDANT – FIREARM POSSESSION (*Domestic abuse or dating violence ONLY*):

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THE PROTECTIVE ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the duration of a protective order if the following conditions apply:

- Protected person(s) relationship to defendant is checked in Box **A** on page 2 of this order
AND
- Notice and opportunity for a hearing provided
AND
- **EITHER** Judicial finding of credible threat, **OR**
Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

**Under 18 U.S.C. 921 the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term “ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.*

NOTICE TO DEFENDANT – FIREARM TRANSFER AND SUSPENSION OF CONCEALED HANDGUN PERMIT (*Domestic abuse or dating violence ONLY*)

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, YOU MAY BE REQUIRED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED BY YOU AND SURRENDER YOUR CONCEALED HANDGUN PERMIT. AS YOU MAY ALSO BE REQUIRED TO STATE UNDER OATH THE NUMBER OF FIREARMS YOU POSSESS, THE TYPE AND LOCATION OF EACH AND COMPLETE A FIREARMS INFORMATION FORM VERIFYING SUCH, BRING THIS INFORMATION TO THE HEARING. THE INFORMATION MAY BE REQUIRED EVEN IF YOU TRANSFERRED THE FIREARMS PRIOR TO THE TRANSFER ORDER.

Louisiana law: C.Cr.P. Art. 1001 et seq. requires the transfer of all firearms owned or possessed and the suspension of a concealed handgun permit:

- When a person is subject to a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children's Code Article 1570, Code of Civil Procedure Article 3607.1, or C.Cr.P. Articles 30, 320, or 871.1.

OR

- When a person is subject to a Uniform Abuse Prevention Order that includes terms prohibiting possession of a firearm or carrying a concealed weapon.

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79 - the crime of violation of protective orders – you shall use every reasonable means to enforce this order. La. Code of Criminal Procedure Article 211 provides that when you have reasonable grounds to believe a person committed the offense of domestic abuse battery, battery of a dating partner, violation of protective orders, stalking, or any other offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, household member, or dating partner, the officer shall make a CUSTODIAL arrest.

If the expiration date of this order falls on or within five (5) days of the conclusion of a declared state of emergency, this order/injunction shall be enforced throughout that time period.

FOR CLERK^K

DEFENDANT WAS SERVED AT CLOSE OF HEARING.

Date _____ Clerk _____

FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY

Date _____ Clerk _____

COMPLETED ORDERS FAXED to 888-568-4558 or EMAILED to lpororders@lasc.org

Copies to: 1) Court file 2) Petitioner/protected person(s) 3) Defendant 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Louisiana Protective Order Registry.

***NOTICE TO ALL PERSONS APPLYING FOR A PROTECTIVE ORDER* PROTECTIVE ORDER COSTS**

ALTHOUGH NO COURT COSTS ARE DUE AT THE TIME OF FILING, COURT COSTS ARE STILL INCURRED. PROTECTIVE ORDER COURT COSTS AVERAGE BETWEEN \$300.00 AND \$800.00. YOU MAY BE LIABLE FOR THESE COSTS. IF YOU DO NOT SHOW UP AND YOUR CASE IS DISMISSED AT THE TIME OF HEARING, YOU MAY BE CAST WITH COURT COSTS. IF THERE IS A CONTESTED HEARING HELD, THE COURT WILL DETERMINE WHO IS RESPONSIBLE FOR COSTS.

I HAVE READ THE ABOVE AND UNDERSTAND MY RESPONSIBILITY AS TO THE COURT COSTS OF THE PROTECTIVE ORDER.

DATE

SIGNATURE

=====

APPLICANT MUST READ AND INITIAL EACH ENUMERATED STATEMENT OF THIS FORM BEFORE APPLYING FOR A PROTECTIVE ORDER

_____ 1) Has a protective order request been made involving any party listed in this protective order in any court? (circle one) YES NO

If yes, where _____, when _____ and status _____.

_____ 2) By filing a petition for a protective order, you understand you are making a serious accusation to the court about the behavior and circumstances of another person.

_____ 3) By signing the petition for a protective order, you are stating under oath to the court that the allegations contained in your petition are true and correct.

_____ 4) The petition you are about to file is a legal document that may result in court action. As with all legal documents, you are advised to consult an attorney before filing.

_____ 5) After filing this petition, the court may grant your request for a temporary restraining order. You will be required to come to court and prove the accusations made in your petition in order to obtain a protective order.

_____ 6) It is your responsibility to present the evidence necessary to obtain the relief sought. You are strongly advised to have an attorney represent you when you come to court. If you do not have an attorney at the time, the judge WILL NOT act as your attorney.

_____ 7) If you cannot prove the accusations you have made, the protective order will be dismissed.

_____ 8) Any false statement under oath contained in the affidavit shall constitute perjury and shall be punishable by a fine of not more than one thousand dollars, or by imprisonment, with or without hard labor, for more than five years, or both. (La. R.S. 46:2134)

By signing this form, applicant certifies that she/he has read and understands the forgoing statements.

Signature of Applicant

_ PETITIONER

V.

_ DEFENDANT

_ Parent/Guardian name if defendant is a minor

_____ COURT

PARISH/CITY OF _____

STATE OF LOUISIANA

DIVISION: _____ NUMBER: _____

_____ FILED: _____

CLERK: _____

1

PETITION FOR PROTECTION FROM STALKING OR SEXUAL ASSAULT

Pursuant to La. R.S. 46:2171 et seq. or La. R.S. 46:2181 et seq.

This petition is: Initial Petition Supplemental and Amending Petition

The petition of _____, born
_____ your name month/day/year

a resident of the State of Louisiana, respectfully represents:

Paragraph 1: Petitioner/Protected Person(s)

Petitioner files this petition on behalf of:

COMPLETE THIS PAGE

- a. _____ Petitioner, and/or
- b. _____ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner)
- _____
- _____
- _____
- _____
- _____
- _____
- c. _____

Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner)

Paragraph 2: Protected Person(s) Address

- a. _____ Petitioner requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential to the court and files the address pursuant to La. R.S. 46:2134(B).
- (Ask clerk of court for the Confidential Address Form.)

OR

- b. _____ Petitioner’s current address:
- _____
- _ No. & Street Apt. No.
- _____
- City State Zip Code
- c. _____ The minor child’s or alleged incompetent’s current address:
- _____
- _ No. & Street Apt. No.
- _____
- _ City State Zip Code

Paragraph 3: Special Requests

- a. _____ Petitioner requests interpreter service, for:
- ☐ self/protected person, in following language: _____
- ☐ witness(es), in following language: _____

- b. _____ Petitioner requests criminal history record from sheriff for:
- ☐ defendant
- ☐ witness(es) (see information on Addendum, page 8)

Paragraph 4: Defendant Address

_____, defendant, resides in _____ Parish

at Abuser’s Name

_ No. & Street Apt. No. State Zip Code

Paragraph 5: Venue

This Court is the proper venue for this action because:

The defendant resides in _____ Parish.

_____ The stalking/sexual assault occurred in _____ Parish.

_____ The protected person(s) resides in _____ Parish.

Paragraph 6: Relationship

The defendant is an acquaintance of or stranger/unknown to the protected person(s).

Paragraph 7: Description of stalking/sexual assault

COMPLETE THIS PAGE

a. **Stalking** (La. R.S. 46:2171 et seq.): Defendant intentionally and repeatedly engaged in the following behavior(s) which caused the protected person to feel alarmed or to suffer emotional distress:

- ☐ Followed protected person(s) ☐ Implied or threatened protected person(s) with bodily injury ☐ Harassed protected person(s) ☐ Implied or threatened protected person(s)' life ☐ Uninvited presence at protected person(s)' home ☐ Used tracking device to monitor protected person(s)
- ☐ Uninvited presence at protected person(s)' workplace ☐ Stalked, harmed/threatened to harm protected person(s) or member of protected person(s)' family or acquaintance of protected person(s) ☐ Uninvited presence at protected person(s)' school
- ☐ Uninvited presence at other places

☐ Implied or threatened protected person(s) with kidnapping
- ☐ Made/sent telephone calls, texts, emails or other electronic communications to protected person(s)

☐ Implied or threatened protected person(s) with sexual assault
- ☐ Sent messages via a third party, letters, pictures, public posts to social media

☐ Possessed a dangerous weapon during any of the foregoing behaviors
- ☐ Sent unwanted gifts to protected person(s) ☐ Threatened protected person(s) with a dangerous weapon
- ☐ Other: _____

b. **Sexual assault** (La. R.S. 46:2181 et seq.): Defendant intentionally assaulted the protected person in the following manner:

- ☐ Touched the protected person's genitals, anus, breasts or buttocks (either directly or through clothing) using defendant's body part(s) or other objects, without consent.
- ☐ Forced the protected person to touch the defendant's genitals, anus, breasts or buttocks (either directly or through clothing) using protected person's body part(s) or other objects.
- ☐ Penetrated the protected person's vagina or anus using defendant's body part(s) or other objects, without consent.
- ☐ Forced the protected person to penetrate the defendant's vagina or anus, using protected person's body part(s) or other objects.
- ☐ Displayed genitals, anus, and/or female breast nipples to protected person without consent, in a public place or prison/jail.
- ☐ Deceived the protected person into engaging in anal, oral or vaginal intercourse with the defendant by misrepresenting themselves as someone else known to the protected person.
- ☐ Sent an electronic communication, letter, photograph, or drawing containing sexually explicit materials or content to the protected person without consent.

- ☐ Exposed the protected person to the HIV/AIDS virus through sexual contact without the knowing and lawful consent of the protected person.
- ☐ Viewed or spied on the protected person at a private residence without consent for defendant's sexual gratification.
- ☐ Used an image or video recording device to view or observe the protected person without consent for a lewd or lascivious purpose.
- ☐ Electronically transferred an image or video of the protected person obtained by the above without the consent of the protected person.
- ☐ Gave a drug, narcotic, anesthetic, intoxicant agent or other controlled dangerous substance to the protected person without her/his consent.
- ☐ Possessed a dangerous weapon at the time of any of the foregoing behaviors.
- ☐ Threatened the protected person with a dangerous weapon during any of the foregoing behaviors.
- ☐ Other: _____

c. The facts and circumstances of stalking or sexual assault are as follows:

The most recent incident of stalking or sexual assault which caused petitioner to file this petition happened on or about _____ (date) at which time the defendant did:

COMPLETE THIS PAGE

Past incidents: _____

Paragraph 8: Requests for relief

Because of the immediate and present danger of stalking, or sexual assault, petitioner requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

- ☐ a. prohibiting defendant from abusing, harassing, assaulting, stalking, following, tracking, monitoring, or threatening the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.
- ☐ b. prohibiting the defendant from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication, or sending gifts to the protected person(s).
- ☐ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:
- ☐ d. ordering the defendant to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school located at:

_ Employment/School Address City State Zip Code

Employment/School Address City State Zip Code

COMPLETE THIS PAGE

- ☐ e. ordering the defendant not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).
- ☐ f. granting the petitioner or protected person(s) the use of the residence located at:

_ No. & Street Apt. No. City State Zip Code

to the exclusion of defendant by **evicting** defendant and ordering the defendant to surrender any keys to that residence to the petitioner, and ordering _____ (Sheriff's office) to **evict** the

Paragraph 9: Other Requests

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 8 should not be made into protective orders, and why defendant should not also be ordered:

- ___ to seek professional counseling
- ___ to submit to a medical evaluation and/or a mental health evaluation
- ___ to pay costs of court in this matter.
- ___ to pay attorney fees
- ___ to pay evaluation fees
- ___ to pay expert witness fees
- ___ to pay cost of medical / psychological care for the protected person(s), necessitated by the stalking or sexual assault
- ___ to vacate the residence or household, thereby granting petitioner possession thereof
- ___ other: _____

PRAYER

WHEREFORE, petitioner prays that service and citation issue herein, and that: *(check all that apply)*

- ___ orders appointing an interpreter be granted *ex parte*.
- ___ orders authorizing criminal history records be granted *ex parte*.
- ___ orders requested in Paragraph 8 be granted *ex parte*.
- ___ a rule issue to show cause why protective orders as requested in Paragraph 9 should not be granted.
- ___ defendant be cast with costs.
- ___ defendant be advised of penalties for violating Stalking or Sexual Assault Prevention Orders.
- ___ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by _____
PETITIONER, IN PROPER PERSON

ATTORNEY Signature Print Name La. Bar Roll No.

Phone No. Physical Address

_ Alternate Address (for service)

PLEASE SERVE DEFENDANT: _____ personally at his/her home or place of employment at the following address:

OR

AFFIRMATION

STATE OF LOUISIANA
PARISH OF _____

COMPLETE THIS PAGE

I am the petitioner in this Petition for Protection from Stalking or Sexual Abuse; I have read the allegations contained therein and declared them to be true and correct to the best of my knowledge, information, and belief. Further I believe that the defendant poses a threat to my safety and/or to the child(ren) or to others for whom I have requested relief.

I am aware that any false statement made under oath contained in the foregoing petition and this affirmation may constitute perjury pursuant to R.S. 14:123.

I have made this affirmation before the witness who signed below on _____ (Date).

PETITIONER SIGNATURE

PRINTED NAME OF WITNESS:

WITNESS SIGNATURE

** YOU MUST PROVIDE ID **

ADDENDUM

Fill out the following ONLY if requesting an order for witness criminal history records in Paragraph 3 on page 1 of this petition:
Identifying information for witness criminal history record:

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*

COMPLETE THIS PAGE

*optional

Docket No. _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection Temporary

Restraining Order

Docket No.
FIRST
Court: _____
City/Parish State
CADDO PA
Filed: _____

V.

DEFENDANT NAME AND ADDRESS DEFENDANT IDENTIFIERS

First Middle Last

Name of minor defendant's parent or guardian

Defendant's Alias:

No. & Street Apt. No.

City State Zip Code

SEX	RACE	DOB		HT	WT
YES	HAIR	SOCIAL SECURITY #			
DRIVER'S LICENSE #		STATE	EXP DATE		

THE COURT HEREBY FINDS:

That is has jurisdiction over the parties and subject matter, and the defendant has been or will be provided with reasonable

FOR JUDGE ONLY

notice and opportunity to be heard. Additional findings of this court are as set forth on the following pages.

THE COURT HEREBY ORDERS:

That the above-named defendant be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.

EXPIRATION:

This order shall be effective through 11:59 PM on

(month/day/year)

ENFORCEMENT:

This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265).

WARNINGS TO DEFENDANT:

Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922[g][8]). See further notice on page 6 of this Order.

ONLY THE COURT CAN CHANGE THIS ORDER.

Docket No. _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

TEMPORARY RESTRAINING ORDER		
Pursuant to:		
☐ La. R.S. 46:2131 et seq. (Domestic Abuse)	☐ La. R.S. 46:2171 et seq. (Non-intimate stalking)	46:2171 and 46:2181 valid for relationships in Box C below ONLY
☐ La. R.S. 46:2151 (Dating Violence)	☐ La. R.S. 46:2181 et seq. (Non-intimate sexual assault)	

PETITIONER _____

Protected person is: ☐ Petitioner ☐

other(s) **V.**

DEFENDANT _____

COMPLETE SECTION A,B OR C

The protected person(s) is related to the defendant as: *(check all that apply)*

A

2. current or former intimate cohabitant

1. current or former spouse

B

1. current or former dating partner

2. parent, stepparent, or foster parent

3. child, stepchild, or foster child
4. child of defendant’s current or former intimate partner
5. protected person and defendant have a child(ren) in common

Violence

C

is marked above
1. stranger/no relationship
2. acquaintance

3. grandparent or other ascendant
4. grandchild or other descendant
5. child currently or formerly living with defendant

D

FINDING: Domestic Abuse or Dating

Select ONLY if R.S. 46:2171 or 46:2181

THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER OF STALKING.

FINDING: Sexual Assault
THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE A SEXUAL ASSAULT. **THUS, THE COURT ISSUES THE FOLLOWING ORDERS, WITHOUT A HEARING:**

FOR JUDGE ONLY

THE COURT FINDS THAT THE ALLEGATIONS PRESENTED CONSTITUTE AN IMMEDIATE AND PRESENT DANGER TO THE PHYSICAL SAFETY OF THE PROTECTED PERSON(S).

FINDING: Stalking

The court orders interpreter services

The court orders the sheriff to provide criminal history records of defendant and/or witnesses

E

IT IS ORDERED THAT THE DEFENDANT BE SERVED WITH A COPY OF THIS ORDER.

Place check mark in the boxes next to orders you are requesting the court to grant. 10
If checked box requires address info, please list address.

DO NOT INITIAL NEXT TO BOXES! Docket No. _____

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

_____ 1. THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

_____ 2. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.
Exceptions (if any): _____

_____ 3. THE DEFENDANT IS ORDERED NOT TO go within _____ (distance) of the protected person(s), without the express written permission of this court.
Exceptions (if any): _____

_____ 4. THE DEFENDANT IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

_____ *No. & Street Apt. No. City State Zip Code*

_____ 5. THE DEFENDANT IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

_____ *Employment/School Address City State Zip Code*

_____ *Employment/School Address City State Zip Code*

_____ 6. THE DEFENDANT IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

_____ 7. THE COURT GRANTS THE PETITIONER or protected person(s) the use of the residence located at: _____ *No. & Street Apt.*
_____ *No. City State Zip Code*

to the exclusion of defendant by **evicting** defendant. The Court orders the defendant to surrender any keys to that residence to the petitioner.

_____ (Sheriff's office) is ordered to **evict** the defendant.

_____ 8. THE COURT GRANTS THE PETITIONER or protected person(s) the use and possession of the following property (including pets or other animals) and/or the return of protected person(s) property including but not limited to telephones/other communication equipment, computers, medications, clothing, toiletries, social security cards, birth certificates/other forms of identification, tools of the trade, checkbooks, keys, automobiles, photographs, jewelry, or any other items or personal effects of protected person:

____ 9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to obtain property listed in Order No. 8 above.

Place check mark in the boxes next to orders you are requesting the court to grant.

DO NOT INITIAL NEXT TO BOXES! Docket No. _____

____ 10. THE COURT PROHIBITS EITHER PARTY from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or that which is necessary for the support of the petitioner and/or the minor child(ren).

____ 11. THE COURT WILL ALLOW _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency to recover his/her personal clothing and necessities, provided that s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.

____ 12. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany _____ to the residence located at _____ to recover her/his personal clothing and necessities.

DOMESTIC ABUSE, DATING VIOLENCE ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 13. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner:
(name, date of birth, and relationship to petitioner)

____ 14. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned in paragraph above is/are currently, and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.

____ 15. THE DEFENDANT IS ORDERED NOT TO interfere with the physical custody of the minor child(ren) or alleged incompetent.

____ 16. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be evicted from the solely owned residence or household and the petitioner granted possession.

____ 17. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay child support and/or spousal support (alimony) pursuant to Louisiana Law. **The court further orders the defendant to produce at the hearing: most recent income tax returns AND pay stubs or an employer statement documenting gross income to date for the CURRENT year. If the defendant is self-employed, income and expense statements shall be produced.**

STALKING, SEXUAL ASSAULT ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 18. THE DEFENDANT IS ORDERED NOT TO contact family members or acquaintances of the protected person(s).

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 19. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay

all court costs attorney fees
evaluation fees expert witness fees

cost of medical and/or psychological care for the petitioner, the minor child(ren), alleged incompetent, and/or other protected person(s) necessitated by the domestic abuse, dating violence, stalking or sexual assault.

____ 20. THE DEFENDANT IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to seek professional counseling, complete a court-monitored domestic abuse intervention program, submit to a medical evaluation and/or submit to a mental health evaluation.

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Docket No. _____

____ 21. Other:

[illegible]

FOR JUDGE ONLY

IT IS FURTHER ORDERED THAT DEFENDANT show cause on _____

(month/day/year) First Judicial District

at _____ o'clock _____ M. in Courtroom No. _____ of the _____ Court,

located 501 Texas Street Shreveport

at _____ in _____, La., why

the above Temporary Restraining Order and other relief requested should not be made Protective Orders.

FULL FAITH AND CREDIT pursuant to 18 U.S.C. § 2265

This Order meets all requirements of the Violence Against Women Act (VAWA) **18 U.S.C. Section 2265**. This court has

jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued ex parte, the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.

THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.

Date of Order	Time of Order	Order effective through 11:59 PM on	SIGNATURE OF JUDGE Order issued <i>ex parte</i> Order issued after notice and opportunity for hearing given to defendant
month/day/year	AM PM	month/day/year	PRINT OR STAMP JUDGE'S NAME

NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.

NOTICE TO DEFENDANT - VIOLATION OF ORDER:

PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.

PURSUANT TO LA. R.S. 13:4611 AND LA. CH. C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$1,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.

Docket No. _____

NOTICE TO DEFENDANT – FIREARM POSSESSION (*Domestic abuse or dating violence ONLY*):

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THE PROTECTIVE ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the duration of a protective order if the following conditions apply:

- Protected person(s) relationship to defendant is checked in Box **A** on page 2 of this order
AND
- Notice and opportunity for a hearing provided
AND
- **EITHER** Judicial finding of credible threat, **OR**
Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

**Under 18 U.S.C. 921 the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term “ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.*

NOTICE TO DEFENDANT – FIREARM TRANSFER AND SUSPENSION OF CONCEALED HANDGUN PERMIT (*Domestic abuse or dating violence ONLY*)

IF A PROTECTIVE ORDER IS ISSUED AGAINST YOU, YOU MAY BE REQUIRED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED BY YOU AND SURRENDER YOUR CONCEALED HANDGUN PERMIT. AS YOU MAY ALSO BE REQUIRED TO STATE UNDER OATH THE NUMBER OF FIREARMS YOU POSSESS, THE TYPE AND LOCATION OF EACH AND COMPLETE A FIREARMS INFORMATION FORM VERIFYING SUCH, BRING THIS INFORMATION TO THE HEARING. THE INFORMATION MAY BE REQUIRED EVEN IF YOU TRANSFERRED THE FIREARMS PRIOR TO THE TRANSFER ORDER.

Louisiana law: C.Cr.P. Art. 1001 et seq. requires the transfer of all firearms owned or possessed and the suspension of a concealed handgun permit:

- When a person is subject to a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children's Code Article 1570, Code of Civil Procedure Article 3607.1, or C.Cr.P. Articles 30, 320, or 871.1.

OR

- When a person is subject to a Uniform Abuse Prevention Order that includes terms prohibiting possession of a firearm or carrying a concealed weapon.

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79 - the crime of violation of protective orders – you shall use every reasonable means to enforce this order. La. Code of Criminal Procedure Article 211 provides that when you have reasonable grounds to believe a person committed the offense of domestic abuse battery, battery of a dating partner, violation of protective orders, stalking, or any other offense involving the use or threatened use of force or a deadly weapon upon the defendant's family member, household member, or dating partner, the officer shall make a CUSTODIAL arrest.

If the expiration date of this order falls on or within five (5) days of the conclusion of a declared state of emergency, this order/injunction shall be enforced throughout that time period.

FOR CLERK

DEFENDANT WAS SERVED AT CLOSE OF HEARING.

Date _____ Clerk _____

FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY

Date _____ Clerk _____

COMPLETED ORDERS FAXED to 888-568-4558 or EMAILED to lpororders@lasc.org

Copies to: 1) Court file 2) Petitioner/protected person(s) 3) Defendant 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Louisiana Protective Order Registry.

----- FOR JUDGE

ONLY -----

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Docket No. _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

SERVICE NOT REQUIRED FOR ENFORCEMENT OF THIS ORDER (LA. R.S. 14:79)

☐ Modified Protective Order

Order of Protection

☐ Protective Order

Docket No.	Div.:_____ City/Parish State
Court: _____	Louisiana
	Filed: _____ Clerk: _____

PETITIONER PETITIONER IDENTIFIERS

First Middle Last Date of birth Race Sex: Fe Sex: M Protected person is: Petitioner Other(s) *List other(s) name & date of birth:*

V.

DEFENDANT NAME AND ADDRESS DEFENDANT IDENTIFIERS

SEX	RACE	DOB	HT	WT
First Middle Last				
Name of minor defendant’s parent or guardian	YES	HAIR	SOCIAL SECURITY #	
Defendant’s Alias:				
	DRIVER’S LICENSE #		STATE	EXP DATE
No. & Street Apt. No.				
City State Zip Code				

THE COURT HEREBY FINDS:

That is has jurisdiction over the parties and subject matter, and the defendant has been or will be provided with reasonable notice and opportunity to be heard. Additional findings of this court are as set forth on the following pages.

THE COURT HEREBY ORDERS:

That the above-named defendant be restrained from committing further acts of abuse or threats of abuse, stalking or sexual assault. Additional terms of this order are as set forth on the following pages.

EXPIRATION: This order shall be effective through 11:59 PM on

_____ (month/day/year)
Some parts of this order may be NON-EXPIRING. See page 3 of this Order.

ENFORCEMENT: SERVICE NOT REQUIRED FOR ENFORCEMENT OF THIS ORDER (LA. R.S. 14:79).

This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265).

WARNINGS TO DEFENDANT:

Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition (18 U.S.C. Section 922[g][8]). See further notice on page 7 of this Order.

ONLY THE COURT CAN CHANGE THIS ORDER.

----- FOR JUDGE

Docket No. _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER		
PROTECTIVE ORDER Pursuant to:		
☐ La. R.S. 46:2131 et seq. (Domestic Abuse)	☐ La. R.S. 46:2171 et seq. (Non-intimate stalking)	46:2171 et seq. (Non-intimate sexual assault) 46:2181 et seq. (Non-intimate sexual harassment) Box C below
☐ La. R.S. 46:2151 (Dating Violence)	☐ La. R.S. 46:2181 et seq. (Non -intimate sexual assault)	
☐ La. Ch. C. Article 1564 et seq. (Children’s Code Domestic Abuse)		

☐ Court Approved Consent Agreement

PETITIONER _____ Protected person is: ☐ Petitioner ☐

other(s) **V.**

DEFENDANT _____

The protected person(s) is related to the defendant as: <i>(check all that apply)</i>	
A	B 1. current or former dating partner 2. current or former intimate cohabitant 1. current or former spouse 2. parent, stepparent, or foster parent

- 3. child, stepchild, or foster child
- 4. child of defendant’s current or former intimate partner
- 5. protected person and defendant have a child(ren) in common

C

- 3. grandparent or other ascendant
- 4. grandchild or other descendant
- 5. child currently or formerly living with defendant

Select ONLY if R.S. 46:2171 or 46:2181 is marked above

- 1. stranger / no relationship
- 2. acquaintance

THIS ORDER WAS ISSUED AFTER ACTUAL NOTICE AND AN OPPORTUNITY TO PARTICIPATE IN A HEARING WAS PROVIDED TO THE DEFENDANT. THUS, THE COURT ISSUES THE FOLLOWING ORDERS:

D

ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

E _____ THE COURT FINDS THAT THE DEFENDANT REPRESENTS A CREDIBLE THREAT TO THE PHYSICAL SAFETY OF A FAMILY MEMBER, HOUSEHOLD MEMBER, OR DATING PARTNER. THEREFORE, PURSUANT TO R.S. 46:2136.3, THE DEFENDANT IS PROHIBITED FROM POSSESSING A FIREARM FOR THE DURATION OF THIS ORDER.

F

_____ THE DEFENDANT IS HEREBY ORDERED TO TRANSFER ANY AND ALL FIREARMS OWNED OR

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Docket No. _____

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

----- FOR JUDGE

ONLY

____ 1. THE DEFENDANT IS ORDERED NOT TO abuse, harass, assault, stalk, follow, track, monitor, or threaten the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

Does not expire

____ 2. THE DEFENDANT IS ORDERED NOT TO contact the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.

Exceptions (if any): _____

Does not expire

____ 3. THE DEFENDANT IS ORDERED NOT TO go within _____ (distance) of the protected person(s), without the express written permission of this court.

Exceptions (if any): _____

Does not expire

____ 4. THE DEFENDANT IS ORDERED NOT TO go within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s).

& Street Apt. No. City State Zip Code _____ No.

Does not expire

____ 5. THE DEFENDANT IS ORDERED TO STAY AWAY from protected person(s)' place of employment/school and not to interfere in any manner with such employment/school.

Employment/School Address City State Zip Code _____

Does not expire

____ 6. THE DEFENDANT IS ORDERED NOT TO damage any belongings or property of the protected person(s) and not to shut off any utilities, telephone service, or mail delivery to the protected person(s) or in any way interfere with the living conditions of the protected person(s).

____ 7. THE COURT GRANTS THE PETITIONER or protected person(s) the use of the residence located at: _____ No.
& Street Apt. No. City State Zip Code

to the exclusion of defendant by **evicting** defendant. The Court orders the defendant to surrender any keys to that residence to the petitioner.

____ (Sheriff's office) is ordered to **evict** the defendant.

____ 8. THE COURT GRANTS THE PETITIONER or protected person(s) the use and possession of the following property (including pets or other animals) and/or the return of protected person(s) property including but not limited to telephones/other communication equipment, computers, medications, clothing, toiletries, social security cards, birth certificates/other forms of identification, tools of the trade, checkbooks, keys, automobiles, photographs, jewelry, or any other items or personal effects of protected person:

----- FOR JUDGE
ONLY -----
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Docket No. _____

____ 9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to obtain property listed in Order No. 8 above.

____ 10. THE COURT PROHIBITS EITHER PARTY from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or that which is necessary for the support of the petitioner and/or the minor child(ren).

____ 11. THE COURT WILL ALLOW _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency to recover his/her personal clothing and necessities, provided that s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.

____ 12. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany _____ to the residence located at _____ to recover her/his personal clothing and necessities.

____ 13. THE DEFENDANT IS ORDERED TO pay:
☐ all court costs, payable to _____

_____ no later than _____ (date)

☐ attorney fees, payable to _____
in amt. of \$ _____ no later than _____ (date)

☐ evaluation fees, payable to _____
in amt. of \$ _____ no later than _____ (date)

☐ expert witness fees, payable to _____
in amt. of \$ _____ no later than _____ (date)

☐ cost of medical and/or psychological care for the petitioner, the minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse, dating violence, stalking or sexual assault : _____

____ 14. THE DEFENDANT IS ORDERED TO seek professional counseling and/or complete a court-monitored domestic abuse intervention program.

____ 15. THE DEFENDANT IS ORDERED TO submit to a:
☐ medical evaluation, no later than _____ (date)

AND/OR
☐ mental health evaluation, no later than _____ (date)

DOMESTIC ABUSE, DATING VIOLENCE ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 16. THE COURT GRANTS TEMPORARY CUSTODY of the following child(ren) or alleged incompetent to the petitioner: *(name, date of birth, and relationship to petitioner)*

____ 17. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned in paragraph above is/are currently, and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.

----- FOR JUDGE
ONLY -----

____ 18. THE COURT GRANTS THE DEFENDANT

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Docket No. _____

☐ supervised ☐ unsupervised visitation with minor child(ren) or alleged incompetent as follows:

The supervising person shall be: _____

(NOTICE: La. R.S. 9:362(6) - The supervising person shall not be any relative, friend, therapist, or associate of the parent perpetrating family violence.)

Supervised visitation between the defendant and the child(ren) shall occur in the immediate presence of the supervising person under conditions which shall prevent any physical abuse, threat, intimidation, abduction, or humiliation of either the petitioner or the child(ren).

Exchange of child(ren) or alleged incompetent is to be effected as follows:

_____ 19. THE DEFENDANT IS PROHIBITED FROM removing the child(ren) from the jurisdiction of the court except for good cause shown and with the prior approval of the court.

_____ 20. THE DEFENDANT IS ORDERED NOT TO interfere with the physical custody of the minor child(ren) or alleged incompetent.

_____ 21. THE DEFENDANT IS ORDERED TO pay support for:
☐ the petitioner at the rate of \$_____ per ☐ week ☐ month ☐ other: _____
beginning _____(date)

☐ the child(ren) at the rate of \$_____ per ☐ week ☐ month ☐ other: _____
beginning _____(date), ☐ made payable directly to the petitioner

☐ other: _____

☐ Payment by mail to: OR ☐ By direct deposit to:

Street Apt. No. City State Zip Code Name of bank No. &

STALKING, SEXUAL ASSAULT ONLY
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

_____ 22. THE DEFENDANT IS ORDERED NOT TO contact family members or acquaintances of the protected person(s).

----- FOR JUDGE
ONLY -----
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Docket No. _____

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT
ONLY ORDERS INITIALED BY A JUDGE SHALL APPLY

____ 23. Other:

____ 24. THE DEFENDANT IS ORDERED TO appear at hearing(s) on:

1) _____ (month/day/year) at _____ o'clock ____ M. in Courtroom No. _____ of the
_____ Court, located at _____ in
_____, La., to review _____

AND

2) _____ (month/day/year) at _____ o'clock ____ M. in Courtroom No. _____ of the
_____ Court, located at _____ in
_____, La., to review _____

This Order meets all requirements of the Violence Against Women Act (VAWA)**18 U.S.C. Section 2265**. This court has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; the defendant was given reasonable notice and an opportunity to be heard sufficient to protect the defendant's right to due process before this order was issued; or if the order was issued ex parte, the court ordered that the defendant be given reasonable notice and an opportunity to be heard within the time required by the laws of the State of Louisiana, and in any event, within a reasonable time after the order was issued, sufficient to protect the defendant's due process rights.

THIS ORDER SHALL BE PRESUMED VALID AND ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, U.S. TERRITORIES, AND COMMONWEALTHS.

Date of Order month/day/year	Order effective through 11:59 PM on month/day/year Some provisions of this order MAY NOT EXPIRE See paragraphs 1-5.	SIGNATURE OF JUDGE PRINT OR STAMP JUDGE'S NAME
--	---	--

NOTICE: C.C.P. Article 3603.1 - Any person against whom such an order is issued shall be entitled to a court-appointed attorney if the applicant has likewise been afforded a court-appointed attorney.

Page 6 of 8 LPOR 3 v.15

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Docket No. _____

DEFENDANT

PETITIONER

NOTICE TO DEFENDANT - VIOLATION OF ORDER:

PURSUANT TO LA. R.S. 14:79, A PERSON WHO VIOLATES THIS ORDER MAY BE ARRESTED, JAILED, AND PROSECUTED.

PURSUANT TO LA. R.S. 13:4611 AND LA. CH.C. ARTICLE 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$1,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS 6 MONTHS, OR BOTH, AND MAY BE FURTHER PUNISHED UNDER CRIMINAL LAWS OF THE STATE OF LOUISIANA. THIS ORDER SHALL BE ENFORCED BY ALL LAW ENFORCEMENT OFFICERS AND COURTS OF THE STATE OF LOUISIANA.

NOTICE TO DEFENDANT – FIREARM POSSESSION (*Domestic abuse or dating violence ONLY*):

AS A RESULT OF THIS ORDER, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, RECEIVE, SHIP, TRANSPORT OR PURCHASE A FIREARM, INCLUDING A RIFLE, PISTOL, OR REVOLVER, OR AMMUNITION, FOR THE DURATION OF THIS ORDER PURSUANT TO STATE AND/OR FEDERAL LAWS. See below.

If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, consult an attorney.

Federal law: 18 U.S.C. 922 (g)(8) prohibits a defendant from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the **duration** of this order if the following conditions apply:

- Protected person(s) relationship to defendant is checked in Box **A** on page 2 of this order
- AND**
- Notice and opportunity for a hearing provided (Box **D** on page 2 of this order).
- AND**
- **EITHER** Judicial finding of credible threat (Box **E** on page 2 of this order is initialed), **OR** Certain behaviors are prohibited (item 1 on page 3 of this order is initialed)

**Under 18 U.S.C. 921 the term “firearm” means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm. The term “ammunition” means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.*

Louisiana law: R.S. 46:2136.3 prohibits the possession of a firearm* for the duration of this order if both of the following occur: - The order includes a finding that the person subject to the order represents a credible threat to the physical safety of the protected person(s) (Box **E**, on page 2 of this order is initialed) and the protected person(s) is a family member, household

member, or dating partner (Box **A** OR Box **B** on page 2 of this order is checked).

AND

- The order informs the person subject to the order that the person is prohibited from possessing a firearm pursuant to the provisions of 18 U.S.C. 922(g) (8) and R.S. 46:2136.3.

Under this statute, "firearm**" means any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive.*

NOTICE TO DEFENDANT – FIREARM TRANSFER AND SUSPENSION OF CONCEALED HANDGUN PERMIT (*Domestic abuse or dating violence ONLY*)

AS A RESULT OF THIS ORDER, YOU MAY BE REQUIRED TO TRANSFER ANY AND ALL FIREARMS OWNED OR POSSESSED BY YOU AND SURRENDER YOUR CONCEALED HANDGUN PERMIT

Louisiana law: C.Cr.P. Art. 1001 et seq. requires the transfer of all firearms owned or possessed and the suspension of a concealed handgun permit:

- When a person is subject to a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children's Code Article 1570, Code of Civil Procedure Article 3607.1, or C.Cr.P. Articles 30, 320, or 871.1.

OR

- When a person is subject to a Uniform Abuse Prevention Order that includes terms prohibiting possession of a firearm or carrying a concealed weapon.

Firearms transfer shall occur within 48 hours, exclusive of legal holidays. If firearms are sold or transferred prior to issuance of transfer order, you must provide a proof of transfer form signed by the receiver and a witness, within 10 days.

NOTICE TO LAW ENFORCEMENT

deadly weapon upon the defendant's family member, household member, or dating partner, the officer shall make a CUSTODIAL arrest.

FOR CLERK

Pursuant to La. R.S. 14:79 - the crime of violation of protective orders – you shall use every reasonable means to enforce this order. La. Code of Criminal Procedure Article 211 provides that when you have reasonable grounds to believe a person committed the offense of domestic abuse battery, battery of a dating partner, violation of protective orders, stalking, or any other offense involving the use or threatened use of force or a

DEFENDANT WAS SERVED AT CLOSE OF HEARING.

Date _____ Clerk

FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY Date

_____ Clerk

COMPLETED ORDERS FAXED to 888-568-4558 or EMAILED to lporders@lasc.org

Copies to: 1) Court file 2) Petitioner/protected person(s) 3) Defendant 4) Chief Law Enforcement Official of the parish where the protected person(s) resides 5) Sheriff of the parish where the defendant resides 6) Louisiana Protective Order Registry.