

Using This Revisable PDF Form

1. Copies
 - a. Original – to court.
 - b. First copy – to respondent.
 - c. Second copy – to petitioner.
2. Prepared by petitioner; if attested, signed by clerk, notary public or in Juvenile and Domestic Relations District Court, by court intake officer.
3. The form must be attested or an affidavit attached only if the petitioner is requesting the issuance *ex parte* of a preliminary protective order.
4. Attachments –
 - a. An affidavit of supporting facts is required for the *ex parte* issuance of a preliminary protective order if the petition is not attested.
 - b. Form DC-384, PRELIMINARY PROTECTIVE ORDER, if issued *ex parte*.
5. Preparation details –
 - a. The petitioner must provide an affidavit of facts, either by a separate affidavit or by having the petition attested, if petitioner is seeking an *ex parte* order.
 - b. The clerk may use data elements 30 to 31 to summon petitioner at the time the petition is filed.
 - c. The address and telephone number of the petitioner should not be entered in the service box on the reverse of this form. This information is to be kept confidential. District court form DC-621, NON-DISCLOSURE ADDENDUM, should be used to collect this information.

PETITION FOR PROTECTIVE ORDER

Commonwealth of Virginia Va. Code §§ 19.2-152.9; 19.2-152.10

Case No. 1

Hearing Date and Time 2

4 General District Court Circuit Court
 Juvenile and Domestic Relations District Court

SUMMONS FOR HEARING

TO ANY AUTHORIZED OFFICER: Summon the Respondent as provided below:

TO THE RESPONDENT: You are commanded to appear before this Court on 2

at 3 DATE AND TIME
NAME AND ADDRESS OF COURT for a hearing on this Petition.

5
DATE ISSUED

6
 CLERK DEPUTY CLERK

7
PETITIONER

v.

8
RESPONDENT

9
RESPONDENT'S ADDRESS/LOCATION

Telephone no. (H) 10 (W) 11

The undersigned Petitioner respectfully represents to the court that:

- 13** 1. A warrant petition has been issued charging the Respondent with a criminal offense resulting from the commission of an act of violence, force, or threat; OR
- 2. The Respondent is committing or, within a reasonable time, has committed an act of violence, force, or threat, specifically: 14

15 See accompanying affidavit (*ex parte* only).

PETITIONER, THEREFORE, RESPECTFULLY REQUESTS that 16 a preliminary order of protection an order of protection be issued and that such order impose the following conditions on the Respondent and such other conditions as the judge deems appropriate as allowed by law:

- 17** Prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property.
- 18** Prohibiting such other contact with the Petitioner as the judge deems necessary for the health and safety of the Petitioner.
- 19** Prohibiting such other contact with the Petitioner's family or household members named below, as the judge deems necessary for their health and safety. (Please provide on form DC-621, NON-DISCLOSURE ADDENDUM, the date of birth, gender, and race for each family or household member listed.)

NAMES OF FAMILY OR HOUSEHOLD MEMBERS

20 Such other conditions as the judge may deem necessary to prevent acts of violence, force or threat, criminal offenses resulting in injury to person or property, or communication or other contact of any kind by the Respondent, namely:

21
DATE

23
ATTORNEY'S ADDRESS AND TELEPHONE NUMBER

22
PETITIONER

by 24
PETITIONER'S ATTORNEY

(When attested, this Petition shall also be an affidavit of the facts as stated in the Petition.) Sworn to and affirmed before me this

25 day of, 20

26
 INTAKE OFFICER (*JUVENILE ONLY*) CLERK
 NOTARY PUBLIC My commission expires:

27 Notary Registration No.

<u>28</u> <small>DATE AND TIME FILED</small>	<u>29</u> <small><input type="checkbox"/> CLERK <input type="checkbox"/> DEPUTY CLERK</small>
TO THE PETITIONER: You are summoned to appear in this court on	
<u>30</u> <small>DATE</small>	<u>31</u> <small><input type="checkbox"/> CLERK <input type="checkbox"/> DEPUTY CLERK</small>

Data Elements, page one

To be completed by clerk:

1. Court case number.
2. Hearing date and time.
3. Court jurisdiction and address.
4. Court jurisdiction. Check box of type of court.

To be completed by clerk:

5. Date summons issued.
6. Signature of clerk/deputy clerk. Check appropriate box.
7. Petitioner's name.
8. Respondent's name.
9. Respondent's address.
10. Respondent's home telephone number.
11. Respondent's work telephone number.
12. Information describing respondent.
13. Indicate whether a warrant or a petition has been issued charging the respondent with a criminal offense resulting from the commission of an act of violence, force or threat.
14. State facts justifying the request for a protective order.
15. Check if affidavit of facts supporting the petition is attached in a separate document.
16. Check appropriate box as to which type of order is requested.
17. Check box if requesting prohibition of further acts of violence, force or threat, or criminal offenses that may result in injury to person or property.
18. Check this box if requesting prohibition of further contact with petitioner as deemed necessary for the health and safety of petitioner.

19. Check if requesting prohibition of contact with petitioner's family or household members and insert names of persons to be subject to such condition. Form DC-621, NON-DISCLOSURE ADDENDUM, should be used to collect additional.
20. Check if requesting other conditions or limitations on contact with petitioner, and state the specific request.
21. Date petition filled out by petitioner.
22. Signature of petitioner.
23. Petitioner's attorney's address and telephone number, if filed by an attorney.
24. Signature of petitioner's attorney.

To be completed by person acknowledging signature:

25. Date of acknowledgment, if applicable.
26. Signature of clerk, notary public or, if filed in Juvenile and Domestic Relations District Court, intake officer, if applicable. Check appropriate box.
27. If acknowledgment taken by notary public, include date notary public's commission expires, city and state where acknowledgment taken, and notary registration number.

To be completed by clerk:

28. Date and time petition filed.
29. Signature of clerk/deputy clerk. Check appropriate box.
30. Court date and time.
31. Signature of clerk/deputy clerk. Check appropriate box.

Note: Petitioner may be summoned by the clerk at the time of filing using Data Element Nos. 30 to 31 (see Using this Form, 4.b).

RETURNS: Each person was served according to law, as indicated below, unless not found.

RESPONDENT:	
Name:	1
.....	
Address	2
.....	
Tel. No.	
<input type="checkbox"/> PERSONAL SERVICE	
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> Not Found	
7 SERVING OFFICER	
..... DATE	for 8
..... TIME	

PETITIONER: (See form DC-621, NON-DISCLOSURE ADDENDUM)	
9	
Name:	
.....	
<input type="checkbox"/> PERSONAL SERVICE	
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above.	
<input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> Not Found	
7 SERVING OFFICER	
..... DATE	for 8
..... TIME	

“Family or household member” means (i) the person’s spouse, whether or not he or she resides in the same home with the person, (ii) the person’s former spouse, whether or not he or she resides in the same home with the person, (iii) the person’s parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren regardless of whether such persons reside in the same home with the person, (iv) the person’s mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, or (v) any individual who has a child in common with the defendant, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous twelve (12) months, cohabitated with the person, and any children of either of them residing in the same home with the person.

“Act of violence, force, or threat” means any act involving violence, force, or threat that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury. Such act includes, but is not limited to, any forceful detention, stalking, criminal sexual assault in violation of Article 7 (§ 18.2-61 et. seq.) of Chapter 4 of Title 18.2, or any criminal offense that results in bodily injury or places one in reasonable apprehension of death, sexual assault, or bodily injury.

Data Elements, page two

1. Name of person served.
2. Address and telephone number of person served.

To be completed by serving officer:

3. Serving officer to check the appropriate box to designate personal service or type of substitute service. If served by leaving a copy with a family member 16 or older, insert required information.
 4. Check this box if unable to serve process.
 5. Date of service
 6. Time of service.
 7. Signature of serving officer.
 8. Agency or jurisdiction. Sheriff's name if served by deputy sheriff.
9. Name of petitioner. Do not provide the petitioner's address or telephone number (*see Using This Form, 5.c*)