

-----FOR LPOR USE ONLY-----

PNO# _____

Date Entered: _____

Initials: _____ Verified by: _____

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

Order of Protection

- T.R.O.
- P.O./Preliminary or Permanent Injunction
- Modified P.O./ Preliminary or Permanent Injunction

Case No.

Court: _____

City/Parish

State

PETITIONER-IN-RECONVENTION

First Middle/Maiden Last

Protected person is: Petitioner-in-reconvension other(s) *List other(s) name & date of birth:*

PETITIONER-IN-RECONVENTION IDENTIFIERS

Date of birth

ADV.

DEFENDANT-IN-RECONVENTION

First Middle Last

Name of minor defendant-in-reconvension's parent or guardian

Defendant-in-reconvension's Address:

DEFENDANT-IN-RECONVENTION IDENTIFIERS

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

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the defendant-in-reconvension has been or will be provided with reasonable notice and opportunity to be heard. Additional findings of this court are as set forth below.

THE COURT HEREBY ORDERS:

That the above named defendant-in-reconvension 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.

This order shall be effective through 11:59 PM on

(month/day/year)

WARNINGS TO DEFENDANT-IN-RECONVENTION:

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). 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.

LOUISIANA UNIFORM ABUSE PREVENTION ORDER

COURT NAME AND PARISH/CITY:	DOCKET No. _____ DIV. : _____
	FILED: _____ CLERK: _____

TEMPORARY RESTRAINING ORDER (In-Reconvension)

Pursuant to:

<input type="checkbox"/> La. R.S. 46:2131 et seq. (Domestic Abuse)	<input type="checkbox"/> La. R.S. 46:2171 et seq. (Non-intimate stalking)
<input type="checkbox"/> La. R.S. 46:2151 (Dating Violence)	<input type="checkbox"/> La. R.S. 46:2181 et seq. (Non-intimate sexual assault)
<input type="checkbox"/> La. Ch. C. Art. 1564 et seq. (Children's Code Domestic Abuse)	

PETITIONER-IN-RECONVENTION'S NAME: _____

Date of Birth _____ Sex: F M Race: _____

First Maiden/Middle Last

Protected person is: Petitioner-in-reconvension other(s) *List other(s) name & date of birth:*

ADV.

DEFENDANT-IN-RECONVENTION'S NAME: _____

Parent/Guardian name if defendant-in-reconvension is a minor: _____

Alias: _____ Date of Birth: _____ Sex: F M Race: _____

month/day/year

Address: _____

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

Social Security #: _____ Dr. Lic. # _____ State _____ Exp. _____ (date)

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

<p>A</p> <input type="checkbox"/> 1. current or former spouse <input type="checkbox"/> 2. current or former intimate cohabitant of opposite sex <input type="checkbox"/> 3. current or former intimate cohabitant of same sex <input type="checkbox"/> 4. child, stepchild, or foster child <input type="checkbox"/> 5. child of defendant-in-reconvension's current or former intimate partner <input type="checkbox"/> 6. protected person and defendant-in-reconvension have a child(ren) in common	<p>B</p> <input type="checkbox"/> 1. current or former dating partner <input type="checkbox"/> 2. parent, stepparent, or foster parent <input type="checkbox"/> 3. grandparent <input type="checkbox"/> 4. grandchild
	<p>C (Stalking or sexual assault only)</p> <input type="checkbox"/> 1. stranger/no relationship <input type="checkbox"/> 2. acquaintance/co-worker/neighbor or other: _____

D **FINDING: Domestic Abuse or Dating Violence**
 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 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: *(only orders checked and initialed apply)*

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

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

___ 1. THE DEFENDANT-IN-RECONVENTION 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-IN-RECONVENTION 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-IN-RECONVENTION 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-IN-RECONVENTION 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-IN-RECONVENTION 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-IN-RECONVENTION 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-IN-RECONVENTION or protected person(s) the use of the residence located at:

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

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

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

___ 8. THE COURT GRANTS THE PETITIONER-IN-RECONVENTION or protected person(s) the use and possession of the following property (including pets) and/or the return of protected person(s) property:

___ 9. THE COURT ORDERS a representative of _____ (Sheriff's office) to accompany petitioner-in-reconvencion 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-in-reconvencion 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-in-reconvencion 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

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

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

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

___ 16. THE DEFENDANT-IN-RECONVENTION 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-in-reconvencion granted possession.

___ 17. THE DEFENDANT-IN-RECONVENTION 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-in-reconvencion 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-in-reconvencion is self-employed, income and expense statements shall be produced.**

STALKING, SEXUAL ASSAULT ONLY

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

DOMESTIC ABUSE, DATING VIOLENCE, STALKING OR SEXUAL ASSAULT

___ 19. THE DEFENDANT-IN-RECONVENTION IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to pay the following:

- all court costs
- attorney fees
- evaluation fees
- expert witness fees
- cost of medical and/or psychological care for the petitioner-in-reconvencion, 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-IN-RECONVENTION IS ORDERED TO show cause on the below hearing date why s/he should not be ordered to seek professional counseling and/or complete a court-monitored domestic abuse intervention program.

___ 21. Other:

___ IT IS FURTHER ORDERED THAT DEFENDANT-IN-RECONVENTION show cause on _____
 (month/day/year) at ___ o'clock ____ M. in Courtroom No. ___ of the _____
 Court, located at _____ in _____, La.,
 why above Temporary Restraining Order and other relief requested should not be made Protective Orders.

Date of Order <hr/> <i>month/day/year</i>	Time of Order <input type="checkbox"/> AM <input type="checkbox"/> PM	Order effective through 11:59 PM on <hr/> <i>month/day/year</i>	<hr/> SIGNATURE OF JUDGE <input type="checkbox"/> Order issued <i>ex parte</i> <input type="checkbox"/> Order issued after notice and opportunity for hearing given to defendant-in-reconvension <hr/> PRINT OR STAMP JUDGE'S NAME
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NOTICE: C.C.P. Art. 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-IN-RECONVENTION - 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. 46:2137 AND LA. CH. C. ART. 1571, A PERSON WHO VIOLATES THIS ORDER MAY BE PUNISHED FOR CONTEMPT OF COURT BY A FINE OF NOT MORE THAN \$500 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-IN-RECONVENTION – FIREARMS (*Domestic abuse or dating violence ONLY*):

AS A RESULT OF THIS ORDER, IT MAY BE UNLAWFUL FOR YOU TO POSSESS, 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-in-reconviction from purchasing, possessing, shipping, transporting, or receiving firearms or ammunition* for the **duration** of the order if the following conditions apply:

- Protected person(s) relationship to defendant-in-reconviction 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.*

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

The issuing court certifies that it has jurisdiction over the parties and the subject matter under the laws of the State of Louisiana; that the defendant-in-reconviction was given reasonable notice and an opportunity to be heard sufficient to protect the defendant-in-reconviction's right to due process before this order was issued; or if the order was issued *ex parte*, the court ordered that the defendant-in-reconviction 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-in-reconviction'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.

SIGNATURE OF JUDGE

PRINT OR STAMP JUDGE'S NAME

NOTICE TO LAW ENFORCEMENT

Pursuant to La. R.S. 14:79, the crime of violation of protective orders – you shall use every reasonable means, including but not limited to immediate arrest of the violator, to enforce this order. Further, you shall at a minimum issue a summons to the person in violation.

Pursuant to La. R.S. 46:2140(A), if you have reason to believe that a family or household member or dating partner has been abused AND the abusing party is in violation of this order, you SHALL immediately arrest the abusing party.

When issued as a temporary restraining order, 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.

DEFENDANT-IN-RECONVENTION WAS SERVED AT CLOSE OF HEARING.
Date _____ Clerk _____

FAXED or ELECTRONICALLY TRANSMITTED TO LOUISIANA PROTECTIVE ORDER REGISTRY
Date _____ Clerk _____

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