

**STATE OF VERMONT**

**Order of Protection  
FINAL ORDER FOR RELIEF FROM ABUSE  
WITH CHILDREN**

Docket No. \_\_\_\_\_  
**SUPERIOR COURT, Family Division, Unit** \_\_\_\_\_

Law Enforcement Holding Station (name and phone #):  
Holding Station \_\_\_\_\_

**PLAINTIFF**

**PLAINTIFF IDENTIFIERS**

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First Middle Last Date of Birth of Plaintiff

**And/ or on behalf of Child(ren)** (list names and DOBs)

--	--

**V.**

**DEFENDANT**

**DEFENDANT IDENTIFIERS**

	<b>GENDER*</b>		<b>RACE*</b>		<b>DOB*</b>	
	<b>HT*</b>	<b>WT*</b>	<b>EYES*</b>	<b>HAIR*</b>		
	<b>DRIVER'S LICENSE #</b>		<b>STATE</b>		<b>EXP DATE</b>	

Relationship to Plaintiff:

Defendant's Address:

Distinguishing Features: \_\_\_\_\_

\*Provided by Plaintiff

**THE COURT HEREBY FINDS:**

That it has jurisdiction over the parties and subject matter, and the Defendant was provided with reasonable notice and opportunity to be heard.

**Defendant attended the hearing and received notice from the Court on the record that the order had been issued.**

Additional Findings of this order are set forth on the following pages.

**THE COURT HEREBY ORDERS:**

- That the Defendant be restrained from committing further acts of abuse or threats of abuse.**
- That the Defendant shall have no contact with the Plaintiff.**
- Limited contact restrictions are as set forth on the following pages.**

**Additional terms of this order are set forth on the following pages.**

The terms of this order shall be effective until	
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**WARNING:** The attached order shall be enforced, even without registration, by the courts of any state, the District of Columbia, and any U.S. Territory, and may be enforced on Tribal Lands (18 U.S.C. § 2265). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C § 2262). Federal law provides penalties for possessing, transporting, shipping, or receiving any firearms or ammunition (18 U.S.C § 922(g)(8)).

**ONLY THE COURT CAN CHANGE THIS ORDER.**

SUPERIOR COURT

FAMILY DIVISION

Unit

Docket No.

Empty rectangular box for case information.

Plaintiff	DOB	Defendant	DOB

**FINAL ORDER for Relief from Abuse  
Modified Extended**

Child(ren) who have been abused or require protection: Name(s) and Date(s) of Birth of Child(ren):

_____	_____
_____	_____
_____	_____
_____	_____

Complaint filed on: \_\_\_\_\_

Hearing:  was held on \_\_\_\_\_  
 was not held

The following persons were present: *(Name of Attorney)*  
 Plaintiff  with attorney \_\_\_\_\_  
 Defendant  with attorney \_\_\_\_\_

**Findings by the Court: (Check all boxes that apply)**

- Defendant has abused  Plaintiff  the child(ren) named above in that Defendant has:
  - Caused physical harm.
  - Attempted to cause physical harm.
  - Placed him/her/them in fear of imminent serious physical harm.
  - Stalked  Plaintiff  the child(ren) named above, as defined in 12 V.S.A. §5131(6).
- Sexually assaulted  Plaintiff  the child(ren) named above, as defined in 12 V.S.A. §5131(5).
- Defendant is incarcerated and has been convicted of one of the crimes specified in 15 V.S.A. §1103 (c)(1)(B).
- There is a danger of further abuse.
- Defendant represents a credible threat to the physical safety of  Plaintiff  the child(ren) named above.
- Defendant has a duty to support the Plaintiff
- Defendant has a duty to support the child(ren) named above.
- FINDINGS WAIVED BY STIPULATION OF THE PARTIES.

**Order of the Court: IT IS ORDERED THAT:**

1.  Defendant shall refrain from abusing  Plaintiff  the child(ren) named above and shall refrain from interfering with his/her/their personal liberty.
2.  Defendant shall not use, attempt to use or threaten to use physical force that would reasonably be expected to cause bodily injury against  Plaintiff  child(ren) named above.
3.  Defendant shall not do anything that would place Plaintiff in reasonable fear of bodily injury to Plaintiff or the child(ren) named above.
4.  Defendant shall not follow or stalk  Plaintiff  the child(ren) named above.
5.  Defendant shall not threaten  Plaintiff  the child(ren) named above.
6.  Defendant shall not contact  Plaintiff  the child(ren) named above in any way, whether directly, indirectly, or through a third party, with the purpose of making contact with the plaintiff, including in writing or by telephone, e-mail, or other electronic communication, except that Defendant may:  
\_\_\_\_\_

**WARNING!**

**If the Plaintiff begins or asks for contact with the Defendant, the Defendant must end that contact unless and until the Court changes this order. The Defendant will violate this order by such contact unless the order specifically permits the contact.**

7.  Plaintiff shall have sole possession of the residence located at:  
\_\_\_\_\_
8.  Defendant shall not enter Plaintiff's residence for any purpose except as specifically provided in this order.

**WARNING!**

**Unless specifically allowed by this order, Defendant cannot enter the Plaintiff's residence even if the Plaintiff has invited the Defendant. If both Plaintiff and Defendant want to remove this restriction, they must ask the Court to change the order. This order remains in effect until the Court decides whether to grant the request.**

9.  Plaintiff  Defendant shall obtain his/her personal belongings as follows:  
\_\_\_\_\_

9a.  Plaintiff is granted sole possession of the following personal property necessary for the protection of Plaintiff and the care of the child(ren) named above:  
\_\_\_\_\_

10.  Defendant shall stay \_\_\_\_\_ feet away from:  
 Plaintiff  Plaintiff's motor vehicle  
 Plaintiff's residence  Plaintiff's place of employment  
 Child(ren) named in #11 below  
 School(s)/Other child(ren)/and Other: \_\_\_\_\_

11.  Pursuant to 15 V.S.A. § 665 parental rights and responsibilities (custody) of the child(ren) named below is awarded to: \_\_\_\_\_

Plaintiff  Defendant

Name(s) and Date(s) of Birth of Child/ren:

_____	_____
_____	_____
_____	_____
_____	_____

12.  Defendant shall have no contact with the child(ren) named above.
13.  Contact with the child(ren) named above shall be according to the follow/attached schedule:  
 Drop off and pick up and transportation arrangements for parent contact shall take place as follows:  
\_\_\_\_\_  
 Except in emergencies, notification shall be provided \_\_\_\_\_ hours in advance if he/she intends not to contact the child(ren) named above.
14.  Defendant shall have contact with the child(ren) named above only under the following conditions:  
 Defendant shall not take any regulated drug unless it is prescribed to Defendant by a physician or take alcohol for at least 8 hours prior to a scheduled visit or during a visit. Plaintiff may cancel a visit of Defendant appears to be under the influence of intoxicating substances.  
 Contact shall occur only at the residence of: \_\_\_\_\_  
 Contact shall occur only in the presence of: \_\_\_\_\_  
 Communications between Defendant and Plaintiff relating to the non-emergency issues regarding parent-child contact shall take place through: \_\_\_\_\_  
 Other: \_\_\_\_\_
15.  Until further order of the court or until this order expires, \_\_\_\_\_ shall hold the following weapons belonging to Defendant: \_\_\_\_\_  
\_\_\_\_\_  
15a.  Delivery of the weapons shall be made in the following manner:  
\_\_\_\_\_  
15b.  Affidavit Upon Receipt of Firearms form is to be filed with the court by (date) \_\_\_\_\_ or the court may issue a change in the storage of the firearms designation.
16.  Other: \_\_\_\_\_
17.  Defendant shall pay child support for the child(ren) named above for three months in accordance with:  
 the Child Support Order attached  
 an order from the Family Division Magistrate after a hearing on: \_\_\_\_\_
18.  Defendant shall pay Plaintiff's temporary living expenses in the amount of \$\_\_\_\_\_ per \_\_\_\_\_ for a period of (not to exceed three) months beginning (date): \_\_\_\_\_
19.  Plaintiff  Defendant shall have possession and control of household pet(s) owned by the parties or by the child(ren) named above.

**Defendant attended the hearing and received notice from the Court on the record that the order had been issued.**

VERMONT LAW ENFORCEMENT OFFICERS ARE AUTHORIZED TO ARREST WITHOUT WARRANT PERSONS WHO VIOLATE THE ABOVE PROVISIONS OF THIS RELIEF FROM ABUSE ORDER.

**VIOLATION OF THIS ORDER IS A CRIME SUBJECT TO A TERM OF IMPRISONMENT OR A FINE, OR BOTH, AND MAY ALSO BE PROSECUTED AS CRIMINAL CONTEMPT PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH.**

**This order shall remain in effect until:** \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superior Court Judge

## **IMPORTANT NOTICES**

**No action or behavior of Plaintiff can amend or revoke this order.**

**Only the Court can amend or revoke this order.**

Under the federal Gun Control Act (18 U.S.C.A. 922), a person who has been convicted of a felony or a qualifying misdemeanor crime of domestic violence, or who is subject to a qualifying final relief from abuse order, may not lawfully possess a firearm. For more information about these prohibitions, please call the Bureau of Alcohol, Tobacco, Firearms and Explosives at 1-800-800-3855 or go to the ATF website at: [www.atf.treas.gov](http://www.atf.treas.gov). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

### **INFORMATION FOR PLAINTIFF AND DEFENDANT ABOUT REPRESENTATION BY AN ATTORNEY**

Although you may represent yourself at any hearing during these proceedings, you may wish to consult with or be represented by an attorney. If you hire an attorney to represent you, your attorney is required to tell the court and the other party that they will be representing you. Both parties have the right to receive "notice" before any hearing that the opposing party will be represented by an attorney. The Family Court Rule requires that such notice must be given to the opposing party or their attorney in person, by telephone, or in writing and it must be given far enough in advance of the hearing to permit them to hire an attorney too. If you do not provide such notice to the opposing party, and if the party without an attorney asks, the court will postpone the hearing for a reasonable time to allow the unrepresented party to obtain an attorney.

### **RELATIONSHIP OF THIS ORDER TO CRIMINAL DIVISION ORDERS**

This order does not change or overrule any Condition of Release or Probation Condition ordered by the District Division. An amendment to this Order will not change your Conditions of Release or Probation Conditions.

### **NOTICE TO THE PARTIES AND LAW ENFORCEMENT AGENCIES**

Under 15 V.S.A. §1105, a Defendant who attends a hearing at which a temporary or final relief from abuse order under Chapter 21 of Title 15 is issued, and who receives notice from the court on the record that the order has been issued, shall be deemed to have been served.

### **NOTICE TO THE PARTIES AND LAW ENFORCEMENT AGENCIES**

**TO ANY PEACE OFFICER IN THE UNITED STATES (tribal, federal or state) UNDER 18 U.S.C. §2265 YOU ARE HEREBY AUTHORIZED TO ENFORCE THE TERMS OF THIS ORDER WITHIN YOUR JURISDICTION AS IF IT WERE AN ORDER ISSUED IN YOUR OWN STATE. THE DUE PROCESS REQUIREMENTS IN 18 U.S.C. §2265(b) WERE MET WHEN THIS ORDER WAS ISSUED.**

# RETURN OF SERVICE

## STATE OF VERMONT

SUPERIOR COURT  
Unit

FAMILY DIVISION  
Docket No.

**NOTE: Although the Defendant is considered served if they attended the hearing and received notice from the Court on the record that an order has been issued, the defendant needs to receive a copy of the order outlining the restrictions.**

I personally served: (check all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Complaint, Affidavit and Temporary Order | <input type="checkbox"/> Order to Modify/Extend/Vacate Order                                 |
| <input type="checkbox"/> Temporary Order                          | <input type="checkbox"/> Extended Final Order  |
| <input type="checkbox"/> Final Order                              | <input type="checkbox"/> Extended Temporary Order  |
| <input type="checkbox"/> Court Service Information Sheet          | <input type="checkbox"/> Denial of Emergency Relief<br>Intent to Pursue<br>Notice of hearing |
| <input type="checkbox"/> Amended/Modified Temporary Order         |  |
| <input type="checkbox"/> Amended/Modified Final Order             |  |

Upon \_\_\_\_\_ by: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_  AM  PM Place: \_\_\_\_\_

Date	Officer's Name, Title and Agency	Officer's Signature
		<b>Acceptance of Service</b>
I hereby accept service of this order.		
<b>Fees</b>		Date
Service Fee		Signature
_____ Miles X \$0._____ per mile		(please type or print name)
Total		