

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT <u>CHAMPAIGN</u> COUNTY	ORDER OF PROTECTION Civil Proceeding <input type="checkbox"/> Interim <input type="checkbox"/> Plenary Criminal Proceeding <input type="checkbox"/> Final	Case Number _____
Instructions ▼ Directly above, enter the county where you filed this case. Enter your name as Petitioner. Enter name of the person you are seeking protection from as Respondent. Enter the Case Number given by the Circuit Clerk. Check the boxes for ALL people you want to include in the Order. On the lines provided, enter the name for each person you are trying to protect. "Other household members" includes people living with you or working where you are staying.	Petitioner: _____ <i>(First, middle, last name)</i> v. Respondent: _____ <i>(First, middle, last name)</i> People to be Protected by this Order (check all that apply): Petitioner refers to any protected person in this Order. <input type="checkbox"/> Petitioner <input type="checkbox"/> Petitioner's minor children with Respondent: _____ _____ <input type="checkbox"/> Petitioner's minor children not related to Respondent: _____ _____ <input type="checkbox"/> Dependent adult: _____ <input type="checkbox"/> High-risk adult: _____ <input type="checkbox"/> Other household members: _____ _____	<i>For Court Use Only</i> <input type="checkbox"/> Independent <input type="checkbox"/> Juvenile <input type="checkbox"/> Other Civil Proceeding <input type="checkbox"/> Criminal This Order has been granted Pursuant to the Code of Criminal Procedure 725 ILCS 5/112A

"Petitioner" Includes All Persons Named Above As "People to Be Protected By This Order."

ORDER INFORMATION:

- This Order was issued on: _____ at _____
Date *Time*
- This Order will end on: _____ at _____
Date *Time*
- This Order will end as entered on page 9.

NEXT HEARING (Interim Orders only): There will be a hearing on: _____ at _____
Date *Time*
 at 101 E. Main Street, Urbana, IL in _____
Address of Courthouse *Courtroom*

Respondent:	A Plenary (long-term) Order of Protection may be entered if you do not come to this hearing.
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NOTE: If you are completing this form for a minor child, a dependent adult, or a high-risk adult, insert information needed below as if you were that person. In other words, do not use your information.

1. Petitioner's **address OR** **alternative address for notice**

Street Address, Apt. # *City* *State* *ZIP*

Email

2. Respondent's date of birth (if known): _____ **Sex:** _____ **Race:** _____

3. Respondent's address (if known):

Street Address, Apt. # *City* *State* *ZIP*

Respondent's Employer *Respondent's work hours*

Respondent's Employer-Street Address *City* *State* *ZIP*

After reviewing the *Petition* and hearing the evidence and testimony of Petitioner, the Court makes findings which:

- Are stated on page 11 and 12 of this *Order*; OR
- Were made orally and videotaped or recorded by a court reporter and are incorporated into this *Order*.

THE COURT ORDERS THAT YOU OBEY ALL SECTIONS SELECTED BELOW:

"Petitioner" Includes All Persons Named Above As "People To Be Protected By This Order."

1. No Abuse **(R01) (Police Enforced)**

Respondent shall not threaten or commit the following acts of abuse towards Petitioner (*check all that apply*):

- Harassment Intimidation of a Dependent
- Physical Abuse Exploitation of a High-Risk Adult with Disabilities
- Stalking Neglect of a High-Risk Adult with Disabilities
- Willful Deprivation Interference with Personal Liberty

2. Possession of Residence **(R02) (Police Enforced)**

These remedies do not affect who owns the property, only who gets to use or occupy it.

- Petitioner is granted exclusive possession of the residence and Respondent is ordered not to stay or be at the residence.
- Petitioner's residence is located at:

Street Address, Apt # *City* *State* *ZIP*

OR

- Petitioner's address is undisclosed BECAUSE (*check one*):
 - Petitioner has a right to occupy the residence and Respondent has no right; OR
 - Petitioner and Respondent both have a right to occupy the residence but it would be harder on Petitioner to leave after considering the factors set forth in [750 ILCS 60/214\(b\)\(2\)\(B\)](#).

OR

- Respondent shall provide alternate housing for Petitioner
 - on or before: _____
Date
 - Such housing shall meet the following requirements: _____

3. Stay Away from Petitioner and Certain Places (R03) (Police Enforced)

- Respondent shall not have any communication with Petitioner
- Respondent shall stay away from Petitioner at all times.
- Respondent shall stay at least _____ feet away from Petitioner at all times.

Respondent: If any protections are granted under Section 3, Respondent must not have ANY physical, non-physical, direct or indirect contact with Petitioner. If ordered to not communicate with Petitioner, communication includes oral communication, written communication, sign language, telephone and cell phone calls, faxes, texts, tweets, emails, posts, or communication by any other social media, and all other communication with Petitioner. This also includes contact or communication through others who may not know about the *Order of Protection*.

Respondent shall not be at or stay at any of these places while Petitioner is there:

Places of employment of Petitioner, located at:

Name	Street Address	City	State	ZIP
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Name	Street Address	City	State	ZIP
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Schools, kindergartens, or daycare centers of Petitioner, located at:

Name	Street Address	City	State	ZIP
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Name	Street Address	City	State	ZIP
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For the safety of Petitioner, the name and location of the school or daycare is listed on the *Confidential Name & Location of the School or Daycare* form.

Other locations:

Name	Street Address	City	State	ZIP
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Name	Street Address	City	State	ZIP
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Respondent shall have the right to enter the residence listed in Section 2 only one time to retrieve the property listed in Section 10 of this Order, but only in the presence of:

law enforcement OR another person: _____
Name of person

School Restrictions

_____ is an elementary, middle, or high
Name of School

school attended by both Respondent and Petitioner.

After considering the factors in [750 ILCS 60/214\(b\)\(3\)\(B\)](#):

- Respondent shall not attend this school for as long as a Petitioner is enrolled there;
- Respondent shall accept a change of placement or program at this school as determined by the public school district or by this private or non-public school; OR
- Respondent shall follow these restrictions on movement within the school: _____

Requirements for Parents and Guardians

Respondent is a minor. To ensure that Respondent follows this Order, _____
Name of Parent or Guardian

shall do the following: _____

Enter the Case Number given by the Circuit Clerk: _____

4. Counseling (R04) (Court Enforced)

Respondent must do the following and file proof with the Circuit Clerk by _____ (check all that apply):
Date

- Enroll in and successfully complete a Domestic Violence Partner Abuse program.
- Get an alcohol and substance abuse evaluation and complete recommended counseling or treatment.
- Get a mental health evaluation and complete any recommended counseling or treatment.
- Other: _____

Respondent: Respondent MUST fully participate in all sessions of outpatient or inpatient treatment recommended by the evaluating agency, as often and for as long as that agency or other referred providers recommend. Respondent must file with the Circuit Clerk monthly attendance and progress reports written by each treatment provider.

5. Care and Possession of Children (R05) (Police/Court Enforced)

Law Enforcement: The provisions of this section are Police Enforced IF Respondent is ordered (see page 3, R03) to stay away from the minor children listed as "protected" as checked below.

Respondent and Petitioner are the parents of these minor children:

Child's Name (first, middle, last)	Age	State of Residence	Included as a Protected Person?	
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

Parentage of the Children:

The parties are NOT married and parentage HAS NOT been established.

OR

Parentage HAS been established because (check one):

The children of the parties were born before or during the marriage of the parties, or within 300 days of termination of the marriage.

The parties are NOT married but parentage has been established by one or more of the following:

1. Both parties have signed a Voluntary Acknowledgment of Paternity (VAP) (if both parties' names are on the birth certificate, both parties signed the VAP).

2. A court or administrative order.

3. Other: _____

The primary caretaker of the minor children is: Petitioner Respondent Other person:

Name	Street Address, Apt. #	City	State	ZIP
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Petitioner is granted the physical care and possession of the minor children.

Respondent shall, personally or through a law enforcement agency as authorized by the court, return the minor children to the physical care of:

Petitioner Other person: _____
Name of Other Person

Enter the Case Number given by the Circuit Clerk: _____

Holidays: _____

_____ From _____ to _____
Time Time

The person responsible for transportation of the children for parenting time is:

Name

Pickup for parenting time to take place at:

Name of place (if any) Street Address City State Zip

Return from parenting time to take place at:

Name of place (if any) Street Address City State Zip

Parenting time will take place at:

Name of place (if any) Street Address City State Zip

Parenting time will be supervised by: _____ who has filed or will file an
Name of Supervisor

Affidavit of Parenting Time Supervisor form with the court accepting responsibility and acknowledging accountability.

Parenting time will be supervised at an official supervised visitation center (if available).

Name of visitation center

Respondent to return the children to Petitioner or the person designated by Petitioner immediately at the end of parenting time.

Respondent: Petitioner may, by law, deny you access to the minor children if, when you arrive for parenting time, you are under the influence of drugs or alcohol and constitute a threat to the safety and well-being of Petitioner or the minor children of Petitioner or you are behaving in a violent or abusive manner ([750 ILCS 60/214\(b\)\(7\)](#)).

8. No Concealment or Removal of Children (R08) (Police Enforced)
Respondent shall not hide the minor children within the State or remove the children from Illinois.

9. Order to Appear (R09) (Court Enforced)
Respondent shall appear alone with minor children at: _____
_____ in Courtroom _____ on _____ at _____
Address of Courthouse Date Time

to (check all that apply):

- Prevent abuse, neglect, removal or concealment of the children.
- Return the children to the custody or care of Petitioner.
- Permit a court-ordered interview or examination of the children or Respondent.

10. Possession of Personal Property (does not affect ownership of property) (R10) (Court Enforced)

Petitioner is awarded possession of the following personal property: _____

Respondent shall return all of the property the following property: _____

Enter the Case Number given by the Circuit Clerk: _____

_____ to _____
Name of Person

The Court finds as follows:

- Petitioner, but not Respondent, owns the property.
- Petitioner and Respondent both own the property. Sharing it would put Petitioner at risk for abuse, or is not practical. Not having the property would be harder on Petitioner.
- Petitioner claims the property as marital property, and a divorce case has been filed.
- Respondent is awarded possession of the following personal property: clothing medicine
 other personal property as follows: _____

Personal property shall be transferred at: _____
Street Address City State ZIP

on _____ at _____
Date Time

- Personal property shall be transferred only in the presence of:
 - Another person: _____ ; OR
Name
 - Law enforcement: _____
Name of Law Enforcement agency
- Petitioner Respondent will request the date of transfer from law enforcement.

11. Restrictions on Property (R11) (Court Enforced)

- Respondent shall not take, transfer, encumber, conceal, damage, or otherwise dispose of any real or personal property, except as explicitly authorized by the Court, BECAUSE (check one):
 - Petitioner, but not Respondent, owns the property.
 - Petitioner and Respondent both own the property. Not having the property would be harder on Petitioner.
 - Petitioner claims the property as marital property, and a divorce case has been filed.
- Restrictions on Resources of an Elderly Petitioner
Respondent is prohibited from improperly using financial or other resources of an elderly Petitioner for the advantage of Respondent or any other person.

11.5 Possession of Animals (R11.5) (Court Enforced)

Petitioner shall have care, custody, and control over the following animals: _____

Respondent shall stay away from the animals and Respondent is forbidden from taking, transferring, concealing, harming, or otherwise disposing of the animals.

12. Temporary Support (R12) (Court Enforced)

The Court finds that Respondent is: unemployed self-employed employed by:

Name Street Address City State ZIP

and has approximate net pay in the amount of: \$ _____ weekly every two weeks
 twice a month monthly

Respondent shall pay temporary child support to Petitioner in the amount of \$ _____
 weekly every two weeks twice a month monthly

Payments shall begin on: _____ and shall continue until further order of the Court.
Date

Enter the Case Number given by the Circuit Clerk: _____

Payments shall be made through the: Circuit Clerk OR State Disbursement Unit (SDU) for Support. (*Payment shall not be paid directly to Petitioner*)

OR

A child support order will be entered.

AND/OR

Respondent shall pay temporary support (maintenance) to Petitioner in the amount of \$ _____
 weekly every two weeks twice a month monthly

13. Payment of Losses Because of Abuse (R13) (Court Enforced)

Respondent shall pay Petitioner for losses suffered as a direct result of abuse, neglect, or exploitation, including:

- Medical expenses..... \$ _____
- Lost earnings..... \$ _____
- Repair or replace property damaged or taken..... \$ _____
- Moving and other travel expenses..... \$ _____
- Reasonable expenses for housing other than a domestic violence shelter..... \$ _____
- Expenses for search and recovery of children..... \$ _____
- Reasonable attorney's fees..... \$ _____
- Other: _____ \$ _____

The total amount of: \$ _____ by _____ OR
Date

Payments in the amount of: \$ _____ weekly every two weeks
 twice a month monthly

14. No Entry or Presence Under Influence (R14) (Police Enforced)

Respondent is allowed at the Petitioner's residence, but cannot be or stay there while under the influence of drugs or alcohol. This would be a threat to the safety of Petitioner or Petitioner's children.

14.5 Firearms (R14.5) (Police Enforced)

The Court has examined Petitioner and any other witnesses under oath. The Court finds that:

- Respondent is a current or former intimate partner of the Petitioner and represents a threat to the physical safety of Petitioner or Petitioner's child.
- Respondent has received actual notice to appear in court and has had an opportunity to participate.
- This *Order* restrains Respondent from abusing, stalking, or threatening their intimate partner or children of the intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to themselves or their children; AND the Court finds that:
 - Respondent represents a credible threat to the physical safety of Petitioner or Petitioner's child.
 - This *Order* prohibits the use, attempted use, or threatened use of physical force against Petitioner or their children that could reasonably be expected to cause bodily injury.

Respondent: Respondent is automatically prohibited from possessing a firearm while this *Order* is in effect, under Federal Law [18 USC 922\(g\)\(8\)](#).

Therefore:

- Respondent shall surrender all firearms in their possession to this law enforcement agency, which shall take possession of them: _____
Name of Law Enforcement Agency
- Respondent shall immediately turn over any FOID card in their possession to this law enforcement agency, which shall take possession of it: _____
Name of Law Enforcement Agency

Enter the Case Number given by the Circuit Clerk: _____

- Respondent's conceal and carry license is suspended during the duration of this *Order*. Respondent must turn over the license to the court at the time this *Order* is entered or to this law enforcement agency, which shall take possession of it: _____
Name of Law Enforcement Agency

When this *Order* ends, Respondent's firearms and FOID card shall be returned to Respondent upon request if the FOID card is not expired and there is no other order restricting Respondent's possession of those firearms.

15. Children's Records **(R15) (Court Enforced)**

Respondent is not allowed to access, inspect, or obtain school records or any other records of the minor children in the care of Petitioner because (*check all that apply*):

- This *Order of Protection* prohibits Respondent from having contact with the minor children.
- The actual address of Petitioner is not included due to the risk of further abuse.
- It is necessary to prevent abuse or wrongful removal or concealment of the minor children.

16. Shelter Reimbursement **(R16) (Court Enforced)**

Respondent shall pay \$ _____ to _____ by:
Shelter Name

_____ for the cost of services and shelter provided to Petitioner.
Date

17. Miscellaneous Remedies **(R17) (Court Enforced)**

- Respondent is further ordered as follows: _____

18. Telephone Services **(R18) (Court Enforced)**

- A wireless telephone provider provides service for Respondent and Petitioner (*account details below*):
Name of Provider: _____
Name of Account Holder: _____
Billing Phone #: _____
Petitioner Phone #'s: _____
Petitioner Phone #'s: _____
- After considering the evidence, the wireless telephone service provider shall terminate Respondent's use of Petitioner's phone number, transfer to Petitioner the right to use these phone numbers, and transfer to Petitioner all financial responsibility associated with future use of these phone numbers.

Petitioner: STOP! Only the Judge or Circuit Clerk shall enter anything below this point.

RULINGS PURSUANT TO [750 ILCS 60/221\(a\)\(2\) and \(b\)\(2\)](#)

- The relief requested in Sections: 2 3 10 11 Other: _____
in the *Petition* is DENIED because the balance of hardships does not support the granting of the remedy; the granting of the remedy will result in hardship to Respondent that would substantially outweigh the hardship to Petitioner from the denial of the remedy; OR _____

- The relief requested in Sections: _____
in the *Petition* is RESERVED.

Enter the Case Number given by the Circuit Clerk: _____

COMPLIANCE HEARING

A compliance hearing will be held on: _____ at _____ on the following issues:
Date *Time*

Respondent is ordered to appear and bring the following documents: _____

PLENARY (FINAL) ORDERS ONLY:

If no specific date for expiration is entered on page 1, this Order will remain in effect as follows:

1. Until further order of the Court (only by extension; special findings needed)

If entered in conjunction with another civil proceeding:

2. If entered as preliminary relief, until entry of final judgment in the other proceeding.*

3. If incorporated into the final judgment of the other proceeding, until the Order is vacated or modified.*

4. Upon termination of any voluntary or involuntary commitment, or on _____
Date not to exceed 2 years

If entered in conjunction with a criminal prosecution or delinquency petition pursuant to 725 ILCS 5/112A-20:

5. If entered during pre-trial release:

a. Until disposition, withdrawal, or dismissal of the underlying charge, or

b. If continued as an independent cause of action, until _____
Date (not to exceed 2 years)

6. Until final disposition when a Bond Forfeiture Warrant has issued, or on _____
Date not to exceed 2 years

7. Until expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, or supervised mandatory release, plus 2 years.*

8. Until 2 years after the date set by the court for expiration of any sentence for imprisonment, parole, and mandatory supervised release.*

**This Order may last more than two years if entered in conjunction with a civil or criminal proceeding.*

ENTERED _____
Judge *Date*

I hereby certify that this is a true and correct copy of the original order on file with the Court.

Clerk of the Circuit Court _____ County _____
Date

Seal (and signature, as locally required)

Copies given Petitioner Respondent in Open Court Sheriff to serve Respondent LEADS
 State's Attorney

FINDINGS:

After reviewing the *Petition* and hearing the evidence and testimony of Petitioner, the Court finds that:

1. The people protected by this *Order* are:

- Petitioner
- Minor children listed in the caption of this *Order*
- Other Protected Persons listed on page 1 of this *Order*

2. The Petitioner has the following relationship to Respondent:

- | | | |
|---|--|--|
| <input type="checkbox"/> Boyfriend / Girlfriend / Dating Relationship (including ex) (BG) | <input type="checkbox"/> Spouse (SE) | <input type="checkbox"/> Ex-Spouse (XS) |
| <input type="checkbox"/> Has Children with Respondent (never married to Respondent) (CC) | <input type="checkbox"/> Sharing or Shared Home (CS) | <input type="checkbox"/> Child (CH) |
| <input type="checkbox"/> Parent (PA) | <input type="checkbox"/> Brother / Sister / Sibling (SB) | <input type="checkbox"/> Other Family Member (OF) |
| <input type="checkbox"/> Other – Petitioner not Related to Respondent (OT) | <input type="checkbox"/> In-law (IL) | <input type="checkbox"/> Personal Caregiver to Disabled Petitioner (PC) |
| <input type="checkbox"/> Petitioner with Disability receives care from respondent (PD) | <input type="checkbox"/> Personal Assistant of Petitioner (PR) | <input type="checkbox"/> Grandchild (GC) |
| <input type="checkbox"/> Grandparent (GP) | <input type="checkbox"/> Step-Child (SC) | <input type="checkbox"/> Step-Brother / Step-Sister / Step-Sibling (SS) |
| <input type="checkbox"/> Prospective or Adoptive Child has Family or Household Relationship with Respondent | <input type="checkbox"/> Foster Child has Family or Household Relationship with Respondent | <input type="checkbox"/> Legally Appointed Guardian or Custodian of a Child who has a Family or Household Relationship with Respondent |
| <input type="checkbox"/> Step-Parent (SP) | | |

3. Respondent has received notice of Petitioner’s request for an *Order of Protection*.

- Petitioner has diligently attempted to complete service of process, but has not been able to serve Respondent.
- Petitioner has given notice by publication.
- Petitioner is present in person in court. Represented by: _____

Name of Lawyer

4. Respondent has filed an answer or appearance.

- Respondent is not present in court, and is in default.
- Respondent is present in person in court. Represented by: _____

Name of Lawyer

5. In granting the remedies in this *Order*, the Court has considered all relevant factors, including: the nature, frequency, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of their location in order to evade service of process or notice, and the likelihood of danger of future abuse, neglect, or exploitation to Petitioner or any member of Petitioner's or Respondent's family or household; and the danger that any minor child(ren) will be abused, neglected, removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker. The Court finds that:

- The Court has jurisdiction over Petitioner, Respondent, minor children and other Protected Persons.
- Venue is proper.
- Respondent has abused Petitioner and/or the children identified as protected persons in Section 5 on page 4 and/or the Protected Persons listed on Page 1 of this *Order*.
- The actions of Respondent will likely cause irreparable harm or continued abuse unless they are prohibited.
- It is necessary to grant the requested relief in this *Order* to protect Petitioner or other abused persons.

6. Other Relevant Factors and Findings (*check all that apply*):

- An *Order of Protection* has previously been entered in this case or in another case in which any party, or a child of any party, has been named as either Respondent or Petitioner.

Enter the Case Number given by the Circuit Clerk: _____

- An abused person is unable to bring this *Petition* on their own behalf due to age, health, disability, or inaccessibility.
- The *Petition* has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.
- There is reason to believe Respondent is (*check all that apply*): armed dangerous suicidal
7. **Civil Cases:** In granting the remedies in this *Order*, the Court has considered all relevant factors, including: the nature, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of their location in order to evade service of notice, and the likelihood of danger of future abuse, neglect, or exploitation to Petitioner or any member of Petitioner's or Respondent's family or household; and the danger that any minor child(ren) will be abused, removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker. The court finds that:
- The Court has jurisdiction over Petitioner, Respondent, minor children and other Protected Persons.
 - Venue is proper.
 - Respondent has abused Petitioner and/or the children identified as protected persons in Section 5 on page 4 and / or the Protected Persons listed on page 1 of this *Order*.
 - The actions of Respondent will likely cause irreparable harm or continued abuse unless they are
 - It is necessary to grant the requested relief in this *Order* to protect Petitioner or other abused persons.
8. **Criminal Cases:** The Court is entering this *Order* based on the following prima facie evidence:
- an information, complaint, indictment or delinquency petition, charging a crime of domestic violence or charging an attempt to commit a crime of domestic violence; OR
- an adjudication of delinquency, a finding of guilt based upon a plea, or a finding of guilt after a trial for a crime of domestic battery; OR
- any disposition order issued under Section 5-710 of the Juvenile Court Act of 1987, the imposition of supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release for a crime of domestic violence or an attempt to commit a crime of or domestic violence, or imprisonment in conjunction with a bond forfeiture warrant; OR
- the entry of a protective order in a separate civil case brought by Petitioner against Respondent.

IMPORTANT INFORMATION ABOUT THIS ORDER OF PROTECTION

TO BOTH PARTIES: This *Order* CANNOT BE CHANGED OR VACATED unless you have a court hearing and the judge orders it changed or vacated. To have a court hearing, Petitioner or Respondent must do the following:

1. File a written motion with the Circuit Clerk that lists the reasons why you want to change or vacate this *Order*;
2. Get a time for the hearing from the Circuit Clerk; AND
3. Provide the other party with a copy of your motion and notify the other party in writing of the time and place of the hearing.

TO RESPONDENT: The Court has granted this *Order*. If you do not obey this *Order*, you could be arrested and charged with a crime.

- Petitioner cannot give you legal permission to change this *Order*. Only the Court can change this *Order*. If you have contact with Petitioner that is prohibited by this *Order*, you may be arrested.
- If you and Petitioner want to have contact with each other again, you must ask the Court to modify or dismiss this *Order of Protection*.
- Unless the Court changes or dismisses this *Order*, you can be arrested for violating this *Order of Protection*.

You may ask the Court to re-open this *Order* if you did not receive notice before this *Order* was signed. To do this you must file a motion stating that (1) you did not receive prior notice, and (2) you have a valid defense to the *Order*, or that the *Order*, or any of its remedies, was not authorized under the law.

Any knowing violation of an *Order of Protection* forbidding physical abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, willful deprivation, or entering or remaining present at specified places when any Protected Persons are present, or granting exclusive possession of the residence or household or granting a stay away order is a Class A misdemeanor. Grants of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding parental responsibility (formerly custody) or physical care of a child or prohibiting removal or concealment of a child may be a Class 4 felony. Any willful violation of any order is contempt of court. Any violation may result in fine or imprisonment.

TO PETITIONER: You cannot change the terms of this *Order* by your words or actions.

- If the Court has ordered no contact or given you sole possession of the residence, only the Court can allow the Respondent to contact you or return to the residence.
- If you want to have contact with the Respondent again, you **MUST** ask the Court, in a written motion to change or vacate this *Order of Protection*.
- You cannot be charged with a violation of this *Order*.
- If you wish to extend the Plenary Order, you must file with the clerk of the circuit court a *Motion to Extend* (including any modifications needed for your protection) at least 30 days prior to the expiration date of the present *Order*. The motion will be set for hearing. Notice must be given to the Respondent by first class mail; a certificate stating that notice was sent must be filed with the Circuit Clerk. You must be present at the Hearing on your motion.

TO PARENTS OR GUARDIANS OF MINOR RESPONDENTS: The Court may hold you in contempt of court if a minor respondent in your care violates this *Order* and you have helped, encouraged, or directed the minor to do so.

NOTICE ABOUT ENFORCEMENT:

This *Order of Protection* is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265), provided notice of this *Order of Protection* has been provided to the Respondent. Violating this *Order of Protection* may subject the Respondent to state and/or federal charges and punishment. 18 U.S.C. §§ 2261-2262. This *Order* is directed to the Respondent. Except under accountability circumstances, which should be assessed by the State's Attorney, Petitioner cannot be guilty of violation of an *Order of Protection*.

DEFINITION OF TERMS USED IN THIS ORDER

These definitions are incorporated in and made a part of the *Order* to which they are attached.

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty, or willful deprivation, but does not include reasonable direction of a minor child by a parent or person *in loco parentis*.
2. **Adult with Disabilities:** "Adult with Disabilities" means an elder adult with disabilities or a high-risk adult with disabilities. A person may be an adult with disabilities for purposes of this Act even though he or she has never been adjudicated an incompetent adult. However, no court proceeding may be initiated or continued on behalf of an adult with disabilities over that adult's objection, unless such proceeding is approved by his or her legal guardian, if any.
3. **Elder Adult with Disabilities:** "Elder adult with disabilities" means an adult prevented by advanced age from taking appropriate action to protect himself or herself from abuse by a family or household member.
4. **Exploitation:** "Exploitation" means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
5. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
6. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to Petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
 - a. creating a disturbance at Petitioner's place of employment or school; or

- b. repeatedly telephoning Petitioner's place of employment, home or residence; or
 - c. repeatedly following Petitioner about in a public place or places; or
 - d. repeatedly keeping Petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by Petitioner or by peering in Petitioner's windows; or
 - e. improperly concealing a minor child from Petitioner, repeatedly threatening to improperly remove a minor child of Petitioner's from the jurisdiction or from the physical care of Petitioner, repeatedly threatening to conceal a minor child from Petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless Respondent was fleeing an incident or pattern of domestic violence; or
 - f. threatening physical force, confinement or restraint on one or more occasions.
7. **High-risk Adult with Disabilities:** "High-risk adult with disabilities" means a person aged 18 or over whose physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.
8. **Interference with Personal Liberty:** "Interference with personal liberty" means committing or threatening physical abuse, harassment, intimidation or deprivation so as to compel another to engage in conduct from which they have a right to abstain or to refrain from conduct in which they have a right to engage.
9. **Intimidation of a Dependent:** "Intimidation of a dependent" means subjecting a person who is dependent because of age, health or disability to participation in or the witnessing of: physical force against another or physical confinement or restraint of another, which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.
10. **Neglect:** "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
- a. the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse; or
 - b. the repeated, careless imposition of unreasonable confinement; or
 - c. the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance; or
 - d. the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
 - e. the failure to protect a high-risk adult with disabilities from health and safety hazards.
- Nothing in this definition shall be construed to impose a requirement that assistance be provided to a high-risk adult with disabilities over his or her objection in the absence of a court order, nor to create any new affirmative duty to provide support to a high-risk adult with disabilities.
11. **Petitioner:** "Petitioner" may mean not only any named petitioner for the order of protection and any named victim of abuse on whose behalf the petition is brought, but also any other person protected by this Act.
12. **Physical Abuse:** "Physical abuse" includes sexual abuse and means any of the following:
- a. knowing or reckless use of physical force, confinement or restraint; or
 - b. knowing, repeated and unnecessary sleep deprivation; or
 - c. knowing or reckless conduct which creates an immediate risk of physical harm.
13. **Stalking:** "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and:
- a. at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint, and the threat is directed towards that person or a family member of that person; or
 - b. placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
 - c. placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or
14. **Willful Deprivation:** "Willful deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.