

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

Case No: _____

Petitioner

Filed by Guardian Guardian ad litem

**PETITION TO RENEW
RESTRAINING ORDER**

v.

Ex parte

Respondent

*(Elderly Persons and Persons with
Disabilities Abuse Prevention Act)*

➤ I need an interpreter: Spanish Russian other: _____

NOTICE TO PETITIONER

➤ **Contact Address and Telephone Number:** If you don't want the respondent to know your residential address or phone number, use a contact address and phone number so the court and the sheriff can reach you if necessary

I am the Petitioner Guardian Petitioner. I have good cause to renew the *Restraining Order*, explained below (*does not require new acts of abuse since the original Order*)

I ask the court to renew the *Restraining Order* for 1 year

The Restraining Order was first signed by the judge on (date): _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Submitted by Petitioner Guardian Petitioner Attorney for Petitioner

Date

Signature

Name (printed)

Contact Address (use a SAFE address)

City, State, ZIP

Contact Phone (use a SAFE number)

Attorney for Petitioner:

Date

Signature

OSB#

Name (printed)

Address

City, State, ZIP

Phone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

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Petitioner

RESTRAINING ORDER

Filed by Guardian Guardian ad litem

Renewal

v.

Respondent

*(Elderly Persons and Persons with
Disabilities Abuse Prevention Act)*

NOTICE TO RESPONDENT

- This Order continues the original (or modified) *Restraining Order* and is effective immediately
- Violation of the *Restraining Order* may result in your arrest, or in civil or criminal penalties
- The *Restraining Order* is enforceable in every state, the District of Columbia, and all tribal lands and territories of the United States
- If you want to oppose the continuation of the order, see the *Notice to Parties and Request for Hearing* forms you received with this order

The court reviewed the *Petition to Renew Restraining Order*

THE COURT FINDS:

Good cause exists to renew the *Order*

THE COURT ORDERS:

The *Restraining Order* in this case is RENEWED for 1 year, expiring on
(date): _____

If box 9A or 9B is checked on the existing *Order*, firearms prohibitions apply. See the
Notice to Parties for more information.

The *Petition to Renew Restraining Order* is DENIED because: _____

No further service is necessary because Respondent appeared in person before the court
and was given a copy of the *Order*

Other Orders:

SECURITY AMOUNT for violation of any provision of this Order or the original Order is **\$5,000** unless otherwise specified here: \$_____

Judge Signature:

Certificate of Readiness

This proposed Order is ready for judicial signature because it is submitted **ex parte** as allowed by statute or rule; or is being submitted in **open court** with all parties present

Submitted by Petitioner Guardian Petitioner Attorney for Petitioner

Date

Signature

OSB# (*attorneys only*)

Name (printed)

Contact Address (*use a SAFE address*) City, State, ZIP

Contact Phone (*use a SAFE number*)

SERVICE INFORMATION

*****The Respondent will receive a copy of this information*****
If you do not want Respondent to know your residential address or phone number, use a contact address in the state where you reside or a contact phone number so the court and the sheriff can reach you if necessary. Check for mail at this address frequently. The court will assume that you receive all notices sent to your contact address.

PETITIONER: (Name) _____ Female Male Nonbinary

Residence/Contact Address (use a safe address): Street _____ City, State _____ ZIP _____

Contact Phone Number _____ (Use safe contact number)

Age _____ Race/Ethnicity _____ Height _____ Weight _____

Eye Color _____ Hair Color _____

RESPONDENT: (Name) _____ Female Male Nonbinary

Residence Address _____ County _____

Phone Number _____

Date of Birth _____ Race/Ethnicity _____ Height _____ Weight _____

Eye Color _____ Hair Color _____

**PLEASE FILL OUT THIS INFORMATION
TO HELP WITH SERVICE OF THE RESTRAINING ORDER**

Where is Respondent most likely to be found?

- Residence Hours _____ Address above _____
- Employment Hours _____ Address _____
- Other: Hours _____ Address _____

Description of Vehicle _____

Is there anything about the other party's character, past behavior, or the present situation that indicates that he or she may be a **danger** to others? To him/herself? (Explain): _____

Does the other party have any **weapons, or access to weapons**? (Explain): _____

Has the other party ever been **arrested for or convicted of** a violent crime? (Explain): _____

NOTICE TO PARTIES AND REQUEST FOR HEARING

**THIS FORM MUST BE ATTACHED TO ALL COPIES
OF THE *RESTRAINING ORDER***

Notice of Petitioner's Rights

PETITIONER: You have the same right to request a hearing as the Respondent. File your *Request for Hearing* within 30 days of receiving notice of the *Order*.

If your *Petition* was filed by a guardian or guardian ad litem (“guardian petitioner”) you still have the right to:

- talk to and be represented by a lawyer
 - see your personal records
 - request a hearing
 - and
 - present evidence and question witnesses at any hearing
-

RESPONDENT

A judge has issued a restraining Order that affects your rights. The order is now in effect.

Enforceability of the Restraining Order

The *Restraining Order* you have received is in effect and remains in effect until the court changes (modifies) or dismisses it, or until it expires. The petitioner may renew the order.

If you are arrested for violating this order, the security amount (bail) is \$5,000, unless a different amount is ordered by the court.

Violation of the Restraining Order

Violation of any part of this order (or any order renewing or changing this order) is contempt of court. Contempt is punishable by a fine of up to \$500 or 1% of your annual gross income, whichever is greater, or a jail term of up to six months, or both. Other penalties may also be imposed.

FIREARMS PROHIBITIONS MAY APPLY TO YOU!

If a firearms prohibition in Section 9 of the *Restraining Order* is initialed by the judge:

If 9A is initialed: Civil Penalties for Firearms Possession Apply

- it is immediately unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, and ammunition under ORS 124.020(1)(f)
- you are subject to contempt of court for violation of the firearms prohibition as soon as you are served with the *Order*

If 9B is initialed: Criminal Penalties for Firearms Possession Apply ([ORS 166.255\(1\)\(a\)](#))

You will be subject to criminal penalties for possessing firearms or ammunition effective the earlier of:

(1) 30 days after you were served with or became aware of the *Order*

Or, if you request a hearing:

(2) the date of the hearing if the *Order* is not dismissed or

(3) the date of the hearing if you fail to appear at the hearing or

(4) the date you withdraw your request for a hearing

You may also be prohibited from:

- Serving in the Armed Forces of the United States or being employed in law enforcement. If you have any questions about how these laws apply to you, talk to a lawyer.
- Traveling across state lines or tribal land lines with the intent to violate this Order and then violating this order
- Causing the Petitioner to cross state lines or tribal land lines for the purpose of violating the order

Other Laws May Also Apply To You

Whether or not a Restraining Order is in effect, federal law may prohibit you from:

- Traveling across state lines or tribal land lines with the intent to injure the Petitioner and then intentionally committing a crime of violence causing bodily injury to the Petitioner.
- Causing the Petitioner to travel across state lines or tribal land lines if your intent is to cause bodily injury to the Petitioner or if the travel results in your causing bodily injury to the Petitioner.

BOTH PARTIES

If you oppose the *Restraining Order*, complete the attached “*Request for Hearing*” form. Mail or deliver it to the address below.

A REQUEST FOR HEARING must be filed with the court **within 30 days** after you received the order. You must include your address and telephone number. A hearing will be held within 21 days after you file your request with the court. **If you do not go to the hearing, the restraining order may remain in effect.**

At the hearing, both parties can bring witnesses, including adult protective services workers. The hearing may be held in person or by telephone. The court may change, cancel, or continue any of the terms of the *Order*. The court may order either party to move from the residence, and may order one party to pay attorney fees and costs associated with the hearing.

If you do not request a hearing within 30 days, the order will remain in effect as issued

IF YOU COMPLETE THE REQUEST FOR HEARING FORM, MAIL OR DELIVER IT TO (address of court): _____

IN THE CIRCUIT COURT OF THE STATE OF OREGON
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Petitioner

**REQUEST FOR
HEARING**

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v.

*(Elderly Persons and Persons with
Disabilities Abuse Prevention Act)*

Respondent

➤ I need an interpreter: Spanish Russian other: _____

I am the Respondent Petitioner. I request a hearing to oppose the *Restraining Order*.

I oppose the following orders granted in the *Restraining Order*:

Section Number	Explain:

Additional page attached

I will will not be represented by an attorney at the hearing

Name and bar number of the attorney (if known): _____

I will need Americans with Disabilities Act accommodations at the hearing

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Submitted by: Respondent Petitioner Attorney for { Respondent Petitioner}

Date

Signature

Name (printed)

Contact Address

City, State, ZIP

Contact Phone

Attorney for filing party:

Date

Signature

OSB#

Name (printed)

Address

City, State, ZIP

Phone

**NOTICE TO PETITIONERS RECEIVING ELECTRONIC NOTICE
ABOUT RESTRAINING ORDERS**

USE THIS FORM IF:

- You have already provided your email address or cell phone number to the sheriff's office to receive electronic notice when your *Restraining Order* has been served or is about to expire

AND

- Your email address or cell phone number has changed

DO NOT FILE THIS FORM WITH THE COURT

The information below must be provided to the sheriff's office
in the county where the *Restraining Order* was issued

If your contact address or phone number has changed, you must separately inform the court that issued the Order

This form can be used ANYTIME a restraining order is in effect and you have changed your email address or cell phone number and still want to receive electronic notice from the sheriff's office about service or expiration.

**PETITIONER'S NOTICE TO SHERIFF'S OFFICE
OF CHANGE OF CONTACT INFORMATION**

Your Name: _____

Respondent's Name: _____

Court Case #: _____

County where *Order* Issued: _____

Your new cell phone number: _____

Cell Carrier (*AT&T, T-Mobile, Verizon. etc.*): _____

Your new email address: _____