

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR HARDEE, HIGHLANDS, AND POLK COUNTIES, FLORIDA**

**ADMINISTRATIVE ORDER NO. 5-49.0**

**IN RE: TEMPORARY FORMS FOR PETITION FOR  
INJUNCTION FOR PROTECTION AGAINST STALKING**

**WHEREAS**, effective October 1, 2012, §784.0485, Florida Statutes, created a civil cause of action for an injunction for protection against stalking. See Ch. Laws 2012-153, Laws of Fla.;

**WHEREAS**, the Florida Supreme Court has approved Family Law forms related to domestic, repeat, dating, and sexual violence, but has not yet approved Family Law forms related to stalking; and

**WHEREAS**, in order to comply with the statutory changes regarding stalking injunctions, it is necessary to develop temporary forms to be used circuit wide.

**NOW, THEREFORE**, it is **ORDERED**:

1. The forms listed below and attached hereto are approved for use in the Tenth Judicial Circuit for parties seeking an injunction for protection against stalking:
  - Petition for Injunction for Protection Against Stalking
  - Temporary Injunction for Protection Against Stalking - Revised 12/04/2012
  - Order Denying Petition for Injunction for Protection Against Stalking
  - Order Setting Hearing on Petition for Injunction for Protection Against Stalking Without Issuance of An Interim Temporary Injunction - Revised 12/04/2012
  - Final Judgment for Protection Against Stalking (After Notice)- Revised 12/04/2012
2. The Court may modify or update these forms without amendment to this Administrative Order.
3. The above listed forms are intended for temporary use. This Administrative Order shall be rescinded upon approval by the Florida Supreme Court of forms related to Petitions for Injunctions Against Stalking.
4. This Administrative Order shall be effective upon signing.

DONE AND ORDERED in Polk County, Florida, this 2nd day of October, 2012.

WM. BRUCE SMITH, Chief Judge

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**PETITION FOR INJUNCTION FOR PROTECTION AGAINST STALKING**

Before me, the undersigned authority, personally appeared \_\_\_\_\_, the Petitioner, who has been sworn and says that the following statements are true:

1. Petitioner (the person asking for protection) resides at:

\_\_\_\_\_  
\_\_\_\_\_.

If you fear that disclosing your address to the respondent would put you in danger, you should complete and file a Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), and write confidential in the space provided on this form for your address and telephone number.

Respondent (the person you want to be protected from) resides at (last known address):

\_\_\_\_\_  
\_\_\_\_\_.

Respondent's last known place of employment (name of business and address):

\_\_\_\_\_  
\_\_\_\_\_.

2. Physical description of respondent:

Race: \_\_\_\_\_ Sex: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Eye color: \_\_\_\_\_ Hair color: \_\_\_\_\_

Distinguishing marks or scars: \_\_\_\_\_

Aliases (other names the respondent goes by): \_\_\_\_\_

3. Describe any other cause of action currently pending between the petitioner and respondent.

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4. Describe any previous attempt by the petitioner to obtain an injunction for protection against stalking in this or any other circuit, and the result of that attempt. (Case numbers should be included, if available.)

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5. The petitioner is a victim of stalking because respondent has (Mark all sections that apply and describe in the spaces below the incidents of stalking specifying when and where they occurred, including, but not limited to, locations such as a home, school, or place of employment.)

- Committed stalking.
- Previously threatened, harassed, stalked, cyberstalked, or physically abused the petitioner.
- Threatened to harm the petitioner or family members or individuals closely associated with the petitioner.
- Intentionally injured or killed a family pet.
- Used, or threatened to use, against the petitioner any weapons such as guns or knives.
- A criminal history involving violence or the threat of violence, if known.
- Another order of protection issued against him or her previously or from another jurisdiction, if known.
- Destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.

Below is a brief description of the latest act of stalking violence or threat of stalking violence that causes Petitioner to honestly fear imminent stalking violence by Respondent. (Use additional pages if necessary.)

On {date} \_\_\_\_\_, at {location} \_\_\_\_\_, the Respondent \_\_\_\_\_

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\_\_\_\_ Please indicate here if you are attaching additional pages to continue these facts.

6. Additional Information.

- \_\_\_\_\_ Other acts or threats of stalking violence as described on attached sheet.
- \_\_\_\_\_ This or other acts of stalking violence have been previously reported to {person or agency}: \_\_\_\_\_.
- \_\_\_\_\_ Respondent owns, has, and/or is known to have guns or other weapons.  
Describe weapon(s): \_\_\_\_\_.

7. The petitioner seeks an injunction:  
(Mark appropriate section or sections.)

- \_\_\_\_\_ Immediately restraining the respondent from committing any acts of stalking.
- \_\_\_\_\_ Restraining the respondent from committing any acts of stalking.
- \_\_\_\_\_ Providing any terms the court deems necessary for the protection of a victim of stalking, including any injunctions or directives to law enforcement agencies.

**I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING.**

**I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.**

\_\_\_\_\_ (initials)

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

Printed Name:

\_\_\_\_\_  
Address:

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK

\_\_\_\_\_  
[Print, type, or stamp commissioned name of notary or clerk.]

\_\_\_ Personally known  
\_\_\_ Produced identification  
Type of identification produced \_\_\_\_\_

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**TEMPORARY INJUNCTION FOR PROTECTION AGAINST STALKING**

The Petition for Injunction for Protection Against Stalking under section 784.0485, Florida Statutes, and other papers filed in this Court have been reviewed. Under the laws of Florida, the Court has jurisdiction of the Petitioner and the subject matter and has jurisdiction of the Respondent upon service of the temporary injunction. The term "Petitioner" as used in this injunction includes the person on whose behalf this injunction is entered.

**It is intended that this protection order meet the requirements of 18 U.S.C. § 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.**

**SECTION I. NOTICE OF HEARING**

Because this Temporary Injunction for Protection Against Stalking has been issued without notice to Respondent, Petitioner and Respondent are instructed that they are scheduled to appear and testify at a hearing regarding this matter on *{date}* \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., when the Court will consider whether the Court should issue a Final Judgment of Injunction for Protection Against Stalking, which shall remain in effect until modified or dissolved by the Court, and whether other things should be ordered. The hearing will be before The Honorable *{name}* \_\_\_\_\_ at *{room name/number, location, address, city}* \_\_\_\_\_, Florida. If Petitioner and/or Respondent do not appear, this temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted, including entry of a permanent injunction and the imposition of court costs. All witnesses and evidence, if any, must be presented at this time. **Petitioner and Respondent will be bound by the terms of any injunction or order issued at the final hearing.**

**IF EITHER PETITIONER OR RESPONDENT DOES NOT APPEAR AT THE FINAL HEARING, HE OR SHE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.**

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- a. \_\_\_\_\_ a court reporter is provided by the court.
  
- b. \_\_\_\_\_ electronic recording only is provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.
  
- c. \_\_\_\_\_ neither electronic recording nor court reporting services are provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact \_\_\_\_\_**

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***{identify applicable court personnel by name, address, and telephone number}* at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

## **SECTION II. FINDINGS**

The statements made under oath by Petitioner make it appear that Section 784.0485, Florida Statutes, applies to the parties, that Petitioner is a victim of stalking and that an immediate and present danger of stalking exists to Petitioner, to a member of Petitioner's immediate family, or to individuals closely associated with the petitioner.

## **SECTION III. TEMPORARY INJUNCTION AND TERMS**

This injunction shall be effective until the hearing set above and in no event for longer than 15 days, unless extended by court order. If a final order of injunction is issued, the terms of this temporary injunction will be extended until service of the final injunction is effected upon Respondent. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this injunction.

**Willful violation of the terms of this injunction, such as but not limited to going to Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, texting, contacting or communicating with Petitioner, if prohibited by this injunction; or committing an act of stalking against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by Sections 775.082 and 775.083, Florida Statutes.**

**Any party violating this injunction may be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.**

**ORDERED and ADJUDGED:**

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment or any criminal offense resulting in physical injury or death. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word, or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with Petitioner unless otherwise provided in this section.**

a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, text, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence *{list address}* \_\_\_\_\_  
or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* \_\_\_\_\_  
or place where Petitioner attends school *{list address of school}* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Initial **if** applies; write *NIA* **if not** applicable]

b. \_\_\_\_\_ Respondent may not knowingly come within 100 feet of Petitioner's automobile at anytime.

c. \_\_\_\_\_ Other provisions regarding contact:  
\_\_\_\_\_  
\_\_\_\_\_

3. **Firearms.**

[Initial **all** that apply; write *NIA* **if does not** apply]

a. \_\_\_\_\_ Respondent shall not use or possess a firearm or ammunition.

- b. \_\_\_\_\_ Respondent shall surrender any firearms and ammunition in Respondent's possession to the \_\_\_\_\_ County Sheriffs Department.
- c. \_\_\_\_\_ Other directives relating to firearms and ammunition:

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4. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within 10 days of the change. All further papers (excluding pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail shall be complete upon mailing. Rule 12.080, Florida Family Law Rules of Procedure; Section 784.0485, Florida Statutes.

5. **Additional order(s) necessary to protect Petitioner from Stalking:**

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**SECTION IV. OTHER SPECIAL PROVISIONS**

*{This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.}* \_\_\_\_\_

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**SECTION V. DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

*{Unless ordered otherwise by the judge, all provisions in this injunction are considered mandatory provisions and should be interpreted as part of this injunction.}*

- 1. The Sheriff of \_\_\_\_\_ County, or any other authorized law enforcement officer, is ordered to serve this temporary injunction upon Respondent as soon as possible after its issuance.
- 2. **This injunction is valid and enforceable in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and “may use their arrest powers pursuant to s. 901.15(6)[, Florida Statutes,] to enforce the terms of the injunction.” Fla. Stat. §784.0485(6)(c) (2012).
- 3. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest

Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS "MAY USE THEIR ARREST POWERS PURSUANT TO S. 901.15(6)[, FLORIDA STATUTES,] TO ENFORCE THE TERMS OF THE INJUNCTION." Fla. Stat. §784.0485(6)(c) (2012) (emphasis added).

4. **Reporting alleged violations.** If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.

DONE AND ORDERED in \_\_\_\_\_, Florida, on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner:

\_\_\_\_\_ by U. S. Mail

\_\_\_\_\_ by hand delivery

Respondent:

\_\_\_\_\_ forwarded to sheriff for service

\_\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**ORDER DENYING PETITION FOR INJUNCTION  
FOR PROTECTION AGAINST STALKING**

The Court has reviewed the Petition for Injunction for Protection Against Stalking filed in this cause and finds that Petitioner has failed to comply with one or more statutory requirements applicable to that petition including the following:

- \_\_\_\_\_ 1. Petitioner has used a petition form other than that which is approved by the Court and the form used lacks the statutorily required components.
- \_\_\_\_\_ 2. Petitioner has failed to complete a mandatory portion of the petition.
- \_\_\_\_\_ 3. Petitioner has failed to sign the petition.
- \_\_\_\_\_ 4. Petitioner has failed to allege facts sufficient to support the entry of an Injunction for protection against stalking because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- \_\_\_\_\_ 5. Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

It is therefore, ORDERED AND ADJUDGED that the Petition is denied without prejudice to amend or supplement the petition to cure the above stated defects.

DONE AND ORDERED in \_\_\_\_\_, Florida, on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Petitioner:

\_\_\_\_\_ by U. S. Mail

\_\_\_\_\_ by hand delivery in open Court

Respondent:

\_\_\_\_\_ forwarded to sheriff for service

\_\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**ORDER SETTING HEARING ON PETITION FOR INJUNCTION  
FOR PROTECTION AGAINST STALKING WITHOUT ISSUANCE  
OF AN INTERIM TEMPORARY INJUNCTION**

The Petition for Injunction for Protection Against Stalking under section 784.0485, Florida Statutes, has been reviewed. This Court has jurisdiction of the parties and of the subject matter. A **Temporary** Injunction for Protection Against Stalking pending the hearing scheduled below, is **NOT** being entered at this time but an Injunction may be entered after the hearing, depending on the findings made by the Court at that time.

**SECTION I. FINDINGS**

The Court finds that the facts, as stated in the Petition alone and without a hearing on the matter, do not demonstrate that Petitioner is a victim of stalking, or that the Petitioner has reasonable cause to believe that he or she is in imminent danger of becoming a victim of stalking. Therefore, there is not a sufficient factual basis upon which the court can enter a Temporary Injunction for Protection Against Stalking prior to a hearing. A hearing is scheduled on the Petition for Injunction for Protection Against Stalking in section II of this Order. Petitioner may amend or supplement the Petition at any time to state further reasons why a Temporary Injunction should be ordered which would be in effect until the hearing scheduled below.

**SECTION II. NOTICE OF HEARING**

Petitioner and Respondent are ordered to appear and testify at a hearing on the Petition for Injunction for Protection Against Stalking on {date} \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. at {location} \_\_\_\_\_ at which time the Court will consider whether a Final Judgment of Injunction for Protection Against Stalking should be entered. If entered, the injunction will remain in effect until a fixed date set by the Court or until modified or dissolved by the Court. At the hearing, the Court will determine whether other relief should be ordered.

If Petitioner and/or Respondent do not appear, orders may be entered, including entry of a permanent injunction and the imposition of court costs. Petitioner and Respondent will be bound by the terms of any injunction or order issued at the final hearing.

**IF EITHER PETITIONER OR RESPONDENT DOES NOT APPEAR AT THE FINAL HEARING, HE OR SHE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.**

All witnesses and evidence, if any, must be presented at this time.

NOTICE: Because this is a civil case, there is no requirement that these proceedings be transcribed at public expense.

YOU ARE ADVISED THAT IN THIS COURT:

- a. \_\_\_\_ a court reporter is provided by the court.
- b. \_\_\_\_ electronic recording only is provided by the court. A party may arrange in advance for the services of and provide for a court reporter to prepare a written transcript of the proceedings at that party's expense.

A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUIRED TO SUPPORT AN APPEAL. THE PARTY SEEKING THE APPEAL IS RESPONSIBLE FOR HAVING THE TRANSCRIPT PREPARED BY A COURT REPORTER. THE TRANSCRIPT MUST BE FILED WITH THE REVIEWING COURT OR THE APPEAL MAY BE DENIED.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provisions of certain assistance. Please contact: \_\_\_\_\_**

***{identify applicable court personnel by name, address, and telephone number}* at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

Nothing in this order limits Petitioner's right to dismiss the petition.

DONE AND ORDERED in \_\_\_\_\_, Florida, on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Petitioner:

\_\_\_\_\_ by U. S. Mail

\_\_\_\_\_ by hand delivery in open Court

Respondent:

\_\_\_\_\_ forwarded to sheriff for service

\_\_\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

**FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST STALKING**  
**(AFTER NOTICE)**

The Petition for Injunction for Protection Against Stalking under Section 784.0485, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter. The term Petitioner as used in this injunction includes the person on whose behalf this injunction is entered.

It is intended that this protection order meet the requirements of 18 U.S.C. Section 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.

**SECTION I. HEARING**

This cause came before the Court for a hearing to determine whether an Injunction for Protection Against Stalking in this case should be ( ) issued ( ) modified ( ) extended.

The hearing was attended by: ( ) Petitioner ( ) Respondent  
( ) Petitioner's Counsel ( ) Respondent's Counsel

**SECTION II. FINDINGS**

On {date} \_\_\_\_\_, a notice of this hearing was served on Respondent together with a copy of Petitioner's petition to this Court and the temporary injunction, if issued. Service was within the time required by Florida law, and Respondent was afforded an opportunity to be heard.

After hearing the testimony of each party present and of any witnesses, or upon consent of Respondent, the Court finds, based on the specific facts of this case, that Petitioner is a victim of stalking.

**SECTION III. INJUNCTION AND TERMS**

**This injunction shall be in full force and effect until either ( ) further order of the Court or ( ) {date} \_\_\_\_\_. This injunction is valid and enforceable throughout all counties in the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this injunction.**

**Willful violation of the terms of this injunction, such as but not limited to going to Petitioner's residence, place of employment, school, or other place prohibited in this injunction; telephoning, texting, contacting or communicating with Petitioner, if prohibited by this injunction; or committing an act of stalking against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by Sections 775.082 and 775.083, Florida Statutes.**

**Any party violating this injunction shall be subject to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may be charged with a crime punishable by a fine, jail, or both, as provided by Florida Statutes.**

**ORDERED and ADJUDGED:**

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of violence against Petitioner, including assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.
  
2. **No Contact.** Respondent shall have no contact with Petitioner unless otherwise provided in this section.
  - a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, text, through another person, or in any other manner. Further, Respondent shall not contact or have any third party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, Respondent shall not go to, in, or within 500 feet of: Petitioner's current residence *{list address}* \_\_\_\_\_ or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* \_\_\_\_\_ or place where Petitioner attends school *{list address of school}* \_\_\_\_\_ or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor child(ren) go often: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

[Initial if applies; write *NIA* if not applicable]

b. \_\_\_\_\_ Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

c. \_\_\_\_\_ Other provisions regarding contact: \_\_\_\_\_

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3. **Firearms. Unless paragraph a. is initialed below, Respondent shall not have in his or her care, custody, possession or control any firearm or ammunition. It is a violation of Section 790.233, Florida Statutes, and a first degree misdemeanor, for the Respondent to have in his or her care, custody, possession, or control any firearm or ammunition.**

[Initial all that apply; write *NIA* if not applicable]

a. \_\_\_\_\_ Respondent is a state or local officer as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency and is not prohibited by the court from having in his or her care, custody, possession or control a firearm or ammunition. The officer's employing agency may prohibit the officer from having in his or her care, custody, possession or control a firearm or ammunition.

b. \_\_\_\_\_ Respondent shall surrender any firearms and ammunition in the Respondent's possession to the \_\_\_\_\_ County Sheriff's Department.

c. \_\_\_\_\_ Other directives relating to firearms and ammunition: \_\_\_\_\_

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**NOTE: RESPONDENT IS ADVISED THAT IT IS A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. SECTION 922(g)(8).**

4. **Evaluation/Counseling.**

[Initial **all** that apply; write **N/A if does not** apply]

a. The Court finds that Respondent has:

i. \_\_\_\_\_ willfully violated the ex parte injunction;

ii. \_\_\_\_\_ been convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of violence; and/or

iii. \_\_\_\_\_ in this state or any other state, had at any time a prior injunction for protection entered against the respondent after a hearing with notice.

*Note: If Respondent meets any of the above enumerated criteria, the Court must order the Respondent to attend a batterers' intervention program unless it makes written factual*

*findings stating why such a program would not be appropriate. See Section 741.0485(6)(a), Florida Statutes.*

b. Within ( ) 10 days ( ) \_\_\_ days, (but no more than 10 days) of the date of this injunction, Respondent shall enroll in and thereafter without delay complete the following, and Respondent shall provide proof of such enrollment to the Clerk of Circuit Court within ( ) 30 days ( ) \_\_\_ days, (but no more than 30 days) of the date of this injunction:

i. \_\_\_ A certified batterers' intervention program from a list of programs to be provided by the Court or any entity designated by the Court. Respondent shall also successfully complete any substance abuse or mental health evaluation that the assessing program counselor deems necessary as a predicate to completion of the batterers' intervention program.

ii. \_\_\_ A substance abuse evaluation at: \_\_\_\_\_ or a similarly qualified facility and any substance abuse treatment recommended by that evaluation.

iii. \_\_\_ A mental health evaluation by a licensed mental health professional at: \_\_\_\_\_ or any other similarly qualified facility and any mental health treatment recommended by that evaluation.

iv. \_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_

c. \_\_\_ Although Respondent meets the statutory mandate of attendance at a batterers' intervention program, the Court makes the following written findings as to why the condition of batterers' intervention program would be inappropriate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. \_\_\_ Petitioner is referred to a certified domestic violence center and is provided with a list of certified domestic violence centers in this circuit, which Petitioner may contact.

5. **Mailing Address.** Respondent shall notify the Clerk of the Court of any change in his or her mailing address within 10 days of the change. All further papers (excluding pleadings requiring personal service) shall be served by mail to Respondent's last known address. Such service by mail shall be complete upon mailing. Rule 12.080, Florida Family Law Rules of Procedure; Section 784.0485, Florida Statutes.

6. **Additional order(s) necessary to protect Petitioner from Stalking:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION IV. OTHER SPECIAL PROVISIONS**

*(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)*

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**SECTION V. DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

*{Unless ordered otherwise by the judge, all provisions in this injunction are considered mandatory provisions and should be interpreted as part of this injunction.}*

1. This injunction is valid and enforceable in all counties of the State of Florida. Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are “may use their arrest powers pursuant to s. 901.15(6)[, Florida Statutes,] to enforce the terms of the injunction.” Fla. Stat. §784.0485(6)(c) (2012).
2. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Respondent has knowingly violated this injunction, the officer may arrest Respondent, confine him/her in the county jail without bail, and shall bring him/her before the Initial Appearance Judge on the next regular court day so that Respondent can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. **THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS “MAY USE THEIR ARREST POWERS PURSUANT TO S. 901.15(6)[, FLORIDA STATUTES,] TO ENFORCE THE TERMS OF THE INJUNCTION.”** Fla. Stat. §784.0485(6)(c) (2012) (emphasis added).
3. Reporting alleged violations. If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.
4. Respondent, upon service of this injunction, shall be deemed to have knowledge of and to be bound by all matters occurring at the hearing and on the face of this injunction.
5. The temporary injunction, if any, entered in this case is extended until such time as service of this injunction is effected upon Respondent.

DONE AND ORDERED in \_\_\_\_\_, Florida, on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:

Sheriff of \_\_\_\_\_ County

Petitioner (or his or her attorney):

\_\_\_ by U. S. Mail

\_\_\_ by hand delivery in open court

(Petitioner must acknowledge receipt in writing on the face of the original order--see below)

Respondent (or his or her attorney):

\_\_\_ forwarded to sheriff for service

\_\_\_ by hand delivery in open court

(Respondent must acknowledge receipt in writing on the face Of the original order--see below)

\_\_\_ by certified mail

(may only be used when Respondent is present at the hearing and Respondent fails or refuses to acknowledge the receipt of certified copy of this injunction)

\_\_\_ State Attorney's Office

\_\_\_ Other: \_\_\_\_\_

I CERTIFY the foregoing is a true copy of the original as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**ACKNOWLEDGMENT**

I, {Name of Petitioner} \_\_\_\_\_, acknowledge receipt of a certified copy of this Injunction for Protection.

\_\_\_\_\_  
Petitioner

**ACKNOWLEDGMENT**

I, {Name of Respondent} \_\_\_\_\_, acknowledge receipt of a certified copy of this Injunction for Protection.

\_\_\_\_\_  
Respondent