
Petitioner's Name

Address (may be omitted for privacy)

City, State, ZIP

Telephone (may be omitted)

IN THE _____ DISTRICT JUVENILE COURT
_____ COUNTY, STATE OF UTAH

<p>_____ Petitioner,</p> <p>vs.</p> <p>_____ Respondent</p>	<p>EX PARTE CHILD PROTECTIVE ORDER</p> <p>Case No. _____</p> <p>Judge _____</p>
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NOTICE TO RESPONDENT:

YOU CAN BE ARRESTED FOR VIOLATING THIS ORDER EVEN IF ANY PERSON PROTECTED BY THE ORDER INVITES OR ALLOWS YOU TO VIOLATE THE ORDER'S PROHIBITIONS. ONLY THE COURT CAN CHANGE THE ORDER. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THE ORDER.

The court having found that Petitioner is a person interested in the minor child/ren on whose behalf the Petition was brought, that Petitioner first made a referral to the Division of Child and Family Services, and that the Court has jurisdiction over this matter, has reviewed Petitioner's Verified Petition for Child Protective Order, from which it appears that the above-named child/ren is being or is in imminent danger of being physically or sexually abused, and pending further hearing in this matter,

PURSUANT TO UTAH CODE SECTION 78B-7-204, THE PETITIONER IS GRANTED AN
EX PARTE CHILD PROTECTIVE ORDER:

(The Judge shall initial each section that is included in this Order.)

1. The Respondent is restrained from attempting, committing, or threatening to commit abuse against the following child/ren and shall not stalk, harass, or threaten to use or attempt to use physical force that would reasonably be expected to cause physical injury to the child/ren:

2. The Respondent is prohibited from harassing, telephoning, contacting, or otherwise communicating with the minor child/ren, directly or indirectly:

3. The Respondent shall be excluded and is ordered to stay away from the residence and its premises located at: _____ and any known subsequent residence of the minor child/ren, and Respondent is prohibited from terminating or interfering with the utility services to the residence.

4. The Respondent is ordered to stay away from the school, place of employment, and/or other places, and their premises, frequented by the minor child/ren. This includes any known subsequent school, place of employment, and/or other places frequented by the minor child/ren. The current addresses include:

[___] 5. The Court having found that Respondent's use or possession of a weapon may pose a serious threat of harm to minor child/ren, the Respondent is prohibited from purchasing, using, or possessing a firearm or any of the following weapons:

[___] 6. The minor child/ren are awarded possession of the following essential personal effects:

This award is subject to subsequent orders concerning the listed property in future proceedings.

RESPONDENT'S VIOLATION OF "1" THROUGH "6" PROVISIONS OF THIS ORDER, IS A CLASS A MISDEMEANOR UNDER UTAH CODE SECTION 76-5-108. IF RESPONDENT'S VIOLATION OF PROVISIONS "1" THROUGH "6" OF THIS ORDER, IS A SECOND OR SUBSEQUENT DOMESTIC VIOLENCE OFFENSE, ENHANCED PENALTIES MAY BE IMPOSED UNDER UTAH CODE SECTIONS 77-36-1.1 AND 77-36-2.4.

THE COURT ORDERS THE FOLLOWING RELIEF IN THE CIVIL PORTION OF THIS EX PARTE PROTECTIVE ORDER:

(The civil portion is effective from the date and time served on the Respondent, until, after further hearing, the Respondent is served with a protective order, the protective order is denied, or this matter is dismissed).

VIOLATIONS OR FAILURE TO COMPLY WITH THE CIVIL PORTION, LISTED BELOW, MAY SUBJECT A PERSON TO CONTEMPT PROCEEDINGS.

[___] 7. Temporary custody of the minor child/ren shall be as follows:

8. The Respondent shall have parent-time as follows:

9. The Respondent is restrained from using drugs and/or alcohol prior to or during parent-time.

10. The Respondent is restrained from removing the minor child/ren from the state of Utah.

11. Support is ordered in accordance with Title 78B, Chapter 12, Uniform Liability for Support Act.

12. The Division of Child and Family Services shall provide information to the Court as to the status of Petitioner's referral.

13. A guardian ad litem is appointed to represent the best interests of the minor child/ren.

14. Law enforcement agencies with jurisdiction over the protected locations are hereby directed and authorized to render any necessary assistance to the above-named petitioner in retrieving the child/ren named in this Ex-Parte Protective Order and give physical custody of said child/ren _____ to the petitioner. Such action includes, but is not limited to, obtaining access to the child/ren through locked doors and gates and restraining any persons who may attempt to prevent the removal of said child/ren.

15. Law enforcement agencies with jurisdiction over the protected locations shall accompany the minor child/ren to ensure that they safely regain possession of the awarded property.

16. Law enforcement agencies with jurisdiction over the protected locations shall facilitate Respondent's removal of Respondent's essential personal belongings from the parties' residence. The law enforcement officer shall contact Petitioner to make these arrangements. Respondent may not contact the Petitioner or enter the residence to obtain any item.

17. Law enforcement agencies with jurisdiction over the protected locations shall have authority to compel Respondent's compliance with this Order, including the authority to forcibly evict and restrain Respondent from the protected areas. Information to assist with identification of the Respondent is attached to this Order.

18. The Respondent is ordered to bring proof of current income to the hearing. The proof should include year-to-date pay stubs or employer statements, and complete tax returns for the most recent year.

19. Other: _____

20. (IN FOSTER CARE CASES ONLY) Remaining in the home would be contrary to the welfare of the child and it is in the best interest of the child to be removed from the home and placed in foster care. The Court makes this determination based on the evidence presented in the petition for an ex parte protective order, specifically:

21. Unless otherwise modified by the court, this Order is effective from the date and time served on Respondent, until, after further hearing in this matter, the Respondent is served with a Child Protective Order or a Child Protective Order is denied.

22. The Respondent is ordered to appear at a hearing which will be held on:

Date:

Time:

Room:

Address:

DATED: _____ TIME: _____

BY THE COURT:

JUVENILE COURT JUDGE

Ex Parte Child Protective Order–Notice to Petitioner

Petitioner may provide a copy of this order to the child/ren’s school principal.

Petitioner may enforce a court order if respondent violates or fails to comply with provision(s) of this order.

Each party is entitled to have an attorney present at the hearing(s).

YOU CANNOT WAIVE, ALTER, IGNORE, OR DISMISS THIS ORDER WITHOUT FURTHER COURT ACTION. YOU MAY BE HELD IN CONTEMPT FOR IGNORING OR ALTERING THE TERMS OF THIS ORDER.