

Order of Protection and Injunction Guide Sheet – Please Read Carefully

1. **ORDERS OF PROTECTION.** An Order of Protection is used for a “family” relationship between you and the Defendant. This can include a spouse, ex-spouse, past or present live-in, in-law, parent, grandparent, brother, sister, or the parent or parent-to-be of your child. Also, you must state how a crime was threatened or actually committed against you within the last year.
2. **INJUNCTIONS AGAINST HARASSMENT.** For an Injunction, the Defendant is not a “family” member and has committed a series of acts (more than one) of harassment against you in the last year. Also, a “dating” relationship without living together could be a basis for an Injunction. **INJUNCTIONS IN THE WORKPLACE.** This Injunction may be filed by an employer or owner of a business or operation for the benefit of an employee or the business against a single act or series of acts of harassment.
3. **OTHER PERSONS.** If other persons live with you or you have minor children you want on the Petition, be sure to state how they are at risk. Only a Superior Court Judicial Officer can decide child custody or parenting time in a separate action. It is possible that you will be referred to Superior Court if needed where children are involved. If your child is at risk by the Defendant, you may request to have the child listed on the Order.
4. **ONE DEFENDANT.** You must list only ONE Defendant per application. For multiple defendants you will need to file separate petitions. The court may set a hearing prior to issuing the Injunction to better know the facts. This is especially likely in cases involving juvenile defendants or neighborhood issues.
5. **CHANGING THE PAPERS.** Only a Judicial Officer can change or cancel an Order or Injunction. To modify an Order or Injunction, you need to come to court to file for an amendment. Once the Order or Injunction is served, if you change your mind about the need for it, please come back to court to have it canceled (dismissed). If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Defendant, advise this court at once.
6. **LAW ENFORCEMENT STANDBY.** If you need to get personal belongings from the Defendant, or if Defendant needs to get personal items from you, ask the court about a “standby.” Neither the court nor law enforcement can decide property or title questions about furniture, finances, real estate, etc. For these matters, you may need to file a separate action.
7. **SERVICE AND EFFECT.** An Order or Injunction is valid for one year, nationwide, from the date it is personally served on the Defendant. There is no cost or charge to serve an Order of Protection or Injunction Against Harassment involving a “dating” relationship. There is a cost to serve a regular Injunction or Workplace Injunction. The court will instruct you on how service can be made. The cost to serve Injunctions varies depending on mileage and attempts. If you cannot afford to hire a process server, ask the court about a “deferral” or “waiver.”
8. **FIREARMS.** If you are worried about firearms, there is a box to check on the petition asking the court to prohibit the Defendant from possessing or purchasing firearms or ammunition while the Order/Injunction is in effect.
9. **COUNSELING.** If requested, counseling for the Defendant can be ordered only at a hearing at which you and the Defendant must appear.
10. **OTHER.** If additional space is needed to provide complete information in the Petition, you may continue on additional paper. As a reminder, the information that you provide in your case may be entered into the state computer system or made public on the internet. **A copy of your Petition and Order is given to the Defendant and may be used in future judicial proceedings. The Defendant is entitled to request a hearing at which the Plaintiff must appear.**

Make sure you PRINT all your information on this form and your actual Petition:

Your Name
 (_____) _____
Your Day Time Telephone

Your Address and Any Apt. Number

City, State, ZIP

IMPORTANT, Check below to keep your address off of the papers that are served on the Defendant. Defendant does NOT know where I [] live [] work. Do NOT show my address to Defendant. If checked, please do not write these addresses on the Petition.

Defendant’s Name
Defendant’s Description

Defendant’s Address and Any Apt. Number

Sex	Race	Birth Date	Height	Weight	Eyes	Hair	Soc. Sec. No.

6. Defendant should be ordered to stay away from these locations, at all times, even when I am not present:

Home _____

Work _____

School / Others _____

7. If checked, because of the risk of harm, order the Defendant NOT to possess firearms or ammunition.

8. If checked, request an order for the Defendant to participate in domestic violence counseling or other counseling.

9. Other: _____

Under penalty of perjury, I swear or affirm the above statements are true to the best of my knowledge, and I request an Order / Injunction granting relief as allowed by law.

Petitioner

Attest: _____ / _____ / _____
Judicial Officer/ Clerk / Notary Date

**CLARKDALE MAGISTRATE COURT
PO BOX 308, CLARKDALE, AZ 86324
(phone) 928-649-7730 (fax) 928-649-7739**

Name of Plaintiff/Petitioner.

Case Number: _____

**ORDER REGARDING WAIVER OF SERVICE OF
PROCESS FEES FOR INJUNCTIONS AGAINST
HARASSMENT**

Name of Defendant/Respondent.

UPON VERBAL AVOWAL OR WRITTEN APPLICATION AND A FINDING OF GOOD CAUSE,

IT IS ORDERED: (Check the box that applies)

- WAIVER IS GRANTED** for the service of process fee.
- WAIVER IS DENIED** for the service of process fee.
The applicant does not meet the financial criteria for waiver.

DATED: _____

- _____
 Judicial Officer
 Special Commissioner