

So that the Order of Protection is valid
YOU MUST REPLACE THIS PAGE with
Cover Sheet: Order of Protection

STATE OF INDIANA) IN THE _____ COURT _____
)SS: (_____ DIVISION, ROOM _____)
COUNTY OF _____)

CASE NO. _____

PLAINTIFF: _____

DEFENDANT: _____

EMPLOYEE: _____

ORDER TO SHOW CAUSE (Workplace Violence)

and Temporary Restraining Order

THIS ORDER SHALL EXPIRE AT THE DATE AND TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.

1. To Defendant (*name*): _____
2. YOU ARE ORDERED to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.

NOTICE OF HEARING

Date: _____	Time: _____
Court/Room No.: _____	Ct. Address: _____

3. IT IS FURTHER ORDERED that
 - a. Plaintiff shall serve this *Order to Show Cause*, the attached *Petition*, and any other supporting papers by (*specify manner of service*) _____
no later than (*date*): _____
 - b. Any opposition/reply papers shall be filed and served on plaintiff by (*specify manner of service*):
_____ no later than (*date*): _____
 - c. Proof of service of plaintiff's papers shall be delivered to the court hearing the *Order to Show Cause* no later than (*date*): _____
4. You have the right to attend the hearing to oppose the petition, with or without an attorney. If you do not attend the hearing, the court may grant the requested orders without any further notice to you. The court may make these orders enforceable

for a period not to exceed three (3) years, after which they may be renewed, by filing a new *Petition for Injunction*. You should read the instructions on page _____ of this form. A complete instruction booklet is available from the clerk's office located at the court shown above.

Date: _____

JUDGE

SIGNATURE FOLLOWS LAST ATTACHMENT

INSTRUCTIONS FOR THE DEFENDANT

- A. If you are served with an *Order to Show Cause (Workplace Violence)* and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee*, you should promptly seek legal advice. If you have no attorney, the lawyer referral service of your local bar association may be of assistance.
- B. Read the papers served on you very carefully. The *Order to Show Cause* tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. If you disobey the court's orders, criminal charges may be filed against you.
- C. If you wish to oppose the *Petition*, or to make your own request for court orders, you should file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee*. After you have filed the *Response* with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney. You cannot serve the plaintiff yourself. The person who serves the plaintiff should complete and sign a *Proof of Service of Completed Response (Workplace Violence)*. You should take the completed form back to the court clerk or bring it with you to the hearing.
- D. If you wish to oppose the *Petition*, in addition to filing a *Response* you should be present at the hearing. If you have any witnesses, they must also be present.
- E. A complete instruction booklet entitled *Instructions for Petitions to Prohibit Workplace Violence* is available from the clerk's office at the court shown on this form.

TEMPORARY RESTRAINING ORDER

THE COURT FINDS

5. a. The defendant is (*name*): _____
Sex: ___ Male ___ Female Ht.: _____ Wt.: _____
Hair color: _____ Eye color: _____ Age: _____
Race: _____ Date of birth: _____
- b. The protected employee is (*name*): _____
- c. Protected family or household members who reside with employee are:
(1) (*Name*): _____
Sex: ___ Male ___ Female
Date of birth: _____
(2) (*Name*): _____
Sex: ___ Male ___ Female
Date of birth: _____
(3) (*Name*): _____
Sex: ___ Male ___ Female
Date of birth: _____
 Continued on Attachment 5c.
- d. The plaintiff has shown by reasonable proof that the employee has suffered unlawful violence or a credible threat of violence by the defendant; and plaintiff has demonstrated that great or irreparable harm has been suffered by the employee or will be suffered by the employee.

UNTIL THE TIME OF HEARING, IT IS ORDERED

6. **Defendant** is prohibited from further violence or threats of violence against protected person, and **SPECIFICALLY IT IS ORDERED THAT DEFENDANT**
- a. ___ shall not batter or stalk the employee and other protected persons
- b. ___ shall not follow or stalk the employee and other protected persons to or from the place of work
- c. ___ shall not follow the employee and other protected persons during hours of employment
- d. ___ shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail
- e. ___ shall not enter the workplace of the employee and other protected persons
- f. ___ other (*specify*): _____

7. Defendant is ordered to stay at least (*specify*): _____ yards away from the following persons and places (*the addresses of the places are optional and may be kept confidential*):
- a. ___ Employee and other protected persons (*names*): _____
 - b. ___ Residence of employee and other protected persons (*address optional*): _____
 - c. ___ Place of work of employee and other protected persons (*address optional*): _____
 - d. ___ School or place of child care of children of employee and other protected persons (*address optional*): _____
 - e. ___ Other (*specify*): _____

 (*address optional*): _____

8. ___ Contacts relating to pickup and delivery of children pursuant to a court order or a court approved agreement of the parties shall be permitted, unless a no-contact order or an order for protection prohibits such contacts.
9. ___ OTHER ORDERS (*specify*): _____

10. ___ Application for an order shortening time is granted and the following documents shall be personally served on the defendant no less than (specify number): _____ days before the time set for hearing:
- a. *Order to Show Cause and Temporary Restraining Order (Workplace Violence)*
 - b. *Petition of Employer for Injunction Against Violence or Threats of Violence Against Employee (Workplace Violence)*
 - c. blank *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence)*
 - d. blank *Proof of Service of Completed Response*
 - e. other (*specify*): _____

11. By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:

- a. ___ Plaintiff shall deliver.
- b. ___ Plaintiff's attorney shall deliver.
- c. ___ Other: _____

<u>Law enforcement agency</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

Date: _____

JUDGE

___ SIGNATURE FOLLOWS LAST ATTACHMENT

*******Important Notice*******

Violation of this order is punishable by confinement in jail, prison, and/or a fine.

If so ordered by the court, the respondent is forbidden to enter or stay at the petitioner's residence or residence of any child who is the subject of the order, even if invited to do so by the petitioner or any other person. In no event is the order for protection voided.

Pursuant to 18 U.S.C. 2265, this order for protection shall be given full faith and credit in any other state or tribal land and shall be enforced as if it were an order issued in that state or tribal land.

Pursuant to 18 U.S.C. 922(g), once a respondent has received notice of this order and an opportunity to be heard, it is a federal violation to purchase, receive, or possess a firearm while subject to this order if the protected person is:

- (a) the respondent's current or former spouse;**
- (b) a current or former person with whom the respondent resided while in an intimate relationship; or**
- (c) a person with whom the respondent has a child.**

Interstate violation of this order may subject the respondent to federal criminal penalties under 18 U.S.C. 2261 and 18 U.S.C. 2262.