F.C.A. 446, 551, 656, 842 & 1056   General Form 5a 11/99

ORI No:_____

Order No:_____   **At a Term of the** _____ **Court**

NYSID No:-_____   **County of** _____ **,State of New York**

                                                (address)_____

                                                _____

PRESENT: Hon.   **ORDER OF PROTECTION**
                                                [Articles 4, 5, 6, 8 and 10]
_____

In the Matter of a Proceeding under

Article _____ **Of the Family Court Act**   Docket No._____

Petitioner   Family Unit No. _____

 Date of Birth: " **Upon Default**

                 V.   " **Both Parties Present In Court**

                                                (check one)

Respondent

 Date of Birth:

_____

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION, WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CRIMINAL CONTEMPT, AND/OR MAY SUBJECT YOU TO FAMILY COURT PROSECUTION AND INCARCERATION FOR UP TO SIX MONTHS FOR CONTEMPT OF COURT.

_____

        A petition under Article_____ of the Family Court Act, sworn to on _____ , having been in this court in the above-entitled proceeding, and Respondent having appeared (with) (without) counsel (or proof of service upon respondent has been filed in this court),

        Now, therefore, (on consent) (after hearing) it is hereby ordered that [specify first name, middle initial and last name]
_____ observe the
following conditions of behavior:

(Check Applicable Paragraphs and Subparagraphs)

[01] "   Stay away from [A] " (name(s) of protected persons) _____ , and/or from the
        [B] " home of_____ , [C] " school of _____ ,
        [D] " business of_____ , [E] " place of employment of _____ ,
        [F] " other [specify location]_____ ;

[14] "   Refrain from communication by mail or by telephone, e-mail, voice-mail or other electronic means with [specify]: _____ .

[02] "   Refrain from assault, stalking, harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats
        or any criminal offense against [specify victim(s) or members of victim's family or household] _____
        _____ ;

[11] "   Permit [specify individual]_____ to enter the residence during [specify date/time]_____
        _____ to remove personal belongings not in issue in litigation;

[04] "   Refrain from (indicate acts)_____ that create an unreasonable risk to the
        health, safety or welfare of [specify child(ren)]_____
        _____ ;

[05] "   Permit [specify individual]_____ , entitled by a court order or separation or other written agreement
        to visit with [specify child(ren)] _____
        during the following periods of time [specify]_____ Under the following terms and conditions
        [specify]_____
        _____ ;

[07] "   Custody of [specify child(ren)] _____ shall be awarded to
        [specify individual]_____ Under the following terms and conditions [specify]: _____

_____ ;

[12] " Surrender any and all firearms owned or possessed, including, but not limited to, the following: _____
_____ . Such surrender shall take place on or before [specify date/time]: _____ at:_____ ;

" Pay or provide access to health or medical insurance for necessary medical care and treatment arising from the incident or incidents

forming the basis of the order [specify beneficiary of treatment and coverage]_____
_____ ;

Arts. 5,6&8 only " Pay counsel fees (and/or) any costs associated with the order to [specify person and terms]_____
_____ ;

Arts. 4,5&6 only " Participate in an educational program, (and pay the costs thereof)[(specify program]_____
_____ ;

Art. 8 only " Participate in a batterer's education program designed to help end violent behavior (and pay the costs
thereof)[specify program]_____

Art. 8 only " Pay to the petitioner/victim(s) restitution, as follows [specify terms]_____
_____ (amount up to $1 0,000); and

[99] " Observe such other condition(s) as are necessary to further the purposes of protection [specify conditions]
_____
_____
_____ ;

Finding of Aggravated Circumstances
(check box and fill in if applicable)

" The court has made a finding on the record of the existence of the following **AGGRAVATING CIRCUMSTANCES:**

_____
_____
_____
_____

It is further ordered that the above-named Respondent's license to carry, possess, repair, sell or otherwise
dispose of a firearm or firearms, if any, pursuant to Penal Law§400.00, is hereby [13A] " suspended   or   [13B] " revoked, and/or
[I3C] "   the Respondent shall remain ineligible to receive a firearm license during the period of this order. (Check **all** applicable boxes).

It is further ordered that this order of protection shall remain in effect until_____ ;
(specify date)

The Family Court Act provides that presentation of a copy of this order of protection to any police officer or peace officer acting
pursuant to his or her special duties shall authorize, and in some situations may require, such officer to arrest a person who is alleged to have violated
its terms and to bring him or her before the court to face whatever penalties may be imposed therefor.

Federal law provides that this order must be honored and enforced by state and tribal courts, including courts of a state, the District of
Columbia; a commonwealth, territory or possession of the United States, if it is established that the person against whom the order is sought has or
will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (I 8 U. S.C. §§
2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domestic
violence; purchase, transfer, possess or receive a firearm following a conviction of a domestic violence misdemeanor involving the use or attempted
use of physical force or a deadly weapon; or (for persons other than military or law enforcement officers while on duty) purchase, transport, possess
or receive a firearm while an order of protection, issued after notice and an opportunity to be heard, prohibiting assault, harassment, threatening
and/or stalking, is in effect (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS
OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO
APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE LAW GUARDIAN UPON THE
APPELLANT, WHICHEVER IS EARLIEST.

ENTER

Dated: ,   .

<div style="text-align: right;">_____</div>

JUDGE/JUSTICE
COURT (COURT SEAL)

Check applicable box:

" Personal service executed [specify date(s)]: _____

" Order mailed on [specify date(s) and to whom mailed]: _____

" Order received in court on [specify date(s) and to whom given]:_____