

Form SC -1 11/99

ORI No: _____ At a _____ Term (IAS Part) _____ of the Supreme Court, State of
Order No: _____ New York, County of _____, at the Courthouse at
NYSID No: _____, date _____

PRESENT: Hon. _____

**In the Matter of a Proceeding under
Section (240) (252) of the Domestic Relations Law**

**TEMPORARY
ORDER OF PROTECTION
D.R.L. 240 & 252**

Index No. _____

Plaintiff/Petitioner
Date of Birth: _____

v. _____

" **Ex parte**
" **Both Parties Present In Court**
(check one)

Defendant/Respondent
Date of Birth: _____

NOTICE: YOUR 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 SUPREME COURT PROSECUTION AND PENALTIES FOR CONTEMPT OF COURT. IF YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU APPEAR IN COURT.

Whereas a determination has been made in accordance with section (240) (252) of the Domestic Relations Law,

Now, therefore, it is hereby ordered that [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 party or members of party's family or household]: _____;
- [11] ' Permit [specify individual] _____ to enter the residence during [specify date/time] _____ in order 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] ' Temporary 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: _____ at: _____.

' Pay counsel fees and/or any costs associated with the order to [specify person and terms] _____ ;

[99] " Observe such other conditions as are necessary to further the purposes of protection [specify conditions] _____

It is further ordered that the above-named Defendant's/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 and/ or [13C] " the Defendant/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 Domestic Relations Law provides that the presentation of a copy of this order of protection to a 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 the terms of the order 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 (18 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).

Dated:

 JUSTICE
 COURT (COURT SEAL)

Check If Applicable:

' **Personal Service Executed** Date: _____ Time: _____

" **Party Against Whom Order Issued Received Copy in Court** Date: _____ .