

# Modified Protective Order

(Utah Code 78B-7-603)

Case Number: \_\_\_\_\_ District: \_\_\_\_\_

County: \_\_\_\_\_ State: Utah

Judge: \_\_\_\_\_

Commissioner: \_\_\_\_\_

**Petitioner** (protected person):

\_\_\_\_\_  
*First Name Middle Last*

**Address and phone #** (to keep private, leave blank):

\_\_\_\_\_  
*Street*

\_\_\_\_\_  
*City --- State --- Zip*

\_\_\_\_\_  
*Phone #*

Petitioner's date of birth: \_\_\_\_\_

Petitioner's attorney (if any): \_\_\_\_\_ Phone # \_\_\_\_\_

**Other people protected by this order**

Name	Age	Relationship to Petitioner
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## Respondent

(person Petitioner is protected from):

\_\_\_\_\_  
*First Name Middle Last*

Other Names Used \_\_\_\_\_

Relationship to Petitioner: \_\_\_\_\_

Address (street): \_\_\_\_\_

\_\_\_\_\_  
*City --- State --- Zip*

## Describe Respondent

Sex Race Date of Birth Ht. Wt.

Eyes Hair Social Security #  
(only the last 4 numbers)

Distinguishing features (like scars, tattoos, limp, etc.)

Driver's license issued by (State): \_\_\_\_\_ Expires: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Warning!**  Weapon involved (Box to be initialed by Court, if applicable)

There was a hearing on (date): \_\_\_\_\_. The Respondent was given notice and an opportunity to be heard in the hearing that gave rise to this order. The following people were present at the hearing:

Petitioner  Petitioner's attorney (name): \_\_\_\_\_

Respondent  Respondent's attorney (name): \_\_\_\_\_

Other (name) \_\_\_\_\_

The Court reviewed the *Request for Modified Protective Order*, has received argument and evidence, and finds the original protective order listed immediately below should be modified.

**Warnings:**

- This is a court order. No one except the court can change it. If you do not obey this order, you can be arrested, fined, and face other charges.
- This order is valid in all U.S. states and territories, the District of Columbia, and tribal lands. If you go to another U.S. state, territory or tribal land to violate this order, a federal judge can send you to prison.
- **No guns or firearms!** (See paragraph 5.)

*Violence Against Women Act of 1994, 18 U.S.C. Sec. 2265, 2262, 18 U.S.C. 922(g)(8)*

**Respondent must obey all provisions initialed below.**

**Criminal orders** (you can be arrested for violating these)

If you (respondent) violate orders 1-6 it is a criminal Class A Misdemeanor, punishable by up to 364 days in jail and a fine. A second or subsequent violation can result in more severe penalties.

1  **Personal Conduct Order** -- Do not commit, try to commit or threaten to commit any form of violence against the Petitioner or any person listed on the first page of this form. This includes stalking, harassing, threatening, physically hurting, or causing any other form of abuse.

2  **No Contact Order** -- Do not contact, phone, mail, e-mail, or communicate in any way with the Petitioner and the people listed on the first page of this order either directly or indirectly except as allowed by the parent-time provisions of this order.

3  **Contact during Mediation** -- You are allowed to have contact with the Petitioner **only** during mediation sessions for your divorce or custody case that are scheduled with a Court Qualified Mediator.

4  **Stay Away Order**

[ ] a. Stay at least \_\_\_\_\_ (distance) from the Petitioner.

[ ] b. Stay away from Petitioner's

Home: \_\_\_\_\_ (address)

Work : \_\_\_\_\_ (address)

School: \_\_\_\_\_ (address)

Place of worship: \_\_\_\_\_ (address)

[ ] c. Must comply with the following restrictions while at Respondent's and Petitioner's

Work : \_\_\_\_\_ (address)

\_\_\_\_\_

\_\_\_\_\_  
School: \_\_\_\_\_ (address)  
\_\_\_\_\_

\_\_\_\_\_  
Place of worship: \_\_\_\_\_ (address)  
\_\_\_\_\_

d. Stay away from the people listed on the first page of this form at their:

Home: \_\_\_\_\_ (address)

Work : \_\_\_\_\_ (address)

The respondent  does  does not work at the same place as the people listed on the first page of this form.

School: \_\_\_\_\_ (address)

The respondent  does  does not go to the same school as the people listed on the first page of this form.

Place of worship: \_\_\_\_\_ (address)

The respondent  does  does not attend the same place of worship as the people listed on the first page of this form.

e. Must comply with the following restrictions while at Respondent's and the people listed on the first page of this form's:

Work : \_\_\_\_\_ (address)  
\_\_\_\_\_  
\_\_\_\_\_

School: \_\_\_\_\_ (address)  
\_\_\_\_\_  
\_\_\_\_\_

Place of worship: \_\_\_\_\_ (address)  
\_\_\_\_\_  
\_\_\_\_\_

f. Other (specify): \_\_\_\_\_

**5**  **No Guns or Other Weapons** -- The Court finds that your use or possession of a weapon poses a serious threat of harm to the Petitioner. You cannot possess, have, or buy a gun or firearm or any of these weapons: \_\_\_\_\_

**Warning!** If a final protective order is issued against you after the hearing, you will then become subject to the federal law making it a crime to possess, transport, ship or receive any firearm or ammunition, including a hunting weapon.

6  **Property Orders** -- Until further court order, Only the Petitioner can use, control and possess the following property and things, but cannot dispose of this property without court approval:

a. Home at (address):

\_\_\_\_\_

b. Car, truck or other property (describe):

\_\_\_\_\_

**Civil orders** (you can be in held contempt of court for violating these)

If you (respondent) violate orders 7-13, you will be in contempt of court and may be punished with jail time and fines.

7  **Property Orders**

You cannot interfere with or change Petitioner's phone, utility or other services.

You must maintain Petitioner's existing wireless phone contracts or accounts.

8  **Transfer Wireless Phone Number(s)**

You must transfer the Petitioner's current wireless phone number(s) to a new account of their choice.

The court will issue a separate order to the wireless service provider to transfer Petitioner's wireless phone number(s) to a new account.

9  **Child Custody & Parent-time Orders –**

The Petitioner (the person asking for protection)

\_\_\_\_\_ (name)

will have temporary custody of the minor children of the parties listed below. The person with custody may give a copy of this order to the principal or director of the child's school or daycare. If you do not obey the custody and parent-time orders listed here, the person with custody may ask for the court's help by filing a motion to enforce the order:

\_\_\_\_\_

\_\_\_\_\_

You will have parent-time as follows:

\_\_\_\_\_

\_\_\_\_\_

If there is a "No Contact" order, you can communicate with the Petitioner or person with custody only about parent-time matters through:

\_\_\_\_\_

10  **No Alcohol or Illegal Drugs** -- Do not use alcohol or illegal drugs before or during visitation.

11  **No Travel with Children** -- Do not take the children listed above out of Utah.

12  **Child Support, Spousal Support and other Expenses** -- The Respondent will:

- a. Pay \$ \_\_\_\_\_ / month in child support.
- b. Have child support withheld from the Respondent's earnings. (*Utah Code 62A-11, Parts 4 and 5*)
- c. Pay \$ \_\_\_\_\_ / month in spousal support.
- d. Pay 50% of the minor children's childcare expenses.
- e. Pay 50% of the minor children's medical expenses, including premiums, deductibles and co-payments.
- f. Pay \$ \_\_\_\_\_ for the minor children's medical expenses related to the abuse and  
\$ \_\_\_\_\_ for the Petitioner's medical expenses related to the abuse.

13  **Other Assistance Needed** (*List below any other orders needed to protect you and other protected people listed on page 1 of this form*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Orders to Agencies

14  **Law Enforcement to Assist** A law enforcement officer from: \_\_\_\_\_

will enforce the orders checked below:

- a. Help the Petitioner gain and keep control over home, car or other personal belongings.
- b. Help the Petitioner obtain custody of the children.
- c. Help the  Respondent or  Petitioner remove essential personal belongings from the home.

*"Essential personal belongings" means daily use items, such as clothing, medications, jewelry, toiletries, financial or personal records solely in one person's name, or items needed to work at a job or go to school.*

**Warning to the Respondent:** Do not go into the home or other protected places without the officer.. Law enforcement can evict you or keep you away from protected places, if needed.

15  **Investigate Possible Child Abuse** -- This matter will be referred to the Division of Child and Family Services for review and possible investigation of child abuse.

Respondent was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, P.L. 103-322, 108 Stat. 1796, 18 U.S.C. Sec. 2265, this order is valid in all the United States, the District of Columbia, tribal lands, and United States territories. This order complies with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act. (Utah Code 78B-7-105.5(4))

<p><b>Paragraphs 1-6 of this protective order expires in three years, on</b></p> <p>_____ (date)</p> <p>(Utah Code 78B-7-606)</p>
<p><b>Paragraphs 7-13 of this protective order expire in 150 days, on</b></p> <p>_____ (date)</p> <p>(Utah Code 78B-7-606)</p> <p>The court could extend the expiration date for paragraphs 7-13.</p>

**Notice to petitioner**

The court may amend or dismiss a protective order after one year if it finds that the basis for the issuance of the protective order no longer exists and the petitioner has repeatedly acted in contravention of the protective order provisions to intentionally or knowingly induce the respondent to violate the protective order, demonstrating to the court that the petitioner no longer has a reasonable fear of the respondent. (Utah Code 78B-7-105(6)(c)).

The respondent can ask to dismiss the **criminal provisions** of this protective order **within two years**, but only if the petitioner consents to the dismissal. (Utah Code 78B-7-603(10)).

If you receive services from the Office of Recovery Services (ORS) and want to keep your address confidential, you must give ORS a copy of your current Protective Order.

**— The Court fills out below —**

Judge or commissioner’s signature may instead appear at the top of the first page of this document.

_____	Signature ►	_____
Date	Commissioner	_____
_____	Signature ►	_____
Date	Judge	_____

**— The Respondent fills out below —**

By signing here, the Respondent approves the form, and accepts service of this Protective Order and waives the right to be personally served.

Respondent's Address

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*Street* *City* *State* *Zip*

*Respondent's Signature* \_\_\_\_\_