

\_\_\_\_\_  
PETITIONER

V.

\_\_\_\_\_  
DEFENDANT

Parent/Guardian name if defendant is a minor

\_\_\_\_\_  
COURT

PARISH/CITY OF \_\_\_\_\_

STATE OF LOUISIANA

DIVISION: \_\_\_\_\_ NUMBER: \_\_\_\_\_

FILED: \_\_\_\_\_ CLERK: \_\_\_\_\_

**PETITION FOR PROTECTION FROM ABUSE**

Pursuant to La. R.S. 46:2131 et seq. or La. R.S. 46:2151

This petition is:  Initial Petition  Supplemental and Amending Petition

The petition of \_\_\_\_\_, born \_\_\_\_\_  
*your name month/day/year*

a resident of the State of Louisiana, respectfully represents:

**Paragraph 1: Petitioner/Protected Person(s)**

Petitioner files this petition on behalf of:

- a. \_\_\_\_\_ Petitioner, and/or
- b. \_\_\_\_\_ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner)


- c. \_\_\_\_\_ Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner)


**Paragraph 2: Protected Person(s) Address**

- a. \_\_\_\_\_ Petitioner requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential to the court and files the address pursuant to La. R.S. 46:2134(B).  
**(Ask clerk of court for the Confidential Address Form.)**

**OR**

- b. \_\_\_\_\_ Petitioner's current address:

<i>No. &amp; Street</i>	<i>Apt. No.</i>	
<i>City</i>	<i>State</i>	<i>Zip Code</i>

- c. \_\_\_\_\_ The minor child's or alleged incompetent's current address:

<i>No. &amp; Street</i>	<i>Apt. No.</i>	
<i>City</i>	<i>State</i>	<i>Zip Code</i>

**Paragraph 3: Special Requests**

- a. \_\_\_\_\_ Petitioner requests interpreter service, for:
  - self/protected person, in following language: \_\_\_\_\_
  - witness(es), in following language: \_\_\_\_\_



b. Other indicators of potential danger to protected person:

- Abuse has happened more often over the past year.
- Abuse has been more severe over the past year
- Protected person has left during the past year
- The defendant owns/possesses firearm(s).
- The defendant has threatened/attempted suicide

c. The facts and circumstances of this abuse are as follows:

The most recent incident of abuse which caused petitioner to file this petition happened on or about \_\_\_\_\_ (month/day/year), at which time the defendant did:

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Past incidents: \_\_\_\_\_

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**Paragraph 9: Requests for relief**

Because of the immediate and present danger of abuse, petitioner requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

- a. prohibiting defendant from abusing, harassing, assaulting, stalking, following, tracking, monitoring, or threatening the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.

- \_\_\_\_\_ b. prohibiting the defendant from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.
- \_\_\_\_\_ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:

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<i>No. &amp; Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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- \_\_\_\_\_ d. ordering the defendant to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school located at:

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<i>Employment/School</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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<i>Employment/School</i>	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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- \_\_\_\_\_ e. ordering the defendant not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).
- \_\_\_\_\_ f. granting the petitioner or protected person(s) the use of the residence located at:

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<i>No. &amp; Street</i>	<i>Apt. No.</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>
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to the exclusion of defendant by **evicting** defendant and ordering the defendant to surrender any keys to that residence to the petitioner, and ordering \_\_\_\_\_ (Sheriff's office) to **evict** the defendant.

Said residence is:

- \_\_\_\_\_ jointly owned by defendant and petitioner or protected person(s).
- \_\_\_\_\_ jointly leased by defendant and petitioner or protected person(s).
- \_\_\_\_\_ solely leased by defendant who has a duty to support petitioner or protected person(s).  
(NOTE: If solely owned by defendant AND petitioner is awarded custody of child(ren) of the parties, check appropriate item in Paragraph 10.
- \_\_\_\_\_ solely owned or leased by petitioner or protected person(s).

Presently occupied by \_\_\_\_\_.

- \_\_\_\_\_ g. granting petitioner or protected person(s) possession of the following property (including pets or other animals) **solely owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

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granting petitioner or protected person(s) the exclusive use and possession of the following property (including pets or other animals) **jointly owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

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for the following reasons: \_\_\_\_\_

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And ordering \_\_\_\_\_ (Sheriff's office) to accompany petitioner to where the above listed property is located to allow petitioner to take possession.

- \_\_\_\_\_ h. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner and/or the minor child(ren) or alleged incompetent.
- \_\_\_\_\_ i. allowing \_\_\_\_\_ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.
- \_\_\_\_\_ j. ordering a representative of \_\_\_\_\_ (Sheriff's office) to accompany \_\_\_\_\_ to the family residence to recover her/his personal clothing and necessities.
- \_\_\_\_\_ k. awarding the temporary custody of the minor child(ren) or alleged incompetent,  
\_\_\_\_\_  
\_\_\_\_\_ to petitioner; the minor child(ren) or alleged incompetent is currently in the physical custody of \_\_\_\_\_  
\_\_\_\_\_.
- \_\_\_\_\_ l. ordering a representative of \_\_\_\_\_ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned above is/are currently and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.
- \_\_\_\_\_ m. prohibiting defendant from interfering with the custody of the minor child(ren) or alleged incompetent.

**Paragraph 10: Other Requests**

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 9 should not be made into protective orders, and why defendant should not also be ordered:

- \_\_\_\_\_ to pay petitioner a reasonable amount of child support in accordance with Louisiana Law.
- \_\_\_\_\_ to pay petitioner a reasonable amount of spousal support (alimony).
- \_\_\_\_\_ to seek professional counseling or complete a court-monitored domestic abuse intervention program.
- \_\_\_\_\_ to submit to a medical evaluation and/or a mental health evaluation
- \_\_\_\_\_ to pay costs of court in this matter.
- \_\_\_\_\_ to pay attorney fees.
- \_\_\_\_\_ to pay evaluation fees.
- \_\_\_\_\_ to pay expert witness fees.
- \_\_\_\_\_ to pay cost of medical and/or psychological care for the petitioner, minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse or dating violence.
- \_\_\_\_\_ to vacate the residence or household, thereby granting petitioner possession thereof.
- \_\_\_\_\_ other: \_\_\_\_\_.

**PRAYER**

**WHEREFORE**, petitioner prays that service and citation issue herein, and that: *(check all that apply)*

- \_\_\_\_\_ orders appointing an interpreter be granted *ex parte*.
- \_\_\_\_\_ orders authorizing criminal history records be granted *ex parte*.
- \_\_\_\_\_ orders requested in Paragraph 9 be granted *ex parte*.
- \_\_\_\_\_ a rule issue to show cause why protective orders as requested in Paragraph 10 should not be granted.
- \_\_\_\_\_ defendant be cast with costs.
- \_\_\_\_\_ defendant be advised of penalties for violating Abuse Prevention Orders.
- \_\_\_\_\_ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by \_\_\_\_\_  
PETITIONER, IN PROPER PERSON



**AFFIRMATION**

STATE OF LOUISIANA

PARISH OF \_\_\_\_\_

I am the petitioner in this Petition for Protection from Abuse; I have read the allegations contained therein and declared them to be true and correct to the best of my knowledge, information, and belief. Further I believe that the defendant poses a threat to my safety and/or to the child(ren) or to others for whom I have requested relief.

I am aware that any false statement made under oath contained in the foregoing petition and this affirmation may constitute perjury pursuant to R.S. 14:123.

I have made this affirmation before the witness who signed below on \_\_\_\_\_ (Date).

\_\_\_\_\_

PETITIONER SIGNATURE

PRINTED NAME OF WITNESS: \_\_\_\_\_

\_\_\_\_\_

WITNESS SIGNATURE

## ADDENDUM

Fill out the following ONLY if requesting an order for witness criminal history records in Paragraph 3 on page1 of this petition:

**Identifying information for witness criminal history record:**

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*

\*optional

Fill out the following ONLY if directed to do so in Paragraph 7 on page 2 of this petition:

**Divorce suit pending between parties:**

Suit Name: \_\_\_\_\_

Suit Number: \_\_\_\_\_ Division: \_\_\_\_\_

Court: \_\_\_\_\_

Date of last hearing: \_\_\_\_\_ Date of next hearing: \_\_\_\_\_

**Custody suit pending involving children named in this petition:**

Suit Name: \_\_\_\_\_

Suit Number: \_\_\_\_\_ Division: \_\_\_\_\_

Court: \_\_\_\_\_

Involving children (names): \_\_\_\_\_

\_\_\_\_\_

Date of last hearing: \_\_\_\_\_ Date of next hearing: \_\_\_\_\_

**Custody order in effect involving children named in this petition (attach copy if available):**

Suit Name: \_\_\_\_\_

Suit Number: \_\_\_\_\_ Division: \_\_\_\_\_

Court: \_\_\_\_\_

Involving children (names): \_\_\_\_\_

\_\_\_\_\_

Custody terms/assignment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Order Signed by Court: \_\_\_\_\_