

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF: ADOPTION
OF STANDARDIZED FORMS FOR
PROTECTION ORDERS IN CASES
OF DOMESTIC VIOLENCE

ADKT No. 269

FILED

JUN 07 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER GRANTING MOTION FOR ADOPTION OF
STANDARDIZED FORMS FOR MANDATORY USE IN
DOMESTIC VIOLENCE PROTECTION ORDER CASES

WHEREAS on April 17, 1998, this court approved the petition filed herein and appointed a committee to study the need for adoption of standardized forms for protection orders in cases of domestic violence in all courts of the State of Nevada; and

WHEREAS on December 28, 1998, the study committee filed with this court its findings and recommendations in the form of a motion for adoption and voluntary use of standardized forms; and

WHEREAS on June 1, 1999, this court approved and adopted the standardized forms for protection orders in cases of domestic violence in all courts of the State of Nevada for immediate use on a voluntary basis by the District Courts and Justice Courts of the State of Nevada; and

WHEREAS on January 31, 2000, the study committee filed with this court its findings and recommendations in the form of a motion for adoption of standardized forms for mandatory use in domestic violence protection order cases; and

WHEREAS the study committee has developed the following seven standardized forms previously adopted by this court and approved for immediate use on a voluntary basis by the District Courts and Justice Courts of the State of Nevada:

- (1) Application for Order for Protection Against Domestic Violence;
- (2) Temporary Order for Protection Against Domestic Violence;
- (3) Domestic Violence Order for Protection Information Sheet
- (4) Order for Protection Return of Service
- (5) Order for Hearing to Extend, Modify, or Dissolve the Order for Protection;
- (6) Notice for Hearing to Extend, Modify, or Dissolve the Order for Protection;
- (7) Extended Order for Protection Against Domestic Violence; and

WHEREAS the study committee has developed five additional standardized forms and recommends approval and adoption for immediate use on a

00-22832

voluntary basis by the District Courts and Justice Courts of the State of Nevada, as follows:

- (1) Motion and Affidavit to Modify or Dissolve the Order for Protection;
- (2) Order;
- (3) Notices to the Adverse Party for Temporary Order;
- (4) Notices to the Adverse Party for Extended Order;
- (5) Certification of Order for Protection; and

WHEREAS, the study committee has determined that a training program should be developed and offered to law enforcement personnel, prosecutors, judges, court staff and other affected professionals on use of the forms, and has reported that the Administrative Office of the Courts has received a training grant from the Violence Against Women Act program administered by the Office of the Attorney General for this purpose;

Accordingly, cause appearing, we hereby grant the motion for adoption of standardized forms; and

IT IS HEREBY ORDERED that:

(1) Effective immediately, all orders for protection against domestic violence issued in accordance with the provisions set forth in NRS 33 shall utilize the seven standardized forms developed by the study committee, copies of which are attached to this order as Exhibits 1 through 7. The seven forms were previously adopted and approved by this court for voluntary use and are now adopted for mandatory use in all cases involving orders for protection against domestic violence in all courts of the State of Nevada;

(2) The five additional standardized forms developed by the study committee, copies of which are attached to this order as Exhibits 8 through 12, are adopted and approved for immediate use on a voluntary basis, effective immediately, by the District Courts and Justice Courts of the State of Nevada;

(3) The Administrative Office of the Courts, in conjunction with other agencies involved, is encouraged to continue to work on the training program being developed through a grant from the Violence Against Women Act administered by the Office of the Attorney General;

(4) The study committee shall meet on or before November 1, 2000, to review and revise the five additional forms, as necessary, in light of their utilization;

(5) The study committee shall file with this court, on or before January 1, 2001, supplemental findings and recommendations and proposed changes, if any, to the additional five standardized forms; and

(6) This court's permanent adoption of the additional five standardized forms for mandatory use by all District Courts and Justice Courts in the State of Nevada which have jurisdiction to issue orders for protection against domestic violence shall be deferred pending receipt of the study committee's supplemental findings and recommendations.

Dated this 7th day of June, 2000

Rose, C.J.
Rose

Young, J.
Young

Maupin, J.
Maupin

Shearing, J.
Shearing

Agosti, J.
Agosti

Leavitt, J.
Leavitt

Becker, J.
Becker

cc: Hon. Scott Jordan, District Judge, Family Court Division
Hon. Gloria S. Sanchez, District Judge, Family Court Division
Karen Kavanau, State Court Administrator, AOC

Case No. _____

Dept. No. _____

IN THE JUSTICE COURT OF _____ TOWNSHIP
COUNTY OF _____, STATE OF NEVADA

Applicant,

vs.

Adverse Party.

APPLICATION FOR A TEMPORARY AND/OR
EXTENDED ORDER FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

Applicant states the following facts under penalty of perjury:

Applicant Date of Birth: _____ Adverse Party Date of Birth: _____

1. My relationship to the Adverse Party is (for example, current/former husband, current/former wife, current/former boyfriend, current/former girlfriend, father, mother, brother, sister, etc.):

- ◆ Length of relationship: _____.
- ◆ Have you ever lived together? Yes or No _____. If so, how long? _____.
- ◆ Are you living together now? Yes or No _____.
- ◆ Date of Separation: _____.
- ◆ We have child(ren) **TOGETHER**: Yes or No _____. If yes, where and with whom are these child(ren) living? _____.

2. My address is: **CONFIDENTIAL**, (If confidential do not write address here) or, if not confidential list _____

City _____ State _____ Zip Code _____ Phone _____

I own rent this residence. Lease/title is held in all the following name(s):

I have been living in this residence for _____.

3. Adverse Party's address is: _____

City _____ State _____ Zip Code _____ Phone _____

Adverse Party has been living in this residence for _____.

4. My employment is: **CONFIDENTIAL**, (If confidential do not write address here) or, if not confidential, state place of employment _____

Address: _____

City _____ County _____ State _____

5. Adverse Party's employment is: _____
 Address: _____ Phone _____
 City _____ County _____ State _____

6. (a) The name(s) and dates of birth of minor child(ren) who I am the parent of, or who live in my home, are as follows.

| NAME (first and last) | Date of Birth | APPLICANT'S CHILD (YES/NO) | ADVERSE PARTY'S CHILD (YES/NO) | WHO CHILD LIVES WITH |
|-----------------------|---------------|----------------------------|--------------------------------|----------------------|
| 1. | | Circle one Yes No | Circle one Yes No | |
| 2. | | Circle one Yes No | Circle one Yes No | |
| 3. | | Circle one Yes No | Circle one Yes No | |
| 4. | | Circle one Yes No | Circle one Yes No | |
| 5. | | Circle one Yes No | Circle one Yes No | |

(b) Have you or the Adverse Party ever been awarded custody of the minor child(ren) that you have in common by Court order? Yes No
 Who was awarded custody? Applicant Adverse Party
 By what Court? _____ Case No. _____

7. Please check the appropriate box, IF YOU or the ADVERSE PARTY has ever filed a case in any Court for a Divorce, Custody, Paternity, Child Support, Guardianship, Order for Protection, Stalking/Harassment Order. Please indicate when and where the case was filed, and list the case numbers. _____

8. Has CHILD PROTECTIVE SERVICES (CPS) ever been contacted regarding any member of the household in the past year? Yes No. Is CPS currently involved with this family? Yes No.
 If yes to the question, give details, including the caseworker's name: _____

9. I have been or reasonably believe I will become a victim of domestic violence committed by the Adverse Party.
 My child(ren) have been or are in danger of being a victim of domestic violence committed by the Adverse Party.

1 In the following space, state the facts which support your application. Be as specific as you can,
2 starting with the most recent incident. Include the approximate dates, how long it has gone on, and
3 whether law enforcement or medical personnel have been involved.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

28 ***Please do not write on the backs of any pages.***

1 10. Have YOU ever been arrested or charged with domestic violence, or any other crime committed
2 against your spouse, partner, or child(ren)? Yes No. If yes, WHEN and where?
3 _____

4 11. To your knowledge, has the **ADVERSE PARTY** ever been arrested or charged with domestic
5 violence, or any other crime committed against his/her spouse, partner, or child(ren)? Yes
6 No. If yes, WHEN and where? _____

7 12. An emergency exists, and I need a **TEMPORARY ORDER FOR PROTECTION AGAINST**
8 **DOMESTIC VIOLENCE** issued immediately without notice to the Adverse Party to avoid
9 irreparable injury or harm. I request that it include the following relief (please check all the
10 choice(s) that apply to you):

11 (a) Prohibit the Adverse Party, either directly or through an agent, from threatening,
12 physically injuring or harassing me and/or my minor child(ren).

13 (b) Prohibit the Adverse Party from any contact with me whatsoever.

14 (c) Exclude the Adverse Party from my residence and order the Adverse Party to stay
15 at least 100 yards away from my residence.

16 (d) Obtain law enforcement assistance to accompany me to the following residence,
17 _____, or to accompany the Adverse
18 Party, to the following residence, _____
19 to obtain personal property.

20 (e) Grant temporary custody of the minor child(ren) to me.

21 (f) Order that custody, visitation, and support of the minor child(ren) remain as ordered
22 in the Decree of Divorce/Order entered in Case Number _____ in the
23 _____ Court of the State of _____.

24 (g) Order the Adverse Party to stay at least 100 yards away from the minor
25 child(ren)'s school, or day care, located at **CONFIDENTIAL**, (If confidential do not
26 write address here) or, if not confidential list _____

27 Address: _____
28 City _____ County _____ State _____

(h) Order the Adverse Party to stay at least 100 yards away from my place of
employment.

- 1 (i) Order the Adverse Party to stay at least 100 yards away from places which I or my
2 minor child(ren) frequent regularly: CONFIDENTIAL, (If confidential do not write
3 address here) or, if not confidential list _____

4 Address: _____

5 City _____ County _____ State _____

- 6 (j) I further request the following other conditions: _____

7 _____

8 _____

9 _____

10 ***IF YOU WISH TO APPLY FOR A HEARING FOR AN EXTENDED ORDER***
11 ***FOR PROTECTION COMPLETE THE FOLLOWING INFORMATION***

- 12 _____
- 13 13. I request the Court hold a hearing for an EXTENDED ORDER FOR PROTECTION
14 AGAINST DOMESTIC VIOLENCE (which could be in effect for up to one year), and at
15 that hearing the Court issue an Extended Order for Protection Against Domestic
16 Violence and that it include the following relief (please check all the choice(s) that apply
17 to you):
- 18 (a) Prohibit the Adverse Party, either directly or through an agent, from threatening,
19 physically injuring or harassing me and/or my minor child(ren).
- 20 (b) Prohibit the Adverse Party from any contact with me whatsoever.
- 21 (c) Exclude the Adverse Party from my residence and order the Adverse Party to
22 stay at least 100 yards away from my residence.
- 23 (d) Grant temporary custody of the minor child(ren) to me.
- 24 (e) Grant the Adverse Party visitation with the minor child(ren).
- 25 (f) Order the Adverse Party to pay support and maintenance of the minor child(ren).
26 (You may be required to file an affidavit of financial condition prior to the hearing.)
- 27 (g) Order the Adverse Party to pay the rent or make payments on a mortgage or
28 pay towards my support and maintenance.

1 (h) Order that custody, visitation, and support of the minor child(ren) remain as
2 ordered in the Decree of Divorce/Order entered in Case Number _____
3 in the _____ Court of the State of _____.

4 (i) Order the Adverse Party to stay at least 100 yards away from the minor
5 child(ren)'s school, or day care, located at: CONFIDENTIAL, (If confidential do
6 not write address here) or, if not confidential list _____
7 Address: _____
8 City _____ County _____ State _____

9 (j) Order the Adverse Party to stay at least 100 yards away from my place of
10 employment.

11 (k) Order the Adverse Party to stay at least 100 yards away from places which I or
12 my minor child(ren) frequent regularly: CONFIDENTIAL, (If confidential do not
13 write address here) or, if not confidential list _____
14 Address: _____
15 City _____ County _____ State _____

16 (l) I further request the following other conditions: _____
17 _____
18 _____
19 _____

20 **I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE**
21 **STATE OF NEVADA THAT I HAVE READ THE STATEMENTS CONTAINED IN**
22 **THIS APPLICATION. KNOW THE CONTENTS THEREOF, AND BELIEVE THEM**
23 **TO BE TRUE AND CORRECT**

24 Dated: _____

25 _____
26 Signature of Applicant

27 _____
28 Applicant's Name (Please Print)

SUBSCRIBED and SWORN before me
this ____ day of _____, _____.

NOTARY PUBLIC/DEPUTY COURT CLERK

1 Case No. _____
2 Dept. No. _____

3 IN THE JUSTICE COURT OF _____ TOWNSHIP
4 COUNTY OF _____, STATE OF NEVADA

5 _____,
6 Applicant,

TEMPORARY ORDER
FOR PROTECTION AGAINST
DOMESTIC VIOLENCE

7 vs.

Date Issued: _____

8 _____,
Adverse Party.

Date Expires: _____

9 **YOU ARE HEREBY NOTIFIED** that any **VIOLATION OF THIS ORDER IS A CRIMINAL VIOLATION** and will
10 result in a misdemeanor offense, unless a more severe penalty is prescribed by law. If the violation is
11 accompanied by a violent physical act, sentence will include incarceration of not less than five days nor more
12 than six months in the county/city jail; \$1,000.00 fine or a minimum of 200 hours community service;
13 reimbursement of all costs, fees and medical expenses incurred; and participation in professional counseling.

14 **YOU ARE FURTHER NOTIFIED** that you **CAN BE ARRESTED** even if the person who obtained the order
15 invites or allows you to contact them. You have the sole responsibility to avoid or refrain from violating the
16 terms of this order. Only the court can change the order upon written application.

17 **YOU ARE FURTHER NOTIFIED** that child stealing is a felony offense, punishable by possible
18 incarceration.

19 This order meets all Full Faith and Credit provisions of the Violence Against Women Act and is
20 enforceable in all 50 states, the District of Columbia, U.S. Territories and Indian Nations. All other courts and
21 law enforcement with jurisdiction within the United States and all Indian Nations shall give full faith and credit
22 to this Order pursuant to 18 U.S.C. Sec. 2265.

23 Violation of the order may subject you, the offender, to federal charges and punishment pursuant to
24 18 U.S.C. Sec. 2261(a)(1) and (2) and 2262(a)(1) and (2).

25 An application and affidavit having been filed in this Court by the above-named
26 Applicant requesting that a Temporary Order for Protection against Domestic Violence be
27 issued by this Court against YOU, the above-named Adverse Party, or the Court having
28 received specific facts by telephone/facsimile pursuant to NRS 33.020(5), and the Court
having jurisdiction over the parties and this matter pursuant to NRS 33.010, et seq., and it
appearing to the satisfaction of the Court from specific facts shown by a verified application
that an act of domestic violence has occurred and/or you represent a credible threat to the
physical safety of the above-named Applicant or minor child(ren) and good cause appearing
for issuing such Order without hearing, **YOU ARE HEREBY ORDERED** as follows:

1 YOU ARE PROHIBITED, either directly or through an agent, from threatening, physically injuring
2 or harassing the above-named Applicant and/or minor child(ren). You are further prohibited from
3 selling, damaging, destroying, giving away, or otherwise disposing of, or tampering with, any property
4 owned by the Applicant, or in which Applicant has an interest;

5 YOU ARE PROHIBITED from any contact whatsoever with the Applicant, including but not
6 limited to, in person, by telephone, through the mail, through electronic mail (e-mail), facsimile, or
7 through another person;

8 1. _____ YOU ARE EXCLUDED AND ORDERED to stay at least 100 yards away from Applicant's
9 residence located at CONFIDENTIAL, or _____
10 (Street Address)
11 _____, Nevada, or any other place that Applicant may reside. YOU
12 (City) (County)
13 shall not interfere with Applicant's possession and use of residence, including utilities, phones, leases and other
14 related residential services;

15 2. _____ A law enforcement officer, within whose jurisdiction _____
16 (Applicant/Adverse Party's)
17 residence is located, shall on ONE OCCASION ONLY accompany _____ to
18 (Applicant/Adverse Party)
19 _____ residence located at _____
20 (Applicant/Adverse Party's) (Street Address) (City) (County)
21 and shall stand by while _____ obtains clothing, toiletries and the following additional
22 (Applicant/Adverse Party)
23 items: _____

24 _____ ANY PROPERTY IN DISPUTE SHALL REMAIN IN THE
25 RESIDENCE UNLESS IT IS SPECIFICALLY IDENTIFIED IN THIS ORDER;

26 3. _____ The Court, having jurisdiction under and meeting the requirements of Chapter 125A of
27 the Nevada Revised Statutes (UCCJA), grants to Applicant temporary custody of the following minor child(ren)
28 of the parties: _____
_____; YOU ARE PROHIBITED from
interfering with Applicant's custody of the minor child(ren) named in this paragraph. It is in the best interest
of the child(ren) that no negative, insulting, or disparaging comments be made by one party against the other
party in the presence of the minor child(ren);

4. _____ Custody, visitation, and support of the minor child(ren) of the parties shall remain as
ordered in the Decree of Divorce/Order entered between the parties in Case Number _____ in the
_____ Court of the State of _____;

1 5. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the minor
child(ren)'s school, or day care, located at CONFIDENTIAL, or _____

2 _____, Nevada, or any other
(Street Address) (City) (County)

3 school or day care that the child(ren) may be attending;

4
5 6. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
place of employment located at CONFIDENTIAL, or _____

6 _____, Nevada, or any other
(Street Address) (City) (County)

7 place that Applicant may be employed. **YOU ARE PROHIBITED** from any contact whatsoever with Applicant's
8 place of employment, in person, by telephone, by mail, or any other means of communication;

9
10 7. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the following
places, which Applicant and/or minor child(ren) frequent regularly: _____

11 _____, Nevada;
(Street Address) (City) (County)

12
13
14 8. _____ The following provisions and exceptions are made a part of this order: _____

15 _____
16 _____
17 _____
18 _____
19 _____
20 _____
21 _____
22 _____
23 _____
24 _____
25 _____
26 _____

9. THIS ORDER WILL REMAIN IN EFFECT UNTIL 11:59 P.M. ON THE DATE SET FORTH ON PAGE 1 UNLESS THE JUDGE ORDERS OTHERWISE. If an application for an extended order is filed this temporary order will remain in effect until the hearing on an extended order is held.

If you wish to dispute the order or have it changed, you may request a hearing by filing a written request with the court. Court staff will give you information about how to file your request. The court will set a hearing on your request as quickly as possible.

IT IS FURTHER ORDERED that a copy of this Order shall be transmitted forthwith together with the verified application and supporting affidavit, to the _____ Sheriff's Office, or the _____ Constable, who will promptly attempt to serve the same upon the Adverse Party and upon service file return of service with the Court by the end of the next business day after service is made.

ORDER TO LAW ENFORCEMENT

(A) Any law enforcement officer who has probable cause to believe a violation of any provision of this Order has occurred is ordered to arrest the Adverse Party. Such party is to be charged with a misdemeanor violation of this Order in addition to any other criminal charges which may be justified.

(B) If such law enforcement officer cannot verify that the Adverse Party was served with a copy of the Application and Order, the officer shall inform the Adverse Party of the specific terms of the Order, inform the Adverse Party that he/she now has notice of the provisions of the Order and that a violation of the Order will result in his/her arrest, and inform the Adverse Party of the location of the court that issued the original order and the hours during which he/she can obtain a copy of the Order. The law enforcement officer shall then provide written proof of notice to his agency and to the Court.

(C) It shall be the duty of the law enforcement officer serving this order to remove the Adverse Party from Applicant's residence as set forth in paragraph 1.

All fees are deferred.

Dated: _____

Judge/Hearing Master

Transmitted to the state repository on _____

Clerk of the Court

DOMESTIC VIOLENCE ORDER FOR PROTECTION INFORMATION SHEET

Instructions to the Applicant: Please provide all information known to you in printed format. All requested information is necessary for service. Shaded areas () are mandatory for entry into the statewide repository.

APPLICANT DATA

List person(s) requesting order for protection:

| | | | |
|------------------------------|---------------------------------------|------------------------------|-----------------------------|
| Name _____ _____ _____ | Date Of Birth _____ _____ _____ | Race _____ _____ _____ | Sex _____ _____ _____ |
| (Last) (First) (Middle) | (M) (D) (Y) | | |

ADVERSE PARTY DATA

Full Name: _____ Other Name Used: _____
 (Last) (First) (Middle) (Last) (First) (Middle)

Relationship To You: _____ Date of Birth: _____ And/Or Social Security No.: _____
 (M) (D) (Y)

Home Address: _____
 (Street Address) (Building/Apartment #) (City) (County) (State)

Other Likely Address: _____
 (Street Address) (Building/Apartment #) (City) (County) (State)

Additional Contact Person: _____ Phone: _____ Address: _____

Occupation: _____ Employer: _____

Work Address: _____
 (Street Address) (City) (County) (State)

Work Days: _____ Work Hours: _____

Hair Color: _____ Eye Color: _____ Height: _____ Weight: _____ Sex: _____ Race: _____

Scars/Marks/Tattoos Description and Location: _____

Vehicle Make: _____ Model: _____ Year: _____ License Plate Number/State: _____

Does the Adverse Party speak English? _____ If no, what language? _____
 (Yes or No)

| | |
|---|--|
| Are you and the Adverse Party living together now? Are you and the Adverse Party employed by the same employer? Is the Adverse Party likely to react violently when served? Is the Adverse Party likely to avoid service? Does the Adverse Party have access to weapons? Does the Adverse Party have a Carrying Concealed Weapon (CCW) Permit? If yes, please describe type and location: _____ | Circle One Yes or No Yes or No Yes or No Yes or No Yes or No Yes or No |
|---|--|

Does the Adverse Party's history include (please circle): assaults, assaults w/weapon, batteries, mental health problems, drug/alcohol abuse, outstanding/prior arrest warrants, other? _____

Do not write in this space. For court purposes only.

Issuing Court ORI: NV _____ Court Case Number: _____ Confidential Y/N _____
 (1 copy attached to Service document.) (1 copy with Order forwarded to Repository.)

ORDER FOR PROTECTION RETURN OF SERVICE

Case No. _____
 Dept. No. _____

_____,
 (Name) Applicant,

IN THE JUSTICE COURT OF _____ TOWNSHIP
 COUNTY OF _____, STATE OF NEVADA

vs.

OR

_____,
 (Name) Adverse Party.

IN THE _____ JUDICIAL DISTRICT COURT
 OF THE STATE OF NEVADA, IN AND FOR THE
 COUNTY OF _____

TYPE OF ORDER SERVED

I HEREBY CERTIFY THAT ON _____ I RECEIVED:
(Date)

- | | |
|---|--|
| <input type="checkbox"/> Emergency Temporary Order for Protection | <input type="checkbox"/> Temporary Stalking/Harassment Order |
| <input type="checkbox"/> Temporary Order for Protection | <input type="checkbox"/> Extended Stalking/Harassment Order |
| <input type="checkbox"/> Extended Order for Protection | <input type="checkbox"/> Motion/Notice of Hearing _____ |
| <input type="checkbox"/> Notice for Hearing to Extend, Modify or Dissolve the Order for Protection | |
| <input type="checkbox"/> Order for Hearing to Extend, Modify or Dissolve the Order for Protection | |
| <input type="checkbox"/> Foreign Order (describe in terms of State/County/City & Court Issued from) _____ | |

Other (describe): _____

I FURTHER CERTIFY THAT I:

PERSONALLY SERVED the same upon the Adverse Party/Applicant, _____,
(Name)
 on _____, at _____, who identified him/herself by or with,
(Date) (Time)
 _____, at (location): _____,
(Type of Identification)

City of _____, County of _____, State of Nevada.

ATTEMPTED TO SERVE same on: _____, _____, and
 _____. The Adverse Party/Applicant was not found and service was NOT
 effected.

INFORMED THE ADVERSE PARTY of the specific terms and conditions of the order and that a
 violation of the order will result in his/her arrest and the location of the court that issued the
 order and the hours during which he/she may obtain a copy of the order.

SIGNATURE (Officer/Person Serving Order/ID Number)

| | |
|--|--|
| Print Name (Officer/Person Serving Order) | Print Address (Officer/Person Serving Order) |
| SIGNATURE (Adverse Party/Witness, if applicable) | Print Name and Address |

Exhibit 4

Case No. _____
Dept. No. _____

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

Applicant,

vs.

Adverse Party.

**ORDER FOR HEARING
TO EXTEND, MODIFY OR DISSOLVE THE
ORDER FOR PROTECTION**

Upon Motion of Applicant Adverse party, to:

- EXTEND the Order for Protection MODIFY the Order for Protection
- DISSOLVE the Order for Protection OTHER _____

YOU ARE HEREBY NOTIFIED that a hearing will be held in _____ Court
located at _____
on _____, at _____ A.M. P.M., to determine
whether or not to EXTEND, MODIFY or DISSOLVE the ORDER FOR PROTECTION against the above
named Party.

**ANY ORDER FOR PROTECTION WILL CONTINUE IN EFFECT UNTIL SUCH
HEARING AND FURTHER ORDER OF THIS COURT.**

A copy of the Motion for Hearing, Affidavit and a copy of this Order shall be served on the other
party by MAIL PERSONAL SERVICE.

Dated: _____

Judge/Hearing Master

Transmitted to the state repository on _____

Clerk of the Court

Case No. _____
Dept. No. _____

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF _____

Applicant,

vs.

Adverse Party.

**NOTICE FOR HEARING
TO EXTEND, MODIFY OR DISSOLVE THE
ORDER FOR PROTECTION**

Upon Motion of Applicant Adverse party, to:

- EXTEND the Order for Protection MODIFY the Order for Protection
- DISSOLVE the Order for Protection OTHER _____

YOU ARE HEREBY NOTIFIED that a hearing will be held in _____ Court
located at _____

on _____, at _____ A.M. P.M., to determine
whether or not to EXTEND, MODIFY or DISSOLVE the ORDER FOR PROTECTION against the above
named Party.

**ANY ORDER FOR PROTECTION WILL CONTINUE IN EFFECT UNTIL SUCH
HEARING AND FURTHER ORDER OF THIS COURT.**

A copy of the Motion for Hearing, Affidavit and a copy of this Notice shall be served on the other
party by MAIL PERSONAL SERVICE.

Dated: _____

Clerk of the Court

Transmitted to the state repository on _____

Clerk of the Court

1 Case No. _____
2 Dept. No. _____

3 IN THE JUSTICE COURT OF _____ TOWNSHIP
4 COUNTY OF _____, STATE OF NEVADA

5 _____
6 Applicant,
7 vs.
8 _____
9 Adverse Party.

**EXTENDED ORDER FOR
PROTECTION AGAINST
DOMESTIC VIOLENCE**

Date Issued: _____

Date Expires: _____

10 **YOU ARE HEREBY NOTIFIED** that any **VIOLATION OF THIS ORDER IS A CRIMINAL VIOLATION** and will
11 result in a misdemeanor offense, unless a more severe penalty is prescribed by law. If the violation is
12 accompanied by a violent physical act, sentence will include incarceration of not less than five days nor more
13 than six months in the county/city jail; \$1,000.00 fine or a minimum of 200 hours community service;
14 reimbursement of all costs, fees and medical expenses incurred; and participation in professional counseling.

15 **YOU ARE FURTHER NOTIFIED** that you **CAN BE ARRESTED** even if the person who obtained the order
16 invites or allows you to contact them. You have the sole responsibility to avoid or refrain from violating the
17 terms of this order. Only the court can change the order upon written application.

18 **YOU ARE FURTHER NOTIFIED** that child stealing is a felony offense, punishable by possible
19 incarceration.

20 **WARNING:** Possession of a firearm or ammunition while this order is in effect may constitute a felony under
21 federal law punishable by a fine of up to \$250,000 and/or a prison sentence of up to ten (10)
22 years.

23 This order meets all Full Faith and Credit provisions of the Violence Against Women Act and is
24 enforceable in all 50 states, the District of Columbia, U.S. Territories and Indian Nations. All other courts and
25 law enforcement with jurisdiction within the United States and all Indian Nations shall give full faith and credit
26 to this Order pursuant to 18 U.S.C. Sec. 2265.

27 Violation of the order may subject you, the offender, to federal charges and punishment pursuant to
28 18 U.S.C. Sec. 2261(a)(1) and (2) and 2262(a)(1) and (2).

29 The court having considered the filings, testimony and evidence presented at hearing,
30 and the court having found that the Adverse Party received actual notice of hearing at which
31 such person had an opportunity to participate, and the Adverse Party was present was
32 not present, was represented by counsel, _____, and the
33 Applicant was present was represented by counsel, _____, and the
34 Court having jurisdiction over the parties and this matter pursuant to NRS 33.010, et seq.,

1 and it appearing to the satisfaction of the Court from specific facts shown that an act of
2 domestic violence has occurred and/or you represent a credible threat to the physical safety
3 of the above-named Applicant or minor child(ren), the court enters an extended order and as
4 a result:

5 **YOU ARE PROHIBITED**, either directly or through an agent, from threatening, physically injuring
6 or harassing the above-named Applicant and/or minor child(ren). You are further prohibited from
7 selling, damaging, destroying, giving away, or otherwise disposing of, or tampering with, any property
8 owned by the Applicant, or in which Applicant has an interest;

9 **YOU ARE PROHIBITED** from any contact whatsoever with the Applicant, including but not
10 limited to, in person, by telephone, through the mail, through electronic mail (e-mail), facsimile, or
11 through another person;

12 1. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
13 residence located at CONFIDENTIAL, or _____
14 (Street Address)
15 _____, _____, Nevada, or any other place that Applicant may reside. YOU
16 (City) (County)
17 shall not interfere with Applicant's possession and use of residence, including utilities, phones, leases and other
18 related residential services;

19 2. _____ The Court, having jurisdiction under and meeting the requirements of Chapter 125A of
20 the Nevada Revised Statutes (UCCJA), grants to Applicant temporary custody of the following minor child(ren)
21 of the parties: _____
22 _____; **YOU ARE PROHIBITED** from
23 interfering with Applicant's custody of the minor child(ren) named in this paragraph. It is in the best interest
24 of the child(ren) that no negative, insulting, or disparaging comments be made by one party against the other
25 party in the presence of the minor child(ren);

26 3. _____ **YOU ARE GRANTED** visitation with the minor child(ren) : _____
27 _____, under the following terms and conditions: _____
28 _____

1 4. _____ **YOU ARE ORDERED** to pay support and maintenance of the minor child(ren) as set forth
2 in the attached addendum.

3 5. _____ **YOU ARE ORDERED** to pay the rent or make payments on a mortgage on the Applicant's
4 place of residence or pay towards the support and maintenance of the Applicant, as follows: _____
5 _____
6 _____

7 6. _____ Custody, visitation, and support of the minor child(ren) of the parties shall remain as
8 ordered in the Decree of Divorce/Order entered between the parties in Case Number _____ in the
9 _____ Court of the State of _____;

10 7. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the minor
11 child(ren)'s school, or day care, located at **CONFIDENTIAL**, or _____
12 _____, Nevada, or any other
13 (Street Address) (City) (County)
14 school or day care that the child(ren) may be attending;

15 8. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
16 place of employment located at **CONFIDENTIAL**, or _____
17 _____, Nevada, or any other
18 (Street Address) (City) (County)
19 place that Applicant may be employed. **YOU ARE PROHIBITED** from any contact whatsoever with Applicant's
20 place of employment, in person, by telephone, by mail, or any other means of communication;

21 9. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the following
22 places, which Applicant and/or minor child(ren) frequent regularly: _____
23 _____, Nevada;
24 (Street Address) (City) (County)

25 10. _____ The following provisions and exceptions are made a part of this order: _____
26 _____
27 _____
28 _____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

11. THIS ORDER WILL REMAIN IN EFFECT UNTIL 11:59 P.M. ON THE DATE SET FORTH ON PAGE 1 UNLESS THE JUDGE ORDERS OTHERWISE.

ORDER TO LAW ENFORCEMENT

(A) Any law enforcement officer who has probable cause to believe a violation of any provision of this Order has occurred is ordered to arrest the Adverse Party. Such party is to be charged with a misdemeanor violation of this Order in addition to any other criminal charges which may be justified.

(B) If such law enforcement officer cannot verify that the Adverse Party was served with a copy of the Application and Order, the officer shall inform the Adverse Party of the specific terms of the Order, inform the Adverse Party that he/she now has notice of the provisions of the Order and that a violation of the Order will result in his/her arrest, and inform the Adverse Party of the location of the court that issued the original order and the hours during which he/she can obtain a copy of the Order. The law enforcement officer shall then provide written proof of notice to his agency and to the Court.

The Adverse Party is assessed cost and fees in the amount of \$ _____ payable to _____.

Dated: _____

Judge/Hearing Master

Transmitted to the state repository on _____

Clerk of the Court

1 **ADDENDUM - ORDER FOR CHILD SUPPORT**

2
3 _____ **YOU ARE ORDERED** to pay the amount of \$ _____ for the support and maintenance
4 of the minor child(ren): _____.

5 Payments shall commence on _____ and be paid on the _____ day of each
6 month while this order remains in effect. Arrears have not been addressed in this order. If the applicant wishes
7 to have the payment made through the district attorney's office, the applicant may seek relief from the local
8 district attorney's office. **NOTICE: PAYMENT OF SUPPORT IS TO BE AS PROVIDED HEREIN, AND THE GIVING
9 OF GIFTS, OF MAKING PURCHASES OF FOOD, CLOTHING, AND THE LIKE WILL NOT FULFILL THE
10 OBLIGATION.**

11 (A) Adverse Party's (Obligor's) gross monthly income \$ _____; formula amount: _____%
12 equals \$ _____ per month, other _____. The basis for
13 deviation from the State formula is as follows: _____

14 (B) Withholding of income for the payment of the support must be carried out immediately, or
15 The Court finding good cause: _____
16 withholding of income shall be postponed until such time as the Adverse Party (obligor) becomes
17 30 days delinquent under this order. Payment shall be made directly to the Applicant by mail, at
18 the following address: _____,
19 unless a court order states otherwise.

20 (C) The Adverse Party (obligor) shall provide health insurance coverage for the minor child(ren);
21 If available, through an employer at a reasonable cost, and shall provide all necessary
22 assistance to enable Applicant to obtain the medical benefits for the minor child(ren).
23 The Adverse Party (obligor) shall pay \$ _____ per month for medical insurance
24 premium, payable to _____.
25 The Adverse Party shall provide proof of medical insurance coverage including a medical
26 identification card and FIVE claim forms, if necessary, to the Applicant by mail, at the following
27 address: _____, within _____ days of
28 today's date, _____.
 Both the Applicant and the Adverse Party shall split equally all medical expenses not covered
by medical insurance.

1 Case No. _____
2 Dept. No. _____

3 IN THE JUSTICE COURT OF _____ TOWNSHIP
4 COUNTY OF _____, STATE OF NEVADA

5 _____,
6 Applicant,

**MOTION AND AFFIDAVIT
TO MODIFY OR DISSOLVE THE
ORDER FOR PROTECTION**

7 vs.

8 _____,
9 Adverse Party.

10 The above-named Applicant/Adverse Party, hereby moves the Court to grant the following relief:

- 11 _____ Extension of Order for Protection
- 12 _____ Modification of Order for Protection
- 13 _____ Dissolve the Order for Protection
- 14 _____ Order to Show Cause
- 15 _____ Other: _____

16 This motion is made for the following reasons:

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 _____

1 State of Nevada)

2 County of)

3 I, _____, being first duly sworn, hereby state under
4 penalties of perjury that I have read this document and that the contents are true of my own personal
5 knowledge.

6 Dated: _____

7 _____
(Signature)

8 _____
(Street Address)

9 _____
(City, State, Zip)

10 _____
(Daytime Telephone Number)

11 _____
(Evening/Message Telephone Number)

12
13
14
15
16 SUBSCRIBED and SWORN before me
17 this ____ day of _____, ____.

18
19 _____
20 NOTARY PUBLIC/DEPUTY COURT CLERK

1 Case No. _____
2 Dept. No. _____

3 IN THE JUSTICE COURT OF _____ TOWNSHIP
4 COUNTY OF _____, STATE OF NEVADA

5 _____,
6 Applicant,

ORDER

7 vs.

8 _____,
Adverse Party.

9 The court, having received the motion filed on _____, and/or having
10 considered the filings, testimony and evidence presented at hearing, or having determined that no
11 hearing is necessary, and having jurisdiction over the parties, the court enters the following:

12 It is hereby **ORDERED** that the **Order for Protection Against Domestic Violence** originally issued
13 on, _____, in the above entitled case is:

14 _____ **MODIFIED** as follows; _____
15 _____
16 _____
17 _____
18 _____
19 _____

20 _____ **DISSOLVED**
21 _____ **EXTENDED** until _____, under the same terms and conditions, except as
22 modified as follows; _____
23 _____
24 _____
25 _____
26 _____
27 _____

28 _____ **MOTION IS SET FOR HEARING.** See the attached Order/Notice for Hearing.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

OTHER; _____

It is so ordered this date _____.

Judge/Master

Transmitted to the state repository on _____

Clerk of the Court

NOTICES TO THE ADVERSE PARTY

THIS ORDER IS VALID AND ENFORCEABLE THROUGHOUT THE STATE OF NEVADA.

PURSUANT TO THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. §2265, THE TEMPORARY ORDER FOR PROTECTION OF THE COURT 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.

IF YOU TRAVEL ACROSS STATE OR TRIBAL LAND LINES WITH THE INTENT TO INJURE THE APPLICANT AND THEN INTENTIONALLY COMMIT A CRIME OF VIOLENCE CAUSING BODILY INJURY TO THE APPLICANT, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2261(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2261(a)(2).

IF YOU TRAVEL ACROSS STATE OR FEDERAL LAND LINES WITH THE INTENT TO VIOLATE THE TEMPORARY ORDER FOR PROTECTION AND SUBSEQUENTLY VIOLATE SUCH ORDER, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2262(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2262(a)(2).

(For Temporary Order for Protection)

NOTICES TO THE ADVERSE PARTY

THIS ORDER IS VALID AND ENFORCEABLE THROUGHOUT THE STATE OF NEVADA.

PURSUANT TO THE VIOLENCE AGAINST WOMEN ACT, 18 U.S.C. §2265, THE EXTENDED ORDER FOR PROTECTION OF THE COURT 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.

IF YOU ARE SUBJECT TO AN EXTENDED ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE AND YOU POSSESS, SHIP OR TRANSPORT ANY FIREARM OR AMMUNITION IN INTERSTATE COMMERCE, OR YOU RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE. 18 U.S.C. §922(g)(8).

IF ANY PERSON SELLS OR OTHERWISE DISPOSES OF ANY FIREARM OR AMMUNITION TO YOU, KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT YOU ARE SUBJECT TO AN ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE, THAT PERSON MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE. 18 U.S.C. §922(d)(8).

IF YOU TRAVEL ACROSS STATE OR FEDERAL LAND LINES WITH THE INTENT TO VIOLATE THE EXTENDED ORDER FOR PROTECTION AND SUBSEQUENTLY VIOLATE SUCH ORDER, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2262(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2262(a)(2).

IF YOU TRAVEL ACROSS STATE OR TRIBAL LAND LINES WITH THE INTENT TO INJURE THE APPLICANT AND THEN INTENTIONALLY COMMIT A CRIME OF VIOLENCE CAUSING BODILY INJURY TO THE APPLICANT, YOU MAY BE CONVICTED OF COMMITTING A FEDERAL OFFENSE UNDER THE VAWA, 18 U.S.C. §2261(a)(1). YOU MAY ALSO BE CONVICTED OF COMMITTING A FEDERAL OFFENSE IF YOU CAUSE THE APPLICANT TO CROSS STATE OR TRIBAL LAND LINES FOR THIS PURPOSE. 18 U.S.C. §2261(a)(2).

(For Extended Order for Protection)

IN THE JUSTICE COURT OF _____ TOWNSHIP
COUNTY OF _____, STATE OF NEVADA

Applicant,

vs.

Adverse Party.

CERTIFICATION OF ORDER FOR PROTECTION

It is hereby certified that the attached is a true and correct copy of the civil protection order entered in the above-captioned action on _____ (date) and that the original of the attached order was duly executed by the judicial authority whose signature appears thereon. The order expires on _____ (date).

It is further certified that:

(a) the issuing court determined that it had jurisdiction over the parties and the subject matter under the laws of _____ (state or Indian tribe).

(b) the adverse party was given reasonable notice and opportunity to be heard sufficient to protect the adverse party's right to due process before this order was issued; or if the order was issued ex parte, the court ordered that the adverse party be given reasonable notice and opportunity to be heard within the time required by the law of this jurisdiction, and in any event within a reasonable time after the order was issued, sufficient to protect the adverse party's due process rights.

(c) the order was otherwise issued in accord with the requirements of the Full Faith and Credit Provisions of the Violence Against Women Act; Title IV, Subtitle B, Chapter 2 of the Violent Crime Control and Law Enforcement Act of 1994. 18 U.S.C. 2265.

the order was issued in accordance with the requirements of the Uniform Child Custody Jurisdiction Act or the Uniform Child Custody Jurisdiction and Enforcement Act of this state/territory and consistent with the strictures of the federal Parental Kidnapping Prevention Act. Parental Kidnapping Prevention Act, Pub. L.No. 96-611, 94 Stat. 3566 (1980).

The attached order shall be presumed to be valid and enforceable in this and other jurisdictions.

Signature of Clerk of Court or other authorized official: _____

Judicial District: _____ Address _____

Phone: _____ Fax: _____ Date: _____

Seal:

After business hours, for a faxed copy of the order or confirmation, you may contact the Records and Identification Services Bureau at (775) 684-4757