

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 269

FILED

JUL 26 2002

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 seven standardized forms for mandatory use in domestic violence protection order cases and for adoption of five additional standardized forms for immediate use on a voluntary basis; and

WHEREAS, on June 7, 2000, this court approved and adopted the following seven standardized forms for mandatory use in domestic violence protection order cases in all courts of the State of Nevada:

- (1) Application for a Temporary and/or Extended 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; and
- (7) Extended Order for Protection Against Domestic Violence; and

WHEREAS, on June 7, 2000, this court also approved and adopted five additional 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 June 7, 2000, this court further asked the study committee to review and revise the forms, as necessary, in light of their utilization and file with this court any supplemental findings and recommendations and proposed changes; and

WHEREAS, on March 28, 2002, the study committee filed with this court its supplemental 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 revised the following standardized forms out of the seven standardized forms previously adopted by this court for mandatory use in all cases involving orders for protection against domestic violence in all courts of the State of Nevada and recommends that they be adopted for mandatory use in all courts of the State of Nevada:

- (1) Application for a Temporary and/or Extended Order for Protection Against Domestic Violence;
- (2) Temporary Order for Protection Against Domestic Violence;
- (3) Domestic Violence Order for Protection Information Sheet; and
- (4) Extended Order for Protection Against Domestic Violence; and

WHEREAS, the study committee has developed the following five 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 and recommends that they be approved for mandatory use by all courts of the State of Nevada:

- (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; and
- (5) Certificate of Order for Protection; and

WHEREAS, the study committee further recommends that the Administrative Office of the Courts be granted the authority and responsibility to maintain the standardized forms, make technical

revisions to the forms when necessary, and recommend substantive revisions to the forms, when necessary, to the Judicial Council of the State of Nevada; and

WHEREAS, the study committee recommends that it be dissolved as it has completed the tasks previously assigned to it by this court;

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

IT IS HEREBY ORDERED that:

(1) Effective immediately, in all cases involving orders for protection against domestic violence issued in accordance with the provisions set forth in NRS chapter 33, the courts of the State of Nevada shall utilize the twelve standardized forms developed by the study committee, copies of which are attached to this order as Exhibits 1 through 12;

(2) The Administrative Office of the Courts shall maintain the standardized forms, determine when revisions to the forms are necessary, make any technical revisions to the forms when necessary without submitting a new motion or requesting a hearing, and submit any needed substantive revisions to the forms to the Judicial Council of the State of Nevada;

(3) The Judicial Council of the State of Nevada shall consider any substantive revisions to the forms recommended by the Administrative Office of the Courts and determine whether the revisions can be made through the Council or if a new study committee should be convened. Substantive revisions to the forms must be submitted to this court for final approval before distribution; and

(4) Having completed the tasks assigned to it, the study committee is dissolved.

Dated this 26th day of July, 2002.

Maupin, C.J.
Maupin

Young, J.
Young

Shearing, J.
Shearing

Agosti, J.
Agosti

Rose, J.
Rose

Leavitt, J.
Leavitt

Becker, J.
Becker

cc: Hon. Scott Jordan, District Judge, Family Court Division
Hone. Gloria S. Sanchez, District Judge, Family Court Division
Ron Titus, State Court Administrator, AOC

1 Case No. _____
2 Dept. No. _____

3 IN THE JUSTICE COURT OF _____ TOWNSHIP

4 COUNTY OF _____, STATE OF NEVADA

5 _____
Applicant,

6 vs.

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

7 _____
Adverse Party,

8 Applicant states the following facts under penalty of perjury:

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

10 1. The Adverse Party is my (for example, current/former husband, current/former wife, current/former
11 boyfriend, current/former girlfriend, father, mother, brother sister, etc.):

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

19 2. My address is : **CONFIDENTIAL**, (If confidential do not write address here)

20 or, if not confidential list _____

21 City _____ State _____ Zip Code _____ Phone _____

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

23 _____

24 3. Adverse Party's address is: _____

25 City _____ State _____ Zip Code _____ Phone _____

26 Adverse Party has been living in this residence for _____.

27 4. My employment is **CONFIDENTIAL**, (if confidential do not write address here)

28 or, if not confidential, state place of employment _____

Address: _____

City _____ County _____ State _____

1 5. Adverse Party's employment is: _____

2 Address: _____ Phone _____

3 City _____ County _____ State _____

4 6. (a) The name(s) and dates of birth of minor child(ren) who I am the parent of, or who live in
5 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	

12 (b) Have you or the Adverse Party ever been awarded custody of the minor child(ren) that
13 you have in common by Court Order? Yes No

14 Who was awarded custody? Applicant Adverse Party

15 By what Court? _____ Case No. _____

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

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

- 24 9. I have been or reasonably believe I will become a victim of domestic violence
25 committed by the Adverse Party.
- 26 My child(ren) have been or are in danger of being a victim of domestic violence
27 committed by the Adverse Party.
- 28

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.

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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
 2 committed against your spouse, partner, or child(ren)? Yes No. If yes, WHEN and
 3 where? _____
- 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
 17 residence, _____, or to accompany the
 18 Adverse 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 child(ren)'s
 25 school, or day care, located at CONFIDENTIAL. (If confidential do not write address
 26 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: (list/describe) _____
3 _____

4 **If confidential do not write address here;**

5 Address: _____

6 City _____ County _____ State _____

7 (j) I further request the following other conditions: _____
8 _____
9 _____
10 _____

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

14 13. I request the Court hold a hearing for an EXTENDED ORDER FOR PROTECTION AGAINST
15 DOMESTIC VIOLENCE (which could be in effect for up to one year), and at that hearing the
16 Court issue an Extended Order for Protection Against Domestic Violence and that it include
17 the following relief (please check all the choice(s) that apply 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 stay
22 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).

(You may be required to file an affidavit of financial condition prior to the hearing.)

26 (g) Order the Adverse Party to pay the rent or make payments on a mortgage or pay
27 towards my support and maintenance.
28

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

4 (i) Order the Adverse Party to stay at least 100 yards away from the minor child(ren)'s
5 school, or day care, located at: CONFIDENTIAL, (If confidential do not write address
6 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: (list/describe) _____
13 _____
14 _____
15 _____

16 **If confidential do not write address here:**

17 Address: _____
18 City _____ County _____ State _____

19 (l) I further request the following other conditions: _____
20 _____
21 _____
22 _____

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

27 Dated: _____

28 _____
Signature of Applicant

Applicant's Name (Please Print)

29 SUBSCRIBED and SWORN before me
30 this _____ day of _____.

31 _____
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,

7 vs.

8 _____
9 Adverse Party.

TEMPORARY 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
13 more than six months in the county/city jail; \$1,000.00 fine or a minimum of 200 hours community
14 service; reimbursement of all costs, fees and medical expenses incurred; and participation in professional
15 counseling.

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

19 **YOU ARE FURTHER NOTIFIED** that if you **ARE ARRESTED FOR VIOLATING THIS ORDER** you will not
20 be admitted to bail sooner than 12 hours after your arrest if the arresting officer determines that the
21 violation is accompanied by a direct or indirect threat of harm.

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

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

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

29 An application and affidavit having been filed in this Court by the above-named
30 Applicant requesting that a Temporary Order for Protection against Domestic Violence be
31 issued by this Court against YOU, the above-named Adverse Party, or the Court having
32 received specific facts by telephone/facsimile pursuant to NRS 33.020(5), and the Court
33 having jurisdiction over the parties and this matter pursuant to NRS 33.010, et seq., and
34 it appearing to the satisfaction of the Court from specific facts shown by a verified
35 application that an act of domestic violence has occurred and/or you represent a credible

1 threat to the physical safety of the above-named Applicant or minor child(ren) and good
2 cause appearing for issuing such Order without hearing, **YOU ARE HEREBY ORDERED** as
3 follows:

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

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

11 1. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
12 residence located in _____, Nevada, **CONFIDENTIAL**, at _____
13 _____ (County) _____ (Street Address)
14 _____, or any other place that Applicant may reside. **YOU** shall not interfere with
15 (City)

16 Applicant's possession and use of residence, including utilities, phones, leases and other related residential
17 services;

18 2. _____ A law enforcement officer, within whose jurisdiction _____
19 _____ (Applicant/Adverse Party's)
20 residence is located, shall on **ONE OCCASION ONLY** accompany _____ to
21 _____ Applicant/Adverse Party

22 _____ residence located at _____,
23 (Applicant/Adverse Party's) (Street Address) (City) (County)

24 and shall stand by while _____ obtains clothing, toiletries and the following additional
25 (Applicant/Adverse Party)
26 items: _____

27 _____ **ANY PROPERTY IN DISPUTE SHALL REMAIN IN**
28 **THE RESIDENCE UNLESS IT IS SPECIFICALLY IDENTIFIED IN THIS ORDER;**

29 3. _____ The Court, having jurisdiction under and meeting the requirements of Chapter 125A
30 of the Nevada Revised Statutes (UCCJA), grants to Applicant temporary custody of the following minor
31 child(ren) of the parties: _____

1 _____; **YOU ARE PROHIBITED** from
2 interfering with Applicant's custody of the minor child(ren) named in this paragraph. It is in the best interest
3 of the child(ren) that no negative, insulting, or disparaging comments be made by one party against the
4 other party in the presence of the minor child(ren);

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

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

*miss
changed*

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

19 7. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the
20 following places, which Applicant and/or minor child(ren) frequents regularly listed at/described as:

21 _____
22 located in _____, Nevada **CONFIDENTIAL** at _____,
23 _____ (County) (Street Address) (City)

24 8. _____ The following provisions and exceptions are made a part of the order: _____
25 _____
26 _____
27 _____
28 _____

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

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

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

11
12 **ORDER TO LAW ENFORCEMENT**

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

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

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

24 **All fees are deferred.**

25 Dated: _____

26 _____
27 Judge/Hearing Master

28 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)

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: _____

Additional Contact Person: _____ Phone: _____ Address: _____

Does the Adverse Party speak English? _____ If not, what language? _____

(Yes or No) **(Circle one)**

Are you and the Adverse Party living together now? **Yes or No**

Are you and the Adverse Party employed by the same employer? **Yes or No**

Is the Adverse Party likely to react violently when served? **Yes or No**

Is the Adverse Party likely to avoid service? **Yes or No**

Does the Adverse Party have access to weapons? **Yes or No**

Does the Adverse Party have a Carrying Concealed Weapon (CCW) Permit? **Yes or No**

If yes, please describe type and location: _____

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 SERVICE

Case No. _____

Dept. No. _____

_____,
(Name) Applicant,

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

VS.

OR

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

_____,
(Name) Adverse Party.

TYPE OF ORDER SERVED

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

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

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

Case No. _____
Dept. No. _____

1
2 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
3 IN AND FOR THE COUNTY OF _____

4
5 _____,
Applicant,

6 vs.

7 _____,
Adverse Party,

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

8
9 UPON MOTION OF Applicant Adverse Party, to:

10 EXTEND the Order for Protection MODIFY the Order for Protection

11 DISSOLVE the Order for Protection OTHER _____

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

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

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

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

21
22
23
24 Dated: _____

25
26 _____
Judge/Hearing Master

27
28 Transmitted to the state repository on _____

Clerk of the Court

Case No. _____
Dept. No. _____

1
2 IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
3 IN AND FOR THE COUNTY OF _____

4
5 _____,
Applicant,

6 vs.

7 _____,
Adverse Party,

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

8
9 UPON MOTION OF Applicant Adverse Party, to:

10 EXTEND the Order for Protection MODIFY the Order for Protection

11 DISSOLVE the Order for Protection OTHER _____

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

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

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

19
20 A copy of the Motion for Hearing, Affidavit and a copy of this Notice shall be served on the other
21 party by MAIL PERSONAL SERVICE.

22
23 Dated: _____

24
25 _____
Clerk of the Court

26 Transmitted to the state repository on _____

27
28 _____
Clerk of the Court

Exhibit 6

1 Case No. _____
2 Dept. No _____

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

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

**EXTENDED ORDER FOR
PROTECTION AGAINST
DOMESTIC VIOLENCE**

vs.

Date Issued: _____
Date Expires: _____

10 **YOU ARE HEREBY NOTIFIED** that any **VIOLATION OF THIS ORDER IS A CRIMINAL VIOLATION** and
11 will 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 if you **ARE ARRESTED FOR VIOLATING THIS ORDER** you will not
19 be admitted to bail sooner than 12 hours after your arrest if the arresting officer determines that the violation
20 is accompanied by a direct threat of harm.

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

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

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

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

The court having considered the filings, testimony and evidence presented at hearing, and the
court having found that the Adverse Party received actual notice of hearing at which such person had
an opportunity to participate, and the Adverse Party was present was not present, was
represented by counsel, _____, and the
Applicant was present was represented by counsel, _____, 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 that an act of domestic violence

1 has occurred and/or you represent a credible threat to the physical safety of the above-named
2 Applicant or minor child(ren), the court enters an extended order and as a result:

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

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

9 1. ____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from Applicant's
10 residence located in _____, Nevada, **CONFIDENTIAL**, at _____,
11 (County) (Street Address)

12 _____, or any other place that Applicant may reside. **YOU** shall not interfere with
13 (City)

14 Applicant's possession and use of residence, including utilities, phones, leases and other related residential
15 services;

16 2. ____ The Court, having jurisdiction under and meeting the requirements of Chapter 125A of the
17 Nevada Revised Statutes (UCCJA), grants to the Applicant temporary custody of the following minor child(ren)
18 of the parties: _____

19 _____; **YOU ARE PROHIBITED** from
20 interfering with the Applicant's custody of the minor child(ren) named in this paragraph. It is in the best interest
21 of the child(ren) that no negative, insulting, or disparaging comments be made by one party against the other
22 party in the presence of the minor child(ren);

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

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

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

3 _____
4 _____

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

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

17 8. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the
18 Applicant's place of employment located in _____, Nevada, **CONFIDENTIAL**, at
19 _____, or any other place the Applicant
20 _____, or any other place the Applicant
21 _____, or any other place the Applicant
22 _____, or any other place the Applicant
23 may be employed. **YOU ARE PROHIBITED** from any contact whatsoever with the Applicant's place of
24 employment, in person, by telephone, by mail, or any other means of communication;

25 9. _____ **YOU ARE EXCLUDED AND ORDERED** to stay at least 100 yards away from the
26 following places, which the Applicant and/or minor child(ren) frequent regularly listed/described as:
27 _____,
28 _____,
located in _____, Nevada, **CONFIDENTIAL**, at _____,
(County) (Street Address)
(City)

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

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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 Averse Party was served with a copy of the Application and Order, the officer shall inform the Averse 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 the 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 of the
4 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 payments 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. Payments 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

7 vs.

8 _____,
9 Adverse Party,

10 Pursuant to NRS chapter 33 and/or NRS chapter 22, the above-named Applicant/Adverse Party, hereby
11 moves the Court to grant the following relief:

- 12 _____ Extension of Order for Protection
- 13 _____ Modification of Order For Protection
- 14 _____ Dissolve the Order for Protection
- 15 _____ Order to show Cause
- 16 _____ Other: _____

17 This motion is made for the following reasons:

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

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State of Nevada)

County of)

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

Dated: _____

(Signature)

(Street Address)

(City, State, Zip)

(Daytime Telephone Number)

(Evening / Message Telephone Number)

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

NOTARY PUBLIC / DEPUTY CLERK

1 Case No. _____
2 Dept. No _____

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

5 _____
6 Applicant,

vs.

ORDER

7 _____
8 Adverse Party.

9 The court, having received the motion filed on _____, and / or having
10 considered the filings, testimony and evidence presented at the hearing, or having determined that
11 no 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
13 issued 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 _____
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_____ **MOTION IS SET FOR HEARING.** See the attached Order/Notice for Hearing.

_____ **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,

CERTIFICATE 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 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 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 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 and/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) and/or with the due process provisions of the Indian Civil Rights Act, 25 U.S.C. 1302 and in accordance with tribal law.

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