

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

People ex rel. \_\_\_\_\_

\_\_\_\_\_ on behalf of

\_\_\_\_\_ self and/or behalf of

Petitioner  
v.

Respondent

Case No. \_\_\_\_\_

Independent Proceeding

Other Civil Proceeding

(Specify) \_\_\_\_\_

Criminal Proceeding

Juvenile Proceeding

LEADS NO. \_\_\_\_\_

PETITIONER	ADDRESS	CITY/STATE/ZIP
	<input type="checkbox"/> (Check if omitted pursuant to Statute)	

RESPONDENT	ADDRESS	CITY/STATE/ZIP
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Birthdate	Sex	Race	Height	Weight	Hair	Eyes
(Required for LEADS)						

ORDER OF PROTECTION

INTERIM

PLENARY

Crim  953 Civil  4552

Crim  954 Civil  4652

ANY KNOWING VIOLATION OF ANY ORDER OF PROTECTION FORBIDDING PHYSICAL ABUSE, NEGLECT, EXPLOITATION, HARASSMENT, INTIMIDATION, INTERFERENCE WITH PERSONAL LIBERTY, WILLFUL DEPRIVATION, OR ENTERING OR REMAINING PRESENT AT SPECIFIED PLACES WHEN THE PROTECTED PERSON IS PRESENT OR GRANTING EXCLUSIVE POSSESSION OF THE RESIDENCE OR HOUSEHOLD, PROHIBITING ENTERING OR REMAINING AT THE HOUSEHOLD WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS AND SO CONSTITUTING A THREAT TO THE SAFETY AND WELL-BEING OF ANY PROTECTED PERSON, OR GRANTING A STAY AWAY ORDER, IS A CRIMINAL OFFENSE. GRANT OF EXCLUSIVE POSSESSION OF THE RESIDENCE OR HOUSEHOLD SHALL CONSTITUTE NOTICE FORBIDDING TRESPASS TO LAND. ANY KNOWING VIOLATION OF ANY ORDER AWARDING LEGAL CUSTODY OR PHYSICAL CARE OF A CHILD, OR PROHIBITING REMOVAL OR CONCEALMENT OF A CHILD MAY BE A CLASS 4 FELONY. ANY WILLFUL VIOLATION OF ANY ORDER IS CONTEMPT OF COURT. ANY VIOLATION MAY RESULT IN A FINE OR IMPRISONMENT. STALKING IS A FELONY.

A CHARGE OF VIOLATING THIS ORDER OF PROTECTION (720 ILCS 5/12-30) MAY SUBJECT RESPONDENT TO G.P.S. MONITORING PURSUANT TO 730 ILCS 5/5-6-3.

Any order of protection which would expire on a court holiday shall instead expire at the close of the next court business day. 750 ILCS 60/220 (f) (Definitions of prohibited conduct on reverse)

The following persons are protected by this Order: \_\_\_\_\_

“The minor child/ren” referred to herein are: \_\_\_\_\_

The following animals are protected by this Order: \_\_\_\_\_

Date, time and place for further hearing:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Courtroom/Calendar No.: \_\_\_\_\_

Location: \_\_\_\_\_

This Order was issued on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

This Order will be in effect until:

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Vacated by court order:

Specified event: \_\_\_\_\_

**DEFINITIONS**  
**PURSUANT TO THE ILLINOIS DOMESTIC VIOLENCE ACT**

1. **"Petitioner"** may mean not only any named petitioner for the order of protection and any named victim of abuse on whose behalf the petition is brought, but also any other person protected by this Act.
2. **"Abuse"** means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation, but does not include reasonable direction of a minor child by a parent or person in loco parentis.
3. **"Physical abuse"** includes sexual abuse and means any of the following:
  - (a) knowing or reckless use of physical force, confinement or restraint;
  - (b) knowing, repeated and unnecessary sleep deprivation; or
  - (c) knowing or reckless conduct which creates an immediate risk of physical harm.
4. **"Harassment"** means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances; would cause a reasonable person emotional distress; and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
  - (a) creating a disturbance at petitioner's place of employment or school;
  - (b) repeatedly telephoning petitioner's place of employment, home, or residence;
  - (c) repeatedly following petitioner about in a public place or places;
  - (d) repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
  - (e) improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner's from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence;
  - (f) threatening physical force, confinement or restraint on one or more occasions.
5. **"Interference with personal liberty"** means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.
6. **"Willful deprivation"** means willfully denying a person who, because of age, health or disability, requires medication, medical care, shelter, accessible shelter or services, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forgo such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.
7. **"Intimidation of dependent"** means subjecting a person who is dependent because of age, health or disability to the participation in or the witnessing of physical force against another or physical confinement or restraint of another which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.
8. **"Exploitation"** means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
9. **"Neglect"** means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
  - (a) the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
  - (b) the repeated, careless imposition of unreasonable confinement;
  - (c) the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
  - (d) the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities;
  - or
  - (e) the failure to protect a high-risk adult with disabilities from health and safety hazards.

BASED ON THE FINDINGS OF THIS COURT,  WHICH WERE MADE ORALLY FOR THE TRANSCRIPTION, OR  WHICH ARE SET OUT IN A SEPARATE INSTRUMENT FILED WITH THE COURT, AND WITH THE COURT HAVING JURISDICTION OF THE SUBJECT MATTER AND OVER ALL NECESSARY PARTIES, IT IS HEREBY ORDERED THAT:

- 1. With respect to all Protected Persons, Respondent is prohibited from committing the following:
  - Physical abuse;       Harassment;       Interference with personal liberty;       Intimidation of a dependent;
  - Willful deprivation;       Neglect;       Exploitation;       Stalking
- 2. Petitioner is granted exclusive possession of the residence and Respondent shall not enter or remain in the household or premises located at: \_\_\_\_\_  
(This remedy does not effect title to property.)
- 3.  a. Respondent is ordered to stay away from Petitioner and other protected persons, including but not limited to refraining from telephone calls, mail, e-mail, faxes, written notes, and communication through third parties.
- b. Respondent is prohibited from entering or remaining at \_\_\_\_\_ while any Protected Person is present; and/or \_\_\_\_\_.
- c. Respondent is allowed access to the residence on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ in the presence of (name) \_\_\_\_\_ to remove items of clothing, personal adornments, medications used exclusively by the Respondent and other items as follows: \_\_\_\_\_.
- 4. Respondent is ordered to undergo counseling at \_\_\_\_\_ for the duration of \_\_\_\_\_.
- 5.  a. Petitioner is granted physical care and possession of the minor child/ren; and/or
- b. Respondent is ordered to:
  - return the minor child/ren with the initials of \_\_\_\_\_ to the physical care of \_\_\_\_\_; and/or
  - not remove the minor child/ren with the initials of \_\_\_\_\_ from the physical care of Petitioner or \_\_\_\_\_.
- 6. Petitioner is granted temporary legal custody of the minor child/ren with the initials of: \_\_\_\_\_.
- 7.  a. Respondent is awarded visitation rights on the following dates and times or under the following conditions or parameters: [No order shall merely refer to the term "reasonable visitation"]  
\_\_\_\_\_.
- b. Respondent's visitation is restricted as follows: \_\_\_\_\_.
- c. Respondent's visitation is reserved/denied.  
(Petitioner may deny Respondent access to the minor child/ren if, when Respondent arrives for visitation, Respondent is under the influence of drugs or alcohol and constitutes a threat to the safety and well-being of Petitioner or Petitioner's minor child/ren or is behaving in a violent or abusive manner.)
- 8. Respondent is prohibited from removing the minor child/ren from Illinois or concealing them within Illinois.
- 9. Respondent is ordered to appear in Courtroom/Calendar \_\_\_\_\_ located at \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m., with/without the minor child/ren.
- 10. Petitioner is granted exclusive possession of the following personal property and the Respondent is ordered to promptly make available to Petitioner said property that is in Respondent's possession or control, to wit:  
\_\_\_\_\_  
\_\_\_\_\_  
(This remedy does not effect title to property.)
- 11. Respondent is prohibited from taking, encumbering, concealing, damaging or otherwise disposing of the following personal property: \_\_\_\_\_, except as explicitly authorized by the court.
  - Further, Respondent is prohibited from improperly using the financial or other resources of an aged member of the family or household for the point or advantage of Respondent or any other person.
- 11.5 Petitioner is granted exclusive possession of the following animals (Detail the animals by name, type and description.):  
\_\_\_\_\_  
\_\_\_\_\_  
 With respect to all protected animals, Respondent is ordered to stay away and to refrain from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal(s).

IRIS Y. MARTINEZ, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

- 12. Respondent is ordered to pay temporary support for  Petitioner and/or  the minor child/ren of the parties as follows:  
\$ \_\_\_\_\_ per \_\_\_\_\_, starting \_\_\_\_\_, payable  through the Clerk of the Circuit Court, or  directly to Petitioner.
  
- 13. Respondent is ordered to pay \$ \_\_\_\_\_ as actual monetary compensation for loss(es) to \_\_\_\_\_  
\_\_\_\_\_ on or before \_\_\_\_\_.  
 Further, Respondent is ordered to pay court costs in the amount of \$ \_\_\_\_\_ and attorney fees in the amount of \$ \_\_\_\_\_ to \_\_\_\_\_ in connection with any action to obtain, modify, enforce, appeal or reopen any Order of Protection, on or before \_\_\_\_\_.
  
- 14. Respondent is prohibited from entering or remaining at the household or residence located at \_\_\_\_\_  
\_\_\_\_\_ while  
under the influence of alcohol or drugs and so constituting a threat to the safety and well-being of any Protected Person.
  
- 14.5 Respondent is ordered to surrender any and all Firearm and Firearm Owner's Identification Card and to the local law enforcement agency (i.e. police department). If the Respondent is a law enforcement officer, any and all firearms must be surrendered to Respondent's employer. (All surrendered firearms shall remain confiscated for a period not to exceed two (2) years.)
  
  
  
  
  
- 15. Respondent is denied access to school and/or any other records of the minor child/ren and is prohibited from inspecting, obtaining, or attempting to inspect or obtain such records.
  
- 16. Respondent is ordered to pay \$ \_\_\_\_\_ to the following shelter \_\_\_\_\_  
on or before \_\_\_\_\_.
  
- 17. Respondent is further ordered and/or enjoined as follows:  
\_\_\_\_\_  
\_\_\_\_\_.
  
- 18. The relief requested in paragraph(s) \_\_\_\_\_ of the petition is (*DENIED*) (*RESERVED*), because:  
\_\_\_\_\_  
\_\_\_\_\_.

“This Order of Protection is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. territories pursuant to the Violence Against Women Act (18 U.S.C. 2265). Violating this Order of Protection may subject the Respondent to federal charges and punishment (18 U.S.C. 2261-2262). The Respondent may be subject to federal criminal penalties for possessing, transporting, shipping, or receiving any firearm or ammunition under the Gun Control Act (18 U.S.C. 922 (g) (8) and (9)).”

IRIS Y. MARTINEZ, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PLENARY ORDERS ONLY

This Order shall remain in effect until:

- 1. two years following the date of entry of such Order, such expiration date being \_\_\_\_\_, or such earlier date, as ordered by the Court, such expiration date being \_\_\_\_\_.
- 2. final judgment in conjoined proceeding is rendered.
- 3. this Order is modified or vacated (provided such Order is incorporated into the final judgment of another civil proceeding).
- 4. termination of any voluntary or involuntary commitment, or until \_\_\_\_\_  
(not to exceed 2 years)
- 5. final disposition when a Bond Forfeiture Warrant has issued, or until \_\_\_\_\_  
(not to exceed 2 years)
- 6. expiration of any supervision, conditional discharge, probation, periodic imprisonment, parole, or supervised mandatory release, plus 2 years.
- 7. expiration of a term of imprisonment set by this Court, plus 2 years.

Any order of protection which would expire on a court holiday shall instead expire at the close of the next court business day. 750 ILCS 60/220 (f)

NOTICE: Upon 2 days notice to Petitioner, or such shorter notice as the Court may prescribe, a Respondent subject to an Interim Order of Protection issued under the IDVA may appear and petition the Court to re-hear the original or amended petition. Respondent's petition shall be verified and shall allege lack of notice and a meritorious defense.

Atty. No. \_\_\_\_\_

Attorney (or Pro Se Petitioner) *Pro Se 99500*

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

Date: \_\_\_\_\_, \_\_\_\_\_

Address: \_\_\_\_\_

State/City/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Judge's No.