

Defendant: _____ Date: _____ Case No. _____

Defendant's Guide Sheet for Protective Orders - Please Read Carefully

This guide sheet provides more information about the petition and the order that have been served on you.

The PETITION contains the plaintiff's allegations against you and the relief that was requested from the court. The ORDER tells you what conditions the judge granted. If you were served only with a petition, a pre-issuance hearing will be scheduled.

IF YOU HAVE BEEN SERVED WITH: **ORDER OF PROTECTION.** An Order of Protection has been issued because you allegedly committed or may commit an act of domestic violence against the plaintiff. You and the plaintiff have one of the following relationships:

- married (past or present)
- live/lived together as intimate partners
- romantic or sexual relationship (past or present)
- parent of a child in common
- one party is pregnant by the other
- related as parent, grandparent, child, grandchild, brother, sister (including step or in-law)
- live/lived together but not as intimate partners

INJUNCTION AGAINST HARASSMENT. You allegedly have committed a series of acts (more than one) of harassment or one act of sexual violence (as defined in ARS § 23-371) against the plaintiff within the last year.

INJUNCTION AGAINST WORKPLACE HARASSMENT. This injunction, alleging at least one act of harassment, has been filed against you by an employer or a business owner for the benefit of an employee or the business.

SERVICE AND EFFECT This protective order is valid for one year from the date it was served on you. It is enforceable by law enforcement in any state or tribal nation in the United States.

CONTESTED HEARING If you disagree with this protective order, you have the right to request a hearing. The hearing will be held within 5 to 10 business days after you file a written request at the court that issued this order. If a hearing is held and the order remains in effect or is modified, and you and the plaintiff are either married (past or present), live together as intimate partners (past or present), or are parents of a child in common, you may be prohibited from possessing a firearm. This prohibition may apply even if you fail to appear for the hearing. If you have questions about whether your request for a hearing can result in a firearms prohibition, you should contact an attorney. The court cannot give you legal advice.

CHILDREN If your child is listed as a protected person, you may be referred to superior court. Only a superior court judge can decide child custody (legal decision-making) or parenting time in a separate family law action.

FAMILY COURT If either you or the plaintiff file an action for maternity, paternity, annulment, legal separation, or divorce, advise this court immediately so the protective order case can be transferred to the superior court.

**MODIFYING OR
DISMISSING THIS ORDER**

Only a judge can modify or dismiss this protective order. **The plaintiff cannot dismiss or change this protective order without the court's written approval.**

**CONTACT WITH THE
PLAINTIFF**

You can be arrested for violating this protective order, even if the plaintiff initiates contact with you. You have the right to request a protective order against the plaintiff if you do not want the plaintiff to contact you. But orders are not automatically granted upon request. Legal requirements must be met.

**RESIDENCE AND
PROPERTY**

The judge may have given the plaintiff exclusive use of a residence shared with you and may have allowed you a law enforcement standby. If the judge has granted standby on the protective order, you may return to the residence once with a law enforcement officer to obtain necessary personal belongings. You must arrange a date and time with law enforcement for the standby. Neither law enforcement nor this protective order can resolve conflicts over property, title, furniture, finances, real estate, or other ownership issues.

FIREARMS

If the judge has ordered under Arizona law that you cannot possess, receive, or purchase firearms, you must surrender them within 24 hours after service of this protective order to the law enforcement agency named on this order. You should ask law enforcement to issue proof of the surrender. You may also have to provide documentation to the court that firearms were transferred to the specified law enforcement agency. If you have questions about a firearms prohibition and surrender, you should contact an attorney. The court cannot give you legal advice.