

**IN THE SUPREME COURT, STATE OF WYOMING**

**OCTOBER TERM, A.D. 1998**

In the Matter of the Adoption )  
of Uniform Petition for Order of )  
Protection, Ex Parte Order of )  
Protection, and 90 Day Order )  
of Protection )

IN THE SUPREME COURT  
STATE OF WYOMING  
FILED

FEB 19 1999

  
JUDY PACHECO, CLERK

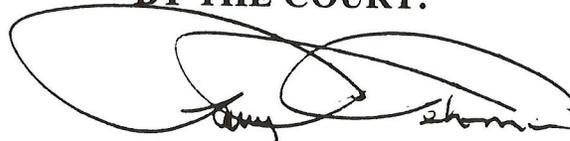
**ORDER ADOPTING UNIFORM PETITION FOR ORDER OF PROTECTION,  
EX PARTE ORDER OF PROTECTION, AND  
90 DAY ORDER OF PROTECTION**

**THIS MATTER** came before the Court by recommendation of the Violence Against Women Technology Committee to adopt a uniform PETITION FOR ORDER OF PROTECTION, EX PARTE ORDER OF PROTECTION, AND 90 DAY ORDER OF PROTECTION as attached hereto to be used in family violence matters in the District and County Courts of Wyoming to be effective July 1, 1999 to facilitate a central registry for Family Protection Orders; and, it appearing advisable that the court adopt the proposed forms, therefore;

**IT IS ORDERED** that the uniform PETITION FOR ORDER OF PROTECTION, EX PARTE ORDER OF PROTECTION, AND 90 DAY ORDER OF PROTECTION, copies of which are filed with this order, be, and they are hereby adopted by this court.

**DATED** this 18 day of February, 1999.

**BY THE COURT:**



**LARRY L. LEHMAN**  
Chief Justice

State of Wyoming

County of \_\_\_\_\_

(Court Address and Court phone number)

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

*Petitioner*

vs.

FV \_\_\_\_\_

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

*Respondent*

**PETITION FOR ORDER OF PROTECTION**

1. **PETITIONER'S LAST NAME, FIRST, MIDDLE INITIAL**

(Print) \_\_\_\_\_

Address \_\_\_\_\_

City & State \_\_\_\_\_

Telephone Number \_\_\_\_\_

PETITIONER'S SSN # \_\_\_\_\_ DOB \_\_\_\_\_ RACE \_\_\_\_\_ GENDER \_\_\_\_\_  
HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

2. **RESPONDENT'S LAST NAME, FIRST, MIDDLE INITIAL**

(Print) \_\_\_\_\_

Address \_\_\_\_\_

City & State \_\_\_\_\_

Telephone Number \_\_\_\_\_

NOTE: All lines that have a gray background must be filled in.

RESPONDENT'S SSN # \_\_\_\_\_ DOB \_\_\_\_\_ RACE \_\_\_\_\_ GENDER \_\_\_\_\_  
HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_  
EMPLOYMENT \_\_\_\_\_  
DRIVER'S LICENSE # \_\_\_\_\_ STATE OF ISSUE \_\_\_\_\_  
VEHICLE LICENSE # \_\_\_\_\_ STATE OF ISSUE \_\_\_\_\_  
STATE OF BIRTH \_\_\_\_\_

OTHER NAMES USED BY RESPONDENT \_\_\_\_\_  
\_\_\_\_\_

HAS THE FOLLOWING DISTINGUISHING MARKS, SCARS, TATTOOS, LOCATED:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. This Petition is filed pursuant to Wyoming's Domestic Violence Protection Act, W.S. § 35-21-101 (1998) et. seq.

4. I, the above named Petitioner, am an adult (or next of friend to a minor) resident of \_\_\_\_\_ County, State of \_\_\_\_\_. The acts of domestic abuse set forth in paragraphs 7. & 8. below took place at the following location(s): (Designate city, county, and state)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. My relationship with the Respondent is as circled below:

- (A) We are married to each other.
- (B) We are living with each other as if we are married.
- (C) We were formerly married to each other.
- (D) We formerly lived with each other as if married.
- (E) I am a parent of the Respondent.
- (F) I am an adult sharing common living quarters with the Respondent.
- (G) Respondent and I are parents of a child(ren) and are not living with each other.
- (H) I am an adult child of the Respondent.

6. Respondent and I are parents of the following minor children and other household members include (State names and ages of each child, and where that child is presently living and with whom the child is presently living):



9. I ask this Court to issue an Ex parte Order of Protection, set the same for hearing, and after hearing this Petition, issue an initial 90 Day Order of Protection which grants the following relief: (circle as appropriate)

- (A) Order Respondent that he/she shall not physically abuse me, threaten to physically abuse me or do any act which unreasonably restrains my personal liberty, directly or indirectly.
- (B) Order Respondent to stay away from me, from my place of residence, from my place of employment and stay away from any location where I may be.
- (C) Give me possession of the residence and order Respondent to vacate said residence if he/she is still in possession of said residence.
- (D) Order Respondent to provide me with suitable alternative housing.
- (E) Grant me temporary legal custody of the following child(ren):  
\_\_\_\_\_  
\_\_\_\_\_

- (F) Prohibit the Respondent from abducting, removing or concealing the child(ren) from me.
- (G) Order Respondent to pay me the sum of \$ \_\_\_\_\_ per month as child support.
- (H) Decide whether or not Respondent should have visitation privileges with said child(ren).
- (I) Order Respondent to pay me spousal support in the sum of \$ \_\_\_\_\_ per month.
- (J) Order Respondent to pay medical costs incurred by me as a result of the abuse inflicted by the Respondent. (Bring medical bills if available.) (Attach sheet if more room needed.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (K) Order Respondent not to transfer, conceal, encumber or otherwise dispose of my property or property accumulated by us jointly, while we were married and/or living together.
- (L) Order the following:  
\_\_\_\_\_  
\_\_\_\_\_



State of Wyoming

County of \_\_\_\_\_

(Court Address and Court phone number)

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

*Petitioner*

vs.

FV \_\_\_\_\_

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

*Respondent*

**EX PARTE ORDER OF PROTECTION  
DOMESTIC VIOLENCE PROTECTION ACT<sup>1</sup>**

Based upon the verified Petition for Order of Protection on file herein and good cause appearing,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. That Respondent immediately refrain from physically abusing, or threatening to physically abuse or committing any action which unreasonably restrains Petitioner's physical liberty.
2. That Respondent immediately vacate and refrain from reentering Petitioner's dwelling at: \_\_\_\_\_
3. That Respondent not initiate ANY CONTACT or communication direct or indirect with Petitioner.

<sup>1</sup> WYO. STAT. § 35-21-101, et. seq. (1998)

4. Other as deemed appropriate by the Court: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. That a hearing on Petitioner's Petition for Order of Protection will be held before the Judge of the above entitled Court on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ at the hour of \_\_\_\_\_ .m. at the Courtroom at \_\_\_\_\_

6. That Petitioner shall have a copy of this Order together with copy of the verified Petition for Order of Protection personally served upon the Respondent immediately.

7. That Petitioner is further ordered to cause a copy of this Order, together with a copy of the proof of service, to be delivered to the appropriate law enforcement agencies.

8. That unless Petitioner appears on the hearing date to show cause why the Ex Parte Order of Protection should be extended, this Order will be automatically dissolved as of such hearing date and time.

9. **WILLFUL VIOLATION OF ANY PROVISION OF THIS ORDER CONSTITUTES A CRIME AS DEFINED BY W.S. § 6-4-404 (1997), CAN RESULT IN IMMEDIATE ARREST AND MAY RESULT IN FURTHER PUNISHMENT.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Judge

State of Wyoming

County of \_\_\_\_\_

(Court Address and Court phone number)

Name:

\_\_\_\_\_

*Petitioner*

vs.

FV \_\_\_\_\_

Name:

\_\_\_\_\_

*Respondent*

**90 DAY ORDER OF PROTECTION**

THIS MATTER was heard on the \_\_\_\_\_ 19\_\_\_\_. These parties were present:

**PETITIONER**

**RESPONDENT**

\_\_\_ **Appeared in person**

\_\_\_ **Did not appear**

**Appeared in person**

**Did not appear and was given notice**

\_\_\_\_\_ Attorney

\_\_\_\_\_ Attorney

\_\_\_ The Respondent has stipulated that an act of domestic abuse as defined by Wyo. Stat. § 35-21-102 (a)(iii) has occurred.

\_\_\_ Based upon the foregoing, the Court finds that the Respondent has committed an act of domestic abuse as defined by the foregoing statute.

\_\_\_ After having heard the evidence, the Court finds that an act of domestic abuse as defined by Wyo. Stat. § 35-21-102(a)(iii) has occurred.

IT IS ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

- \_\_\_ 1. Respondent shall not physically abuse or threaten Petitioner or any other household member nor will Respondent commit any action which unreasonably restrains the other's physical liberty.

\_\_\_\_\_ 2. Respondent shall **not initiate contact with Petitioner** anywhere either directly or indirectly, including, but not limited to, communication verbally in person, communication by telephone or other electronic means, written communication in any form, communication through third persons, and nonverbal communication and gestures. Invitation by Petitioner does not void order.

\_\_\_\_\_ 3. Each party is granted sole possession of his or her residence during the period this order is in effect. Each party shall immediately vacate and is restrained and enjoined from reentering the other's dwelling at:  
Petitioner's dwelling \_\_\_\_\_  
Respondent's dwelling \_\_\_\_\_

\_\_\_\_\_ 4. \_\_\_\_\_ is awarded temporary custody of the following children:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 5. \_\_\_\_\_ is awarded reasonable visitation rights with the above named minor children as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 6. \_\_\_\_\_ is ordered to pay to \_\_\_\_\_ temporary child support in the amount of \$ \_\_\_\_\_ per month per child commencing on \_\_\_\_\_ and on \_\_\_\_\_ each month thereafter.

\_\_\_\_\_ 7. \_\_\_\_\_ is ordered to pay to \_\_\_\_\_ temporary support in the amount of \$ \_\_\_\_\_ per month commencing on \_\_\_\_\_ and on \_\_\_\_\_ each month thereafter.

\_\_\_\_\_ 8. \_\_\_\_\_ is ordered to pay medical costs incurred by \_\_\_\_\_ as a result of the abuse inflicted herein in the amount of \$ \_\_\_\_\_. Payment shall be made as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 9. Neither party shall transfer, conceal, encumber or otherwise dispose of any individual, joint or marital property.

\_\_\_\_\_ 10. Respondent shall undergo appropriate counseling for the term of this order (not to exceed 90 days) as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 11. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 12. Petitioner shall deliver a copy of this Order, together with a copy of the proof of service, to the \_\_\_\_\_ County Sheriff's Office and /or to the Sheriff's office in the county in which the parties reside and to the following law enforcement agencies:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\_\_\_\_\_ 13. WILLFUL VIOLATION OF THIS ORDER MAY CONSTITUTE A CRIME AS DEFINED BY WYO. STAT. § 6-4-404 (1998), CAN RESULT IN IMMEDIATE ARREST AND THE IMPOSITION OF PUNISHMENT CONSISTING OF IMPRISONMENT FOR NOT MORE THAN NINETY (90) DAYS AND A FINE OF NOT MORE THAN FIVE HUNDRED DOLLARS (\$500.00). SUCH VIOLATION MAY ALSO BE DEALT WITH AS A CONTEMPT OF COURT.**

\_\_\_\_\_ 14. This Order shall be in effect for the next \_\_\_\_\_ days (not to exceed three months) and will expire on \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

**\_\_\_\_\_ 15. YOU ARE FURTHER ADVISED THAT CERTAIN PROVISION OF THE FEDERAL VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994 PROHIBIT FIREARMS SALES TO AND POSSESSION BY PERSONS SUBJECT TO FAMILY VIOLENCE RESTRAINING ORDERS.**

\_\_\_\_\_ 16. IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Sheriff of \_\_\_\_\_ County, or one of his deputies forthwith serve a copy of the Order of Protection upon the Petitioner and the Respondent and make due return of same to the Court.

DATED \_\_\_\_\_, 19\_\_\_\_

BY THE COURT

\_\_\_\_\_  
JUDGE

ACCEPTANCE OF SERVICE

I, \_\_\_\_\_, Respondent in this action, voluntarily accept service of the within Order of Protection, and acknowledge that I have received a true copy thereof this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
RESPONDENT

ADDITIONAL NOTICES TO PARTIES:

**THIS ORDER APPLIES IMMEDIATELY TO THE RESPONDENT AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL MODIFIED OR TERMINATED BY THIS COURT AFTER NOTICE AND HEARING, OR UNTIL THE EXPIRATION DATE OF THE ORDER.**

**INTERSTATE VIOLATION OF THIS ORDER MAY SUBJECT THE RESPONDENT TO FEDERAL CRIMINAL PENALTIES. 18 U.S.C. §§ 2261, 2261A AND 2262.**

**THIS PROTECTION ORDER IS ENFORCEABLE IN ALL FIFTY STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS AND U.S. TERRITORIES. 18 U.S.C. § 2265.**

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