

STATE OF WISCONSIN, CIRCUIT COURT, _____ COUNTY

Amended

**INJUNCTION – Harassment
(Order of Protection - 30711)**

Case No. _____

This form is available in Spanish and Hmong. <https://www.wicourts.gov/forms1/circuit/index.htm>
Este formulario está disponible en español y hmong.
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PETITIONER (PERSON TO BE PROTECTED)

Name of Petitioner (First, Middle, Last)

Date of Birth of Petitioner

-VS-

RESPONDENT/DEFENDANT

Name of Respondent/Defendant (First, Middle, Last)

SEX	RACE	DOB	HT	WT
HAIR COLOR		EYE COLOR		
Respondent's/Defendant's Distinguishing Features (such as scars, marks or tattoos)				
<input type="checkbox"/> None known.				

Respondent's/Defendant's Street Address, City, State, Zip

Please specify Petitioner's relationship(s) to Respondent/Defendant:

- spouse cousin adoptive parent
 former spouse sibling grandparent
 person in dating relationship; parent child biological/adoptive/step
 current or former live-in relationship step parent
 Other: [Be specific] _____

CAUTION:
(Check all that apply)

- Respondent/Defendant has access to weapon(s). Type of weapon(s): _____
Location of weapon(s): _____
 Weapon(s) were involved in an incident [past or present] involving the petitioner.

THE COURT FINDS:

Findings are on the following page(s) of this Injunction.

THE COURT ORDERS:

Orders are on the following page(s) of this Injunction.

THIS INJUNCTION SHALL BE EFFECTIVE UNTIL

Not to exceed 4 years or 10 years under §813.125(4)(d), Wis. Stats.,
but may be permanent under §813.125(4)(d)1m., Wis. Stats.

NOTIFICATIONS/WARNINGS TO RESPONDENT/DEFENDANT:

This Order shall be enforced, even without registration, and is entitled to full faith and credit in every civil or criminal court of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265; Wis. Stats. 813.128). Crossing state, territorial, or tribal boundaries to violate this Order may result in federal imprisonment (18 U.S.C. Section 2262).

Federal law provides penalties for, and you may be prohibited from possessing, transporting, shipping, receiving, or purchasing a firearm, including, but not limited to, a rifle, shotgun, pistol, revolver, or ammunition, pursuant to 18 U.S.C. Section 922(g)(8). Additional notifications/warnings are on the following page of this Injunction.

Violation of this Order shall result in immediate arrest and is punishable by imprisonment not to exceed 9 months or a fine not to exceed \$10,000 or both, payment of filing and service fees, and an order for GPS tracking.

Only the Court can change this Order.

THE COURT FINDS:

1. The petitioner or person on behalf of the petitioner filed a Petition alleging harassment under §813.125, Wis. Stats.
2. This Court has personal and subject matter jurisdiction. The respondent has been properly served and had an opportunity to be heard.
3. There are reasonable grounds to believe the respondent engaged in harassment with intent to harass or intimidate the petitioner as defined in §813.125, Wis. Stats., as stated in the court record.
- * 4. There is is not clear and convincing evidence that the respondent may use a firearm to cause physical harm to another or to endanger public safety.
5. There is a substantial risk the respondent may commit 1st degree intentional homicide under §940.01, Wis. Stats., 2nd degree intentional homicide under §940.05, Wis. Stats., 1st, 2nd, or 3rd degree sexual assault under §§940.225(1), (2) or (3), Wis. Stats., or 1st or 2nd degree sexual assault under §§948.02(1) or (2), Wis. Stats., against the petitioner resulting in an Injunction Order for not more than 10 years.
6. The respondent was convicted of a violation of 1st degree sexual assault under §940.225(1), Wis. Stats., 2nd degree sexual assault under §940.225(2), Wis. Stats., or 3rd degree sexual assault under §940.225(3), Wis. Stats., in which the petitioner was the crime victim, resulting in a permanent injunction.
7. The respondent was present in Court and personally served with a copy of this Order.
8. The respondent was present in Court and personally served with a copy of the Order to Surrender Firearms and Notice of Firearm Surrender Hearing (CV-803) form.
9. The petitioner has requested the wireless telephone service provider transfer to the petitioner each telephone number(s) he/she or a minor child in his/her custody uses.

THE COURT ORDERS:

1. The respondent cease or avoid the harassment of the petitioner.
2. The respondent avoid the petitioner's residence and/or any premises temporarily occupied by the petitioner.

- 3. The respondent avoid contact that harasses or intimidates the petitioner. *Contact includes: contact at petitioner's home, work, school, public places, in person, by phone, in writing, by electronic communication or device, or in any other manner.*
- 4. The respondent refrain from removing, hiding, damaging, harming, or mistreating, or disposing of, a household pet.
- 5. The respondent allow the petitioner or a family member or household member of the petitioner acting on his/her behalf to retrieve a household pet.
- 6. The respondent to avoid contacting the petitioner or causing any person other than a party's attorney or law enforcement officer to contact the petitioner unless the petitioner consents in writing.
- 7. The sheriff to accompany the petitioner and assist in placing the petitioner in physical possession of his/her residence, if requested.
- 8. The wireless telephone service provider to transfer, within 72 hours of receipt of the Order, to the petitioner each telephone number(s) he/she or a minor child in his/her custody uses. **(See Wireless Telephone Service Transfer Order in Injunction Case (CV-437) form for more details.)**
- 9. Other: *[May not be inconsistent with remedies requested in the Petition]* _____

THE COURT FURTHER ORDERS:

*[This Order only applies if finding #4 above has been checked and the court has found by clear and convincing evidence that the respondent may use a firearm to cause physical harm to another or to endanger public safety.]

- 1. The respondent is prohibited from possessing a firearm until the expiration of this Injunction. Possession of a firearm is a Class G Felony punishable by a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both. The respondent shall immediately surrender any firearm(s) that he or she owns or has in his or her possession to
 - the sheriff of this county.
 - the sheriff of the county in which the respondent resides: _____.
 - another person [Name and Address] _____.

Note: Court shall complete the Notice of Firearms Possession Penalties (CV-432) form.

- 2. The respondent shall surrender firearms pursuant to Order to Surrender Firearms and Notice of Firearm Surrender Hearing (CV-803) form.
- 3. The respondent was not present in Court and shall be served a copy of Notice of Firearm Surrender Hearing (CV-802) form.

If a party wants a de novo review of a court commissioner's decision, file a Motion for De Novo Hearing on a Temporary Restraining Order or Injunction, (CV-503) form. Any Order entered by a Circuit Court Commissioner remains in effect until the judge in the de novo hearing issues a final order.

THIS IS A FINAL ORDER FOR THE PURPOSE OF APPEAL IF SIGNED BY A CIRCUIT COURT JUDGE.

DISTRIBUTION:

- 1. Court
- 2. Petitioner
- 3. Person filing on behalf of the petitioner
- 4. Respondent
- 5. Law Enforcement
- 6. Other: _____