

FORM SUMMARY

Name of Form:	Petition for Temporary Restraining Order and/or Petition and Motion for Injunction Hearing (Harassment - 30711)
Form Number:	CV-405
Statutory Reference:	§§48.25(6) and 813.125, Wisconsin Statutes
Benchbook Reference:	FA 15-21
Purpose of Form:	Petition in civil court initiating an action for a TRO/final injunction in harassment matters.
Who Completes It:	Petitioner
Distribution of Form:	Original to court; copies to parties.
Accompanying Forms:	Generally none unless the petitioner adds pages with additional factual allegations.
New Form/Modification:	Modified; last update 05/16.
Modifications:	Deleted “ <input type="checkbox"/> ” before setting a time for a hearing. Deleted notary section and added a declaration statement.
Comments:	<p>Available in Spanish and Hmong.</p> <p>2013 WI Act 311, added extension of injunction language; changed language that petitioner must obtain from sheriff or private process server an affidavit that service was unsuccessful because respondent was avoiding service by concealment and added that the mailing or sending of a facsimile may be omitted if the post-office address or facsimile number cannot be ascertained with due diligence.</p> <p>This form is to be used for harassment cases in civil court. It is to be used when an adult files against another adult, or when a parent, attorney, or other adult files on behalf of a child victim, and the respondent is an adult. Form JC-1693 is used in juvenile court. Orders can now remain in effect for four years.</p> <p>There has been confusion over whether to appoint a GAL for a child petitioner in harassment TRO/Injunction cases. By statute, a GAL should be appointed for a child petitioner in a harassment TRO (§813.125(2)(b) – effective July 1, 2010).</p>
About this Form:	<p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p>