IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

_____,
Petitioner,

and

_____,
Respondent.

FINAL JUDGMENT OF INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE WITH MINOR CHILDREN (AFTER NOTICE)

The Petition for Injunction for Protection Against Domestic Violence under section 741.30, Florida Statutes, and other papers filed in this Court have been reviewed. The Court has jurisdiction of the parties and the subject matter.

It is intended that this protection order meet the requirements of 18 U.S.C. Section 2265 and therefore intended that it be accorded full faith and credit by the court of another state or Indian tribe and enforced as if it were the order of the enforcing state or of the Indian tribe.

SECTION I. HEARING

This cause came before the Court for a hearing to determine whether an Injunction for Protection Against Domestic Violence in this case should be:

_____ issued _____ modified _____ extended

The hearing was attended by:
_____Petitioner
_____Respondent
_____Petitioner's Counsel
_____Respondent's Counsel

SECTION II. FINDINGS

On *{date}* _____, a notice of this hearing was served on Respondent together with a copy of Petitioner's petition to this Court and the temporary injunction, if issued. Service was within the time required by Florida law, and Respondent was afforded an opportunity to be heard.

After hearing the testimony of each party present and of any witnesses, or upon consent of Respondent, the Court finds, based on the specific facts of this case, that Petitioner is a victim of domestic violence or has reasonable cause to believe that he/she is in imminent danger of becoming a victim of domestic violence by Respondent.

SECTION III. INJUNCTION AND TERMS

This injunction shall be in full force and effect until either _____ further order of the Court or _____ *{date}* _____. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may ask the Court to change or end this injunction at any time.

Any violation of this injunction, whether or not at the invitation of Petitioner or anyone else, may subject Respondent to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment. Certain willful violations of the terms of this injunction, such as: refusing to vacate the dwelling that the parties share; going to or being within 500 feet of Petitioner's residence, going to Petitioner's place of employment, school, or other place prohibited in this injunction; telephoning, contacting or communicating with Petitioner if prohibited by this injunction; knowingly or intentionally coming within 100 feet of Petitioner's motor vehicle, whether or not it is occupied; defacing or destroying Petitioner's personal property; refusing to surrender firearms or ammunition if ordered to do so by the court; or committing an act of domestic violence against Petitioner constitutes a misdemeanor of the first degree punishable by up to one year in jail, as provided by sections 775.082 and 775.083, Florida Statutes. In addition, it is a federal criminal felony offense, punishable by up to life imprisonment, depending on the nature of the violation, to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction. 18 U.S.C. SECTION 2262.

ORDERED and ADJUDGED:

1. **Violence Prohibited.** Respondent shall not commit, or cause any other person to commit, any acts of domestic violence against Petitioner. Domestic violence includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to Petitioner or any of Petitioner's family or household members. Respondent shall not commit any other violation of the injunction through an intentional unlawful threat, word or act to do violence to the Petitioner.

2. **No Contact. Respondent shall have no contact with the Petitioner unless otherwise provided in this section, or unless paragraphs 13 through 19 below provide for contact connected with the temporary parenting plan and temporary time-sharing with respect to the minor children.**
   a. Unless otherwise provided herein, Respondent shall have no contact with Petitioner. Respondent shall not directly or indirectly contact Petitioner in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Further, Respondent shall not contact or have any third-party contact anyone connected with Petitioner's employment or school to inquire about Petitioner or to send any messages to Petitioner. Unless otherwise provided herein, **Respondent shall not go to, in, or within 500 feet of:** Petitioner's current residence *{list address}* _____
   _____
   or any residence to which Petitioner may move; Petitioner's current or any subsequent place of employment *{list address of current employment}* _____
   _____ or place where Petitioner attends school *{list address of school* _____;

or the following other places (if requested by Petitioner) where Petitioner or Petitioner's minor children go often:_____
_____
_____
Respondent may not knowingly come within 100 feet of Petitioner's automobile at any time.

b. _____Other provisions regarding contact: _____
_____
_____

3. **Firearms. Unless paragraph a. is initialed below, Respondent shall not have in his or her care, custody, possession or control any firearm or ammunition. It is a violation of section 790.233, Florida Statutes, and a first-degree misdemeanor, for the Respondent to have in his or her care, custody, possession or control any firearm or ammunition.**
*[Initial **if** applies; write N/A **if not** applicable]*
a. _____Respondent is a state or local officer as defined in section 943.10(14), Florida Statutes, who holds an active certification, who receives or possesses a firearm or ammunition for use in performing official duties on behalf of the officer's employing agency and is not prohibited by the court from having in his or her care, custody, possession or control a firearm or ammunition. The officer's employing agency may prohibit the officer from having in his or her care, custody, possession or control a firearm or ammunition.

b. _____Respondent shall surrender any firearms and ammunition in the Respondent's possession to the _____ County Sheriff's Department.

c. _____Other directives relating to firearms and ammunition: _____
_____
_____
_____.

NOTE: RESPONDENT IS ADVISED THAT IT IS A FEDERAL CRIMINAL FELONY OFFENSE TO SHIP OR TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE, OR POSSESS IN OR AFFECTING COMMERCE, ANY FIREARM OR AMMUNITION; OR TO RECEIVE ANY FIREARM OR AMMUNITION WHICH HAS BEEN SHIPPED OR TRANSPORTED IN INTERSTATE OR FOREIGN COMMERCE WHILE SUBJECT TO SUCH AN INJUNCTION. 18 U.S.C. SECTION 922(g)(8).

4. **Evaluation/Counseling.**
*[Initial **all** that apply; write N/A **if does not** apply]*
a. The Court finds that Respondent has:
i. _____willfully violated the ex parte injunction;
ii. _____been convicted of, had adjudication withheld on, or pled nolo contendere to a crime involving violence or a threat of violence; and/or
iii. _____in this state or any other state, had at any time a prior injunction for protection entered against the Respondent after a hearing with notice.

Note: If Respondent meets any of the above enumerated criteria, the Court must order the Respondent to attend a batterers' intervention program unless it makes written factual findings stating why such a

program would not be appropriate. See Section 741.30(6)(e), Florida Statutes.

b. Within _____ 10 days _____ days, (but no more than 10 days) of the date of this injunction, Respondent shall enroll in and thereafter without delay complete the following, and Respondent shall provide proof of such enrollment to the Clerk of Circuit Court within ____ 30 days or ____ days, (but no more than 30 days) of the date of this injunction:

i. _____A certified batterers' intervention program from a list of programs to be provided by the Court or any entity designated by the Court. Respondent shall also successfully complete any substance abuse or mental health evaluation that the assessing program counselor deems necessary as a predicate to completion of the batterers' intervention program.

ii. _____A substance abuse evaluation at:_____ or a similarly qualified facility and any substance abuse treatment recommended by that evaluation.

iii. _____A mental health evaluation by a licensed mental health professional at: _____or any other similarly qualified facility and any mental health treatment recommended by that evaluation.

iv. _____Other: _____ _____.

c. _____Although Respondent meets the statutory mandate of attendance at a batterers' intervention program, the Court makes the following written findings as to why the condition of batterers' intervention program would be inappropriate: _____ _____ _____ _____.

d. _____Petitioner is referred to a certified domestic violence center and is provided with a list of certified domestic violence centers in this circuit, which Petitioner may contact.

5. **Mailing Address or Designated E-Mail Address(es).** Respondent shall notify the Clerk of the Court of any change in either his or her mailing address, or designated e-mail address(es), within 10 days of the change. All further papers (excluding pleadings requiring personal service) shall be served either by mail to Respondent's last known mailing address or by e-mail to Respondent's designated e-mail address(es). Service shall be complete upon mailing or e-mailing.

6. **Other provisions necessary to protect Petitioner from domestic violence:** _____ _____ _____ _____ _____ _____ _____ _____.

TEMPORARY EXCLUSIVE USE AND POSSESSION OF HOME

*[Initial **if** applies; write N/A **if not** applicable]*

7. _____**Possession of the Home.** _____ Petitioner _____ Respondent shall have temporary exclusive use and possession of the dwelling located at: _____ _____.

8. _____**Transfer of Possession of the Home.** A law enforcement officer with jurisdiction over the home shall accompany _____ Petitioner _____ Respondent to the home, and shall place _____ Petitioner _____ Respondent in possession of the home.

9. _____**Personal Items.** _____ Petitioner _____ Respondent, **in the presence of a law enforcement officer**, may return to the premises described above on *{date}* _____, at ____a.m./p.m., or ____ at a time arranged with the law enforcement department with jurisdiction over the home, accompanied by a law enforcement officer only, for the purpose of obtaining his or her clothing and items of personal health and hygiene and tools of the trade. A law enforcement officer with jurisdiction over the premises shall go with _____ Petitioner _____ Respondent to the home and stand by to ensure that he/she vacates the premises with only his/her personal clothing, toiletries, tools of the trade, and any items listed in paragraph 10 below. The law enforcement agency shall not be responsible for storing or transporting any property. **IF THE RESPONDENT IS NOT AWARDED POSSESSION OF THE HOME AND GOES TO THE HOME WITHOUT A LAW ENFORCEMENT OFFICER, IT IS A VIOLATION OF THIS INJUNCTION.**

10. ___The following other personal possessions may also be removed from the premises at this time: _____ _____

11. ___Other: _____ _____ _____

TEMPORARY PARENTING PLAN AND TIME-SHARING WITH MINOR CHILDREN

12. **Jurisdiction.** *[Initial **one** only]*
    a. _____Jurisdiction to determine issues relating to parenting plan and time-sharing with respect to any minor children listed in paragraph 13 below is proper under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA).
    b. _____Jurisdiction is exclusive to the dependency court, and accordingly no order is made herein. *{Case Number _____.}*

13. **Temporary Parenting Plan for Minor Children.** Except for that time-sharing (if any) specified for the other parent in paragraph 14, below, _____ Petitioner _____ Respondent shall on a temporary basis have **100%** of the time-sharing with the parties' minor children listed below and shall have sole decision-making responsibility until further court order:

    Name **Birth date**

    _____

_____
_____
_____
_____
_____

When requested by the parent to whom the majority of overnight time-sharing with the children is awarded on a temporary basis herein, in this case the _____ Petitioner _____ Respondent, law enforcement officers shall use any and all reasonable and necessary force to physically deliver the minor children listed above to the parent to whom the majority of overnight time-sharing with the children is awarded on a temporary basis herein. The other parent shall not take the children from the parent to whom the majority of overnight time-sharing with the children is awarded on a temporary basis herein or any child care provider or other person entrusted by the parent to whom the majority of overnight time-sharing with the children is awarded on a temporary basis herein with the care of the children.

14. **Temporary Parenting Plan with Time-Sharing for Minor Children**. The Petitioner and Respondent shall have time-sharing with the minor children on the following schedule:
*{Initial **one** only}*

a. _____Petitioner _____ Respondent shall have **100%** of time-sharing and _____ Petitioner _____ Respondent shall have **0%** of time sharing with the children until further order of the Court. Until further order of the Court, all parenting decisions shall be made by the parent with 100% of the time-sharing.

b. _____Petitioner _____ Respondent shall have time-sharing from _____ a.m./p.m. to _____a.m./p.m. on the following day(s)_____. The other parent will have the remaining time-sharing. _____
_____
_____.

c. _____Other: _____
_____
_____.

15. **Limitations on Time-Sharing.** The time-sharing specified in paragraph 14, above, for _____ Petitioner _____ Respondent with the children shall be:
*[Initial **all** that apply; write N/A **if does not** apply]*

a. _____Unsupervised

b. _____supervised by the following specified responsible adult:_____

c. _____at a supervised visitation center located at:
_____
_____,
and shall be subject to the available times and rules of the supervised visitation center. The cost associated with the services of the supervised visitation center shall be paid by the: *{choose **one**}* _____ parent to whom the majority of overnight time-sharing with the

children is awarded on a temporary basis herein; _____ other parent; or _____ both parents:

_____
_____.

If specified, the level of supervision shall be: _____.

16. **Arrangements for Time-Sharing with Minor Children.**
*{Initial **all** that apply; write N/A **if does not** apply}*

a. _____A responsible person shall coordinate the time-sharing arrangements with respect to the minor children.
If specified, the responsible person shall be: *{name}* _____

b. _____Other conditions for time-sharing arrangements as follows: _____
_____
_____.

17. **Exchange of Minor Children.**
*{Initial **all** that apply; write N/A **if does not** apply}*

a. _____The parties shall exchange the children at _____ school or daycare, or _____ at the following location(s): _____
_____
_____.

b. _____A responsible person shall conduct all exchanges of the children. The _____ Petitioner _____ Respondent shall not be present during the exchange. If specified, the responsible person shall be: *{name}*_____
_____.

c. _____Other conditions for exchange are as follows: _____
_____
_____.

18. **Other Additional Provisions Relating to the Minor Children.**

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____.

EXCLUSIVE CARE, POSSESSION, OR CONTROL OF FAMILY PET(S)

(Please initial all that apply. Write N/A if not applicable. This section does not apply to a service animal if

Respondent is the animal's handler or to an animal owned primarily for a bona fide agricultural purpose.)

19. ___Petitioner shall have exclusive care, possession, or control of the following animal(s) owned, possessed, harbored, kept, or held by Petitioner, Respondent, or a minor child residing in the residence or household of Petitioner or Respondent: _____
_____
_____.

20. ___Respondent shall have **no contact** with the following animal(s) and is prohibited from taking, transferring, encumbering, concealing, harming, or otherwise disposing of the animal(s):
_____
_____
_____.

TEMPORARY SUPPORT

21. **Temporary Alimony.**
*[Initial **all** that apply; write N/A **if does not** apply]*
a. _____The court finds that there is a need for temporary alimony and that _____ Petitioner _____ Respondent (hereinafter Obligor) has the present ability to pay alimony and shall pay temporary alimony to _____ Petitioner _____ Respondent (hereinafter Obligee) in the amount of $_____ per month, payable _____ in accordance with Obligor's employer's payroll cycle, and in any event, at least once a month _____ other *{explain}* _____ beginning *{date}* _____. This alimony shall continue until modified by court order, until a final judgment of dissolution of marriage is entered, until Obligee dies, until this injunction expires, or until *{date}* _____, whichever occurs first.

b. _____Petitioner _____ Respondent shall be required to maintain health insurance coverage for the other party. Any uncovered medical costs for the party awarded alimony shall be assessed as follows: _____
_____.

c. _____Other provisions relating to alimony: _____
_____
_____.

22. **Temporary Child Support.**
*{Initial **all** that apply; write N/A **if does not** apply}*
a._____The Court finds that there is a need for temporary child support and that _____ Petitioner _____ Respondent (hereinafter Obligor) has the present ability to pay child support. The amounts in the Child Support Guidelines Worksheet, Florida Family Law Form 12.902(e), filed by _____ Petitioner _____ Respondent are correct **OR** the Court makes the following findings:
The Petitioner's net monthly income is $ _____, (Child Support Guidelines _%).
The Respondent's net monthly income is $_____, (Child Support Guidelines ___%).

Monthly childcare costs are $ _____.
Monthly health/dental insurance costs are $_____.

b._____**Amount.** Obligor shall pay temporary child support in the amount of $ _____, per month payable _____ in accordance with Obligor's employer's payroll cycle, and in any event at least once a month _____other *{explain}:*_____ beginning *{date}* _____, and continuing until further order of the court, or until *{date/event}* _____, *{explain}* _____.
If the child support ordered deviates from the guidelines by more than 5%, the factual findings which support that deviation are: _____
_____
_____
_____.

c._____Petitioner _____ Respondent shall be required to maintain _____ health _____ dental insurance coverage for the parties' minor children so long as it is reasonable in cost and accessible to the children **OR** _____ Health _____ dental insurance is either not reasonable in cost or accessible to the children at this time.

d._____Any reasonable and necessary **uninsured medical/dental/prescription drug costs** for the minor children shall be assessed as follows: _____
_____.

e._____Florida Supreme Court Approved Family Law Form 12.902(j), **Notice of Social Security Number**, is incorporated herein by reference.

f. _____Other provisions relating to child support: _____
_____
_____.

23. **Method of Payment.**
*[Initial **one** only]*
a. _____Obligor shall pay any temporary court-ordered child support/alimony through income deduction, and such support shall be paid to either the State Disbursement Unit or the central depository. Obligor is individually responsible for paying this support obligation in the event that all or any portion of said support is not deducted from Obligor's income. Obligor shall also pay any service charge required by statute. Until child support/alimony payments are deducted from Obligor's paycheck pursuant to the Income Deduction Order, Obligor is responsible for making timely payments directly to either the State Disbursement Unit or the central depository.

b. _____Temporary child support/alimony shall be paid through either the State Disbursement Unit or the central depository. Obligor shall also pay any service charge required by statute. Income deduction is **not** in the best interests of the children because: *{explain}*
_____
_____.

c. _____Other provisions relating to method of payment:
_____
_____
_____
_____
_____.

SECTION IV. OTHER SPECIAL PROVISIONS
(This section to be used for inclusion of local provisions approved by the chief judge as provided in Florida Family Law Rule 12.610.)
_____
_____
_____
_____.

SECTION V. DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION
{Unless ordered otherwise by the judge, all provisions in this injunction are considered mandatory provisions and should be interpreted as part of this injunction.)

1. **This injunction is valid in all counties of the State of Florida.** Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions of this injunction and are authorized to arrest without warrant pursuant to section 901.15, Florida Statutes, for any violation of its provisions, except those regarding child support and/or alimony, which constitutes a criminal act under section 741.31, Florida Statutes. **When inconsistent with this order, any subsequent court order issued under Chapter 61 or Chapter 39**, **Florida Statutes, shall take precedence over this order on all matters relating to property division, alimony, parental responsibility, parenting plan, time-sharing, child custody, or child support.**

2. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA, AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES. The arresting agent shall notify the State Attorney's Office immediately after arrest.

3. **Reporting alleged violations.** If Respondent violates the terms of this injunction and there has not been an arrest, Petitioner may contact the Clerk of the Circuit Court of the county in which the violation occurred and complete an affidavit in support of the violation, or Petitioner may contact the State Attorney's office for assistance in filing an action for indirect civil contempt or indirect criminal contempt. Upon receiving such a report, the State Attorney is hereby appointed to prosecute such violations by indirect criminal contempt proceedings, or the State Attorney may decide to file a criminal charge, if warranted by the evidence.

4. **Respondent, upon service of this injunction, shall be deemed to have knowledge of and to be bound by all matters occurring at the hearing and on the face of this injunction.**

5. **The temporary injunction, if any, entered in this case is extended until such time as service of this injunction is effected upon Respondent.**

6. **THIS IS A "CUSTODY ORDER" FOR PURPOSES OF THE UCCJEA AND ALL STATUTES MAKING IT A CRIME TO INTERFERE WITH CUSTODY UNDER CHAPTER 787, FLORIDA STATUTES AND OTHER SIMILAR STATUTES.**

ORDERED at _____, Florida, on _____.

_____
CIRCUIT JUDGE

Sheriff of _____County

Petitioner (or his or her attorney):
_____by U. S. Mail
_____by hand delivery in open court (Petitioner must acknowledge receipt in writing on the face of the original order—see below.)
_____by e-mail to designated e-mail address(es)

Respondent (or his or her attorney):
_____forwarded to sheriff for service
_____by hand delivery in open court (Respondent must acknowledge receipt in writing on the face of the original order—see below.)
_____by certified mail (may only be used when Respondent is present at the hearing and Respondent fails or refuses to acknowledge the receipt of a certified copy of this injunction.)

_____State Attorney's Office
_____Batterer's intervention program (if ordered)
_____State Disbursement Unit (if ordered)
_____Central Depository (if ordered)
_____Department of Revenue
_____Other_____

I CERTIFY the foregoing is a true copy of the original Final Judgment of Injunction for Protection Against Domestic Violence with Minor Children as it appears on file in the office of the Clerk of the Circuit Court of _____ County, Florida, and that I have furnished copies of this order as indicated

above.

CLERK OF THE CIRCUIT COURT

(SEAL)

By: _____
{Deputy Clerk or Judicial Assistant}

ACKNOWLEDGMENT

I, *{Name of Petitioner}*_____, acknowledge receipt of a certified copy of this Injunction for Protection.

Petitioner_____

ACKNOWLEDGMENT

I, *{Name of Respondent}*_____, acknowledge receipt of a certified copy of this Injunction for Protection.

Respondent_____