

# STALKING OR SEXUAL ASSAULT PROTECTIVE ORDER PACKET

A request for a protective order is a *civil* matter, not a *criminal* matter. You need to report the incident to the police to have it prosecuted criminally.

<i>Form No.</i>	<i>Form Name</i>
<b>WHERE CAN I FIND INSTRUCTIONS?</b>	
<a href="#"><u>CIV-751</u></a>	<p>Instructions are available online at:  <a href="https://public.courts.alaska.gov/web/forms/docs/civ-751.pdf">https://public.courts.alaska.gov/web/forms/docs/civ-751.pdf</a></p> <p>Printed copies are available for customers with limited or no internet access.</p>
<b>WHAT IS INCLUDED IN THIS PACKET?</b>	
<a href="#"><u>CIV-752</u></a>	Petition
<a href="#"><u>DV-125</u></a>	Request for Service
<a href="#"><u>DV-127</u></a>	Law Enforcement Information Sheet
<b>WHERE CAN I FIND MORE INFORMATION?</b>	
<a href="#"><u>Online</u></a>	Court forms online: <a href="http://www.courts.alaska.gov/forms/index.htm">www.courts.alaska.gov/forms/index.htm</a>
<a href="#"><u>Online</u></a>	Family Law Self-Help Center: <a href="http://www.courts.alaska.gov/shc/family/selfhelp.htm">www.courts.alaska.gov/shc/family/selfhelp.htm</a>
<b>What is stalking?</b>	Person A commits the crime of stalking when Person A contacts Person B without Person B's permission MORE THAN ONE TIME, and this creates a reasonable fear of physical injury or death to Person B or Person B's family member. For a more complete definition, see <a href="#">Alaska Statute 11.41.270</a> on page 5 of the instructions.
<b>What is sexual assault?</b>	Sexual assault is a crime of "sexual contact" or "sexual penetration" done without the adult victim's knowledge or consent, or done by an older person to a minor. For a more complete definition of these crimes, see <a href="#">Alaska Statute 11.41.410</a> through 11.41.450, or look on page 6 of the instructions.
<b>Is this the right packet for you?</b>	<ul style="list-style-type: none"> <li>• Use this packet if the person you need protection from is a friend, student at your school, neighbor, co-worker, landlord, tenant, or someone you do not know.</li> <li>• Use the <a href="#">domestic violence petition</a> instead if the person who stalked or sexually assaulted you is someone you have a household relationship with. See <a href="#">Alaska Statute 18.66.990</a> for a list of qualifying domestic violence household relationships.</li> </ul>

## March 2016 - Alaska Court System

The statutes, court rules and most of the forms referred to in this packet are available on the court's website: [www.courts.alaska.gov](http://www.courts.alaska.gov).

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA  
AT \_\_\_\_\_

\_\_\_\_\_) )  
\_\_\_\_\_) )  
Petitioner Date of Birth \_\_\_\_\_) )  
                   Male    Female                    ) )  
v. \_\_\_\_\_) )  
                  ) )  
\_\_\_\_\_) )  
Respondent Date of Birth \_\_\_\_\_) )  
                   Male    Female                    ) )  
\_\_\_\_\_) )

CASE NO. \_\_\_\_\_

PETITION FOR  
PROTECTIVE ORDER  
 Stalking    Sexual Assault

I swear or affirm under penalty of perjury that all the information I provide in this petition is true to the best of my knowledge and belief.

I am requesting the following protective order(s). **NOTE: If there is any chance you might need protection for more than 20 days, you should request both a long-term order (6 months) and an ex parte order (20-day). To do this, check both boxes.**

1.  an ex parte protective order (20 day order). (This order can take effect immediately based on only the petition and the petitioner's testimony, without the respondent knowing about the ex parte petition. The police will serve the ex parte order if granted.) I certify that I

have not tried to notify the respondent that I am filing this petition.

notified or tried to notify the respondent as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

a long-term protective order (6 month order). (This order can only be issued after notice to the respondent and a court hearing. This order will last for 6 months, unless the court ends it sooner. The police will notify the respondent of the hearing.)

2. The respondent is a (check all that apply):

(former) friend    neighbor    classmate    co-worker

client or former client    correctional facility employee

legal guardian of petitioner    other (describe): \_\_\_\_\_

I do not know and have never been acquainted with the respondent

3. I (petitioner) am  a minor: Age \_\_\_\_\_  an adult

**This is Not a Court Order**

4. The respondent is (or appears to be)  a minor: Age \_\_\_\_\_  an adult

5. a. Respondent has stalked or sexually assaulted me as described below and this conduct has placed me in fear of:

death or physical injury to me  further sexual assault

the death or physical injury of the following family member of mine:

Name of family member: \_\_\_\_\_

Relationship to me: \_\_\_\_\_

b. I am afraid of physical injury or death, or further sexual assault, because \_\_\_\_\_

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6. Description of respondent's conduct. (Explain what respondent is doing or did, including when, where and how often the stalking or sexual assault occurred. Be specific. Include dates and places.)

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**This is Not a Court Order**

7. I request an order from the court directing (check all that apply)

a. respondent not to follow, approach, confront, watch or stalk me in any other way or threaten to do so.

b. respondent not to contact me by telephone, e-mail or U.S. mail or otherwise communicate directly or indirectly by any means with me or the following members of my household:

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

c. respondent to stay away from my residence.  
Is this also respondent's current residence?  yes  no

Respondent's residence is  unknown to me

within my apartment complex

approximately \_\_\_\_\_ feet/miles from my residence

Describe: \_\_\_\_\_

d. respondent to stay away from my school.

Name and location of school:\* \_\_\_\_\_

Is this also respondent's school?  yes  no

e. respondent to stay away from my place of employment. Name and location of place of employment:\* \_\_\_\_\_

Is this also respondent's place of employment?  yes  no

If yes, list the hours respondent works (if known) \_\_\_\_\_

f. respondent to stay away from the following places I go to:

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

g. respondent not to have sexual contact with me.

\_\_\_\_\_  
\* You do not have to provide this information if you do not want the respondent to know the location of your school or place of employment.

**This is Not a Court Order**

8. Other cases. The following are all the pending civil cases or criminal cases, in this or another state, involving either me or respondent (that I know of):

<u>Type of Case</u>	<u>Court Location</u>	<u>Petitioner or Respondent</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The following are other court cases (civil or criminal) involving the respondent that I want the court to know about:

<u>Type of Case</u>	<u>Court Location</u>
_____	_____
_____	_____
_____	_____

**Both petitioner and respondent have the responsibility to tell the court of any criminal or civil lawsuits involving either of you that arise while a petition for protective order is pending. AS 18.65.865(d)**

9. Information about respondent (if known).  
Respondent's full legal name and any nicknames or other names used: \_\_\_\_\_  
\_\_\_\_\_  
Respondent's mailing address: \_\_\_\_\_  
Respondent's home phone: \_\_\_\_\_ Work phone: \_\_\_\_\_

**This is Not a Court Order**

- 10. Petitioner information. [The court needs your mailing address to send court papers, including notices of hearing, to you. If you believe it is not safe for the respondent to know where you live, write a "message" address where you can be sure you will receive court papers. **If you do not have an address and telephone number that can safely be revealed to the respondent, ask the court clerk how you can provide this information so that it will be kept confidential and not revealed to the respondent.** Civil Rule 65.1]

My mailing/message address \_\_\_\_\_  
 Street or Box No. City State Zip

My message phone: \_\_\_\_\_

My full legal name: \_\_\_\_\_

Any nicknames or other names: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Print Name

Subscribed and sworn to or affirmed before me at \_\_\_\_\_, Alaska on \_\_\_\_\_  
 (date)

(SEAL)

\_\_\_\_\_  
 Clerk of Court, Notary Public or other person  
 authorized to administer oaths

My commission expires: \_\_\_\_\_

**This is Not a Court Order**

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA  
AT \_\_\_\_\_

\_\_\_\_\_  
)  
)  
PETITIONER (protected person),  M  F )  
Birthdate: \_\_\_\_\_ )  
 Petitioner is a child. Who is signing for the child? )  
Name: \_\_\_\_\_ Birthdate: \_\_\_\_\_ )  
Relationship to child: \_\_\_\_\_ )  
v. \_\_\_\_\_ )

Case No. \_\_\_\_\_ CI

\_\_\_\_\_  
)  
)  
RESPONDENT (restrained person),  M  F )  
Birthdate: \_\_\_\_\_ )  
 Respondent is a child. Who is signing for the child? )  
Name: \_\_\_\_\_ Birthdate: \_\_\_\_\_ )  
Relationship to child: \_\_\_\_\_ )

**REQUEST FOR SERVICE AND  
PEACE OFFICER'S RETURN OF  
SERVICE (ONE PETITIONER)**

Court Date: \_\_\_\_\_  
Court Fax: \_\_\_\_\_

Please immediately serve the following documents on respondent  and \_\_\_\_\_  
The next court hearing is scheduled for \_\_\_\_\_

- |  |   |
|--|---|
| <input type="checkbox"/> <i>Petition for Protective Order(s)</i>             | <input type="checkbox"/> <i>Reassignment Order</i>                        |
| <input type="checkbox"/> <i>Emergency Protective Order (72 hours)</i>        | <input type="checkbox"/> <i>Order Extending Ex Parte Protective Order</i> |
| <input type="checkbox"/> <i>20-Day Ex Parte Protective Order</i>             | <input type="checkbox"/> <i>Order on Petition for Protective Order(s)</i> |
| <input type="checkbox"/> <i>Long-Term Domestic Violence Protective Order</i> | <input type="checkbox"/> <i>Notice of Hearing</i>                         |
| <input type="checkbox"/> <i>Stalking or SA Order (20 days)</i>               | <input type="checkbox"/> <i>Stalking or SA Order (6 months)</i>           |
| <input type="checkbox"/> _____   | <input type="checkbox"/> _____  |

A return of service must be filed with or faxed to the court at the number shown above before the hearing.

**RETURN OF SERVICE**

**I certify that I:**

- Served the document(s) listed above on respondent  and \_\_\_\_\_, by handing to, and leaving a true and correct copy with  him  her  them, personally, at (address) \_\_\_\_\_ in \_\_\_\_\_, Alaska, on (date) \_\_\_\_\_ at \_\_\_\_\_ .m.
- Turned custody of the minor child(ren) \_\_\_\_\_ over to \_\_\_\_\_
- Removed respondent from petitioner's residence located at \_\_\_\_\_
- Explained direct / indirect contact and communication to the person(s) served.
- Explained effective dates of the protective order (section B) to the person(s) served.
- Entered into DV Registry by DSN \_\_\_\_\_
- Did not serve the above-listed documents on the respondent named above because \_\_\_\_\_

Return Date \_\_\_\_\_

Signature \_\_\_\_\_

Time Spent \_\_\_\_\_

Print Name and Title \_\_\_\_\_

- Distribution: 1. Original to law enforcement agency with jurisdiction where respondent is located.  
2. Copy to court file.

**CONFIDENTIAL LAW ENFORCEMENT INFORMATION SHEET**

**Notice to Petitioner:** You must supply the respondent's name and birth date, if known. Give as much information as possible. This information will NOT be given to the respondent.

**Notice to Law Enforcement:** This information is confidential and supplied to assist you in serving the protective order. After serving (or failing to serve) the order, notify petitioner and complete the return of service section on the DV-125.

**A. PETITIONER INFORMATION**

Full name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  Petitioner is a child.  
 Petitioner's residence address: \_\_\_\_\_  
 Is this the address respondent is to stay away from?  Yes  No  
 Do you want to be notified when respondent is served?  Yes  No  
 Contact phone(s): home \_\_\_\_\_ work \_\_\_\_\_ cell \_\_\_\_\_ msg \_\_\_\_\_

**B. RESPONDENT INFORMATION**

Full name: \_\_\_\_\_ Nicknames: \_\_\_\_\_  Respondent is a child.  
 Residence Address: \_\_\_\_\_  
 Is this the address respondent is to stay away from?  Yes  No Last four digits of SSN \_\_\_\_\_  
 Other Addresses: \_\_\_\_\_  
 Contact phone(s): home \_\_\_\_\_ work \_\_\_\_\_ cell \_\_\_\_\_ msg \_\_\_\_\_

Where is respondent now (what street address)?  
 \_\_\_\_\_  
 \_\_\_\_\_

Other information about respondent:

Friends / relatives / phone numbers / hangouts:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Sex	Race	*Date of Birth*	HT	WT
Hair	Eyes	State ID / Driver's Lic. #	ST	
Other Identifiers (facial hair, piercings, scars, tattoos, marks, etc.)				

Hazards at respondent's home (dogs, traps, guns):  
 \_\_\_\_\_

Describe respondent's house:  log  frame  apartment  single family  duplex  
 1 story  2 story  3+ story  main color \_\_\_\_\_  trim color \_\_\_\_\_  
 Garage:  separate  attached  none 4x4 needed to access address?  Y  N

Respondent's employer  
 \_\_\_\_\_  
 Employer address  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Work phone \_\_\_\_\_  
 Work hours \_\_\_\_\_  
 Respondent's position \_\_\_\_\_  
 Supervisor \_\_\_\_\_

Respondent's vehicle information  
 Make \_\_\_\_\_ Model \_\_\_\_\_  
 Plate No. \_\_\_\_\_ State \_\_\_\_\_  
 Year \_\_\_\_\_  
 van  pickup  canopy  camper  
 toolbox  car  2 door  4 door  
 SUV  other \_\_\_\_\_

Other vehicles respondent is known to drive:  
 \_\_\_\_\_  
 \_\_\_\_\_

**C. OFFICER SAFETY INFORMATION**

Previous contact with police by respondent?  No  Yes Explain: \_\_\_\_\_  
 Any threats by respondent toward petitioner, family, police? Describe: \_\_\_\_\_  
 Weapons accessible to respondent (pistol, rifle, knife, other): \_\_\_\_\_  
 Expected mental state or history of respondent (include alcohol or drug use): \_\_\_\_\_  
 Is a divorce or other legal action pending that involves the respondent (child custody, eviction, bankruptcy, repossession of property)? \_\_\_\_\_

**Draw a map on the back of this form if it will help law enforcement.**