

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

PETITIONER (protected person),

Birthdate: _____

☐ Petitioner is a child. Who is signing for the child?

Name: _____ DOB: _____

Relationship to child: _____

v. _____

Case No. _____ CI

RESPONDENT (restrained person),

Birthdate: _____ (estimate age if unknown)

☐ Respondent is or appears to be a minor.

Name of parent or guardian (if known): _____

**PETITION FOR
DOMESTIC VIOLENCE
PROTECTIVE ORDER
(ONE PETITIONER)**

1. TYPE OF ORDER. I request the following protective order(s):

If there is a chance you will need protection for more than 20 days, you should request both an ex parte (20-day) order and a long-term (one-year) order by checking both boxes.

☐ **20-day protective order ("ex parte" protective order).**

[This order can take effect immediately based on only the petition and Petitioner's testimony, before Respondent knows about the ex parte petition. If the ex parte order is granted, the police will serve it on Respondent. If the ex parte order is denied but the court still sets a hearing on your request for a long-term order, the police will serve Respondent a copy of this petition and notice of the long-term hearing date.]

Did you notify Respondent before filing this petition? ☐ yes ☐ no

Describe your efforts, if any, to notify Respondent before filing this petition:

☐ **Long-term protective order (one-year order).**

[This order can only be issued after notice to Respondent and a court hearing. It will last for one year, unless the court ends it sooner. You can later ask that it be extended for another year if needed. The police will notify Respondent of the hearing.]

2. HOW ARE PETITIONER AND RESPONDENT RELATED? [Check **all** that apply.]

☐ a. Married to each other now or in the past

☐ b. Child together

☐ c. Living together now or in the past (but not also dating or sexual relationship)

☐ d. Dating or sexual relationship now or in the past (but not also living together)

☐ e. Living together **and** dating or sexual relationship now or in the past

☐ f. Related by marriage now or in the past (such as in-laws)

☐ g. Other family relationship. Respondent is Petitioner's

☐ child or stepchild ☐ parent ☐ stepparent

☐ grandchild ☐ grandparent ☐ first cousin

☐ uncle or aunt ☐ niece or nephew ☐ sibling

☐ other relative [describe]: _____

☐ h. Petitioner is a child of a person in a relationship described in (a) through (g) above

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3. Are there children in Petitioner's household? ☐ yes ☐ no

4. DESCRIBE THE DOMESTIC VIOLENCE.

[Attach additional pages if necessary. Write only on one side of the page.]

a. Describe **what** happened, **when** it happened, **where** it happened, and whether children were involved. Please be specific.

b. Was a weapon involved? ☐ no ☐ yes *[If yes, describe below.]*

c. Was anyone injured? ☐ no ☐ yes *[If yes, describe below.]*

d. Has Respondent been involved in other instances of domestic violence with Petitioner or anyone else that you know of? ☐ no ☐ yes *[If yes, describe below.]*

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5. PROTECTIONS REQUESTED. I request that the court order: *[Check **all** that apply.]*

- ☐ a. Respondent not to threaten or commit domestic violence acts, stalking, or harassment.
- ☐ b. Respondent not to telephone, send a text message or message on social media, contact, or communicate in any other way, directly or indirectly, with Petitioner.
Exceptions where it would be safe for Respondent to contact Petitioner:
- ☐ no exceptions ☐ by email to _____
- ☐ through an attorney ☐ by telephone to _____
- ☐ through a third person (such as a grandparent) named _____
- ☐ other: _____
- ☐ c. Respondent to leave and stay away from where Petitioner lives.
- ☐ Does Respondent live with Petitioner? ☐ yes ☐ no
- ☐ Does Respondent know where Petitioner lives? ☐ yes ☐ no ☐ I don't know
- ☐ Do you want Petitioner's address to be confidential from Respondent?
☐ yes ☐ no

[Important: only list Petitioner's address on the line below if you want it written on the protective order as a place for Respondent to stay away from. The address will **not** be confidential if it is listed here on the petition or on the court order.]

Petitioner's address: _____

- ☐ d. Respondent to stay away from and not telephone or contact the following locations:
- | <u>Place</u> | <u>Street Address</u> | <u>Distance to Stay Away</u> |
|--|-----------------------|---|
| <input type="checkbox"/> Petitioner's school | _____ | _____ <input type="checkbox"/> ft. <input type="checkbox"/> mi. |
| <input type="checkbox"/> Children's school | _____ | _____ <input type="checkbox"/> ft. <input type="checkbox"/> mi. |
| <input type="checkbox"/> Petitioner's job | _____ | _____ <input type="checkbox"/> ft. <input type="checkbox"/> mi. |
| <input type="checkbox"/> _____ | _____ | _____ <input type="checkbox"/> ft. <input type="checkbox"/> mi. |
| <input type="checkbox"/> _____ | _____ | _____ <input type="checkbox"/> ft. <input type="checkbox"/> mi. |

Exceptions: _____

- ☐ e. Respondent not to enter, follow, or interfere with the operation of any vehicle occupied by Petitioner or in Petitioner's possession.
- ☐ f. Respondent not to possess or use controlled substances.
- ☐ g. Give Petitioner temporary possession and use of the following items, regardless of who owns them:
- ☐ (1) Residence at _____ *[street address]*
☐ and everything in it.
- ☐ (2) Vehicle and all keys to it. License plate number: _____
Vehicle Description: _____

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- ☐ (3) Essential personal items: *[Check all that apply.]*
- ☐ house keys ☐ garage door opener ☐ children's belongings
☐ mailbox keys ☐ clothes ☐ medicine ☐ children's medicine
☐ toiletries ☐ Medicare/Medicaid coupons ☐ food stamps
☐ pets named _____
☐ birth certificates belonging to _____
☐ passports belonging to _____
☐ immigration documents belonging to _____
☐ ANCSA Corp. ID ☐ Tribal enrollment card ☐ Certificate of Indian blood
☐ other: _____

- ☐ h. Respondent to pay spousal support to Petitioner. How much monthly spousal support is Petitioner requesting and why is support necessary?
- _____
- _____

- ☐ i. Respondent not to sell or dispose of any of Petitioner's personal property, any property jointly held by Petitioner, or any disputed property.

- ☐ j. Other requests for short-term protection:
- _____
- _____

6. LONG-TERM PROTECTIONS REQUESTED.

In addition to the protections listed above, I request that the following be included in the long-term protective order: *[Check all that apply.]*

Note that these requirements cannot be included in the 20-day order.

- ☐ a. Respondent not to use or possess a deadly weapon, including a firearm.
- ☐ b. Respondent to surrender any firearm that Respondent owns or possesses.
- ☐ c. Respondent to pay to _____ the costs and fees Petitioner paid to file this protective order, in the amount of \$_____.
- ☐ d. Respondent to pay Petitioner (or the persons named below) for expenses caused by the domestic violence. For example: medical expenses, counseling, attorney fees, shelter, and repair or replacement of damaged property.

<u>Pay to</u>	<u>Type of Expense</u>	<u>Amount</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

- ☐ e. Respondent to enroll in and complete, at Respondent's expense:

- ☐ Program for the rehabilitation of batterers.
☐ Treatment for substance abuse.

- ☐ f. Other requests for long-term protection:
- _____
- _____

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- ☐ g. I ask to attend the hearing for a long-term order by telephone or Zoom, because:

[Important: If you do not attend in person, you must give the court all your evidence (for example: photos, text messages, or documents) at least 3 business days before the hearing. Fill out form DV-190 (ak-courts.info/dv190) and give it to the court as the first page of your evidence. Evidence must be in a format the court can view. Ask the judge or clerk if you have any questions about this.]

7. CHILDREN. [If Petitioner is not requesting custody or child support, skip to section 8.]

- a. ☐ I request that I have **temporary** physical custody of the minor children listed below:

<u>Child's Full Name</u>	<u>Child's Date of Birth</u>	<u>Petitioner's Relationship to Child</u>	<u>Respondent's Relationship to Child</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(2) Have the children lived in Alaska for the past six months? ☐ yes ☐ no

(3) Who has the children now?

☐ Petitioner. ☐ _____.

(4) Is there already a custody order about one or more of the children?

☐ yes ☐ no ☐ I don't know

If yes, describe each order below:

<u>Child's Name</u>	<u>State that Issued Order</u>	<u>Case Number (if known)</u>	<u>Order Grants Custody to</u>
_____	_____	_____	_____
_____	_____	_____	_____

b. **Visitation.**

- ☐ I request that Respondent have the following visitation with the children listed above:

[The court may only give visitation to Respondent if it is safe for Petitioner and the children. Describe below any safety concerns about visitation. What visitation schedule would work and where should exchanges take place? Please be specific.]

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c. **Child Support.**

- ☐ I request that Respondent pay child support to _____
Respondent's job: _____
Name of Respondent's employer: _____
Respondent's **monthly** take-home pay is \$ _____
Child support checks should be sent to _____
Mailing address that can be given to Respondent _____

Important Note: Fill out *Child Support Guidelines Affidavit* (form DR-305, available from the court clerk or online at ak-courts.info/dr305), and bring it to each court hearing, together with proof of Petitioner's and Respondent's income, if available. If you cannot bring an affidavit, bring proof of income anyway. Proof of income includes documents such as paystubs, tax returns, W2 forms, and 1099 forms.

8. OTHER CASES.

- a. List all **open** domestic violence criminal cases and **open** civil court cases (such as divorce or custody), in Alaska or elsewhere, that involve either Petitioner or Respondent:

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

- b. List all other cases, open and closed, that involve Respondent:

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

9. ASSISTANCE FROM LAW ENFORCEMENT.

In addition to the protections listed above, I ask the court to issue an order requiring law enforcement to: *[Check all that apply.]*

- ☐ a. Help Petitioner take possession of the **residence** identified in paragraph (5)(g)(1) above. Remove Respondent from the residence if necessary.
- ☐ b. Help Petitioner take possession of the **vehicle** identified in paragraph (5)(g)(2) above.
- ☐ c. Help Petitioner take possession of the **personal items** listed in paragraph (5)(g)(3) above.
- ☐ d. Help _____ *[name]* take custody of the minor **children** named in paragraph (7)(a)(1) above.
- ☐ e. Go with Respondent to the residence at _____ *[address]* **once** to recover undisputed personal items, clothing, and _____

Law enforcement must notify Petitioner of the time and date they will take Respondent to the residence. Petitioner may be there. Any item Petitioner objects to Respondent removing, law enforcement will restrain Respondent from removing.

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10. INFORMATION ABOUT RESPONDENT.

Respondent's full legal name and any nicknames or other names used:

Respondent's physical address:

Other contact information for Respondent:

Phone: _____

Email: _____

Employer: _____

11. INFORMATION ABOUT PETITIONER.

The court needs your mailing and email address in order to send you court papers, including notices of court hearing dates. **If you do not have an address, email, or telephone number that can safely be shown to Respondent, do not fill out the lines below. Instead, include this information on [DV-128, Confidential Contact Information Sheet](#).** The court will keep that form confidential (secret) and not reveal it to Respondent.

☐ I am providing my contact information on DV-128 instead of filling out this section.

Petitioner's full legal name and any nicknames or other names used:

Petitioner's (safe) mailing address:

Other (safe) contact methods for Petitioner:

Cell Phone: _____

Other Phone: _____

Email: _____

By providing an email address, I agree that the court can send me court documents at this email address.



You must also fill out form [DV-127](#) in order for the court to review your petition. If you're using TrueFiling, submit both documents separately.

Use of TrueFiling

([Administrative Bulletin No. 92](#) - AB 92)

1. See if TrueFiling is available for your case type and court location at ak-courts.info/tfcourts.
2. If available, you **must** use TrueFiling unless you are exempt. You are exempt if one of these applies:
 - You are in a jail or correctional facility.
 - You have a disability under the Americans with Disabilities Act (ADA).
 - You do not have safe access to a computer, internet, or email.
 - You cannot get the help you need to use TrueFiling.
 - You have a language barrier or are Limited English Proficient.

You do not need to prove you are exempt. If you are exempt **and** you choose not to use TrueFiling, check and sign the text box below. If you sign below, you can only give documents to the court by mail or in person. You cannot email them.

☐ I certify that I am exempt from using TrueFiling for a reason listed in AB 92.

Signature: _____ Print or Type Name: _____

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[Wait to sign the petition until you are in front of a notary public. The court clerk can do this for you for free. Bring a valid photo ID with you. If you do not have access to a notary or a court clerk, or if you do not have ID, attach "Self-Certification (form [TF-835](#)) to this petition.]

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

_____ Date	_____ Petitioner's Signature	_____ Print or Type Name
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Subscribed and sworn to or affirmed before me at _____ on _____

(SEAL)

Court clerk, notary public, or other person
authorized to administer oaths
My commission expires: _____

Information about Filing Your Documents & Next Steps

1. **DV-127:** Fill out *Confidential Law Enforcement Information Sheet*, form DV-127 (available at ak-courts.info/dv127).
2. **Using TrueFiling:** Create a TrueFiling account and log in. Upload this petition and *Confidential Law Enforcement Information Sheet*, form DV-127. You need to upload them separately – not as one bundle. See instructions at ak-courts.info/tfhowto. **Note:** The email you use for TrueFiling can be seen by any other TrueFiling user. If you don't want to use your regular email address, you can get a new one just for your court filings. There are many companies where you can sign up for a free email address.
Not Using TrueFiling: Make a copy of this petition and *Confidential Law Enforcement Information Sheet*, DV-127 for your own records. Bring the originals to the court in person or mail them (court directory: ak-courts.info/dir).
3. **Hearings:** Some courts hold hearings on ex parte (20-day) petitions, but others do not. If there is not a hearing, the judge will decide whether or not to grant the order based only on what you wrote in the petition. The clerk will tell you the judge's decision.

If there is a hearing, the court will send you information about it and whether you will be in person or on the phone. The judge will tell you the decision at the hearing. If the hearing is over the phone, make sure that you keep your phone charged and with you so that you do not miss the judge's call. If you miss the call, your petition could be denied.
4. More information about domestic violence protective orders: ak-courts.info/dv. For more help, call the Family Law Self-Help Center at (907) 264-0851 or (866) 279-0851.



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