

## Form CC 395

# PETITION FOR PERSONAL PROTECTION ORDER (NONDOMESTIC SEXUAL ASSAULT)

**Use this form** if you want an order to restrain another person over the age of 18 from sexually assaulting you or threatening to sexually assault you, **you do not have a domestic relationship to this person**, and that person has:

1) previously been convicted of a sexual assault against you,

**or**

2) subjected you to, threatened you with, or placed you in reasonable apprehension of sexual assault,

**or**

3) previously been convicted of furnishing you, a minor, with obscene material

**or**

4) furnished you, a minor, with obscene material.

## INSTRUCTIONS FOR COMPLETING "PETITION FOR PERSONAL PROTECTION ORDER (NONDOMESTIC SEXUAL ASSAULT)"

**Please print neatly. Press firmly because you are printing on five copies.**

By filling in this form, you are asking for a personal protection order that tells the respondent not to do certain things you don't want him or her to do. **If you are in immediate danger**, you should ask the judge for an "ex parte" order, which will be issued without waiting for a hearing. Items A through H must be completed before your petition can be filed with the court. Please read the instruction for each item. Then fill in the correct information for that item on the form.

**A** Write **your** name, address, and telephone number in the "Petitioner" box. If you are under 18 years of age, write in your age. Write the name, address, and telephone number of the person you want restrained in the "Respondent" box. **If you want the address and telephone number where you live to be kept from the respondent, do not write that address here. Write the address of a relative or friend or a post office box where the court can contact you.**

**B** Check the box if the respondent is required to carry a firearm at work. If you aren't sure, check the box "unknown."

**C** Check in item 3.a. whether there is a pending action between you and the respondent. If there is, fill in the case number, the name of the court, the county, and the state or province where the action was filed, and the name of the judge.

Check in item 3.b. whether there are any court orders or judgments between you and the respondent. If there are, fill in the case number, the name of the court, the county, and the state or province where the order or judgment was entered, and the name of the judge that signed the order.

**D** Check each box that explains why you need a personal protection order. If you checked item 4.c. or 4.d., explain in as much detail as possible why you are asking for a personal protection order. Describe what has happened, what has been threatened, or what obscene material has been furnished to you, so the judge has enough facts to decide if a personal protection order should be signed. Include dates and places. Write on a separate sheet of paper and attach it to this form.

**E** **Check only those boxes** you need because you must be able to convince the judge you need all the protection you are requesting.

**F** An "ex parte order" means you do not have to let the party know in advance that you are asking the court for an order and you do not have to wait for a court hearing to get the order. Check the box for an "ex parte order" if you believe the other party might hurt you or threaten you if he or she found out you were getting an ex parte personal protection order.

If you do not check the box for an ex parte order, you must have a court hearing. Fill out form CC 381.

**G** If you are under 18 years old, you may need an adult (called a "next friend") to petition for you. Check this box if you have a next friend helping you file this form, and have the next friend sign the petition.

**H** Write in today's date and sign the form. Hand the form to the county clerk. The clerk will fill in the rest of the information and will give you your copies.

**You must read the booklet "Instructions for Personal Protection Orders" for directions on the legal process.**