

PETITIONER

V.

DEFENDANT

Parent/Guardian name if defendant is a minor

COURT

PARISH/CITY OF

STATE OF LOUISIANA

DIVISION: NUMBER:

FILED: CLERK:

PETITION FOR PROTECTION FROM ABUSE
Pursuant to La. R.S. 46:2131 et seq. or La. R.S. 46:2151

This petition is: ☐ Initial Petition ☐ Supplemental and Amending Petition

The petition of _____, born _____
your name month/day/year
a resident of the State of Louisiana, respectfully represents:

Paragraph 1: Petitioner/Protected Person(s)

Petitioner files this petition on behalf of:

- a. _____ Petitioner, and/or

b. _____ Minor child(ren) as follows: (Name, Date of Birth, Relationship to Petitioner)

c. _____ Alleged incompetent as follows: (Name, Date of Birth, Relationship to Petitioner)

Paragraph 2: Protected Person(s) Address

a._____ Petitioner requests that his/her address, or that of the minor child(ren) or alleged incompetent, remain confidential to the court and files the address pursuant to La. R.S. 46:2134(B).
(Ask clerk of court for the Confidential Address Form.)

OR

- b._____ Petitioner’s current address:

No. & StreetApt. No.

CityStateZip Code

c._____ The minor child’s or alleged incompetent’s current address:

No. & StreetApt. No.

CityStateZip Code

Paragraph 3: Special Requests

- a._____ Petitioner requests interpreter service, for:

☐ self/protected person, in following language:

☐ witness(es), in following language:

- b. _____ Petitioner requests criminal history record from sheriff for:
- ☐ defendant
 - ☐ witness(es) (see information on Addendum, page 8)

Paragraph 4: Defendant Address

_____, defendant, resides in _____ Parish at
Abuser's Name

No. & Street *Apt. No.* *State* *Zip Code*

Paragraph 5: Venue

This Court is the proper venue for this action because:

- _____ The marital domicile is located in _____ Parish.
- _____ The household is located in _____ Parish.
- _____ The defendant resides or is domiciled in _____ Parish.
- _____ The abuse occurred in _____ Parish.
- _____ The protected person(s) resides or is domiciled in _____ Parish.
(Do not fill this out if address is to remain confidential.)

Paragraph 6: Relationship

- a. The protected person(s) is related to the defendant as: *(check all that apply)*
- | | |
|---|--|
| _____ Current or former spouse | _____ Current or former dating partner |
| _____ Current or former intimate cohabitant | _____ Parent, stepparent, or foster parent |
| _____ Child, stepchild, or foster child | _____ Grandparent or other ascendant |
| _____ Child of defendant's current or former intimate partner | _____ Grandchild or other descendant |
| _____ Child currently or formerly living with defendant | - |
- b. _____ The protected person(s) and defendant have child(ren) in common.

Paragraph 7: Related legal action

- _____ A suit for divorce between the parties **is not** pending.
- _____ A suit for divorce between the parties **is** pending (fill out page 8 of this form, "Addendum")
NOTE: If you were NOT the petitioner in the divorce suit, instead use form LPOR B-R entitled "Petition for Protection From Abuse, (Filed by the Defendant in the Pending Action as Petitioner-in-reconvention)".
- _____ There is a suit for custody pending involving children named in this petition (fill out page 8 of this form, "Addendum").
- _____ There is a custody order in effect involving children named in this petition (fill out page 8 of this form, "Addendum", or attach a copy of the order if available).

Paragraph 8: Description of abuse

NOTE: Underlined items in (a) and all items in (b) below are indicators of increased potential for lethality.

- a. Defendant abused protected person(s) in the following manner:
- | | |
|---|--|
| _____ Slapped protected person(s) | |
| _____ Punched protected person(s) | _____ Threatened protected person(s) with bodily harm |
| _____ Choked/strangled protected person(s) | _____ Threatened protected person(s)' life |
| _____ Shoved protected person(s) | _____ Threatened protected person(s) with a weapon |
| _____ Kicked protected person(s) | _____ Sexually abused protected person(s) |
| _____ Stalked protected person(s) | _____ Abused petitioner's child(ren) or alleged incompetent |
| _____ Physically abused protected person while pregnant | _____ <u>Abused or threatened to abuse pets or other animals</u> |
| _____ Other: _____ | |

- b. Other indicators of potential danger to protected person:

___ Abuse has happened more often over the past year.

___ The defendant owns/possesses firearm(s).

___ Abuse has been more severe over the past year

___ The defendant has threatened/attempted suicide

___ Protected person has left during the past year

- c. The facts and circumstances of this abuse are as follows:

The most recent incident of abuse which caused petitioner to file this petition happened on or about

_____ (month/day/year), at which time the defendant did:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

[illegible]

Paragraph 9: Requests for relief

Because of the immediate and present danger of abuse, petitioner requests that an *ex parte* Temporary Restraining Order be issued immediately without bond:

- _____ a. prohibiting defendant from abusing, harassing, assaulting, stalking, following, tracking, monitoring, or threatening the protected person(s) in any manner whatsoever. This prohibition includes the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury.
- _____ b. prohibiting the defendant from contacting the protected person(s) personally, through a third party, or via public posting, by any means, including written, telephone, or electronic (text, email, messaging, or social media) communication without the express written permission of this court.

____ c. prohibiting defendant from going within one hundred (100) yards of the residence, apartment complex, or multiple family dwelling of the protected person(s) located at:

No. & Street	Apt. No.	City	State	Zip Code
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____ d. ordering the defendant to stay away from the protected person(s)' place of employment/school and not to interfere in any manner with such employment/school located at:

Employment/School	Address	City	State	Zip Code
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Employment/School	Address	City	State	Zip Code
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____ e. ordering the defendant not to damage any belongings of the protected person(s), not to shut off any utilities, telephone service, or mail delivery to the protected person(s), or in any way interfere with the living conditions of the protected person(s).

____ f. granting the petitioner or protected person(s) the use of the residence located at:

No. & Street	Apt. No.	City	State	Zip Code
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to the exclusion of defendant by **evicting** defendant and ordering the defendant to surrender any keys to that residence to the petitioner, and ordering _____ (Sheriff's office) to **evict** the defendant.

Said residence is:

____ jointly owned by defendant and petitioner or protected person(s).

____ jointly leased by defendant and petitioner or protected person(s).

____ solely leased by defendant who has a duty to support petitioner or protected person(s).

(NOTE: If solely owned by defendant AND petitioner is awarded custody of child(ren) of the parties, check appropriate item in Paragraph 10.

____ solely owned or leased by petitioner or protected person(s).

Presently occupied by _____.

____ g. granting petitioner or protected person(s) possession of the following property (including pets or other animals) **solely owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

granting petitioner or protected person(s) the exclusive use and possession of the following property (including pets or other animals) **jointly owned or leased by petitioner or protected person(s)** (state location of each by street address and who is presently in possession).

for the following reasons: _____

And ordering _____ (Sheriff's office) to accompany petitioner to where the above listed property is located to allow petitioner to take possession.

- ____ h. prohibiting either party from transferring, encumbering, or otherwise disposing of property jointly owned or leased, except in the normal course of business or necessary for the support of the petitioner and/or the minor child(ren) or alleged incompetent.
- ____ i. allowing _____ to return to the residence at a date and time to be agreed upon by petitioner and law enforcement agency, to recover his/her personal clothing and necessities, only if s/he is accompanied by a law enforcement officer to ensure the protection and safety of the parties. NO FORCED ENTRY ALLOWED.
- ____ j. ordering a representative of _____ (Sheriff's office) to accompany _____ to the family residence to recover her/his personal clothing and necessities.
- ____ k. awarding the temporary custody of the minor child(ren) or alleged incompetent,

_____ to petitioner; the minor child(ren) or alleged incompetent is currently in the physical custody of _____

- ____ l. ordering a representative of _____ (Sheriff's office) to accompany petitioner to where the minor child(ren) or alleged incompetent mentioned above is/are currently and to effect petitioner obtaining physical custody of said child(ren) or alleged incompetent.
- ____ m. prohibiting defendant from interfering with the custody of the minor child(ren) or alleged incompetent.

Paragraph 10: Other Requests

Petitioner desires that a rule issue herein ordering defendant to show cause why the orders requested in Paragraph 9 should not be made into protective orders, and why defendant should not also be ordered:

- ____ to pay petitioner a reasonable amount of child support in accordance with Louisiana Law.
- ____ to pay petitioner a reasonable amount of spousal support (alimony).
- ____ to seek professional counseling or complete a court-monitored domestic abuse intervention program.
- ____ to submit to a medical evaluation and/or a mental health evaluation
- ____ to pay costs of court in this matter.
- ____ to pay attorney fees.
- ____ to pay evaluation fees.
- ____ to pay expert witness fees.
- ____ to pay cost of medical and/or psychological care for the petitioner, minor child(ren), and/or alleged incompetent, necessitated by the domestic abuse or dating violence.
- ____ to vacate the residence or household, thereby granting petitioner possession thereof.
- ____ other: _____.

PRAYER

WHEREFORE, petitioner prays that service and citation issue herein, and that: *(check all that apply)*

- ____ orders appointing an interpreter be granted *ex parte*.
- ____ orders authorizing criminal history records be granted *ex parte*.
- ____ orders requested in Paragraph 9 be granted *ex parte*.
- ____ a rule issue to show cause why protective orders as requested in Paragraph 10 should not be granted.
- ____ defendant be cast with costs.
- ____ defendant be advised of penalties for violating Abuse Prevention Orders.
- ____ all other equitable relief as the court deems proper and necessary.

Respectfully submitted by

PETITIONER, IN PROPER PERSON

ATTORNEY Signature

Print Name

La. Bar Roll No.

Phone No.

Physical Address

Alternate Address (for service)

PLEASE SERVE DEFENDANT: _____ personally at his/her home or
place of employment at the following address:

OR

AFFIRMATION

STATE OF LOUISIANA

PARISH OF _____

I am the petitioner in this Petition for Protection from Abuse; I have read the allegations contained therein and declared them to be true and correct to the best of my knowledge, information, and belief. Further I believe that the defendant poses a threat to my safety and/or to the child(ren) or to others for whom I have requested relief.

I am aware that any false statement made under oath contained in the foregoing petition and this affirmation may constitute perjury pursuant to R.S. 14:123.

I have made this affirmation before the witness who signed below on _____ (Date).

PETITIONER SIGNATURE

PRINTED NAME OF WITNESS: _____

WITNESS SIGNATURE

ADDENDUM

Fill out the following ONLY if requesting an order for witness criminal history records in Paragraph 3 on page1 of this petition:

Identifying information for witness criminal history record:

Full legal name	Date of birth	Address*	Race*	Sex*	Other identifiers*
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

*optional

Fill out the following ONLY if directed to do so in Paragraph 7 on page 2 of this petition:

Divorce suit pending between parties:

Suit Name: _____

Suit Number: _____ Division: _____

Court: _____

Date of last hearing: _____ Date of next hearing: _____

Custody suit pending involving children named in this petition:

Suit Name: _____

Suit Number: _____ Division: _____

Court: _____

Involving children (names): _____

Date of last hearing: _____ Date of next hearing: _____

Custody order in effect involving children named in this petition (attach copy if available):

Suit Name: _____

Suit Number: _____ Division: _____

Court: _____

Involving children (names): _____

Custody terms/assignment: _____

Date Order Signed by Court: _____