

ORI No: _____
Order No: _____
NYSID No: _____
CJTN No: _____

Integrated Domestic Violence Part of the Supreme Court
County of _____, State of New York

ORDER OF PROTECTION
Family Offenses - C.P.L. 530.12
Other Domestic Violence Crimes - C.P.L. 530.13¹

PRESENT: Hon. _____,
PEOPLE OF THE STATE OF NEW YORK

Youthful Offender (check if applicable)
Part: _____ Index/Docket No: _____
Indictment No., if any: _____
Charges: _____

against

[Check box]: Ex Parte Defendant Present In Court

_____, Defendant Date of Birth: _____

NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND CONTINUE IN EFFECT UNTIL YOU REAPPEAR IN COURT.

TEMPORARY ORDER OF PROTECTION - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of: recognizance release on bail adjournment in contemplation of dismissal]

ORDER OF PROTECTION - Whereas defendant has been convicted of [specify crime or violation]: _____;

And the Court having made a determination in accordance with section 530.12 or 530.13 of the Criminal Procedure Law,

IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:

[Check applicable paragraphs and subparagraphs]:

[01] Stay away from [A] [name(s) of protected person(s) or witness(es)]: _____ and/or from the
[B] home of _____, [C] school of _____,
[D] business of _____, [E] place of employment of _____,
[F] other _____;

[14] Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other means with [specify protected person(s)]: _____;

[02] Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, disorderly conduct, intimidation, threats, or any criminal offense against [specify name(s) of protected person(s), members of protected person's family or household, or person(s) with custody of child(ren)]: _____;

[] Refrain from intentionally injuring or killing without justification the following companion animal (pet)[specify type/name]: _____;

[11] Permit [specify individual]: _____ to enter the residence at [specify]: _____ during [specify date/time]: _____ with [specify law enforcement agency, if any]: _____ to remove personal belongings not in issue in litigation [specify items]: _____;

[04] Refrain from [indicate acts]: _____ that create an unreasonable risk to the health, safety, or welfare of [specify child(ren), family or household member]: _____;

[05] Permit [specify individual(s)]: _____, entitled by a court order or separation or other written agreement, to visit with [specify child(ren)]: _____ during the following periods of time [specify]: _____, under the following terms and conditions [specify]: _____;

[12] Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following _____ and do not obtain any further guns or other firearms. Such surrender shall take place immediately, but in no event later than [specify date/time]: _____ at: _____.

[99] Specify other conditions defendant must observe for the purposes of protection: _____

IT IS FURTHER ORDERED that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [13A] suspended or [13B] revoked (note: final order only), and/or [13C] the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check all applicable boxes).

IT IS FURTHER ORDERED that this order of protection shall remain in effect until [specify date]: _____.

DATED: _____

JUDGE / JUSTICE

Court (Court Seal)

Defendant advised in Court of issuance and contents of Order.

Order personally served on Defendant in Court _____
(Defendant's signature)

Order to be served by other means [specify]: _____.

Warrant issued for Defendant

The Criminal Procedure Law provides that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged to have violated its terms and to bring him or her before the Court to face penalties authorized by law.

Federal law requires that this order be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266).

It is a federal offense to: cross state lines to violate an order of protection; cross state lines to engage in stalking, harassment or domestic violence against an intimate partner or family member; possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition following a conviction of a domestic violence misdemeanor involving the use or attempted use of physical force or a deadly weapon; or (except for military or law enforcement officers while on duty) possess, purchase, ship, transfer or receive a handgun, rifle, shotgun or other firearm or ammunition while an order of protection, issued after notice and an opportunity to be heard, that protects an intimate partner against assault, harassment, threatening and/or stalking, remains in effect (18 USC §§922(g)(8,9), 2261, 2261A, 2262).

¹ Use this form for orders of protection, issued to protect victims of domestic violence as defined in Soc. Serv. Law §459-a, that must be entered on the statewide registry of orders of protection [Exec.L. §221-a].