IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI
Judgment of the Full Order of Protection - Adult

Judge or Division:	**Case Number:**
	Court ORI Number:
Petitioner:	MSHP Number:
	Responsible Law Enforcement ORI:
	Related Cases: (Date File Stamp)
Relationship to Respondent (specified on petition): _____	Respondent Identifiers:
vs.	
Respondent:	
Address _____	
_____	Distinguishing Features _____
_____	_____
CAUTION: ☐ Weapon Involved ☐ Concealed Carry Permit Holder	

SEX	RACE	DOB	HT	WT

HAIR	EYES	SOCIAL SECURITY # (last four digits)

DRIVERS LICENSE #	STATE	EXP DATE

Appearances: ☐ Petitioner ☐ Respondent ☐ Respondent Fails to Appear
☐ GAL ☐ Petitioner's Attorney ☐ Respondent's Attorney ☐ Other _____

This Judgment shall be effective until: _____, 20___

ONLY THE COURT CAN CHANGE THIS ORDER

Violation of this Order may be punished by confinement in jail for as long as four years and/or by a fine of as much as $10,000. If so ordered by the court, the Respondent is forbidden to enter or stay at the Petitioner's residence.

Visit www.courts.mo.gov for more information regarding orders of protections.

I. JURISDICTION & NOTICE

Petitioner has filed a verified petition requesting the issuance of a Judgment of a Full Order of Protection. The court hereby finds that it has jurisdiction over the parties and the subject matter. This court finds that Respondent was provided with reasonable notice and an opportunity to participate and be heard. A copy of the petition, a notice of the date set for the hearing, and the Ex Parte Order of Protection (if issued) were served upon Respondent at least three days prior to today's hearing.

II. ENFORCEABILITY

This Judgment meets all the requirements of the Violence Against Women Act, 18 U.S.C. Section 2265. This court has jurisdiction of the parties and the subject matter; the defendant has been given reasonable notice and opportunity to be heard. This order is enforceable in all 50 states, the District of Columbia, all Indian tribal lands, and all United States territories and shall be enforced as if it were an order of that jurisdiction without registration pursuant to 18 U.S.C. Section 2265.

III. FINDINGS

This court makes the following finding:

☐ Evidence adduced. Upon due consideration of the matter, this court finds, pursuant to section 455.040, RSMo, that Petitioner has proven allegations of domestic violence, stalking, and/or sexual assault against Respondent and the Respondent cannot show that his or her actions alleged to constitute abuse were otherwise justified under the law. This court, therefore, orders and finds the following as described in Section IV below.

☐ Petitioner and Respondent submit a proposed Consent Judgment to this court. Pursuant to the parties' request, this court orders and finds the following as described in Section IV below.

This court finds that Respondent's relationship to Petitioner is as follows:

☐ **A.** Is current or former spouse* ☐ **B.** Has child(ren) in common* ☐ **C.** Reside(d) together*
☐ **D.** (Is/was) related by blood/marriage ☐ **E.** Romantic/intimate social relationship ☐ **F.** None (stalking or sexual assault alleged)

☐ This court further finds that Respondent represents a credible threat to the safety of the Petitioner.*

* See Section VI Firearms.

IV. TERMS (Only Checked Provisions Apply)

The court orders:

☐ This Judgment of the Full Order of Protection replaces and supersedes the Ex Parte (Temporary) Order of Protection entered in this cause on _____ (date) and serves as notice of the termination of that Order.

☐ This Judgment renews the Judgment of the Full Order of Protection entered on _____ (date) and serves as notice of the extension of that Judgment.

A. CONTACT

☐ 1. Respondent **SHALL NOT COMMUNICATE** with Petitioner, in any manner or through any medium. The use of third parties (including children) to communicate is strictly prohibited. [05]

☐ 2. Respondent **shall not** commit or threaten to commit domestic violence, molesting, stalking, sexual assault, or disturbing the peace of Petitioner. [01 & 04]

☐ 3. Respondent **shall not** harass, stalk or threaten Petitioner or engage in other conduct that would place Petitioner in reasonable fear of bodily injury to Petitioner.*

☐ 4. Respondent **shall not** use, attempt to use, or threaten to use physical force against Petitioner that would reasonably cause bodily injury.* [01]

* See Section VI Firearms.

B. RESTRICTIONS

☐ 1. Petitioner is granted exclusive possession of the premises of Petitioner's/the parties' residence (located at _____, _____). Respondent shall immediately vacate and/or shall not enter upon the premises of Petitioner's/the parties' residence (or the residence located at _____, _____). Further, Respondent shall not knowingly enter upon the premises of any future residence of Petitioner. **RESPONDENT IS FORBIDDEN TO ENTER OR STAY AT PETITIONER'S RESIDENCE.** [03 & 04]

☐ 2. Respondent may only enter Petitioner's residence located as listed above on _____ (date), for the purpose of removing his/her clothing, toiletries, tools of trade and the following personal property _____, Respondent must be accompanied by a law enforcement officer.

☐ 3. This court finds that, in order to ensure Petitioner's safety, Respondent shall not: [04]

- ☐ Enter onto the premises of Petitioner's school, located at _____.
- ☐ Enter onto the premises of Petitioner's place of employment, located at _____.
- ☐ Come within _____ feet of Petitioner.
- ☐ Other: _____.

☐ 4. Respondent shall not take, hide, transfer, sell, damage, encumber or otherwise dispose of property mutually owned or leased with Petitioner: _____. [08]

☐ 5. Petitioner shall receive temporary possession of the personal property.

☐ 6. Petitioner is granted the possession and use of the following vehicle(s): _____.

Respondent must not be present in the restricted locations at any time unless expressly permitted by another term in this Judgment.

C. CUSTODY

☐ 1. The parties have no unemancipated children in common.

☐ *2.* A prior judgment/order regarding custody of the parties' unemancipated child(ren) is pending or has been made. Therefore, pursuant to section 455.050.3(1), RSMo, this court cannot change the previous custodial arrangements through this Judgment.

☐ 3. No prior judgment/order regarding custody of the parties' unemancipated child(ren) is pending or has been made.

Custody of the children shall be awarded as follows:

Child's Name	Person Awarded Custody [Respondent-06, Petitioner-09]
_____	_____
_____	_____
_____	_____

☐ 4. A visitation schedule shall be established for ☐ Petitioner ☐ Respondent [06] as follows: _____
_____.

☐ 5. The parties shall exchange the minor child(ren) for visitation at _____
_____.

D. SUPPORT

1. Child Support

☐ The Form 14 (Child Support Calculation Guidelines Worksheet) is attached and recommends that Respondent/Petitioner pay Petitioner/Respondent $_____ per month (Pursuant to Rule 88.01).

(Only Checked Provision(s) Apply)

☐ a. This court finds that the Form 14 amount is unjust and inappropriate. Accordingly, ☐ Respondent ☐ Petitioner must pay ☐ Petitioner ☐ Respondent $_____ ☐ per month ☐ per week, with the first payment due on _____ (date).

☐ b. This court finds that child support should be in accordance with the attached Form 14 amount and orders that ☐ Respondent ☐ Petitioner pay ☐ Petitioner ☐ Respondent $_____ ☐ per month ☐ per week, with the first payment due on _____ (date).

2. Maintenance

☐ Respondent ☐ Petitioner shall pay $_____ ☐ per month ☐ per week in maintenance to ☐ Petitioner ☐ Respondent, with the first payment due on _____ (date).

3. Other Support

☐ a. Respondent shall pay Petitioner's rent or mortgage in the amount of $_____ ☐ per month ☐ per week, with the first payment due on _____ (date) to ☐ Petitioner ☐ other: _____.

☐ b. Respondent shall pay for housing or other services provided to Petitioner by a shelter for victims of domestic violence in the amount of $_____ ☐ per month ☐ per week, with the first payment due on _____ (date) to ☐ Petitioner ☐ other: _____.

☐ c. Respondent shall pay $_____ to Petitioner for out-of-pocket losses (which can include medical, dental, relocation and moving expenses; counseling costs; loss of earnings; and costs of repair or replacement of real or personal property) sustained by an act/acts of domestic violence committed by Respondent.

4. Income Assignment

☐ Respondent ☐ Petitioner shall execute an income assignment in favor of ☐ Petitioner ☐ Respondent for: ☐ child support ☐ maintenance.

NOTE: This Judgment does not permanently resolve support issues. (Section 455.060.4, RSMo)

E. COUNSELING/TREATMENT

☐ 1. Respondent shall participate in a court approved counseling program(s) for ☐ batterers and/or ☐ substance abuse treatment at _____ beginning on _____ (date).

F. CONCEALED CARRY PERMIT (Pursuant to section 571.104, RSMo)

If Respondent has a concealed carry permit, he/she must immediately surrender the permit to this court.

G. OTHER CONDITIONS OR RELIEF ORDERED:

☐ 1. Petitioner's residential address on voter's registration record to be closed to the public.

☐ 2. Petitioner to be transferred existing wireless telephone number(s) and billing responsibility from Respondent. See attached Wireless Telephone Number Transfer Addendum.

☐ 3. _____

_____.

H. COSTS/FEES

☐ 1. Respondent shall pay to ☐ Petitioner ☐ Petitioner's attorney attorney's fees in the amount of $_____.

☐ 2. Respondent shall pay the Guardian ad Litem's attorney fees in the amount of $_____.

☐ 3. Respondent shall pay the following court costs: _____.

I. COMPLIANCE REVIEW DATE

☐ 1. Respondent must return to court on _____ (date), at _____ a.m./p.m. to demonstrate compliance with this court's Judgment. Petitioner need not return to court to enforce this Judgment.

V. DURATION

This Judgment shall be effective until _____ (date), unless sooner terminated or extended by this court.

☐ **This court finds that it is in the parties' best interests that this Order shall automatically renew after one year, making this Order effective until _____ (date), unless the Respondent requests a hearing by 30 days prior to the expiration. (Note: this provision only applies to full orders of protection that have a duration of one year.)**

VI. FIREARMS

☐ The court finds that:

a. as a result of a hearing at which the Respondent received notice and had an opportunity to participate; and,
b. Respondent is a spouse, former spouse, is or was cohabitating, or has a child in common with the Petitioner; and,
c. Respondent is a credible threat to the physical safety of, or is explicitly prohibited within this Order from the use, attempted use, or threatened use of physical force that would reasonably be expected to cause bodily injury against the Petitioner; and,
d. Respondent is restricted from harassing, stalking or threatening the Petitioner, the child they have in common or a child of the Petitioner's partner, or from engaging in any conduct that would place the Petitioner in reasonable fear of bodily injury to him or herself, the child in common, or child of the Petitioner's partner.

THEREFORE, FEDERAL LAW PROHIBITS RESPONDENT FROM POSSESSING, SHIPPING, TRANSPORTING AND/OR RECEIVING ANY FIREARM FOR THE DURATION OF THIS JUDGMENT [SEE 18 U.S.C. SECTION 922(g)(8)].

VII. MODIFICATION OF JUDGMENT

The parties cannot change the terms of this Judgment on their own. This Judgment may only be modified by this court.

VIII. NOTIFICATION OF JUDGMENT OF FULL ORDER TO RESPONDENT

This Judgment is to be provided to Respondent by: ☐ hand delivery (in court) ☐ personal service ☐ certified mail.

FOR CONSENT JUDGMENT ONLY

Respondent's consent is not to be considered an admission that the allegations contained in the Petition are true; however, Respondent consents to this court's issuance of this Judgment. Respondent acknowledges the receipt of this Judgment of the Full Order of Protection.

_____	_____
PETITIONER'S SIGNATURE	RESPONDENT'S SIGNATURE
_____	_____
PETITIONER'S ATTORNEY'S SIGNATURE	RESPONDENT'S ATTORNEY'S SIGNATURE

SO ORDERED:

_____	_____
Date	Judge

Notice of Findings and Recommendations & Notice of Right to Rehearing

The parties are notified that the foregoing Findings and Recommendations have been entered this date by a commissioner, and all papers relative to the case or proceedings, together with the Findings and Recommendations, have been transferred to a judge of the court. The Findings and Recommendations shall become the Judgment of the court upon adoption by order of the judge. Unless waived by the parties in writing, a party to the case or proceeding heard by a commissioner, within fifteen days after the mailing of notice of the filing of the Judgment of the court, may file a motion for rehearing by a judge of the court. If the motion for rehearing is not ruled on within forty-five days after the motion is filed, the motion is overruled for all purposes. SCR 130.13

_____	_____
Date	Commissioner

Order and Judgment Adopting Commissioner's Findings and Recommendations

It is hereby ordered, adjudged and decreed that the foregoing Findings and Recommendations entered by the commissioner are adopted and confirmed as a final Judgment of the court.

_____	_____
Date	Judge

Sheriff's or Server's Return

I certify that I served this Order at _____ (address) in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time), by: (Check one)

☐ delivering a copy of the Order to _____ (name).

☐ leaving a copy of the Order at the dwelling place or usual abode of _____ (name) with _____ (name), a person of _____'s (name) family over the age of 15 years.

☐ other (describe) _____.

☐ Respondent is under the age of 17 and not emancipated. A custodial parent, guardian, or court appointed GAL was served and is required to appear and bring Respondent before the court.

Complete any known identifying information regarding Respondent that has not been already provided:

Age: _____ D.O.B.: _____ S.S.N. (last four digits): _____ Race: _____ Sex: _____

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____ License Plate No.: _____

Identifying Marks: _____

_____	_____	_____
Printed Name of Sheriff or Server	Sheriff or Server	Agency ORI

Must be sworn before a notary public if not served by an authorized officer.

Subscribed and sworn to before me on this _____ (date).

(Seal) My commission expires: _____ _____

Date Notary Public

☐ Respondent's permit has been surrendered for concealed carry suspension and is attached.

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

Complete for Out of State Service

I certify that:

1) I am authorized to serve process in civil actions within the state or territory where the above Order was served.
2) My official title is _____ of _____ County, _____ (state).

Served in _____ County, _____ (state), on _____ (date) at _____ (time).

Subscribed and Sworn To before me on this _____ (date).

I am: (check one)

☐ the clerk of the court of which affiant is an officer.

☐ the judge of the court of which affiant is an officer.

☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)

☐ authorized to administer oaths. (use for court-appointed server)

(Seal) _____

Signature and Title

☐ Respondent's Missouri concealed carry permit has been surrendered for concealed carry suspension and is attached.

Missouri and federal law provide that the costs and fees for service of protection orders are not required. (455.027 RSMo & 42 U.S.C. Section 3796gg-5)

Directions to Officer Making Return on Service

A copy of the Order must be served on each person. If any person refuses to receive the copy of the Order when offered to him/her, the return shall be prepared to show the offer of the officer to deliver the order and the person's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an incompetent person not having a legally appointed guardian, by delivering a copy of the Order to the individual personally or by leaving a copy of the Order at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age, or by delivering a copy of the Order to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an incompetent person who has a legally appointed guardian, by delivering a copy of the Order to the guardian personally.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory in the United States. If served in a territory, substitute the word "territory" for the word "state."

If served outside of Missouri, the officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

The return should be made promptly.