



# EMERGENCY ORDER OF PROTECTION

IN THE STATE OF ILLINOIS, CIRCUIT COURT

**COUNTY:** \_\_\_\_\_  
*County Where You Are Filing the Case*

*Enter the case information as it appears on your other court documents.*

**PETITIONER:** \_\_\_\_\_  
*Who started the case. First, Middle, and Last Name*

Filing on behalf of a ☐ minor or ☐ high-risk adult: \_\_\_\_\_

**RESPONDENT:** \_\_\_\_\_  
*Who you are seeking protection from. First, Middle, and Last Name*

**Case Number**

## People to be Protected by this Order:

Check the boxes for **all** people you want to include in the Order

☐ Petitioner: \_\_\_\_\_

☐ Petitioner's minor children with Respondent:  
\_\_\_\_\_  
\_\_\_\_\_

☐ Petitioner's other minor children:  
\_\_\_\_\_  
\_\_\_\_\_

☐ Dependent adult: \_\_\_\_\_

☐ High-risk adult: \_\_\_\_\_

☐ Other household members:  
\_\_\_\_\_  
\_\_\_\_\_

☐ Civil / Emergency  
Proceeding

\_\_\_\_\_  
*Related Civil Case Number  
(if known)*

☐ Criminal / Ex parte  
Proceeding

\_\_\_\_\_  
*Related Criminal or  
Delinquency Case Number  
(if known)*

## ORDER INFORMATION:

☐ This Order was issued on: \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
*Month, Day, Year Time*

☐ Civil Case: this Order will end on: \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
*Month, Day, Year Time*

☐ Criminal Case: this Order will be in effect until the hearing on a final protective Order.

## NEXT COURT DATE:

\_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m. in \_\_\_\_\_.  
*Month, Day, Year Time Courtroom Number*

**Look at page 2 for more information on how to attend court.**



**THE COURT ORDERS THAT YOU OBEY ALL SECTIONS SELECTED BELOW:**☐ **1. No Abuse** **(R01) (Police Enforced)**

Respondent shall not threaten or commit the following acts of abuse towards Petitioner and protected people.

*(check all that apply):*

- |  |  |
|--|--|
| <input type="checkbox"/> Harassment          | <input type="checkbox"/> Intimidation of a Dependent                         |
| <input type="checkbox"/> Physical Abuse      | <input type="checkbox"/> Exploitation of a High-Risk Adult with Disabilities |
| <input type="checkbox"/> Stalking            | <input type="checkbox"/> Neglect of a High-Risk Adult with Disabilities      |
| <input type="checkbox"/> Willful Deprivation | <input type="checkbox"/> Interference with Personal Liberty                  |

☐ **2. Possession of Residence** **(R02) (Police Enforced)**

Petitioner is granted exclusive possession of the residence and Respondent is ordered not to stay or be at the residence. These remedies do not affect who owns the property, only who gets to use or occupy it.

Petitioner's residence is located at *(check one)*:

- ☐
- Petitioner's address is confidential and omitted from these forms.

or

☐

Street, Apt #

City

State

ZIP

The court finds:

- ☐ Petitioner has a right to occupy the residence and Respondent has no right; or
- ☐ Petitioner and Respondent both have the right to occupy the residence, but it would be harder on the Petitioner to leave after considering the factors set forth in [750 ILCS 60/214\(b\)\(2\)\(B\)](#) or [725 ILCS 5/112A-14\(b\)\(2\)\(B\)](#).

Provision of alternate housing. Not available in an Emergency Order.

☐ **3. Stay Away from Petitioner, Protected People, and Certain Places** **(R03) (Police Enforced)**

- ☐
- Respondent shall stay away from Petitioner and protected people at all times, and shall not have any contact, including through third parties.



**Respondent:** If ordered to stay away from Petitioner and protected people, you (Respondent) must not have ANY physical, non-physical, direct, or indirect contact with Petitioner and protected people. This includes oral communication, written communication, sign language, telephone and cell phone calls, faxes, texts, tweets, emails, posts, or communication by any other social media, and all other communication with Petitioner and protected people. This also includes contact or communication through others who may not know about the *Order of Protection*.

- ☐
- Respondent shall not be at or stay at any of these places while Petitioner is there:

- ☐
- Places of employment of Petitioner, located at:

Name

Street Address

City

State

ZIP

or ☐ Address is confidential and is omitted from these forms.

Name

Street Address

City

State

ZIP

or ☐ Address is confidential and is omitted from these forms.

☐ Schools, kindergartens, or daycare centers of Petitioner, located at:

<i>Name</i>	<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>ZIP</i>

or ☐ Address is confidential and is omitted from these forms.

<i>Name</i>	<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>ZIP</i>

or ☐ Address is confidential and is omitted from these forms.

☐ Other locations:

<i>Name</i>	<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>ZIP</i>

or ☐ Address is confidential and is omitted from these forms.

<i>Name</i>	<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>ZIP</i>

or ☐ Address is confidential and is omitted from these forms.

☐ School Restrictions

*Fill in only if Respondent attends the same school as Petitioner.*

	is an elementary, middle, or high school
<i>School Name</i>	attended by both Respondent and Petitioner.

After considering the factors in [750 ILCS 60/214\(b\)\(3\)\(B\)](#):

- ☐ Respondent shall not attend this school for as long as Petitioner is enrolled there;
- ☐ Respondent shall accept a change of placement or program at this school as determined by the public school district or by this private or non-public school; OR
- ☐ Respondent shall follow these restrictions on movement within the school:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Requirements for Parents and Guardians

Respondent is a minor. To ensure that Respondent follows this *Order*, Respondent's Parent or Guardian:

<i>Name of Parent or Guardian</i>

must do the following: \_\_\_\_\_

\_\_\_\_\_

**4. Counseling Not available in an Emergency Order.**

**INFORMATION ABOUT CHILDREN IN COMMON (SECTIONS 5-9)**

*NOTE: Legal parentage of a child may be established in the following ways: 1) There is a presumption of parentage because the parties are or were married or civilly united and the child was born during the marriage/union, within 300 days of its termination, or before the marriage/union and both parents' names have been added to their birth certificate. 2) Both parties have signed a Voluntary Acknowledgement of Paternity (VAP). 3) There is a court order or administrative order establishing parentage. 4) By giving birth to the child.*

Child's Name (first, middle, last)	Age	State of Residence	Legal Parentage Already Established for Petitioner (P) / Respondent (R)	Included as a Protected Person
_____	_____	_____	<input type="checkbox"/> - P <input type="checkbox"/> - R <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> - P <input type="checkbox"/> - R <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> - P <input type="checkbox"/> - R <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> - P <input type="checkbox"/> - R <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> - P <input type="checkbox"/> - R <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> - P <input type="checkbox"/> - R <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ The court finds the primary caretaker of the minor children is (check one):

*If the primary caretaker of the children is someone other than you or Respondent, check the box for "Other person" and enter that person's name and address.*

☐ Petitioner ☐ Respondent

☐ Other person: \_\_\_\_\_

\_\_\_\_\_  
Name of Person

\_\_\_\_\_  
Street, Apt #

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

☐ The court finds it does not have jurisdiction over the children.

☐ The court finds it has jurisdiction over the children because:

☐ The children have lived in Illinois for the past six (6) months or if the children are younger than six (6) months old, they have lived in Illinois since they were born.

☐ Petitioner lives in Illinois but someone else took the children out of Illinois within the past six (6) months. Before they were taken out of Illinois, the children lived here for at least six (6) months.

☐ The children are in Illinois because Petitioner fled here to avoid abuse in another state.

☐ Other: \_\_\_\_\_

☐ **5. Care and Possession of Children**

**(R05) Police/Court Enforced**

☐ Petitioner is granted physical care and possession of the minor children.

☐ Respondent shall, personally or through a law enforcement agency as authorized by the court, return the minor children to the physical care of:

☐ Petitioner

☐ Other person: \_\_\_\_\_

\_\_\_\_\_  
Name of Person

\_\_\_\_\_  
Street, Apt #

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

☐ Respondent shall not remove the minor children from the physical care of Petitioner or from a school or childcare provider. The names of the schools or providers are:

\_\_\_\_\_  
Name of School or Childcare Provider

- ☐ Within 24 hours of this Order being entered, the Circuit Clerk shall send written notice of the Order to the following school, daycare, or health care providers:

Name of Place	Street Address	City	State
Name of Place	Street Address	City	State
Name of Place	Street Address	City	State

- ☐ For the safety of Petitioner, the name and location of the school or daycare are listed on the Confidential Name & Location of the School or Childcare Provider form.

**6. Temporary Significant Decision-Making Responsibility.** Not available in an Emergency Order.

☐ **7. Respondent's Parenting Time (*formerly visitation*) with the Minor Children (R07) (Court Enforced)**

Parenting time is:

- ☐ GRANTED for the Respondent (*without any restrictions listed below*).
- ☐ RESERVED until a later hearing (*The Court does not make ANY decision on parenting time right now*).
- ☐ Associated with family case: \_\_\_\_\_.
- ☐ DENIED (*No visits at all*).
- ☐ RESTRICTED (*Visits with limits as listed below*).

*If parenting time is DENIED or RESTRICTED, check the reasons below:*

Respondent is likely to (*check all that apply*):

- ☐ Abuse or endanger the children during parenting time.
- ☐ Use parenting time to abuse or harass Petitioner, Petitioner's family, or household members.
- ☐ Improperly hide or detain the children.
- ☐ Act in a way that is not in the best interest of the children.
- ☐ Parenting time is GRANTED or RESTRICTED as follows (*check the box that applies*):
- ☐ See attached parenting time schedule; OR
- ☐ The parenting time schedule is (*check all that apply, include a.m. or p.m.*):
- ☐ Every \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_
- Weekdays Time Time*
- ☐ Each weekend OR ☐ Every other weekend as follows (*include a.m. or p.m.*):
- ☐ from: \_\_\_\_\_ at \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_
- Day of the Week Time Day of the Week Time*
- ☐ Parenting time is to begin on: \_\_\_\_\_
- Month, Day, Year*
- ☐ Holidays (include date and times):
- \_\_\_\_\_
- \_\_\_\_\_

- ☐ The person responsible for transportation of the children for parenting time is:

\_\_\_\_\_  
*Name*

- ☐ Pickup for parenting time to take place at the following place:

Name of Place (if any)	Street Address	City	State
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☐ Return from parenting time to take place at the following place:

\_\_\_\_\_  
*Name of Place (if any)* *Street Address* *City* *State*

☐ Parenting time will take place at:

\_\_\_\_\_  
*Name of Place (if any)* *Street Address* *City* *State*

☐ Parenting time will be supervised by: \_\_\_\_\_

*Name of Supervisor*

who has filed or will file an *Affidavit of Parenting Time Supervisor* form with the court accepting responsibility and acknowledging accountability.

☐ Parenting time will be supervised at an official supervised visitation center (if available):

\_\_\_\_\_  
*Name of Visitation Center*

☐ Respondent to return the children immediately at the end of parenting time to:

☐ Petitioner

☐ Person chosen by Petitioner: \_\_\_\_\_

*Name of Person Chosen by Petitioner*



**Respondent:** Petitioner may, by law, deny you (Respondent) access to the minor children if, when you arrive for parenting time, you are under the influence of drugs or alcohol and constitute a threat to the safety and well-being of Petitioner or the minor children of Petitioner or you are behaving in a violent or abusive manner ([750 ILCS 60/214\(b\)\(7\)](#)).

☐ **8. No Concealment or Removal of Children** **(R08) (Police Enforced)**

Respondent shall not hide the minor children within the State or remove the children from Illinois.

☐ **9. Order to Appear** **(R09) (Court Enforced)**

Respondent shall appear ☐ alone ☐ with minor children at the Courthouse:

\_\_\_\_\_  
*Name of Courthouse* *Street Address* *City* *State*

in Courtroom \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.  
*Courtroom* *Date* *Time*

to (check all that apply):

☐ Prevent abuse, neglect, removal or concealment of the children.

☐ Return the children to the custody or care of Petitioner.

☐ Permit a court-ordered interview or examination of the children or Respondent.

☐ **10. Possession of Personal Property (does not affect ownership of property)** **(R10) (Court Enforced)**

**Petitioner's Property:**

☐ Petitioner is awarded possession of this property:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

☐ Respondent be ordered to give Petitioner

☐ all of the property listed above ☐ the following:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

☐ property given to \_\_\_\_\_.

*Name of Person*

The Court finds as follows:

- ☐ Petitioner, but not Respondent, owns the property; or
- ☐ Petitioner and Respondent both own the property. Sharing it would put Petitioner at risk for abuse, or is not practical. Not having the property would be harder on Petitioner; or
- ☐ Petitioner claims the property as marital property, and a divorce case has been filed.
- ☐ Property shall be transferred at the following address:

\_\_\_\_\_

*Street, Apt #* *City* *State* *ZIP*

on \_\_\_\_\_ at \_\_\_\_\_ ☐ a.m. ☐ p.m.

*Month, Day, Year* *Time*

☐ Property shall be transferred only in the presence of:

☐ Law enforcement to be arranged by Petitioner

(Optional) ☐ \_\_\_\_\_;

*Name of Law Enforcement Agency*

or

☐ Another adult: \_\_\_\_\_

*Name*

### Respondent's Property

- ☐ Respondent is awarded possession of the following personal property: ☐ clothing ☐ medicine
- ☐ other personal property as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

☐ Respondent shall have the right to enter the residence listed in Section 2 only one time to retrieve the property listed above, but only in the presence of: (check one)

☐ Law enforcement to be arranged by Respondent

(Optional) ☐ \_\_\_\_\_;

*Name of Law Enforcement Agency*

or

☐ Another adult: \_\_\_\_\_

*Name*

### ☐ 11. Restrictions on Property (R11) (Court Enforced)

The Respondent shall not take, transfer, encumber, conceal, hide, damage, or otherwise dispose of any real or personal property, except as explicitly authorized by the Court. The following property is protected:

☐ Cars/Motor Vehicles (*Specify Make/Model/Year*): \_\_\_\_\_

☐ Address: \_\_\_\_\_

*Street, Apt #* *City* *State* *ZIP*

☐ Inside/Outside

☐ Items located inside

☐ Other important property:

\_\_\_\_\_

\_\_\_\_\_

BECAUSE (*check one*):

☐ Petitioner, but not Respondent, owns the property.

☐ Petitioner and Respondent both own the property. Not having the property would be harder on Petitioner.

☐ The parties are married and a divorce case has been filed.



- ☐ Restrictions on Resources of an Elderly Petitioner  
Respondent is prohibited from improperly using financial or other resources of an elderly Petitioner for the benefit of Respondent or any other person.

☐ **11.5 Possession of Animals** **(R11.5) (Court Enforced)**

Petitioner shall have care, custody, and control over the following animals (*include name, type and breed*):

Respondent shall stay away from the animals and Respondent is forbidden from taking, transferring, concealing, harming, or otherwise disposing of the animals.

**12. Temporary Support.** *Not available in an Emergency Order.*

**13. Payment for Losses because of Abuse.** *Not available in an Emergency Order.*

☐ **14. No Entry or Presence Under Influence** **(R14) (Police Enforced)**


Respondent is allowed at the Petitioner's residence but cannot be or stay there while under the influence of drugs or alcohol, and constitutes a threat to the safety of Petitioner or Petitioner's children:

Street, Apt #

City

State

ZIP

 **Respondent:** Under Illinois law, while any Order of Protection is in effect, your (Respondent's) FOID card will be automatically suspended, revoked or denied and you are automatically prohibited from acquiring or possessing a firearm (per [430 ILCS 65/8.2](#)). Your conceal and carry license is also suspended while the Order is in effect and must be turned over to the Court or law enforcement (per [430 ILCS 66/70B](#)).

When an Order ends, you can request the return of your firearms and FOID card as long as your FOID card is not expired and there is no other order restricting your possession of firearms.

☐ **14.5. Firearms** **(R14.5) (Police Enforced)**

Respondent is prohibited from possessing firearms for the duration of this Order. Respondent must immediately surrender to law enforcement (and not transfer to a third party) any firearms, firearm parts that could be assembled to make an operable firearm, Firearm Owner Identification (FOID) Card, and/or Concealed Carry License. If these items are not in Respondent's possession at time of service, they must be surrendered to law enforcement (and not transferred to a third party) within 24 hours.

The Court finds as follows:

**Civil Orders:**

- ☐ Petitioner has satisfied the requirements of Section 217 of the Illinois Domestic Violence Act and good causes exists to grant this remedy.
- ☐ Personal injury to the Petitioner is likely to occur if Respondent had prior notice of the Order of Protection.
- ☐ This Order restrains Respondent from using physical force, harassment, stalking, or threatening an intimate partner or child of an intimate partner.
- ☐ Respondent poses a credible threat to the physical safety of Petitioner.
- ☐ Probable cause exists to believe that:
- ☐ Respondent possesses firearms or firearm parts that could be assembled to make an operable firearm.
- ☐ The firearms or firearm parts that could be assembled to make an operable firearm are located at the residence, vehicle, or other property of the Respondent.
- ☐ The credible threat to the physical safety of Petitioner is immediate and present.
- ☐ Petitioner has made a credible report of domestic violence to local law enforcement within the last 90 days.

**Criminal Orders:**

- ☐ Petitioner has satisfied the requirements of Section 112A-17.5 of the Code of Criminal Procedure and good cause exists to grant this remedy.
- ☐ Personal injury to the Petitioner is likely to occur if Respondent were to have prior notice.
- ☐ Respondent is subject to this domestic violence order of protection and may not lawfully possess firearms, firearm parts, or a FOID card under Section 8.2 of the Firearm Owners Identification Act.
- ☐ Probable cause exists to believe that:
- ☐ Respondent possesses firearms or firearm parts that could be assembled to make an operable firearm.
  - ☐ The firearms or firearm parts that could be assembled to make an operable firearm are located at the residence, vehicle, or other property of the Respondent.
  - ☐ Respondent poses an immediate and present credible threat to Petitioner.

☐ **15. Children's Records****(R15) (Court Enforced)**

Respondent is not allowed to access, inspect, or obtain school records or any other records of the minor children in the care of Petitioner because *(check all that apply)*:

- ☐ This *Order of Protection* prohibits Respondent from having contact with the minor children.
- ☐ The actual address of Petitioner is not included due to the risk of further abuse.
- ☐ It is necessary to prevent abuse or wrongful removal or concealment of the minor children.

**16. Shelter Reimbursement. Not available in an Emergency Order.**☐ **17. Miscellaneous Remedies****(R17) (Court Enforced)**

The court further orders as follows:

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☐ **18. Telephone Services****(R18) (Court Enforced)**

After considering the evidence, the wireless telephone service provider shall terminate Respondent's use of Petitioner's phone number, transfer to Petitioner the right to use these phone numbers, and transfer to Petitioner all financial responsibility associated with future use of these phone numbers.

Wireless telephone provider account details:

Name of Provider: \_\_\_\_\_

Name of Account Holder: \_\_\_\_\_

Respondent's Phone Number: \_\_\_\_\_

Petitioner's Phone Numbers: \_\_\_\_\_



**Petitioner: STOP!** Only the Judge or Circuit Clerk should write anything below this point.

**After reviewing the *Petition* and hearing the evidence and testimony of Petitioner, the Court makes findings which:**

- ☐ Are written on page 13 and 14 of this *Order*; or
- ☐ Were made orally and videotaped or recorded by a court reporter and are incorporated into this *Order*.

**ENTERED:**\_\_\_\_\_  
Judge\_\_\_\_\_  
Date

I hereby certify that this is a true and correct copy of the original order on file with the Court.

Clerk of the Circuit Court of \_\_\_\_\_ County, Illinois \_\_\_\_\_  
Date

\_\_\_\_\_  
Seal (and signature, as locally required)

Copies given to: ☐ Petitioner ☐ Respondent in Open Court ☐ State's Attorney

Clerk to send copies to Sheriff to: ☐ serve Respondent  
☐ enter into LEADS

Order drafted by

Attorney: \_\_\_\_\_  
Name Address Telephone Attorney Number (if any)

**If you want to contest this Order of Protection you must:**

***Emergency Order of Protection (Civil Case)***

- File a motion with the court stating:
  - 1) you did not receive prior notice, and
  - 2) you have a valid defense to the *Order*, or
  - 3) the *Order*, or any of its remedies, was not authorized under the law.

***Ex Parte Protective Order (Criminal Case)***

- File a written notice with the court stating you have a meritorious (*valid*) defense.
- Written notice must include an Affidavit providing the evidence of your meritorious (*valid*) defense. You must bring this evidence to the hearing.

**Notices About Enforcement:**

**A violation of this order may result in fine or imprisonment.**

Any knowing violation of an *Order of Protection* forbidding physical abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, willful deprivation, or entering or remaining present at specified places when any Protected Persons are present, or granting exclusive possession of the residence or household or granting a stay away order is a Class A misdemeanor. Grants of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding parental responsibility (formerly custody) or physical care of a child or care of a child or prohibiting removal or concealment of a child may be a Class 4 felony. Any willful violation of any order is contempt of court.

This *Order of Protection* is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U.S.C. § 2265), provided notice of this *Order of Protection* has been provided to the Respondent. Violating this *Order of Protection* may subject the Respondent to state and/or federal charges and punishment. 18 U.S.C. §§ 2261-2262.

**DEFINITION OF TERMS USED IN THIS ORDER**

1. **Abuse** means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child by a parent or person in loco parentis.
2. **Adult with disabilities** means an elder adult with disabilities or a high-risk adult with disabilities. A person may be an adult with disabilities for purposes of this Act even though he or she has never been adjudicated an incompetent adult. However, no court proceeding may be initiated or continued on behalf of an adult with disabilities over that adult's objection, unless such proceeding is approved by his or her legal guardian, if any.
3. **Elder adult with disabilities** means an adult prevented by advanced age from taking appropriate action to protect himself or herself from abuse by a family or household member.
4. **Exploitation** means the illegal, including tortious, use of a high-risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of a fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.
5. **Family or household members** include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, persons with disabilities and their personal assistants, and caregivers as defined in Section 12-4.4a of the Criminal Code of 2012. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.
6. **Harassment** means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances; would cause a reasonable person emotional distress; and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:
  - a. creating a disturbance at petitioner's place of employment or school;
  - b. repeatedly telephoning petitioner's place of employment, home or residence;
  - c. repeatedly following petitioner about in a public place or places;
  - d. repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
  - e. improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner's from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
  - f. threatening physical force, confinement or restraint on one or more occasions.
7. **High-risk adult with disabilities** means a person aged 18 or over whose physical or mental disability impairs his or her ability to seek or obtain protection from abuse, neglect, or exploitation.
8. **Interference with personal liberty** means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which she or he has a right to abstain or to refrain from conduct in which she or he has a right to engage.
9. **Intimidation of a dependent** means subjecting a person who is dependent because of age, health or disability to participation in or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as defined in this Act, regardless of whether the abused person is a family or household member.
10. **Neglect** means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:
  - a. the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
  - b. the repeated, careless imposition of unreasonable confinement;
  - c. the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
  - d. the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
  - e. the failure to protect a high-risk adult with disabilities from health and safety hazards.

Nothing in subsection 10 shall be construed to impose a requirement that assistance be provided to a high-risk adult with disabilities over his or her objection in the absence of a court order, nor to create any new affirmative duty to provide support to a high-risk adult with disabilities.
11. **Petitioner** may mean not only any named petitioner for the order of protection and any named victim of abuse on whose behalf the petition is brought, but also any other person protected by this Act.
12. **Physical abuse** includes sexual abuse and means any of the following:
  - a. knowing or reckless use of physical force, confinement or restraint;
  - b. knowing, repeated and unnecessary sleep deprivation; or
  - c. knowing or reckless conduct which creates an immediate risk of physical harm.
13. **Stalking** means a person knowingly engages in a course of conduct directed at a specific person, and they know or should know that this course of conduct would cause a reasonable person to fear for their safety or the safety of a third person; or suffer other emotional distress.
14. **Willful deprivation** means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, accessible shelter or services, food, therapeutic device, or other physical assistance, and thereby exposing that person to the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forgo such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

**COURT'S WRITTEN FINDINGS:**

After reviewing the *Petition* and hearing the evidence and testimony of Petitioner, the Court finds that:

1. ☐ **RULINGS PURSUANT TO [750 ILCS 60/221\(a\)\(2\) and \(b\)\(2\)](#)**

☐ The relief requested in Sections: ☐ 2 ☐ 3 ☐ 10 ☐ 11 ☐ Other \_\_\_\_\_

in the *Petition* is **denied** because the balance of hardships does not support the granting of the remedy; the granting of the remedy will result in hardship to Respondent that would substantially outweigh the hardship to Petitioner from the denial of the remedy; or because:

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☐ The relief requested in the following sections are **reserved**:

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2. Petitioner is related to Respondent in the following way (*check all that apply*):

☐ Current or past dating relationship (BG)

☐ Have children together; never married (CC)

☐ Has or allegedly has a child together

☐ Related through current or past marriage:

☐ Spouse (SE)

☐ Ex-Spouse (XS)

☐ In-law (IL)

☐ Step-Child (SC)

☐ Step-Brother / Step-Sister / Step-Sibling (SS)

☐ Other Family Member (OF)

☐ Sharing or have shared a home (CS)

☐ Related through blood:

☐ Child (CH)

☐ Parent (PA)

☐ Brother / Sister / Sibling (SB)

☐ Grandchild (GC)

☐ Grandparent (GP)

☐ Other Family Member (OF)

☐ Has a blood relationship through a child

☐ Has a family or household relationship with a child who is the:

☐ adoptive, prospective adoptive, or foster child of the Petitioner; or

☐ of whom the Petitioner is the legal guardian or custodian

☐ Personal caregiver of the Petitioner, who has disabilities or who otherwise needs care

3. ☐ Respondent has received notice of Petitioner's request for an *Order of Protection*.

☐ Respondent has not received notice of Petitioner's request for an *Order of Protection*.

☐ Petitioner is present in person in court. ☐ Represented by: \_\_\_\_\_  
Name of Lawyer

4. ☐ Respondent is not present in court.

☐ Respondent is present in person in court. ☐ Represented by: \_\_\_\_\_  
Name of Lawyer

5. ☐ Good cause exists to grant these remedies in this *Order* even though Respondent has not received notice Because:

☐ a. If Respondent were given prior or greater notice, it is likely that the harm that the remedies in this *Order* are intended to prevent would occur (R01, R03, R05, R08, R09, R11, R14, R15, and R17).

☐ b. If Respondent were given prior or greater notice, the immediate danger of further abuse outweighs the hardships to Respondent of an *Order* granting exclusive possession of the residence (R02).

☐ c. If Respondent were given prior or greater notice, it is likely that personal property would be disposed of improperly, or Petitioner has an immediate and pressing need for possession of that property.

6. Other Relevant Factors and Findings (*check all that apply*):

- ☐ An *Order of Protection* has previously been entered in this case or in another case in which any party, or a child of any party has been named as either Respondent or Petitioner.
- ☐ An abused person is unable to bring this *Petition* on their own behalf due to age, health, disability, or inaccessibility.
- ☐ The *Petition* has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.
- ☐ The Petitioner believes that the Respondent is (check all that apply): ☐ armed ☐ dangerous ☐ suicidal.

7. ☐ In granting the remedies in this *Order*, the Court has considered all relevant factors, including: the nature, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of their location in order to evade service of notice, and the likelihood of danger of future abuse, neglect, or exploitation to Petitioner or any member of Petitioner's or Respondent's family or household; and the danger that any minor child(ren) will be abused, removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker. The court finds that:

- The Court has jurisdiction over Petitioner, Respondent, minor children and other Protected Persons.
- Venue is proper.
- Respondent has abused Petitioner and/or the children identified as protected persons in Section 5 on page 5 and/or the Protected Persons listed on page 1 of this *Order*.
- The actions of Respondent will likely cause irreparable harm or continued abuse unless they are prohibited.
- It is necessary to grant the requested relief in this *Order* to protect Petitioner or other abused persons.

8. ☐ **Criminal Cases:** The Court is entering this *Order* based on the following prima facie evidence (check all that apply):

- ☐ an information, complaint, indictment or delinquency petition, charging a crime of domestic violence or charging an attempt to commit a crime of domestic violence; or
- ☐ an adjudication of delinquency, a finding of guilt based upon a plea, or a finding of guilt after a trial for a crime of domestic battery; or
- ☐ any disposition order issued under Section 5-710 of the Juvenile Court Act of 1987, the imposition of supervision, conditional discharge, probation, periodic imprisonment, parole, aftercare release, or mandatory supervised release for a crime of domestic violence or an attempt to commit a crime of domestic violence, or imprisonment in conjunction with a bond forfeiture warrant; or
- ☐ the entry of a protective order in a separate civil case brought by Petitioner against Respondent.