

STALKING OR SEXUAL ASSAULT PROTECTIVE ORDER PACKET

A request for a protective order is a *civil* matter, not a *criminal* matter. You need to report the incident to the police to have it prosecuted criminally.

<i>Form No.</i>	<i>Form Name</i>
WHERE CAN I FIND INSTRUCTIONS?	
<u>CIV-751</u>	<p>Instructions are available online at: https://public.courts.alaska.gov/web/forms/docs/civ-751.pdf</p> <p>Printed copies are available for customers with limited or no internet access.</p>
WHAT IS INCLUDED IN THIS PACKET?	
<u>CIV-752</u>	Petition
<u>DV-125</u>	Request for Service
<u>DV-127</u>	Law Enforcement Information Sheet
WHERE CAN I FIND MORE INFORMATION?	
<u>Online</u>	Court forms online: www.courts.alaska.gov/forms/index.htm
<u>Online</u>	Family Law Self-Help Center: www.courts.alaska.gov/shc/family/selfhelp.htm
What is stalking?	Person A commits the crime of stalking when Person A contacts Person B without Person B's permission MORE THAN ONE TIME, and this creates a reasonable fear of physical injury or death to Person B or Person B's family member. For a more complete definition, see Alaska Statute 11.41.270 on page 6 of the instructions.
What is sexual assault?	Sexual assault is a crime of "sexual contact" or "sexual penetration" done without the adult victim's knowledge or consent, or done by an older person to a minor. For a more complete definition of these crimes, see Alaska Statute 11.41.410 through 11.41.450, or look on page 7 of the instructions.
Is this the right packet for you?	<ul style="list-style-type: none"> • Use this packet if the person you need protection from is a friend, student at your school, neighbor, co-worker, landlord, tenant, or someone you do not know. • Use the domestic violence petition instead if the person who stalked or sexually assaulted you is someone you have a household relationship with. See Alaska Statute 18.66.990 for a list of qualifying domestic violence household relationships.

February 2021 - Alaska Court System

The statutes, court rules and most of the forms referred to in this packet are available on the court's website: www.courts.alaska.gov.

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

_____))
_____))
Petitioner Date of Birth: _____))
_____))
v. _____))
_____))
Respondent Date of Birth: _____))
_____))
_____)

CASE NO. _____

**PETITION FOR
PROTECTIVE ORDER**

Stalking Sexual Assault

I swear or affirm under penalty of perjury that all the information I provide in this petition is true to the best of my knowledge and belief.

I am requesting the following protective order(s). **NOTE: If there is any chance you might need protection for more than 20 days, you should request both a long-term order (one year) and an ex parte order (20-day). To do this, check both boxes.**

1. an ex parte protective order (20 day order). (This order can take effect immediately based on only the petition and the petitioner's testimony, without the respondent knowing about the ex parte petition. The police will serve the ex parte order if granted.) I certify that I

have not tried to notify the respondent that I am filing this petition.

notified or tried to notify the respondent as follows:

a long-term protective order (one year order). (This order can only be issued after notice to the respondent and a court hearing. This order will last for one year, unless the court ends it sooner. The police will notify the respondent of the hearing.)

2. The respondent is a (check all that apply):

(former) friend neighbor classmate co-worker

client or former client correctional facility employee

legal guardian of petitioner other (describe): _____

I do not know and have never been acquainted with the respondent

3. I (petitioner) am a minor: Age _____ an adult

4. The respondent is (or appears to be) a minor: Age _____ an adult

This is Not a Court Order

5. a. Respondent has stalked or sexually assaulted me as described below and this conduct has placed me in fear of:

death or physical injury to me further sexual assault

the death or physical injury of the following family member of mine:

Name of family member: _____

Relationship to me: _____

b. I am afraid of physical injury or death, or further sexual assault, because

6. Description of respondent's conduct. (Explain what respondent is doing or did, including when, where, and how often the stalking or sexual assault occurred. Be specific. Include dates and places.)

This is Not a Court Order

7. I request an order from the court directing (check all that apply)

a. respondent not to follow, approach, confront, watch or stalk me in any other way or threaten to do so.

b. respondent not to contact me by telephone, e-mail or U.S. mail or otherwise communicate directly or indirectly by any means with me or the following members of my household:

c. respondent to stay away from my residence.
Is this also respondent's current residence? yes no

Respondent's residence is unknown to me

within my apartment complex

approximately _____ feet/miles from my residence

Describe: _____

d. respondent to stay away from my school.

Name and location of school:* _____

Is this also respondent's school? yes no

e. respondent to stay away from my place of employment. Name and location of place of employment:* _____

Is this also respondent's place of employment? yes no

If yes, list the hours respondent works (if known) _____

f. respondent to stay away from the following places I go to:

g. respondent not to have sexual contact with me.

* You do not have to provide this information if you do not want the respondent to know the location of your school or place of employment.

This is Not a Court Order

8. Other cases. The following are all the pending civil cases or criminal cases, in this or another state, involving either me or respondent (that I know of):

<u>Type of Case</u>	<u>Court Location</u>	<u>Petitioner or Respondent</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The following are other court cases (civil or criminal) involving the respondent that I want the court to know about:

<u>Type of Case</u>	<u>Court Location</u>
_____	_____
_____	_____
_____	_____

Both petitioner and respondent have the responsibility to tell the court of any criminal or civil lawsuits involving either of you that arise while a petition for protective order is pending. AS 18.65.865(d)

9. Information about respondent (if known).
Respondent's full legal name and any nicknames or other names used:

Respondent's mailing address: _____

Respondent's home phone: _____ Work phone: _____

This is Not a Court Order

10. Petitioner information. [The court needs your mailing address to send court papers, including notices of hearing, to you. If you believe it is not safe for the respondent to know where you live, write a "message" address where you can be sure you will receive court papers. **If you do not have an address and telephone number that can safely be revealed to the respondent, ask the court clerk how you can provide this information so that it will be kept confidential and not revealed to the respondent.** Civil Rule 65.1]

My mailing/message address _____
Street or Box No. City State Zip

My message phone: _____

My full legal name: _____

Any nicknames or other names: _____

Date

Petitioner's Signature

Print Name

Subscribed and sworn to or affirmed before me at _____, Alaska on _____
(date)

(SEAL)

Clerk of Court, Notary Public or other person
authorized to administer oaths

My commission expires: _____

This is Not a Court Order

IN THE DISTRICT/SUPERIOR COURT FOR THE STATE OF ALASKA
 AT _____

)
)
 PETITIONER (protected person),)
 Birthdate: _____)
 Petitioner is a child. Who is signing for the child?)
 Name: _____ Birthdate: _____)
 Relationship to child: _____)

v. _____)

Case No. _____ CI

)
)
 RESPONDENT (restrained person))
 Birthdate: _____)
 Respondent is a child. Who is signing for the child?)
 Name: _____ Birthdate: _____)
 Relationship to child: _____)

**REQUEST FOR SERVICE AND
 PEACE OFFICER'S RETURN OF
 SERVICE (ONE PETITIONER)**

Court Date: _____
 Court Fax: _____

Please immediately serve the following documents on respondent and _____
The next court hearing is scheduled for _____

- | | |
|--|---|
| <input type="checkbox"/> <i>Petition for Protective Order(s)</i> | <input type="checkbox"/> <i>Reassignment Order</i> |
| <input type="checkbox"/> <i>Emergency Protective Order (72 hours)</i> | <input type="checkbox"/> <i>Notice of Hearing</i> |
| <input type="checkbox"/> <i>Domestic Violence Protective Order (20 days)</i> | <input type="checkbox"/> <i>Order on Petition for Protective Order(s)</i> |
| <input type="checkbox"/> <i>Domestic Violence Protective Order (1 year)</i> | <input type="checkbox"/> <i>Stalking or SA Protective Order (20 days)</i> |
| <input type="checkbox"/> <i>Order Modifying, Extending, Dissolving Short-Term Protective Order</i> | <input type="checkbox"/> <i>Stalking or SA Protective Order (1 year)</i> |
| <input type="checkbox"/> <i>Order Modifying, Extending, Dissolving Long-Term Protective Order</i> | <input type="checkbox"/> _____ |
| | <input type="checkbox"/> _____ |

A return of service must be filed with or faxed to the court at the number shown above before the hearing.

RETURN OF SERVICE

I certify that I:

- Served the document(s) listed above on respondent and _____, by handing to, and leaving a true and correct copy with him her them, personally, at (address) _____ in _____, Alaska, on (date) _____ at _____ .m.
- Turned custody of the minor child(ren) _____ over to _____
- Removed respondent from petitioner's residence located at _____
- Explained direct / indirect contact and communication to the person(s) served.
- Explained effective dates of the protective order (section B) to the person(s) served.
- Entered into DV Registry by DSN _____
- Did not serve the above-listed documents on the respondent named above because _____

Return Date _____

Signature _____

Time Spent _____

Print Name and Title _____

- Distribution: 1. Original to law enforcement agency with jurisdiction where respondent is located.
 2. Copy to court file.

CONFIDENTIAL LAW ENFORCEMENT INFORMATION SHEET

Notice to Petitioner: You must supply the respondent's name and birth date, if known. Give as much information as possible. This information will NOT be given to the respondent.

Notice to Law Enforcement: This information is confidential and supplied to assist you in serving the protective order. After serving (or failing to serve) the order, notify petitioner and complete the return of service section on the DV-125.

A. PETITIONER INFORMATION

Full name: _____ Date of birth: _____ Petitioner is a child.
 Petitioner's residence address: _____
 Is this the address respondent is to stay away from? Yes No
 Do you want to be notified when respondent is served? Yes No
 Contact phone(s): cell _____ other _____ Email: _____

B. RESPONDENT INFORMATION

Full name: _____ Nicknames: _____ Respondent is a child.
 Residence Address: _____
 Is this the address respondent is to stay away from? Yes No Last four digits of SSN _____
 Other Addresses: _____
 Contact phone(s): cell _____ other _____ Email: _____

Where is respondent now (what street address)?

Other information about respondent:

Sex	Race	*Date of Birth*	HT	WT
Hair	Eyes	State ID / Driver's Lic. #	ST	
Other Identifiers (facial hair, piercings, scars, tattoos, marks, etc.)				

Friends / relatives / phone numbers / hangouts:

Hazards at respondent's home (dogs, traps, guns):

Describe respondent's house: log frame apartment single family duplex
 1 story 2 story 3+ story main color _____ trim color _____
 Garage: separate attached none 4x4 needed to access address? Y N

Respondent's employer

 Employer address

 Work phone _____
 Work hours _____
 Respondent's position _____
 Supervisor _____

Respondent's vehicle information
 Make _____ Model _____
 Plate No. _____ State _____
 Year _____
 van pickup canopy camper
 toolbox car 2 door 4 door
 SUV other _____
 Other vehicles respondent is known to drive:

C. OFFICER SAFETY INFORMATION

Previous contact with police by respondent? No Yes Explain: _____

 Any threats by respondent toward petitioner, family, police? Describe: _____

 Weapons accessible to respondent (pistol, rifle, knife, other): _____

 Expected mental state or history of respondent (include alcohol or drug use): _____

 Is a divorce or other legal action pending that involves the respondent (child custody, eviction, bankruptcy, repossession of property)? _____

Draw a map on the back of this form if it will help law enforcement.