

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
AT \_\_\_\_\_

\_\_\_\_\_  
Petitioner (Person Filing Petition)  
on behalf of \_\_\_\_\_  
(Protected Person)  
v.  
\_\_\_\_\_  
Respondent (Restrained Person)

Case No. \_\_\_\_\_ PR

**20-DAY EX PARTE  
ORDER OF PROTECTION FROM  
FINANCIAL ABUSE (AS 13.26.450)**

**A. BACKGROUND**

The petitioner filed a petition requesting a 20-day ex parte order of protection from financial abuse on behalf of the protected person named above. The court makes the following findings and order based on:

- Allegations in the petition.
- Testimony on record. Date: \_\_\_\_\_ courtroom: \_\_\_\_\_ start time: \_\_\_\_\_ Present were:  Petitioner  Protected Person  Respondent  Other persons (list) \_\_\_\_\_
- Other evidence:  
\_\_\_\_\_  
\_\_\_\_\_

**B. HEARING ON REQUEST FOR LONG-TERM ORDER**

- The petitioner requested a long-term order. A hearing on the request for a long-term order will be held at:  
Date and Time: \_\_\_\_\_ Judicial Officer: \_\_\_\_\_  
Court Location: \_\_\_\_\_

**C. EFFECTIVE DATES OF THIS ORDER**

This order is effective immediately and will remain in effect for 20 days unless modified or dissolved earlier by court order. This order shall expire on \_\_\_\_\_ at 11:59 pm unless modified or dissolved earlier by court order.

**D. FINDINGS OF FACT**

1. VENUE.  
Venue is proper because the protected person  resides here  does not reside in Alaska but has property here. [AS 13.26.411]
2. SERVICE OF PETITION ON RESPONDENT BY PETITIONER.  
The petitioner certified in writing the efforts made to notify the respondent of the petition. Respondent  was notified  was not notified of the petition by the petitioner. [AS 13.26.450(a)]

3. SERVICE OF PETITION ON PROTECTED PERSON BY PETITIONER.
- a.  Proof of service of the petition on the protected person is not required because the petitioner is the protected person.
  - b.  The petitioner served the petition on the protected person or the protected person's attorney.
  - c.  Proof of service of the petition on the protected person by the petitioner is not required because service would cause an immediate threat of harm to the protected person's best interests.
- [AS 13.26.450(a)]

4. QUALIFIED PROTECTED PERSON.
- The protected person is qualified for protection against financial abuse because:
- The protected person is an adult who cannot effectively manage his or her property and affairs, and who has property that will be wasted or dissipated unless proper management is provided. [AS 13.26.401(2)]
  - The protected person is a child under age 18 who qualifies for protection under AS 13.26.401(1).

5. PROBABLE CAUSE.
- a. There is probable cause to believe that the respondent is financially defrauding the protected person as follows:
    - 1.  Robbery, extortion, coercion under AS 11.41.500 to AS 11.41.530.  
 \_\_\_\_\_  
 \_\_\_\_\_
    - 2.  Offenses against property under AS 11.46.100 to AS 11.46.740.  
 \_\_\_\_\_  
 \_\_\_\_\_
    - 3.  Exploiting the protected person or the person's resources for personal gain, where there is no significant benefit to the protected person.  
 \_\_\_\_\_  
 \_\_\_\_\_

[AS 13.26.450(a); AS 13.26.595(1)-(3)]

- b. Due to the financial defrauding identified above, there has been or is an immediate threat of waste or dissipation of the protected person's money or other property. [AS 13.26.450(a)]

6. OTHER FINDINGS.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**E. ORDER**

The request for a 20-day ex parte protective order is **GRANTED**, and **IT IS ORDERED**:

1.  The respondent shall have no direct or indirect contact with the  
 protected person  petitioner (if different). [AS 13.26.450(b)(3)]  
 Exceptions: \_\_\_\_\_
  
2.  The power of attorney dated \_\_\_\_\_ and currently held by  
\_\_\_\_\_ is  cancelled  changed as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
[AS 13.26.450(b)(2)]
  
3.  The respondent shall not do anything with the funds or other property of the  
protected person. [AS 13.26.450(b)(4)]
  
4.  The respondent shall not do the following things with the funds or other property  
of the protected person. [AS 13.26.450(b)(4)]  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
5.  Other protections (AS 13.26.435):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
6.  This order and the petition will be served on the respondent by  
 DPS officer  certified mail pursuant to Civil Rule 4  
 This order and the petition will NOT be served on the respondent because the  
respondent is an unknown individual/business/organization.
  
7. This order will be served on the protected person by  
 hand-delivery at the court  DPS officer  first class mail  
 \_\_\_\_\_

**F. NOTICES**

1. Respondent and protected person have the right to appear and be heard if a long-term protective order is requested and a hearing is held.
2. Respondent: The court may issue a long-term order against you at the long-term hearing even if you do not participate in the hearing.
3. All Parties (Respondent, Protected Person, and Petitioner):
  - a. While this order is in effect, any party may ask the court to extend, change, or end this order. A form for making this request (PG-835) is available online at the Alaska Court System's website or from the court clerk's office.
  - b. While this order is in effect, the parties must tell the court in writing about any changes in addresses or telephone numbers. If you do not tell the court your current address, this order may be changed or ended without your input. From now on, all parties may be notified of future actions in this case by first class mail.

Recommended for approval by:

Ordered by:

\_\_\_\_\_  
Standing Master                                      Date

\_\_\_\_\_  
Superior Court Judge                                      Date

\_\_\_\_\_  
Type Master's Name

\_\_\_\_\_  
Type Judge's Name

**Clerk's Certificate of Distribution:**

I certify that on \_\_\_\_\_ a copy of this order was distributed to:

- Petitioner (who is not also the protected person)
  - by first class mail
  - by hand-delivery at the court
- Protected person per order with petition
- Respondent per order with petition
- Local Police at \_\_\_\_\_ for entry into APSIN
- Other \_\_\_\_\_

By Clerk: \_\_\_\_\_