

IN THE FAMILY COURT OF THE SECOND CIRCUIT

STATE OF HAWAII

)	FC-DA NO. _____
)	
on behalf of)	TEMPORARY RESTRAINING ORDER
)	
Petitioner ,)	Hearing Date: _____
)	
vs.)	Judge: <u>Presiding Judge</u>
)	
Respondent .)	THIS ORDER EXPIRES ON: _____
_____)	

TEMPORARY RESTRAINING ORDER

Based upon the Ex Parte Petition for a Temporary Restraining Order for Protection and Statement of the Petitioner and pursuant to HRS Section 586-4(c), the Court finds there is probable cause to believe that a past act or acts of abuse have occurred, or that threats of abuse make it probable that acts of abuse by the Respondent may be imminent.

It appears to the Court that a Temporary Restraining Order for Protection should be granted and is necessary to prevent acts of abuse or recurrence of actual domestic abuse by requiring that the parties be separated for a specific period.

IT IS HEREBY ORDERED that the Respondent appear before the Judge in the above-entitled proceeding at the date, time and place indicated in the attached Notice of Hearing to show cause why this temporary restraining order should not continue.

[] The court also finds the Respondent owns, intends to obtain or possesses a firearm and that the firearm may be used to threaten, injure or abuse a person.

Respondent ABOVE NAMED

This Order applies to you now!

Read this entire Order carefully!

THIS ORDER BECOMES EFFECTIVE ONCE IT HAS BEEN SIGNED AND FILED, THE ORDER REMAINS IN EFFECT FOR ONE-HUNDRED (180) DAYS UNLESS THE COURT CONTINUES OR TERMINATES IT.

TO THE RESPONDENT YOU AND ANYONE ACTING ON YOUR BEHALF ARE ORDERED AS FOLLOWS:

1. Do not threaten or physically abuse the Petitioner or anyone living with the Petitioner.
2. Do not contact, write, telephone or otherwise electronically contact (by recorded message, pager, etc.) the Petitioner, including where the Petitioner lives, goes to school or is cared for.
3. Do not visit or remain within 100 yards of any place where the Petitioner lives or works.

Do not violate this order even if the Petitioner invites you to be at the place where the Petitioner lives.

- ☐ Immediately leave the residence located at:

and do not go back until this order is changed. If you need personal items from the residence before the Court hearing, such as clothing, you may contact the Police Department within 24 hours of the service of this order. The Police Department is authorized to escort you to the residence to remove personal items **one time**, but only after the Police have notified the Petitioner. If you do not make these arrangements within 24 hours of service you shall not make or attempt any contact with the Petitioner. You may be at the residence only while a police officer is present.

- ☐ Do not be within 100 yards of Petitioner's school:

- ☐ Do not be within 100 yards of where Petitioner is cared for:

- ☐ Do not enter the Petitioner's place of work at:
Employer: _____
Address: _____

- ☐ Do not have contact with the following minor child(ren) of the parties:

Child(ren)'s Names	Birth Year

- ☐ Until there is a court hearing, have unsupervised visitation with the following minor child(ren) of the parties as follows:

Child(ren)'s Names	Birth Year

- ☐ Until there is a court hearing, arrange for supervised visits with the following minor child(ren) of the parties by telephoning
at _____ (Phone number).

Child(ren)'s Names	Birth Year

- ☐ Do not have any contact with the following people who live with Petitioner:

Name	Birth Year

- ☐ Do not have any contact with the following who are Petitioner's family members who do not live with Petitioner:

Name	Relationship to Petitioner	Birth Year

- ☐ Do not take, conceal, remove, threaten, physically abuse or otherwise dispose of the following animals belonging to the household:

Name	Species

-----FIREARMS PROHIBITION-----

IT IS ORDERED, pursuant to HRS Section 134-7(f), that Respondent is prohibited from possessing or controlling any firearm, ammunition, firearm permit or license for the duration of this order or extension thereof. All Permits/Licenses are hereby revoked. Respondent shall immediately turn over all firearms, ammunition, permits and/or licenses to a police officer or to the Maui Police Department for the duration of this order or extension thereof.

IT IS FURTHER ORDERED THAT:

1. An officer of the Police Department shall personally serve the order and related documents and shall accompany the Petitioner and assist the Petitioner in securing possession of any dwelling or residence that the Respondent is ordered to vacate.

Information on Respondent:

Name: _____

Address: _____

Birth Year: _____ Telephone No. _____

Social Security Number: XXX-XX-_____

At the show cause hearing, the parties will be allowed to testify, call and examine witnesses and give legal or factual reasons why these orders should or should not be continued to be in effect. Each party may be represented by a private lawyer and shall be prepared to proceed.

ANY VIOLATION OF THIS TEMPORARY RESTRAINING ORDER FOR PROTECTION IS A MISDEMEANOR AND PUNISHABLE BY A JAIL SENTENCE OF UP TO ONE YEAR AND/OR A FINE OF UP TO \$1,000. [HRS Section 586-4(e)]

DATED: _____, Hawai'i, _____.

Judge of the above-entitled Court