



## **Family Court of the First Circuit – THE JUDICIARY • STATE OF HAWAII**

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### **INSTRUCTIONS FOR FILING TRO PETITIONS FOR PETITIONERS NOT PHYSICALLY ON O‘AHU**

Aloha,

This document provides the instructions for filing a petition for a Family Court Domestic Abuse Temporary Restraining Order (TRO) when the petitioner (the person filing for the TRO) is not physically on the island of O‘ahu. It is very important that petitioners make sure that they meet jurisdictional requirements to file the petition prior to completing their paperwork. Any petitions submitted to the court that do not meet the jurisdiction requirements may be denied.

There are three (3) ways that a petition can be submitted to the court when the petitioner is not physically on the island of O‘ahu:

- (1) It may be scanned and emailed to: [kapoleitro.1cc@courts.hawaii.gov](mailto:kapoleitro.1cc@courts.hawaii.gov);
- (2) it may be faxed to (808) 954-8102; or
- (3) a hard copy can be mailed to: **Family Court of the First Circuit; Attention: TRO Unit; 4675 Kapolei Parkway; Kapolei, HI 96707.**

Important: Make sure the petition is dated and signed when you submit it.

#### FORMS TO COMPLETE:

- **Draft Serving Instructions:** Please complete with as much information about the respondent as possible. This will help law enforcement serve documents. Also, make sure to write your legal name and respondent’s legal name as they are listed on the petition.
- **Confidential Intake Sheet:** This form contains important confidential information for the court. Please complete the entire form, including the box labeled “CJIS Data Info”. Please also ensure that you provide your best contact information including your physical address, email address and phone number(s). This information is essential for the court to correspond/send documents to you.
- **Petition:** Please complete the appropriate petition form (forms can be found here: [Judiciary | Family Court Forms for O‘ahu \(First Circuit\) \(state.hi.us\)](http://state.hi.us)). If you are filing for yourself (to protect yourself) or for yourself AND minor children (to protect yourself and protect your minor children) you will fill out there PETITION (SELF) form. If you are filing a petition for your minor children or incapacitated adult ONLY (not protecting yourself) you will fill out PETITION OBO (on behalf of) form.



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation: Call the ADA Coordinator of the First Circuit Family Court Office at (808)954-8200, fax (808)954-8308, or send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov). The ADA Coordinator will work to provide, but cannot guarantee your requested auxiliary aid, service, or accommodation. *Please call the Family Court TRO Unit at (808)538-5959 if you have any questions or need an interpreter.*

- **Proposed TRO:** Please complete the form that corresponds with the type of petition completed (if you filled out Petition Self form, then TRO Self; if you filled out Petition OBO form, then TRO OBO).
- **Request to Appear by Video and Proposed Order:** If you are not physically on O’ahu, you will need to complete this form to ensure that you get the instructions about how to appear by video. It is also important to complete this form so that the court knows you will be appearing by video.

#### COMPLETING THE PETITION:

Make sure to fill out the petition completely. Petitioner Name and Respondent Name should be completed in the caption box. Make sure all jurisdiction boxes that apply are checked off. Write the full names of any protected party (minor or incapacitated adult) in the appropriate area. Any animal being protected should also be filled in. Allegations need to describe what happened with all appropriate boxes checked off. Please see the Legal Definitions page if you have questions. **IMPORTANT:** Make sure there is a date for every allegation to the best of your knowledge; an exact date is best (month, day, year), but if you do not know the exact date be as specific as you can be. If the allegation happened over a period of time please include the timeframe.

It is also important to include a length of time with regard to “How Long a Protection Order Should Last”. This must be a number of months or years.

#### COMPLETING THE PROPOSED TRO:

Please ensure that you complete the proposed TRO that corresponds with the Petition completed (ex: Petition for Self would complete a TRO for Self; Petition OBO would complete a TRO OBO). Please make sure the caption box has the names completed the same way as they are in the Petition. Make sure that you put the respondent’s information where required. Make sure if you are seeking to protect a minor or incapacitated adult, or an animal that they are listed on the TRO as well.

#### OTHER IMPORTANT INFORMATION:

If the forms are not completed correctly and completely; if you do not meet the jurisdictional requirements; or if the allegations do not meet the statutory definition of domestic abuse, the petition may be denied.

All petitions will be processed and filed during normal business hours Monday through Friday 7:45 A.M. to 4:30 P.M., Hawaii Standard Time. Note that the court observes all state and federal holidays. If you submit a petition outside of normal business hours (Hawaii Standard Time) it will be processed the next business day.

If you cannot provide a known address for the respondent on O’ahu it is YOUR responsibility to coordinate service with the Honolulu Police Department. The court will send you the service packet. For any respondent residing outside of O’ahu, you will need to coordinate service with a law enforcement agency in respondent’s locale.