

IN THE FAMILY COURT OF THE FIFTH CIRCUIT

STATE OF HAWAII

_____) FC-DA No. _____
PETITIONER)
on behalf of _____) TEMPORARY RESTRAINING ORDER
SUBJECT(S))
_____)
SUBJECT(S)) Hearing Date: _____
_____) Judge: _____
SUBJECT(S))
V.) This Order expires on: _____
_____)
RESPONDENT.) [] Caution: Weapon Involved

TEMPORARY RESTRAINING ORDER

A. After reviewing the Petition for an Order for Protection on Behalf of a Family or Household Member, the Court finds probable cause to believe that:

1. A past act or acts of abuse have occurred, or that threats of abuse make it probable that acts of abuse may be imminent. HRS § 586-4(c).
2. Subject(s) and Respondent are family or household members. HRS § 586-1.

is/are a household pet(s).

3. Respondent's identifying information is as follows:

Name: _____

Address: _____

Year of Birth: _____ Telephone Number(s): _____

- ☐ Respondent may own, possess, have access to, or intends to obtain a firearm, which may be used to threaten, injure, or abuse a person.

4. This Temporary Restraining Order is necessary to prevent acts of abuse or a recurrence of abuse and to ensure a period of separation of the persons involved. HRS § 586-4(c).

B. THEREFORE, THE COURT MAKES THE FOLLOWING ORDERS:

Respondent: These orders apply right now to you and anyone acting for you. Read carefully.

1. You must go to court on ☐ Tuesday _____ at _____ a.m./p.m.
☐ Wednesday _____ at 1:30 p.m.
2. Do not threaten, physically abuse or psychologically abuse the Subject(s) or anyone living with the Subject(s).
3. Do not contact, write, telephone, or otherwise electronically contact (recorded message, pager, email, text message, instant message, etc.) the Subject(s) or anyone living with the Subject(s).
___ a. Attorneys for the Petitioner and Respondent may contact each other.
4. Do not approach or come within **100 feet** of the Subject(s).
___ a. Petitioner and Respondent may have LIMITED contact only for the purposes of attending courtroom proceedings; or for service of legal documents by mail or through a process server.
5. Do not visit or approach within **100 yards** of any place where the Subject(s) lives or works or goes to school. Do not violate this order even if the Subject(s) invite(s) you to be at the place where the Subject(s) live(s) or work(s) or goes to school.
6. **FIREARMS RESTRICTIONS.** Pursuant to section 134-7(f) of the Hawai'i Revised Statutes, you, Respondent, and/or anyone acting on your behalf, are prohibited from possessing, controlling, or transferring ownership of any firearm, ammunition, or firearm permit or license for the duration of this Order or extension thereof. All firearm permits or licenses are hereby revoked. You, Respondent, shall immediately turn over all firearms, ammunition, permits, and/or licenses to a police officer or to the Kaua'i Police Department (Records Section, 3990 Kaana Street, Suite 200, Lihue, HI 96766), for the duration of this Order or extension thereof.
7. Do not damage or otherwise disturb the property of the Subject(s) or the property of anyone living with the Subject(s).

- ____. 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 Petitioner is contacted. You may be at the residence only while a police officer is present.
- ____. Do not have contact with these minor(s) who live with the Subject(s), including at their work place or school: _____

- ____. Do not take, conceal, remove, threaten, physically abuse, or otherwise dispose of the following animal(s) belonging to the household: [*name(s) & species of animal(s)*] _____

C. IT IS FURTHER ORDERED THAT:

1. A law enforcement officer shall personally serve this Order and related documents on the Respondent and shall accompany the Petitioner and/or Subject(s) and assist the Petitioner and/or Subject(s) in securing possession of any dwelling or residence that the Respondent is ordered to vacate.
2. Filing fees are waived.
3. If there are firearm restrictions, a copy of this Order shall be forwarded to the Respondent's chief commanding officer or administrator (*name/address*): _____

4. Petitioner and Subject(s) are prohibited from contacting Respondent or from taking any action that would invite or solicit Respondent to violate the terms of this Temporary Restraining Order.

At the court hearing on the date noted in paragraph numbered 1 on page 2 of this Order, the Respondent must tell the Court why this Order should be cancelled. The Petitioner and the Respondent must be ready for the hearing and both can testify, present evidence, and question witnesses. The Petitioner and the Respondent can bring their own attorneys.

ANY VIOLATION OF THIS TEMPORARY RESTRAINING ORDER IS A MISDEMEANOR AND PUNISHABLE BY A JAIL SENTENCE OF UP TO ONE YEAR AND/OR UP TO A \$1,000 FINE.

DATED: Lihu'e, Hawai'i, _____.

Judge of the Above-Entitled Court

Printed Judge's Name: _____



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 Fifth Circuit Court Office at 482-2347, fax 482-2509, or send an e-mail to adarequest@courts.hawaii.gov. The ADA Coordinator will work to provide, but cannot guarantee your requested auxiliary aid, service, or accommodation.

Please call the YWCA TRO Assistance Program at 245-6362 if you have any questions. If you need an interpreter, please call 482-2347.