

ORI No: \_\_\_\_\_ At a term of the \_\_\_\_\_ Court, County of \_\_\_\_\_,  
Order No: \_\_\_\_\_ at the Courthouse at \_\_\_\_\_, State of New York

NYSID No: \_\_\_\_\_  
CJTN No. \_\_\_\_\_

**ORDER OF PROTECTION**  
**Family Offenses - C.P.L. 530.12**

**PRESENT: Hon.** \_\_\_\_\_,  
**PEOPLE OF THE STATE OF NEW YORK**

Youthful Offender (check if applicable)  
Part: \_\_\_\_\_ Index/Docket No: \_\_\_\_\_  
Indictment No., if any: \_\_\_\_\_  
Charges: \_\_\_\_\_

against

[Check box]:  Ex Parte  Defendant Present In Court

\_\_\_\_\_, Defendant Date of Birth: \_\_\_\_\_

**NOTICE: YOUR FAILURE TO OBEY THIS ORDER MAY SUBJECT YOU TO MANDATORY ARREST AND CRIMINAL PROSECUTION WHICH MAY RESULT IN YOUR INCARCERATION FOR UP TO SEVEN YEARS FOR CONTEMPT OF COURT. IF THIS IS A TEMPORARY ORDER OF PROTECTION AND YOU FAIL TO APPEAR IN COURT WHEN YOU ARE REQUIRED TO DO SO, THIS ORDER MAY BE EXTENDED IN YOUR ABSENCE AND THEN CONTINUES IN EFFECT UNTIL A NEW DATE SET BY THE COURT.**

**THIS ORDER OF PROTECTION WILL REMAIN IN EFFECT EVEN IF THE PROTECTED PARTY HAS, OR CONSENTS TO HAVE, CONTACT OR COMMUNICATION WITH THE PARTY AGAINST WHOM THE ORDER IS ISSUED. THIS ORDER OF PROTECTION CAN ONLY BE MODIFIED OR TERMINATED BY THE COURT. THE PROTECTED PARTY CANNOT BE HELD TO VIOLATE THIS ORDER NOR BE ARRESTED FOR VIOLATING THIS ORDER.**

**TEMPORARY ORDER OF PROTECTION** - Whereas good cause has been shown for the issuance of a temporary order of protection [as a condition of  recognizance  release on bail  adjournment in contemplation of dismissal]

**ORDER OF PROTECTION** - Whereas defendant has been convicted of [specify crime or violation]: \_\_\_\_\_;  
And the Court having made a determination in accordance with section 530.12 of the Criminal Procedure Law,

**IT IS HEREBY ORDERED that the above-named defendant observe the following conditions of behavior:**

**[Check applicable paragraphs and subparagraphs]:**

[01]  Stay away from [A]  [name(s) of protected person(s) or witness(es)]: \_\_\_\_\_ and/or from the  
[B]  home of \_\_\_\_\_, [C]  school of \_\_\_\_\_,  
[D]  business of \_\_\_\_\_, [E]  place of employment of \_\_\_\_\_,  
[F]  other \_\_\_\_\_;  
-  except for contact, communication or access permitted by a subsequent order issued by a family or supreme court in a custody, visitation or child abuse or neglect proceeding.

[14]  Refrain from communication or any other contact by mail, telephone, e-mail, voice-mail or other electronic or any other means with [specify protected person(s)]: \_\_\_\_\_;  
-  except for contact, communication or access permitted by a subsequent order issued by a family or supreme court in a custody, visitation or child abuse or neglect proceeding.

[02]  Refrain from assault, stalking, harassment, aggravated harassment, menacing, reckless endangerment, strangulation, criminal obstruction of breathing or circulation, disorderly conduct, criminal mischief, sexual abuse, sexual misconduct, forcible touching, intimidation, threats, identity theft, grand larceny, coercion, unlawful dissemination or publication of intimate image(s) or any criminal offense against [specify protected person(s), members of such person's family or household, or person(s) with custody of child(ren)]: \_\_\_\_\_;

[15]  Refrain from intentionally injuring or killing without justification the following companion animal(s) (pet(s)) [specify type(s) and, if available, name(s)]: \_\_\_\_\_;

[11]  Permit [specify individual]: \_\_\_\_\_ to enter the residence at [specify ]: \_\_\_\_\_ during [specify date/time]: \_\_\_\_\_ with [specify law enforcement agency, if any]: \_\_\_\_\_ to remove personal belongings not in issue in litigation [specify items]: \_\_\_\_\_;

[04]  Refrain from [indicate acts]: \_\_\_\_\_ that create an unreasonable risk to the health, safety, or welfare of [specify child(ren), family or household member]: \_\_\_\_\_;

[05]  Permit [specify individual(s)]: \_\_\_\_\_, entitled by a court order or separation or other written agreement, to visit with [specify child(ren)]: \_\_\_\_\_ during the following periods of time [specify]: \_\_\_\_\_, under the following terms and conditions [specify]: \_\_\_\_\_;

[12]  Surrender any and all handguns, pistols, revolvers, rifles, shotguns and other firearms owned or possessed, including, but not limited to, the following \_\_\_\_\_ and do not obtain any further guns or other firearms. Such surrender shall take place immediately, but in no event later than [specify date/time]: \_\_\_\_\_ at: \_\_\_\_\_.

[ ]  Promptly return or transfer the following identification documents [specify]: \_\_\_\_\_ to the party protected by this Order NOT LATER THAN [specify date]: \_\_\_\_\_ in the following manner [specify manner or mode of return or transfer]: \_\_\_\_\_.  
[Check box(es) if applicable]:  Such documents shall be made available for use as evidence in this judicial proceeding.  
 [Jointly owned documents or documents in both parties' names only]: the following document(s) may be used as necessary for legitimate use by the defendant [specify]: \_\_\_\_\_.

[99]  Specify other conditions defendant must observe for the purposes of protection: \_\_\_\_\_

**IT IS FURTHER ORDERED** that the above-named Defendant's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [ 13A]  suspended or [13B]  revoked (note: final order only), and/or [13C]  the Defendant shall remain ineligible to receive a firearm license during the period of this order. (Check **all** applicable boxes).

**IT IS FURTHER ORDERED that this order of protection shall remain in force until and including** [specify date]: \_\_\_\_\_, but if you fail to appear when you are required to do so, the order may be extended and continue in effect until a new date set by the Court.

**DATED:** \_\_\_\_\_

\_\_\_\_\_  
JUDGE / JUSTICE  
Court (Court Seal)

- Defendant advised in Court of issuance and contents of Order.
- Order personally served on Defendant in Court

\_\_\_\_\_  
(Defendant's signature)

- Order to be served by other means [specify]: \_\_\_\_\_
- Warrant issued for Defendant
- ADDITIONAL SERVICE INFORMATION: [specify]: \_\_\_\_\_

**The Criminal Procedure Law provides** that presentation of a copy of this order of protection to any police officer or peace officer acting pursuant to his or her special duties shall authorize and in some situations may require, such officer to arrest a defendant who is alleged to have violated its terms and to bring him or her before the Court to face penalties authorized by law.

**Federal law requires** that this order be honored and enforced by state and tribal courts, including courts of a state, the District of Columbia, a commonwealth, territory or possession of the United States, if the person against whom the order is sought is an intimate partner of the protected party and has been or will be afforded reasonable notice and opportunity to be heard in accordance with state law sufficient to protect that person's rights (18 USC §§2265, 2266).

**It is a federal crime to:**

- cross state lines to violate this order or to stalk, harass or commit domestic violence against an intimate partner or family member;
- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition while this Order remains in effect (Note: there is a limited exception for military or law enforcement officers but only while they are on duty); and
- buy, possess or transfer a handgun, rifle, shotgun or other firearm or ammunition after a conviction of a domestic violence-related crime involving the use or attempted use of physical force or a deadly weapon against an intimate partner or family member, even after this Order has expired. (18 U.S.C. §§922(g)(8), 922(g)(9), 2261, 2261A, 2262).