

STATE OF INDIANA)
) SS:
COUNTY OF _____)

IN THE _____ COURT _____
(_____ DIVISION, ROOM _____)

CASE NO. _____

_____,)
Petitioner (Your Name))
vs.)
_____,)
Respondent (Person to be Restrained))

PETITION TO MODIFY AN ORDER FOR PROTECTION

I am the Petitioner and I swear or affirm, under the penalties for perjury, that the following information is true:

IMPORTANT: This is a public document and a copy of it will be placed in the Court's file. A copy may also be sent to the Respondent.

(Check those which apply)

- 1. The Court has previously issued:**
___ a. An Ex Parte Order for Protection, on the date of: _____; or,
___ b. An Order for Protection issued after a hearing, on the date of
_____.

- 2. The Order described above in Paragraph 1 will expire on the date of**
_____.

- 3. I am requesting that the Court modify the Order described above in Paragraph 1 because there has been a substantial change in my circumstances. That change is:**

_____.

- 4. Because of the change I described above in Paragraph 3, I am asking the Court to modify the existing Order in the following ways:**
(check all which apply):

NOTE: The following requested relief may be granted immediately by the Judge without a hearing. However, if the modification is based on harassment alone, the

relief may be granted ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days.

- ___ Enjoin the Respondent from threatening to commit or committing acts of domestic or family violence, stalking, or sex offenses against the person seeking protection;
- ___ Enjoin the Respondent from threatening to commit or committing acts of domestic or family violence, stalking, or sex offenses against these designated family or household members:

_____;
- ___ Enjoin the Respondent from engaging in a course of conduct involving repeated or continuing contact with the child that is intended to prepare or condition the child for sexual activity (as defined in Ind. Code § 35-42-4-13);
- ___ Prohibit the Respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the person seeking protection;
- ___ Order the Respondent to stay away from the protected person's residence, school, place of employment, or other place frequented by him/her, which is the _____, located at: _____;
- ___ Order the Respondent to stay away from the following location(s) frequented by family or household member(s), which may include a residence, school, or place of employment: _____

_____;

NOTE: The following requested relief may be granted immediately, but will require a hearing held within thirty (30) days. If the modification is based on harassment alone, the relief may be granted ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days.

- ___ Evict the Respondent from the protected person's residence, which is located at: _____;
- ___ Order the Respondent to give the protected person the possession and use of the following:
 - ___ The residence located at: _____;
 - ___ An automobile/other motor vehicle described as: _____
_____;
 - ___ Other essential personal effects, described as: _____
_____;
- ___ Prohibit Respondent from removing, transferring, injuring, concealing, harming, attacking, mistreating, threatening to harm, or otherwise disposing of the animal(s) listed below.

Example Name: Max
Age/Type: 9 year old dog

Size /Breed: *Large 55 pound black lab*
Color/Description: *Black hair, pink collar*

Animal 1 Name: _____
Age/Type: _____
Size/Breed: _____
Color/Description: _____

Animal 2 Name: _____
Age/Type: _____
Size/Breed: _____
Color/Description: _____

Additional animals listed on attached document.

____ Order that I will have the exclusive possession, care, custody, or control of an animal(s) owned, possessed, kept, or cared for by myself, the Respondent, a minor child of myself or the Respondent, or any other family or household member listed below.

Animal 1 Name: _____
Age/Type: _____
Size/Breed: _____
Color/Description: _____

Animal 2 Name: _____
Age/Type: _____
Size/Breed: _____
Color/Description: _____

Additional animals listed on attached document.

____ Order the following additional relief necessary to provide for the protected person's safety and welfare and each of the designated family or household members:

_____.

NOTE: The following requested relief may be granted only after notice to the respondent and after a hearing held within thirty (30) days:

- ____ Specify the arrangements for parenting time with the protected person's minor child(ren) by the Respondent;
- ____ Require that parenting time be supervised by a third party;

- ___ Deny the Respondent parenting time;
- ___ Order the Respondent to pay the protected person's attorney fees;
- ___ Order the Respondent to pay rent for the protected person's residence;
- ___ Order the Respondent to make payment on a mortgage for the protected person's residence;
- ___ Order the Respondent to pay child support for minor child(ren) in common with the protected person;
- ___ Order the Respondent to pay support/maintenance for the protected person;
- ___ Order the Respondent to reimburse the protected person for expenses as follows (*specify the amount for each expense and bring documentation of the expense with you to Court for the Hearing*):

- ___ Medical expenses: \$ _____
- ___ Counseling: \$ _____
- ___ Shelter: \$ _____
- ___ Repair or replacement of damaged property: \$ _____
- ___ Other costs or fees incurred by the protected person as a result of bringing this case: \$ _____

- ___ Prohibit the Respondent from using or possessing a firearm, ammunition, or deadly weapon;
- ___ Order the Respondent to surrender the following firearm(s), ammunition, or deadly weapon(s) to a specified law enforcement agency (list each item below and attach additional sheet of paper if necessary):

 _____;

- ___ Order a wireless service provider to transfer to me the right to continued use of, and financial responsibility for, the following telephone number(s) used by me or a minor child in my custody:

Telephone Number and User: _____
 Wireless Service Provider: _____
 Current Account Holder: _____

Telephone Number and User: _____
 Wireless Service Provider: _____
 Current Account Holder: _____

Additional telephone numbers listed on Attachment 9(c)

NOTE: A wireless service provider's normal requirements for setting up a new cellular telephone account still apply. You should consider whether

you will be able to set up an account in your own name and whether you will be able to pay for the account.

By filing this Petition to Modify an Order for Protection, I am respectfully requesting that the Court immediately issue an Ex Parte Order for Protection Modification. I understand that, if I have asked for relief from the Court regarding any of the following:

- **evicting the Respondent from my/our home;**
- **awarding me the possession of personal property;**
- **giving me possession of an animal;**
- **prohibiting Respondent from taking action against an animal;**
- **establishing rules for child parenting time;**
- **requiring the Respondent to pay fees, expenses, or child support;**
- **forbidding the Respondent from possessing a firearm, ammunition, or a deadly weapon;**
- **ordering the Respondent to surrender firearm(s), ammunition, or deadly weapons, or**
- **allowing me or a child to continue to use a telephone number for which I will be financially responsible;**

I must also respectfully request that the Court set a date for a Hearing within thirty (30) days of today's date.

I understand that if my petition is based on harassment alone, the Court may grant relief ONLY after notice to the Respondent and after a hearing to be held within thirty (30) days.

I understand that if a Hearing is set, and if I fail to appear for the Hearing, the Court, may dismiss this Petition to Modify.

DATE: _____

PETITIONER (signed)

PETITIONER (printed)