

CIRCUIT COURT OF ILLINOIS

JUDICIAL CIRCUIT

COUNTY

Petitioner's Name (person completing form)

Independent

Name(s) of other protected parties

Criminal

Juvenile

Check if filing on behalf of:

(file stamp)

a minor child, or an adult who because of age, disability, health, or inaccessibility cannot file the petition (list name(s) below)

vs.

Case # (to be completed by Court)

Respondent's Name (person you want protection from)

If the Respondent is under age 18 and if remedy #4 is requested the name(s) of minor parent(s) or legal guardian(s)

Notice to School Board(s) if remedy #4 is requested

VERIFIED PETITION FOR CIVIL NO CONTACT ORDER (Sexual Conduct and/or Penetration)

PETITIONER INFORMATION

Petitioner's

Address: (Street/P.O. Box) (City) (State) (Zip Code)

Disclosure of Petitioner's and/or protected party's address would risk further abuse. The address listed above is Petitioner's and/or protected party's alternative address for service of notice.

Other protected persons (persons to be included in the Civil No Contact Order), in addition to the Petitioner are:

Name:

Address: (Street/P.O. Box) (City) (State) (Zip Code)

Name:

Address: (Street/P.O. Box) (City) (State) (Zip Code)

RESPONDENT INFORMATION

(if known)

Name: _____ DOB: _____

Sex: Male Female Race: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____ Social Security #: XXX-XX-_____
(last 4 numbers)

Driver's License #: _____ License Plate #: _____

Other Numeric Identifier: _____ Description: _____
(number - optional) (e.g. passport #, military serial # or other)

Home Address: _____
(Street/P.O. Box) (City) (State) (Zip)

Name of Workplace: _____ Work Hours: _____

Work Address: _____
(Street/P.O. Box) (City) (State) (Zip)

Distinguishing Physical Features: _____
(tattoos, scars, etc.)

Respondent is incarcerated at: _____

Respondent's address is unknown. Service by publication is requested (Section 2-206 (a) of the Code of Civil Procedure). {Reasonable efforts to accomplish actual service must be shown by evidence or affidavit. 740 ILCS 22/208(c)}

Respondent may be

- considered armed and/or dangerous
- suicidal
- considered armed, dangerous and suicidal

I am requesting a Civil No Contact Order because on or about _____, at _____
(date)

_____ (location)
the following occurred: (Be specific as to dates, events and locations) _____

(additional pages may be added)

Venue is appropriate in this county because: the Petitioner resides here; the Respondent resides here; the alleged non-consensual sexual conduct or non-consensual sexual penetration occurred here (check all that apply).

REMEDIES SECTION (740 ILCS 22/213)

Pursuant to the Civil No Contact Order Act, the Petitioner seeks the following remedies:

1. That the Respondent be ordered to stay at least _____ feet away from the Petitioner and/or other protected persons. That Respondent be prohibited from entering or remaining at the Petitioner's and/or other protected persons':
 - place of residence, located at _____
 - place(s) of employment, located at _____
 - school(s) and/or daycare, located at _____
 - and any of the following specified places, when Petitioner and/or other protected persons are present: _____

2. That the Respondent refrain from contact with Petitioner and/or other protected persons in any way, directly, indirectly or through third parties, including, but not limited to, phone, written notes, mail, email, or fax.

3. That Respondent stay away from and be prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of the Petitioner and/or other protected persons' real and/or personal property or animal(s).

4. That the Respondent be restrained from attending _____ school at _____ (address) attended by the Petitioner. {740 ILCS 22/213(b-6)}

5. Other injunctive relief as follows:

WHEREFORE, Petitioner moves the Court to grant the relief requested in this petition.

VERIFICATION

UNDER THE PENALTIES OF PERJURY AS PROVIDED BY LAW PURSUANT TO SECTION 1-109 OF THE CODE OF CIVIL PROCEDURE, THE UNDERSIGNED CERTIFIES THAT THE STATEMENTS SET FORTH IN THIS INSTRUMENT ARE TRUE AND CORRECT, EXCEPT AS TO MATTERS HEREIN STATED TO BE ON INFORMATION AND BELIEF AND AS TO SUCH MATTERS THE UNDERSIGNED CERTIFIES AS AFORESAID THAT THE UNDERSIGNED VERILY BELIEVES THE SAME TO BE TRUE.

Signature of Petitioner

Petitioner's Attorney or
Petitioner if not represented by an attorney
Name: _____
Telephone Number _____
Address _____
City/State/Zip _____

DEFINITION OF TERMS USED IN THIS PETITION

1. **Civil No Contact Order:** an emergency order or plenary order granted under this Act, which includes a remedy authorized by 740 ILCS 22/213 of this Act.
2. **Family or Household Members:** include spouses, parents, children, stepchildren, and persons who share a common dwelling.
3. **Non-consensual:** a lack of freely given agreement.
4. **Petitioner:** may mean not only any named petitioner for the civil no contact order and any named victim of non-consensual sexual conduct or non-consensual sexual penetration on whose behalf the petition is brought, but also any other person sought to be protected by this Act.
5. **Protected Persons:** The following persons are protected by this Act:
 - (a) any victim of non-consensual sexual conduct or non-consensual sexual penetration on whose behalf the petition is brought;
 - (b) any family or household member of the named victim; and
 - (c) any employee of or volunteer at a rape crisis center that is providing services to the petitioner or the petitioner's family or household member.
6. **Respondent:** may mean not only the person alleged to have committed an act of non-consensual sexual conduct or non-consensual sexual penetration against the petitioner, but also any other named person alleged to have aided and abetted such an act of non-consensual sexual conduct or non-consensual sexual penetration.
7. **Sexual Conduct:** any intentional or knowing touching or fondling by the Petitioner or the Respondent, either directly or through clothing, of the sex organs, anus, or breast of the Petitioner or the Respondent, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the respondent upon any part of the clothed or unclothed body of the petitioner, for the purpose of sexual gratification or arousal of the Petitioner or the Respondent.
8. **Sexual Penetration:** any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.
9. **Stay Away:** to refrain from both physical presence and nonphysical contact with the Petitioner directly, indirectly, or through third parties who may or may not know of the order. "Nonphysical contact" includes, but is not limited to, telephone calls, mail, e-mail, fax, and written notes.

CIRCUIT COURT OF ILLINOIS

JUDICIAL CIRCUIT

COUNTY

Petitioner's Name (person completing form)
Name(s) of other protected parties

- Independent
Criminal
Juvenile

Check if filing on behalf of:

a minor child, or an adult who because of age, disability, health, or inaccessibility cannot file the petition (list name(s) below)

(file stamp)

vs.

Respondent D.O.B.

If the Respondent is under age 18 and if remedy #4 is ordered the name(s) of minor's parents or legal guardian(s)

Case # (to be completed by Court)

Address for Service

Notice to school board(s) if remedy #4 is requested

SUMMONS - CIVIL NO CONTACT ORDER

740 ILCS 22/101

You are summoned and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court, Room, located at County Courthouse, Illinois, within 7 days after the service of this summons, not counting the day of service.

IF YOU FAIL TO DO SO, A CIVIL NO CONTACT ORDER MAY BE ENTERED AGAINST YOU BY DEFAULT FOR THE RELIEF ASKED IN THE PETITION.

Hearing Date Time a.m./p.m. Courtroom To the Officer:

The Officer, or other person to whom it was given for service, with endorsement of service immediately following service, must return this summons. If service cannot be made, this summons shall be returned so endorsed.

This summons may not be served later than 30 days after its date.

DATED

Petitioner's Attorney or
Petitioner if not represented by an attorney
Name:
Telephone Number
Address
City/State/Zip

Clerk of the Circuit Court

Deputy Clerk

Form approved by the Conference of Chief Circuit Judges.
Effective December 11, 2009
Use required after January 1, 2010

SERVICE

() I certify that I served this summons on Respondent as follows:
(Check appropriate box, and complete information below.)

() **Individual Respondent – Personal**

By leaving a copy and a copy of the complaint with named Respondent
_____ personally on _____.

() **Individual Respondent-Abode**

By leaving a copy and a copy of the complaint at the usual place of abode of
named Respondent with a person of his family, of the age of 13 years or upwards,
informing that person of the contents and also sending a copy of the summons in a
sealed envelope with postage fully prepaid, addressed to named Respondent at his
usual place of abode.

Name of Respondent _____

Date of Service _____ Time _____

Name of Person Summons given to _____

Sex _____ Race _____ Approximate Age _____

Date of Mailing _____

Place of Service _____

() Respondent not found in this County.

() Service by mailing notice, postage, fully pre-paid on _____, at _____
am/pm,

_____ and addressed to _____, _____,
Place of mailing Respondent's name Street
_____, _____.
City, State Zip

(S.Ct. Rule 11 (b)(3) and 12(b)(3). Service is complete four days after mailing)

() I certify that Respondent was served while incarcerated at _____.

Sheriff _____

By Deputy _____

Date _____

CIRCUIT COURT OF ILLINOIS

JUDICIAL CIRCUIT

COUNTY

Petitioner's Name (person completing form)
Name(s) of other protected parties

- Independent
Criminal
Juvenile

Check if filing on behalf of:
a minor child, or an adult who because of age, disability, health, or inaccessibility cannot file the petition (list name(s) below)

(file stamp)

Case # (to be completed by Court)

LEADS #

vs.

Respondent's date of birth

Respondent's Name
If the Respondent is under age 18 and if remedy #4 is ordered the name(s) of minor's parents or legal guardian(s)

Notice to school board(s) if remedy #4 is requested

ORDER FOR EXTENSION AND/OR MODIFICATION OF CIVIL NO CONTACT ORDER

The court finds that: an emergency order or a plenary order was entered on

Notice of hearing has been served pursuant to Supreme Court Rules 11(b)(3) 412(b)(c). 740 ILCS 22/209. The court having jurisdiction of the subject matter and the parties, it is hereby ordered that:

- 1. An extension of the emergency order or plenary order is granted and is hereby extended to 20 at a.m./p.m.
2. Upon good cause being shown, an extension of the plenary order is granted and is hereby to remain in effect until vacated or modified. 740 ILCS 22/216 (d-5)
3. A hearing on the emergency order or plenary order is set for 20 at a.m./p.m., at County Courthouse, Courtroom # Illinois.
4. The emergency order or plenary order is vacated.
5. The emergency order or plenary order is modified as follows:

JUDGE

Date: _____

Petitioner Respondent given a copy of this Order in open court on ____ / ____ / ____.

cc: Petitioner Respondent Counsel of Record Sheriff Advocate Jail S/A

Involved School Board(s) if remedy #4 is ordered

CIRCUIT COURT OF ILLINOIS

JUDICIAL CIRCUIT

COUNTY

Petitioner's Name (person completing form)
Name(s) of other protected parties

- Independent
Criminal
Juvenile

Check if filing on behalf of:

a minor child, or an adult who because of age, disability, health, or inaccessibility cannot file the petition (list name(s) below)

(file stamp)

vs.

Case # (to be completed by Court)

Respondent's Name (person you want protection from)

If the Respondent is under age 18 and if remedy #4 is ordered the name(s) of minor(s) parents or legal guardian(s)

Notice to school board(s) if remedy #4 is requested

MOTION TO EXTEND AND/OR MODIFY CIVIL NO CONTACT ORDER

I request that the emergency or plenary Civil No Contact Order issued on be extended OR modified OR extension to remain in effect until the order is vacated or modified for the following good cause:

1. Extension when there has been no material change in relevant circumstances 740 ILCS 22/216(c). This motion is not contested and the petitioner seeks no modification of the order. The reasons for the extension are:

2. Modification or Extension when there is a material change in relevant circumstances. There has been a material change of relevant circumstances since the order was issued. The changes of relevant circumstances and the reason for the requested modification or extension are as follows:

The Petitioner requests the following modification:

3. Extension requested until the order is vacated or modified for the following good cause:

Respondents address is unknown. Service by publication is requested (Sec. 2-206 (a) of the Code of Civil Procedure)

The Petitioner prays this motion be set for hearing.

VERIFICATION

UNDER THE PENALTIES OF PERJURY AS PROVIDED BY LAW PURSUANT TO SECTION 1-109 OF THE CODE OF CIVIL PROCEDURE, THE UNDERSIGNED CERTIFIES THAT THE STATEMENTS SET FORTH IN THIS INSTRUMENT ARE TRUE AND CORRECT, EXCEPT AS TO MATTERS HEREIN STATED TO BE ON INFORMATION AND BELIEF AND AS TO SUCH MATTERS THE UNDERSIGNED CERTIFIES AS AFORESAID THAT THE UNDERSIGNED VERILY BELIEVES THE SAME TO BE TRUE.

Signature of Petitioner

Petitioner's Attorney or Petitioner if not represented by an attorney

Name: _____

Telephone Number _____

Address _____

City/State/Zip _____

Petitioner's current address: _____
(Street/P.O. Box) (City) (State) (Zip Code)

Disclosure of Petitioner's and/or protected party's address would risk further abuse. The address listed above is Petitioner's and/or protected party's alternative address for service of notice.

Cause set for status call hearing on _____, 20____, at _____ a.m./p.m. in room _____

at _____ County Courthouse, located at _____, Judge _____

SERVICE

() I certify that I served this motion on Respondent as follows: (Please check appropriate box and complete information below.)

() **Individual Respondent – Personal**

By leaving a copy of the motion with named Respondent _____ personally on _____.

() **Individual Respondent – Abode**

By leaving a copy of the motion at the usual place of abode of named Respondent with a person of his family, of the age of 13 years or upwards, informing that person of the contents and also sending a copy of the summons in a sealed envelope with postage fully prepaid, addressed to named Respondent at his usual place of abode.

Name of Respondent _____

Date of Service _____ Time _____

Name of Person Summons given to _____

Sex _____ Race _____ Approximate Age _____

Date of Mailing _____

Place of Service _____

() Respondent not found in this County.

() Service by mailing notice, postage, fully pre-paid on _____, at _____ am/pm,
date
_____ and addressed to _____,
Place of mailing Respondent's name Street
_____, _____
City, State Zip

(S.Ct. Rule 11 (b)(3) and 12(b)(3). Service is complete four days after mailing)

() I certify that Respondent was served while incarcerated at _____

Sheriff _____

By Deputy _____

Date _____

() I certify that that a copy of the motion to extend and/or modify the civil no contact order was served on the respondent by mailing in an envelope addressed to respondent at respondents' last known address with postage full prepaid and by depositing said envelope in a U.S. Post Office mail box on _____ date.

Petitioner _____

CIRCUIT COURT OF ILLINOIS

JUDICIAL CIRCUIT

COUNTY

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- Independent
Criminal
Juvenile

Name(s) of other protected parties

Check if filing on behalf of:

a minor child, or an adult who because of age, disability, health, or inaccessibility cannot file the petition (list name(s) below)

(file stamp)

vs.

Case # (to be completed by Court)

Respondent

If the Respondent is under age 18 and if remedy #4 is requested, the name(s) of minor's parent(s) or legal guardian(s)

Notice to school board(s) if remedy #4 is requested

CIVIL NO CONTACT ORDER (Sexual Conduct and/or Penetration)

EMERGENCY CIVIL NO CONTACT ORDER

Issued on: Date: Time: a.m./p.m.

Expires on: Date: Time: a.m./p.m.

NOTICE

Hearing is set for: Date: Time: a.m./p.m. at the

County Courthouse, Courtroom, IL (street address) (city)

PLENARY CIVIL NO CONTACT ORDER
(Requires Service of Process Under 740 ILCS 22/208)

Issued on: Date: _____ Time: _____ a.m./p.m.

In effect until:

- _____, 20 ____.
- Final judgment is rendered in Case No. _____.
- This No Contact Order is modified or vacated. (See attached Order.)
- Final disposition when a Bond Forfeiture Warrant has been issued.
- Two years following expiration of any sentence of supervision, conditional discharge, probation, periodic imprisonment, imprisonment or mandatory supervised release on _____.
- Petitioner Respondent given a copy of this Order in open court on ____/____/____.

PETITIONER INFORMATION

Name: _____

Address: _____
(Street/P.O. Box) (City) (State) (Zip Code)

Disclosure of Petitioner's address would risk further abuse. The address listed above is Petitioner's alternative address for service of notice.

Other protected persons (persons to be included in the Civil No Contact Order), in addition to the Petitioner are:

Name: _____

Address: _____
(Street/P.O. Box) (City) (State) (Zip Code)

Name: _____

Address: _____
(Street/P.O. Box) (City) (State) (Zip Code)

RESPONDENT INFORMATION (if known)

Name: _____ DOB: _____

Sex: Male Female Race: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____ Social Security #: XXX-XX-_____
(last 4 numbers)

Driver's License #: _____ License Plate #: _____

Other Numeric Identifier: _____ Description _____
(number - optional) (e.g. passport #, military serial # or other)

Home Address: _____
(Street/P.O. Box) (City) (State) (Zip)

Name of Workplace: _____ Work Hours: _____

Work Address: _____
(Street/P.O. Box) (City) (State) (Zip)

Distinguishing Physical Features: _____

Respondent is incarcerated at: _____

Respondent's address is unknown

CAUTION INDICATOR Respondent may be A S Y

NOTICE TO RESPONDENT

ANY KNOWING VIOLATION OF A CIVIL NO CONTACT ORDER IS A CLASS A MISDEMEANOR. ANY SECOND OR SUBSEQUENT VIOLATION IS A CLASS 4 FELONY.

NOTICE TO LAW ENFORCEMENT AGENCIES AND OFFICERS

Any law enforcement officer may make an arrest without warrant if the officer has probable cause to believe that the person has committed or is committing a violation of a civil no contact order.
740 ILCS 22/301 (a)

This Civil No Contact Order is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. territories pursuant to the Violence Against Women Act (18 U.S.C. 2265).

FINDINGS [Emergency Order]

- The Court finds that good cause exists for granting the remedy regardless of prior service of process or notice upon the Respondent, because the harm which that remedy is intended to prevent would be likely to occur if Respondent were given any prior notice or greater notice than was given, of Petitioner's efforts to obtain judicial relief.

FINDINGS [Jurisdiction]

The court finds that Respondent:

- has been served with process and notice pursuant to statute.
 has entered an appearance in this case.
 is present in court, in person, and/or with counsel, _____
 is in default.
 has filed an answer.

The court finds that the Petitioner:

- has diligently attempted to complete service of process, has not been able to serve Respondent, and has given notice by publication (service completed 30 days after the first of three publication notices).

FINDINGS [General]

In granting the following remedies, the Court has considered all relevant factors, including but not limited to the nature, severity and consequences of Respondent's past non-consensual sexual conduct or non-consensual sexual penetration of Petitioner, including Respondent's concealment of his/her location in order to evade service of process or notice, and the likelihood of danger of future non-consensual sexual conduct or non-consensual sexual penetration of the party to be protected.

The Court further finds that:

- Venue is proper (740 ILCS 22/207).
 Upon examination of the Verified Petition, Petitioner under oath, and other evidence, Petitioner is a victim of non-consensual sexual conduct or non-consensual sexual penetration by the Respondent.

- Upon examination of the Verified Petition, Petitioner under oath, and other evidence, Petitioner is a victim of the Respondent's aiding and abetting non-consensual sexual conduct or non-consensual sexual penetration (740 ILCS 22/213.7).
- The victim is unable to bring this Petition on his/her own behalf due to age, health, disability, or inaccessibility (740 ILCS 22/201).
- The parties stipulate to a factual basis for the issuance of a Civil No Contact Order.

IT IS ORDERED:

1. That the Respondent be ordered to stay at least _____ feet away from the Petitioner and/or other protect parties. That Respondent be prohibited from entering or remaining at the Petitioner's and/or other protected persons':
 - place of residence, located at _____
 - _____
 - place(s) of employment, located at _____
 - _____
 - school(s) and/or daycare, located at _____
 - _____
 - and any of the following specified places, when Petitioner and/or other protected persons are present: _____
 - _____

2. That the Respondent refrain from contact with Petitioner and/or other protected persons in any way, directly, indirectly or through third parties, including, but not limited to, phone, written notes, mail, email, or fax.

3. That Respondent stay away from and be prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of the Petitioner and/or other protected persons' real and/or personal property or animal(s).

4. The Respondent is restrained from attending _____ school at _____ (address) attended by the Protected Person. Finding that the Respondent is a minor and Respondent's parent(s) guardian(s) ordered to transfer respondent to _____ (school) immediately. _____ is responsible for transporting minor to and from school. (Criterion pursuant to 740 ILCS 22/213(b-6) has been considered). (Residency pursuant to 105 ILCS 5/14-1.11.(4) or 14-1.11a.(3))

5. Other injunctive relief as follows:
 - _____
 - _____
 - _____

This order can be extended upon notice filed in the office of the Clerk of this Court and a hearing held **prior to the expiration of this Order**. NOTE: To ensure adequate time for a hearing, it is recommended that Petitioner seek an extension at least 3 weeks prior to the expiration of this order.

JUDGE

I hereby certify that this is a true and correct copy of the original Order on file with the court.

(Seal of the Clerk of Circuit Court)

Clerk of the Circuit Court of

County, IL

Date: _____

cc: Petitioner Respondent Counsel of Record Sheriff Advocate Jail S/A
 Involved School Board(s) if remedy #4 is ordered

DEFINITION OF TERMS USED IN THIS ORDER

1. **Civil No Contact Order:** an emergency order or plenary order granted under this Act, which includes a remedy authorized by 740 ILCS 22/213 of this Act.
2. **Family or Household Members:** include spouses, parents, children, stepchildren, and persons who share a common dwelling.
3. **Non-consensual:** a lack of freely given agreement.
4. **Petitioner:** may mean not only any named petitioner for the civil no contact order and any named victim of non-consensual sexual conduct or non-consensual sexual penetration on whose behalf the petition is brought, but also any other person sought to be protected by this Act.
5. **Protected Persons:** The following persons are protected by this Act:
 - (a) any victim of non-consensual sexual conduct or non-consensual sexual penetration on whose behalf the petition is brought;
 - (b) any family or household member of the named victim; and
 - (c) any employee of or volunteer at a rape crisis center that is providing services to the petitioner or the petitioner's family or household member.
6. **Respondent:** may mean not only the person alleged to have committed an act of non-consensual sexual conduct or non-consensual sexual penetration against the petitioner, but also any other named person alleged to have aided and abetted such an act of non-consensual sexual conduct or non-consensual sexual penetration.
7. **Sexual Conduct:** any intentional or knowing touching or fondling by the Petitioner or the Respondent, either directly or through clothing, of the sex organs, anus, or breast of the Petitioner or the Respondent, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the respondent upon any part of the clothed or unclothed body of the petitioner, for the purpose of sexual gratification or arousal of the Petitioner or the Respondent.
8. **Sexual Penetration:** any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.
9. **Stay Away:** to refrain from both physical presence and nonphysical contact with the Petitioner directly, indirectly, or through third parties who may or may not know of the order. "Nonphysical contact" includes, but is not limited to, telephone calls, mail, e-mail, fax, and written notes.