

TEMPORARY RESTRAINING ORDER – CHILD ABUSE

Instructions for completing forms: *(Please print)*

Waukesha County Clerk of Court Information Sheet

- Petitioner to complete all blanks.

Order Appointing Guardian ad Litem or Attorney

- Petitioner to complete top section with case caption, select type of appointment, child's name, address, telephone number and select reason for appointment.

Consent to Act

- Petitioner to complete top section with case caption only.

Petition for Temporary Restraining Order and/or Injunction (Child Abuse)

- Petitioner to complete all blanks.
- The petition must be signed before a notary. There are notaries available at the courthouse.
- The petitioner must provide proper identification – a valid driver's license or state I.D.
- The petitioner should prepare a written statement listing the incidents of child abuse and attach the statement to the petition.

Uniform Child Custody Jurisdiction and Enforcement Act Affidavit

- Petition to insert case caption, answer all questions and attach additional information as necessary.
- The affidavit must be signed before a notary. There are notaries available at the courthouse.

Notice of Hearing-Temporary Restraining Order (Child Abuse)

- Petitioner to complete top section with petitioner's name, date of birth and respondent's name and address.

Notice and Order for Injunction Hearing when Temporary Restraining Order is Not Issued (Child Abuse)

- Petitioner to complete top section with petitioner's name, date of birth and respondent's name and address.

Confidential Address Information in Domestic Abuse, Child Abuse, Individual at Risk, and Harassment Temporary Restraining Order and Injunction Actions

- Petitioner to complete all blanks.

Petitioner's Statement of Respondent's Possession of Firearms

- Petitioners are **NOT** required to fill out this form.
- If petitioner chooses to fill out this form, do so as completely as possible and bring to the Injunction Hearing.

Respondent's Statement of Possession of Firearms

- Petitioner to complete as much information at the top of the form as possible (*to include Respondent's name, address and telephone number*)
- Respondent to complete all blanks.

Information for Respondents Regarding the Surrender and Return of Firearms

- Nothing is completed on this form by either party – for informational purposes ONLY.

Filing Instructions:

- Completed paperwork should be presented for filing in the Civil Division, Room C-167 of the Waukesha County Courthouse.
- A court official will review the petition.
- If approved by the court official, the case will be filed and a hearing date will be assigned.
- The petitioner will be provided copies of the documents for service. One copy is to be kept with the petitioner at all times.
- Copies of the documents are faxed to petitioner's local police department. Report any violations to the local police.

Service Information:

- The Clerk's Office will fax the appropriate documents to the Sheriff for service on the respondent.
- The Sheriff charges a fee to serve the documents on the respondent for harassment restraining orders unless fees have been waived due to indigency. The petitioner must still report to the Waukesha County Sheriff Department to pay for service if necessary, even though the Clerk's Office faxes the documents for service. Service will NOT be attempted unless payment is made.
- The respondent **must** be served to give notice of the court date. The temporary restraining order is not in effect until the respondent has been served.
- If the respondent is to be served in Waukesha County, the Waukesha County Sheriff can serve the papers and will file proof of service. Contact the Waukesha County Sheriff's Process Office at: (262) 548-7151.
- **If the Respondent is to be served outside of Waukesha County**, the Clerk's Office will fax the appropriate documents to the Sheriff in the county where the respondent is to be served to arrange service of the restraining order on the respondent. The petitioner must report or contact the appropriate law enforcement agency to provide payment for service if necessary. Service will NOT be attempted unless payment is made (unless fees have been waived due to indigency).
- **If the Respondent is to be served outside of the State of Wisconsin**, the petitioner should attempt to provide the Clerk's Office with a phone number and fax number for the Sheriff Department where the respondent is to be served. The Clerk's Office will fax the appropriate documents to the Sheriff in the county where the respondent is to be served. The petitioner must report or contact the appropriate law enforcement agency to provide payment for service if necessary. Service will NOT be attempted unless payment is made (unless fees have been waived due to indigency).
- The Sheriff will file proof of service with this office. Proof of service may be faxed to the clerk's office at (262) 548-7546 or the petitioner may mail the original to the Clerk of Courts Office.
- If service cannot be obtained, petitioner must still appear at the court hearing. The court may extend the time for hearing up to fourteen (14) additional days, for service to be accomplished.

Hearing:

- Report to the designated courtroom on the assigned date and time and check in with the bailiff.
- Bring any necessary documents or witnesses with you to the hearing.