

## TEMPORARY RESTRAINING ORDER - HARASSMENT INFORMATION

**Instructions for completing forms:** *(Please print)*

### **Waukesha County Clerk of Court Information Sheet**

- Petitioner to complete all blanks.

### **Petition for Waiver of Fees and Costs – Affidavit of Indigency and Order**

#### **(ONLY COMPLETE THIS FORM IF YOU BELIEVE YOU ARE INDIGENT AND UNABLE TO PAY)**

- Petitioner to complete the top section with petitioner's name, respondent's name, and check appropriate boxes regarding ability to pay.
- Petitioner to complete all applicable blanks in Section 1 or Section 2 as appropriate.
- 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.

### **Petition for Temporary Restraining Order and/or Injunction (Harassment)**

- 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 harassment and attach the statement to the petition. Dates and times of incidents should be included in Statement.

### **Notice of Hearing-Temporary Restraining Order (Harassment)**

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

### **Notice and Order for Injunction Hearing when Temporary Restraining Order is Not Issued (Harassment)**

- Petitioner to complete top section with petitioner's name, 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 submit at the time of filing or 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:

- Petitions for harassment temporary restraining order/injunction **may** require a large claim filing fee. Check with the clerk for the current fee.
- 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, 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).
- **If the Petitioner is a Milwaukee County Resident**, the Clerk's Office will fax the documents for service, but the petitioner must personally take a case packet to their local Police Department/Precinct and reports to the appropriate law enforcement agency for service to provide payment.
- 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 appear and bring written proof of attempted service to the court hearing. The court may extend the time for hearing up to fourteen (14) additional days, for service to be accomplished.

### VPO – VINE Protective Order

- If you have obtained a non-confidential TRO (Temporary Restraining Order), you can register to be notified when the TRO has been served by law enforcement.
- If you want to be notified you **MUST** register by calling 1-855-948-7648 or visiting [www.vinelink.com](http://www.vinelink.com)
- On the website, click Wisconsin on the drop-down menu, then Find a Protective Order to search for the protective order
- You will need the following:
  - 12 digit CCAP case number (**for example: 2016CV000065**)
  - County the issued the TRO (**Waukesha**)
  - Respondent's FIRST and LAST name
- You can receive notification via phone and/or email

### 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.
- If accommodations are needed for persons with disabilities, please notify the Clerk of Courts in advance.