

TEMPORARY RESTRAINING ORDER - INFORMATION INDIVIDUAL AT RISK

Individual at Risk forms:

- Petition for Temporary Restraining Order and/or Injunction (Individual at Risk) form [CV-428](#)
- Notice of Hearing-Temporary Restraining Order (Individual at Risk) form [CV-429](#)
- Injunction (Individual at Risk) form [CV-430](#)

Instructions for Completing forms: *(Please print)*

Petition for Temporary Restraining Order and/or Injunction (Individual at Risk)

- The petitioner is 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 interference with an investigation of an individual at risk, or a protective placement of an individual at risk, or the delivery of services to an elder adult at risk. The statement is to be attached to the petition.

Notice of Hearing-Temporary Restraining Order (Individual at Risk)

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

Injunction (Individual at Risk)

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

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.
- If the petitioner is other than the actual individual at risk, the petitioner shall serve copies of the documents on the individual at risk.
- Copies of the documents are faxed to petitioner's local police department. Report any violations to the local police.

Service Information:

- The petitioner will be provided three copies and will be instructed to take the copies of the documents to the Sheriff for service on the respondent. 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 file proof of service.
- **If the Respondent is to be served outside of Waukesha County**, the petitioner must contact the sheriff in the county where the respondent is to be served to arrange service of the restraining order on the respondent.
- It is petitioner's responsibility to file the proof of service with the Clerk of Courts. A copy of the 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 seven (7) 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.