

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.980(q)
PETITION FOR INJUNCTION FOR
PROTECTION AGAINST SEXUAL VIOLENCE (06/24)**

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** are defined in that section. The clerk of the circuit court or family law intake staff can help you complete any necessary domestic violence forms and can give you information about local domestic violence victim assistance programs, shelters, and other related services. You may also call the Domestic Violence Hotline at 1-800-500-1119. For further information, see Chapter 741, Florida Statutes, and Rule 12.610, Florida Family Law Rules of Procedure.

When should this form be used?

If you are a victim of **sexual violence** or the parent or legal guardian of a minor child who is living at home and is a victim of sexual violence, you can use this form to ask the court for a protective order prohibiting sexual violence. Sexual violence means any one incident of:

- sexual battery, as defined in Chapter 794, Florida Statutes.
- a lewd or lascivious act, as defined in Chapter 800, Florida Statutes, committed upon or in the presence of a person younger than 16 years of age.
- luring or enticing a child, as described in Chapter 787, Florida Statutes.
- sexual performance by a child, as described in Chapter 827, Florida Statutes; or
- any other forcible felony wherein a sexual act is committed or attempted.

In order to get an injunction, you must have reported the sexual violence to a law enforcement agency and be cooperating in the criminal proceeding if there is one. It does not matter whether criminal charges based on the sexual violence have been filed, reduced, or dismissed by the state attorney's office. You may also seek an injunction for protection against sexual violence if the respondent was sent to prison for committing one of the sexual violence crimes listed above against you or your minor child living at home and respondent is out of prison or is getting out of prison within 90 days of your petition. Attach the notice of inmate release to your petition.

Because you are making a request to the court, you are called the **petitioner**. The person whom you are asking the court to protect you from is called the **respondent**. If you are seeking an injunction for protection against sexual violence on behalf of a minor child who is living at home, the parent or legal guardian must have been an eyewitness to or have direct physical evidence or **affidavits** from eyewitnesses of, the specific facts and circumstances that form the basis of the petition. If you are under the age of eighteen and have never been married or had the disabilities of nonage removed by a court, one of your parents or your legal guardian must sign this petition on your behalf.

If the respondent is your **spouse**, former spouse, related to you by blood or marriage, living with you now or has lived with you in the past (if you are or were living as a family), or is the other parent of your child(ren) whether or not you have ever been married or ever lived together, you should use **Petition for Injunction for Protection Against Domestic Violence**, Florida Supreme Court Approved Family Law Form 12.980(a), rather than this form.

This form should be typed or printed in black ink. You should complete this form (giving as much detail as possible) and sign it. You must file this form electronically pursuant to Florida Rule of General Practice and Judicial Administration 2.525 OR bring the form to a clerk in the county where you live. You should keep a copy for your records. If you have any questions or need assistance completing this form, a court clerk or **family law intake staff**

can help you.

What should I do if the judge grants my petition?

If the facts contained in your petition convince the judge that an immediate and present danger of violence exists, the judge will sign a **Temporary Injunction for Protection Against Sexual Violence**, Florida Supreme Court Approved Family Law Form 12.980(r). A temporary injunction is issued without notice to the respondent. The clerk will give your petition, the temporary injunction, and any other papers filed with your petition to the sheriff or other law enforcement officer for personal service on the respondent. The temporary injunction will take effect immediately after the respondent is served with a copy of it. It lasts until a full hearing can be held or for a period of 15 days, whichever comes first, unless the respondent is incarcerated, and in such instance the temporary injunction is effective for 15 days following the date the respondent is released from incarceration. The court may extend the temporary injunction beyond 15 days for a good reason, which may include failure to obtain service on the respondent.

The temporary injunction is issued ex parte. This means that the judge has considered only the information presented by one side—YOU. Section I of the temporary injunction gives a date that you should appear in court for a hearing. You will be expected to testify about the facts in your petition. The respondent will be given the opportunity to testify at this hearing, also. At the hearing, the judge will decide whether to issue a **Final Judgment of Injunction for Protection Against Sexual Violence (After Notice)**, Florida Supreme Court Approved Family Law Form 12.980(s), which will remain in effect for a specific time period or until modified or dissolved by the court. **If you and/or the respondent do not appear, the temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted, including entry of a permanent injunction and the imposition of court costs. You and respondent will be bound by the terms of any injunction or order issued at the final hearing.**

IF EITHER YOU OR RESPONDENT DO NOT APPEAR AT THE FINAL HEARING, YOU WILL BOTH BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.

If the judge signs a temporary or final injunction, the clerk will provide you with the necessary copies. **Make sure that you keep one certified copy of the injunction with you at all times!**

What can I do if the judge denies my petition?

If your petition is denied on the grounds that it appears to the court that no immediate and present danger of sexual violence exists, the court will set a full hearing on your petition. The respondent will be notified by personal service of your petition and the hearing. If your petition is denied, you may: amend your petition by filing a **Supplemental Affidavit in Support of Petition for Injunction for Protection**, Florida Supreme Court Approved Family Law Form 12.980 (g); attend the hearing and present facts that support your petition; and/or dismiss your petition.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of General Practice and Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

IMPORTANT INFORMATION REGARDING E-SERVICE

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server,

the Florida Rules of General Practice and Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of General Practice and Judicial Administration** and you **must** review Florida Rule of General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MUST SERVE DOCUMENTS BY E-MAIL UNLESS OTHERWISE EXCUSED. If a self-represented litigant has been excused from serving documents by e-mail and then elects to serve and receive documents by e-mail, the procedures must always be followed once that election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of General Practice and Judicial Administration 2.516.

Special notes . . .

Disclosure from Nonlawyer, Remember, a person who is NOT an attorney is called a **nonlawyer**. If a nonlawyer helps you fill out this form, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out this form also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

If you fear that disclosing your address would put you in danger, you should complete a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), and file it with the clerk of the circuit court and write “confidential” in the space provided for your address on the petition.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

_____,
Petitioner,

Case No.: _____

and

Division: _____

_____,
Respondent.

PETITION FOR INJUNCTION FOR PROTECTION AGAINST SEXUAL VIOLENCE

I, *{full legal name}* _____ declare under penalties of perjury, that the following statements are true:

SECTION I. PETITIONER

(This section is about you. It must be completed; however, **if you fear that disclosing your address to the respondent would put you in danger**, you should complete and file a Request for Confidential Filing of Address, Florida Supreme Court Approved Family Law Form 12.980(h), and write “confidential” in the space provided on this form for your address.)

1. Petitioner currently lives at the following address: *{address, city, state, zip code}* _____

Date of Birth of Petitioner: _____

{Indicate if applicable}

_____ **Petitioner seeks an injunction for protection on behalf of a minor child.**

Petitioner is the parent or legal guardian of *{full legal name}* _____,
a minor child who is living at home.

2. Petitioner’s attorney’s name, address, and telephone number is: _____

(If you do not have an attorney, write “none.”)

SECTION II. RESPONDENT

(This section is about the person you want to be protected from. It must be completed.)

1. Respondent currently lives at the following address: *{address, city, state, and zip code}* _____

Respondent’s Driver’s License number is: *{if known}* _____

2. Respondent’s last known place of employment: _____

Employment address: _____

Working hours: _____

3. Physical description of Respondent:

Race: _____ Sex: Male _____ Female _____ Date of Birth: _____

Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____

Distinguishing marks and/or scars: _____

Vehicle: (make/model) _____ Color: _____ Tag Number: _____

4. Other names Respondent goes by (aliases or nicknames): _____

5. Respondent's attorney's name, address, and telephone number is: _____

(If you do not know whether Respondent has an attorney, write "unknown." If Respondent does not have an attorney, write "none.")
6. If Respondent is a minor, the address of Respondent's parent or legal guardian is: _____

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION

(This section must be completed.)

1. Petitioner has suffered sexual violence as shown by the fact that the Respondent has: *{describe the acts of violence}*

_____ Please indicate here if you are attaching additional pages to continue these facts.

{Indicate all that apply}

- a. _____ Petitioner reported the sexual violence to law enforcement and is cooperating in any criminal proceeding. The incident report number by law enforcement is: _____. *{If there is a criminal case, include case number, if known}* _____
_____.
- b. _____ Respondent was sent to prison for committing sexual violence against Petitioner or Petitioner's minor child living at home and Respondent is out of prison or is getting out of prison within 90 days. The notice of inmate release is attached.

2. Has Petitioner ever received or tried to get an injunction for protection against domestic violence, dating violence, repeat violence, or sexual violence against Respondent in this or any other court?
_____Yes _____No If yes, what happened in that case? *{Include case number, if known}*

3. Has Respondent ever received or tried to get an injunction for protection against domestic violence, dating violence, repeat violence, or sexual violence against Petitioner in this or any other court?
_____Yes _____No If yes, what happened in that case? *{Include case number, if known}*

4. Describe any other court case that is either going on now or that happened in the past between Petitioner and Respondent *{Include case number, if known}*:

5. **Additional Information**

{Indicate all that apply}

a. _____ Respondent owns, has, and/or is known to have guns or other weapons.

Describe weapon(s): _____

b. _____ This or prior acts of violence have been previously reported to: *{person or agency}* _____

SECTION IV. INJUNCTION

(This section must be completed.)

1. Petitioner asks the Court to enter a TEMPORARY INJUNCTION for protection against sexual violence that will be in place from now until the scheduled hearing in this matter.

2. Petitioner asks the Court to enter an injunction prohibiting Respondent from committing any acts of violence against Petitioner and:
 - a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives.
 - b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is: _____
_____;
 - c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner.
 - d. ordering Respondent not to use or possess any guns or firearms.

*{Indicate **all** that apply}*

- e. _____prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's immediate family must go to often: _____

f. _____prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner’s motor vehicle; AND any other terms the Court deems necessary for the safety of Petitioner and Petitioner’s immediate family.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION, THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING. I UNDERSTAND THAT IF EITHER RESPONDENT OR I FAIL TO APPEAR AT THE FINAL HEARING, WE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED AT THAT HEARING.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTIES OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.

Dated: _____

Signature of Petitioner

Printed Name: _____

{Do not write your address if you are filing or have filed a Request for Confidential Filing of Address, Form 12.980(h).}

Address: _____

City, State, Zip: _____

Telephone Number: _____

Designated E-Mail Address(es): _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks] This form was prepared for the: *{choose only one}* () Petitioner () Respondent

This form was completed with the assistance of:

{name of individual} _____,

{name of business or individual} _____,

{address} _____,

{city} _____, *{state}* _____, *{telephone number}* _____.

{email address} _____

SERVICE INFORMATION FOR INJUNCTION FOR PROTECTION

SHERIFF'S OFFICE

COUNTY

TEMPORARY INJUNCTION/FINAL JUDGEMENT/ORDER MODIFYING/ORDER CONTINUING

TO BE SERVED BY CLAY COUNTY SHERIFF

YES

NO

THE FOLLOWING INFORMATION IS REQUIRED TO HELP THE SHERIFF'S DEPARTMENT IN SERVING THE RESPONDENT AS SOON AS POSSIBLE. IT MAY ALERT THE DEPUTY TO ANY POTENTIAL DANGER THAT MIGHT BE ENCOUNTERED WHILE ATTEMPTING TO SERVE THIS INJUNCTION.

DATE:

CASE NO.:

RESPONDENT'S NAME:

ADDRESS:

CITY:

STATE:

ZIP:

HOME PHONE:

CELL:

WORK:

SOCIAL SECURITY NO.:

DATE OF BIRTH:

HEIGHT:

WEIGHT:

SEX:

RACE:

HAIR COLOR:

EYE COLOR:

DISTINGUISHING MARKS (TATTOOS, ETC.):

PLACE OF EMPLOYMENT OR SCHOOL NAME:

EMPLOYER OR SCHOOL ADDRESS:

CITY:

STATE:

ZIP:

WORK OR SCHOOL DAYS/HOURS:

DESCRIPTION OF RESPONDENT'S VEHICLE, YEAR:

MAKE:

MODEL:

COLOR:

TAG NO.:

IS THE RESPONDENT KNOWN TO POSSESS ANY WEAPONS?

YES

NO

TYPE OF WEAPON(S):

IS THE RESPONDENT CURRENTLY IN JAIL?

YES

NO

WHERE:

IF WE CANNOT LOCATE THE RESPONDENT AT THEIR HOME OR PLACE OF EMPLOYMENT, CAN YOU SUGGEST OTHER LOCATIONS WHE WE MIGHT LOCATE THE RESPONDENT? (RELATIVES, FRIENDS, ADDRESSES, HANGOUTS, ETC.

PETITIONER'S NAME:

PHONE NO.: HOME

CELL

WORK

CONFIDENTIAL INFORMATION

SHERIFF'S DEPARTMENT USE ONLY

TO BE SERVED IN CLAY COUNTY

OUT OF COUNTY

INJUNCTION FOR PROTECTION PETITIONER INFORMATION

CASE NUMBER:

PETITIONER'S NAME:

STREET ADDRESS:

CITY/STATE/ZIP:

TELEPHONE NUMBER DAYS:

TELEPHONE NUMBER NIGHTS:

PETITIONER'S BIRTHDAY:

RESPONDENT'S NAME:

**Confidential - This document will only be used by the
Sheriff's Office.**

PLEASE READ BEFORE COMPLETING PAPERWORK

The filing of a petition for protection against domestic, repeat, stalking, sexual, and dating violence is a serious legal proceeding. You should not file because of an argument. You must truly believe you are in imminent danger of violence from which you will receive physical injury or death, and you sincerely need protection.

The temporary order will require that both parties appear in court. **A TEMPORARY INJUNCTION CANNOT BE DISMISSED WITHOUT APPEARANCE IN COURT AND APPROVAL OF THE PRESIDING JUDGE.** At the hearing, you should be prepared to proceed with your case. Since the hearing is mandatory, if either party fails to appear, that party may be held in contempt of court.

You must provide as much information as possible for the Sheriff to serve the Respondent. A valid service address and date of birth are mandatory. Without it, the Respondent will **NOT** be served, and the Judge will not proceed with your case.

If the Respondent resides out of the state, you must provide the CLERK with the appropriate Sheriff's address and fees for service.

I have read this notice carefully, and I understand my responsibility in filing a petition for protection against domestic, repeat, stalking, sexual, and dating violence.

Signature

Date

COVER SHEET FOR FAMILY COURT CASES

I. Case Style

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____

Judge: _____

_____,
Petitioner,
and
_____,
Respondent.

- II. Type of Action/Proceeding. Place a check beside the proceeding you are initiating. If you are filing more than one type of proceeding (such as a modification and an enforcement proceeding) against the same party at the same time, then you must complete a separate cover sheet for each action being filed. **If you are reopening a case, choose one of the three options below it.**

- (A) Initial Action/Petition
(B) Reopening Case
1. Modification/Supplemental Petition
2. Motion for Civil Contempt/Enforcement
3. Other

- III. Type of Case. If the case fits more than one type of case, select the most definitive.

- (A) Simplified Dissolution of Marriage
(B) Dissolution of Marriage
(C) Domestic Violence
(D) Dating Violence
(E) Repeat Violence
(F) Sexual Violence
(G) Stalking
(H) Support IV-D (Department of Revenue, Child Support Enforcement)
(I) Support Non-IV-D (**not** Department of Revenue, Child Support Enforcement)

- (J) UIFSA IV-D (Department of Revenue, Child Support Enforcement)
- (K) UIFSA Non-IV-D (**not** Department of Revenue, Child Support Enforcement)
- (L) Support for Dependent Adult Children – all matters related to support of a dependent adult child.
- (M) Other Family Court
- (N) Adoption Arising Out Of Chapter 63
- (O) Name Change
- (P) Paternity/Disestablishment of Paternity
- (Q) Juvenile Delinquency
- (R) Petition for Dependency
- (S) Shelter Petition
- (T) Termination of Parental Rights Arising Out Of Chapter 39
- (U) Adoption Arising Out Of Chapter 39
- (V) CINS/FINS
- (W) Petition for Temporary or Concurrent Custody by Extended Family
- (X) Emancipation of a Minor

IV. Rule of General Practice and Judicial Administration 2.545(d) requires that a Notice of Related Cases Form, Family Law Form 12.900(h), be filed with the initial pleading/petition by the filing attorney or self-represented litigant in order to notify the court of related cases. Is Form 12.900(h) being filed with this Cover Sheet for Family Court Cases and initial pleading/petition?

- No, to the best of my knowledge, no related cases exist.
- Yes, all related cases are listed on Family Law Form 12.900(h).

ATTORNEY OR PARTY SIGNATURE

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature _____ FL Bar No.: _____
Attorney or party (Bar number, if attorney)

(Type or print name) (E-mail Address(es))

Date

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [fill in **all** blanks]

This form was prepared for the: *{choose only one}* Petitioner Respondent

This form was completed with the assistance of:

{name of individual} _____,

{name of business} _____,

{address} _____,

{city} _____, *{state}* _____, *{zip code}* _____, *{telephone number}* _____

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY COUNTY, FLORIDA

Petitioner,
vs.

CASE NO.:
DIVISION:

Respondent.
_____ /

**DESIGNATION OF E-MAIL ADDRESS BY A PARTY NOT
REPRESENTED BY AN ATTORNEY**

Pursuant to Florida Rule of General Practice and Judicial Administration 2.516(b)(1)(c), I, _____, designate the e-mail address(es) below for electronic service of all documents related to this case.

By completing this form, I am authorizing the court, clerk of court, and all parties to send copies of notices, orders, judgments, motions, pleadings, or other written communications to me by e-mail through the Florida Courts E-filing Portal.

I understand that I must keep the clerk's office and the opposing party or parties notified of my current e-mail address(es) and that all copies of notices, orders, judgments, motions, pleadings, or other written communications in this case will be served at the e-mail address(es) on record at the clerk's office.

(Designated e-mail address)

(Secondary designated e-mail address(es), if any)

(Certificate of Service on the following page)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof has been furnished by _____ E-mail _____ U.S.
mail _____ Hand-delivered to the Clay County Clerk of Courts and

_____,
(Other parties name/address)
this _____ day of _____, 20_____.

Signature

Printed name

E-mail address

Address

Phone number