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| **State of Minnesota** |  |  | **District Court** |
| County of:  |  | Judicial District: |  |
|  |  | Court File Number: |  |
|  |  | Case Type: | Harassment |

|  |  |  |  |
| --- | --- | --- | --- |
| In the Matter of: |  | **Petition for Harassment Restraining Order**Minn. Stat. § 609.748 |  |
|  |  |  |
|  |  |  |
| Petitioner (first, middle, last) |  |  |
|  |  |  |
| [ ]  On behalf of:Other persons needing protection (first, middle, last) |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| [ ]  and for her/himself |  |  |
| vs. |  |  |
|  |  |  |
|  |  |  |
| Respondent (first, middle, last) |  |  |

1. **Petitioner Information** (You)

Name: (first, middle, last)

Date of birth: (month/day/year):

Gender: 🞎 Male 🞎 Female

*Address:*

[ ]  I am requesting that my **address** be kept confidential by submitting the completed *Confidential Address/Phone Request* form (HAR104) to the court.

**OR**

[ ]  I am not requesting that my address be kept confidential. My address is:

My Address:

City, State, Zip Code:

*Phone Number:*

[ ]  I am requesting that my **phone number** be kept confidential by submitting the completed *Confidential Address/Phone Request* form (HAR104) to the court.

**OR**

[ ]  I am not requesting that my phone number be kept confidential. My phone number is:

Telephone:

1. **Email Notification of Service**

**By providing my email address below, I ask to be notified by email when the respondent is served with the Harassment Restraining Order** (HRO)**.** I understand that:

* This is the only email I will receive from the court about the HRO unless I have signed up to receive other court notices via email,
* It will only be possible for the court to notify me by email when service information is received by the court,
* A technical or other error could occur preventing the successful delivery of the email,
* I have other options to learn of the service of the HRO on the respondent, including contacting law enforcement directly, and
* I must provide a valid email address in order to receive this notification of service.

 THIS EMAIL ADDRESS WILL BE SEEN BY THE RESPONDENT:

Email address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Who needs protection?**

[ ]  Me (Petitioner)

[ ]  My minor children

[ ]  A person for whom I am appointed the legal guardian (attach Guardianship Order)

[ ]  Other:

For anyone you checked above, other than yourself, please fill out the following:

| Name (first, middle, last) | Gender | Date of Birth | Lives with you? |
| --- | --- | --- | --- |
|  | [ ]  M[ ]  F |  | [ ]  Yes [ ] No |
|  | [ ]  M[ ]  F |  | [ ]  Yes [ ] No |
|  | [ ]  M[ ]  F |  | [ ]  Yes [ ] No |
|  | [ ]  M[ ]  F |  | [ ]  Yes [ ] No |

1. **Respondent Information:** (Person you want protection from)

Name: (first, middle, last)

Address:

City, State, Zip Code

Telephone:

Race: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Gender 🞎 Male 🞎 Female

Date of birth: If unknown, age or approximate age

(Respondent’s race, gender, and date of birth or approximate age are required for reporting requirements.)

Is Respondent under the age of 18? [ ]  Yes [ ]  No

If Respondent is under 18 years old, service must be made on Respondent ***and*** Respondent’s parent or guardian.

Answer these questions ***only if*** Respondent is younger than 18:

Respondent’s parent’s or guardian’s name:

Parent or guardian address:

1. What are the relationship(s) between the respondent and the people who need protection? Check all that apply.

🞏 Married

🞏 Divorced

🞏 Currently living together

🞏 Lived together in the past

🞏 Have a child together

🞏 Have an unborn child together

🞏 Parent/Child

🞏 Other/None of the above. Please explain:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**OTHER COURT CASES**

6. a) How many restraining orders have been in effect, ordering Respondent to stay away from each person you included at #3 above? 🞏 none 🞏 one 🞏 two or more. For each restraining order provide:

|  |  |
| --- | --- |
| Court File Number, if known | County and State where the court is located |
|  |  |
|  |  |
|  |  |

b) Does Respondent have a current Harassment Restraining Order or Order for Protection against you?

🞏 Yes, Case File Number (if known) 🞏 No, I am not aware of any.

7. The following court cases involve me and the Respondent in issues of child custody or parenting time:

|  |  |
| --- | --- |
| Court File Number | County and State where the court is located |
|  |  |
|  |  |
|  |  |

**ACTS OF HARASSMENT**

8. Respondent has harassed the victim(s) (the person or persons listed in #3 above) as follows:

* Check all boxes that apply and give the date and details of each incident. If the exact date is not known, provide a date range.
* To get a HRO, you must describe actions that meet the legal definition of harassment in Minnesota. See the *Instructions* (HAR101) for the definition of harassment.
* If you need more space, include additional pages and continue your description there. If filing on paper, do not write on the back of any page.

[ ]  a. Respondent physically or sexually assaulted the victim as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  b. Respondent has followed, monitored, or pursued the victim as follows:
 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  c. Respondent made uninvited visits to the victim as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  d. Respondent made harassing phone calls or sent harassing text messages to the victim as follows:
Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  e. Respondent made threats to the victim as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  f. Respondent frightened the victim with threatening behavior as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  g. Respondent broke into and entered the victim’s residence as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  h. Respondent damaged the victim’s property as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  i. Respondent stole property from the victim as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  j. Respondent took pictures of the victim without permission as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  k. Respondent shared private sexual images of the victim without permission as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  l. Respondent used the victim’s personal information, without consent, to invite, encourage, or solicit a third party to engage in a sexual act with the victim as follows:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  m. More than once, Respondent has done acts that meet the legal definition of “targeted residential picketing” by:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  n. The Respondent has been told not to come to certain public events that the victim attends because:

 After that, Respondent attended public events that the victim attended: (List dates, places and name of events)

 These acts by Respondent show a pattern of attending public events while knowing that attending is harassing to the victim.

[ ]  o. Used social media to harass the victim by:

 Date (date range): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  p. Other:

 Date (date range):

9. Describe the effect the harassment has upon the victim’s safety, security or privacy:

10. Do you believe the harassment will continue? 🞏 Yes 🞏 No Why?

11. I ask the Court to issue a HRO as follows:

[ ]  a. Respondent shall not harass:

 🞏 me

 🞏 minor children for whom I am the parent, legal guardian, or stepparent

 🞏 an adult ward for whom I am the legal guardian

[ ]  b. Respondent shall have no contact with 🞏 me 🞏 the minor children 🞏 an adult ward listed in #3 above.

[ ]  c. Respondent shall stay away from where I/we live (when the Respondent knows or becomes aware of the address):

i. [ ]  My address is confidential [the Court cannot order Respondent to stay away from a specific address when the Respondent doesn’t know that address]

OR

My home address is:

City: State: Zip:

 [ ]  A reasonable distance or area surrounding my home, specifically as follows:

 Except as follows:

1. [ ]  The home of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [*protected person(s)*].

[ ]  The address is confidential OR

[ ]  The home address at:

[ ]  A reasonable distance or area surrounding this home, specifically as follows:

 Except as follows:

[ ]  d. Order the Respondent not to call or enter 🞏 Petitioner’s 🞏 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_’s workplace including all land, parking lots and buildings at:

Employer Name:

Address:

Except as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Is there another workplace? 🞏 Yes 🞏 No

If **Yes**:

Employer Name:

Address:

Except as follows: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[ ]  e. Other:

**COURT HEARING**

 Petitioner: Read these Notices about a Hearing.

* You have a right to request a court hearing. **Respondent will be served a copy of this Petition if there is a hearing.**
* If the judicial officer dismisses your case because it has no merit, no hearing will be held.
* The judicial officer can issue a HRO *without* a court hearing if the judicial officer finds there is immediate and present danger of harassment.
* If the judicial officer issues a HRO without a hearing, the Respondent can request a hearing within 20 days of the date the Petition is served. If Respondent requests a hearing, the court will notify you by mail at least five days before the hearing date.
* If there is a hearing, you must attend the hearing and prove that the statements in your Petition are true, and that Respondent’s actions are harassment, as defined by Minnesota law.

12. *Choose a. or b.*

[ ]  a. I am not requesting a court hearing at this time. But if the court denies my request for a HRO because the court finds there is no immediate and present danger of harassment, then 🞏 I want 🞏 I don’t want a court hearing.

 OR

 [ ]  b. I am requesting a court hearing.

13. I request a HRO for a length of:

 [ ]  Until the following date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, which is less than 2 years from today.

 [ ]  2 years

 [ ]  Up to 50 years because:

[ ]  I have two or more prior restraining orders against Respondent (listed at #6 above.)

[ ]  Respondent has violated a prior or existing restraining order between us on two or more occasions.

 **I understand the court will likely schedule a court hearing for any request over 2 years.**

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

 Name

 County and state where signed (If you have asked to keep your address and/or phone number confidential, do not include it here.)

Address

 City/State/Zip

 Telephone

 E-mail address:

***Notice****: If your address or telephone changes, you must give Court Administration your new information right away, in writing.*