

State Of Minnesota

District Court

County

Judicial District: _____
Court File Number: _____
Case Type: Harassment

Petitioner’s Affidavit and Petition for Harassment Restraining Order (Minn. Stat. §609.748)

Petitioner

Respondent

Name:
Address:
Date of Birth:
On behalf of: (names of minor children who are victims of harassment and their dates of birth)
Name: DOB:
Name: DOB:
Name: DOB:

vs.

(Person harassing you or your minor child):
Name:
Address:
Date of Birth:
(if known, or approximate age)

STATE OF MINNESOTA)
COUNTY OF _____) ss
(COUNTY WHERE AFFIDAVIT IS SIGNED)

I understand that I am under oath/affirmation and I must tell the truth. I state that:

1. I am the Petitioner in this case. The victim of the harassment is me a minor child for whom I am the parent, legal guardian or stepparent. (If you are the guardian, attach a copy of the order appointing you.) The name of each victim, other than me, is: _____

How does each victim know the Respondent and what is their relationship? _____

If you are filing on behalf of another person, what is your relationship to each victim? _____

2. a) How many restraining orders have been in effect, ordering Respondent to stay away from the victims you included at #1 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.

3. 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

4. Respondent has harassed the victim(s) as follows:

- *Check all boxes that apply and give the date and details of each incident.*
- *To get a Restraining order, you must describe actions that meet the legal definition of harassment in Minnesota. See the Instructions for the definition of harassment.*
- *One incident of physical or sexual assault can meet the definition of harassment. For any other act, there must be more than one incident.*
- *If you need more space, attach a full sheet of paper and continue your description there. Do not write on the back.*

Respondent physically or sexually assaulted the victim as follows: _____

Respondent has followed, pursued or stalked the victim as follows: _____

Respondent made uninvited visits to the victim as follows: _____

Respondent made harassing phone calls to the victim as follows: _____

Respondent made threats to the victim as follows: _____

Respondent frightened the victim with threatening behavior as follows: _____

Respondent broke into and entered the victim's residence as follows: _____

Respondent damaged the victim's property as follows: _____

Respondent stole property from the victim as follows: _____

Respondent took pictures of the victim without permission as follows: _____

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

I told Respondent not to come to certain public events that I or the children attend because: _____

After that, Respondent attended public events I/we 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 me/children.

Other: _____

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

6. Do you believe the harassment will continue? Why?

7. I ask the Court to issue a Restraining Order as follows: *Check all boxes (a through e) that apply.*

a. Respondent shall not harass me minor child (ren) for whom I am the parent, legal guardian, or stepparent. List the full names of the minor children included in this Petition: _____

b. Respondent shall have no contact with me the minor child(ren) listed above.

c. Respondent shall stay away from where I/we live (address) _____

d. Respondent shall stay away from my/the victim’s job site located at _____

e. Other: _____

8. Court Hearing

Petitioner: Read these Notices about a Hearing

- You have a right to request a court hearing.
- If the Judge dismisses your case because it has no merit, no hearing will be held.
- The Judge can issue a Restraining Order without a court hearing if the Judge finds there is immediate and present danger of harassment.
- If the Judge issues a Restraining Order without a hearing, the Respondent can request a hearing within 45 days of the date the Restraining Order is issued. 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 & Affidavit are true, and that Respondent's actions are harassment, as defined by Minnesota law.

Choose a. or b.

a. I am not requesting a court hearing at this time.

But if the court denies my request for a restraining order because the court finds there is no immediate and present danger of harassment, then (check one) I want I don't want a court hearing.

OR

b. I am requesting a court hearing.

9. I request a Restraining Order for a length of:

2 years

Until the following date: _____, which is less than 2 years from today.

Up to 50 years because:

I have two or more prior restraining orders against Respondent (listed at #2 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.

Dated: _____

Signature (sign only in front of notary public or court administrator.)

Name _____

Subscribed and sworn to before me

Address _____

Date : _____

City/State/Zip _____

Notary Public \ Deputy Court Administrator

Telephone (_____) _____

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