

Writing a Restraining Order Statement

A restraining order statement using the following steps will consist of four paragraphs. A Judge or Court Commissioner will use the information you provide in the statement to decide if there are facts to show the respondent has or might engage in specific behavior. The court is looking for a description of the child's relationship to the respondent, when, where, what happened, and who did what to whom. Using the facts of the incident only, keep your statement brief and to the point.

First Paragraph

Briefly describe the *most recent* incident of abuse and/or threats of abuse or other behaviors. Focus on the actual behavior. Do *not* include prior incidents, (that will be the next paragraph). Detail what the respondent did, for example: hit, strangled, slapped, punched, kicked, broke or disconnected the phone, and any other abuse/behavior that occurred. If you include threats, state what the abuser said as close to word for word as you can. Include the effects of the respondent's abuse/behavior to the child, for example" injuries, pain, bruises, red marks, soreness, and/or fear.

Second Paragraph

Briefly list and describe the next most recent incidents of abuse/behavior.

Third Paragraph

List anything the respondent has done in the past that abused or threatened the child. One way to do this is to complete the following sentence: "In the past, the respondent has..."

Fourth Paragraph

State to the court that you would like a restraining order and what you would like the court to order. Be as specific as possible.

Examples: "I am asking the court to grant me a _____ month/year injunction."

"I want no contact in person, at home, by phone, at work, by mail or through third parties."

"I would consider any contact in the future to be a violation."

Tell the court why you would like the temporary restraining order injunction.

Examples: "I want this injunction because..."

"I fear for my child's safety."

"My child's life is in danger, I am afraid he or she will be hurt..."

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