

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Children, Families &
 2 Seniors Subcommittee
 3 Representative Cassel offered the following:

Amendment (with directory and title amendments)

Between lines 161 and 162, insert:

(3)

(b) The sworn petition shall be in substantially the following form:

PETITION FOR

INJUNCTION FOR PROTECTION

AGAINST DOMESTIC VIOLENCE

Before me, the undersigned authority, personally appeared Petitioner ...(Name)..., who has been sworn and says that the following statements are true:

(a) Petitioner resides at: ...(address)...

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17 (Petitioner may furnish address to the court in a separate
18 confidential filing if, for safety reasons, the petitioner
19 requires the location of the current residence to be
20 confidential.)

21 (b) Respondent resides at: ...(last known address)...

22 (c) Respondent's last known place of employment: ...(name
23 of business and address)...

24 (d) Physical description of respondent:.....

25 Race.....

26 Sex.....

27 Date of birth.....

28 Height.....

29 Weight.....

30 Eye color.....

31 Hair color.....

32 Distinguishing marks or scars.....

33 (e) Aliases of respondent:

34 (f) Respondent is the spouse or former spouse of the
35 petitioner or is any other person related by blood or marriage
36 to the petitioner or is any other person who is or was residing
37 within a single dwelling unit with the petitioner, as if a
38 family, or is a person with whom the petitioner has a child in
39 common, regardless of whether the petitioner and respondent are
40 or were married or residing together, as if a family.

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41 (g) The following describes any other cause of action
42 currently pending between the petitioner and respondent:

43
44 The petitioner should also describe any previous or pending
45 attempts by the petitioner to obtain an injunction for
46 protection against domestic violence in this or any other
47 circuit, and the results of that attempt:.....

48
49 Case numbers should be included if available.

50 (h) Petitioner is either a victim of domestic violence or
51 has reasonable cause to believe he or she is in imminent danger
52 of becoming a victim of domestic violence because respondent
53 has: ...(mark all sections that apply and describe in the spaces
54 below the incidents of violence or threats of violence,
55 specifying when and where they occurred, including, but not
56 limited to, locations such as a home, school, place of
57 employment, or visitation exchange)...

58
59

60committed or threatened to commit domestic violence
61 defined in s. 741.28, Florida Statutes, as any assault,
62 aggravated assault, battery, aggravated battery, sexual assault,
63 sexual battery, stalking, aggravated stalking, kidnapping, false
64 imprisonment, or any criminal offense resulting in physical
65 injury or death of one family or household member by another.

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66 With the exception of persons who are parents of a child in
67 common, the family or household members must be currently
68 residing or have in the past resided together in the same single
69 dwelling unit.

70previously threatened, harassed, stalked, or physically
71 abused the petitioner.

72attempted to harm the petitioner or family members or
73 individuals closely associated with the petitioner.

74threatened to conceal, kidnap, or harm the petitioner's
75 child or children.

76intentionally injured or killed a family pet.

77used, or has threatened to use, against the petitioner
78 any weapons such as guns or knives.

79physically restrained the petitioner from leaving the
80 home or calling law enforcement.

81a criminal history involving violence or the threat of
82 violence (if known).

83another order of protection issued against him or her
84 previously or from another jurisdiction (if known).

85destroyed personal property, including, but not limited
86 to, telephones or other communication equipment, clothing, or
87 other items belonging to the petitioner.

88engaged in a pattern of abusive, threatening,
89 intimidating, or controlling behavior composed of a series of
90 acts over a period of time, however short.

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91 |engaged in any other behavior or conduct that leads the
92 | petitioner to have reasonable cause to believe he or she is in
93 | imminent danger of becoming a victim of domestic violence.

94 | (i) Petitioner alleges the following additional specific
95 | facts: ...(mark appropriate sections)...

96 |A minor child or minor children reside with the
97 | petitioner whose names and ages are as follows:

98 |

99 |Petitioner needs the exclusive use and possession of
100 | the dwelling that the parties share.

101 |Petitioner is unable to obtain safe alternative housing
102 | because:

103 |

104 |Petitioner genuinely fears that respondent imminently
105 | will abuse, remove, or hide the minor child or children from
106 | petitioner because:.....

107 |

108 | (j) Petitioner genuinely fears imminent domestic violence
109 | by respondent.

110 | (k) Petitioner seeks an injunction: ...(mark appropriate
111 | section or sections)...

112 |Immediately restraining the respondent from committing
113 | any acts of domestic violence.

114 |Restraining the respondent from committing any acts of
115 | domestic violence.

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116 Awarding to the petitioner the temporary exclusive use
117 and possession of the dwelling that the parties share or
118 excluding the respondent from the residence of the petitioner.

119 Providing a temporary parenting plan, including a
120 temporary time-sharing schedule, with regard to the minor child
121 or children of the parties which might involve prohibiting or
122 limiting time-sharing or requiring that it be supervised by a
123 third party.

124 Establishing temporary support for the minor child or
125 children or the petitioner.

126 Directing the respondent to participate in a batterers'
127 intervention program.

128 Providing any terms the court deems necessary for the
129 protection of a victim of domestic violence, or any minor
130 children of the victim, including any injunctions or directives
131 to law enforcement agencies.

132

133 -----

134 **D I R E C T O R Y A M E N D M E N T**

135 Remove lines 156-157 and insert:

136 Section 3. Paragraph (b) of subsection (3) and paragraph
137 (b) of subsection (6) of section 741.30, Florida Statutes, are
138 amended to read:

139

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T I T L E A M E N D M E N T

142

Remove line 14 and insert:

143

imminent danger; conforming a provision to changes

144

made by the act; providing an effective date.