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GOVERNMENT OF GUAM
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STANDARD OPERATING PROCEDURE

DIVISION/SECTION: PROTECTION ORDER SECTION (FAMILY VIOLENCE PROGRAM)		
NUMBER: 001-FY2017	DATE OF ISSUE: January 6, 2017	EFFECTIVE DATE: Immediately
SUBJECT: Protection Order Process & Procedures When the Family Violence Specialist is Out		

Policy: The authority and policy of this SOP results from Public Law 13-51 which created the Government of Guam Public Defender Service Corporation, in that the Executive Director has the authority to formulate administrative policies and procedures of the PDSC.

Purpose: This SOP establishes the Family Violence Program responsibilities relative to a memorandum of understanding with GCO-FPO, STOP-VAW Formula Grant Program for the services to clients seeking Orders of Protection.

Scope: Attorneys, Secretaries, Investigators, Legal Clerks, Process Officers, and the Family Violence Specialist (FVS). **NOTE: Information within [...] indicate alternate coverage for the FVS who may be out for 1-2 days or more. The Legal Clerks will notify the assigned Secretary and/or Attorney regarding incoming PO clients.**

Responsibilities & Procedure:

1. Potential clients will be professionally greeted and respected due to the nature of their circumstances regarding assaults, threats, abuse, and family violence.
2. A client's identity will be verified via a form of photo identification. If clients do not possess a photo ID then they will need to provide two other forms of identification such as a birth certificate and Third-party verification. Identification may also be confirmed through personal knowledge. This rule does not apply to minors.
3. Phone or email inquiries are not tendered with legal advice or detailed assistance. Inform all inquiries to seek assistance with our office in person during normal business hours.
4. Protection Orders on behalf of minors can only be obtained by at least one biological parent or guardian.
5. If a client is currently in an emergency or dangerous situation inform them to call 911 for police and first responder services.

6. **Legal Clerks** will introduce themselves, their position and ask what the purpose of client's visit is such as: protective order filing request, pick-up of documents, etc. The **Legal Clerks** will then notify the **FVS [or Investigators]** of the potential client.
7. **Legal Clerks** will conduct a short interview with the client to establish identity of the Petitioner and Respondent. They will then research for potential conflicts of interest via the information collected and through Abacus data base.
8. After completing such background check, the **Legal Clerks** will then inform the assigned **Attorney via their Secretary** of the potential PO client and the results of their research.
9. The **Attorney** will review findings and decide upon representation of the client. The **Attorney** will then notify the **Legal Clerks** to either proceed with establishing a PO case-file and to continue with the application process or to halt the process due to a conflict of interest. The **FVS** will also be notified of the results.
10. Should there exist a conflict of interest, the **FVS [Legal Clerk, Secretary, Investigator or Attorney]** will meet with the client to discuss the PDSC Domestic Violence Safety Plan via program brochure(s). The client will also be referred to Guam Legal Services Corporation, Superior Court of Guam (Pro-se application), and the Guam Bar Association for further resources and legal assistance. Should the FVS be out of the office, the Legal Clerks will notify the FVS of any conflicts of interest in order for the FVS to maintain a list/log that records all potential clients who disqualified for PDSC PO services.
11. If no conflict exists, then the **Legal Clerks** will conduct an Intake interview, establish a PO file, and an Abacus record. If it appears during the interview that the client may need an interpreter, or the client is requesting for an interpreter, then the **Legal Clerk** will notify the **FVS [or Secretary]** of this issue.
12. If the client needs an interpreter, the **FVS [or Secretary]** will then seek assistance via the Judiciary of Guam - Court Interpreter Registry Program at 475-3299. As a last resort, interpreter assistance may also be sought from employees of the PDSC or family/friends of the client.
13. Upon completion of Intake, the **Legal Clerk** will forward the PO file to the **FVS [or Secretary]** for action. The **FVS** will conduct an interview of facts utilizing the Protection Order Interview Form via Abacus. If the **FVS** is unavailable (due to leave, training, etc.) then the **Secretary** will receive the PO file.
14. The **Secretary** will then review the PO file for completeness and create an investigation assignment via Abacus. The **Secretary** will also notify the **Investigators** of the forthcoming assignment via a phone call or in-person. The **Investigators** will then conduct an interview of facts using the PO Interview Form via Abacus.

For numbers 15 and 16, do both the FVS and Investigators have to conduct the interview or completion of forms?

15. During the interview of facts, the **FVS [or Investigators]** will allow (5 – 10 minutes) for the client to express their situation and circumstances prior to conducting the interview. This will allow for information to be more easily obtained for the PO Interview Form completion. Encourage the client to also provide a written statement (if possible) about the incidents of abuse or threats. If the client is injured as a result of abuse, inform the client that photographs of their injuries are needed.
16. Upon completion of the PO Interview of facts, the **FVS [or Investigators]** will produce their report and findings to the **Attorney** for review and consultation. The **FVS [or Investigators]** will also advise the client of the PDSC Domestic Violence Safety Plan via the program brochure.
17. The **Attorney** will review findings, meet with the client, and decide if the elements warranting an Order of Protection have been attained. The **Attorney** will consult the client on his/her decision and will notify the **FVS [or Secretary]** to either proceed or halt the process. If the decision is to halt the process, then the

FVS [or Attorney] will advise the client not to be discouraged and to reapply with our office if another more substantial incident occurs, and to call 911 for police and first responder assistance in an emergency/dangerous/threatening situation.

18. If the decision is to proceed, then the **FVS [or Secretary]** will begin preparing the required documentation for the Order of Protection which are as follows:
 - Order of Protection Docketing Statement (Form A4)
 - Marshals Service Information Form (Form A2)
 - Petition for Temporary Order of Protection & Order to Show Cause (OSC) (Form A1)
 - Declaration of Petitioner (attached to Form A1)
 - Order to Show Cause Temporary Order of Protection (Form A3)
19. Upon completion of the above documents the **Attorney, FVS [or Secretary] and the Client** will review and sign all required documents. Only the **Attorney** can provide legal advice regarding the documentations and procedures of the OSC hearing. Appointments for the **Attorney and Client** are arranged by the **FVS [or Secretary]**.
20. Make the following copies of the above documents:
 - 2 copies of Form A4
 - 2 copies of Form A2
 - 5 copies of Form A1 with Declaration
 - 11 copies of Form A3
21. All PO documents will be forwarded to the **Process Officers [or FVS]** for court filing. If the documentation is not completed before 4:00PM, then the filing will commence the following work date. **FVS [or Secretary]** will conduct all follow-ups on the Court's status of the Order of Protection to include Marshal Service.
22. Upon receipt of Court approved/signed and filed Temporary Order of Protection documents, the **FVS [or Secretary]** will notify the client of the status and to obtain their copy with our office. The client may authorize a third-party to obtain their copies; however, only through proper identification. Emailing a copy of said documents may also constitute delivery to the client; however, this is not the preferred method of delivery to the client. If the client comes into PDSC to pick-up their documents and the FVS is unavailable or out of the office, the Legal Clerks will notify the assigned Secretary [or Attorney] of the client's visit. The Secretary [or Attorney] will go through client's protective order, hearing and Safety Planning. Also, the assigned Secretary will forward any questions and/or concerns to the Attorney to advise the client as soon as possible. The **FVS [or Secretary, or Attorney]** will discuss with the client the purpose of the documents being provided and inform of the OSC hearing date and time. It is important that the client understands that their attendance is mandatory at the hearing and verbal testimony may be required. The client will also be informed of any changes to the Court's calendar regarding the OSC hearing. Lastly, all documents will be saved, scanned, and linked to Abacus.
23. While at the OSC hearing the Court may either approve or deny the issuance of a Permanent Order of Protection. If approval is given then the **Attorney** will instruct the **FVS [or Secretary]** to prepare a Permanent Order of Protection (Form B1) for review, signature, and filing in Court. The **FVS [or Secretary]** will make eleven (11) copies of (Form B1) and stamp the original (Form B1) as "Original". Documents will be forwarded to the **Process Officers** for action. The **FVS [or Secretary]** will conduct all follow-ups with the Court regarding status of Form B1. Upon receipt of the signed and filed Permanent Order of Protection – Form B1, the **FVS [or Secretary]** will contact and inform the client to pick up their copy. If the Court denies the issuance of a Permanent Order of Protection then the **FVS [or Attorney]** will contact the client to discuss this issue and potential options.

24. In cases of modification, extension, or dismissal of a Permanent Order of Protection, the **FVS [or Secretary]** will schedule an appointment for the client to meet with the **Attorney**. After consultation, the **Attorney** will give instructions to the **FVS [or Secretary]** on proceeding forward or halting the change. If the instruction is to proceed forward, then the **FVS [or Secretary]** will prepare (Form C) Petition/Motion to Dismiss/Extend/Modify Order of Protection for the client's and **Attorney's** review, signature, and filing. The **FVS [or Secretary]** will then make five (5) copies of the original (Form C) and forward to the **Process Officers** for action. The **FVS [or Secretary]** will conduct all follow-ups with the Court regarding status of Form C. Upon receipt of the filed form, the **FVS [or Secretary]** will notify the client of the status and to pick up their copy from PDSC. If the Court does not approve or grant the modification, then the **FVS [or Attorney]** will contact the client to discuss this matter and provide other remedies.

25. In cases of violations of the client's protective order, the FVS [or Secretary] will schedule an appointment for the client to meet with the Attorney. After consultation, the Attorney will give instructions to the **FVS [or Secretary]** to proceed or halt the violation filing. If the instruction is to proceed, then the **FVS [or Secretary]** will make five (5) copies of the original Form D and forward the documents to the **Process Officers** for action. The **FVS [or Secretary]** will conduct all follow-ups with the Court regarding the status of Form D. Upon receipt of the filed form, the **FVS [or Secretary]** will notify the client of the status and to pick-up their copy from PDSC. If the Court does not approve or grant the violation, then the **FVS [or Attorney]** will contact the client to discuss this matter and provide other remedies.

NOTE: All notes and actions regarding this process will be recorded in the PO file and Abacus Notes. The Client will also be kept abreast on the progress of the Order of Protection by the FVS [or Secretary, or Attorney].

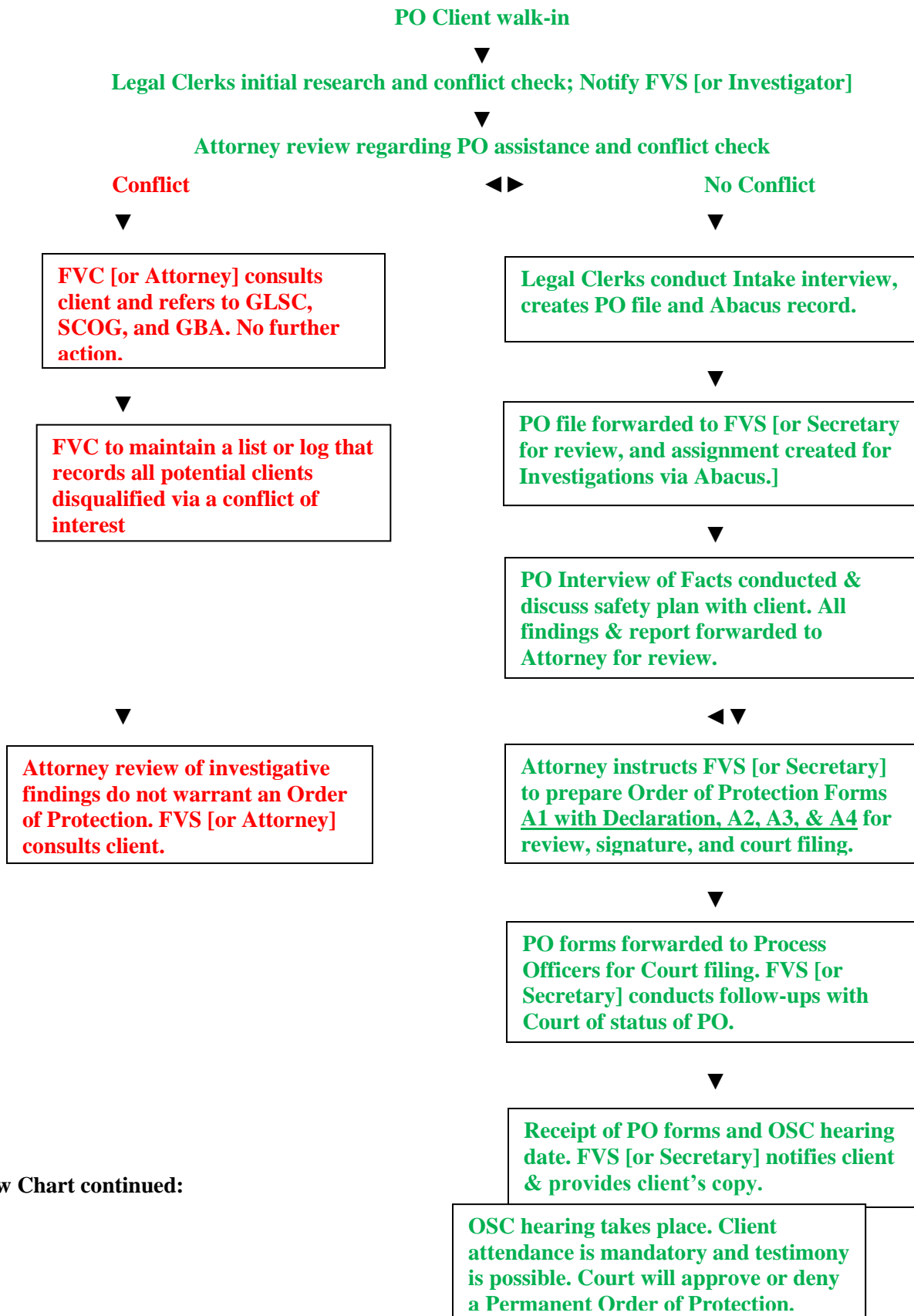
Effectiveness Criteria:

- This procedure will establish a standard method of the Order of Protection process with PDSC.
- This procedure is effective immediately.

References:

**Abacus Forms: Protection Order Interview form;
Forms: A1 with Declaration, A2, A3, A4, B1, C and D;
Flowchart;
Title 9 GCA Chapter 30 (Family Violence laws)
Title 7 GCA Chapter 40 (Protection from Abuse)**

Order of Protection Flow Chart:



Flow Chart continued:

Court denies Order of Protection. Attorney will notify FVS [or Secretary] of results and to halt any further work.

Court approves Order of Protection. Attorney will notify FVS [or Secretary] to prepare Form B1 Permanent Order of Protection for review, signature, and court filing.



FVS [or Secretary] will forward Form B1 to the Process Officers for action. The FVS [or Secretary] will follow-up with the Court on the status.



Receipt of Form B1. FVS [or Secretary] will provide the client with their copy, and will scan, save and link to Abacus.



Modification, Extension, and Dismissal. FVS [or Secretary] will schedule an appointment with the Attorney and client to discuss these matters. The Attorney will decide to either proceed or halt any changes to the Order of Protection.



FVS [or Secretary] will prepare Form C Motion to Dismiss/Extend/Modify Order of Protection. Attorney and client will review and sign. Form C is forwarded to Process for action. Upon receipt from the Court, a status and copy will be provided to the client. Form C will be scanned, saved and linked to Abacus.



Violation of Protection Order.
FVS [or Secretary] will schedule an appointment with the Attorney and client to discuss these matters. The Attorney will decide to either proceed or halt violation to the Order of Protection.



FVS [or Secretary] will prepare Form D Motion and Affidavit and Order To Show Cause For Contempt For Violating Order of Protection. Attorney and client will review and sign. Form D is forwarded to Process for action. Upon receipt from the Court, the FVS [or Secretary] will notify client of their hearing, provide a copy to the client and forward any questions to the Attorney to advise client on as soon as possible. Form D will be scanned, saved and linked to Abacus.

PDSC PO INTERVIEW Form:

PDSC Protection Order Interview

Petitioner Information:	Respondent Information:
Name:	Name:
DOB:	DOB:
Address:	Address:
Phones:	Phones:
Employment:	Employment:
Military:	Military:
Marital status:	Marital status:

Relationship or affiliation of Petitioner & Respondent:
How does the Petitioner know the Respondent? How long? Are they married? Are they residing with each other?
Do they have children? How many? Who are the parents? (Children's names, ages, schools, & location of children.)
Is custody of the children a potential issue? Explain.
Is there a need for supervised visitation such as Erica's house?
Are the Petitioner & children displaced? Where are they residing & with whom? How long can they reside there?

Incident of Threat or Abuse:
Why does the Petitioner fear the Respondent? What happened? When & where did this occur?
What was the abuse or threat committed by the Respondent?
How did the Petitioner react to the incident?
Who was present (witnesses) during the incident? Are there other victims to this incident?
Is there a history of abuse/threats? Were they reported?
Did the Petitioner call the police to report the incident? Or, was the incident reported to any other agency (CPS, GMH, Healing Hearts, etc.)? If so what was the outcome? (Police report number, officer's name, date reported, action of the police, counselor or doctor's name, referrals, etc.)
Was the Petitioner injured as a result and did he/she need medical attention?
Does the Petitioner have any physical evidence (photos, videos, recordings) of the incident or injury? (Take photos of any injuries during the interview)

Additional Information:
Any prior criminal or civil cases of the Petitioner or Respondent? Status? Attorney representation?
Are there any federal/military legal actions on either party? What is the status?
Does the Respondent or Petitioner possess or own a firearm or deadly weapon? Has the Respondent ever threatened to use said weapon against anyone? What type of weapons/firearms?
Does the Respondent have a history of drug or alcohol abuse? Was he/she ever arrested?
Does the Respondent have any history of mental illness/disability? Is he/she taking medications? Who is his/her care-provider?
Does the Petitioner (and children) need counseling assistance?
Does the Petitioner need to retrieve personal items (vehicle, ID, clothes, etc.) from the Respondent? (Marshal or Police escort needed)
Can the Petitioner provide a detailed written statement regarding the incident of abuse/threat? (Have the Petitioner prepare the statement using the Investigation Statement form, or he/she can prepared a typed statement with the same formatted information.)
NOTE: Provide the Petitioner with a PDSC Domestic Violence Safety Plan pamphlet. Advise the Petitioner to always carry a copy of the Protection Order & and ID.

MARSHALS SERVICE INFORMATION Form (FORM A2):



PUBLIC DEFENDER SERVICE CORPORATION
 Government of Guam
 779 Route 4, Sinajaña, Guam 96910
 Phone: (671) 475-3100
 Fax: (671) 477-5844
 www.GuamPDSC.net

IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME, PETITIONER, vs. RESPONDENT'S NAME, RESPONDENT.</p>	<p style="text-align: center;">PROTECTIVE ORDER PO Case # _____</p> <p style="text-align: center;">MARSHALS SERVICE INFORMATION FORM</p> <p style="text-align: center;">(FORM A2)</p>
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RESPONDENT'S INFORMATION:

NAME:		ALIAS:	
RESIDENTIAL ADDRESS: PLEASE SEE ATTACHED MAP.		HOME PHONE:	
CELLULAR PHONE:		WORK PHONE:	
PLACE OF EMPLOYMENT:	WORK HOURS:	OTHER CONTACT NUMBERS:	
VEHICLE (MAKE/MODEL/COLOR):	LICENSE PLATE NUMBER:	HANGOUTS:	

PETITIONER'S INFORMATION:

NAME:	HOME PHONE:
RESIDENTIAL ADDRESS:	WORK PHONE:
	CELLULAR PHONE:

PLEASE PROVIDE A PICTURE OF RESPONDENT (IF YOU HAVE ANY).

DRAW A MAP TO RESPONDENT'S RESIDENCE (HOME) ON THE BACK. ^{FORM A2}

DRAW A MAP TO RESPONDENT'S RESIDENCE BELOW.



ORDER OF PROTECTION DOCKETING STATEMENT (FORM A4):



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IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME,</p> <p style="text-align: center;">PETITIONER,</p> <p style="text-align: center;">vs.</p> <p>RESPONDENT'S NAME,</p> <p style="text-align: center;">RESPONDENT.</p>	<p style="text-align: center;">PROTECTIVE ORDER</p> <p>PO Case # _____</p> <p style="text-align: center;">ORDER OF PROTECTION DOCKETING STATEMENT</p> <p style="text-align: center;">(FORM A4)</p>
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<p>PETITIONER'S MAILING ADDRESS:</p> <p>Petitioner Declined.</p>	<p>RESPONDENT'S MAILING ADDRESS:</p>
<p>PETITIONER'S RESIDENTIAL (HOME) ADDRESS:</p> <p>Petitioner Declined.</p>	<p>RESPONDENT'S RESIDENTIAL (HOME) ADDRESS:</p> <p>Please see attached map to "Marshals Service Info. Form"</p>
<p>PETITIONER'S CONTACT NUMBERS:</p> <p>HOME: Petitioner Declined. WORK: Petitioner Declined. MOBILE: Petitioner Declined.</p>	<p>RESPONDENT'S CONTACT NUMBERS:</p> <p>HOME: WORK: MOBILE:</p>
<p>RICHARD S. DIRKX Public Defender Service Corporation 779 Route 4, Sinajaña, Guam 96910 Tel: 475-3100 Fax: 477-5844</p>	<p>RESPONDENT'S ATTORNEY(S) (FIRM NAME, ADDRESS, & CONTACT NUMBERS):</p>
<p>TYPE – CAUSE OF ACTION:</p> <p><i>ORDER OF PROTECTION</i></p>	

PETITION FOR TEMPORARY ORDER OF PROTECTION AND ORDER TO SHOW CAUSE (FORM A1):



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 Phone: (671) 475-3100
 Fax: (671) 477-5844
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IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME,</p> <p style="text-align: center;">PETITIONER,</p> <p style="text-align: center;">vs.</p> <p>RESPONDENT'S NAME,</p> <p style="text-align: center;">RESPONDENT.</p>	<p style="text-align: center;">PROTECTIVE ORDER</p> <p style="text-align: center;">PO Case # _____</p> <p style="text-align: center;">PETITION FOR TEMPORARY ORDER OF PROTECTION AND ORDER TO SHOW CAUSE</p> <p style="text-align: center;">(FORM A1)</p>
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I, PETITIONER'S NAME, whose address is _____, _____, _____, Guam 96910 and having been sworn, declare the following to be true:

1. I am asking the Court to give me an Order of Protection pursuant to 7 GCA § 40102 and Local Rules of Court M.R. 2.1. I am in fear of domestic abuse from the Respondent and provide the following information, **under oath**, in support of this application.

I am filing this Petition on behalf of myself and the following minor children:

- | | |
|------------------|----------------------|
| a. <u>Myself</u> | Date of Birth: _____ |
| b. _____ | _____ |
| c. _____ | _____ |
| d. _____ | _____ |
| e. _____ | _____ |
| f. _____ | _____ |
| g. _____ | _____ |

2. The following information is provided on the Respondent:

- a. Date of Birth: _____;
- b. Race: _____;
- c. Gender: (M) (F);
- d. Social Security Number is: N/A;
- e. D/L #: Unknown; State Issued: Unknown; Expiration Date: Unknown;
- f. Residence: Please see attached map to "Marshals Service Information Form;"

g. Mailing address (if different from above): Unknown;
h. Hair color: _____;
i. Eye Color: _____;
j. HT: _____; WT: _____

3. My relationship to the Respondent:

- Spouse
- Former spouse
- Person I am currently living with
- Person I previously lived with
- Have had intimate relations
- We have children in common
- Related to me by blood or marriage
- Formerly related by marriage
- Current or former dating partners

4. You, Petitioner, speak English? Yes or No

If no, what language do you speak? _____

Respondent speaks English? Yes or No

If no, what language does Respondent speak? _____

5. The Respondent and I are parents of the following minor children:

Name:	Date of Birth:
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

I am the parent, but the Respondent is not the parent of the following minor child:

Name:	Date of Birth:
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____
e. _____	_____

6. The facts of the most recent incident(s) of domestic abuse toward me (and my minor child(ren)) are as follows: (please write a brief description of each incident including shoves, kicks or blows inflicted, weapons used, threats made, injuries sustained, medical or hospital treatment necessary, if any.) See Petitioner's one (1) Declaration filed herewith.

Date/Time: _____

Description: _____

7. I would like the Court to give me an Order of Protection against the Respondent ordering the following: (Mark all that apply).
- Stopping Respondent from harassing, abusing, threatening, using or attempting to use physical force or cause bodily injury to me and the minor child(ren);
 - Stopping Respondent from telephoning, contacting, or communicating with me, or the minor child(ren), unless otherwise allowed by the Court;
 - Stopping Respondent from coming within five hundred (500) feet of me, my place of residence, my place of employment, or the minor child(ren), unless otherwise allowed by the Court;
 - Stopping Respondent from removing and excluding the Respondent from my residence;
 - Granting me temporary custody of the following minor children.
8. I declare under penalty of perjury under the laws of Guam (6 GCA § 4308) that the foregoing is true and correct and to the best of my knowledge.

PETITIONER'S NAME

DATE

9. PUBLIC DEFENDER SERVICE CORPORATION
Attorneys for Petitioner.

By: _____
RICHARD S. DIRKX
Assistant Public Defender

DATE

DECLARATION OF PETITIONER (attachment to FORM A1) TEMPLATE:

DECLARATION OF PETITIONER
(attachment to FORM A1)

I, PETITIONER'S NAME, hereby declares as follows:

1. I am the Petitioner and RESPONDENT'S NAME aka, "Mr. ?" is the Respondent in this case.
2. Mr./Ms. and I had a dating relationship for about ? years and separated on or about? I had been living with RESPONDENT'S NAME for about ? years and moved out on ?.
3. On August 3, 2015? at around 1:55 p.m. RESPONDENT'S NAME and I were at home when Mr. ? became upset and hit me with his fists while saying, "I'm going to kill you!" I then, immediately, called/drove to "GPD's ? Precinct" and filed Police Report Number: 2015-? via, Officer ? for charges of "Family Violence." Respondent was arrested at this time.
4. On or about ? at around 10:00 p.m. Mr. ? and I were at home where Mr. became upset with me and grabbed and pushed me to the ground with his hands while saying, "I'm going to kill you!" I was able to run out of the house and to the neighbor's house and called for help. "GPD" was called and when "GPD" arrived took my statement, filed Police Report Number: 2016-? for "Family Violence" charges and arrested Respondent.

I declare, under the penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge and belief.

Dated: _____

PETITIONER'S NAME

ORDER TO SHOW CAUSE TEMPORARY ORDER OF PROTECTION (FORM A3):



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IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME,</p> <p style="text-align: center;">PETITIONER,</p> <p style="text-align: center;">vs.</p> <p>RESPONDENT'S NAME,</p> <p style="text-align: center;">RESPONDENT.</p>	<p>PROTECTIVE ORDER CASE NO. PO#: _____</p> <p style="text-align: center;">ORDER TO SHOW CAUSE TEMPORARY ORDER OF PROTECTION</p> <p style="text-align: center;">(FORM A3)</p>
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PETITIONER:

First Middle Last

Petitioner's Date of Birth: _____

And/or on behalf of minor family member(s) (list name and DOB):

Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: Please see attached map to "Marshals-Service Information Form."

Respondent's Distinguishing Features: _____

RESPONDENT'S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
		N/A		
DRIVER'S LICENSE #		STATE	EXP	
UNKNOWN		UNK.	UNK.	

CAUTION: WEAPON INVOLVED

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a "family or household" member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d).

Petitioner has pled "immediate and present danger of abuse" as provided by 7 GCA § 40101(b). For good cause shown, the Court finds that an emergency exists and that a Temporary Protection Order should be issued without notice to Respondent. Respondent will be served with notice of their opportunity to be heard at the scheduled hearing stated below.

II. THE COURT HEREBY ORDERS:

1. That the Respondent is enjoined and restrained from threatening, abusing, harassing or disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
2. That the Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
3. That the Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

III. YOU ARE FURTHER ORDERED TO:

- Immediately deliver to the Marshals the following: _____
- Immediately vacate the family residence at: _____
- Surrender any and all firearms, firearm IDs, and firearm permits in Respondent's control, and/or possession to the Superior Court Marshals.
- Bring your most recent W-2 forms or a copy of your most recent income tax return and your last paycheck for the purpose of assessing your ability to pay spousal/child support.
- Other: _____

NOTICE TO APPEAR: YOU ARE ORDERED to appear on _____ at _____ A.M./P.M. in the Superior Court of Guam, to **SHOW CAUSE** why the above orders should not continue or be made permanent, as well as any other orders the Court deems necessary.

DATE: _____ TIME: _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER 9 GCA §30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ AT _____: _____ A.M./P.M.

ORDER OF PROTECTION (FORM B1):



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 www.GuamPDSC.net

IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME,</p> <p style="text-align: center;">PETITIONER,</p> <p style="text-align: center;">vs.</p> <p>RESPONDENT'S NAME,</p> <p style="text-align: center;">RESPONDENT.</p>	<p style="text-align: center;">PROTECTIVE ORDER</p> <p>PO Case #: _____</p> <p style="text-align: center;">ORDER OF PROTECTION</p> <p style="text-align: center;">(FORM B1)</p>
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PETITIONER:

First Middle Last

And/or on behalf of minor family member(s) (list name and DOB):

Petitioner's Date of Birth: _____

Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: Please see attached map to "Marshals-Service Information Form."

Respondent's Distinguishing Features: _____

CAUTION: WEAPON INVOLVED

RESPONDENT'S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
		N/A		
DRIVER'S LICENSE #		STATE	EXP	
UNKNOWN		UNK.	UNK.	

I. THE COURT FINDS AND CONCLUDES:

The Court has jurisdiction over the parties and the subject matter. Notice of this hearing was served on the Respondent by personal service. Respondent had reasonable notice and an opportunity to be heard. Respondent was was not present at the hearing.

Petitioner and/or the individual, if any, who Petitioner is petitioning on behalf of is a "family or household" member as defined by 9 GCA § 30.10(b) and 7 GCA § 40101(d). Petitioner has pled "abuse" as defined by 7 GCA § 40101(a).

- Respondent admits does not admit there was abuse and consents to enter into an Order of Protection.
- Respondent has failed to appear at the OSC hearing after being properly served and noticed; thus, the case may proceed by default.
- Respondent objected to the allegations in the Petition, and after a full evidentiary hearing, Petitioner has proved the allegations of abuse by a preponderance of the evidence.

Other: _____

II. THE COURT HEREBY ORDERS:

1. That the Respondent is enjoined and restrained from threatening, abusing, harassing or disturbing the peace and well-being of those protected on page 1 or removing them from Guam;
2. That the Respondent is prohibited from coming within 500 feet of those protected on page 1, such as their residence, place of employment, and school;
3. That the Respondent is prohibited from contacting those protected on page 1, directly or indirectly, such as by telephone, letter, e-mail, social media, or through third party.

III. THE COURT FURTHER ORDERS:

- Immediately deliver to the Marshals the following: _____
- Immediately vacate the family residence at: _____
- Surrender any and all firearms, firearm IDs, and firearm permits, in Respondent's control and/or possession to the Superior Court Marshals.
- Bring your most recent W-2 forms, or a copy of your most recent income tax return and your last paycheck for the purpose of assessing your ability to pay spousal/child support.
- Other: _____

THE ORDER IS EFFECTIVE THROUGH: _____

DATE: _____ **TIME:** _____

JUDGE, SUPERIOR COURT OF GUAM

NOTICE TO RESPONDENT: VIOLATION OF THIS ORDER MAY SUBJECT YOU TO PUNISHMENT UNDER 9 GCA §30.40 (VIOLATION OF COURT ORDER), A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000) OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE AND IMPRISONMENT.

VIOLATION OF THIS ORDER MAY ALSO SUBJECT YOU TO PUNISHMENT UNDER 7 GCA §§ 34101(B) AND 34102(B) (CONTEMPT OF COURT), A FINE OF NOT MORE THAN \$500 OR BY IMPRISONMENT OF NOT MORE THAN 60 DAYS, OR BY BOTH FINE AND IMPRISONMENT.

FEDERAL LAW PROVIDES PENALTIES FOR POSSESSING, TRANSPORTING, SHIPPING, OR RECEIVING ANY FIREARM OR AMMUNITION (18 U.S.C. §922(g)(8) and (9)) FOLLOWING AN EVIDENTIARY HEARING AS TO WHICH THE DEFENDANT HAD NOTICE AND AN OPPORTUNITY TO APPEAR. THIS ORDER SHALL BE ENFORCED, EVEN WITHOUT REGISTRATION, BY THE COURTS AND LAW ENFORCEMENT OFFICERS OF ANY STATE, THE DISTRICT OF COLUMBIA, ANY U.S. TERRITORY, AND MAY BE ENFORCED BY TRIBAL LANDS (18 U.S.C. §2265). CROSSING STATE, TERRITORIAL, OR TRIBAL BOUNDARIES TO VIOLATE THIS ORDER MAY RESULT IN FEDERAL IMPRISONMENT (18 U.S.C. §2262).

ANY COMMUNICATION INITIATED BY PETITIONER DOES NOT WAIVE OR NULLIFY THIS ORDER. THE GUAM POLICE DEPARTMENT, PORT AUTHORITY POLICE, AIRPORT POLICE AND SUPERIOR COURT MARSHALS SHALL ENFORCE THIS ORDER.

SERVICE: RESPONDENT SERVED WITH COPY OF THIS ORDER ON _____ **AT**
_____ **:_____ A.M./P.M**

PETITION/MOTION TO DISMISS/EXTEND/MODIFY CONDITIONS OF ORDER OF PROTECTION (FORM C):



PUBLIC DEFENDER SERVICE CORPORATION
Government of Guam
779 Route 4, Sinajãña, Guam 96910
Phone: (671) 475-3100
Fax: (671) 477-5844
www.GuamPDSC.net

IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME,</p> <p>PETITIONER ,</p> <p>vs.</p> <p>RESPONDENT'S NAME,</p> <p>RESPONDENT.</p>	<p>PROTECTIVE ORDER PO Case #: _____</p> <p>PETITION/MOTION TO DISMISS/EXTEND/MODIFY CONDITIONS OF ORDER OF PROTECTION</p> <p>(FORM C)</p>
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1. I, **Petitioner**, ask the Court, pursuant to 7 GCA § 40105(b), to
 dismiss, **extend**, or **modify any other conditions of the**
 Temporary Order of Protection or **Permanent Order of Protection** issued by the Superior Court on _____.
2. Explain what you want **dismissed**, **extended**, or **modified** (for example, you can ask the Court to dismiss or extend an Order of Protection; you can also ask the Court to modify any other terms within an Order of Protection, such as visitation):

3. Explain why you want the **dismissal, extension, or modification of any other conditions:**

4. I declare under oath or penalty of perjury that the following statements are true.

PETITIONER'S NAME

DATE

I. THE COURT HEREBY ORDERS:

NOTICE TO APPEAR: A hearing has been scheduled to dismiss, extend, or modify other terms of the above Order of Protection. **YOU ARE ORDERED** to appear on _____ at _____ **A.M./P.M.** in the Superior Court of Guam to **SHOW CAUSE** why the Order of Protection should not be amended.

Without a hearing, the Court **GRANTS** Petitioner's request to **dismiss** the Temporary Order of Protection or Permanent Order of Protection **WITHOUT PREJUDICE.**

DATE: _____ **TIME:** _____

JUDGE, SUPERIOR COURT OF GUAM

SERVICE: NONMOVANT SERVED WITH COPY OF THIS ORDER ON _____ **AT** _____: _____ **A.M./P.M.**

MOTION AND AFFIDAVIT AND ORDER TO SHOW CAUSE FOR CONTEMPT FOR VIOLATING ORDER OF PROTECTION (FORM D):



PUBLIC DEFENDER SERVICE CORPORATION
 Government of Guam
 779 Route 4, Sinajaña, Guam 96910
 Phone: (671) 475-3100
 Fax: (671) 477-5844
 www.GuamPDSC.net

IN THE SUPERIOR COURT OF GUAM

<p>PETITIONER'S NAME, PETITIONER, vs. RESPONDENT'S NAME, RESPONDENT.</p>	<p>PROTECTIVE ORDER CASE NO. PO#: _____</p> <p>MOTION AND AFFIDAVIT AND ORDER TO SHOW CAUSE FOR CONTEMPT FOR VIOLATING ORDER OF PROTECTION</p> <p style="text-align: center;">(FORM D)</p>
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PETITIONER:

First Middle Last

Petitioner's Date of Birth: _____

And/or on behalf of minor family member(s) (list name and DOB):

Other protected person(s) (list name and DOB):

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Respondent's Address: Please see attached map to "Marshals-Service Information Form."

Respondent's Distinguishing Features: _____

RESPONDENT'S IDENTIFIERS:

SEX	RACE	DOB	HT	WT
EYE	HAIR	SOCIAL SECURITY #		
		N/A		
DRIVER'S LICENSE #		STATE	EXP	
UNKNOWN		UNK.	UNK.	

CAUTION: WEAPON INVOLVED

I. MOTION AND AFFIDAVIT:

- 1. I am the Petitioner or protected party in a valid Order of Protection/Foreign Order of Protection dated _____ and issued by the Court in Protection Order Case Number: _____. Attached is a copy of that Order.
- 2. The Respondent has violated the above Order by doing or not doing the following:

- 3. I ask the Court to Order the Respondent to appear at a specified time to answer a contempt charge or to issue a bench warrant for the arrest of the Respondent.
- 4. This affidavit is made on my personal knowledge and, if sworn as a witness, I can testify competently to the facts in this affidavit.
- 5. I declare under penalty of perjury under the laws of Guam (6 GCA § 4308) that the foregoing is true and correct and to the best of my knowledge.

PETITIONER'S NAME

DATE

II. THE COURT HEREBY ORDERS:

- NOTICE TO APPEAR: YOU ARE ORDERED** to appear on _____ at _____ in the Superior Court of Guam, to **SHOW CAUSE** why you should not be held in contempt for violating a valid Order of Protection. Failure to appear for this contempt hearing may result in a bench warrant issued for the Respondent's arrest.
- Surrender any and all firearms, firearm IDs, and firearm permits, in Respondent's control and/or possession to the Superior Court Marshals.
- A bench warrant to be issued for the Respondent's arrest** to answer a contempt charge for violating a valid Order of Protection.

SO ORDERED ON: _____

JUDGE, SUPERIOR COURT OF GUAM

[SERVICE: RESPONDENT SERVED WITH A COPY OF THIS ORDER ON _____ AT _____: _____ A.M./P.M.]