STATE OF ILLINOIS

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT

JACKSON COUNTY

Petitioner

Name(s) of additional Petitioner(s)

☐ Independent
☐ Criminal
☐ Juvenile

Check if filing on behalf of:
☐ a minor child, **or**
☐ an adult who because of age, disability,
or inaccessibility cannot file the petition *(list name(s) below)*

vs.

(file stamp)

Respondent **D.O.B.**

If the Respondent is under age 18 and if remedy #4 is ordered the name(s) of minor(s) ☐ parents or ☐ legal guardians(s)

Case # - OP -

Address for Service

☐ *Notice to school board(s) if remedy #4 is requested*

CIVIL NO CONTACT ORDER

(Sexual Conduct and/or Penetration)

☐ EMERGENCY CIVIL NO CONTACT ORDER

Issued on: Date: _____ Time: _____ _:_.M.

Expires on: Date: _____ Time: _____ _:_.M.

☐ NOTICE

Hearing is set for: Date: _____ Time: _____ _:_.M. at the Jackson County Courthouse, Courtroom _____, 1001 Walnut Street (street address), Murphysboro (city), IL

☐ PLENARY CIVIL NO CONTACT ORDER

(Requires Service of Process Under 740 ILCS 22/208)

Issued on: Date: _____ Time: _____ _:_.M.

In effect until:

☐ _____, 20____ (not to exceed 2 years unless * below).
☐ Final judgment is rendered in Case No. _____
☐ This No Contact Order is modified or vacated. (See attached Order.)
☐ Final disposition when a Bond Forfeiture Warrant has been issued (not to exceed 2 years).
☐ *Two years following expiration of any sentence of supervision, conditional discharge, probation, periodic imprisonment, imprisonment or mandatory supervised release on _____.
☐ Petitioner ☐ Respondent given a copy of this Order in open court on _____ , 20 _____.

Form approved by the Conference of Chief Circuit Judges
Effective: January 1, 2005

PETITIONER INFORMATION

Name: _____

Address:

_____ Illinois _____

(Street/P.O. Box) (City) (State) (Zip Code)

☐ Disclosure of Petitioner's address would risk further abuse. The address listed above is Petitioner's alternative address for service of notice.

RESPONDENT INFORMATION

(if known)

Name: _____ **DOB:** _____

Sex: ☐ Male ☐ Female **Race:** _____ **Height:** _____ **Weight:** _____

Hair Color: _____ **Eye Color:** _____ **Social Security #:** XXX - XX - _____

Driver's License #: _____ **License Plate #:** _____

Other Numeric Identifier: _____ **Description:** _____

(number) (e.g. passport #, military serial # or other)

☐ **Home Address:** _____ Illinois _____

(Street/P.O. Box) (City) (State) (Zip Code)

Name of Workplace: _____ **Work Hours:** _____

☐ **Work Address:** _____ Illinois _____

(Street/P.O. Box) (City) (State) (Zip Code)

Distinguishing Physical Features: _____

☐ **Respondent is incarcerated at:** _____

☐ **Respondent's address is unknown**

CAUTION INDICATOR

Respondent may be

☐ (A) considered armed and/or dangerous
☐ (S) suicidal
☐ (Y) considered armed, dangerous and suicidal

NOTICE TO RESPONDENT

ANY KNOWING VIOLATION OF A CIVIL NO CONTACT ORDER IS A CLASS A MISDEMEANOR. ANY SECOND OR SUBSEQUENT VIOLATION IS A CLASS 4 FELONY

NOTICE TO LAW ENFORCEMENT AGENCIES AND OFFICERS

Any law enforcement officer may make an arrest without warrant if the officer has probable cause to believe that the person has committed or is committing a violation of a civil no contact order. 740 ILCS 22/301 (a)

This Civil No Contact Order is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. territories pursuant to the Violence Against Women Act (18 U.S.C. 2265).

FINDINGS [EMERGENCY ORDER]

☐ The Court finds that good cause exists for granting the remedy regardless of prior service of process or notice upon the Respondent, because the harm which that remedy is intended to prevent would be likely to occur if Respondent were given any prior notice or greater notice than was given, of Petitioner's efforts to obtain judicial relief.

FINDINGS [Jurisdiction]

The court finds that Respondent:

☐ has been served with process and notice pursuant to statute.
☐ has entered an appearance in this case.
☐ is present in court, in person, and/or with counsel, _____
☐ is in default.
☐ has filed an answer.

The court finds that the Petitioner:

☐ has diligently attempted to complete service of process, has not been able to serve Respondent, and has given otice by publication (service completed 30 days after the first of three publication notices).

FINDINGS [General]

In granting the following remedies, the Court has considered all relevant factors, including but not limited to the nature, severity and consequences of Respondent's past non-consensual sexual conduct or non-consensual sexual penetration of Petitioner, including Respondent's concealment of his/her location in order to evade service of process or notice, and the likelihood of danger of future non-consensual sexual conduct or non-consensual sexual penetration of the party to be protected.

The Court further finds that:

☐ Venue is proper (740 ILCS 22/207).
☐ Upon examination of the Verified Petition, petitioner under oath, and other evidence, petitioner is a victim of non-consensual sexual conduct or non-consensual sexual penetration by respondent.
☐ Upon examination of the Verified Petition, Petitioner under oath, and other evidence, Petitioner is a victim of the Respondent's aiding and abetting non-consensual sexual conduct or non-consensual sexual penetration (740 ILCS 22/213.7).
☐ The victim is unable to bring this Petition on his/her own behalf due to age, health, disability or inaccessibility (740 ILCS 22/201).
☐ The parties stipulate to a factual basis for the issuance of a Civil No Contact Order.

IT IS ORDERED THAT:

1. ☐ ***Stay Away and Additional Prohibitions***. Respondent is ordered to stay _____ feet away from the Petitioner, and not communicate with Petitioner in any way, directly, indirectly or through third parties, including, but not limited to phone, written notes, mail, email, or fax. Respondent is prohibited from entering or remaining while Petitioner is present at her/his:

   ☐ place of residence, currently located at _____

   _____

   ☐ place(s) of employment, located at _____

   _____

   ☐ school(s), located at _____

   _____

   ☐ and any of the following specified places, when Petitioner is present:

   _____

2. ☐ That the Respondent refrain from contact with Petitioner and/or other protected persons in any way, directly, indirectly or through third parties, including, but not limited to, phone, written notes, mail, email or fax

3. ☐ That Respondent stay away from and be prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of the Petitioner's and/or other protected persons' real and/or personal property or animal(s).

4. ☐ The Respondent is restrained from attending _____ school at _____(address) attended by the Protected Person. Finding that the Respondent is a minor and Respondent's ☐ parent(s) ☐ guardian(s) ordered to transfer Respondent to _____(school) immediately. _____ is responsible for transporting minor to and from school. (Criterion pursuant to 740 ILCS 22/213(b-6) has been considered). (Residency pursuant to 105 ILCS 5/14-1.11.(4) or 13-1.11a(3))

5. ☐ Other injunctive relief as Follows:

_____

_____

_____

This order can be extended upon notice filed in the office of the Clerk of this Court and a hearing held **prior to the expiration of this Order. Note: To ensure adequate time for a hearing, it is recommended that Petitioner seek an extension at least 3 weeks prior to the expiration of this order.**

_____
JUDGE

I hereby certify that this is a true and correct copy of the original Order on file with the court.

(Seal of the Clerk of the Circuit Court)

_____
Clerk of the Circuit Court

JACKSON County

Date: _____

Cc: ☐ Petitioner ☐ Respondent ☐ Counsel of Record ☐ Sheriff ☐ Advocate ☐ Jail ☐ S/A

DEFINITION OF TERMS USED IN THIS PETITION

1. **Civil No Contact Order:** an emergency order or plenary order granted under this Act, which includes a remedy authorized by 740 ILCS 22/213 of this Act.

2. **Family or Household Members:** include spouses, parents, children, stepchildren, and persons who share a common dwelling.

3. **Non-consensual:** a lack of freely given agreement.

4. **Petitioner:** may mean not only any named petitioner for the civil no contact order and any named victim of non-consensual sexual conduct or non-consensual sexual penetration on whose behalf the petition is brought, but also any other person sought to be protected by this Act.

5. **Protected Persons:** The following persons are protected by this Act:
   (a) any victim of non-consensual sexual conduct or non-consensual sexual penetration on whose behalf the petition is brought;
   (b) any family or household member of the named victim; and
   (c) any employee of or volunteer at a rape crisis center that is providing services to the petitioner or the petitioner's family or household member.

6. **Respondent:** may mean not only the person alleged to have committed an act of non-consensual sexual conduct or non-consensual sexual penetration against the petitioner, but also any other named person alleged to have aided and abetted such an act of non-consensual sexual conduct or non-consensual sexual penetration.

7. **Sexual Conduct:** any intentional or knowing touching or fondling by the petitioner or the respondent, either directly or through clothing, of the sex organs, anus, or breast of the petitioner or the respondent, or any part of the body of a child under 13 years of age, or any transfer or transmission of semen by the respondent upon any part of the clothed or unclothed body of the petitioner, for the purpose of sexual gratification or arousal of the petitioner or the respondent.

8. **Sexual Penetration:** any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person, including but not limited to cunnilingus, fellatio or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

9. **Stay Away**: to refrain from both physical presence and nonphysical contact with the Petitioner directly, indirectly, or through third parties who may or may not know of the order. ñNonphysical contactò includes, but is not limited to, telephone calls, mail, e-mail, fax, and written notes.