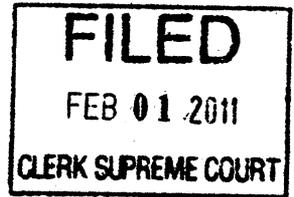


IN THE SUPREME COURT OF IOWA



IN THE MATTER OF )  
AMENDMENTS TO IOWA )  
COURT RULES CHAPTER 4: )  
FORM 4.11 )

SUPERVISORY ORDER

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On December 27, 2010, the court approved amendments to certain uniform forms used by the courts when issuing no contact and protective orders. A technical error has been discovered on one of the forms—Form 4.11. To correct this error, the court approves and substitutes the attached Form 4.11 to replace the current Form 4.11.

This order takes effect immediately.

Dated this 1<sup>st</sup> day of February, 2011.

THE SUPREME COURT OF IOWA

By Mark S. Cady  
Mark S. Cady, Chief Justice

# Order of Protection

This order can be verified during business hours with the \_\_\_\_\_ County Clerk of Court at \_\_\_\_\_  
\_\_\_\_\_ or anytime with the \_\_\_\_\_  
\_\_\_\_\_ (law enforcement agency) at \_\_\_\_\_.

Case No. \_\_\_\_\_

Judge \_\_\_\_\_  
(print or type name here)

County \_\_\_\_\_ State **IOWA**

**NO CONTACT ORDER  
(Criminal Prosecution of Domestic Abuse  
Assault § 708.2A or Misdemeanor Charge of Violating  
No Contact Order § 664A.7)**

ISSUE DATE: \_\_\_\_\_

### PROTECTED PARTY:

\_\_\_\_\_  
First Middle Last

Other Protected Persons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATE OF IOWA  
V.  
DEFENDANT:**

\_\_\_\_\_  
First Middle Last

DEFENDANT Date of Birth \_\_\_\_\_

Address for Defendant (not shared address with Protected Party)  
\_\_\_\_\_  
\_\_\_\_\_

**CAUTION:**

*If checked,*  
**FIREARMS WARNING for  
Law Enforcement**

### THE COURT HEREBY FINDS:

It has jurisdiction over the parties and subject matter, and the Defendant has been provided with reasonable notice and opportunity to be heard. **Additional findings are set forth below.**

### THE COURT HEREBY ORDERS:

The above named Defendant is restrained from committing further acts of abuse or threats of abuse.  
The above named Defendant is restrained from any contact with the Protected Party.  
**Additional terms of this order are as set forth below.**

This order shall remain in effect until modified or terminated by further written order of the court, until the case is dismissed, or until sentencing.

### WARNINGS TO DEFENDANT:

**This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and any tribal jurisdiction. 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.**

**Federal and state laws provide penalties for possessing, transporting, shipping, or receiving any firearm or ammunition. 18 U.S.C. § 922(g)(8); Iowa Code Section 724.26(2)(a).**

**Only the court can change this order.**

On the basis of the complaint or affidavit(s) submitted to the court at the time of the defendant's appearance, the court finds there is probable cause to believe that

a domestic abuse assault has occurred (§ 708.2A) or  defendant has violated a prior no contact order or consent agreement (§ 664A.7)

and the presence of the defendant in the alleged victim's residence poses a threat to the safety of the alleged victim, persons residing with the alleged victim, or members of the alleged victim's immediate family.

If checked, the court finds the defendant and protected party meet the definition of intimate partners as defined in 18 U.S.C. § 921(a)(32) ("intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person").

**IF CHECKED, the court must check box 6, prohibiting the defendant from possessing firearms.**

**Therefore, the court orders as follows:**

1. Defendant shall not communicate with the protected party in person or through any means including third persons. This restriction shall not prohibit communication through legal counsel.

2. Defendant shall not be in the immediate vicinity of the residence or place of employment of the protected party. Defendant shall stay away from the protected party and shall not be in that party's presence except in a courtroom during court hearings.

3. The defendant, personally or through a third party, shall not threaten, assault, stalk, molest, attack, harass, or otherwise abuse the protected party, persons residing with the protected party, or members of the protected party's family. Defendant shall not use, or attempt to use, or threaten to use physical force against the protected party that would reasonably be expected to cause bodily injury.

4. If checked, defendant may enter the residence once in the company of a peace officer to retrieve defendant's clothing and work-related items. Defendant shall turn over to the law enforcement agency all devices that allow access or entry to the residence or outbuildings (for example, keys or garage openers). The law enforcement agency shall contact the protected party to provide notice of the intent of the defendant to return to the residence and to accommodate the safety concerns of the protected party.

5. If checked, additional directives \_\_\_\_\_

6. The Defendant shall not possess, ship, transport, or receive firearms, offensive weapons, or ammunition while this order is in effect pursuant to Iowa Code Section 724.26(2)(a) and as a condition of release. The Defendant shall deliver all firearms, ammunition, and offensive weapons to [Name of Law Enforcement Agency], [Address of Law Enforcement Agency], [City], Iowa within 24 hours of release from jail.

7. This protective order is in effect immediately. The order may be extended prior to expiration, or at sentencing, for five years pursuant to sections 664A.5 (modification) and 664A.8 (extension).

8. **A DEFENDANT WHO VIOLATES THIS ORDER FACES IMMEDIATE ARREST.** Violation may occur even if the protected party (ies) consent(s) to prohibited contact. Only the court may release defendant from restrictions contained in this order.

9. Except as specifically set out herein, this order shall not be construed as an award of personal or real property to either the defendant or the protected party.

10. Bond is set at \$\_\_\_\_\_.

11. If checked, defendant qualifies for court-appointed counsel, and attorney \_\_\_\_\_ is appointed.

\_\_\_\_\_  
JUDGE, \_\_\_\_\_ JUDICIAL DISTRICT

Defendant was personally served with a copy of this order by the court.

The clerk of court shall provide copies of this order to the protected party, county attorney, defendant, counsel of record (if any) and the \_\_\_\_\_ County Sheriff as required by Iowa Code sections 236.5(5) and 664A.4.

The \_\_\_\_\_ County Sheriff shall serve and return service of this order upon defendant.

**NOTICE:** If you have a disability and need assistance to participate in court proceedings, please call the ADA Coordinator at ( ) \_\_\_\_\_. If you are hearing-impaired, call Relay Iowa TTY at 1-800-735-2942.