



For general information about elder abuse, call the confidential **Iowa Victim Service Call Center** at 1-800-770-1650, the Department on Aging at 1- 800-532-3213, or text IOWAHELP to 20121.

***You must tell the clerk of court if your mailing or email address changes. This will help make sure you get information about your case as soon as possible. If you have an email***

account, the clerk of court can help you sign up electronic filing, or use this guide on the Iowa Judicial Branch website: [www.iowacourts.gov/efile/efile-instructions/](http://www.iowacourts.gov/efile/efile-instructions/).

☐ I do not live at this address. Check this box if you do not live at your mailing address

(3) My year of birth is: \_\_\_\_\_.

B. ☐ For \_\_\_\_\_, who is a vulnerable elder 60 years old or  
*Full name*  
older and in need of protection. I am a Substitute Petitioner for this person.

(1) The vulnerable elder lives in \_\_\_\_\_ County, Iowa.

(2) The vulnerable elder can receive mail at the following address:

*If you do not want Defendant to know where the vulnerable elder lives, any of the following addresses may be used: a mailing address, the mailing address of a shelter or other agency, a public or private post office box, or any other mailing address with permission of the resident of that address. Copies of court documents may be sent to this address, so use an address where you are sure mail will be received.*

\_\_\_\_\_  
*Elder's mailing address*                      *City*                      *State*    *Zip code*    *County*

☐ The vulnerable elder does not live at this address.

(3) The vulnerable elder's year of birth is: \_\_\_\_\_.

C. I, Substitute Petitioner, can receive mail at the following address:

*If you do not want Defendant to know where you live, any of the following addresses may be used: a mailing address, the mailing address of a shelter or other agency, a public or private post office box, or any other mailing address with permission of the resident of that address. Copies of court documents may be sent to this address, so use an address where you are sure mail will be received.*

\_\_\_\_\_  
*Mailing address*                      *City*                      *State*    *Zip code*    *County*

**You must tell the clerk of court if your mailing or email address changes. This will help make sure you get information about your case as soon as possible.** If you have an email account, the clerk of court can help you sign up to receive court documents and orders by email, or use this guide on the Iowa Judicial Branch website: [www.iowacourts.gov/efile/efile-instructions/](http://www.iowacourts.gov/efile/efile-instructions/).

☐ The vulnerable elder does not live at this address.

**Note:** The vulnerable elder has the following rights no matter who files this Petition:

- To hire an attorney.
- To have access to personal records.
- To file objections to the Protective Order.
- To cross-examine witnesses at the hearing.
- To request a hearing on the Petition.
- To present evidence.



D. ☐ Financial Exploitation

I. ☐ Incest

E. ☐ Threat of physical or sexual harm.

J. ☐ Other: \_\_\_\_\_

**8. These are the acts of abuse, threats of abuse, financial exploitation, or neglect:**

*Identify **who** committed the abuse, threats of abuse, financial exploitation, or neglect. Include **how** the vulnerable elder was hurt or threatened, **how** the vulnerable elder's money was misused, **how** the vulnerable elder was neglected or confined, **where** and **when** the abuse happened, and the likelihood that the abuse or threats will occur in the future.*

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☐ Check this box if you have attached a page with additional information.

**9. I am asking the court to issue a Final Protective Order and:**

A. ☐ Enter a Temporary Protective Order.

B. ☐ Order Defendant to: *Check each that applies*

(1) ☐ Stop the elder abuse.

(2) ☐ Move from the elder's residence.

(3) ☐ Provide suitable alternative housing for the elder.

(4) ☐ Not enter or attempt to enter the following locations at the following times:

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☐ Check this box if you have attached a page with additional information.

(5) ☐ Not exercise any powers on behalf of the elder through a court-appointed guardian, conservator, or guardian ad litem, an attorney in fact, or another third party.

(6) ☐ Not exercise control over the elder's funds, benefits, property, resources

belongings, or assets.

- (7) ☐ Give the elder custody or control of the elder's funds, benefits, property, resources, belongings, or assets.
- (8) ☐ Follow the instructions of the elder's guardian, conservator, or attorney in fact.
- (9) ☐ Other request:

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☐ Check this box if you have attached a page with additional information.

- C. ☐ Issue subpoenas for the following witnesses and evidence (Iowa Code § 235F.5(4)):  
*List witness names and addresses*

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☐ Check this box if you have attached a page with additional information.

## 10. Read before signing

When you file this Petition, you are beginning important legal matters.

Check the box for each statement below after you have read it.

- A. ☐ I understand that a "vulnerable elder" is a person who is at least 60 years of age who is unable to protect himself or herself from elder abuse as a result of a mental condition, a physical condition, or a personal circumstance that results in an increased risk of harm to the elder.
- B. ☐ I understand that the court may, on its own motion, or on the motion of a party, appoint a guardian ad litem for the elder if justice requires. The elder's attorney may not also serve as the elder's guardian ad litem.
- C. ☐ I understand that there will be a court hearing 5 to 15 days after this Petition is filed.
- D. ☐ I understand that a law enforcement officer will give Defendant a copy of this Petition, if Defendant can be found, and that Defendant will receive other relevant court papers. Additionally, if I have filed on behalf of an elder, the elder will also receive a copy of the Petition.
- E. ☐ I understand that I must attend the hearing. If I change my mind and do not want a Final Protective Order, I should file with the clerk of court a "Request to Modify, Cancel, or Extend an Iowa Code chapter 235F Final Protective Order" before the scheduled

hearing. This form is available at the clerk of court's office and on the Iowa Judicial Branch website.

- F.** ☐ I understand that the hearing is an opportunity to tell the judge about the elder abuse. I may bring to the hearing people who saw the abuse or evidence that shows the abuse, such as medical reports, police reports, pictures, or other documents to convince the judge that a Final Protective Order is necessary. I may bring paper copies of any information I want the judge to see from my cell phone or other electronic device, such as screen shots of social media posts, pictures, texts, emails, etc.
- G.** ☐ I understand that the Final Protective Order could be in effect for up to one year. I also understand that if the Final Protective Order is granted, it may be extended beyond one year by filing for an extension prior to the expiration of the order.
- H.** ☐ I understand that if I believe that the Temporary or Final Protective Order has been violated, I can bring this to the court's attention by filing with the clerk of court an "Affidavit to Start Contempt Proceedings." This form can be picked up at the clerk of court's office and is available on the Iowa Judicial Branch website.
- I.** ☐ I understand that if a Temporary or Final Protective Order is issued, I can call law enforcement for assistance. Law enforcement may use every reasonable means to enforce the Protective Order. If a court finds Defendant in violation of the Temporary or Final Protective Order, Defendant may be put in jail and have to pay a fine.
- J.** ☐ I understand that a protective order is a serious legal obligation. Only the court can change the terms of this protective order.
- K.** ☐ I understand that If I want to change any part of the protective order, I should go back and tell the judge. I should file with the clerk of court a "Request to Change or Cancel a Chapter 235F Protective Order." This form can be picked up at the clerk of court's office and is available on the Iowa Judicial Branch website.

## 11. Attorney help

I understand that I may fill out and file this Petition by myself or with the help of an attorney. Check **A.** or **B.**

- A.** ☐ An attorney *did not* help me prepare or fill in this paper. *If you check A, go to the "Oath and signature" section below.*
- B.** ☐ An attorney *did* help me prepare or fill in this paper. *If an attorney helped you complete this form, please check (1) if the county attorney helped you, or (2) if another attorney helped you. Provide the attorney's name and contact information.*
- (1) ☐ The county attorney helped me:

_____ Name of attorney or organization, if any		_____ Attorney's PIN – Ask the attorney	
_____ Business address of attorney or organization		_____ City	_____ State
		_____ ZIP code	
(_____) _____ Attorney's phone number	(_____) _____ Attorney's fax number – optional	_____ Attorney's email address – optional	

(2) ☐ Another attorney helped me:

\_\_\_\_\_  
*Name of attorney or organization, if any*      *Attorney's PIN – Ask the attorney*

\_\_\_\_\_  
*Business address of attorney or organization*      *City*      *State*      *ZIP code*

(\_\_\_\_\_) \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_  
*Attorney's phone number*      *Attorney's fax number – optional*      *Attorney's email address – optional*

## 12. Oath and signature

I, \_\_\_\_\_ have read this Petition, and I certify under penalty  
*Print your name*  
of perjury and pursuant to the laws of the State of Iowa that the information I have  
provided in this Petition is true and correct.

Signed on: \_\_\_\_\_, 20\_\_\_\_  
*Month*      *Day*      *Year*      *Your signature\**

\_\_\_\_\_  
*Mailing address*      *City*      *State*      *ZIP code*

(\_\_\_\_\_) \_\_\_\_\_  
*Phone number*      *Email address*      *Additional email address – if available*

\* *This form may be signed either by using a digitized signature, see instructions at*  
<https://www.iowacourts.gov/for-the-public/court-forms/>, *or by printing and hand signing.*

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