

Senate Bill 57

By: Senators Thompson of the 33<sup>rd</sup>, Stokes of the 43<sup>rd</sup>, Tanksley of the 32<sup>nd</sup>, Hecht of the 34<sup>th</sup>  
and Haines of the 46<sup>th</sup>

**AS PASSED SENATE**

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to  
2 family violence, so as to enact the "Family Violence and Stalking Protective Order Registry  
3 Act"; to define terms; to create a registry of protective orders as a centralized data base for  
4 protective orders; to provide for the registry to be maintained by the Georgia Crime  
5 Information Center and governed by the Georgia Commission on Family Violence; to  
6 provide for the registry to be linked with the National Crime Information Center Network;  
7 to provide for standard forms for protective orders; to provide for electronic transmittal and  
8 maintenance of orders; to provide for foreign orders; to provide for access to and use of the  
9 registry; to provide punishment for violations; to provide for certain immunity from civil  
10 liability; to provide for related matters; to provide an effective date; to repeal conflicting  
11 laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Chapter 13 of Title 19 of the Official Code of Georgia Annotated, relating to family violence,  
15 is amended by adding at its end a new Article 4 to read as follows:

16 **"ARTICLE 4**

17 19-13-50.

18 This article shall be known and may be cited as the 'Family Violence and Stalking  
19 Protective Order Registry Act.'

20 19-13-51.

21 As used in this article, the term:

1 (1) 'Court' means judges in the classes of courts identified in Title 15 and any other  
2 person while acting as such a judge pursuant to designation as otherwise authorized by  
3 law.

4 (2) 'District attorney' means each attorney elected to represent a judicial circuit in this  
5 state and any assistant or deputy district attorney, or solicitor, in each judicial circuit in  
6 this state.

7 (3) 'Foreign court' means a court of competent jurisdiction in any state other than this  
8 state or any territory or tribal jurisdiction in the United States.

9 (4) 'Foreign protective order' means any temporary protective order, protective order,  
10 restraining order, or injunction that prohibits acts of family violence or stalking or both  
11 issued by a court of competent jurisdiction in another state, territory, or tribal jurisdiction  
12 in the United States.

13 (5) 'Law enforcement officer' means any agent or officer of this state, or a political  
14 subdivision or municipality thereof, who, as a full-time or part-time employee, is vested  
15 either expressly by law or by virtue of public employment or service with authority to  
16 enforce the criminal or traffic laws and whose duties include the preservation of public  
17 order, the protection of life and property, or the prevention, detection, or investigation of  
18 crime. Such term also includes any state or local sheriff, deputy sheriff, dispatcher, 911  
19 operator, police officer, or district attorney.

20 (6) 'Modification' means any amendment, dismissal, or continuance of a protective order.

21 (7) 'Protective order' means any temporary, six-month, or permanent order issued by a  
22 judge in this state pursuant to Code Sections 16-5-90 through 16-5-94 or this chapter and  
23 also where appropriate in the context includes a foreign protective order.

24 (8) 'Registry' means the Georgia Protective Order Registry.

25 19-13-52.

26 (a) The Georgia Protective Order Registry shall be created to serve as a centralized data  
27 base for state-wide protective orders issued pursuant to Code Sections 16-5-90 through  
28 16-5-94 and this chapter. The registry is intended to enhance victim safety by providing  
29 law enforcement officers, district attorneys, and the courts access to protective orders  
30 issued by the courts of this state and foreign courts 24 hours of the day and seven days of  
31 the week. Access to the registry is intended to aid law enforcement officers, district  
32 attorneys, and the courts in the enforcement of protective orders and the protection to  
33 victims of stalking and family violence.

34 (b) The registry shall be maintained by the Georgia Crime Information Center.

35 (c) The registry shall include a complete and systematic record and index of all valid  
36 protective orders and modifications thereof. Law enforcement officers, district attorneys,

1 the State Board of Pardons and Paroles and its personnel, the Department of Corrections  
2 and its personnel, and the courts shall have access to the registry. The Georgia Crime  
3 Information Center shall implement a daily process of purging protective orders and names  
4 of parties from the registry upon expiration or dismissal of protective orders and shall  
5 maintain purged protective orders and names in a separate archived file in the registry that  
6 shall be available only to the courts.

7 (d) The registry shall be linked to the National Crime Information Center Network and  
8 protective orders entered in the registry shall be immediately transmitted to this network.

9 19-13-53.

10 (a) Prior to July 1, 2002, the courts of this state shall use the forms specified in Code  
11 Sections 19-13-57 through 19-13-60 for the issuance of any protective order. The  
12 Administrative Office of the Courts shall distribute the forms.

13 (b) On and after July 1, 2002, the courts of this state shall use a standardized form for the  
14 issuance of any protective order, in a form to be promulgated by Uniform Superior Court  
15 Rule. The Administrative Office of the Courts shall distribute the forms.

16 (c) The clerk of the issuing court shall electronically transmit a record of the protective  
17 order or modification thereof to the registry as expeditiously as possible but no later than  
18 by the end of the next business day after the order is filed with the clerk of court. In the  
19 event of electronic failure, the clerk of court shall immediately notify the Georgia Crime  
20 Information Center which shall authorize an alternative method of transmitting the  
21 protective order or modification thereof to the registry.

22 (d) The Georgia Crime Information Center shall ensure that any protective order or  
23 modification thereof is entered in the registry within 24 hours of receipt of the protective  
24 order or modification from the clerk of court. The Georgia Crime Information Center shall  
25 ensure that protective orders that have expired or been terminated are purged from the  
26 registry within 24 hours of such expiration or termination. The inability to enter  
27 information for all data fields in the registry shall not delay the entry of available  
28 information.

29 (e) The entry of a protective order in the registry shall not be a prerequisite for  
30 enforcement of a valid protective order.

31 19-13-54.

32 (a) A petitioner who obtains a valid foreign protective order may file that order by filing  
33 a certified copy of the foreign protective order with any clerk of court of the superior court  
34 in this state.

35 (b) Filing shall be without fee or cost.

1 (c) The clerk of court shall provide the petitioner with a receipt bearing proof of  
2 submission of the foreign protective order for entry in the registry.

3 (d) The clerk of court shall transmit to the registry a copy of the foreign protective order  
4 in the same manner as provided in Code Section 19-13-53.

5 (e) Foreign protective orders shall not be required to be contained on a standardized form  
6 or forms in order to be entered in the registry.

7 (f) Filing and registry of the foreign protective order in the registry shall not be  
8 prerequisites for enforcement of the foreign protective order in this state.

9 19-13-55.

10 Any individual, agency, or court which obtains information from the registry shall keep  
11 such information or parts thereof confidential, and shall not disseminate or disclose such  
12 information, or parts thereof, except as authorized in this article or otherwise by law.  
13 Violation of this Code section shall be a misdemeanor.

14 19-13-56.

15 (a) The state and any local or state law enforcement officer, court official, or official of the  
16 registry shall be held harmless for any delay or failure to file a protective order, to transmit  
17 information contained in protective orders, or to enter such information in the registry.

18 (b) The state and any local or state law enforcement officer, court official, or official of  
19 the registry shall be held harmless for acting in reliance upon information registered in the  
20 registry or information received for the purpose of entry in the registry.

21 19-13-57.

22 Until July 1, 2002, the form for a family violence ex parte protective order shall be  
23 substantially as follows:

24 THE SUPERIOR COURT FOR THE COUNTY OF \_\_\_\_\_  
25 STATE OF GEORGIA

26 \_\_\_\_\_, )  
27 Petitioner, ) Civil Action File  
28 v. ) No. \_\_\_\_\_  
29 \_\_\_\_\_, )  
30 Respondent. )

31 **FAMILY VIOLENCE EX PARTE PROTECTIVE ORDER**

1 The Petitioner having prayed pursuant to O.C.G.A. Sections 19-13-1, et seq., that a  
 2 Protective Order be issued; and alleged that Respondent has committed acts of family  
 3 violence and that Petitioner is in reasonable fear of the Petitioner's safety and the safety  
 4 of Petitioner's child/ren; and it appearing to the Court that probable cause exists that  
 5 family violence has occurred in the past and may occur in the future, IT IS HEREBY  
 6 ORDERED AND ADJUDGED:

- 7 1. That these proceedings be filed in the office of the Clerk of this  
 Court.
- 8 2. That this Order applies in every county throughout the state and it  
 9 shall be the duty of every court and every law enforcement official  
 10 to enforce and carry out the provisions of this Order pursuant to  
 11 O.C.G.A. Section 19-13-4(d). Law enforcement officers may use  
 12 their arrest powers pursuant to O.C.G.A. Sections 19-13-6 and  
 13 17-4-20 to enforce the terms of this Order.
- 14 3. That a copy of this Order be given to law enforcement and the  
 15 Respondent be served with a copy of this Order and Petition for  
 16 Temporary Protective Order instanter.
- 17 4. **That the Respondent appear before this Court, on the \_\_\_\_ day**  
 18 **of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ . m. in room \_\_\_\_\_ of the**  
 19 **\_\_\_\_\_ County Courthouse at \_\_\_\_\_**  
 20 **to show cause why the requests of the Petitioner should not be**  
 21 **granted.**
- 22 5. That Respondent is hereby enjoined and restrained from doing, or  
 23 attempting to do, or threatening to do any act of injury to,  
 24 maltreating, molesting, following, harassing, harming, or abusing  
 25 the Petitioner and/or the minor child/ren in any manner. Respondent  
 26 is not to interfere with Petitioner's travel, transportation, or  
 27 communication. Respondent shall not follow, place under  
 28 surveillance, or contact the Petitioner at any place of the Petitioner  
 29 for the purpose of harassing and intimidating the Petitioner.
- 30 6. That the Respondent is enjoined and restrained from doing or  
 31 threatening to do any act of injury to, maltreating, molesting,  
 32 harassing, harming, or abusing the Petitioner's family or household.

33 **ONLY THE FOLLOWING THAT ARE INITIALED**

34 **BY THE JUDGE SHALL APPLY:**



1     \_\_\_ 15.     That Respondent is ordered to pay temporary child support for the  
 2                   minor child/ren to Petitioner in the amount of \$\_\_\_ every  
 3                   \_\_\_\_\_ beginning \_\_\_\_\_. All payments shall  
 4                   be made by or to:     \_\_\_ income deduction order  
 5   \_\_\_ child support receiver  
 6   \_\_\_ mail directly to the Petitioner  
 7   or     \_\_\_\_\_.

8     \_\_\_ 16.     That Respondent is ordered to pay temporary support for the  
 9                   Petitioner in the amount of \$\_\_\_ every \_\_\_\_\_  
 10                  beginning \_\_\_\_\_. All payments shall be made by or to:  
 11   \_\_\_ income deduction order  
 12   \_\_\_ child support receiver  
 13   \_\_\_ mail directly to the Petitioner  
 14   or     \_\_\_\_\_.

15    \_\_\_ 17.     That Respondent, **only when accompanied by local law**  
 16                  **enforcement**, shall be able to remove his clothing and personal items  
 17                  from the residence as follows: \_\_\_\_\_  
 18   \_\_\_\_\_  
 19   \_\_\_\_\_.

20                  On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_:\_\_\_\_. m.

21    \_\_\_ 18.     That Respondent is ordered not to sell, encumber, trade, damage,  
 22                  contract to sell, or otherwise dispose of or remove from the  
 23                  jurisdiction of this Court any of the property or pets of the Petitioner  
 24                  or joint property or pets of the parties except in the ordinary course  
 25                  of business.

26    \_\_\_ 19.     That Respondent is ordered not to disconnect or have disconnected  
 27                  the home utilities, change or have changed and/or cancel or have  
 28                  canceled auto, health, or life insurance for Respondent, Petitioner,  
 29                  and/or Petitioner’s child/ren or interfere with Petitioner’s and/or  
 30                  Petitioner’s child/ren’s mail.

31    \_\_\_ 20.     That Petitioner is awarded temporary sole possession of the vehicle:  
 32                  Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_ Color\_\_\_\_\_.  
 33                  Respondent shall immediately surrender all keys, proof of insurance,  
 34                  and registration to this vehicle to law enforcement and law  
                 enforcement shall immediately turn over said items to Petitioner.





1 \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_

2 \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_

3  Transmitted to Georgia Protective Order Registry Date \_\_\_\_\_ Clerk \_\_\_\_\_

4 Originating Agency Identifier: \_\_\_\_\_

5 19-13-58.

6 Until July 1, 2002, the form for a family violence six-month protective order shall be  
7 substantially as follows:

8 THE SUPERIOR COURT FOR THE COUNTY OF \_\_\_\_\_  
9 STATE OF GEORGIA

10 \_\_\_\_\_, )  
11 Petitioner, ) Civil Action File  
12 vs. )  
13 \_\_\_\_\_, ) No. \_\_\_\_\_  
14 Respondent. )

15 **FAMILY VIOLENCE SIX-MONTH PROTECTIVE ORDER**

16 A hearing was held on this matter on \_\_\_\_\_, \_\_\_\_\_, for which the  
17 Respondent had notice as required by law and at which the Respondent appeared and/or  
18 had the opportunity to be heard and the Petitioner requested that the Protective Order  
19 entered in this case be continued. Having heard the evidence presented, reviewed the  
20 petition and the entire record concerning this case, and for good cause shown, IT IS  
21 HEREBY ORDERED AND ADJUDGED:

- 22 1. That these proceedings be filed in the office of the Clerk of this  
23 Court.
- 24 2. That this Order applies in every county throughout the state and it  
25 shall be the duty of every court and every law enforcement official  
26 to enforce and carry out the provisions of this Order pursuant to  
27 O.C.G.A. Section 19-13-4(d). Law enforcement officers may use  
28 their arrest powers pursuant to O.C.G.A. Sections 19-13-6 and  
29 17-4-20 to enforce the terms of this Order.



1     \_\_\_ 8.           That Respondent is ordered to stay away from Petitioner’s and  
 2                    Petitioner’s child/ren’s residence and workplace and/or school and  
 3                    any subsequent residence or workplace or school of Petitioner and/or  
 4                    Petitioner’s minor child/ren.

5     \_\_\_ 9.           That Respondent is ordered to provide suitable alternate housing for  
 6                    Petitioner and/or Petitioner’s children by  
 7                    \_\_\_\_\_.

8     \_\_\_ 10.          That Respondent is restrained and enjoined from approaching within  
 9                    \_\_\_ yards of Petitioner and/or Petitioner’s minor children.

10    \_\_\_ 11.          That Respondent is ordered not to have any contact, direct, indirect,  
 11                    or through another person, with Petitioner, by telephone, pager, fax,  
 12                    e-mail, or any other means of communication except as specified in  
 13                    this Order.

14    \_\_\_ 12.          That Petitioner is awarded temporary custody of the minor  
 15                    child/ren, namely:

16                    \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_

17                    \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_

18                    \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_

19                    \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_

20                    Respondent is ordered not to interfere with the physical custody of  
 21                    the minor child/ren.

22    \_\_\_ 13.          That Respondent is ordered to pay to the Petitioner support for the  
 23                    minor child/ren in the amount of \$\_\_\_\_\_ every  
 24                    \_\_\_\_\_ beginning the \_\_\_\_\_ of \_\_\_\_\_,  
 25                    \_\_\_\_\_.

26                    All payments are to be made by or to:

27                    \_\_\_ income deduction order

28                    \_\_\_ child support receiver

29                    \_\_\_ mail directly to the Petitioner

30                    or \_\_\_\_\_.

31                    The applicable percentages of obligor’s gross income to be  
 32                    considered by the trier of fact to determine child support are:

33                    One child        17 to 23 percent    Four children  29 to 35 percent

34                    Two children   23 to 28 percent   Five children  31 to 37 percent

35                    Three children  25 to 32 percent

1 In this case child support is being determined for \_\_\_ child/ren and  
 2 the applicable percentage of gross income to be considered is \_\_\_\_  
 3 to \_\_\_\_ percent. The court has considered the existence of special  
 4 circumstances, and has found that no special circumstances **OR**  
 5 the following special circumstances exist: \_\_\_\_\_.

6 \_\_\_ 14. That Respondent is ordered to pay temporary support for the  
 7 Petitioner in the amount of \$\_\_\_\_\_ every \_\_\_\_beginning  
 8 \_\_\_\_\_.

9 All payments are to be made by or to:

- 10 \_\_\_ income deduction order
- 11 \_\_\_ child support receiver
- 12 \_\_\_ mail directly to the Petitioner

13 or \_\_\_\_\_ .

14 \_\_\_ 15. That Respondent shall have visitation with the minor child/ren  
 15 according to the following schedule,  
 16 beginning\_\_\_\_\_:

- 17 \_\_\_ no visitation
- 18 \_\_\_ no visitation until \_\_\_\_\_
- 19 \_\_\_ supervised visitation, supervised by a third party as  
 20 follows:\_\_\_\_\_
- 21 \_\_\_\_\_
- 22 \_\_\_ visitation every other weekend from Friday at 6 p.m. until  
 23 Sunday at 6 p.m., beginning\_\_\_\_\_ ,
- 24 \_\_\_ other visitation \_\_\_\_\_
- 25 \_\_\_ circumstances concerning how Respondent shall pick up and  
 26 return the minor child/ren shall be  
 27 \_\_\_\_\_

28 Strict compliance with this visitation provision shall not be a  
 violation of the restraining provisions of this Order.

29 \_\_\_ 16. That Respondent, **only when accompanied by local law**  
 30 **enforcement**, shall be able to remove his clothing and personal items  
 31 from the residence as follows:\_\_\_\_\_

32 \_\_\_\_\_  
 33 \_\_\_\_\_.

34 On \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ m.





1           **4.           A person commits the offense of Aggravated Stalking when such**  
 2           **person, in violation of a temporary or permanent protective**  
 3           **Order prohibiting this behavior follows, places under**  
 4           **surveillance, or contacts another person on public or private**  
 5           **property for the purpose of harassing and intimidating the other**  
 6           **person. This activity can subject the Respondent to arrest and**  
 7           **prosecution for felony aggravated stalking, which carries**  
 8           **penalties of imprisonment for not less than 1 year nor more than**  
 9           **10 years and a fine of up to \$10,000.00.**

**RESPONDENT'S IDENTIFYING INFORMATION**

(Date of birth, driver's license number, or social security number must be provided.)

13 Respondent's social security number is \_\_\_\_\_, date of birth is \_\_\_\_\_,  
 14 sex is \_\_\_\_, color of hair is \_\_\_\_\_, color of eyes is \_\_\_\_\_, height is  
 15 \_\_\_\_\_, weight is \_\_\_\_\_. Respondent's race is \_\_\_\_\_. Ethnic background is  
 16 \_\_\_\_\_. Respondent drives a \_\_\_\_\_, license tag number  
 17 \_\_\_\_\_, (year) \_\_\_\_\_, (state) \_\_\_\_\_, (type or class) \_\_\_\_\_, and  
 18 has a \_\_\_\_ (state) driver's license number \_\_\_\_\_, issued \_\_\_\_\_.  
 19 Respondent has distinguishing marks (tattoos, scars, etc.) \_\_\_\_\_.  
 20 Respondent's home address is \_\_\_\_\_,  
 21 and Respondent is employed by \_\_\_\_\_ at \_\_\_\_\_  
 22 and works from \_\_\_\_ to \_\_\_\_ on (days) \_\_\_\_\_.

**PETITIONER'S IDENTIFYING INFORMATION**

24 Protected parties \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_  
 25 \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_  
 26 \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_  
 27 \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_

Transmitted to Georgia Protective Order Registry      Date \_\_\_\_\_ Clerk \_\_\_\_\_

Originating Agency Identifier: \_\_\_\_\_

19-13-59.

Until July 1, 2002, the form for a stalking ex parte temporary protective order shall be substantially as follows:

1 THE SUPERIOR COURT FOR THE COUNTY OF \_\_\_\_\_

2 STATE OF GEORGIA

3 \_\_\_\_\_, )  
 4 Petitioner, ) Civil Action File  
 5 v. )  
 6 \_\_\_\_\_, ) No. \_\_\_\_\_  
 7 Respondent. )

8 STALKING EX PARTE TEMPORARY PROTECTIVE ORDER

9 Upon proceedings before me, the Petitioner having demanded pursuant to O.C.G.A.  
 10 Section 16-5-94 that a Protective Order be issued; and alleged that Respondent has  
 11 knowingly and willfully committed or attempted to commit acts in violation of O.C.G.A.  
 12 Section 16-5-90 et seq., that such acts were not at the home of the Respondent and had  
 13 no legitimate purpose, and that Petitioner is in reasonable fear of her/his safety and/or the  
 14 safety of her/his immediate family; and it appearing to the Court that probable cause  
 15 exists to believe that similar events will occur in the future, IT IS HEREBY ORDERED  
 16 AND ADJUDGED:

- 17 1. That Respondent is enjoined and restrained from any acts directly or  
 18 indirectly which harass and/or intimidate the Petitioner or her/his  
 19 immediate family.
- 20 2. That Respondent is enjoined from approaching within \_\_\_ yards of  
 21 Petitioner.
- 22 3. That Respondent have no contact of any type, direct, indirect, or  
 23 through another person, with Petitioner or her/his immediate family,  
 24 including but not limited to telephone, pager, fax, e-mail, mail, or  
 25 any other means of communication.
- 26 4. **That the Respondent appear before \_\_\_\_\_, Judge, on**  
 27 **the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_**  
 28 **in room \_\_\_\_\_ of the \_\_\_\_\_**  
 29 **County courthouse at \_\_\_\_\_ to show why the**  
 30 **demands of the Petitioner should not be granted.**
- 31 5. That a copy of this Order be given to local law enforcement and the  
 32 Respondent be served with a copy of this Order and Petition for  
 33 Stalking Temporary Protective Order instanter.



1           **3.           A person commits the offense of Aggravated Stalking when such**  
 2                   **person, in violation of a temporary or permanent protective**  
 3                   **Order prohibiting this behavior follows, places under**  
 4                   **surveillance, or contacts Petitioner on public or private property**  
 5                   **for the purpose of harassing and intimidating the other person.**  
 6                   **This activity can subject the Respondent to arrest and**  
 7                   **prosecution for felony Aggravated Stalking, which carries**  
 8                   **penalties of imprisonment for not less than 1 year nor more than**  
                   **10 years and a fine of up to \$10,000.00.**

9                                   **RESPONDENT’S IDENTIFYING INFORMATION**  
 10                   (Date of birth, driver’s license number, or social security number must be provided.)  
 11           Respondent’s social security number is \_\_\_\_\_, date of birth is \_\_\_\_\_,  
 12           sex is \_\_\_\_\_, color of hair is \_\_\_\_\_, color of eyes is \_\_\_\_\_ height is \_\_\_\_\_,  
 13           weight is \_\_\_\_\_. Respondent’s race is \_\_\_\_\_. Ethnic background is  
 14           \_\_\_\_\_. Respondent drives a \_\_\_\_\_, license tag number  
 15           \_\_\_\_\_, (year) \_\_\_\_\_, (state) \_\_\_\_\_, (type or class) \_\_\_\_\_, and  
 16           has a \_\_\_\_\_(state) driver’s license number \_\_\_\_\_, issued  
 17           \_\_\_\_\_. Respondent has distinguishing marks (tattoos, scars, etc.)  
 18           \_\_\_\_\_. Respondent’s home address is \_\_\_\_\_  
 19           and Respondent is employed by \_\_\_\_\_ at \_\_\_\_\_ and  
 20           works from \_\_\_\_\_ to \_\_\_\_\_ on (days)\_\_\_\_\_.

21                                   **PETITIONER’S IDENTIFYING INFORMATION**

22           Protected parties \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_ race \_\_\_\_\_  
 23                                   \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_ race \_\_\_\_\_  
 24                                   \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_ race \_\_\_\_\_  
 25                                   \_\_\_\_\_ DOB \_\_\_\_\_ sex \_\_\_\_\_ race \_\_\_\_\_

26            Transmitted to the Georgia Protective Order Registry      Date \_\_\_\_\_ Clerk \_\_\_\_\_  
 27           Originating Agency Identifier \_\_\_\_\_

28           19-13-60.  
 29           Until July 1, 2002, the form for a stalking six-month protective order shall be substantially  
 30           as follows:

1 THE SUPERIOR COURT FOR THE COUNTY OF \_\_\_\_\_

2 STATE OF GEORGIA

3 \_\_\_\_\_, )  
 4 Petitioner, ) Civil Action File  
 5 v. )  
 6 \_\_\_\_\_, ) No. \_\_\_\_\_  
 7 Respondent. )

8 STALKING SIX-MONTH PROTECTIVE ORDER

9 A hearing was held on this matter on \_\_\_\_\_, \_\_\_\_\_, at which the Respondent  
 10 appeared and/or was provided with the opportunity to be heard and the Petitioner  
 11 requested that the Protective Order entered in this case be continued. Having heard the  
 12 evidence presented, reviewed the petition and the record concerning this case, and for  
 13 good cause shown, IT IS HEREBY ORDERED AND ADJUDGED:

- 14 1. That the Respondent has knowingly and wilfully violated O.C.G.A.  
 Section 16-5-90 et seq. and placed the Petitioner in reasonable fear  
 for the Petitioner’s safety. Respondent is hereby enjoined and  
 restrained from doing, or attempting to do, or threatening to do any  
 act constituting a violation of O.C.G.A. Section 16-5-90 et seq. and  
 from harassing, interfering with, or intimidating the Petitioner or  
 15 Petitioner’s immediate family. Specifically, Respondent is hereby  
 16 enjoined and restrained from \_\_\_\_\_ which  
 17 is a violation of O.C.G.A. Section 16-5-90 et seq. Any future acts  
 18 committed by the Respondent towards the Petitioner which are in  
 19 violation of this statute and this Protective Order can amount to  
 20 AGGRAVATED STALKING, pursuant to O.C.G.A. Section  
 21 16-5-91, which is a felony. A person convicted of Aggravated  
 22 Stalking shall be punished by imprisonment for not less than one nor  
 23 more than ten years and by a fine of not more than \$10,000.00.
- 24 2. That Respondent is enjoined and restrained from approaching within  
 25 \_\_\_\_\_ yards of Petitioner and/or Petitioner’s immediate family,  
 26 and/or residence, place of employment, or school.



1 SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

2 \_\_\_\_\_  
3 JUDGE, SUPERIOR COURT  
4 \_\_\_\_\_ County

5 \_\_\_\_\_  
6 Print or stamp Judge's name

**NOTICE TO RESPONDENT**

- 7 **1. Violation of this Order may result in immediate arrest and**
- 8 **criminal prosecution that may result in jail time and/or fines**
- 9 **and/or may subject you to prosecution and penalties for**
- 10 **contempt of court.**
- 11 **2. This Order shall remain in effect unless specifically superceded**
- 12 **by a subsequent Order signed and filed, by operation of law, or**
- 13 **by Order of dismissal, whichever occurs first. Only this Court**
- 14 **can void, modify, or dismiss this Order. Either party may ask**
- 15 **this Court to change or dismiss this Order.**
- 16 **3. If after a hearing, of which the Respondent received notice and**
- 17 **opportunity to participate, a protective order is issued which**
- 18 **restrains Respondent from harassing, stalking, or threatening an**
- 19 **intimate partner, Respondent is prohibited from possessing,**
- 20 **receiving, or transporting a firearm or ammunition which has**
- 21 **been shipped or transported in interstate or foreign commerce**
- 22 **for the duration of the Order. 18 U.S.C. Section 922(g).**
- 23 **4. A person commits the offense of Aggravated Stalking when such**
- 24 **person, in violation of a temporary or permanent protective**
- 25 **Order prohibiting this behavior follows, places under**
- 26 **surveillance, or contacts another person on public or private**
- 27 **property for the purpose of harassing and intimidating the other**
- 28 **person. This activity can subject the Respondent to arrest and**
- 29 **prosecution for felony aggravated stalking, which carries**
- 30 **penalties of imprisonment for not less than 1 year nor more than**
- 10 years and a fine of up to \$10,000.00.**

**RESPONDENT'S IDENTIFYING INFORMATION**

(Date of birth, driver's license number, or social security number must be provided.)

Respondent's social security number is \_\_\_\_\_, date of birth is \_\_\_\_\_, sex is \_\_\_\_, color of hair is \_\_\_\_\_, color of eyes is \_\_\_\_\_, height is \_\_\_\_\_, weight is \_\_\_\_\_. Respondent's race is \_\_\_\_\_. Ethnic background is \_\_\_\_\_. Respondent drives a \_\_\_\_\_, license tag number \_\_\_\_\_, (year) \_\_\_\_\_, (state) \_\_\_\_\_, (type or class) \_\_\_\_\_, and has a \_\_\_\_ (state) driver's license number \_\_\_\_\_, issued \_\_\_\_\_. Respondent has distinguishing marks (tattoos, scars, etc.) \_\_\_\_\_. Respondent's home address is \_\_\_\_\_ and Respondent is employed by \_\_\_\_\_ at \_\_\_\_\_ and works from \_\_\_\_ to \_\_\_\_ on (days) \_\_\_\_\_.

**PETITIONER'S IDENTIFYING INFORMATION**

Protected parties \_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_  
\_\_\_\_\_ DOB \_\_\_\_ sex \_\_\_\_ race \_\_\_\_\_

Transmitted to Georgia Protective Order Registry Date \_\_\_\_\_ Clerk \_\_\_\_\_"

Originating Agency Identifier: \_\_\_\_\_

**SECTION 2.**

The Uniform Rules Committee of the Council of Superior Court Judges is authorized to promulgate a standardized noncodified form for the issuance of any protective order in this state. Such standardized noncodified form for protection orders shall contain, at a minimum, all information required for entry of protection orders into the Georgia Protection Order Registry and NCIC Protection Order File.

**SECTION 3.**

This Act shall become effective on July 1, 2001; provided, however, that for purposes of promulgating standardized forms for the issuance of protective orders, Section 2 of this Act shall become effective upon the signature of the Governor or upon this Act becoming law without such signature.

1 **SECTION 4.**

2 All laws and parts of laws in conflict with this Act are repealed.