

May 12 2 59 PM '05

IN THE SUPREME COURT OF GUAM

RE:) PROMULGATION ORDER NO. 05-005
ADOPTION OF A STANDARD)
PROTECTIVE ORDER FORM)

Pursuant to 48 U.S.C. § 1424-1 and Title 7 GCA § 3107 (2004), the Supreme Court of Guam hereby adopts and promulgates the following standard Protective Order form, attached hereto as Exhibit A and incorporated by reference herein. The first page of the form is recognized nationally as the "First Page Protective Order" and is accorded full faith and credit in all jurisdictions of the United States. Through the efforts of the Subcommittee on Judicial, Attorney and Community Education, the entire form was created to clarify and simplify the protective order form, and to have a standard form used by the Superior Court.

The standard Protective Order form is effective on the date of the filing of this order.

SO ORDERED this 12th day of May, 2005.



ROBERT J. TORRES
Associate Justice



FRANCES M. TYDINGCO-GATEWOOD
Associate Justice



F. PHILIP CARBULLIDO
Chief Justice

ORIGINAL

20051172

EXHIBIT A

IN THE SUPERIOR COURT OF GUAM

Order of Protection <input type="checkbox"/> Amended Order	Case No. <input style="width: 100%;" type="text"/> Court _____ County <input style="width: 100%;" type="text"/> State <input style="width: 100%;" type="text"/>
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PLAINTIFF/PETITIONER <input style="width: 100%; height: 20px;" type="text"/> First Middle Last And/or on behalf of minor family member(s): (list name and DOB) _____ _____	PLAINTIFF/PETITIONER IDENTIFIERS <input style="width: 100%; height: 20px;" type="text"/> Date of Birth of Petitioner _____ Other Protected Persons/DOB: _____ _____
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V.

DEFENDANT/RESPONDENT <input style="width: 100%; height: 20px;" type="text"/> First Middle Last Relationship to Petitioner: _____ _____ Respondent's Address _____ _____ CAUTION: <input type="checkbox"/> Weapon Involved	DEFENDANT/RESPONDENT IDENTIFIERS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">SEX</th> <th style="width: 15%;">RACE</th> <th style="width: 15%;">DOB</th> <th style="width: 15%;">HT</th> <th style="width: 15%;">WT</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <th>EYES</th> <th>HAIR</th> <th colspan="3">SOCIAL SECURITY #</th> </tr> <tr> <td> </td> <td> </td> <td colspan="3"> </td> </tr> <tr> <th colspan="2">DRIVERS LICENSE #</th> <th>STATE</th> <th colspan="2">EXP DATE</th> </tr> <tr> <td colspan="2"> </td> <td> </td> <td colspan="2"> </td> </tr> </table> Distinguishing Features _____	SEX	RACE	DOB	HT	WT						EYES	HAIR	SOCIAL SECURITY #								DRIVERS LICENSE #		STATE	EXP DATE						
SEX	RACE	DOB	HT	WT																											
EYES	HAIR	SOCIAL SECURITY #																													
DRIVERS LICENSE #		STATE	EXP DATE																												

I. RESTRAINING ORDERS

THE COURT HEREBY ORDERS:

1. That the Defendant be enjoined and restrained from threatening, abusing, harassing or disturbing the peace and physical well-being of the Plaintiff and the Plaintiff's minor child/ren and from coming within Five Hundred Feet (500 ft.) of the Plaintiff, the Plaintiff's residence and place of employment.
2. Contacting the Plaintiff, directly or indirectly, by telephone, letter or through third party.

The terms of this order shall be effective until: _____, _____.

NOTICE TO DEFENDANT:
 VIOLATION OF THIS ORDER MAY SUBJECT THE VIOLATOR/S TO PUNISHMENT UNDER 9 G.C.A. §30.40, A FINE OF NOT MORE THAN ONE THOUSAND DOLLARS (\$1,000.00) OR BY IMPRISONMENT FOR NOT MORE THAN ONE (1) YEAR, OR BY BOTH SUCH FINE OR IMPRISONMENT, IN ADDITION TO ANY OTHER CRIMINAL PENALTIES AND JUDICIAL SANCTIONS AS PRESCRIBED OR PERMITTED UNDER APPLICABLE LAWS.
 FEDERAL LAW PROVIDES PENAL TIES FOR POSSESSING, TRANSPORTING, SHIPPING, OR RECEIVING ANY FIREARM OR AMMUNITION (18 U.S.C. §922 (g)(8)).
 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).

[SERVICE: Defendant was served with a copy of this Order on _____ at _____: _____ a.m./p.m.]
 Page 1 of _____.

II. CUSTODY/SUPPORT

Custody

- Plaintiff is granted **temporary/permanent legal and physical custody** of the minor children;
- Defendant is enjoined and restrained from interfering with Plaintiff's custody of the minor children;
- Parties shall not remove the minor children of the parties from the Territory of Guam.
- Joint Legal Custody to Plaintiff & Defendant**, with **Physical Custody** to Plaintiff / Defendant

Visitation

- ERICA'S HOUSE Neutral location: _____
- Every / Every other weekend from _____ at ___ a.m/p.m through _____ at ___ a.m/p.m, starting on _____.
- 30 Minute Rule will apply; If more than 30 minutes late for pick up -->lose that visitation
More than 30 minutes late for return/drop off --> lose next scheduled visitation.
- Defendant responsible for pick-up and drop-off at _____.
- Visitation to be **supervised** at Erica's House every _____ at ___ a.m./p.m.
- HOLIDAYS: Share all major holidays including, Christmas, New Years, Easter & Thanksgiving; Share Child/ren(s) birthday, Father's Day w/Father, Mother's Day w/Mother.
- Additional visits may be arranged by parties.

Child Support

- Defendant shall pay child support in accordance with the guidelines.
- Defendant shall pay temporary child support in the amount of \$ _____ per month/per child until a hearing can set to determine the amount in accordance with the guidelines.

Medical/Dental Insurance

- Defendant shall continue to provide medical and dental insurance coverage for the minor children
- The defendant shall provide medical insurance coverage for the minor children as soon as a program becomes available through his place of work;
- The Defendant shall pay any costs that incur, not covered by insurance, in proportion to the child support guidelines

III. YOU ARE FURTHER ORDERED TO:

- Immediately deliver to the Marshals the following:
- Surrender any and all firearms, firearm IDs, and firearm permits, in Defendant's control and/or possession to the Superior Court Marshals.
- A _____ hearing on this matter is scheduled for _____ at ___ a.m/p.m.

ANY COMMUNICATION INITIATED BY PLAINTIFF DOES NOT WAIVE OR NULLIFY THIS ORDER.

The GUAM POLICE DEPARTMENT, SUPERIOR COURT MARSHALS, PORT AUTHORITY POLICE, AND AIRPORT POLICE shall enforce this order.

Judge, Superior Court of Guam