

INSTRUCTIONS FOR DOMESTIC VIOLENCE FORMS

COST: \$56.00 - to Clerk of Superior Court for the filing fee, \$5.00 - to Sheriff/Clerk for service fee = Total Cost for filing, unless you are unable to pay the court costs.

YOU MUST FILL OUT THE FORMS. PRINT OR WRITE CAREFULLY. **THE PEOPLE WHO WORK IN THE CLERK'S OFFICE CANNOT HELP YOU FILL OUT THE FORMS OR TELL YOU WHAT TO SAY.** THE LAW FORBIDS THEM FROM DOING THAT.

FORMS YOU NEED TO FILL OUT:

I. Complaint And Motion For Domestic Violence Protective Order (AOC-CV-303)

1. You will need three (3) copies of this form.
2. Fill in:
 - (a) Name of county
 - (b) Plaintiff's name - you are the plaintiff
 - (c) Defendant's name and address - defendant is spouse, former spouse, or person of the opposite sex with whom you live or have lived as if married.
 - (d) Check the blocks and fill in the blanks that apply to you. If you are afraid of additional acts of domestic violence and you want the judge/magistrate to act immediately, check block #2 at the bottom of page 1, asking for an Ex Parte Order. An Ex Parte Order will be heard very soon without giving notice to the defendant. If a magistrate hears your request for ex parte relief, the magistrate's order is only good for a short period of time and a second temporary order must be issued by the judge. If the judge issues the temporary Ex Parte Order, another hearing will be held after the defendant is given notice. If no Ex Parte Order is entered, a hearing will still be held after the defendant is given notice.
 - (e) Date and sign the complaint on the back (*above the verification section*). The verification must be signed before a clerk or notary.
 - (f) In some counties you may be able to take it to the magistrate's office on weekends and evenings.
3. If you or the defendant is under the age of eighteen (18) and not married, you must ask the clerk for the form to appoint a guardian ad litem (AOC-CV-318).

II. Notice Of Hearing On Domestic Violence Protective Order (AOC-CV-305)

1. You will need three (3) copies of this form.
2. Fill in:
 - (a) Name of county
 - (b) Plaintiff's name
 - (c) Defendant's name and address
3. **DO NOT** fill in remainder of form.

III. Ex Parte Domestic Violence Protective Order (AOC-CV-304)

1. You will need only one (1) copy of this form.
2. Fill in:
 - (a) Name of county
 - (b) Plaintiff's name
 - (c) Defendant's name
 - (d) **DO NOT** fill out the remainder of this form.

IV. Civil Summons Domestic Violence (AOC-CV-317)

1. You will need three (3) copies of this form.
2. Fill in:
 - (a) Name of county
 - (b) Plaintiff's name and address. You may give an address where you want your mail to go, not necessarily where you are staying.
 - (c) Defendant's name and address (*under the block designated "Defendant"*).
 - (d) Defendant's name and address again in the block designated "Name and Address of Defendant".
 - (e) **DO NOT** fill out the remainder of this form.

V. Identifying Information About Defendant/Domestic Violence Actions (AOC-CV-312)

1. You will need only one (1) copy of this form.
2. Fill in all the information that you know. Be as complete and accurate as you can.
3. Leave blank any portion for which you do not have information.
4. You may either:
 - (a) turn in the completed form to the clerk or magistrate with the other papers, or
 - keep the form, get the needed information, and turn in the completed form to the judge or magistrate at the hearing.

VI. Affidavit As To The Status Of The Minor Child (AOC-CV-609)

1. You do **not** need this form unless you are asking for temporary custody of the children.
2. You will need only one (1) copy of this form.
3. You must attach the completed form to the Complaint and give it to the clerk or magistrate with the other papers.
 - a. turn in the completed form to the clerk or magistrate with the other papers or
 - b. keep the form, get the needed information, and turn in the completed form to the judge or magistrate at the hearing.

TAKE ALL FORMS TO THE CLERK/MAGISTRATE FOR FURTHER DIRECTIONS.