

PROCEDURE WHEN AN EX PARTE PPO IS REQUESTED

1. An ex parte PPO will only be issued if it clearly appears from specific facts shown in the affidavit, in which you must sign, that immediate and irreparable injury, loss or damage will result from the delay required to give notice or that the notice itself will precipitate adverse action before a PPO can be issued.
2. You must print your name and the respondents name legibly and provide all identifying information of the respondent, including, a current address, phone number, date of birth, and physical description.
3. The assigned Judge will review your complaint and affidavit to determine whether an ex parte PPO should be issued.
4. The PPO office may tell you that the Judge has done one of the following:
 - a. **Granted the PPO.** The Judge has determined that you are in immediate need for protection. Return to the PPO or Clerk's office for your paperwork and see the reverse of this form for information regarding serving the respondent. The respondent will have an opportunity to request a hearing to either remove or change the PPO. You must attend the hearing if you wish to keep the PPO in place. *It is also possible that the Judge may find that there is an immediate need for protection from some actions but not others. If this happens, the Judge will grant only a portion of your PPO. IF you wish to have more conditions added to your PPO, call the PPO office to assist you in having a hearing to modify the PPO.*
 - b. **Denied the PPO in its entirety.** The Judge has decided the facts you presented to him do not qualify you for a PPO at this time.
 - c. **Denied the PPO but allow a hearing.** This does not mean the Judge does not feel you should have a PPO. The Judge has not found an *immediate* need for your PPO. He cannot justify it without allowing the opposing party to have notice that a PPO could be authorized against him/her. *It now becomes your responsibility to set a hearing where both parties are allowed to speak to the Judge and present their case.* Return to the PPO or Clerk's office for the form and assistance. The respondent needs to be served notice of the hearing at least one day prior to the hearing. A Proof of Service must be completed and returned to the Clerk's office. *Also, the Court may set a hearing, on it's own, to determine if a PPO is necessary.*

Honorable Patrick J. McGraw
10th Judicial Circuit Court – Family
Division