

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.980(t)
PETITION FOR INJUNCTION FOR PROTECTION AGAINST STALKING
(06/24)**

Where can I look for more information?

Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms. The words that are in **bold underline** are defined in that section. The clerk of the circuit court or family law intake staff can help you complete any necessary domestic violence forms and can give you information about local domestic violence victim assistance programs, shelters, and other related services. You may also call the Domestic Violence Hotline at 1-800-500-1119. For further information, see Chapter 741, Florida Statutes, and Rule 12.610, Florida Family Law Rules of Procedure.

When should this form be used?

If you are a victim of stalking, you can use this form to ask the court for a protective order prohibiting stalking. Stalking means the repeated following, harassment, or cyberstalking of one person by another. Cyberstalk means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Because you are making a request to the court, you are called the **petitioner**. The person whom you are asking the court to protect you from is called the **respondent**. If you are under the age of eighteen and have never been married or had the disabilities of nonage removed by a court, and are living at home, one of your parents or your legal guardian must sign this petition on your behalf.

The parent or legal guardian of any minor child *who is living at home* may seek an injunction for protection against stalking on behalf of the minor child.

If the respondent is your **spouse**, former spouse, related to you by blood or marriage, living with you now or has lived with you in the past (if you are or were living as a family), or the other parent of your child(ren), whether or not you have ever been married or ever lived together, you may, instead, choose to use the **Petition for Injunction for Protection Against Domestic Violence**, Florida Supreme Court Approved Family Law Form 12.980(a), rather than this form.

This form should be typed or printed in black ink. You should complete this form (giving as much detail as possible) and sign it. You must file this form electronically pursuant to Florida Rule of General Practice and Judicial Administration 2.525 OR bring the form to a clerk in the county where you currently or temporarily reside; the county where the respondent resides; or the county where the stalking occurred. You should keep a copy for your records. If have any questions or need assistance completing this form, a court clerk or **family law intake staff** can help you. There is no filing fee for a petition for protection against stalking.

What should I do if the judge grants my petition?

If the facts contained in your petition convince the judge that stalking or cyberstalking exists, the judge will sign a **Temporary Injunction for Protection Against Stalking**, Florida Supreme Court Approved Family Law Form 12.980(u). A temporary injunction is issued without notice to the respondent. The clerk will give your **petition**, the temporary injunction, and any other papers filed with your petition to the sheriff or other law enforcement officer for **personal service** on the respondent. The temporary injunction will take effect immediately after the respondent is served

with a copy of it. It lasts until a **hearing** can be held or for a period of 15 days, whichever comes first.

The court may extend the temporary injunction beyond 15 days for a good reason, which may include failure to obtain **service** on the respondent.

The temporary injunction is issued **ex parte**. This means that the judge has considered only the information presented by one side—YOU. Section I of the temporary injunction gives a date that you should appear in court for a hearing. You will be expected to testify about the facts in your petition. The respondent will be given the opportunity to testify at this hearing also. At the hearing, the judge will decide whether to issue a **Final Judgment of Injunction for Protection Against Stalking (After Notice)**, Florida Supreme Court Approved Family Law Form 12.980(v), which will remain in effect for a specific time period or until modified or dissolved by the court. **If either you or the respondent do not appear at the hearing, the temporary injunction may be continued in force, extended, or dismissed, and/or additional orders may be granted, including entry of a permanent injunction and the imposition of court costs. You and the respondent will be bound by the terms of any injunction or order issued at the final hearing.**

IF EITHER YOU OR THE RESPONDENT DO NOT APPEAR AT THE FINAL HEARING, YOU WILL BOTH BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED IN THIS MATTER.

If the judge signs a temporary or final injunction, the clerk will provide you with the necessary copies. **Make sure that you keep one certified copy of the injunction with you at all times!**

What can I do if the judge denies my petition or does not issue a Temporary Injunction?

If your petition is denied, you may amend your petition by filing a **Supplemental Affidavit in Support of Petition for Injunction for Protection**, Florida Supreme Court Approved Family Law Form 12.980(g). If the only ground for not granting an ex parte temporary injunction is no appearance of immediate and present danger of stalking, the court shall set a full hearing on your petition for injunction at the earliest possible time. The respondent will be notified by **personal service** of your petition and the hearing. You must attend the hearing, present facts, and bring evidence that supports your petition; failure to attend the hearing may result in dismissal of your petition.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of General Practice and Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

IMPORTANT INFORMATION REGARDING E-SERVICE

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of General Practice and Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of General Practice and Judicial Administration** and you **must** review Florida Rule of General Practice and Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of General Practice and Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MUST SERVE DOCUMENTS BY E-MAIL UNLESS OTHERWISE EXCUSED. If a self-represented litigant has been excused from serving documents by e-mail and then elects to serve and receive documents by e-mail, the procedures must always be followed once that election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of General Practice and Judicial Administration 2.516.

Special notes . . .

Disclosure from Nonlawyer, Remember, a person who is NOT an attorney is called a **nonlawyer**. If a nonlawyer helps you fill out this form, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out this form also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

If you require that your address be confidential for safety reasons, you should complete a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), and file it with the clerk of the circuit. You should then write “confidential” in the space provided on the petition.

Important Information About Your Injunction Packet

Please carefully review the information below and the instruction pages provided with the injunction packet before submitting your injunction forms. This will help avoid delays and ensure your packet is complete

Tips for Filling Out Your Forms

- Write clearly and legibly to avoid confusion.
- Answer all questions. If something does not apply to you, write “N/A” or draw a line through it – do not leave it blank.
- Double-check spelling of names and addresses – including your own and the respondent’s.
- Be detailed and specific when describing what happened. Include:
 - Dates
 - What occurred
 - Why you are seeking protection
 - Any threats, violence, or harassment

The Judge reviews ONLY what you write in your petition and what’s attached if you have attached anything. Be sure to include everything important. You may attach supporting materials such as photos, text messages, or police reports, when you file.

- Focus only on your experiences – do not include events that happened to other people unless directly relevant to your case.

How to Format the Case Style

The way you list the names in your petition depends on who the injunction is for:

- Filing for yourself only:
 - Example: Jane Doe (your first and last name)
- For yourself and your minor child(ren)
 - Example: Jane Doe and O.B.O J.D.
 - (O.B.O means “on behalf of” and J.D. represents your child’s initials)
- For your minor child(ren) only:
 - Example: Jane Doe O.B.O J.D.
 - (Your full name followed by “on behalf of” and the child’s initials)

- If the respondent is a minor:
 - Example: John Doe by/through parent or guardian
 - Even if you know the minor's parent or guardian's name, you must still format it as shown above

Please Note

- The Clerk's Office cannot give legal advice. We may offer general guidance, but we cannot help you fill out the forms or tell you what to write.
- If you need help completing your packet, you should:
 - Contact an attorney, or
 - Reach out to the Sheriff's Office Victim Services Unit for assistance at 386-437-4116

PETITIONERS INFORMATION

Case Number: _____

Petitioner's Name: _____

Respondent's Name: _____

Physical Address: _____

Mailing Address: _____

Home Phone: _____

Cell: _____

Race: _____

Sex: _____

DOB: _____ Eyes: _____

Hair: _____

Height: _____

Weight: _____

Child(ren) info:

Name: _____

Name: _____

DOB: _____

DOB: _____

Height: _____ Weight: _____

Height: _____ Weight: _____

Eyes: _____ Hair: _____

Eyes: _____ Hair: _____

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FLORIDA

IN RE:

CASE NO: _____

DIVISION: _____

Petitioner

and

Respondent

PETITIONER'S WAIVER OR NON-WAIVER OF RETURN HEARING

I, _____, the Petitioner herein, have filed a Petition for Injunction for Protection Against Domestic Violence Dating Violence Repeat Violence or Sexual Violence. I understand that, after reviewing the Petition, the court may:

- a) Issue a temporary injunction and set the case for hearing with notice to the Respondent, or
- b) Not issue a temporary injunction and set the case for hearing with notice to the Respondent, or
- c) Deny the temporary injunction and not set the case for hearing

Petitioner, initial either Paragraph A or B below:

_____ A. If the court does not issue a temporary injunction for protection, I do not object to a hearing being set and understand that notice of the hearing and copy of the Petition for Injunction will be provided to the Respondent.

OR

_____ B. If the court does not issue a temporary injunction for protection, I request that a hearing **NOT** be set. I do **NOT** want the Respondent to be served with a notice of hearing or a copy of the Petition for Injunction without a temporary injunction for protection in place. I waive my right under F.S.§741.30(5)(b) to have this case set for hearing. I further understand that nothing herein affects my right to amend my petition.

I have signed this waiver or non-waiver freely and voluntarily.

Signature of Petitioner

Date

Printed Name: _____

**IN THE CIRCUIT/COUNTY COURT OF THE SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER COUNTY, FLORIDA**

CASE NO: _____
DIVISION: _____

Plaintiff/Petitioner/State

v.

Defendant/Respondent

**DESIGNATION OF E-MAIL ADDRESS FOR A PARTY
NOT REPRESENTED BY AN ATTORNEY [FORM 2.602]**

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(C),

I, _____, designate the e-mail address(es) below for electronic service of all documents related to this case.

By completing this form, I am authorizing the court, clerk of court, and all parties to send copies of notices, orders, judgments, motions, pleadings, or other written communications to me by e-mail or through the Florida Courts E-filing Portal.

I understand that I must keep the clerk's office and the opposing party or parties notified of my current e-mail address(es) and that all copies of notices, orders, judgments, motions, pleadings, or other written communications in this case will be served at the e-mail address(es) on record at the clerk's office.

Designated e-mail address: _____

Secondary designated e-mail address(es), if any: _____

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished on _____, by e-mail, delivery, mail (choose one) to the Clerk of Court for Volusia County and

(insert name(s) and address(es) of parties used for service)

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone number: _____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Petitioner,

and

Respondent.

Case No.: _____
Division: _____

PETITION FOR INJUNCTION FOR PROTECTION AGAINST STALKING

I, *{full legal name}* _____, declare under penalties of perjury, that the following statements are true:

SECTION I. PETITIONER

(This section is about you. It must be completed; **however, if you require that your address be confidential for safety reasons**, you should complete and file a **Request for Confidential Filing of Address**, Florida Supreme Court Approved Family Law Form 12.980(h), and write "confidential" in the space provided on this form for your address and telephone number.)

1. Petitioner resides at the following address: *{address, city, state, zip code}* _____

{Indicate if applicable}
_____ **Petitioner seeks an injunction for protection on behalf of a minor child.** Petitioner is the parent or legal guardian of *{full legal name}* _____, a minor child who is living at home.
2. Petitioner's attorney's name, address, and telephone number is: _____

(If you do not have an attorney, write "none.")

SECTION II. RESPONDENT

(This section is about the person you want to be protected from. It must be completed.)

1. Respondent resides at the following address: *{provide last known street address, city, state, and zip code}* _____

2. Respondent's last known place of employment: _____
Employment address: _____
Working hours of Respondent: _____

3. Physical description of Respondent:
 Race: _____ Sex: Male _____ Female _____ Date of Birth: _____
 Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____
 Distinguishing marks and/or scars: _____
 Vehicle: (make/model) _____ Color: _____ Tag Number (if known) _____
4. Other names Respondent goes by (aliases or nicknames): _____

5. Respondent's attorney's name, address, and telephone number is: _____
 (If you do not know whether Respondent has an attorney, write "unknown." If Respondent does not have an attorney, write "none.")

SECTION III. CASE HISTORY AND REASON FOR SEEKING PETITION (This section must be completed.)

1. Has Petitioner ever received or tried to get an injunction for protection against stalking against Respondent in this or any other court?
 ____ Yes ____ No If yes, what happened in that case? {Include case number, if known} _____

2. Has Respondent ever received or tried to get an injunction for protection against stalking against Petitioner in this or any other court?
 ____ Yes ____ No If yes, what happened in that case? {Include case number, if known} _____

3. Describe any other court case that is either going on now or that happened in the past **between Petitioner and Respondent** {Include case number, if known}: _____

4. Petitioner is a victim of stalking because Respondent has: {please mark all sections that apply}
- a. ____ Committed stalking;
 - b. ____ Previously threatened, harassed, stalked, cyberstalked, or physically abused the Petitioner;
 - c. ____ Threatened to harm Petitioner or family members or individuals closely associated with Petitioner;
 - d. ____ Intentionally injured or killed a family pet;
 - e. ____ Used, or threatened to use, against Petitioner any weapons such as guns or knives;
 - f. ____ A criminal history involving violence or the threat or violence, if known;
 - g. ____ Another order of protection issued against him or her previously from another jurisdiction, if known;
 - h. ____ Destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to Petitioner.

5. Below is a description of the specific incidents of stalking or cyberstalking: *{for cyberstalking, please include a description of all evidence of contacts and/or threats made by Respondent in voice messages, texts, emails, or other electronic communication}*

On *{dates}* _____ the following incidents of stalking occurred at the following locations: *{the locations may include, but need not be limited to, a home, school, or place of employment}*

____ Please indicate here if you are attaching additional pages to continue these facts.

6. **Additional Information**

____ Respondent owns, has, and/or is known to have guns or other weapons.

Describe weapon(s) and where they may be located, if known: _____

SECTION IV. INJUNCTION *{This section must be completed.}*

1. Petitioner asks the Court to enter a **TEMPORARY INJUNCTION** for protection against stalking that will be in place from now until the scheduled hearing in this matter, which will immediately restrain Respondent from committing any acts of stalking, and which will provide any terms the Court deems necessary for the protection of a victim of stalking, including any injunctions or directives to law enforcement agencies.
2. Petitioner asks the Court to enter, after a hearing has been held on this petition, a **FINAL JUDGMENT** for protection against stalking prohibiting Respondent from committing any acts of stalking against Petitioner **and:**
 - a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives, or to any specified place regularly frequented by Petitioner and any named family members or individuals closely associated with Petitioner: _____;
 - b. prohibiting Respondent from going to or within 500 feet of Petitioner's place(s) of employment or the school that Petitioner attends; the address of Petitioner's place(s) of employment and/or school is: _____;
 - c. prohibiting Respondent from contacting Petitioner by telephone, mail, by e-mail, in writing, through another person, or in any other manner;
 - d. ordering Respondent that he or she shall not have in his or her care, custody, possession, or control any firearm or ammunition;
 - e. prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle, whether or not that vehicle is occupied;
3. Petitioner asks the Court to enter any other terms it deems necessary to protect Petitioner from stalking by Respondent.

I UNDERSTAND THAT BY FILING THIS PETITION, I AM ASKING THE COURT TO HOLD A HEARING ON THIS PETITION,

THAT BOTH THE RESPONDENT AND I WILL BE NOTIFIED OF THE HEARING, AND THAT I MUST APPEAR AT THE HEARING. I UNDERSTAND THAT IF EITHER RESPONDENT OR I FAIL TO APPEAR AT THE FINAL HEARING, WE WILL BE BOUND BY THE TERMS OF ANY INJUNCTION OR ORDER ISSUED AT THAT HEARING.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTIES OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 92.525, FLORIDA STATUTES.

Dated: _____

Signature of Petitioner

Printed Name: _____

{Do not write your address if you are filing or have filed a Request for Confidential Filing of Address, Form 12.980(h).}

Address: _____

City, State, Zip: _____

Telephone Number: _____

Designated E-Mail Address(es): _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in all blanks] This form was prepared for the: {choose only one} () Petitioner () Respondent

This form was completed with the assistance of:

{name of individual} _____

{name of business or individual} _____

{address} _____

{city} _____, {state} _____, {telephone number} _____.

{email address} _____.



TOM BEXLEY, Clerk of the Circuit Court & Comptroller

1769 East Moody Blvd., Building #1 • Bunnell, Florida 32110

Phone: (386) 313-4400 • Website: flaglerclerk.com

Service Information Sheet

Case Number:

Section I – Petitioner’s Information				
Name:	D.O.B.:	Race:	Sex:	
Address:				
Cell/Home Phone Number:		Work Phone Number:		
Minor Name:	D.O.B.:	Sex:		
Minor Name:	D.O.B.:	Sex:		
Minor Name:	D.O.B.:	Sex:		
Section II – Respondent’s Information				
Name:	D.O.B.:	Race:	Sex:	
Alias Name:				
Address:				
Phone Number:	Eyes:	Hair:	Height:	Weight:
Tattoos/Scars or Other Identifying Features:				
Place of Employment:	Employment Address:		Work Phone Number:	
Vehicle Color:	Vehicle Make:	Vehicle Model:	License Plate:	