

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.980(n) PETITION FOR INJUNCTION FOR PROTECTION AGAINST DATING VIOLENCE (08/23)

## When should this form be used?

If you are a victim of **dating violence**, and have reasonable cause to believe you are in **imminent danger** of becoming the victim of another act of dating violence, or if you have reasonable cause to believe that you are in **imminent danger** of becoming a victim of dating violence, you can use this form to ask the court for a protective order prohibiting dating violence. Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. **The dating relationship must have existed within the past six months, the nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties, and the frequency and type of interaction must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.** Dating violence does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context. Dating violence includes assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death. 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, one of your parents or your legal guardian must sign this petition on your behalf.

## If you are filing on behalf of a child or children

The parent or legal guardian of any minor child *who is living at home* may seek an injunction for protection against dating violence on behalf of the minor child. With respect to a minor child who is living at home, if the party against whom the protective injunction is sought is also a parent, stepparent, or legal guardian, you, as the parent or legal guardian filing the petition, must have been an eye-witness to, or have direct physical evidence or **affidavits** from eye-witnesses of, the specific facts and circumstances that form the basis of the petition. If the party against whom the protective injunction is sought is a person **OTHER THAN** a parent, stepparent, or legal guardian of the minor child, you, as the parent or legal guardian filing the petition, must state why you have reasonable cause to believe that the minor child is a victim of dating violence.

## Additional Information

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 should use **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 in the presence of a notary or in front of the **clerk of the circuit court** in the county where you live. The clerk will take your completed petition to a **judge**. You should keep a copy for your records. If you have any questions or need assistance completing this form, the clerk or **family law intake staff** will help you.

## What should I do if the judge grants my petition?

If the facts contained in your petition convince the judge that an **immediate and present danger of dating violence**

exists, the judge will sign a **Temporary Injunction for Protection Against Dating Violence**, Florida Supreme Court Approved Family Law Form 12.980(o). 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 full 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 Dating Violence (After Notice)**, Florida Supreme Court Approved Family Law Form 12.980(p), which will remain in effect for a specific time period or until modified or dissolved by the court. **If you and/or the respondent do not appear, 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 respondent will be bound by the terms of any injunction or order issued at the final hearing.**

**IF EITHER YOU OR 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?**

If your petition is denied on the grounds that it appears to the court that no immediate and present danger of dating violence exists, the court will set a full hearing on your petition. The respondent will be notified by personal service of your petition and the hearing. 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); attend the hearing and present facts that support your petition; and/or dismiss your petition.

### **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 will help you complete any necessary forms. For further information, see Section 784.046, Florida Statutes, and Rule 12.610, Florida Family Law Rules of Procedure.

### **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 ELECTION

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](http://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 EXCUSED PURSUANT TO FLORIDA RULES OF GENERAL PRACTICE AND JUDICIAL ADMINISTRATION 2.516(b)(1)(D).** 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.

## **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:

► 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.” is 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.  
Their phone number is: 386-437-4116

# PETITIONERS INFORMATION

CASE NO:

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:

\_\_\_\_\_  
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 ☐Sexual Violence or ☐Stalking Violence. I understand that, after reviewing the Petition, the court may:

- a) Issue a temporary injunction and set the case for a 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 case for hearing

**Petitioner, initial either Paragraphy 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 hearing and copy of the Petition for Injunction will be provided to the Respondent.

\_\_\_\_ 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 COURT, 7<sup>TH</sup>  
JUDICIAL CIRCUIT, IN AND FOR  
FLAGLER COUNTY, FLORIDA

CASE NO.: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Petitioner,

v.

\_\_\_\_\_  
Defendant/Respondent,

**DESIGNATION OF E-MAIL ADDRESS BY A PARTY NOT REPRESENTED BY AN ATTORNEY**

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 of hereof had been furnished to the clerk of court for Flagler County and (Name and Address(es) of parties used for service) \_\_\_\_\_

by ☐ e-mail, ☐ mail on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_



IN THE CIRCUIT COURT OF THE Seventh JUDICIAL CIRCUIT,  
IN AND FOR Flagler COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

## PETITION FOR INJUNCTION FOR PROTECTION AGAINST DATING VIOLENCE

I, {full legal name} \_\_\_\_\_, being sworn, certify that the following statements are true:

### SECTION I. PETITIONER

(This section is about you. It must be completed.)

1. Petitioner currently lives at the following address: {address, city, state, zip code} \_\_\_\_\_

Date of Birth of Petitioner: \_\_\_\_\_.

{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 currently lives at the following address: {address, city, state, and zip code} \_\_\_\_\_

Respondent's Driver's License number is: {if known} \_\_\_\_\_

2. Petitioner has known Respondent since: {date} \_\_\_\_\_.

3. Respondent's last known place of employment: \_\_\_\_\_

Employment address: \_\_\_\_\_

Working hours: \_\_\_\_\_

4. **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: \_\_\_\_\_

5. Other names Respondent goes by (aliases or nicknames): \_\_\_\_\_  
\_\_\_\_\_

6. 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.")

7. If Respondent is a minor, the address of Respondent's parent or legal guardian is: \_\_\_\_\_

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

1. Have the Petitioner and Respondent been involved in a dating relationship within the past six months?

☐ Yes ☐ No

2. Describe the nature of the relationship between the Petitioner and Respondent *{Include the length of time of the relationship, the romantic or intimate nature of the relationship, the frequency or type of interaction, and any other facts that characterize the relationship}*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

3. Has Petitioner ever received or tried to get an injunction for protection against domestic violence, dating violence, repeat violence, or sexual violence, or stalking against Respondent in this or any other court?

☐ Yes ☐ No If yes, what happened in that case? *{Include case number, if known}*

\_\_\_\_\_

4. Has Respondent ever received or tried to get an injunction for protection against domestic violence, dating violence, repeat violence, or sexual violence, or stalking against Petitioner in this or any other court?

☐ Yes ☐ No If yes, what happened in that case? *{Include case number, if known}*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. 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}*: \_\_\_\_\_

\_\_\_\_\_

6. Respondent has directed an incident of violence, meaning assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death against Petitioner or a minor child living at home. The incident (including date and location) is described below.

On {date} \_\_\_\_\_, at {location} \_\_\_\_\_,

Respondent

---

---

---

---

---

---

---

---

---

---

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

7. Other prior incidents (including dates and location) are described below:

On {date(s)} \_\_\_\_\_, at {location(s)} \_\_\_\_\_,

Respondent

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

8. **Imminent Danger**

{Please complete **either** paragraph a or b below}

a. ☐ Petitioner is a victim of dating violence and has reasonable cause to believe he or she is in **imminent danger** of becoming a victim of another act of dating violence. {Explain what Respondent has done to make you a victim of dating violence and to make you fear that you are in **imminent danger** of becoming a victim of another act of dating violence.}

---

---

---

---

---

---

---

---

OR

b. ☐ Petitioner has reasonable cause to believe he or she is in **imminent danger** of becoming a victim of dating violence as demonstrated by the fact that Respondent has: {Explain what Respondent has done that makes you fear that you are in **imminent danger** of becoming a victim of dating violence.}

---

---

---

---

---

---

---

---

9. **Additional Information**

*{Indicate **all** that apply}*

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

Describe weapon(s): \_\_\_\_\_  
\_\_\_\_\_.

b. ☐ This or prior acts of dating violence have been previously reported to: *{person or agency}* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**SECTION IV. INJUNCTION**

(This section must be completed.)

1. Petitioner asks the Court to enter a **TEMPORARY INJUNCTION** for protection against dating violence that will be in place from now until the scheduled hearing in this matter.

2. Petitioner asks the Court to enter an injunction prohibiting Respondent from committing any acts of violence against Petitioner and:

a. prohibiting Respondent from going to or within 500 feet of any place Petitioner lives;

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 not to use or possess any guns or firearms;

*{Indicate **all** that apply}*

e. ☐ prohibiting Respondent from going to or within 500 feet of the following place(s) Petitioner or Petitioner's immediate family must go to often: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

f. ☐ prohibiting Respondent from knowingly and intentionally going to or within 100 feet of Petitioner's motor vehicle; and any other terms the Court deems necessary for the safety of Petitioner

and

Petitioner's immediate family.

**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.**

**I HAVE READ EVERY STATEMENT MADE IN THIS PETITION, AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 837.02, FLORIDA STATUTES.**

**THIS PETITION MUST BE SIGNED BY THE PETITIONER BUT IT IS NOT REQUIRED TO BE NOTARIZED IF IT IS FILED**

**DURING THE SCOPE AND DURATION OF A STATE OF EMERGENCY DECLARED BY A GOVERNMENTAL ENTITY.**

**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: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Designated E-Mail Address(es): \_\_\_\_\_

\_\_\_\_\_