

Plenary Firearms Restraining Order

PETITIONER

Court _____ Judicial Circuit
 County _____ State of Illinois
 Case No. _____

First _____ Middle _____ Last _____
 Petitioner's Address _____

RESPONDENT

First _____ Middle _____ Last _____
 Relationship to Petitioner: _____
 Respondent's Address: _____

 (Home) _____

 (Work) _____
 (Work Hours: _____)

RESPONDENT IDENTIFIERS

GENDER	RACE	DOB	HT.	WT.
EYES	HAIR	SOCIAL SECURITY (last 4 #s)		
		XXX-XX-		
DRIVER'S LIC. #		STATE	License Plate #	

Distinguishing Features (scars, marks, tattoos, martial arts):

THE COURT FINDS:

That it has jurisdiction over the Respondent and subject matter and the Respondent has been provided with reasonable notice and an opportunity to be heard within the time required by Illinois law. Additional findings are set forth on the following pages.

THE COURT ORDERS:

- That for the duration of this order, Respondent is prohibited from having in his or her custody or control any firearms, ammunition, and firearm parts that could be assembled to make an operable firearm and is further prohibited from purchasing, possessing, or receiving additional firearms, ammunition, and firearm parts that could be assembled to make an operable firearm; and (See R01)
 Additional terms of this order are set forth on the following pages.

The terms of this Order shall be effective until
 (Date up to one year) (Time am/pm)

This plenary firearms restraining order shall be in effect for up to one year, but not less than 6 months (430 ILCS 67/40). This order is subject to renewal or termination in accordance with (430 ILCS 67/45).

NOTICE TO RESPONDENT

Any knowing violation of a firearms restraining order is a Class A misdemeanor and shall not bar concurrent prosecution for any other crime, including any crime that may have been committed at the time of the violation of the firearms restraining order.

FINDINGS [Jurisdiction]

The Court, having reviewed the verified petition and having examined the petitioner under oath or affirmation, finds that:

1. Petitioner's address is set forth on page one (1).
2. (Check all that apply)
 - Petitioner is present in court, in person, and/or with counsel, _____.
 - Respondent has been served with notice pursuant to the statute.
 - Respondent has entered an appearance in this case.
 - Respondent is present in court, in person, and/or with counsel, _____.
 - Respondent has filed an answer.
 - Petitioner has given notice of the Plenary FRO petition to all intimate partners or has made a good faith effort to provide notice thereof.
 - [Where Petitioner is a law enforcement officer] Petitioner has made referrals to the appropriate domestic violence, stalking advocacy, and/or counseling resources.

RELATIONSHIP CODE: The Petitioner stands in relationship to the Respondent as (check **all** that apply):

✓	RELATIONSHIP	✓	RELATIONSHIP	✓	RELATIONSHIP
✓	Spouse (SE)		Parent (PA)		Grandparent (GP)
	Step-parent (SP)		Sibling (Brother/Sister) (SB)		In-Law (IL)
	Child (CH)		Step-child (SC)		Other Related by blood or Marriage (OF)
	Child in Common (CC) (parties not married)		Step-sibling (SS)		Grandchild (GC)
	Shared/common dwelling (CS)		Law Enforcement Officer (LE)		Ex-Spouse (XS)

FINDINGS [General]

In granting the following remedies, the Court has considered all relevant factors, including where applicable, the unlawful and reckless use, display, or brandishing of a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm by the respondent; the history of use, attempted use, or threatened use of physical force by the respondent against another person; any prior arrest of the respondent for a felony offense; evidence of the abuse of controlled substances or alcohol by the respondent; a recent threat of violence by the respondent directed toward himself, herself, or another; a violation of an emergency order of protection; a pattern of violent acts or violent threats by the respondent directed toward himself, herself, or another.

The Court, having reviewed the verified petition and having examined the petitioner under oath or affirmation, finds that:

- Venue is proper (430 ILCS 67/10).

- The Respondent poses a significant danger of personal injury to himself, herself, or another by having in his/her custody or control any firearm, ammunition, and firearm parts that could be assembled to make an operable firearm or purchasing, possessing, or receiving additional firearms, ammunition, and firearm parts that could be assembled to make an operable firearm. (430 ILCS 67/40)

IT IS ORDERED the following remedies apply in this case.

- 1. **(R01)** For the duration of this order, Respondent shall be prohibited from having in his or her custody or control any firearm, ammunition, and firearm parts that could be assembled to make an operable firearm and is further prohibited from purchasing, possessing, or receiving additional firearms, ammunition, and firearm parts that could be assembled to make an operable firearm.
- 2. **(R02)** Respondent shall turn over to the local law enforcement agency any firearm, ammunition, and firearm parts that could be assembled to make an operable firearm or Firearm Owner's Identification Card (FOID) and concealed carry license in his or her possession.

If the Court finds probable cause to believe that the Respondent is in possession of firearms, ammunition, and firearm parts that could be assembled to make an operable firearm, then

- (1) the Court *SHALL* issue a warrant for the seizure of the firearms, ammunition, and firearm parts that could be assembled to make an operable; and
- (2) the Court *MAY* issue a search warrant to locate the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm. (See Warrant form attached.)

THIS Plenary ORDER WAS ISSUED ON:

Date: _____

Time: _____ am/pm.

JUDGE

I hereby certify that this is a true and correct copy of the original order on file with the court.

(Seal of the Clerk of Circuit Court)

Clerk of the Circuit Court of _____ County, Illinois

Date: _____

cc: Petitioner Respondent (via Sheriff) Counsel of Record Sheriff Advocate Jail
 StatesAttorney

DEFINITION OF TERMS USED IN THIS ORDER

These definitions are incorporated in and made a part of the order to which they are attached.

1. **Family members:** Includes a spouse, former spouse, person with whom the respondent has a minor child in common, parent, child, step-child, any other person related by blood or present marriage, or a person who shares a common dwelling with the respondent.
2. **Firearms Restraining Order:** "FRO" means an order issued by the court, prohibiting, and enjoining a named person from having in his or her custody or control any firearm, ammunition, or removing firearm parts that could be assembled to make an operable firearm and purchasing, possessing, or receiving, any additional firearms or ammunition, or firearm parts that could be assembled to make an operable firearm.
3. **Intimate partner:** Includes a spouse, former spouse, a person with whom the respondent has or allegedly has a child in common, or a person with whom the respondent has or has had a dating or engagement relationship.
4. **Petitioner:** "Petitioner" means a family member or a law enforcement officer who files a petition alleging that the respondent poses a danger of causing personal injury to himself, herself, or another by having in his or her custody or control any firearms, ammunition, or removing any firearm parts that could be assembled to make an operable firearm or purchasing, possessing, or receiving additional firearms, ammunition, or firearm parts that could be assembled to make an operable firearm.
5. **Respondent:** "Respondent" means the person alleged in the petition to pose a danger of causing personal injury to himself, herself, or another by having in his or her custody or control any firearm, ammunition, or removing any firearm parts that could be assembled to make an operable firearm, and purchasing, possessing, or receiving any additional firearms, ammunition or firearm parts that could be assembled to make an operable firearm.