

Emergency Firearms Restraining Order

PETITIONER

First Middle Last
Petitioner's Address:

Court TWENTY THIRD JUDICIAL CIRCUIT

County KENDALL State of ILLINOIS

Case No. _____

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 Petitioner and subject matter and the Respondent will be 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: (Additional terms are set forth herein)

- For the duration of this order, Respondent is prohibited from having in his or her custody or control any firearms, and is further prohibited from purchasing, possessing, or receiving additional firearms; and (See **R01**)

The terms of this Order shall be effective until

(Date)

(Time am/pm)

A hearing on the entry of a Six Month Firearms Restraining Order is set for: _____ at _____
(Date) (Time)

at the Kendall County Courthouse located at 807 W. John Street, Yorkville, IL in Courtroom: _____.

A SIXMONTHFIREARMSRESTRAININGORDER MAYBE ENTERED AGAINST YOU IF YOU FAIL TO APPEAR AT SUCH HEARING.

Approved by the Conference of Chief Circuit Judges - 01/18/2019

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. Probable cause exists for granting the remedy or remedies requested because the respondent poses an immediate and present danger of causing personal injury to him/herself, or another, by having in his or her custody or control any firearms, or by purchasing, possessing, or receiving additional firearms.
- 2. Petitioner's address is set forth on page one (1).

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

<input checked="" type="checkbox"/>	RELATIONSHIP	<input checked="" type="checkbox"/>	RELATIONSHIP	<input checked="" type="checkbox"/>	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)		

FINDINGS [General]

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 does pose an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control any firearms; or purchasing, possessing, receiving additional firearms. (430 ILCS 67/35)

IT IS ORDERED the following remedies that are checked 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 firearms, and is further prohibited from purchasing, possessing, or receiving additional firearms.
- 2. **(R02)** Respondent shall turn over to the local law enforcement agency any 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, then
(1) the Court *SHALL* issue a warrant for the seizure of the firearms; and
(2) the Court *MAY* issue a search warrant to locate the firearms. See Warrant form attached.

THIS EMERGENCY 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.

Clerk of the Circuit Court of

(Seal of the Clerk of Circuit Court)

KENDALL 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, 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 firearms, and purchasing, possessing, or receiving, additional firearms.
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.
5. **Respondent:** "Respondent" means the person alleged in the petition to pose a danger of causing personal injury to him/her self, or another by having in his or her custody or control any firearms , and purchasing, possessing, or receiving additional firearms.