

Instructions for Completion and Submission of:
Petition for Temporary Restraining Order
(Costs May Apply)

Procedure Checklist

- Review** “Restraining Orders in Wisconsin” to determine which type of Restraining Order applies. Available [here](#).
- Complete** proper the paperwork. You may print out forms to fill out **OR** use the “[Forms assistant](#)” in the [self-help center](#) on www.wicourts.gov.

If you need assistance with completion of a Domestic Abuse Restraining Order Petition, a legal advocate is available through [HOPE HOUSE](#) at (800) 584-6790 or (608) 356-7500.

1. Complete the Petition for Temporary Restraining Order for the appropriate type. **You must include a statement with the petition (Summary of who, what, where, when, and what happened).**

Child Abuse [CV-412](#) (No fee)

Domestic Abuse [CV-402](#) (No fee)

Harassment [CV-405](#) (\$164.50 filing fee if approved)

Individual at Risk [CV-428](#) (No fee)

*You **must** include middle initials, dates of birth and current addresses of BOTH parties*.

2. Complete the Confidential Address Information Sheet [CV-502](#).
3. Complete the Respondent’s Information for Service by Sheriff [CV-420](#).
4. Complete the Temporary Restraining Order for the appropriate type. (Party information on page 1 only.)

Child Abuse [CV-413](#)

Domestic Abuse [CV-403](#)

Harassment [CV-406](#)

Individual at Risk [CV-429](#)

- Return** the proper paperwork to the Clerk of Court’s Office **OR** electronically file ([e-file](#)) your documents by creating a [new account](#) on wicourts.gov. There is no cost for this account when filing a restraining order. **If e-filing, your uploaded documents must be .pdf files. You may NOT take a picture and upload the picture as your filing document.**

The Judge will review the Petition. If granted, a temporary restraining order (TRO) is signed and a hearing is scheduled. The petitioner is contacted to pick up their copy of the TRO and pay fees, if applicable. This generally occurs the same day, depending on time of filing. The Temporary Restraining Order is not enforceable until the respondent is served. If you have e-filed, you are notified electronically in real time.

- Pay** the Sheriff’s Office for service, if required (Harassment).
 - The Clerk will provide documents to the Juneau County Sheriff’s Office for service on the respondent. **If** you are required to pay the filing fee, you must immediately contact the [Sheriff’s](#)

[Office](#) to arrange for payment of the paper service. The Juneau County Sheriff's Office will forward to the appropriate Sheriff's Department if the respondent is outside of Juneau County.

*Optional notification for petitioner through [VINE](#).

File Proof of Service

- Once the respondent is served, the Sheriff's Office will provide the Clerk of Court's Office with a **Certificate of Service** document. If the original Certificate of Service is sent to you, provide it to the Clerk of Court's Office as soon as possible and prior to the hearing date.

If service cannot be obtained, the petitioner must appear and bring written proof of attempted service to the court hearing. The court may then extend the TRO and/or time for hearing once, up to 14 days, to allow additional time for service to be accomplished.

Attend the Injunction Hearing.

- The hearing will be held on the 2nd floor of the Juneau County Justice Center.
- You must appear 10-15 minutes prior to the time set for the hearing to clear security and be prepared when your case is called.
- The hearing is scheduled for 30 minutes only.
- What can I expect to occur at the hearing?
 - The parties will testify to the Court and/or counsel under oath.
 - The Court will hear from both parties if they are present.
 - The Court will make a finding based upon the evidence and testimony given.
 - You may bring necessary documents or witnesses with you to the hearing. Signed or notarized statements by witnesses are **NOT** permitted as the respondent would not be able to cross-examine the witness if they should choose to. Text messages should be screenshot and printed out. Any photos should be printed off. Videos need to be put on a flash drive and a device to play them on should be brought with you to Court. If you want to show the Court something from your phone, be prepared to have your phone marked as an exhibit and received by the Court as evidence. You **will not** get your phone back until the time to appeal has expired.
 - Justice Center security is located on the 2nd floor and is available to assist if needed.
 - If the injunction is granted, an order will be prepared, signed, and distributed to the parties immediately after the hearing.

Definitions:

Petitioner: The party requesting the restraining order.

Respondent: The party to be restrained from specific behavior.

Temporary Restraining Order: Court order that "temporarily" prohibits the respondent until the court hearing date.

Injunction: The court's final order in a restraining order case. It prohibits the respondent from engaging in specific behavior upon the petitioner for a specified time period.

Service: Delivery of a legal document notifying a person of legal action taken against him/her. Service constitutes formal legal notice upon another, and must be made by an officially authorized person in accordance with Wisconsin Statutes.

Legal advocate: Person who may assist the petitioner in completing forms, answering certain questions, and may appear in Court with the petitioner. In Juneau County, this party may be contacted through [Hope House](#) at **(800) 584-6790** or **(608) 356-7500**.

Court staff may not provide legal advice or recommend a specific course of action for an individual. Our office does provide some forms, written instructions and common, routinely employed court procedures to assist court users. Court staff shall remain impartial and may not provide or withhold assistance for the purpose of giving one party an advantage over another. It is advised that an individual seek the assistance of an attorney for more comprehensive and individualized assistance. (Supreme Court Rule 70.41)