

CIRCUIT COURT OF ILLINOIS

Case # 2017OP000451

TWENTY-SECOND JUDICIAL CIRCUIT

Ref. Case _____

MCHENRY COUNTY

- Independent, Criminal, Juvenile, Other Civil Proceeding

First Middle Last Age 38

Petitioner's Name (Person desiring protection)

I am filing on behalf of: myself and/or minor child(ren) dependent high risk adult

S R M First Middle Last 12

VS

RHONDA BOHR First Middle Last

Respondent's Name (Person you desire protection from)

VERIFIED PETITION FOR ORDER OF PROTECTION

I request an Order of Protection against RHONDA BOHR (Name of Respondent)

- I am requesting an Emergency Order of Protection. I did not give the Respondent notice that I am seeking protection because I fear that giving notice would result in further abuse or because the abuse is likely to recur before I return to court.

PETITIONER INFORMATION

The Petitioner's address for the purpose of service of notice is:

MCHENRY IL 60050 (Street/ P. O. Box) (City) (State) (Zip)

Check this box if the above address is an Alternate Address for Service of Notice because disclosure of abused person's actual address would risk further abuse.

Persons to be included in the Order of Protection, in addition to the Petitioner, are:

Table with columns: Full Name, Age, State of Residence, Relationship to Petitioner. Row 1: S R M, 11, IL, CHILD

RESPONDENT INFORMATION

Date of Birth (mm/dd/yyyy) Unknown Social Security Number

Weight 180 Height 5 ft. 3 in. Hair Color BROWN Eye Color BLUE Race WHITE

Sex Male Female Driver License# State IL License Plate # State IL

Respondent's Current Address MOUNT PLEASANT WI 53403 (Street/ P. O. Box) (City) (State) (Zip)

Respondent's Work Address 912 56TH ST KENOSHA WI 53140 (Street/ P. O. Box) (City) (State) (Zip)

Work Hours: M-F (Street/ P. O. Box) (City) (State) (Zip)

Distinguishing Features (scars, marks, tattoos, etc.)

FILED stamp with date JUL 20 2017 AM 10: 24 and signature Katherine M. Keefe, Clerk of the Twenty-Second Judicial Circuit Mchenry County.

RELATIONSHIP CODE

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

X	RELATIONSHIP	X	RELATIONSHIP	X	RELATIONSHIP
<input type="checkbox"/>	Spouse (SE)	<input type="checkbox"/>	Parent (PA)	<input type="checkbox"/>	Grandparent (GP)
<input type="checkbox"/>	Ex (former) Spouse (XS)	<input type="checkbox"/>	Sibling (brother/sister) (SB)	<input type="checkbox"/>	In-Law (IL)
<input type="checkbox"/>	Boyfriend/Girlfriend (Dating Relationship) (BG)	<input type="checkbox"/>	Step-child (SC)	<input type="checkbox"/>	Person with Disability (PD)
<input type="checkbox"/>	Child in common (parties not married) (CC)	<input type="checkbox"/>	Step-sibling (SS)	<input type="checkbox"/>	Person Responsible for High Risk Adult (PR)
<input checked="" type="checkbox"/>	Shared / common dwelling (CS)	<input type="checkbox"/>	Step-parent (SP)	<input type="checkbox"/>	Personal Assistant or Caregiver to Person with Disability (PC)
<input type="checkbox"/>	Child (CH)	<input type="checkbox"/>	Grandchild (GC)	<input type="checkbox"/>	Other Related by Blood or Marriage (OF)

BACKGROUND INFORMATION

1. Is there or has there ever been an Order of Protection in any state and county naming you as the Petitioner or Respondent?

Yes No If **yes**, please provide the following information for each Order of Protection:

Name of Petitioner Name of Respondent State/County Case Number Date of Expiration (mm/dd/yyyy)

2. Has a child / dependent / high risk adult of either party been designated as either a Respondent or protected person in any other Order of Protection, Custody or Guardianship proceeding? Yes No If **yes**, please provide the following information for each order:

Name of Petitioner Name of Respondent State/County Case Number Date of Expiration (mm/dd/yyyy)

3. Are there now, or have there ever been, any civil, criminal, or divorce proceedings involving you, one of the protected persons and/or the Respondent? Yes No None known If **yes**, please list all pending cases below:

- a. Type of Case _____ Result _____
 State/County _____ Case # (if known) _____ Date _____
 Who is involved in this case? Petitioner Respondent Other
- b. Type of Case _____ Result _____
 State/County _____ Case # (if known) _____ Date _____
 Who is involved in this case? Petitioner Respondent Other
- c. Type of Case _____ Result _____
 State/County _____ Case # (if known) _____ Date _____
 Who is involved in this case? Petitioner Respondent Other

4. Venue is appropriate in this county because:

- The Petitioner resides here.
- The Respondent resides here
- The abuse occurred here.
- The Petitioner is here temporarily to avoid abuse.

5. I am requesting an Order of Protection because the Respondent did the following things on the dates and times indicated below. (BE SPECIFIC) (Include the relevant history of abuse, the effect the abuse had on you, and the date and place that each incident occurred. Attach additional pages, if necessary) Tab to next paragraph if additional lines needed.

Date(s)	Description of Incident(s)
07/20/2017	DCFS (ANDREA LYONS) CAME TO THE HOME TO SPEAK TO S ABOUT THE EVENTS OF 7/16/2017.
07/19/2017	SPOKE WITH MY ATTORNEY AND WAS ADVISED TO FILE FOR THE NO CONTACT ORDER. I ALSO RECEIVED A CALL FROM DCFS TO SET UP A TIME TO COME TO OUR HOME TO SPEAK WITH S ABOUT THE 7/16/2017 INCIDENT.
07/18/2017	I TOOK S TO HER WEEKLY COUNSELING SESSION AT PORTRAIT HEALTH CENTERS WITH JENNIFER "ANDI" ANDERSON WHERE SHELBY HAD TOLD HER ABOUT WHAT TOOK PLACE AT HER FATHER'S HOME ON 7/16/2017 DURING HER VISIT. HER COUNSELOR THEN HAD ME COME IN THE ROOM TO TELL ME WHAT HAD HAPPENED, THIS BEING THE FIRST I HEARD OF IT, AND WE CALLED SHELBY'S FATHER, JEFF, AND RHONDA AND PUT THEM ON SPEAKER PHONE AND THEY ADMITTED TO EVERYTHING THAT SHELBY TOLD US EXCEPT FOR RHONDA SLAPPING S. THE COUNSELOR THEN INFORMED ME THAT AS A MANDATED REPORTER SHE WOULD BE FILING A REPORT WITH DCFS ABOUT THE INCIDENT WITH THE GUN THAT OCCURRED ON 7/16/2017.

Incidents occurred Continued

Date(s)

Descripton of Incident(s)

<p>07/16/2017</p>	<p>WHILE ON HER REGULAR VISIT AT HER FATHER'S HOME § HAD GOTTEN INTO AN ARGUMENT WITH BOTH JEFF AND HIS LIVE IN GIRLFRIEND RHONDA BOHR. DURING THE ARGUMENT § WAS CALLED NAMES AND BECAME ANGRY AND STOOD UP AND AT THAT POINT SAID RHONDA SLAPPED HER IN THE FACE, SHELBY THEN STEPPED FORWARD AGAIN AND HER FATHER THEN SPANKED HER TWICE. AT THIS POINT § WAS REALLY ANGRY AND TOLD THEM SHE WOULD KILL THEM AND RHONDA'S REACTION WAS GETTING HER GUN FROM THE BOX UNDER HER BED AND BRINGING IT TO THE LIVING ROOM LOADED. RHONDA THEN UNLOADED THE GUN IN FRONT OF § AND PUT THE GUN ON THE TABLE AND TOLD SHELBY TO "GO AHEAD AND TRY IT". § DID NOT RESPOND AND RHONDA PICKED UP THE GUN, RELOADED IT AND TOLD § "THIS IS ALWAYS LOADED" AND PUT THE GUN AWAY.</p>
	<p>APPROXIMATELY TWO YEARS AGO, § WAS HAVING WHAT WE CALL A "MELTDOWN" OR "TEMPER TANTRUM" AND ALLEGEDLY THROWING AND KICKING THINGS SO RHONDA TOOK SHELBY'S DOLL AND RIPPED IT APART IN FRONT OF HER TO TEACH HER HOW IT FEELS TO HAVE SOMETHING OF YOURS MISTREATED.</p>
	<p>SINCE RHONDA AND JEFFREY, § 'S FATHER, HAVE BEEN DATING, § HAS STATED THAT RHONDA HAS SLAPPED HER, PULLED HER HAIR, GRABBED HER BY HER ARM AND THREW HER TO THE GROUND/FLOOR, PUSHED AND SHOVED HER, MADE HER STAND OUTSIDE IN WINTER WITH NO JACKET AND NO SHOES FOR UP TO 30 MINUTES, MADE A THREAT WITH A GUN.</p>

REMEDIES SECTION
(750 ILCS 60/214)

PURSUANT TO THE ILLINOIS DOMESTIC VIOLENCE ACT ("THE ACT"), THE PETITIONER SEEKS THE FOLLOWING REMEDIES:

PART A. REMEDIES INVOLVING PERSONAL PROTECTION

1. **(R01)** With respect to all protected persons, that the Respondent be prohibited from committing the following acts of abuse or threats of abuse (check all that apply)

- Harassment, interference with personal liberty, physical abuse, or stalking.
- Intimidation of a dependant.
- Willful deprivation.
- Neglect
- Exploitation

2. **(R03) (Police Enforced) Stay Away**

a. Residence

Respondent is ordered to stay at least 200 feet away from residence of the petitioner and/or protected person(s) located at _____, MCHENRY, IL, 60050 _____ ; or

Respondent is prohibited from remaining or entering while petitioner and/or protected person(s) are present at their residence currently located at _____

"Stay Away" means for the Respondent to refrain from both physical and non-physical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes), or through third parties who may or may not know about the Order of Protection.

b. Respondent is prohibited from entering or remaining while petitioner and/or protected person(s) is/are present at:

Their place of employment at _____

Their school, located at _____

Any of the following specified places where petitioner and/or protected person(s) are present:

_____ MCHENRY, IL 60050 _____

3. **(R14)** That the Respondent be prohibited from entering or remaining in the residence or household while under the influence of drugs or alcohol and constituting a threat to the safety or well being of Petitioner or Petitioner's child(ren)

PART B. REMEDIES INVOLVING PROPERTY

(These remedies do not affect title to property (750 ILCS 60/214(b)(2))

- 1. (R02) That the Petitioner be granted exclusive possession of, and Respondent be prohibited from entering or remaining present at the residence / household located at:

(Street) MCHENRY (City) IL 60050 (State) (Zip)

(Check One)

- 1. Petitioner has a right to occupancy and Respondent has no such right or,
2. Petitioner and Respondent both have right to occupancy, but the balance of hardships favors Petitioner's occupancy over Respondent's.

- 2. (R10) That with respect to personal property, possession should be awarded as follows:

- a. Petitioner be granted the following personal property:

- b. That the Respondent be ordered to promptly make available to the Petitioner the following property over which the Respondent has possession or control:

(Check as applies)

- The Petitioner, but not the Respondent, owns the property, or
The property is jointly owned by the parties, and sharing it would risk abuse or is impracticable and the balance of hardships favors temporary possession by Petitioner, and/or
Petitioner claims property as marital property, and a proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act ("IMDMA")
c. That the Respondent be given his/her clothing personal adornments medicine
Other personal property, namely,

- 3. (R10) That personal property be transferred:

- at the residence, or
at

(Street) (City) (State) (Zip)

That the transfer of personal property take place in the presence of:

- law enforcement, or an agreed-upon third party namely
Respondent Petitioner have the right to enter the residence to retrieve the property but only in the presence of law enforcement or the designated third party.

Time and date of transfer:

- 4. (R11) That the Respondent be prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of the following real and/or personal property:

(Check as applies)

- Petitioner, but not Respondent, owns the property, or
The Parties own the property jointly, and the balance of hardships favors granting this remedy, and/or
Petitioner claims property as marital property and a proceeding has been filed under the IMDMA.

- 5. (R11) That the Respondent be prohibited from using financial or other resources of an aged member of the family or household for the profit or advantage of Respondent or any other person.

- 6. (R11.5) That the petitioner is granted the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming or otherwise disposing of the animal.

PART C. REMEDIES INVOLVING CHILDREN

List the full name, age, and the state of residence of all children **not listed on page 1 of this petition** whose custody and/or visitation may be affected by the issuance of an order of protection against the respondent. Any prior Orders of Protection, Custody or Guardianship proceedings affecting the child should be listed in the Background Information (page 2 of 11) of this petition.

Full Name	Age	State of Residence	Relationship to Petitioner

1. That the primary caretaker of the minor child(ren) is Petitioner Respondent
 Other Person _____
(Name and Address)

2. (R05) That the Petitioner be granted the physical care and possession of the minor child(ren) of the parties, and that:
 a. Respondent be ordered to return the minor child(ren) to the physical care of:
 Petitioner
 Other _____
(Name and Address)
on _____ at _____ in the presence of _____

b. Respondent be ordered not to remove the minor child(ren) from the physical care of the Petitioner, school/ school grounds, or babysitter/daycare provider.

c. Within 24 hours of the issuance of the Order, the Circuit Clerk is directed to send written notice of the Order to any protected child's day care or school, specifically to the following:

(Provide child(ren) name, then Name and Address for each child's school/day care)

3. (R06) That the Court award Petitioner temporary custody of the minor child(ren) of the parties.
(Please note, temporary custody is not available as a remedy in an emergency order of protection).

a. The child(ren) were born prior to or during the course of the marriage between the parties;

b. The parties are unmarried; the child(ren) are child(ren) in common of the parties; and there
 has has not been a legal determination of parentage.

c. If neither of the above applies, please explain here: RESPONDENT IS THE LIVE-IN GIRLFRIEND OF M
INOR'S FATHER; MINOR'S FATHER AND GIRLFRIEND ARE NOT MARRIED.

4. (R07) (Visitation) That the Court provide for visitation as follows:

a. Deny Restrict visitation because the Respondent has or is likely to:

- Abuse or endanger the minor child(ren) during visitation.
- Use visitation as an opportunity to abuse or harass Petitioner, Petitioner's family, or household members.
- Improperly conceal or detain the minor child(ren).
- Act in a manner that is not in the best interest of the minor child(ren).

b. Reserve visitation until further hearing.

c. Allow the Respondent to have visitation with the minor child(ren):

- Every _____ from _____ to _____
- Each weekend from _____ to _____
- Every other weekend from _____ to _____
- Other _____
- Holiday _____ from _____ to _____

d. Due to the necessity of protecting Petitioner from further abuse, that Respondent be prohibited from going to the Petitioner's residence to meet the minor child(ren) for visitation.

e. That the Respondent be ordered to pick up and return the child(ren) for visitation at:

(Street) (City) (State) (Zip)

f. That visitation take place at _____
(Street)

(City) (State) (Zip)

and that transportation be provided by _____

g. That visitation be supervised by _____
who has filed or will file an affidavit accepting responsibility and acknowledging accountability to the Court.

h. Further, that the Court order the Respondent to return the child(ren) to Petitioner or Petitioner's designated person immediately at the end of visitation.

i. That the Respondent be allowed visitation that the Court finds to be in the best interests of the child(ren).

5. (R08) That the Respondent be ordered not to conceal the minor child(ren) within the State or remove the child(ren) from the State of Illinois.

6. (R09) That the Respondent be ordered to appear in Court Alone With minor child(ren)

- To prevent abuse, neglect, removal or concealment of the child,
- To return the child to the custody or care of the Petitioner, or
- To permit a court-ordered interview or examination of the child(ren) or Respondent.

7. (R15) That the Respondent be denied access to and be prohibited from inspecting, obtaining, or attempting to inspect or obtain school or any other records of the minor child(ren) in the care of the Petitioner because:

- Petitioner is requesting that the Order of Protection prohibit Respondent from having contact with the minor child(ren), or
- Petitioner's actual address is omitted due to the risk of further abuse, or
- It is necessary to prevent abuse or wrongful removal or concealment of the minor child(ren).

PART D. FIREARMS

(Respondent must be present in court or have had actual notice of these proceeding before a turnover of firearms can be ordered.)

1. (R14.5) That the Respondent be ordered to turn over any and all firearms in his/her possession to a law enforcement agency because:

Respondent has used or threatened to use firearms against me, and/or
 is likely to use firearms illegally against me.

Further, Respondent possesses firearms
 has a history of violence
 has a history of possession/use of firearms.
 carries firearms on his/her person in a vehicle.

(Make and model of vehicle) _____

may be a threat to the safety of the public or police officer when encountered.
 is, or has been known to be suicidal.

2. The Respondent has the following firearms (describe each):

Description	Location
HANDGUN	SAFE UNDER BED MASTER BEDROOM

PART E. ECONOMIC REMEDIES

(Economic remedies are not available at the Emergency hearing.)

1. (R12) That the Court order payment of support.

- a. Petitioner requests that Respondent be ordered to pay temporary child support.
- b. Petitioner requests that Respondent be ordered to pay temporary support to the Petitioner.
- c. Respondent is unemployed employed by

_____ at _____ (City) (State) (Zip)
(Employer) (Street Address)

and has an approximate take-home pay of \$ _____ weekly bi-weekly

_____ / _____ of the month monthly

2. (R13) That the Respondent be ordered to pay Petitioner for losses suffered as a direct result of abuse, neglect, or exploitation, including:

- Medical expenses \$ _____ if known
- Lost earnings \$ _____ if known
- Repair/replacement of property damaged or taken \$ _____ if known
- Reasonable attorneys' fees \$ _____ if known
- Moving and other travel expenses \$ _____ if known
- Reasonable expenses for housing other than a domestic violence shelter/meals \$ _____ if known
- Expenses for search and recovery of child(ren) \$ _____ if known
- Other _____ \$ _____ if known

If you desire payment for any of the above, bring documentation (receipts etc) to the hearing.

3. (R16) That Respondent be ordered to reimburse a shelter providing temporary housing or counseling to Petitioner

PART F. MISCELLANEOUS REMEDIES

1. (R04) That the Respondent be ordered to undergo and successfully complete counseling. (If you desire the Respondent to undergo counseling, you should check this box, but this remedy is not available at the Emergency hearing.)

2. (R17) That the Respondent be further ordered and enjoined as follows:

WHEREFORE, Petitioner moves the Court to grant the relief requested in this petition.

VERIFICATION

Under the penalties of perjury as provided by law pursuant to section 1-109 of the code of civil procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that the undersigned verily believes the same to be true.



Signature of Petitioner

Attorney for Petitioner

Name: CATHERINE M HILL

Attorney Number: _____

Attorney for: _____

Address: _____

City/State/Zip: MCHENRY IL 60050

Telephone Number: _____ Fax: _____ ARDC: _____

DEFINITION OF TERMS USED IN THIS PETITION

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child(ren) by a parent or person *in loco parentis*.

2. **Domestic Violence:** "Domestic Violence" means abuse as defined in paragraph one.

3. **Exploitation:** "Exploitation" means the illegal, including tortuous, use of a high risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.

4. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, and persons with disabilities and their personal assistants. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility for all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.

5. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:

- a. creating a disturbance at petitioner's place of employment or school;
- b. repeatedly telephoning petitioner's place of employment, home, or residence;
- c. repeatedly following petitioner about in a public place or places;
- d. repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
- e. repeatedly threatening to improperly remove a child of petitioner's from the jurisdiction, improperly concealing that child from petitioner or making a single such threat following an actual or attempted improper removal or concealment;
- f. improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal , or concealment unless respondent was fleeing an incident or pattern of domestic violence; or
- g. threatening physical force, confinement or restraint on one or more occasions.

6. **Interference with Personal Liberty:** "Interference with Personal Liberty" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which he or she has a right to abstain or to refrain from conduct in which he or she has a right to engage.

(Definitions continued on the back of this page)

7. Intimidation of a Dependant: "Intimidation" means subjecting a person who is dependant because of age, health or disability to participation in, or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as herein defined, regardless of whether the abused person is a family of household member.

8. Neglect: "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:

- a. the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
- b. the repeated, careless imposition of unreasonable confinement;
- c. the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
- d. the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
- e. the failure to protect a high-risk adult with disabilities from health and safety hazards.

9. Physical Abuse: "Physical Abuse" includes sexual abuse and means any of the following:

- a. knowing or reckless use of physical force, confinement, or restraint; or
- b. knowing, repeated and unnecessary sleep deprivation; or
- c. knowing or reckless conduct which creates an immediate risk of physical harm.

10. Stalking: "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and;

- a. at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person; or
- b. placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
- c. placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.

11. Willful Deprivation: "Willful Deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.

ORDER OF PROTECTION

Interim

Plenary (Final)

COURT PH. (815) 334-4310

COURT TWENTY-SECOND JUDICIAL CIRCUIT

COUNTY McHenry STATE OF ILLINOIS

CASE NO. 2017OP000451

REF. CASE

PETITIONER

CATHERINE M. HILL (38)

First Middle Last

Petitioner's Address/ Alternate Address:

MCHENRY

IL 60050

(Street /PO Box)

(City)

(State) (Zip)

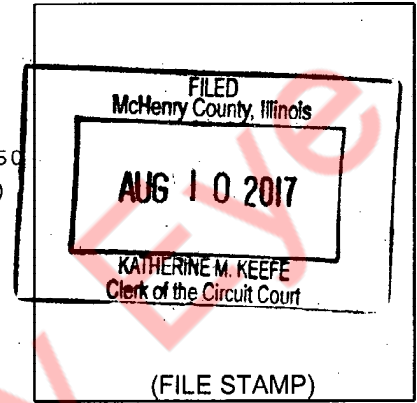
Petitioner

And/or on behalf of other protected person(s)

Child(ren) as noted on page 6, Part C of this order

Dependent R MRNAK (11)

High Risk Adult



RESPONDENT

RHONDA BOHR

First Middle Last

Relationship to Petitioner: CS

Respondent's Address:

Home MOUNT PLEASANT WI 53403
(Street /PO Box) (City) (State) (Zip)

Work 912 56TH ST KENOSHA WI 53140
(Street /PO Box) (City) (State) (Zip)

Work Hours: M-F

Caution Indicators:

- (A) Considered armed and/or dangerous
- (S) Suicidal
- (Y) Considered armed, dangerous and suicidal

RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT.	WT.
F	WHITE		5'3	180
EYES	HAIR	SOCIAL SECURITY #		
BLUE	BROWN			
DRIVER'S LIC. #		STATE	License Plate#	
		IL	IL	

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:

- That Respondent is prohibited from committing further acts/threats of abuse on protected persons. (See R01)
- That Respondent is ordered to stay away from Petitioner and/or other protected persons. (See R03)
- The Circuit Clerk is directed to send within 24 hours:
 - Daycare/School Notice(s) (See page 6).
 - Firearms Notice(s) (See page 8).

Additional terms of this order are set forth herein.

The terms of this Order shall be effective until 08/09/2019 (Date)

05:00 PM (Time am/pm)

NOTICES CONCERNING THIS ORDER OF PROTECTION

WARNING TO RESPONDENT

Violating this Order of Protection is punishable by imprisonment or fine or both, and can cause your bond to be revoked, result in a contempt of court citation against you, or the filing of a criminal charge.

This protection order is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U.S. Territories pursuant to the Violence Against Women Act (18 U. S. C. § 2265). Violating this order of protection may subject you to federal charges and punishment (18 U. S. C. §§ 2261-2262). You may also be subject to federal penalties for possessing, transporting, shipping or receiving a firearm or ammunition under the Gun Control Act (18 U. S. C. § 922(g) (8) and (9)).

Only the court can change this order. The Petitioner cannot give you legal permission to change this order. If you go near the Petitioner, even with the Petitioner's consent, you may be arrested. If you and the Petitioner want to resume your relationship, you must ask the Court to modify or dismiss this Order of Protection. Unless the court modifies/dismisses this order, you can be arrested for violating this Order of Protection. You act at your own risk if you disregard this WARNING.

NOTICE TO PETITIONER

You cannot change the terms of this order by your words or actions. If the Court has ordered no contact or exclusive possession of the residence, only the Court can allow the Respondent to contact you or return to the residence. If you and the Respondent want to resume your relationship, you **must** ask the Court to modify or dismiss this Order of Protection.

If you wish to extend the Plenary order, you must file with the clerk of the court a Motion to Extend (including any modifications needed for your protection) at least **30 days prior to the expiration date** of the present order. The motion will be set for hearing. Notice must be given to the Respondent by first class mail; a certificate stating that notice was sent must be filed with the Circuit Clerk. You must be present at the hearing on your motion.

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

This Order of Protection is enforceable, even without registration, in all 50 states, the District of Columbia, tribal lands, and the U. S. Territories pursuant to the Violence Against Women Act (18 U. S. C. § 2265). Violating this Order of Protection may subject the Respondent to state and/or federal charges and punishment (18 U. S. C. §§ 2261-2262). The Respondent may also be subject to federal criminal penalties for possessing, transporting, or accepting a firearm under the Gun Control Act (18 U. S. C § 922(g) (8)).

NOTICE TO RESPONDENT

Any knowing violation of an order of protection forbidding physical abuse, neglect, exploitation, harassment, intimidation, interference with personal liberty, willful deprivation, or entering or remaining present at specified places when a protected person is present, or granting exclusive possession of the residence or household or granting a stay away order is a Class A misdemeanor and a second or subsequent violation is a Class 4 felony. The granting of exclusive possession of the residence or household shall constitute notice forbidding trespass to land. Any knowing violation of an order awarding legal custody or physical care of a child or prohibiting removal or concealment of a child may be a Class 4 felony. Stalking is a Class 4 felony for a first offense and a Class 3 felony for a subsequent offense. Any willful violation of any order is contempt of court. Any violation may result in fine or imprisonment.

FINDINGS [Jurisdiction]

The Court, having reviewed the verified petition and having heard the evidence and the testimony of the petitioner under oath or affirmation, finds that:

- 1. [X] Petitioner's actual address is set forth on page one (1).
or
[] Disclosure of Petitioner's address would risk further abuse. The address set forth below is the address for the purpose of service of notice on the petitioner in this case.
(Street /PO Box) (City) (State) (Zip Code)
2. The persons protected by this Order are [] Petitioner, [X] minor child(ren) identified in Part C, (page 6 of 13) of this order, [] the other protected persons listed on page 1 of 13 of this order.
3. (Check all that apply)
[X] Petitioner is present in court, in person, and/or with counsel,
[X] Respondent has been served with notice pursuant to the statute.
[] Respondent has entered an appearance in this case.
[X] Respondent is present in court, in person, and/or with counsel,
[] Respondent is in default.
[] Respondent has filed an answer.
[] Petitioner has diligently attempted to complete service of process, has not been able to serve Respondent, and has given notice by publication.
[] The court has jurisdiction over the minor child(ren) and/or other protected persons. (750 ILCS 60/208)

RELATIONSHIP CODE

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

Table with 3 columns: RELATIONSHIP, RELATIONSHIP, RELATIONSHIP. Rows include Spouse (SE), Ex (former) Spouse (XS), Boyfriend/Girlfriend (Dating Relationship) (BG), Child in common (parties not married) (CC), Shared / common dwelling (CS), Child (CH), Parent (PA), Sibling (brother/sister) (SB), Step-child (SC), Step-sibling (SS), Step-parent (SP), Grandchild (GC), Grandparent (GP), In-Law (IL), Person with Disability (PD), Person Responsible for High-Risk Adult (PR), Personal Assistant or Caregiver to Person with Disability (PC), Other Related by Blood or Marriage (OF).

FINDINGS [General]

In granting the following remedies, the Court has considered all relevant factors, including, but not limited to the nature, frequency, severity, pattern, and consequences of Respondent's past abuse, neglect, or exploitation of Petitioner or any family/household member, including Respondent's concealment of his/her location in order to evade service of process or notice, and the likelihood of danger of future abuse, neglect, or exploitation of the party(ies) to be protected; and if a child(ren) is/are involved, the danger that any minor child(ren) will be abused, neglected improperly removed from the jurisdiction, improperly concealed within the State, or improperly separated from the child(ren)'s primary caretaker.

The Court, having reviewed the verified petition and having heard the evidence and the testimony of the petitioner under oath or affirmation, further finds that:

- Checked: Venue is proper (750 ILCS 60/209).
Checked: Respondent has abused the Petitioner and/or the child(ren) so identified on Part C, page 6 of 13 of this order and/or the protected person(s) listed on page 1 of 13 of this order (750 ILCS 60/214(a)).
Unchecked: The conduct or actions of the Respondent, unless prohibited, will likely cause irreparable harm or continued abuse.
Unchecked: It is necessary to grant the requested relief in this order to protect the Petitioner and/or other alleged abused persons.
Checked: The abused person(s) is/are unable to bring this Petition on his/her own behalf due to age, health, disability, or inaccessibility (750 ILCS 60/214(a)).
Unchecked: The Petition has been filed on behalf of a high-risk adult with disabilities who has been abused, neglected, or exploited by a family or household member.
Unchecked: The parties stipulate to a factual basis for issuance of an Order or Protection.
Unchecked: An Order of Protection has previously been entered in the instant proceeding or in another proceeding in which any party, or a child of any party, or both has/have been designated as either a respondent or a protected person (750 ILCS 60/223.1).

IT IS ORDERED the following remedies that are checked apply in this case.

PART A. REMEDIES INVOLVING PERSONAL PROTECTION

1. (R01)(Police Enforced) With respect to all protected persons, Respondent is prohibited from committing the following acts of abuse or threats of abuse (check all that apply):

- Checked: Harassment, interference with personal liberty, physical abuse, or stalking.
Checked: Intimidation of a dependant.
Unchecked: Willful deprivation.
Unchecked: Neglect.
Unchecked: Exploitation.

2. (R03) (Police Enforced) Stay Away

a. Residence

Respondent is ordered to stay at least 200 feet away from residence of the petitioner and/or protected person(s) located at MCHENRY, IL, 60050 ; or

Respondent is prohibited from remaining or entering while petitioner and/or protected person(s) are present at their residence currently located at

"Stay Away" means for the respondent to refrain from both physical presence and non-physical contact with the petitioner whether direct, indirect (including, but not limited to, telephone calls, mail, email, faxes, and written notes), or through third parties who may or may not know about the Order of Protection.

b. Respondent is prohibited from entering or remaining while Petitioner and/or protected person(s) is/are present at:

Their place of employment at

Their school, located at

Any of the following specified places where petitioner and/or protected person(s) are present:

- 3. (R14) (Police Enforced) Respondent is prohibited from entering or remaining in the residence or household while under the influence of drugs or alcohol and constituting a threat to the safety or well-being of Petitioner or Petitioner's children.

PART B. REMEDIES INVOLVING PROPERTY

- 1. (R02) (Police Enforced) Petitioner is granted exclusive possession of, and Respondent is prohibited from entering or remaining present at the residence / household located at:

_____ MCHENRY IL 60050
 (Street / P. O. Box) (City) (State)(Zip Code)

- Petitioner has a right to occupancy and Respondent has no such right or,
- Petitioner and Respondent both have right to occupancy, but the balance of hardships favors temporary possession by Petitioner, the court having considered the factors set forth in 750 ILCS 60/214(c)(2).

- 2. (R10) (Court Enforced) **Personal Property**

- a. Petitioner is granted possession of the following personal property:

- b. If the Respondent has possession of the property listed in 2a above, the Respondent shall promptly make it available to the petitioner.

With respect to 2a and 2b above, the Court finds as follows:

- The Petitioner, but not the Respondent, owns the property, or
- The parties own the property jointly, and sharing it would risk abuse or is impracticable and the balance of hardships favors temporary possession by Petitioner, and/or
- Petitioner claims property as marital property, and a proceeding has been filed under the Illinois Marriage and Dissolution of Marriage Act ("IMDMA")

- c. Respondent is given his/her clothing personal adornments medicine
- other personal property, namely _____

- 3. (R10) (Police Enforced) Personal property shall be transferred

- at the residence, or
- at _____

(Street) (City) (State)(Zip Code)

That the transfer of personal property shall take place in the presence of:

- law enforcement, or an agreed-upon third party, namely _____
- Respondent Petitioner shall have the right to enter the residence to retrieve the property but only in the presence of law enforcement or the designated third party.

Time and date of transfer: _____

(This transfer does not affect title to property (750 ILCS 60/214(b)(2)).

- 4. (R11) (Court Enforced) Respondent is prohibited from taking, transferring, encumbering, concealing, damaging, or otherwise disposing of any real or personal property, except as explicitly authorized by the Court because:

- Petitioner, but not Respondent, owns the property, or
- The parties own the property jointly, and the balance of hardships favors granting this remedy, and/or
- Petitioner claims the property as marital property and a proceeding has been filed under the IMDMA.

- 5. (R11) (Court Enforced) Respondent is prohibited from using financial or other resources of an aged member of the family or household for the profit or advantage of Respondent or any other person.

- 6. (R11.5)(Court Enforced) That the petitioner is granted the exclusive care, custody, or control of any animal owned, possessed, leased, kept, or held by either the petitioner or the respondent or a minor child residing in the residence or household of either the petitioner or the respondent and order the respondent to stay away from the animal and forbid the respondent from taking, transferring, encumbering, concealing, harming or otherwise disposing of the animal.

PART C. REMEDIES INVOLVING CHILDREN

The minor child(ren) of the parties is/are:

Full Name	Age	State of Residence	Relationship to Petitioner	Included as Protected Party
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

1. The primary caretaker of the minor child(ren) is Petitioner Respondent
 Other person: _____
(Name and Address)

2. (R05) (Police Enforced) Petitioner is granted the physical care and possession of the minor child(ren) of the parties, and

a. Respondent is ordered to return the minor children to the physical care of:

Petitioner

Other _____
(Name and Address)

on _____ at _____ am / pm in the presence of _____

b. Respondent is further ordered not to remove the minor child(ren) from the physical care of the Petitioner, school/school grounds, or babysitter/daycare provider or other person *in loco parentis* (750 ILCS 60/214(b)(5)).

c. The Circuit Clerk shall, within 24 hours of the issuance of this Order, send written notice of the Order to any protected child's day care or school to the following: (list child's name and the name and address of each child's school/day care).

If this box is checked, the petitioner shall provide this information to the clerk by a separate written notice which the clerk shall impound to prevent further abuse.

3. (R06) (Police Enforced) Petitioner is granted temporary custody of the minor child(ren) of the parties.

a. Said children were born of the marriage between the parties

b. The parties were never married, said children are children in common of the parties, and there has / has not been a prior legal determination of parentage.

c. An issue has been raised concerning the UCCJA and/or PKPA; the court considered the issue and has determined that this order meets the requirements and is consistent with these statutes (750 ILCS 35/1 et seq. and 28 U. S. C. § 1738A).

4. (R07) (Court Enforced) Visitation of the minor child(ren)

a. Visitation is denied / restricted because Respondent has or is likely to:

Abuse or endanger the minor child(ren) during visitation.

Use visitation as an opportunity to abuse or harass Petitioner, Petitioner's family, or household members.

Improperly conceal or detain the minor child(ren).

Act in a manner that is not in the best interest of the minor child(ren).

b. Visitation is reserved until further order of court, or until _____

c. Visitation is granted as follows: (check all that apply)

- Every _____ from _____ to _____
- Each Weekend from _____ to _____
- Alternating weekend from _____ to _____
- Other _____

Major holidays shall be divided as follows:

Major holidays	Even-numbered years	Odd-numbered years
New Years Day		
Easter		
Memorial Day		
4th of July		
Labor Day		
Thanksgiving Day		
Christmas Eve		
Christmas Day		
Other* _____		

(* - including other special days, holidays and/or religious observances)

Extended school vacation periods such as summer vacation, spring break, winter break and Thanksgiving weekend (be specific as to start and end times):

When there is a conflict between holiday visitation and other visitation periods, the provision for holiday visitation shall control with no requirement for makeup visitation. Unless otherwise specified holiday visitation shall begin on the holiday at: _____ am/pm and end at _____ am/pm.

Mother's Day shall always be with mother and Father's Day shall always be with father.

Other _____

d. The Court, finding it necessary to protect Petitioner or other protected parties from further abuse, prohibits Respondent from going to Petitioner's residence to meet the minor child(ren) for visitation.

e. Visitation Transportation

Each parent shall provide transportation one-way for visitation, or

_____ shall provide all transportation for visitation, or

Other arrangements _____

f. Visitation shall take place at _____

(Street Address/City)

g. Visitation is to be supervised by _____

who is approved to supervise visitation and who has filed an affidavit accepting responsibility and acknowledging accountability to the Court.

h. Respondent shall return the child(ren) to the Petitioner or Petitioner's designated person immediately at the end of visitation.

NOTICE TO RESPONDENT

The Petitioner may, by law, deny Respondent access to the minor child(ren) if, when Respondent arrives for visitation, Respondent is under the influence of drugs or alcohol and constitutes a threat to the safety and well-being of Petitioner or Petitioner's minor child(ren) or is behaving in a violent or abusive manner (750 ILCS 60/214(b)(7)).

5. (R08) (Police Enforced) Respondent is ordered not to conceal the minor child(ren) within the State or remove the child(ren) from the State of Illinois.

6. (R09) (Court Enforced) Respondent is ordered to appear at the _____ in Courtroom _____, on _____, at _____ am/pm Alone / With the minor children:

- To prevent abuse, neglect, removal or concealment of the child,
- To return the child to the custody or care of the Petitioner, or
- To permit a court-ordered interview or examination of the child or Respondent.

7. (R15) (Court Enforced) Respondent is denied access to and is prohibited from inspecting, obtaining, or attempting to inspect or obtain school or any other records of the minor child(ren) in the care of the Petitioner because:

- The Order of Protection prohibits Respondent from having contact with the minor child(ren), or
- Petitioner's actual address is omitted due to the risk of further abuse, or
- It is necessary to prevent abuse or wrongful removal or concealment of the minor child(ren).

PART D. FIREARMS

1. (R14.5) (Police Enforced) The Court has examined the Petitioner and any other witnesses under oath, has examined the petition and other relevant evidence on the issue of whether Respondent has threatened or is likely to use a firearm(s) illegally against Petitioner, and finds that there is a danger of the illegal use of firearms.

The Court finds that the Respondent:

- Has appeared personally in court
- Failed to appear personally after having received actual notice.

2. Respondent is ordered to turn over any and all firearms, including the following:

HANDGUN - SAFE UNDER BED MASTER BEDROOM,

3. Respondent shall turn over the above-listed firearm(s) to:

- the _____ County Sheriff's Office on or before _____ for safekeeping, to be returned to the Respondent on _____ (Period not to exceed two years unless otherwise prohibited under federal law. (18 U.S. C. §§ 922(d) and (g)(8), and 922(d) and (g)(9)).
- the _____ Police Department on or before _____ for safekeeping, to be returned to the Respondent on _____ (Period not to exceed two years unless otherwise prohibited under federal law. (18 U.S. C. §§ 922(d) and (g)(8), and 922(d) and (g)(9)).

4. The Circuit Clerk will notify:

- the _____ County Sheriff's Office
- the _____ Police Department of this provision, and such law enforcement agency shall take possession of said firearm(s) for safekeeping in accordance with the provisions of this Order.

PART E. ECONOMIC REMEDIES

- 1. (R12) (Court Enforced) The Court finds that the Respondent is:
 - unemployed employed by _____ (Employer)
 - at _____ (Street Address) _____ (City/State) and has an approximate take-home pay of \$ _____ Weekly Bi-weekly ____ / ____ of month Monthly.
 - a. Respondent is ordered to pay temporary child support in the sum of \$ _____ Weekly Bi-weekly ____ / ____ of month Monthly.
 - b. Respondent is ordered to pay temporary support to the Petitioner in the sum of \$ _____ Weekly Bi-weekly ____ / ____ of month Monthly.
 - c. Payments will commence on _____ and a like amount each period until further order of the Court, said payments to be made through the: Circuit Clerk SDU Payment shall not be paid directly to the Petitioner. Uniform Order of Support shall also be entered.
 - d. Uniform Order of Support and Notice of Withholding to be filed by Petitioner, if applicable. (See Circuit Clerk for the forms).
- 2. (R13) (Court Enforced) Respondent is ordered to pay Petitioner for losses suffered as a direct result of abuse, neglect, or exploitation, specifically:
 - Medical expenses \$ _____
 - Lost earnings \$ _____
 - Repair/replacement of property damaged or taken \$ _____
 - Reasonable attorney fees \$ _____
 - Moving and other travel expenses \$ _____
 - Reasonable expenses for temporary housing other than a domestic violence shelter/meals \$ _____
 - Expenses for search and recovery of child(ren) \$ _____
 - Other \$ _____
 - a. Respondent is ordered to:
 - Pay said amount on or before _____
 - Pay \$ _____ weekly bi-weekly ____ / ____ of month monthly commencing on _____, until amount is paid in full.
 - b. Payments are to be made to _____
- 3. (R16) (Court Enforced) Respondent is ordered to reimburse:
 - a. A shelter providing temporary housing or counseling to Petitioner in the sum of \$ _____ payable to _____ (Name/Address)
 - b. The Court finds the cost of the services has been certified by the shelter and deems the costs to be reasonable.
- 4. Respondent is ordered to:
 - Pay said amount on or before _____
 - Pay \$ _____ weekly bi-weekly ____ / ____ of month monthly commencing on _____, until amount is paid in full.

PART F. MISCELLANEOUS REMEDIES

[X] 1. (R04) (Court Enforced) Respondent is ordered to undergo and successfully complete counseling with _____, commencing on _____ (Name/Address)

[] 2. (R17) Respondent is further ordered and enjoined as follows:

[] 3. Cause is continued for compliance hearing to _____ at _____ in Court room _____ (Month/Day)

on the following issues: _____

Respondent is ordered to appear and bring the following documents: _____

PART G. RULINGS PURSUANT TO 750 ILCS 60/221 (a) (2) AND (b) (2)

The relief requested in paragraph(s) _____ of the Petition is/are [] Denied / [] Reserved because the balance of hardships does not support the granting of the remedy, and the granting of the remedy will result in hardship to Respondent that would substantially outweigh the hardship to the Petitioner from the denial of the remedy, or because _____

[] INTERIM ORDERS ONLY:

THIS ORDER WAS ISSUED ON: Date: _____ Time _____ am / pm

THIS ORDER WILL EXPIRE ON: Date: _____ Time _____ am / pm (not more than 30 days).

HEARING ON ENTRY OF INTERIM/PLENARY (FINAL) ORDER SET FOR:

Date: _____ Time _____ am / pm at the: _____ in Courtroom: _____

[X] PLENARY (FINAL) ORDERS ONLY:

This order will remain in effect until: August 9, 2019

(not to exceed 2 years), unless this order is entered in conjunction with:

[] civil proceeding, Case No. _____

[] criminal proceeding, Case No. _____

THIS PLENARY (FINAL) ORDER WAS ISSUED ON: Date: 08/10/2017 Time 11:26 AM am / pm.

ENTER:

10 August 2017

[Signature] JUDGE

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

Clerk Of Circuit Court of
McHenry County, Illinois

(Seal of the Clerk of Circuit Court)

Date : 08/10/2017

NOTICE TO RESPONDENT
(Interim Order of Protection only)

You may petition the court, in accordance with Section 224 of the Act, to re-open the order if you did not receive actual prior notice of the hearing in accordance with Section 211 of the Act, alleging that you have a meritorious defense to the order or that the order, or any or its remedies, was not authorized by the act.

- Petitioner Respondent given copy of this Order of Protection in open Court
- Petitioner Respondent not given copy of this Order of Protection in open Court

on _____ at _____ am / pm by _____ Badge # _____
Date Time

- cc: Petitioner Respondent(via Sheriff) Counsel of Record Sheriff Advocate Jail
- States Attorney

DEFINITION OF TERMS USED IN THIS PETITION

1. **Abuse:** "Abuse" means physical abuse, harassment, intimidation of a dependent, interference with personal liberty or willful deprivation but does not include reasonable direction of a minor child(ren) by a parent or person *in loco parentis*.

2. **Domestic Violence:** "Domestic Violence" means abuse as defined in paragraph one.

3. **Exploitation:** "Exploitation" means the illegal, including tortuous, use of a high risk adult with disabilities or of the assets or resources of a high-risk adult with disabilities. Exploitation includes, but is not limited to, the misappropriation of assets or resources of a high-risk adult with disabilities by undue influence, by breach of fiduciary relationship, by fraud, deception, or extortion, or the use of such assets or resources in a manner contrary to law.

4. **Family or Household Members:** Include spouses, former spouses, parents, children, stepchildren and other persons related by blood or by present or prior marriage, persons who share or formerly shared a common dwelling, persons who have or allegedly have a child in common, persons who share or allegedly share a blood relationship through a child, persons who have or have had a dating or engagement relationship, and persons with disabilities and their personal assistants. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute a dating relationship. In the case of a high-risk adult with disabilities, "family or household members" includes any person who has the responsibility for a high-risk adult as a result of a family relationship or who has assumed responsibility or all or a portion of the care of a high-risk adult with disabilities voluntarily, or by express or implied contract, or by court order.

5. **Harassment:** "Harassment" means knowing conduct which is not necessary to accomplish a purpose that is reasonable under the circumstances, would cause a reasonable person emotional distress, and does cause emotional distress to the petitioner. Unless the presumption is rebutted by a preponderance of the evidence, the following types of conduct shall be presumed to cause emotional distress:

- a. creating a disturbance at petitioner's place of employment or school;
- b. repeatedly telephoning petitioner's place of employment, home, or residence;
- c. repeatedly following petitioner about in a public place or places;
- d. repeatedly keeping petitioner under surveillance by remaining present outside his or her home, school, place of employment, vehicle or other place occupied by petitioner or by peering in petitioner's windows;
- e. repeatedly threatening to improperly remove a child of petitioner's from the jurisdiction, improperly concealing that child from petitioner or making a single such threat following an actual or attempted improper removal or concealment;
- f. improperly concealing a minor child from petitioner, repeatedly threatening to improperly remove a minor child of petitioner from the jurisdiction or from the physical care of petitioner, repeatedly threatening to conceal a minor child from petitioner, or making a single such threat following an actual or attempted improper removal or concealment, unless respondent was fleeing an incident or pattern of domestic violence; or
- g. threatening physical force, confinement or restraint on one or more occasions.

6. **Interference with Personal Liberty:** "Interference with Personal Liberty" means committing or threatening physical abuse, harassment, intimidation or willful deprivation so as to compel another to engage in conduct from which he or she has a right to abstain or to refrain from conduct in which he or she has a right to engage.

(Definitions continued on the back of this page)

7. Intimidation of a Dependant: "Intimidation" means subjecting a person who is dependant because of age, health or disability to participation in, or the witnessing of: physical force against another or physical confinement or restraint of another which constitutes physical abuse as herein defined, regardless of whether the abused person is a family of household member.

8. Neglect: "Neglect" means the failure to exercise that degree of care toward a high-risk adult with disabilities which a reasonable person would exercise under the circumstances and includes but is not limited to:

- a. the failure to take reasonable steps to protect a high-risk adult with disabilities from acts of abuse;
- b. the repeated, careless imposition of unreasonable confinement;
- c. the failure to provide food, shelter, clothing, and personal hygiene to a high-risk adult with disabilities who requires such assistance;
- d. the failure to provide medical and rehabilitative care for the physical and mental health needs of a high-risk adult with disabilities; or
- e. the failure to protect a high-risk adult with disabilities from health and safety hazards.

9. Physical Abuse: "Physical Abuse" includes sexual abuse and means any of the following:

- a. knowing or reckless use of physical force, confinement, or restraint; or
- b. knowing, repeated and unnecessary sleep deprivation; or
- c. knowing or reckless conduct which creates an immediate risk of physical harm.

10. Stalking: "Stalking" means knowingly and without lawful justification, on at least two (2) separate occasions, following another person or placing the person under surveillance or any combination thereof and;

- a. at any time transmitting a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person of a family member of that person; or
- b. placing that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint; or
- c. placing that person in reasonable apprehension that a family member will receive immediate or future bodily harm, sexual assault, confinement, or restraint.

11. Willful Deprivation: "Willful Deprivation" means willfully denying a person who because of age, health or disability requires medication, medical care, shelter, food, therapeutic device, or other physical assistance, and thereby exposing that person the risk of physical, mental or emotional harm, except with regard to medical care or treatment when the dependent person has expressed an intent to forego such medical care or treatment. This paragraph does not create any new affirmative duty to provide support to dependent persons.