

**IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
KANE COUNTY, ILLINOIS**

Case No. _____

EMERGENCY FIREARMS RESTRAINING ORDER

***Mandatory fields**

PETITIONER

First M. Last

Petitioner's Address/Alternative Address:

RESPONDENT

*First *M. *Last

Relationship to Petitioner: _____

Respondent's Address:

File Stamp

(Street, City, State and County)

(Place of Employment and Address)

(Work Hours)

RESPONDENT IDENTIFIERS

*GENDER	*RACE	*DOB	*HT.	*WT.	*EYES	*HAIR	SSN
							XXX-XX-

Driver's License #: _____ 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/her custody or control any firearms, ammunition, firearm parts that could be assembled to make an operable firearm, or removing parts that could be assembled to make an operable firearm, and is further prohibited from purchasing, possessing, or receiving additional firearms, ammunition, or firearm parts that could be assembled to make an operable firearm; and (See **R01**).

The terms of this Order shall be effective until

Date _____ Time _____

A hearing on the entry of a Six Month Firearms Restraining Order is set for: Date _____ Time _____
in courtroom _____ at the Kane County Judicial Center, 37W777 Rt. 38, St. Charles, IL

A SIX MONTH FIREARMS RESTRAINING ORDER MAY BE ENTERED AGAINST YOU IF YOU FAIL TO APPEAR AT SUCH HEARING.

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/her custody or control any firearms, ammunition, or removing firearm parts that could be assembled to make an operable firearm, or by purchasing, possessing, or receiving additional firearms, ammunition, or firearm parts that could be assembled to make an operable firearm.
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 type="checkbox"/> Spouse (SE) | <input type="checkbox"/> Parent (PA) | <input type="checkbox"/> Grandparent (GP) |
| <input type="checkbox"/> Step-Parent (SP) | <input type="checkbox"/> Sibling (Brother/Sister) (SB) | <input type="checkbox"/> In-Law (IL) |
| <input type="checkbox"/> Child (CH) | <input type="checkbox"/> Step-Child (SC) | <input type="checkbox"/> Grandchild (GC) |
| <input type="checkbox"/> Child in Common (CC) | <input type="checkbox"/> Step-Sibling (SS) | <input type="checkbox"/> Other Related by Blood or Marriage (OF) |
| (parties not married) | | |
| <input type="checkbox"/> Shared/common dwelling (CS) | <input type="checkbox"/> 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/her custody or control any firearms, ammunition, firearm parts that could be assembled to make an operable firearm; or purchasing, possessing, receiving additional firearms, ammunition, or firearm parts that could be assembled to make an operable firearm. (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/her custody or control any firearms, ammunition, or removing firearm parts that could be assembled to make an operable firearm and is further prohibited from purchasing, possessing, or receiving additional firearms, ammunition, or 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 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, or 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 firearm; 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 EMERGENCY ORDER WAS ISSUED ON: Date _____ Time _____

ENTER: _____

Judge

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

A true copy of the original is on file in my office.	
Attested to this _____	
Theresa E. Barreiro Clerk of the Circuit Court Kane County, Illinois	
By: _____	Deputy Clerk

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

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 firearms, ammunition, or removing firearm parts that could be assembled to make an operable firearm and purchasing, possessing, or receiving, additional firearms, ammunition, or removing 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 alleges the respondent poses a danger of causing personal injury to him/herself or another by having in his/her custody or control, purchasing, possessing, or receiving a firearm, ammunition, or firearm parts that could be assembled to make an operable firearm or removing firearm parts that could be assembled to make an operable firearm.
5. **Respondent:** "Respondent" means that the person alleged in the petition to pose a danger of causing personal injury to him/herself, or another, by having in his/her custody or control any firearms, ammunition, or firearm parts that could be assembled to make an operable firearm, or removing firearm parts that could be assembled to make an operable firearm, and purchasing, possessing, or receiving additional firearms, ammunition, or firearm parts that could be assembled to make an operable firearm.