

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

Case No. _____

SIX MONTH 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 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 **RO1**)

Additional terms of this order are set forth on the following pages.

The terms of this Order shall be effective until

Date _____ Time _____

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 Six Month 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):

- | | | |
|--|---|---|
| <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)
(parties not married) | <input type="checkbox"/> Step-Sibling (SS) | <input type="checkbox"/> Other Related by Blood
or Marriage (OF) |
| <input type="checkbox"/> Shared/common dwelling (CS) | <input type="checkbox"/> Law Enforcement Officer (LE) | |

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 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 SIX MONTH 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, any additional firearms, 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 him/herself, or another by having in his/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 him/herself, or another, by having in his/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.