

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

IN THE MATTER OF A PROCEEDING FOR A
FAMILY OFFENSE UNDER ARTICLE 8 OF THE
FAMILY COURT ACT

, PETITIONER
AGAINST
, RESPONDENT

TO THE FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. *Petitioner resides AT COUNTY of , State of and

is the spouse of is the former spouse of is the parent of is the child of is a member of the family of is a member of the household of has child/children in common with

the Respondent.

*Petitioner is a representative of A duly authorized agency, association, society or institution which maintains its offices at

*Petitioner is a peace officer of the town, city or county of to wit,

2. Respondent resides at , County of ROCKLAND, State of NEW YORK .

3. (Upon information and belief), (o)n or about , at the Respondent committed an act or acts which constitutes

<input type="checkbox"/>	Disorderly Conduct	<input type="checkbox"/>	Aggravated Harassment-2°	<input type="checkbox"/>	Harassment-1°
<input type="checkbox"/>	Harassment-2°	<input type="checkbox"/>	Menacing-2°	<input type="checkbox"/>	Menacing-3°
<input type="checkbox"/>	Reckless Endangerment	<input type="checkbox"/>	Assault-2°	<input type="checkbox"/>	Assault-3°
<input type="checkbox"/>	Attempted Assault	<input type="checkbox"/>	Stalking -1°	<input type="checkbox"/>	Stalking - 2°
<input type="checkbox"/>	Stalking - 3°	<input type="checkbox"/>	Stalking - 4°		

Toward , who

is the spouse of is the former spouse of is the parent of is the child of is a member of the family of is a member of the household of has child/children in common with

said Respondent in that the Respondent:

*4(a) The following are the names, ages and relationships to the Petitioner and/or Respondent of each and every child in the family household:

Name of Child	DOB / Age	Relationship to Petitioner	Relationship to Respondent

*5. (Upon information and belief) The following aggravating circumstances, if any, are present in this case. (“Aggravating circumstances” shall mean physical injury or serious physical injury to the Petitioner caused by the Respondent, the use of a dangerous instrument against Petitioner by the Respondent, a history of repeated Violations of Orders of Protection by the Respondent, prior convictions for crimes against the Petitioner by the Respondent or the exposure of any family or household member to physical injury by the Respondent and like incidents, behavior and occurrences which constitute an immediate and ongoing danger to the Petitioner or any member of the Petitioner’s family or household):

*6 (Upon information and belief) The following criminal, matrimonial or Family Court proceeding(s) involving the Respondent has/have been filed (indicate the Court, date and status):

*7 Indicate whether a previous application has been made to any Court or Judge for the relief requested herein and, if so, the relief, if any granted and the date of such relief:

*8 (Upon information and belief) Respondent is licensed or has a license application pending to carry, possess, repair, sell or otherwise dispose of the following firearms [if known, specify type of firearms, type of license (s), date of issuance of license(s) and expiration date(s), whether license has been suspended or revoked and, if so, the date of such action and, if not currently licensed, whether license application is pending]:

*9 (Upon information and belief) There is a substantial risk that the Respondent may use or threaten to use a firearm unlawfully against the Petitioner (and member of the Petitioner’s family or household) for the following reasons:

*a) (Upon information and belief), Respondent has been convicted of the following violent felony offenses (specify conviction charge and year of conviction, if known):

“Violent felony offenses” include: Murder, Kidnapping-1°, Kidnapping-2°, Arson-1°, Arson-2°, Manslaughter-1°, Rape-1°, course of sexual conduct against a child in the first and second degree; Sodomy-1°, Aggravated Sexual Abuse-1°, Aggravated Sexual Abuse-2°, Sexual Abuse-1°, Burglary-1°, Burglary-2°, Robbery-1°, Robbery-2°, Criminal Possession Dangerous Weapon-1°, Criminal Possession Dangerous Weapon-2°, Criminal Possession Dangerous Weapon-3°, Criminal use of a Firearm-1°, Criminal use of a Firearm-2°, Criminal Sale of a Firearm-1°, Criminal Sale Firearm-2°, Aggravated Assault upon a Police Officer, Intimidating a Witness-1°, Intimidating a Witness-2°, Assault-1°, Assault-2°; Stalking –1°; and attempts of any of the above offenses, except Assault-2°, Sexual Abuse-1°, Stalking –1°, Criminal Sale of a Firearm-2°, Criminal Sale of a Firearm with the aid of a Minor, Intimidating a Witness-2° and Criminal Possession of a Weapon-3° (unless pled guilty as a lesser included offense of the substantive crime). See Penal Law 70.02 (1).

*b) (Upon information and belief), Respondent has previously been found to have willfully failed to obey an order of protection and such willful failure involved infliction of serious physical injury and/or the use or threatened use of a deadly weapon or dangerous instrument and/or behavior constituting a violent felony offense as follows (specify finding or conviction and year, if known; delete inapplicable provision(s):

*c) (Upon information and belief) The following facts and circumstances create a substantial risk that Respondent may use or threaten to use a firearm unlawfully against Petitioner or members of Petitioner’s family or household:

WHEREFORE, Petitioner prays

(a) that the Respondent be adjudged to have committed the family offense alleged;

*b) that the Court enter an order of protection, specifying conditions of behavior to be observed by the Respondent in accordance with Section 842 of the Family Court Act:

and for such other and further relief as to the Court seems just and proper.

, Petitioner

Signature of Attorney, if any

Attorney’s Name

