

# Checklist for Completing and Filing a Petition for Temporary Restraining Order

**We encourage you to get assistance completing a Temporary Restraining Order Petition. Advocates are available through:**

Family Support Center  
403 N High Street  
Chippewa Falls, WI 54729  
715-723-1138

Crime Victim Witness  
711 N Bridge Street, Room 222  
Chippewa Falls, WI 54729  
715-726-7733

## ☐ **Determine what type of restraining order you would like.**

Types of Restraining Orders:

- Child Abuse CV-412 (No Fee)
- Domestic Abuse CV-402 (No Fee)
- Harassment CV-405 (\$164.50 Filing Fee)
- Individual at Risk CV-428 (No Fee)

Forms are available at: <https://www.wicourts.gov/> or at the Clerk of Courts office. More information on the types of restraining orders in Wisconsin can be found at <https://wicourts.gov/services/public/selfhelp/restord.htm>.

## ☐ **Complete the proper paperwork and return to Clerk of Courts Office.**

You will be asked to include the name (including the middle initial), address, date of birth, and personal identifying information (approximate weight, height, hair color, eye color, tattoos, etc.) of the person you want to file the restraining order against.

A Petition for Waiver of Fees and Costs (CV-410A) may be filled out, if applicable. The waiver will be reviewed prior to a decision on the restraining order. If the waiver is denied and the Temporary Restraining Order is approved, you will be contacted to return to the Clerk of Court's office to pay the required fee before the Temporary Restraining Order is filed and processed.

Complete:

1. Petition to Waive Fees (if applicable)
2. Petition for Temporary Restraining Order and/or Petition and Motion for Injunction Hearing
3. Temporary Restraining Order and Notice of Injunction Hearing
4. Notice and Order for Injunction Hearing When Temporary Restraining Order is Not Issued
5. Confidential Address Information
6. Petitioner's Statement of Respondent's Possession of Firearms
7. Sheriff's Department Civil Process form
8. Wireless Telephone Service Transfer in Injunction Case (if applicable)

## ☐ **Paperwork is forwarded to the Circuit Court Judge for Review of the Petition for Restraining Order.** If the Circuit Court Judge grants the Restraining Order, a hearing will be scheduled and the advocate or petitioner will be contacted to pick up their copy of the Temporary Restraining Order. The Temporary Restraining Order is not enforceable until the Respondent has been served. An advocate will help you with service if the Respondent lives outside of Chippewa County.

- ☐ **Service of Documents.** The Clerk will provide the documents to the Chippewa County Sheriff's Department along with the Civil Process form you have completed for service on the respondent. If the respondent is a Chippewa County resident, the Chippewa County Sheriff's Department will attempt service, and once served, they will file the Proof of Service with the Clerk of Courts office. If the respondent does not live in Chippewa County, the Clerk of Courts will forward the documents to the appropriate Sheriff's Department. You or your Advocate (if applicable) will need to contact the agency serving the documents on the respondent to see if they require a service fee and if they will provide you with a Proof of Service document. Once provided with the Proof of Service you must file that with the Clerk of Courts office prior to the hearing date.
- ☐ **File Proof of Service** document with the Clerk of Courts as soon as possible and prior to the hearing date.
- ☐ **Attend the hearing listed on the petition.** If you have an advocate; they will attend the hearing with you. The court will direct the hearing if the parties are appearing without counsel. The parties will respond to the Court and/or counsel under oath. The Court will make a finding based upon the evidence and testimony given.
- ☐ **Motion for DeNovo Hearing on a Temporary Restraining Order or Injunction (CV-503)** to request a new hearing before a Judge if you do not agree with the decision made by the Court Commissioner.

*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 routine 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)*