

## **INSTRUCTIONS FOR FILING A PETITION FOR A RISK PROTECTION ORDER (With or Without Requesting a Temporary Ex Parte Risk Protection Order)**

### **Who may file this form?**

This petition must be filed by either a law enforcement officer or a law enforcement agency through an employee or person authorized to file the petition on their behalf (the “Petitioner”). No one other than law enforcement may file a petition for a risk protection order. It is not necessary for the Petitioner to be an attorney.

### **When should this form be used?**

This form should be used in situations when there is evidence that a person (the “Respondent”) poses a significant danger of harming himself or herself or others by possessing a firearm or ammunition.

This form can be used to request a court order that will require the Respondent to 1) surrender to law enforcement all firearms, ammunition, and any license to carry a concealed weapon or firearm in their possession, custody or control; and 2) be prohibited from purchasing, attempting to purchase, receiving, or possessing any firearms or ammunition for a specified period of time, up to one year.

The Petitioner may also use this form to request a temporary ex parte risk protection order. A temporary ex parte risk protection order may be issued without notice to the Respondent upon a showing that the Respondent poses a significant danger of causing personal injury to himself or herself or others in the near future. Such an order is in effect only until the hearing on the petition for a final risk protection order at which time the Respondent will have received notice and an opportunity to participate in the hearing.

If the Petitioner requests a temporary ex parte risk protection order, there are two additional requirements that are not otherwise required for a petition for a final risk protection order: 1) the sworn facts that demonstrate that Respondent poses a significant danger of causing injury must be *based on personal knowledge*; and 2) the sworn facts must demonstrate that the danger may occur *in the near future*.

If issued, a temporary ex parte risk protection order 1) will require the Respondent to immediately surrender all firearms and ammunition in the Respondent’s custody, control, or possession and any license to carry a concealed weapon or firearm issued to the Respondent under section 790.06, Florida Statutes, and 2) will temporarily prohibit the Respondent from purchasing, attempting to purchase, receiving, or possessing a firearm or ammunition.

### **Where must this form be filed?**

This petition must be filed in the clerk’s office for the circuit court 1) in the county where the Petitioner’s law enforcement office is located or 2) in the county where the Respondent resides.

**What must be shown?**

The petition and accompanying affidavit(s) must provide facts that give rise to a reasonable fear that Respondent poses a significant danger of causing personal injury to themselves/others by having a firearm or ammunition in their custody, control, or possession. The burden of persuasion for a temporary ex parte risk protection order is “reasonable cause.” The burden of persuasion for a final risk protection order is “clear and convincing evidence.”

As much of the Respondent’s identifying and demographic information as possible must be included in the appropriate spaces in Section II.

**Other important instructions:**

Depending on the facts and circumstances, the Petitioner may either file a petition only for a final risk protection order, or file a petition for a final risk protection order with a request for a temporary ex parte risk protection order. The Petitioner should indicate immediately under the title whether the Petitioner **does** or does **not** request a temporary ex parte risk protection order.

Pursuant to section 790.401(2)(h), Florida Statutes, there are no fees for filing a petition.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**PETITION FOR RISK PROTECTION ORDER**  
(With or Without Request for Temporary Ex Parte Risk Protection Order)

This petition  DOES or  DOES NOT request a Temporary Ex Parte Risk Protection Order.

**SECTION I. PETITIONER**

**Petitioner must be a law enforcement officer or a law enforcement agency.**

1. Petitioner's full legal name or name of petitioning agency: \_\_\_\_\_
2. Petitioner's office/agency is located at *{street address, city, state, and zip code}*:  
\_\_\_\_\_
3. Petitioner's telephone number for 24 hour accessibility: \_\_\_\_\_

**SECTION II. RESPONDENT** *{Petitioner is to fill out as much information as possible.}*

1. Respondent's full legal name: \_\_\_\_\_
2. Respondent's address: *{street address, city, state, and zip code}*  
\_\_\_\_\_
3. Identifying information of Respondent:  
Race: \_\_\_\_\_ Gender Expression: Male \_\_\_ Female \_\_\_ Other \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Hair Color: \_\_\_\_\_
4. Distinguishing marks or scars: \_\_\_\_\_
5. Vehicle: *{make/model}* \_\_\_\_\_ Color: \_\_\_\_\_ Tag #: \_\_\_\_\_
6. Other names Respondent goes by: *{aliases or nicknames}* \_\_\_\_\_
7. Respondent's email address: \_\_\_\_\_

8. Respondent's telephone number: \_\_\_\_\_

9. Respondent's Driver's License number: \_\_\_\_\_

10. Respondent's attorney's name, address, and telephone number: \_\_\_\_\_

11. Is Respondent in jail? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, date of arrest \_\_\_\_\_ Jail #: \_\_\_\_\_ Cell #: \_\_\_\_\_

12. Is Respondent a juvenile? Yes \_\_\_\_\_ No \_\_\_\_\_

### SECTION III. BASIS FOR PETITION

In support of this petition, the undersigned Law Enforcement Officer/Agency alleges:

1. Respondent poses a significant danger of causing personal injury to themselves or others by having a firearm or any ammunition in their custody or control or by purchasing, possessing, or receiving a firearm or any ammunition.

\_\_\_\_\_ **Respondent poses a significant danger of causing personal injury to themselves or others in the near future.** [Required for a Temporary Ex Parte Risk Protection Order.]

2. An affidavit (or affidavits) alleging specific facts that give rise to a reasonable fear of significant dangerous acts by the Respondent is attached to this petition as Exhibit A and is incorporated by reference. {If a temporary risk protection order is requested, facts supporting the allegation that Respondent poses a significant danger of causing personal injury to themselves or others IN THE NEAR FUTURE must be provided from someone with PERSONAL KNOWLEDGE of those facts.}
3. The quantities, types, and locations of all firearms and ammunition the Petitioner believes to be in the Respondent's ownership, possession, custody, or control are listed below and/or on the attached Exhibit B.

Quantity: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_

Quantity: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_

Quantity: \_\_\_\_\_ Type: \_\_\_\_\_ Location: \_\_\_\_\_

Respondent \_\_\_\_\_ was issued \_\_\_\_\_ was not issued a concealed weapon/firearms license.

\_\_\_\_ See attached Exhibit B for firearms and/or ammunition.

4. Petitioner \_\_\_\_\_ is aware \_\_\_\_\_ is not aware of an existing protection order governing the

Respondent under s. 741.30, s. 784.046, or s. 784.0485, Florida Statutes, or under any other applicable statute. If aware, list the existing protection order case number(s) and attach a copy, if available. \_\_\_\_\_.

5. Relevant evidence for the Court's consideration is detailed in the attached affidavit(s) that demonstrates the Respondent:

\_\_\_\_\_ was involved in a recent act or threat of violence against themselves or others;

\_\_\_\_\_ engaged in an act or threat of violence, including but not limited to acts or threats of violence against themselves, within the past 12 months;

\_\_\_\_\_ may be seriously mentally ill or may have recurring mental health issues;

\_\_\_\_\_ has violated a risk protection order or no contact order issued under section(s) 741.30, 784.046, or 784.0485, Florida Statutes;

\_\_\_\_\_ is the subject of a previous or existing risk protection order;

\_\_\_\_\_ has violated a previous or existing risk protection order;

\_\_\_\_\_ has been convicted of, had adjudication withheld on, or pled *nolo contendere* in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Florida Statutes;

\_\_\_\_\_ has used, or threatened to use, against themselves or others, any weapons;

\_\_\_\_\_ has unlawfully or recklessly used, displayed, or brandished a firearm;

\_\_\_\_\_ has used, or threatened to use on a recurring basis, physical force against another person or has stalked another person;

\_\_\_\_\_ has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere* to a crime involving violence or a threat of violence in Florida or in any other state;

\_\_\_\_\_ has abused or is abusing controlled substances or alcohol;

\_\_\_\_\_ has recently acquired firearms or ammunition;

\_\_\_\_\_ is required to possess firearm(s) and/or ammunition in the scope and duties of their occupation;

\_\_\_\_\_ has been the subject of proceedings under the Baker Act or Marchman Act;

\_\_\_\_\_ other (Additional relevant information may be included as attached exhibits. This may include reports or conclusions from a threat assessment team.).

**SECTION IV. NOTICE**

\_\_\_\_\_ Petitioner has made a good faith effort to provide notice to a family or household member of the Respondent and to any known third party who may be at risk of violence in compliance with s. 790.401(2)(f), Florida Statutes; or

\_\_\_\_\_ Petitioner will take the following steps to provide notice as required by s. 790.401(2)(f), Florida Statutes.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION V. [TEMPORARY] RISK PROTECTION ORDERS**

For the foregoing reasons, Petitioner requests the Court to:

\_\_\_\_\_ enter a Temporary Risk Protection Order.

\_\_\_\_\_ schedule a hearing to be held within 14 days of the date of the order to determine if a Final Risk Protection Order should be entered.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Name of person filing petition

\_\_\_\_\_  
Law Enforcement Agency

\_\_\_\_\_  
Service address

\_\_\_\_\_  
Email address

\_\_\_\_\_  
Telephone Number

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**TEMPORARY EX PARTE RISK PROTECTION ORDER**  
**AND NOTICE OF FURTHER PROCEEDINGS**

**THIS CAUSE** came before the Court upon a Petition for a Risk Protection Order including a request for a Temporary Ex Parte Risk Protection Order. The Court having reviewed the petition, considered all relevant evidence presented, and being otherwise fully advised in the premises, the request for a Temporary Ex Parte Risk Protection Order is hereby **GRANTED**.

**NOTICE OF HEARING**

The hearing on the petition for a Final Risk Protection Order will be held in Courtroom \_\_\_\_\_, in the court facility located at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ A.M./P.M. At this hearing, the Court will determine if a final risk protection order should be issued.

**SECTION I. EVIDENCE AND FINDINGS**

The Court has received evidence that:

\_\_\_\_\_ the Respondent engaged in a recent act or threat of violence against themselves or others;

\_\_\_\_\_ the Respondent engaged in an act or threat of violence, including but not limited to acts or threats of violence against themselves, within the past 12 months;

\_\_\_\_\_ the Respondent may be seriously mentally ill or may have recurring mental health issues;

\_\_\_\_\_ the Respondent has violated a risk protection order or no contact order issued under section(s) 741.30, 784.046, or 784.0485, Florida Statutes;

\_\_\_\_\_ the Respondent is the subject of a previous or existing risk protection order;

\_\_\_\_\_ the Respondent has violated a previous or existing risk protection order;

\_\_\_\_\_ the Respondent has been convicted of, had adjudication withheld on, or pled *nolo contendere* in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Florida Statutes;

\_\_\_\_\_ the Respondent has used, or threatened to use, against themselves or others, any weapons;

\_\_\_\_\_ the Respondent has unlawfully or recklessly used, displayed, or brandished a firearm;

\_\_\_\_\_ the Respondent has used, or threatened to use on a recurring basis, physical force against another person or has stalked another person;

\_\_\_\_\_ the Respondent has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere* to a crime involving violence or a threat of violence in Florida or in any other state;

\_\_\_\_\_ the Respondent, based on corroborated evidence, has abused or is abusing controlled substances or alcohol;

\_\_\_\_\_ the Respondent has recently acquired firearms or ammunition;

In addition, the Court has:

\_\_\_\_\_ considered all relevant information from family and household members concerning the Respondent;

\_\_\_\_\_ received witness testimony while the witness was under oath concerning the present matter; and

\_\_\_\_\_ considered other relevant evidence as follows:

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Based on these facts, the Court finds there is reasonable cause to believe Respondent poses a significant danger of causing personal injury to themselves or others in the near future by having in their custody or control any firearm or ammunition, or by purchasing, possessing, or receiving, a firearm or ammunition.

**SECTION II. ORDERED AND AJUDGED**

**RESPONDENT IS HEREBY ORDERED TO SURRENDER TO THE LAW ENFORCEMENT OFFICER SERVING THIS ORDER ALL FIREARMS AND AMMUNITION THAT THEY OWN OR HAVE IN THEIR CUSTODY, CONTROL, OR POSSESSION AND ANY LICENSE TO CARRY A CONCEALED WEAPON OR A CONCEALED FIREARM ISSUED UNDER S. 790.06, FLORIDA STATUTES.**

**A person who has in their custody or control a firearm or any ammunition or who purchases, possesses, or receives a firearm or any ammunition with knowledge that they are prohibited from doing so by court order commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.**

**Respondent has the sole responsibility to refrain from violating this order. Only the court can change the order and only upon written request.**

**To the subject of this protection order: This order is valid until the date noted above. You are required to surrender all firearms and ammunition that you own in your custody, control, or possession. You may not have in your custody or control, or purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect. You must surrender immediately to the \_\_\_\_\_ (insert name of law enforcement officer) Statutes. A hearing will be held on the date and at the time noted above to determine if a final risk protection order should be issued. Failure to appear at that hearing may result in a court issuing an order against you which is valid for 1 year. You may seek the advice of an attorney as to any matter connected with this order.**

Additional provisions applicable to this order, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTICE OF COMPLIANCE HEARING**

Petitioner and Respondent are ORDERED to appear for a hearing at which the Respondent will be required to prove compliance with this Order, to be held in Courtroom \_\_\_\_\_, in the court facility located at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ A.M./P.M. A law enforcement officer taking

possession of any firearm or ammunition owned by the Respondent or a license to carry a concealed weapon or firearm held by the Respondent shall issue a receipt identifying all firearms and the quantity and type of ammunition that have been surrendered. Law enforcement shall file the original receipt with the Court. The Court may cancel the hearing upon a satisfactory showing that the Respondent is in compliance with the order.

Respondent and/or Respondent's attorney may file any responsive pleadings in this cause with the Clerk of the Circuit Court located at \_\_\_\_\_.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the clerk of the circuit court of [name of county], Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
{Deputy Clerk or Judicial Assistant}

*Copies furnished to:*

Petitioner (or his or her attorney):

\_\_\_\_ by email

\_\_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)

\_\_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)

\_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, [name of petitioner], acknowledge receipt of a certified copy of this Temporary Ex Parte Risk Protection Order and Notice of Further Proceedings.

\_\_\_\_\_  
[Name of petitioner]

Respondent:

\_\_\_\_ copy forwarded to law enforcement for personal service

Department of Agriculture and Consumer Services

\_\_\_\_ by email

\_\_\_\_ U.S. mail

Section 790.401, Florida Statutes, does not require the court to record a hearing on a petition for a risk protection order; however, any party may arrange for a court reporter to record the hearing and to prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance. In the event of an appeal, the appealing party will be required to provide the court with a written transcript of what was said at the hearing.

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact [identify applicable court personnel by name, address, and telephone number] at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**ORDER DENYING PETITION FOR A  
TEMPORARY EX PARTE RISK PROTECTION ORDER AND SETTING A HEARING  
FOR A FINAL RISK PROTECTION ORDER**

**THIS CAUSE** came before the Court upon a Petition for a Final Risk Protection Order including a request for a Temporary Ex Parte Risk Protection Order. The Court, having considered the petition, testimony, record, applicable law, and being otherwise fully advised in the premises, makes the following findings and rulings:

The request for a Temporary Ex Parte Risk Protection Order is hereby **DENIED**.

The specific facts or findings for said denial are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

It is therefore **ORDERED and ADJUDGED** that Petitioner's request for a temporary ex parte risk protection order is **DENIED** without prejudice for Petitioner to provide evidence at the hearing for a final risk protection order or to file a subsequent petition for a temporary ex parte risk protection order against the Respondent herein.

**NOTICE OF HEARING**

The Final Risk Protection Order Hearing will be held in Courtroom \_\_\_\_\_, in the court facility located at \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ A.M./P.M. At this hearing, the Court will determine if a final risk protection order should be issued.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
*{Deputy Clerk or Judicial Assistant}*

*Copies furnished to:*

Petitioner (or his or her attorney):

\_\_\_\_ by email

\_\_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)

\_\_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)

\_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, *[name of petitioner]*, acknowledge receipt of a certified copy of this Order Denying Petition for a Temporary Ex Parte Risk Protection Order and Setting a Hearing for a Final Risk Protection Order.

\_\_\_\_\_  
*[Name of petitioner]*

Respondent (or his or her attorney):

\_\_\_\_ copy forwarded to law enforcement for personal service

Section 790.401, Florida Statutes, does not require the court to record a hearing on a petition for

a risk protection order; however, any party may arrange for a court reporter to record the hearing and to prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance. In the event of an appeal, the appealing party will be required to provide the court with a written transcript of what was said at the hearing.

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact [identify applicable court personnel by name, address, and telephone number] at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.**

**IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**FINAL RISK PROTECTION ORDER**  
**[AND NOTICE OF HEARING]**

A Petition for a Risk Protection Order under Section 790.401, Florida Statutes, and other papers filed in this court have been reviewed. The Court has jurisdiction of the parties and subject matter.

**SECTION I. HEARING**

The cause came before the Court for a hearing to determine whether a Final Risk Protection Order should be \_\_\_\_\_ issued \_\_\_\_\_ modified \_\_\_\_\_ extended.

The Final Hearing was attended by:

\_\_\_\_\_ Petitioner      \_\_\_\_\_ Petitioner's Counsel

\_\_\_\_\_ Respondent      \_\_\_\_\_ Respondent's Counsel

**SECTION II. EVIDENCE and FINDINGS**

On {*date*} \_\_\_\_\_, a notice of this hearing was served upon the Respondent together with a copy of the Petition For Risk Protection Order and any other relevant papers, and if issued, a Temporary Risk Protection Order. Service was within the time required by Florida law and the Respondent was given an opportunity to be heard.

The Court has received evidence that:

- \_\_\_\_\_ the Respondent engaged in a recent act or threat of violence against themselves or others;
- \_\_\_\_\_ the Respondent engaged in an act or threat of violence, including but not limited to acts or threats of violence against themselves, within the past 12 months;
- \_\_\_\_\_ the Respondent may be seriously mentally ill or may have recurring mental health issues;
- \_\_\_\_\_ the Respondent has violated a risk protection order or no contact order issued under section(s) 741.30, 784.046, or 784.0485, Florida Statutes;
- \_\_\_\_\_ the Respondent is the subject of a previous or existing risk protection order;
- \_\_\_\_\_ the Respondent has violated a previous or existing risk protection order;
- \_\_\_\_\_ the Respondent has been convicted of, had adjudication withheld on, or pled *nolo contendere* in Florida or in any other state to a crime that constitutes domestic violence as defined in s. 741.28, Florida Statutes;
- \_\_\_\_\_ the Respondent has used, or threatened to use, against themselves or others, any weapons;
- \_\_\_\_\_ the Respondent has unlawfully or recklessly used, displayed, or brandished a firearm;
- \_\_\_\_\_ the Respondent has used, or threatened to use on a recurring basis, physical force against another person or has stalked another person;
- \_\_\_\_\_ the Respondent has been arrested for, convicted of, had adjudication withheld, or pled *nolo contendere* to a crime involving violence or a threat of violence in Florida or in any other state;
- \_\_\_\_\_ the Respondent, based on corroborated evidence, has abused or is abusing controlled substances or alcohol;
- \_\_\_\_\_ the Respondent has recently acquired firearms or ammunition;

In addition the Court has:

- \_\_\_\_\_ considered all relevant information from family and household members concerning the Respondent;
- \_\_\_\_\_ accepted an agreed stipulation from the parties agreeing to entry of the risk protection order;
- \_\_\_\_\_ received witness testimony while the witness was under oath concerning the present matter; and



\_\_\_\_\_ considered other relevant evidence as follows:

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Based on these facts, the Court finds, by clear and convincing evidence, that Respondent poses a significant danger of causing personal injury to themselves or others by having in their custody or control any firearm or ammunition, or by purchasing, possessing, or receiving a firearm or ammunition.

**SECTION III. ORDERED and ADJUDGED**

**RESPONDENT IS HEREBY ORDERED TO SURRENDER IMMEDIATELY TO LAW ENFORCEMENT ALL FIREARMS AND AMMUNITION THAT THEY OWN OR HAVE IN THEIR CUSTODY, CONTROL, OR POSSESSION AND ANY LICENSE TO CARRY A CONCEALED WEAPON OR FIREARM ISSUED UNDER S. 790.06, FLORIDA STATUTES. RESPONDENT MAY NOT HAVE IN THEIR CUSTODY OR CONTROL, OR PURCHASE, POSSESS, RECEIVE, OR ATTEMPT TO PURCHASE OR RECEIVE, A FIREARM OR AMMUNITION WHILE THIS ORDER IS IN EFFECT.**

**A person who has in his or her custody or control a firearm or any ammunition or who purchases, possesses, or receives a firearm or any ammunition with knowledge that they are prohibited from doing so by court order commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.**

**Respondent has the sole responsibility to refrain from violating this order. Only a judge can change the order and only upon written request.**

Additional provisions applicable to this order, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION IV. COMPLIANCE HEARING**

\_\_\_\_\_ The court has received a stipulation/agreement of compliance from the parties or has received evidence proving that the Respondent has surrendered all firearms, ammunition, and/or any license issued under s. 790.06, Florida Statutes, making it unnecessary to schedule a three-day compliance hearing on the issue.

(or)

\_\_\_\_\_ The Respondent has been ordered to surrender all firearms, ammunition and any license issued under s. 790.06, Florida Statutes; however, there has not been a satisfactory showing at this time that they are in full compliance with that order. Therefore, it is further ordered that the matter be set for an evidentiary hearing.

### **NOTICE OF COMPLIANCE HEARING**

**Petitioner and Respondent shall appear for a hearing at which the Respondent will be required to prove compliance, to be held in Courtroom \_\_\_\_\_, in the court facility located at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ A.M./P.M. A law enforcement officer taking possession of any firearm or ammunition owned by the Respondent, or a license to carry a concealed weapon or firearm held by the Respondent, shall issue a receipt identifying all firearms and the quantity and type of ammunition that have been surrendered. Law enforcement shall file the original receipt with the Court. The Court may cancel the compliance hearing upon a satisfactory showing the Respondent is in compliance with this order.**

### **SECTION V. EVALUATIONS**

Pursuant to s. 790.041, Florida Statutes, the court has considered whether a mental health evaluation or a chemical dependency evaluation is appropriate. Based on the facts established at this hearing, the court finds:

\_\_\_\_\_ such an evaluation is not required at this time.

(or)

\_\_\_\_\_ the evidence supports a requirement that the Respondent obtain, from a licensed mental health professional or licensed facility:

\_\_\_\_\_ a mental health evaluation.

\_\_\_\_\_ a chemical dependency evaluation.

Therefore, the court now orders such evaluation(s). Respondent shall, within \_\_\_\_\_ days of the date of this order, obtain such evaluation(s) and file evidence of compliance with the court and serve a copy on Petitioner.

### **SECTION VI. EXPIRATION/EXTENSION/VACATION**

THIS FINAL RISK PROTECTION ORDER shall be in effect until \_\_\_\_\_, 20\_\_\_\_, unless extended or vacated, pursuant to section 790.401, Florida Statutes.

**Petitioner is hereby noticed that this Final Risk Protection Order will last until the date noted above. The Petitioner may, by motion, request an extension of this order at any time within 30 days before the end of the order.**

To the subject of this protection order: This order will last until the date noted above. If you have not done so already, you must surrender immediately to the \_\_\_\_\_ (insert

*name of local law enforcement agency*) all firearms and ammunition that you own in your custody, control, or possession and any license to carry a concealed weapon or firearm issued to you under section 790.06, Florida Statutes. You may not have in your custody or control, or purchase, possess, receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect. You have the right to request one hearing to vacate this order, starting after the date of the issuance of this order, and to request another hearing after every extension of the order, if any. You may seek the advice of an attorney as to any matter connected with this order.

Respondent and/or Respondent's attorney may file a written request to vacate this order pursuant to s. 790.401(6), Florida Statutes, with the Clerk of the Circuit Court located at

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**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Judge

*Copies furnished to:*

Petitioner (or his or her attorney):

- \_\_\_ by email
- \_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, [*name of petitioner*], acknowledge receipt of a certified copy of this Final Risk Protection Order [and Notice of Hearing].

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[*Name of petitioner*]

Respondent (or his or her attorney):

- \_\_\_ by email
- \_\_\_ by hand-delivery in open court (Respondent acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_ by certification by clerk (Respondent failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_ by mail to last known address
- \_\_\_ copy forwarded to law enforcement for personal service

**ACKNOWLEDGMENT**

I, *[name of respondent]*, acknowledge receipt of a certified copy of this Final Risk Protection Order [and Notice of Hearing].

---

*[Name of Respondent]*

Department of Agriculture and Consumer Services

\_\_\_\_ by email

\_\_\_\_ U.S. mail

Section 790.401, Florida Statutes, does not require the court to record a hearing on a petition for a risk protection order; however, any party may arrange for a court reporter to record the hearing and to prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance. In the event of an appeal, the appealing party will be required to provide the court with a written transcript of what was said at the hearing.

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact [identify applicable court personnel by name, address, and telephone number] at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.**

**IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

\_\_\_\_\_  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_  
Respondent

**FINAL ORDER DENYING PETITION FOR RISK PROTECTION ORDER**

**THIS CAUSE** came before the Court upon a Petition for a Risk Protection Order. The Court, having considered the petition, testimony, record, applicable law, and being otherwise fully advised in the premises, makes the following findings and rulings:

The petition is hereby **DENIED**.

The specific facts or findings for said denial are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

It is therefore **ORDERED and ADJUDGED** that Petitioner’s petition for a Risk Protection Order is **DENIED**.

ADDITIONAL REQUIRED LANGUAGE IF TEMPORARY RISK PROTECTION ORDER HAD BEEN ISSUED AND FIREARMS/AMMUNITION/LICENSE HAD BEEN SURRENDERED:

IT IS FURTHER ORDERED that Petitioner shall, as requested by Respondent, return any firearms, ammunition, or license to carry a concealed weapon or firearm that was surrendered by Respondent only after complying with all applicable provisions of federal and state law.

IT IS FURTHER ORDERED that the Clerk of the Court shall immediately forward a copy of this Order to the Department of Agriculture and Consumer Services and Petitioner.

IT IS FURTHER ORDERED that the Department of Agriculture and Consumer Services shall, if it has suspended Respondent's license to carry a concealed weapon or firearm, reinstate Respondent's license to carry a concealed weapon or firearm only after complying with all applicable provisions of federal and state law.

IT IS FURTHER ORDERED that upon receipt of this Order, Petitioner shall promptly remove the risk protection order in this case from any computer-based system in which it was entered, including the Florida Crime Information Center and National Crime Information Center.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the clerk of the circuit court of [name of county], Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
{Deputy Clerk or Judicial Assistant}

*Copies furnished to:*

Petitioner (or his or her attorney):

\_\_\_\_ by email

\_\_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)

\_\_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)

\_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, [name of petitioner], acknowledge receipt of a certified copy of this Final Order Denying Petition for Risk Protection Order.

\_\_\_\_\_  
[Name of petitioner]

Respondent (or his or her attorney):

\_\_\_\_ by email

\_\_\_ by hand-delivery in open court (Respondent acknowledged receipt in writing on the face of the original order – see below.)

\_\_\_ by certification by clerk (Respondent failed or refused to acknowledge receipt of a certified copy.)

\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, *[name of respondent]*, acknowledge receipt of a certified copy of this Final Order Denying Petition for Risk Protection Order.

---

*[Name of respondent]*

Department of Agriculture and Consumer Services

\_\_\_ by email

\_\_\_ U.S. mail

**INSTRUCTIONS FOR WRITTEN REQUEST FOR HEARING TO VACATE FINAL  
RISK PROTECTION ORDER**

**When should this form be used?**

This form must be used if you wish to request a hearing to vacate a final risk protection order that has been entered against you pursuant to section 790.401(3), Florida Statutes, or that has been extended pursuant to section 790.401(6), Florida Statutes. If you use this form, you are the respondent. As respondent, you may file one written request for a hearing to vacate a final risk protection order after the date the order is issued by the judge. You may also file one written request for a hearing to vacate after each extension of the final risk protection order.

**Who may file this form?**

This form may be filed by:

- A respondent who has had a final risk protection order entered against him or her pursuant to section 790.401(3), Florida Statutes, and who has not previously filed a written request for a hearing to vacate the order; or
- A respondent who has had a final risk protection order against him or her extended and who has not previously filed a written request to vacate the risk protection order since such extension.

**Additional Instructions**

You must file the original of this form with the clerk of court and must serve a copy (by U.S. Mail, email, hand delivery, or other means of service permitted under the rules of court) on the Petitioner in this case.



**IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**REQUEST FOR HEARING TO VACATE FINAL RISK PROTECTION ORDER**

**SECTION I.**

1. I am the Respondent in this case.
2. I currently live at the following address *{street address, city, state, and zip code}*:

\_\_\_\_\_  
3. My telephone number *{area code and number}* is: \_\_\_\_\_

4. My email address (if applicable) is: \_\_\_\_\_

5. My attorney's name, address, and telephone number are:

\_\_\_\_\_  
(If you do not have an attorney, write "none.")

**SECTION II.**

1. Pursuant to Section 790.401(6)(a), Florida Statutes, this is a request for a hearing to vacate a Final Risk Protection Order entered *{date}* \_\_\_\_\_ by Judge \_\_\_\_\_. *{name of judge who entered the risk protection order}*.
2. I have not previously requested a hearing to vacate the Final Risk Protection Order presently in effect.
3. I do not pose a significant danger of causing personal injury to myself or to others by having firearms and/or ammunition in my custody, control, or possession, or by purchasing, possessing, or receiving a firearm or ammunition for the reasons below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**ORDER SETTING HEARING ON RESPONDENT'S  
REQUEST TO VACATE FINAL RISK PROTECTION ORDER**

This cause came before the Court upon Respondent's request for a hearing to vacate the Final Risk Protection Order dated \_\_\_\_\_. The Court, having reviewed the file and determined the Respondent has not previously requested such relief, **ORDERS** the matter to be set for hearing as follows:

**NOTICE OF HEARING**

The hearing on Respondent's Request to Vacate the Final Risk Protection Order will be held in Courtroom \_\_\_\_\_ in the court facility located at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ A.M./P.M. to determine if the Risk Protection Order shall remain in effect or shall be vacated.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
*{Deputy Clerk or Judicial Assistant}*

*Copies furnished to:*

Petitioner (or his or her attorney):

- \_\_\_\_ by email
- \_\_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_\_ by mail to last known address

ACKNOWLEDGMENT

I, *[name of petitioner]*, acknowledge receipt of a certified copy of this Order Setting Hearing on Respondent's Request to Vacate Final Risk Protection Order.

\_\_\_\_\_  
*[Name of petitioner]*

Respondent (or his or her attorney):

- \_\_\_\_ by email
- \_\_\_\_ by hand-delivery in open court (Respondent acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_\_ by certification by clerk (Respondent failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_\_ by mail to last known address

ACKNOWLEDGMENT

I, *[name of respondent]*, acknowledge receipt of a certified copy of this Order Setting Hearing on Respondent's Request to Vacate Final Risk Protection Order.

\_\_\_\_\_  
*[Name of respondent]*

Section 790.401, Florida Statutes, does not require the court to record a hearing on a request to vacate a risk protection order; however, any party may arrange for a court reporter to record the hearing and to prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance. In the event of an appeal, the appealing party will be required to provide the court with a written transcript of what was said at the hearing.

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact [identify applicable court personnel by name, address, and telephone number] at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.**

**IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**ORDER VACATING FINAL RISK PROTECTION ORDER**

This cause came before the Court upon Respondent's request, pursuant to s. 790.401(6)(a), Florida Statutes, to vacate a Final Risk Protection Order dated \_\_\_\_\_.

The Court, having reviewed the file and heard the testimony, makes the following findings:

1. The Court has jurisdiction over the subject matter and the parties.
2. The Respondent has proven by clear and convincing evidence that they do not pose a significant danger of causing personal injury to themselves or others by having firearms or ammunition in their custody or control, or by purchasing, possessing, or receiving a firearm or ammunition.

Accordingly, it is hereby:

ORDERED that the Final Risk Protection Order dated \_\_\_\_\_ is hereby VACATED.

IT IS FURTHER ORDERED that Petitioner shall, as requested by Respondent, return any firearms, ammunition, or license to carry a concealed weapon or firearm that was surrendered by Respondent only after complying with all applicable provisions of federal and state law.

IT IS FURTHER ORDERED that the Clerk of the Court shall immediately forward a copy of this Order to the Department of Agriculture and Consumer Services and Petitioner.

IT IS FURTHER ORDERED that the Department of Agriculture and Consumer Services shall, if it has suspended Respondent's license to carry a concealed weapon or firearm, reinstate Respondent's license to carry a concealed weapon or firearm only after complying with all applicable provisions of federal and state law.

IT IS FURTHER ORDERED that upon receipt of this Order, Petitioner shall promptly remove the risk protection order in this case from any computer-based system in which it was entered, including the Florida Crime Information Center and National Crime Information Center.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
{Deputy Clerk or Judicial Assistant}

*Copies furnished to:*

Petitioner (or his or her attorney):

\_\_\_\_ by email

\_\_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)

\_\_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)

\_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, [name of petitioner], acknowledge receipt of a certified copy of this Order Vacating Final Risk Protection Order.

\_\_\_\_\_  
[Name of petitioner]

Respondent (or his or her attorney):

\_\_\_\_ by email

\_\_\_\_ by hand-delivery in open court (Respondent acknowledged receipt in writing on the face of the original order – see below.)

\_\_\_\_ certification by clerk (Respondent failed or refused to acknowledge receipt of a certified copy.)

\_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, [name of respondent], acknowledge receipt of a certified copy of this Order Vacating Final Risk Protection Order.

\_\_\_\_\_  
[Name of respondent]

Department of Agriculture and Consumer Services

\_\_\_\_ by email

\_\_\_\_ U.S. mail

**IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**ORDER DENYING RESPONDENT'S REQUEST TO VACATE**

This cause came before the Court upon Respondent's request for a hearing to vacate a Final Risk Protection Order dated \_\_\_\_\_.

The Court, having reviewed the file makes the following findings:

\_\_\_\_\_ The Respondent previously filed a Request to Vacate the above dated Final Risk Protection Order that is presently in effect. That prior request was considered by the court at a hearing and was denied. Therefore, the Respondent is not entitled to another hearing on this matter and the Request to Vacate must be and is **Denied**.

-or-

\_\_\_\_\_ The Respondent has not previously filed a Request to Vacate the above dated Final Risk Protection Order and the matter was set for hearing. After considering the evidence submitted at that hearing, the court finds the Respondent has not proven by clear and convincing evidence that they no longer pose a significant danger of causing personal injury to themselves or others by having firearms or ammunition in their custody or control, or by purchasing, possessing, or receiving a firearm or ammunition.

**ORDERED AND ADJUDGED:**

The Final Risk Protection Order dated \_\_\_\_\_ is not vacated and remains in effect. Respondent may not request another hearing to vacate unless the risk protection order presently in effect is extended.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
{Deputy Clerk or Judicial Assistant}

*Copies furnished to:*

Petitioner (or his or her attorney):

- \_\_\_ by email
- \_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, *[name of petitioner]*, acknowledge receipt of a certified copy of this Order Denying Respondent's Request to Vacate.

\_\_\_\_\_  
*[Name of petitioner]*

Respondent (or his or her attorney):

- \_\_\_ by email
- \_\_\_ by hand-delivery in open court (Respondent acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_ certification by clerk (Respondent failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, *[name of respondent]*, acknowledge receipt of a certified copy of this Order Denying Respondent's Request to Vacate.

\_\_\_\_\_  
*[Name of respondent]*

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.



**IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA**

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**PETITIONER'S MOTION TO EXTEND FINAL RISK PROTECTION ORDER**

COMES NOW, the Petitioner, pursuant to s. 790.401(6)(c), Florida Statutes, and hereby requests the Court to extend the final risk protection order in this case for a period of \_\_\_\_\_, and as grounds alleges that:

1. A Final Risk Protection Order was entered in this case on \_\_\_\_\_.
2. The Final Risk Protection Order expires on \_\_\_\_\_, which is within 30 days from today's date.
3. The grounds for the extension of the Final Risk Protection Order are as follows:

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(Attach an affidavit or additional pages if necessary.)

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Name of person filing petition

\_\_\_\_\_  
Law Enforcement Agency

\_\_\_\_\_  
Service address

\_\_\_\_\_  
Email address

\_\_\_\_\_  
Telephone Number

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of this Motion to Extend Final Risk Protection Order was served on Respondent by (enter service method) at (enter address), this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner

Section 790.401, Florida Statutes, does not require the court to record a hearing on motion to extend a risk protection order; however, any party may arrange for a court reporter to record the hearing and to prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance. In the event of an appeal, the appealing party will be required to provide the court with a written transcript of what was said at the hearing.

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact [identify applicable court personnel by name, address, and telephone number] at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.**

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

\_\_\_\_\_,  
Petitioner  
(Law Enforcement Officer/Agency)

Case No.: \_\_\_\_\_

v.

Division: \_\_\_\_\_

\_\_\_\_\_,  
Respondent

**ORDER SETTING HEARING ON PETITIONER'S  
MOTION TO EXTEND FINAL RISK PROTECTION ORDER**

This cause came before the Court upon Petitioner's Motion to Extend Final Risk Protection Order and the Court, having reviewed the file, **ORDERS** as follows:

**NOTICE OF HEARING**

The hearing on the Motion to Extend Final Risk Protection Order will be held in Courtroom \_\_\_\_\_, in the court facility located at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ A.M./P.M. At this hearing, the Court will determine if the final risk protection order should be extended or if the final risk protection order will be allowed to expire.

**To the Respondent:** A hearing will be held on the date and at the time noted above to determine if the final risk protection order should be extended. Failure to appear at that hearing may result in a court issuing a risk protection order against you which is valid for up to 1 year. You may seek the advice of an attorney as to any matter connected with this order.

**DONE AND ORDERED** at \_\_\_\_\_, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge

I CERTIFY the foregoing is a true copy of the original order as it appears on file in the office of the Clerk of the Circuit Court of \_\_\_\_\_ County, Florida, and that I have furnished copies of this order as indicated below.

By: \_\_\_\_\_  
*{Deputy Clerk or Judicial Assistant}*

*Copies furnished to:*

Petitioner (or his or her attorney):

- \_\_\_\_ by email
- \_\_\_\_ by hand-delivery in open court (Petitioner acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_\_ by certification by clerk (Petitioner failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, *[name of petitioner]*, acknowledge receipt of a certified copy of this Order Setting Hearing on Petitioner's Motion to Extend Final Risk Protection Order.

\_\_\_\_\_  
*[Name of petitioner]*

Respondent (or his or her attorney):

- \_\_\_\_ by email
- \_\_\_\_ by hand-delivery in open court (Respondent acknowledged receipt in writing on the face of the original order – see below.)
- \_\_\_\_ certification by clerk (Respondent failed or refused to acknowledge receipt of a certified copy.)
- \_\_\_\_ by mail to last known address

**ACKNOWLEDGMENT**

I, *[name of respondent]*, acknowledge receipt of a certified copy of this Order Setting Hearing on Petitioner's Motion to Extend Final Risk Protection Order.

\_\_\_\_\_  
*[Name of respondent]*

Section 790.401, Florida Statutes, does not require the court to record a hearing on a motion to extend a risk protection order; however, any party may arrange for a court reporter to record the hearing and to prepare a written transcript of the hearing at that party's expense. Arrangements for a court reporter must be made in advance. In the event of an appeal, the appealing party will be required to provide the court with a written transcript of what was said at the hearing.

Respondent has a responsibility to keep the court informed, in writing, of any change of address. Failure to do so may jeopardize Respondent's rights.

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact [identify applicable court personnel by name, address, and telephone number] at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days. If you are hearing or voice impaired, call 711.**