

## FORM SUMMARY

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**Name of Form:** **Petition for Temporary Restraining Order and/or Petition and Motion for Injunction Hearing (Child Abuse – 30710)**

**Form Number:** **CV-412**

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**Statutory Reference:** §§813.122 and 814.04, Wisconsin Statutes

**Benchbook Reference:** FA 18-16

**Purpose of Form:** To petition the court for an order to restrain someone from committing child abuse and to schedule a hearing on an injunction.

**Who Completes It:** Party who is seeking the restraining order.

**Distribution of Form:** Original to court, copies to petitioner and to respondent (by service), and law enforcement.

**Accompanying Forms:** Documents submitted to the court in support of the petition, plus a prepared copy of a Temporary Restraining Order for signing by the judge or court commissioner. If a respondent is the parent or legal guardian of the child or has court-ordered visitation with the child, the petitioner must complete the UCCJEA GF-150 form.

**New Form/Modification:** Modified; last update 05/16.

**Modifications:** Changed child's relationship to respondent (deleted parent and step parent and added neighbor, classmate and grandchild). Deleted "[ ]" before setting a time for a hearing. Deleted notary section and added a declaration statement.

**Comments:** Available in Spanish and Hmong.

2013 WI Act 311, added extension of injunction language; added UCCJEA affidavit language.

There are two sets of forms for child abuse injunctions--a juvenile court set (JC-1690 to JC-1692) and civil court set (CV-412 to CV-414). The civil court set, with the documents filed with the clerk of court, are used in all cases unless one of the following two exceptions exist:

1. The respondent is a child; or
2. There is a pending CHIPS action in the juvenile court involving the child victim.

There is no filing fee in any child abuse action filed in adult or juvenile court in compliance with Act 272.

**About this Form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**