

Virginia Township Justice Court, Storey County, Nevada

This packet contains the forms you will need when applying for a Protection Order on Behalf of a Minor Child

- 1. Application Instructions**
- 2. Confidential Protection Order Information**
- 3. Civil Court Cover Sheet**
- 4. Application for Protection Order**
- 5. Continuation Page**

APPLICATION INSTRUCTIONS for
PROTECTION OF CHILDREN – NRS 33.400
PLEASE READ CAREFULLY

In addition to any other remedy provided by law, the parent or guardian of a child may petition the court on behalf of the child for a temporary or extended order against a person who is 18 years of age or older and who the parent or guardian reasonably believes has committed or is committing a crime involving: (a) Physical or mental injury to a child of a non-accidental nature; or (b) Sexual abuse or sexual exploitation of the child.

If you are the one applying for the Temporary Protection Order on behalf of a minor, you are the "Applicant." You must list the minor's name where requested within the application and, if the court issues an order, the minor will be named on the order.

The person you are asking that the minor be protected from is called the "Adverse Party."

For a justice court to issue a protection order for a crime against a child, the incident must occur in the area served by the court. An act of stalking and/or harassment occurred "where the conduct occurred," or "where the person who was affected by the conduct was located at the time that the conduct occurred." For example, if the Adverse Party is stalking the child in this community, you may file an application in this community's justice court. If the Adverse Party is making threatening phone calls, and the phone calls are received in this community, you may file the application in this community's justice court.

When you sign the application, you are declaring that what you have stated is true and correct; you are asking the Court to intervene to protect the minor child from the Adverse Party.

By submitting a signed application, you have started a legal process. Only a judge can stop this process.

There are 3 possible rulings that the Court can make:

1. Grant the request for a Temporary Protection Order;
2. Require a hearing to clarify issues on the application before granting or denying the request;
3. Deny the request.

You may have to appear in court if (1) Your request is granted and an order is issued with a hearing date

scheduled; OR (2) A hearing is required before a decision can be made as to whether the court will grant or deny the request.

When the Adverse Party is served, he/she will receive a copy of the TEMPORARY PROTECTION ORDER or ORDER FOR HEARING and a copy of the APPLICATION. The Adverse Party WILL NOT receive a copy of the confidential information sheet.

When the Adverse Party is served, he/she will be notified of any hearing and will have the right to attend. The hearing is an opportunity for the Applicant and Adverse Party to speak to the court and request an extension, modification, correction, or dissolution of the protection order.

APPLICATION INSTRUCTIONS:

1. Use BLACK or DARK BLUE INK when filling out the application. Print clearly. *Pencil or different-colored ink is not acceptable.*
2. Do NOT write on the back or along the sides of any pages. Use the "continuation pages" provided by the court or use standard 8½ by 11-inch paper.
3. BE SPECIFIC. Detail who, what, when, and where.
4. Start with the most recent incident(s) and provide approximate dates.
5. USE EXACT LANGUAGE. The Court needs to know exactly what the Adverse Party said, even if profanities were used.
6. Remember, the application is a public record once it is filed, so if there are phone numbers or addresses that you do not want the public or Adverse Party to know, DO NOT put that information in the application. Select the "confidential box."
7. Law enforcement needs to serve the court's order so please make every effort to provide a home or work address for the Adverse Party.
8. If there is any part of this application that you do not understand, leave the area blank. An advocate or court employee may be able to assist you. Remember, however, that only a lawyer can give you legal advice.
9. When you file the application with the court, you may need to provide picture identification.
10. The judge will review your application to determine if a protection order should be issued based upon your description of events.
11. The clerk will furnish you with copies of your application and, if issued, the order. It's important to keep copies of the filed order with you at all times. You may need to show a filed copy to law enforcement upon an alleged violation of the order by the Adverse Party.
12. If you need more information about you legal rights, you are encouraged to consult with an attorney.

CONFIDENTIAL PROTECTION ORDER INFORMATION

Law Enforcement: Do not serve this sheet with documents to be delivered.

Applicant: Print clearly all the information you know. This helps law enforcement locate and serve the Adverse Party.

YOUR INFORMATION

Your Name: _____ M F O
(OBO Minor Child) (First) (Middle) (Last)

Birthdate ____/____/____ Social Security Number: ____-____-____ Race: _____
(MM) (DD) (YY)

Address: _____
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Mailing Address: _____
(If different) (Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Home Phone: _____ Cell Phone: _____ Work Phone: _____

Email Address: _____ I prefer to be notified of future court dates by email / mail

ADVERSE PARTY INFORMATION

Name: _____ M F O
(First) (Middle) (Last)

Other Name Used: _____
(First) (Middle) (Last)

Birthdate ____/____/____ Social Security Number: ____-____-____ Race: _____
(MM) (DD) (YY)

Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Home Address: _____
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Is this address difficult to find? No Yes: explain: _____

Mailing Address: _____
(If different) (Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Other Likely Address: _____
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Home Phone: _____ Cell Phone: _____ Work Phone: _____

Employer: _____ Position: _____ Work Days: _____ Work Hours: _____

Work Address: _____
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Scars/Marks/Tattoos (Description and Location): _____

Vehicle Make: _____ Model: _____ Year: _____ License Plate Number/State: _____

- Do you live with Adverse Party now? Yes No
- Have you ever lived with Adverse Party? Yes No
- Does the Adverse Party speak English? Yes No: What language does he/she speak? _____
- Do you work for the same employer? Yes No
- Is the Adverse Party likely to act violently when served? Yes No
- Is the Adverse Party likely to avoid service? Yes No
- Does the Adverse Party have a CCW Permit? Yes No
- Does the Adverse Party have access to weapons? Yes No

If yes, please describe type and location of weapon(s): _____

Does the Adverse Party have a history of violent behavior or crimes? Yes No

If yes, explain: _____

Do not write in this space. For court purposes only.

Issuing Court ORI: NV _____

Court Case Number: _____

**VIRGINIA TOWNSHIP JUSTICE COURT
CIVIL COURT COVER SHEET**

Case. _____

(Assigned by Clerk's Office)

I. Party Information *(Provide both home and mailing address if different.)*

Plaintiff(s)' Name, address, phone:	Defendant(s), Name, address, phone:
Attorney's Name, address, phone:	Attorney's Name, address, phone:

II. Nature of Controversy *(Please select the one most applicable filing type below.)*

Civil Case Filing Types:

Real Property	Torts	Protection Orders
<p>Real Property</p> <input type="checkbox"/> Landlord/Tenant (Summary Eviction)	<p>Negligence</p> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence	<p>Protection Order</p> <input type="checkbox"/> Request for Domestic Violence Protective Order
<input type="checkbox"/> Unlawful Detainer Complaint (Writ of Restitution)	<p>Other Torts</p> <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Other Torts	<input type="checkbox"/> Request for Protection Order (Non- Domestic Violence)
<input type="checkbox"/> Other real property		<input type="checkbox"/> Sexual Assault Related
<p style="text-align: center;">Contract Case</p> <p>Seller Plaintiff (Debt Collection)</p> <input type="checkbox"/> Credit Card Collection <input type="checkbox"/> Payday Loan Collection <input type="checkbox"/> Debt Collection Agency <input type="checkbox"/> Other Debt Collection	<p style="text-align: center;">Other Civil Filings</p> <p>Other Civil Filing</p> <input type="checkbox"/> Contested Liens Case <input type="checkbox"/> District Court Order to Seal Records <input type="checkbox"/> Other Civil Matters	<p>Protection Order – Extension Request</p> <input type="checkbox"/> Request for Extended Domestic Violence Protection Order
<p>Other Contract Case</p> <input type="checkbox"/> Contract Buyer Plaintiff <input type="checkbox"/> Other Contract Case		<input type="checkbox"/> Request for Extended Protective Order (Non-Domestic Violence)

Date

Signature of initiating party or representative

Civil Case Filing Types – Definitions

The following information is furnished as a guide only and should not be construed as legal advice. Our court staff is happy to help you, but it is against the law for court staff to give legal advice.

Landlord/Tenant (Summary Eviction): A case for exclusion of a tenant for default of rent or other deficiency following as in NRS 40.253 and 40.254. These are eviction cases where a landlord cannot get a money judgment.

Unlawful Detainer Complaint (Writs of Restitution): A case involving a formal complaint alleging the occupant's right to possess a property has been terminated after the foreclosure or sale of a property. This category includes evictions of commercial tenants on any basis other than nonpayment of rent.

Other Real Property: A case involving disputes of real property that does not fit within the definitions of Landlord/Tenant or Unlawful Detainer Complaint.

Credit Card Collection: A debt collection case where the petitioner is a credit card company.

Payday Loan Collection: A debt collection case where the petitioner is a payday loan company.

Debt Collection Agency: A debt collection case where the petitioner is a debt collection agency.

Other Debt Collection: A debt collection case that does not fit within the definitions of any other debt collection case category. This category includes tax collection cases.

Contract Buyer Plaintiff: A contract case (expressed or implied) involving a buyer of goods or services alleging that a seller of goods or services has failed to either deliver said goods or services or honor a warranty.

Other Contract Case: A contract case (expressed or implied) that does not fit within the definitions of a Contract Buyer Plaintiff case.

Auto: A negligence case resulting from personal injury, property damage, or wrongful death arising out of a party's alleged negligent operation of a motor vehicle.

Premises Liability: A negligence case involving liability resulting from alleged negligence on property that results in damages or injuries to persons or property occupying said property.

Other Negligence: A negligence case that does not fit within the definitions of Auto negligence or Premises Liability.

Intentional Misconduct: A case involving issues of an alleged intentional misconduct. Examples include assault, battery, fraud, punitive damages, defamation, libel, and slander.

Other Torts: A case that does not fit within the definitions of any other negligence case type or Intentional Misconduct.

Contested Liens Case: A case that contests the validity of liens, or requests the enforcement of liens. Examples include the enforcement of mechanics' liens

(NRS 108.239) and liens of owners of storage facilities, or to contest the validity of liens on mobile and manufactured homes.

District Court Order to Seal Records: An order from the District Court to the Justice or Municipal Court which directs the court to seal their records. Original Petitions to Seal Records should be counted as "Other Civil Matters."

Other Civil Matters: A case that involves a matter that does not fit within the definitions of any other civil case category. This includes "Confession of Judgment" and Petitions to Seal Records.

Request for Domestic Violence Protective Order: A protection order application for a temporary order for protection from a person who has committed or may commit an act of domestic violence (including battery). (Refer to NRS 33.020, 33.030, 33.080, 33.100, and 200.481.)

Request for Protection Order (Non-Domestic Violence): A protection order application for a temporary order for protection from a person who has committed or may commit an act of harassment, stalking, or threat to life not related to domestic violence of sexual assault.

Sexual Assault Protection Orders: A protection order application for an order for protection against a person who has or may commit an act related to sexual assault. (Refer to NRS 193.166 and 202.378.)

Requests for Extended Domestic Violence Protective Orders: A protection order case involving a request for an extended order for protection against domestic violence (including battery). (Refer to NRS 33.020, 33.030, 33.100, and 200.481.)

Requests for Extended Protective Orders (Non-Domestic Violence): A protection order case involving a request for an extended order for protection against harassment, stalking, or threat to life not related to domestic violence.

Please contact our office if you have procedural questions or need filing fee information. You may also visit our Justice Court website at www.storeycounty.org.

Virginia Township Justice Court
26 South B Street, Second Floor
P.O. Box 674
Virginia City, Nevada
Phone: 775-847-0962
Facsimile: 775-847-0915

Storey County is an equal opportunity provider and employer.

IN THE JUSTICE COURT OF VIRGINIA TOWNSHIP
IN AND FOR THE COUNTY OF STOREY, STATE OF NEVADA

<hr/> <p>Applicant (<i>print your name above</i>),</p> <p>vs.</p> <hr/> <p>Adverse Party (<i>print the name of the person you want protection from above</i>).</p>	<p>CASE NO.: _____</p>
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APPLICATION FOR PROTECTION ORDER

1. **Your information** (*you are the "Applicant"*).

Your name: _____
(first) *(middle)* *(last)*

2. **Who do you want to be protected from** (*this person is the "Adverse Party"*)?

Name: _____
(first) *(middle)* *(last)*

3. **Who needs protection** (*check all that apply*)?

- Me.
- Minor child (see definition on bottom of page 2).
- The following household members, including minor children not included in definition on page 2.

Name	Date of Birth	Relationship to Applicant	Relationship to Adverse Party

4. **Why do you need to be protected from the person named above (you must check one)?**

The Adverse Party committed acts of stalking or aggravated stalking against me.

Definition of stalking, aggravated stalking and harassment:

Stalking: A person commits the crime of stalking when, without lawful authority, that person willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member. NRS 200.575(1)

Aggravated Stalking: A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily. NRS 200.575(2)

Harassment: A person commits harassment when: (a) Without lawful authority, the person knowingly threatens: (1) To cause bodily injury in the future to the person threatened or to any other person; (2) To cause physical damage to the property of another person; (3) To subject the person threatened or any other person to physical confinement or restraint; or (4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety; **and** (b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out. NRS 200.571

The Adverse Party committed a sexual assault on me.

Definition of sexual assault: A person commits sexual assault if they subject another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct. NRS 200.366

Protection of Children: The parent or guardian of a child may petition any court of competent jurisdiction on behalf of the child for a temporary or extended order against a person who is 18 years of age or older and who the parent or guardian reasonably believes has committed or is committing a crime involving: (a) Physical or mental injury to the child of a nonaccidental nature; or (b) Sexual abuse or sexual exploitation of the child. NRS 33.400

Are you applying on behalf of a minor child? **No** **Yes**

Child's name: _____
(first) (middle) (last)

As you complete the application, please keep in mind that you are filling in the questions as they pertain to the actions/incident committed upon the child.

5. **How do you know the person you need protection from** (*check all that apply*)?
- We are related by blood or marriage. Explain _____
 - We are or used to be friends/acquaintances.
 - We are neighbors or reside in the same neighborhood.
 - We are or were co-workers.
 - Other: (*specify relationship*): _____

6. **Are there any other current or prior court cases that involve you and the Adverse Party in any court?**

- No.
- Yes. If you know, please list the case type, county, state, and case number:

7. **Firearms / Guns.**
Does the Adverse Party own a gun or have a gun in his/her possession or control?

- No Yes I don't know.

8. **Most Recent Event.** *Think about the **most recent** event. These questions ask about the most recent event only.*

Approximate date it happened: _____

City / State / Location where it happened: _____

Did the other person use or threaten to use a weapon? No Yes.

What Happened? *Explain the **most recent** event and describe any injuries. Give **specific** and **detailed** information about the event. **You can list past events on the next page.** If you are filing on behalf of a child, include details about what happened to the child.*

Work. The Adverse Party should stay away from my workplace.

Do you and the Adverse Party work at the same place? No Yes

Is your work address confidential? No Yes (*do not write details below*)

Employer

Employer

Address

Address

City, State, Zip Code County

City, State, Zip Code County

School/Daycare. The Adverse Party should stay away from my school and/or the child's school/daycare.

Is the school/daycare address confidential? No Yes (*do not write details below*)

School/Daycare

School/Daycare

Address

Address

City, State, Zip Code County

City, State, Zip Code County

Other Places. The Adverse Party should stay away from the following places that I and/or the minor children go to regularly.

Location

Location

Why?

Why?

Address

Address

City, State, Zip Code County

City, State, Zip Code County

About Extended Protection Orders:

This application automatically asks the judge to issue a 45-day temporary protection order without notifying the other person first.

***You can also ask for an extended order that could last for up to 2 years.** If you do, the judge will set a hearing. You and the other person will have to appear in court and explain your side before the judge can extend the protection order.*

12. Length of Protection Order.

- I want an order up to 45 days only.
- I want an order up to 45 days PLUS an extended order that could last up to 2 years.

13. Other Exhibits. You may attach documents, pictures, or anything else that you would like the judge to look at and consider when reviewing your application. **The Adverse Party will receive a copy of all documents/evidence you provide.**

Describe what you are attaching: _____

14. This document does not contain the personal information of any person as defined by NRS 603A.040.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated _____, 20____. Submitted by: _____
(your signature)

(print your name)

VERIFICATION

I declare that I am the applicant in the above-entitled action; that I have read the foregoing application and know the contents thereof; that the pleading is true of my own knowledge, except for those matters therein contained stated upon information and belief, and that as to those matters, I believe them to be true. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated _____, 20____. Submitted by: _____
(your signature)

(print your name)

