WARNING!

This form may only be used in Protection from Abuse cases.

The Family Court of the State of Delaware

In and For [ ]  New Castle County [ ]  Kent County [ ]  Sussex County

**AFFIDAVIT FOR EMERGENCY EX PARTE ORDER**

**Protection from Abuse**

|  |
| --- |
| File Number |
|       |
| Petition Number |
|       |

|  |  |
| --- | --- |
| **Movant** | **Respondent** |
| Name:      | Name:      |

|  |
| --- |
| I, the undersigned movant, being duly sworn according to law, do hereby attest to the truth of the allegations |
| made in the underlying petition. I request that an Emergency Ex Parte Order be issued without notice to  |
| the Respondent. |
| 1. Notice to the Respondent: |
| [ ]  | a. I have made the following efforts to give notice to the respondent:  |  |
|  |       |
|  |       |
|  |       |
|  | **OR** |
| [ ]  | b. Notice should not be required because: |  |
|  |       |
|  |       |
|  |       |
| 2. I request the following specific relief: |
|  |       |
|  |       |
|  |       |
|  |       |
| 3. I further attest that unless relief is granted on an ex parte basis, the following **immediate and present** |
|  **danger** of domestic violence exists: |
|  |       |
|  |       |
|  |       |
|  |       |
|  |       |

|  |  |
| --- | --- |
|  |       |
|  | Petitioner’s Signature |
| Sworn to subscribed before me this |       | day of  |  | ,  |      |  |
|  |
|  | Clerk of Court/ Notary Public |  | Date |  |

|  |  |  |
| --- | --- | --- |
|  | File No.: |   |
|  | Case No.: |   |

|  |
| --- |
| The Court has reviewed the Petitioner’s Application and has questioned the Petitioner under oath. Petitioner’s Application is hereby: |
|  | [ ]   | Disapproved. Return to case processing for: |
|  |  | [ ]  | Normal Scheduling of a hearing before |
|  |  |  |       | at |       | on  |       |
|  |  | [ ]  | Expedited Scheduling of a hearing before |
|  |  |  |       | at |       | on |       |
|  |
|  | [ ]  | The Ex Parte request is denied as Petitioner could not be reached to participate in the Ex Parte hearing. Return to case processing for:  |
|  |  | [ ]  | Normal Scheduling of a hearing before |
|  |  |  |       | at |       | on  |       |
|  |  | [ ]  | Expedited Scheduling of a hearing before |
|  |  |  |       | at |       | on |       |
|  |
|  | [ ]  | Approved. Ex Parte Order attached. |
|  |  |  |
|  | [ ]  | Emergency Ex Parte Request **and** Petition for Protection from Abuse are Dismissed.  |
|  |  | Reason for dismissal:  |       |
|  |  |       |

|  |  |  |  |
| --- | --- | --- | --- |
| So Ordered this Date: |       |  |       |
|  | Commissioner/Judge |