

Rhode Island Statutes

Title 15. Domestic Relations

Chapter 15-15. Domestic Abuse Prevention

Current through 2011 Legislative Session

§ 15-15-6. Form of complaint

(a) A form in substantially the following language shall suffice for the purpose of filing a complaint under this chapter:

STATE OF RHODE ISLAND FAMILY COURT

COUNTY OF

:

Plaintiff :

:

VS. : F.C. NO.

:

:

Defendant :

COMPLAINT FOR PROTECTION FROM ABUSE

Pursuant to Chapter 15 of this title, I request that the court enter an order protecting me from abuse.

(1) My full name, present street address, city, and telephone number are as follows:

(2) My former residence, which I have left to avoid abuse, is as follows (street address and city):

(3) The full name, present street address, city, and telephone number of the person causing me abuse (the defendant) are as follows:

(4) My relationship to the defendant is as follows:

We (are) (were formerly) married to one another.

I am the defendant's (child) (parent).

I am the blood relative or relative by marriage of the defendant; specifically, the defendant is my .

I and the defendant are together the legal parents of one or more children.

(5) On or about , I suffered abuse when the defendant:

Threatened or harmed me with a weapon; (type of weapon used:)

Attempted to cause me physical harm;

Caused me physical harm;

Placed me in fear of imminent physical harm;

Caused me to engage involuntarily in sexual relations by force, threat of force, or duress. Specifically, the defendant

(6) I ask that:

The court order that the defendant be restrained and enjoined from contacting, assaulting, molesting, or otherwise interfering with the plaintiff at home, on the street or elsewhere.

The court order the defendant to immediately leave the household which is located at

The court award me temporary custody of the following minor child(ren)(the defendant and I are husband and wife):

Names Date of Birth

That

I request that the above relief be ordered without notice because it clearly appears from specific facts shown by affidavit or by the verified complaint that I will suffer immediate and irreparable injury, loss, or damage before notice can be served and a hearing had thereon. I understand that the court will schedule a hearing no later than twenty-one (21) days after the order is entered on the question of continuing the temporary order.

(7) I have not sought protection from abuse from any other judge of the family court arising out of the facts or circumstances alleged in this complaint.

(8) That the court award me support for my minor children as required by law for a period not to exceed ninety (90) days.

(Signature) (Date)

Subscribed and sworn to before me in in the county of in the state of Rhode Island and Providence Plantations, this day of A.D. 20.

Notary Public

Note: If this complaint is filed by an attorney, the

attorney's certificate should appear as below:

ATTORNEY CERTIFICATE

Signed:

Attorney for Plaintiff

Address:

Date: , 20

WHITE COPY - Court

YELLOW COPY - Plaintiff

PINK COPY - Defendant

GOLDENROD COPY - Police Department

(b) A form in substantially the following language shall suffice for the purpose of requesting temporary orders under this chapter:

STATE OF RHODE ISLAND FAMILY COURT

COUNTY OF

:

Plaintiff :

:

VS. : F.C. NO.

:

:

Defendant :

TEMPORARY ORDER PURSUANT TO CHAPTER 15 OF THIS TITLE GENERAL LAWS OF RHODE ISLAND

Upon consideration of plaintiff's complaint and having found that immediate and irreparable injury, loss, or damage will result to the plaintiff before a notice can be served and a hearing had thereon it is ORDERED:

That the defendant is restrained and enjoined from contacting, assaulting, molesting, or otherwise interfering with plaintiff at home, on the street, or elsewhere.

That the defendant vacate forthwith the household located at

.

That the plaintiff, being the [husband] [wife] of the defendant, be and [s]he hereby is awarded temporary custody of the minor child[ren], to wit,

That the defendant pay to the plaintiff the support of the minor child(ren) the sum of \$ per .

That

A hearing on the continuation of this ORDER will be held at the family court, County, at [A.M.] [P.M.] on . If the defendant wishes to be heard, [s]he will be heard at that time. If [s]he does not appear at that time, this ORDER shall remain in effect.

This ORDER is effective forthwith, and will remain in effect until the time and date of the above-mentioned hearing.

A copy of this ORDER shall be transmitted to the appropriate local law enforcement agency forthwith, and shall be served in-hand on the defendant herein.

ENTERED as an order of court this day of , A.D. 20].

Cite as R.I. Gen. Laws § 15-15-6

History. P.L. 1982, ch. 389, § 1; P.L. 1985, ch. 372, § 1; P.L. 1988, ch. 539, § 2; P.L. 1989, ch. 78, § 1; P.L. 1991, ch. 221, § 1; P.L. 1995, ch. 170, § 1.