

TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTIC RELATIONS

§ 1912. Uniform Form Required for Petitions and Orders; Required Statements in Petitions and Order; Duty of Clerk to Provide Petitions and Clerical Assistance.

(a) The Superior Court shall:

(1) Develop and adopt uniform forms for petitions and orders for protection, including but not limited to such orders issued pursuant to divorce, custody, and other domestic relations hearings; and

(b) In addition to any other required information, the petition for an order for protection must contain a statement listing each civil or criminal action involving both parties.

(c) The following statements must be printed in bold faced type or in capital letters on the order for protection:

(1) “Violation of this order may be punished by confinement in jail for as long as six months and by a fine of as much as \$100.00 or both.”

(2) “If so ordered by the court, the respondent is forbidden to enter or stay at the petitioner’s residence, even if invited to do so by the petitioner or any other person.”

(3) “Petitioner and Respondent are ordered to appear at the designated hearing. A bench warrant may be issued against a party who fails to appear.”

(d) The Clerk of the Superior Court or other designated agencies shall provide to a person requesting an order for protection:

(1) The forms adopted pursuant to subsection (a);

(2) All other forms required to petition for an order for protection, including but not limited to, forms for service and forms required by the Uniform Child Custody Jurisdiction Act.

(e) Except as otherwise provided in Section 1915, a petition for an order for protection must be in writing, verified, and subscribed to in a manner provided by Commonwealth law.

(f) All orders for protection must be issued on the form adopted in accordance with subsection (a).

Source: PL 12-19, § 2 (202), modified; subsection (d)(3) deleted by PL 12-30, § 2 (1).

Commission Comment: PL 12-30, which took effect November 14, 2000, removed the above provision that required the Superior Court to provide clerical assistance in filling out and filing forms for protection. Contained within PL 12-30 were purpose, notification, severability, and savings clause provisions. Of significance, the purpose provision stated:

Section 1. Purpose. The purpose of this Act is to amend certain provisions of Public Law 12-19, to address concern raised by the court to provide consistency and clarity to some provisions of the law.

See 6 CMC § 1320(d) regarding evidence of other crimes involving domestic violence by the defendant.