

PROCEDURE TO CHANGE OR DISMISS
AN ORDER OF PROTECTION

PLEASE READ CAREFULLY

If you wish to dismiss or change an Order of Protection previously filed, you must follow the procedures listed below. Copies of the documents you will need are attached.

1) Complete and sign the **PETITION** requesting dismissal or change for the **ORDER OF PROTECTION**.

2) Complete and sign the upper portion of the **NOTICE OF HEARING**. (NOTE: The date and time will be provided by the Circuit Clerk's Office when you file the **PETITION** and **NOTICE OF HEARING**.)

3) Bring the completed **PETITION** and **NOTICE OF HEARING** to the Circuit Clerk's office to obtain a date and time for the hearing before the presiding Judge assigned to your case. (The assigned date will be at least 7 days from the date of filing your petition.)

4) You will need to mail at least 7 days before the hearing date, a copy of the **PETITION** and **NOTICE OF HEARING** to all individuals involved with the case (including Attorneys). (NOTE: A separate notice needs to be completed for each individual involved with the case as each needs to have the same mailed to them separately.)

a). If you are petitioning an **Emergency Order of Protection** for modification (**Not a Motion to Vacate Emergency Order of Protection**), your court date will be within 48 hrs. Notice to all individuals involved must be served before hearing date.

5) Once the **PETITION** and **NOTICE OF HEARING** are served, complete the lower portion of the **NOTICE OF HEARING** verifying the date of services. (NOTE: You will need to bring this completed **NOTICE OF HEARING** with you for the court hearing and present it to the Judge if serving by mail.)

6) Prior to the hearing date, you will need to complete the **ORDER**. (NOTE: You will need to also bring this **ORDER** with you for the court hearing and also present it to the Judge.)

7) You *must* appear in court on the date and time indicated on the **NOTICE OF HEARING**.

**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
STEPHENSON COUNTY**

PETITIONER, }
 }
VS } CASE NO. _____ OP _____
 }

RESPONDENT. }

NOTICE OF HEARING

TO:
NAME: _____
ADDRESS: _____
CITY/STATE: _____

On the ____ day of _____, 20 ____ at _____ am/pm or as soon thereafter as I may be heard, I shall appear before the presiding Judge or any Judge sitting in their stead, in the courtroom usually occupied by said Judge at the Stephenson County Courthouse, 15 N. Galena Ave., Freeport, IL, 61032, and then request the granting of the **PETITION** which I am attaching to this **NOTICE**.

You must appear at this time if you wish to contest the granting of this **PETITION**.

SIGNATURE

CERTIFICATE AND AFFIDAVIT OF DELIVERY BY MAIL

The undersigned hereby certifies under penalties of perjury as provided by law pursuant to 735 ILSC 5/1-109, that the above notice and any attached pleadings were placed in the U.S. mail, with first class postage prepaid and directed to all parties of record at the address(es) set forth above, on or before 5:00 p.m. on the _____ day of _____, 20 ____.

DATE

SIGNATURE

NOTICE TO PROCESS SERVER

After service of the true copy of the Petition to Modify or Vacate upon the individual herein name, you are to complete the return below and deliver this document to the Office of the Stephenson County Circuit Clerk in Stephenson County at the Courthouse, in Freeport, Illinois.

This Petition to Modify or Vacate was served personally by me by reading and delivering a copy of it to the person named above as witness on :

Date of Service

Signature of Server

**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
STEPHENSON COUNTY**

PETITIONER,

VS.

RESPONDENT.

}
}
}
}
}
}

CASE NO. _____ OP _____

PETITION TO MODIFY OR VACATE ORDER OF PROTECTION

(Check the boxes and fill in the spaces for the changes you want.)

Now comes the Petitioner Respondent and moves for the following relief :

- 1. To vacate and dismiss the pending **ORDER OF PROTECTION**.
- 2. To change the protected home address of the Petitioner to _____

- 3. To change the protected place of employment of the Petitioner to _____

- 4. To change visitation with the children as follows: _____

- 5. To extend the terms of the **ORDER OF PROTECTION** _____

- 6. To vacate the following numbered remedies: _____

- 7. (Other) _____

Dated: _____
Signature: _____

**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
STEPHENSON COUNTY**

PETITIONER, }
 }
VS. } CASE NO. _____ OP _____
 }

RESPONDENT. }

**ORDER
TO MODIFY OR VACATE**

This cause coming on to be heard on an **ORDER OF PROTECTION** currently in effect and the Court being fully advised in the premises finds that the relief described below shall be granted.

IT IS THEREFORE ORDERED THAT:

1. The emergency / interim / plenary **ORDER OF PROTECTION** previously entered on _____ is vacated and dismissed:
_____ after hearing on the merits
_____ on the motion of the petitioner
_____ for want of prosecution, the petitioner having failed to appear in court on _____.

2. The emergency / interim / plenary **ORDER OF PROTECTION** previously entered on _____ is extended under the same terms and conditions until _____.

3. The following numbered remedies are modified / vacated; the balance of the order remains in full force and effect:

4. Hearing on the motion to modify / vacate is set to:

_____ at the Stephenson County Courthouse, 15 N. Galena Ave. 2nd Floor, Freeport, Il 61032, Courtroom # _____. The moving party shall notify the non-moving party of the hearing.

Entered this _____ day of _____ 20 ____ at _____ a.m/p.m

JUDGE