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| COURT FILE NUMBER | [*File Number*] |
| COURT | COURT OF KING’S BENCH OF ALBERTA |
| JUDICIAL CENTRE | *Select a Judicial Centre* |
| APPLICANT | [*Applicant Name*] |
| RESPONDENT | [*Respondent Name*] |
| DOCUMENT | **MUTUAL KING’S BENCH PROTECTION ORDER** |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT | **Court Generated Order** |

Clerk’s Stamp

**DATE ON WHICH ORDER WAS PRONOUNCED:** [*Date*] **NAME OF JUSTICE WHO MADE THIS ORDER:** [*Justice*]

**HEARD AT:** *Select a Judicial Centre***, ALBERTA**

UPON THE COURT having reviewed the evidence filed in support of this application.

UPON NOTING the application for a King’s Bench Protection Order before this Honourable Court on this date in accordance with Section 4 of the *Protection Against Family Violence Act*.

AND UPON:

[ ]  hearing from the [*select an option*]

[ ]  hearing from [*select an option*]

[ ]  the Applicant confirming that he/she does not admit to some or all of the allegations of the Respondent but consents to the terms of this Order;

[ ]  the Respondent confirming that he/she does not admit to some or all of the allegations of the Applicant but consents to the terms of this Order.

IT IS HEREBY ORDERED THAT:

**CONTACT**

1. The Respondent shall not attend at, enter or be within [*number*]meters from the following:

[ ]  the Applicant’s residence: [*Address*]

[ ]  the Applicant’s place of employment: [*Address*]

[ ]  the Applicant’s other addresses: [*Address*]

or be within [*number*] meters of the Applicant anywhere in the Province of Alberta.

1. The Applicant shall not attend at, enter or be within [*number]* meters from the following:

[ ]  the Respondent’s residence: [*Address*]

[ ]  the Respondent’s place of employment: [*Address*]

[ ]  the Respondent’s other addresses: [*Address*]

or be within [*number*] meters of the Respondent anywhere in the Province of Alberta.

1. The Respondent is restrained from harassing, molesting, watching, following, telephoning, contacting through electronic means or social media, or otherwise interfering with or contacting the Applicant, whether directly or indirectly, and either personally or by agent, anywhere in the Province of Alberta.
2. The Applicant is restrained from harassing, molesting, watching, following, telephoning, contacting through electronic means or social media, or otherwise interfering with or contacting the Respondent, whether directly or indirectly, and either personally or by agent, anywhere in the Province of Alberta.

**ENFORCEMENT**

1. On the Applicant being in breach of any of the terms of this Order:
	1. the Applicant may be charged under s. 13.1(1) of the *Protection Against Family Violence Act*; or
	2. if the Applicant is not charged under s. 13.1(1) of the *Protection Against Family Violence Act*, any Peace Officer is authorized to forthwith arrest the Applicant, and bring the Applicant, as soon as possible, before a Justice of the Court of King’s Bench of Alberta to show reason why there should not be a finding of civil contempt.

However, the Applicant shall not be arrested unless the Applicant has previously been served with a copy of this Order, or if not served, is shown a copy of this Order by the Peace Officer and, on being given an opportunity to do so, does not then obey it.

1. On the Respondent being in breach of any of the terms of this Order:
	1. the Respondent may be charged under s. 13.1(1) of the *Protection Against Family Violence Act*; or
	2. if the Respondent is not charged under s. 13.1(1) of the *Protection Against Family Violence Act*, any Peace Officer is authorized to forthwith arrest the Respondent, and bring the Respondent, as soon as possible, before a Justice of the Court of King’s Bench of Alberta to show reason why there should not be a finding of civil contempt.

However, the Respondent shall not be arrested unless the Respondent has previously been served with a copy of this Order, or if not served, is shown a copy of this Order by the Peace Officer and, on being given an opportunity to do so, does not then obey it.

1. In making an arrest under this Order, a Peace Officer is authorized to do anything necessary to carry out the arrest, including the use of as much reasonable force as may be necessary to make the arrest, and without warrant to enter any place where, on reasonable and probable grounds, the Peace Officer believes that the Applicant or the Respondent may be found.
2. This Order is sufficient authority for the keeper of a correctional institution to receive the Applicant and/or the Respondent into custody and to safely keep them pending appearance before a Justice of the Court of King’s Bench of Alberta.
3. This Order remains in effect up to and including the *Date* day of *Month*, 20*Year*, unless terminated or continued by order of this court.
4. Either party may apply to amend, vary, or strike out the within Order on providing notice to the other party 5 days or more before the date the application is scheduled to be heard or considered.

11. Neither the Applicant nor the Respondent shall be in breach of this Order in the following circumstances:

1. Any contact between the Applicant and the Respondent through a third party for the purpose of:

i) arranging existing court ordered parenting time to any child(ren) who are not named in this protection order; or

ii) exercising parenting time agreed to between the parties through mediation or through their counsel, but only for children who are not named in this protection order;

 shall not constitute a breach of this order.

1. The exercise of any parenting time granted to the Applicant or to the Respondent in relation to the children by Order of a court of competent jurisdiction granted after this Order, shall not constitute a breach of this Order.
2. Any contact between the Applicant and the Respondent for the purpose of arranging and attending court (including arranging for service of documents through a third party or service by email), mediation, counselling, meetings with legal counsel present, or any contact required for legal proceedings shall not constitute a breach of this Order.

 *[Any specific parenting terms must be put into a separate parenting Order.]*

 12. **SERVICE*:*** *[Choose from below and initial.]*

[ ] The Clerk of the Court shall serve both parties, or where applicable, Counsel for the parties, with a copy of this Order, via emailaddresses provided in Court. The requirement of filing an Affidavit of Service is dispensed with.

  **OR**

[ ]  [*Indicate any special instructions for service*].

*[If anything, other than personal service is ordered, a Peace Officer will not serve the order.]*

**OTHER**

 13. Additional terms of this Order:
[*Choose from below and initial*]

[ ]  A Peace Officer shall accompany the Applicant/Respondent to the residence at: *Address* on one (1) occasion, as soon as reasonably possible, to supervise the removal of personal belongings.

[ ]  The Applicant/Respondent is granted exclusive possession of the residence at: *Address* for *Enter period of time*

[ ]  A Peace Officer is directed to remove the Applicant/Respondent from the residence at: *Address* within *Enter period of time*

[ ]  A Peace Officer shall seize and store the following weapons:
*List weapons*
For this purpose, the Peace Officer is authorized without warrant to enter any place where, on reasonable and probable grounds, the Peace Officer believes the Applicant, or the Respondent may possess or store the above listed weapons.

[ ]  *Add other terms as appropriate – see s. 4 Protection against Family Violence Act.*

[x]  Rule 9.4(2)(c) is invoked. *[Approval by a party is not required].*

[x]  Rule 9.4(2)(d) is invoked. *[Clerk is directed to sign this Order].*

1. [*Indicate any other required clauses*].

*[Clerk to add Webex address for next appearance as required.]*

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Justice of the Court of King’s Bench of Alberta

**Warning to the Applicant and to the Respondent:**

**You MUST OBEY THE PROVISIONS OF THIS ORDER. Failure to obey this order may constitute an offence under section 13.1(1) of the *Protection Against Family Violence Act*.** A person who is guilty of an offence under section 13.1(1) of the *Protection Against Family Violence Act* is liable for a first offence to a fine of not more than $5000 or to imprisonment for a term of not more than 90 days or to both; for a second offence, to imprisonment for a term of not less than 14 day and not more than 18 months; and for a third or subsequent offence, to imprisonment for a term of not less than 30 days and not more than 24 months.

**YOU SHOULD IMMEDIATELY CONTACT A LAWYER** for advice as to what your rights are and as to what you are required to do respecting this Order.

**Notice to the Applicant and to the Respondent:**

**YOU ARE ADVISED TO CARRY A COPY OF THIS ORDER with you at all times as this will help to ensure timely enforcement of this order.**