

Instructions

Petitions for requesting modification of court protection orders

The OSCE Presence in Albania and the Council of Europe have developed pre-printed petitions for modification of court protection orders.

The sample forms have been modelled to reflect requirements of petitions for protection orders under the law no.9669, dated 18 December 2007, “On Measures against Violence in Family Relations” that entered into force on 1 June 2007.

The petition forms can be downloaded and filled out by victims of domestic violence, their legal representatives, the prosecutor (if he/she has participated in the process), and then submitted to the civil district court to request court protection orders.¹

For more information, please see law no.9669, dated 18 December 2007, “On Measures against Violence in Family Relations” and on protection orders, and the publication “Seeking Protection from Domestic Violence: A handbook for victims and NPOs”.

¹ The petitioner may be also the perpetrator. See Article 22, section 1 of the law no. 9669, of 18 December 2006, “On measures against violence in family relations”.

**PETITION
FOR MODIFICATION OF A PROTECTION ORDER**

1. TO THE DISTRICT COURT OF: _____
(Provide district court name and address)

PETITION/CASE No: _____

2. PETITIONER¹

Vs.

3. RESPONDENT

(Name, father's name, surname)

(Permanent/temporary residence address)

Telephone: _____
Represented by:

(Name of legal or other representative, if any)

(Address of representative)

Telephone: _____

(Name, father's name, surname)

Permanent residence address:

Telephone: _____

Temporary residence address:

Telephone: _____

4. Indicate name and address of victim(s) if different from petitioner (name, father's name and surname) _____

5. NOTE: If you fear your security or that of other people under your responsibility may be compromised by providing your address, please provide below an address that you wish to be used for purposes of the judicial proceedings:

Address: _____
Telephone: _____ Other contact details: _____

6. Object of Petition: Modification of protection order

7. Legal basis: Law no. 9669, dated 18 December 2006, "On measures against violence in family relations"

8. The court has previously issued (check and complete the appropriate):

_____ An emergency protection order, decision no. _____, date _____
_____ A protection order, decision no. _____, date _____

9. The order indicated above expires on: _____

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¹ The petitioner may be the victim, his/her legal representative, the perpetrator or the prosecutor if he/she has participated in the process. See Article 22, section 1 of the law no. 9669, of 18 December 2006, "On measures against violence in family relations".

10. Petitioner requests that the Court modify the order indicated above because there has been a substantial change in the victim's/petitioner's circumstances. That change is (describe):

11. Because of the change in circumstances indicated above petitioner respectfully asks the Court to modify its previous order in the following elements (Circle and fill in the appropriate. Add elements as necessary):

- a. The subjects it protects, by adding/removing (name) _____, date of birth _____, relationship to respondent _____ on the list
- b. The protection measures, by modifying the amount of support obligations to (amount) _____ per month
- c. Extending the duration of the protection order up to (date) _____
- d. Other (specify): _____

12. Evidence: (list here support evidence and attach documents to this petition)

- _____ Police case number: _____
- _____ Copy of police report
- _____ Medical report
- _____ Medico-legal act of expertise
- _____ Certificates from domestic violence service providers
- (list): _____
- _____ Birth certificates
- _____ Expert evaluation (list): (e.g. psychologist, pet specialist etc.) _____
- _____ Witness statements (list): _____
- _____ Other evidence (list): (e.g. victim's diary, children's paintings, pictures of injuries, e-mail communications, SMS, invoices, tape recordings, etc.)

Petitioner name: _____ **Date:** _____

Petitioner signature: _____

Representative name: _____
(if applicable)

Representative signature: _____