

# INSTRUCTIONS & CHECKLIST

## PACKET “K” – TRANSFER OF ORDER OF PROTECTION FROM JUSTICE OR MUNICIPAL COURT TO DISTRICT COURT

### I. STARTING THE TRANSFER PROCESS:

On the top half of the first page of every court document there is a “**heading**” which identifies the party completing the form and a “**caption**” which sets out the case description. Fill out the heading and caption on every form. Because you filed for an Order of Protection in either Justice Court or Municipal Court, YOU ARE THE **PETITIONER** in that case. If YOU filed for dissolution or parenting plan in District Court, YOU ARE THE **PETITIONER** in the District Court proceeding. If YOUR SPOUSE filed for dissolution or parenting plan in District Court, then you ARE THE **RESPONDENT** in the District Court proceeding.

#### STEP 1. -- Filling Out The Forms

- Form #157 This is a District Court document and the caption should contain the District Court case information. Fill in every section. Do not sign this form.
- Form #158 This is a District Court document and the caption should contain the District Court case information. Choose the court that originally issued the Order of Protection. Leave the remainder of the form blank for District Court Judge to complete.
- Form #159 This is a Justice Court document. This document should only be used if the original Order of Protection was issued by the Justice Court. The caption should contain the Justice Court case information. Complete all sections. Sign and date this form on page 2.
- Form #160 This is a Justice Court document. This document should only be used if the original Order of Protection was issued by the Justice Court. The caption should contain the Justice Court case information. Complete all sections. You do not sign this form.
- Form #161 This is a Municipal Court document. This document should only be used if the original Order of Protection was issued by the Municipal Court. The caption should contain the Municipal Court case information. Complete all sections. Sign and date this form on page 2.
- Form #162 This is a Municipal Court document. This document should only be used if the original Order of Protection was issued by the Municipal Court. The caption should contain the Municipal Court case information. Complete all sections. You do not sign this form.

#### STEP 2. -- Making Copies

- Make 3 copies of Form #157, 158
- Make 2 copies of Form #159, 160 (*if applicable*)
- Make 2 copies of Form #161, 162 (*if applicable*)

#### STEP 3. -- Filing Your Case With Clerk of Court.

- Bring the originals of Form #157 and 158, along with three copies of each form to the Clerk of District Court’s Office for filing. The Clerk will file stamp all your documents (copies and originals). The Clerk will keep the originals and give you the copies. One copy of each document is to be retained by you. One copy is for service upon the other party. One copy will be filed with either the Justice Court or Municipal Court, depending on which court issued the original Order of Protection.
- If Order of Protection was originally issued by Justice Court:* Bring the originals of Form #159 and 160, along with two copies of each form to the Clerk of Justice Court’s Office for filing. The Clerk will file stamp all your documents (copies and originals). The Clerk will keep the originals and give you the copies. One copy is to be retained by you. One copy is for service upon the other party.
- If Order of Protection was originally issued by Municipal Court:* Bring the originals of Form #161 and 162, along with two copies of each form to the Clerk of Municipal Court’s Office for filing. The Clerk will file stamp all your documents (copies and originals). The Clerk will keep the originals and give you the copies. One copy is to be retained by you. One copy is for service upon the other party.

## **II. SERVICE OF TRANSFER DOCUMENTS:**

### **STEP 4. -- Serving the Other Party.**

You now need to serve the copies of documents you have prepared on the other party. Mail the documents to the other party.

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