

## NOTICE TO THE BAR

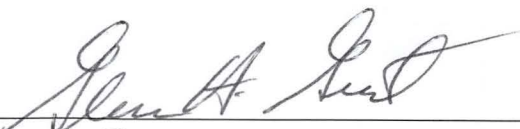
### VICTIM'S ASSISTANCE AND SURVIVOR PROTECTION ACT (VASPA) -- RELAXATION OF COURT RULE 5:7B; NEW DIRECTIVE # 23-23

Effective January 1, 2024, the Victim's Assistance and Survivor Protection Act (VASPA) will provide an avenue for victims not covered by domestic violence statutes to seek a protective order for certain offenses, including the additional predicate acts of stalking and cyber-harassment. This new law supersedes the Sexual Assault Survivor Protection Act of 2015 (SASPA) while retaining the substance of that Act.

The Supreme Court in the attached December 5, 2023 Order has relaxed Rule 5:7B ("Sexual Assault and Survivor Protection Act: Protection Order") to align with and implement VASPA. The attached rule relaxation order will remain in effect pending the adoption of conforming rule amendments.

In addition, attached Administrative Directive #23-23 ("Family -- Procedures for Implementation of Victim's Assistance and Survivor Protection Act (VASPA); Rescission of Directive #07-03"), sets out protocols for VASPA applications. Directive #23-23 promulgates new and updated forms, which are also available at [njcourts.gov](http://njcourts.gov).

Questions on VASPA, the Court's December 5, 2023 Order, and Directive #23-23 should be addressed to the AOC Family Practice Division at 609-815-2900, ext. 55350.

  
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Glenn A. Grant  
Administrative Director of the Courts


Dated: December 13, 2023

## SUPREME COURT OF NEW JERSEY

It is ORDERED, pursuant to N.J. Const. Art. VI, sec. 2, par. 3, that, effective January 1, 2024, the provisions of Court Rule 5:7B (“Sexual Assault and Survivor Protection Act: Protective Orders”), and such other rules as necessary, are hereby relaxed and supplemented to conform to the provisions of L. 2023, c. 127, the Victim’s Assistance and Survivor Protection Act (VASPA).

It is FURTHER ORDERED that, consistent with the provisions of VASPA and this Order, the Superior Court may issue protective orders for acts of stalking and cyber-harassment for certain victimized persons in situations for which the Prevention of Domestic Violence Act of 1991 (N.J.S.A. 2C:25-17 et seq.) does not apply due to the lack of a familial or dating relationship between the victim and offending actor.

The provisions of this Order shall remain in effect pending further order or adoption of conforming rule amendments.

For the Court,  
  
Chief Justice

Dated: December 5, 2023

**GLENN A. GRANT**  
Administrative Director of the Courts

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**TO: Assignment Judges  
Trial Court Administrators**

**Directive # 23-23**

**FROM: Glenn A. Grant, Administrative Director**

Questions or comments may be  
directed to 609-815-2900, ext. 55350

**SUBJECT: Family –Procedures for Implementation of Victim’s  
Assistance and Survivor Protection Act (VASPA); Rescission of  
Directive #07-03**

**DATE: December 13, 2023**

This Directive promulgates procedural guidance regarding the Victim’s Assistance and Survivor Protection Act (VASPA). Under this Act, the Superior Court can issue protective orders for persons victimized by acts of non-consensual sexual contact, sexual penetration, lewdness or any attempt of such conduct, or stalking and cyber-harassment in situations in which the victim does not meet the requirements under current statutes for a domestic violence restraining order. The protocols set out in this directive are effective January 1, 2024 and supersede those promulgated by prior notices to the bar and Judiciary forms.

### Background

Legislation adopted July 24, 2023 to be effective January 1, 2024 (L. 2023, c. 127), amended the Sexual Assault Survivor Protection Act of 2015 (SASPA) so as to expand the predicate acts for which a protective order can be issued for victims not eligible for relief under domestic violence statutes due to the lack of a familial or dating relationship between the offender and the victim. The predicate acts added are stalking and cyber-harassment. Because the amendments expand the scope of the act to potentially cover actor-victim interactions not of a sexual nature, the legislation also changed the name of the act to the Victim’s Assistance and Survivor Protection Act (VASPA). The

new law will go into effect on January 1, 2024. A copy of the law is attached to this Directive.

### Court Procedures

The application for the VASPA temporary protective order will be completed by the plaintiff or if applicable by the plaintiff's parent or guardian. The application is to be submitted electronically through the Judiciary Electronic Document Submission (JEDS) system or hand delivered by the litigant to the Family Division. Although an application for the temporary protective order may be submitted through JEDS at any time, the application will be processed by Family Division staff during normal court business hours. If the application is received through JEDS after 4pm, the application may be processed on the next court business day.

Unless the plaintiff or staff have questions, the application may be processed by Family Division staff without interviewing the plaintiff, and the matter will be scheduled promptly for an emergent hearing. If the plaintiff is not at the courthouse, staff will notify the plaintiff electronically by email or by telephone of the hearing time. These applications will be treated as a priority similar to the procedure for domestic violence temporary restraining orders. Court staff will make every effort to process the case as soon as possible and expedite the hearing.

If a temporary protective order is issued, that order will be served on the defendant by law enforcement, and a hearing will be scheduled for a final protective order.

Any temporary or final protective order issued shall be in effect throughout the state and shall be enforced by all law enforcement officers. In the event of a violation of a protective order, the degree of the contempt charge for that violation will determine whether the Family Division or the Criminal Division will hear the case. The Family Division has exclusive jurisdiction if the violation involves a disorderly or petty disorderly persons offense. The Criminal Division hears contempt charges if the defendant committed a violation that constitutes an indictable offense.

All records maintained in relation to VASPA applications shall be

confidential and shall not be made available to any individual or institution except as provided by law. Additionally, VASPA protective orders will automatically be entered into the Domestic Violence Central Registry (DVCR).

In addition, because VASPA enables a parent or guardian to seek a temporary protective order for a minor victim of stalking, this Directive rescinds prior Directive #07-03 (“Family – Amendments to Stalking Law – Procedures for Complaints Filed by Parents/Guardians Seeking Temporary Restraining Orders”), which is no longer necessary.

VASPA forms for use in this process are available at [njcourts.gov](http://njcourts.gov). Questions on VASPA and this Directive should be addressed to the AOC Family Practice Division at 609-815-2900, ext. 55350.

Attachments:       (1) VASPA Legislation  
                          (2) VASPA Combined Packet  
                          (3) VASPA Complaint  
                          (4) VASPA Additional Form  
                          (5) VASPA Application to Amend Temporary Protective Order  
                          (6) VASPA Confidential Information Sheet  
                          (7) VASPA How to Enforce or Request a Change of VASPA Final Protective Order  
                          (8) VASPA Certification to Dismiss Protective Order

cc:     Chief Justice Stuart Rabner  
          Family Presiding Judges  
          Criminal Presiding Judges  
          Steven D. Bonville, Chief of Staff  
          Jennifer M. Perez, Director, Trial Court Services  
          Joanne M. Dietrich, Assistant Director, Family Practice  
          Special Assistants to the Administrative Director  
          Amelia Wachter-Smith, Chief, Family Practice  
          Family Division Managers and Assistants  
          Criminal Division Managers and Assistants  
          Domestic Violence Hearing Officers  
          Domestic Violence Team Leaders

# ATTACHMENT 1

## **VASPA Legislation**

## CHAPTER 127

AN ACT concerning protective orders for certain victimized persons, amending various parts of the statutory law, and repealing section 2 of P.L.1999, c.47.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2015, c.147 (C.2C:14-13) is amended to read as follows:

C.2C:14-13 Short title.

1. P.L.2015, c.147 (C.2C:14-13 et al.) shall be known and may be cited as the “Victim’s Assistance and Survivor Protection Act.”

2. Section 2 of P.L.2015, c.147 (C.2C:14-14) is amended to read as follows:

C.2C:14-14 Application for temporary protective order.

2. Application for Temporary Protective Order.

- a. (1) Any person alleging to be a victim of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, or stalking or cyber-harassment, and who is not eligible for a restraining order as a “victim of domestic violence” as defined by the provisions of subsection d. of section 3 of P.L.1991, c.261 (C.2C:25-19), may, except as provided in subsection b. of this section, file an application with the Superior Court pursuant to the Rules of Court alleging the commission of such conduct or attempted conduct and seeking a temporary protective order.

As used in this section and in sections 3, 4, and 8 of P.L.2015, c.147 (C.2C:14-15, C.2C:14-16, and C.2C:14-20):

“Sexual contact” means an intentional touching by the victim or actor, either directly or through clothing, of the victim's or actor's intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor.

“Sexual penetration” means vaginal intercourse, cunnilingus, fellatio or anal intercourse between persons or insertion of the hand, finger or object into the anus or vagina either by the actor or upon the actor's instruction.

“Lewdness” means the exposing of the genitals for the purpose of arousing or gratifying the sexual desire of the actor or of any other person.

“Intimate parts” means the following body parts: sexual organs, genital area, anal area, inner thigh, groin, buttock or breast of a person.

“Stalking” means purposefully or knowingly engaging in a course of conduct directed at or toward a person that would cause a reasonable person to fear for the reasonable person’s own safety or the safety of a third person, or suffer other emotional distress, because the conduct involves: repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about a person, or interfering with a person’s property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or towards a person.

“Repeatedly” means on two or more occasions.

“Emotional distress” means significant mental suffering or distress.

“Cause a reasonable person to fear” means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.

“Cyber-harassment” means conduct that occurs, while making one or more communications in an online capacity via any electronic device or through a social networking site and with the

purpose to harass another, that involves: threatening to inflict injury or physical harm to any person or the property of any person; knowingly sending, posting, commenting, requesting, suggesting, or proposing any lewd, indecent, or obscene material to or about a person with the intent to emotionally harm a reasonable person or place a reasonable person in fear of physical or emotional harm to the reasonable person; or threatening to commit any crime against a person or the person's property.

(2) Except as provided in subsection b. of this section, an application for relief under P.L.2015, c.147 (C.2C:14-13 et al.) may be filed by the alleged victim's parent or guardian on behalf of the alleged victim in any case in which the alleged victim:

(a) is less than 18 years of age; or

(b) has a developmental disability as defined in section 3 of P.L.1977, c.200 (C.5:5-44.4) or a mental disease or defect that renders the alleged victim temporarily or permanently incapable of understanding the nature of the alleged victim's conduct, including, but not limited to, being incapable of providing consent, or of understanding the nature of the alleged conduct that is the subject of the application.

b. (1) When it is alleged that nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, or stalking or cyber-harassment has been committed by an unemancipated minor, an applicant seeking a protective order shall not proceed under the provisions of P.L.2015, c.147 (C.2C:14-13 et al.), but may seek a protective order and other relief under the "New Jersey Code of Juvenile Justice," P.L.1982, c.77 (C.2A:4A-20 et seq.) by filing a complaint pursuant to the provisions of section 11 of P.L.1982, c.77 (C.2A:4A-30).

(2) When it is alleged that nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, or stalking or cyber-harassment has been committed against an unemancipated minor by a parent, guardian, or other person having care, custody and control of that child as defined in R.S.9:6-2, an applicant seeking a protective order shall not proceed under the provisions of P.L.2015, c.147 (C.2C:14-13 et al.), but shall report the incident to the Department of Children and Families for appropriate action.

c. (1) An applicant may seek a protective order pursuant to P.L.2015, c.147 (C.2C:14-13 et al.) and the court may issue such an order regardless of whether criminal charges based on the incident were filed and regardless of the disposition of any such charges.

(2) The filing of an application pursuant to this section shall not prevent the filing of a criminal complaint, or the institution or maintenance of a criminal prosecution based on the same act.

d. The court shall waive any requirement that the applicant's or alleged victim's place of residence appear on the application.

e. An applicant may seek a protective order pursuant to P.L.2015, c.147 (C.2C:14-13 et al.) in a court having jurisdiction over the place where the alleged conduct or attempted conduct occurred, where the respondent resides, or where the alleged victim resides or is sheltered.

f. No fees or other costs shall be assessed against an applicant for seeking a protective order pursuant to P.L.2015, c.147 (C.2C:14-13 et al.).

3. Section 3 of P.L.2015, c.147 (C.2C:14-15) is amended to read as follows:

C.2C:14-15 Temporary protective order.

3. Temporary Protective Order.

a. An applicant may seek emergency, ex parte relief in the nature of a temporary protective order. A judge of the Superior Court may enter an emergency ex parte order when necessary to protect the safety and well-being of an alleged victim on whose behalf the relief is sought. The court may grant any relief necessary to protect the safety and well-being of an alleged victim.



b. The court shall, upon consideration of the application, order emergency ex parte relief in the nature of a temporary protective order if the court determines that the applicant is a victim of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, or stalking or cyber-harassment, and qualifies for such relief pursuant to section 2 of P.L.2015, c.147 (C.2C:14-14). The court shall render a decision on the application and issue a temporary protective order, where appropriate, in an expedited manner.

c. The court may issue a temporary protective order, pursuant to court rules, upon sworn testimony or an application of an alleged victim who is not physically present, pursuant to court rules, or by a person who represents an alleged victim who is physically or mentally incapable of filing personally. A temporary protective order may be issued if the judge is satisfied that exigent circumstances exist sufficient to excuse the failure of the applicant to appear personally and that sufficient grounds for granting the application have been shown.

d. An order for emergency, ex parte relief shall be granted upon good cause shown and shall remain in effect until a judge of the Superior Court issues a further order. Any temporary protective order issued pursuant to this section is immediately appealable for a plenary hearing de novo not on the record before any judge of the Superior Court of the county in which the alleged victim resides or is sheltered if that judge issued the temporary protective order or has access to the reasons for the issuance of the temporary protective order and sets forth in the record the reasons for the modification or dismissal.

e. A temporary protective order issued pursuant to this section may include, but is not limited to, the following emergency relief:

(1) an order prohibiting the respondent from committing or attempting to commit any future act of nonconsensual sexual contact, sexual penetration, lewdness, stalking, or cyber-harassment against the alleged victim;

(2) an order prohibiting the respondent from entering the residence, property, school, or place of employment of the victim or the victim's family or household members, and requiring the respondent to stay away from any specified place that is named in the order and is frequented regularly by the alleged victim or the alleged victim's family or household members;

(3) an order prohibiting the respondent from having any contact with the alleged victim or others, including an order forbidding the respondent from personally or through an agent initiating any communication likely to cause annoyance or alarm including, but not limited to, personal, written, or telephone contact, or contact via electronic device, with the alleged victim or the alleged victim's family members, or their employers, employees, or fellow workers, an employee or volunteer of a sexual assault response entity that is providing services to an alleged victim, or others with whom communication would be likely to cause annoyance or alarm to the alleged victim;

(4) an order prohibiting the respondent from following, or threatening to harm, stalk, or follow, the alleged victim;

(5) an order prohibiting the respondent from committing or attempting to commit an act of harassment against the alleged victim; and

(6) any other relief that the court deems appropriate.

f. A copy of the temporary protective order issued pursuant to this section shall be immediately forwarded to the police of the municipality in which the alleged victim resides or is sheltered. A copy of the temporary protective order shall also be forwarded to the sheriff of the county in which the respondent resides for immediate service upon the respondent in accordance with the Rules of Court. The court or the sheriff may coordinate service of the temporary protective order upon the respondent through the police in appropriate circumstances. If personal service cannot be effected upon the respondent, the court may order

other appropriate substituted service. At no time shall the alleged victim be asked or required to serve any order on the respondent.

g. Notice of temporary protective orders issued pursuant to this section shall be sent by the clerk of the court or other person designated by the court to the appropriate chiefs of police, members of the State Police and any other appropriate law enforcement agency or court.

4. Section 4 of P.L.2015, c.147 (C.2C:14-16) is amended to read as follows:

C.2C:14-16 Final protective order.

4. Final Protective Order.

a. A hearing shall be held in the Superior Court within 10 days of the filing of an application pursuant to section 3 of P.L.2015, c.147 (C.2C:14-15) in the county where the temporary protective order was issued, unless good cause is shown for the hearing to be held elsewhere. A copy of the application shall be served on the respondent in conformity with the Rules of Court. If a criminal complaint arising out of the same incident which is the subject matter of an application for a protective order has been filed, testimony given by the applicant, the alleged victim, or the respondent in accordance with an application filed pursuant to this section shall not be used in the criminal proceeding against the respondent, other than contempt matters, and where it would otherwise be admissible hearsay under the rules of evidence that govern when a party is unavailable. At the hearing, the standard for proving the allegations made in the application for a protective order shall be a preponderance of the evidence. The court shall consider but not be limited to the following factors:

(1) the occurrence of one or more acts of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, or acts of stalking or cyber-harassment against the alleged victim; and

(2) the possibility of future risk to the safety or well-being of the alleged victim.

b. The court shall not deny relief under this section due to: the applicant's or alleged victim's failure to report the incident to law enforcement; the alleged victim's or the respondent's alleged intoxication; whether the alleged victim did or did not leave the premises to avoid nonconsensual sexual contact, sexual penetration, or lewdness, or an attempt at such conduct, or to avoid being stalked; or the absence of signs of physical injury to the alleged victim.

c. In any proceeding involving an application for a protective order pursuant to P.L.2015, c.147 (C.2C:14-13 et al.), evidence of the alleged victim's previous sexual conduct or manner of dress at the time of the incident shall not be admitted nor shall any reference made to such conduct or manner or dress, except as provided in N.J.S.2C:14-7.

d. The issue of whether an act alleged in the application for a protective order occurred, or whether an act of contempt under subsection d. of N.J.S.2C:29-9 occurred, shall not be subject to mediation or negotiation in any form.

e. A final protective order issued pursuant to this section shall be issued only after a finding or an admission is made that the respondent committed an act of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, or committed stalking or cyber-harassment against the alleged victim. A final protective order shall:

(1) prohibit the respondent from having contact with the victim; and

(2) prohibit the respondent from committing any future act of nonconsensual sexual contact, sexual penetration, lewdness, stalking, or cyber-harassment, or any attempt at such conduct, against the victim.

f. In addition to any relief provided to the victim under subsection e. of this section, a final protective order issued pursuant to this section may include, but is not limited to, the following relief:

(1) an order prohibiting the respondent from entering the residence, property, school, or place of employment of the victim or the victim's family or household members, and requiring the respondent to stay away from any specified place that is named in the order and is frequented regularly by the victim or the victim's family or household members;

(2) an order prohibiting the respondent from having any contact with the victim or others, including an order forbidding the respondent from personally or through an agent initiating any communication likely to cause annoyance or alarm including, but not limited to, personal, written, or telephone contact, or contact via electronic device, with the victim or the victim's family members or their employers, employees, or fellow workers; an employee or volunteer of a sexual assault response entity that is providing services to a victim; or others with whom communication would be likely to cause annoyance or alarm to the victim;

(3) an order prohibiting the respondent from following, or threatening to harm, stalk, or follow, the victim;

(4) an order prohibiting the respondent from committing or attempting to commit an act of harassment against the victim; and

(5) any other relief that the court deems appropriate.

g. A copy of the final protective order issued pursuant to this section shall be immediately forwarded to the police of the municipality in which the victim resides or is sheltered. A copy of the final protective order shall be forwarded to the sheriff of the county in which the respondent resides for immediate service upon the respondent in accordance with the Rules of Court. The court or the sheriff may coordinate service of the final protective order upon the respondent through the police in appropriate circumstances. If personal service cannot be effected upon the respondent, the court may order other appropriate substituted service. At no time shall the victim be asked or required to serve any order on the respondent.

h. Notice of a final protective order issued pursuant to this section shall be sent by the clerk of the Superior Court or other person designated by the court to the appropriate county prosecutor, the appropriate chiefs of police, members of the State Police and any other appropriate law enforcement agency. Notice of the issuance of a final protective order shall also be provided to the Division of Child Protection and Permanency in the Department of Children and Families where the victim is less than 18 years of age.

i. A final protective order issued pursuant to this section shall remain in effect until further order of a judge of the Superior Court. Either party may file a petition with the court to dissolve or modify a final protective order. When considering a petition for dissolution or modification of a final protective order, the court shall conduct a hearing to consider whether a material change in circumstances has occurred since the issuance of the protective order which would make its continued enforcement inequitable, oppressive or unjust taking into account the current status of the parties, including the desire of the victim for the continuation of the protective order, the potential for contact between the parties, the history of the respondent's violations of the protective order or criminal convictions, and any other factors that the court may find relevant to protecting the safety and well-being of the victim.

5. Section 8 of P.L.2015, c.147 (C.2C:14-20) is amended to read as follows:

C.2C:14-20 Central registry of protective orders.

8. The Administrative Office of the Courts shall establish and maintain a central registry of all protective orders issued pursuant to P.L.2015, c.147 (C.2C:14-13 et al.) and all persons who have been charged with a violation of such a protective order. All records made pursuant to this section shall be kept confidential and shall be released only to:

a. A public agency authorized to investigate a report of nonconsensual sexual contact, sexual penetration, or lewdness, or any attempt at such conduct, stalking, cyber-harassment, or domestic violence;

b. A police or other law enforcement agency for official purposes;

c. A court, upon its finding that access to such records may be necessary for determination of an issue before the court;

d. A surrogate, in that person's official capacity as deputy clerk of the Superior Court, in order to prepare documents that may be necessary for a court to determine an issue in an adoption proceeding; or

e. The Division of Child Protection and Permanency in the Department of Children and Families when the division is conducting a background investigation involving:

(1) an allegation of child abuse or neglect, to include any adult member of the same household as the individual who is the subject of the abuse or neglect allegation; or

(2) an out-of-home placement for a child being placed by the Division of Child Protection and Permanency, to include any adult member of the prospective placement household.

Any individual, agency, or court which receives from the Administrative Office of the Courts the records referred to in this section shall keep the records and reports, or parts thereof, confidential and shall not disseminate or disclose such records and reports, or parts thereof; provided that nothing in this section shall prohibit a receiving individual, agency, surrogate or court from disclosing records and reports, or parts thereof, in a manner consistent with and in furtherance of the purpose for which the records and reports or parts thereof were received.

Any individual who disseminates or discloses a record or report, or parts thereof, of the central registry, other than for an official purpose authorized by this section, for the investigation of an alleged violation of a protective order issued pursuant to P.L.2015, c.147 (C.2C:14-13 et al.), conducting a background investigation involving a person's application for employment at a police or law enforcement agency, making a determination of an issue before the court, conducting a background investigation as specified in subsection e. of this section, or for any other purpose other than that which is authorized by law, the Rules of Court or court order, shall be guilty of a crime of the fourth degree.

6. N.J.S.2C:58-3 is amended to read as follows:

Purchase of firearms.

2C:58-3. a. Permit to purchase a handgun.

(1) A person shall not sell, give, transfer, assign or otherwise dispose of, nor receive, purchase, or otherwise acquire a handgun unless the purchaser, assignee, donee, receiver or holder is licensed as a dealer under this chapter or has first secured a permit to purchase a handgun as provided by this section.

(2) A person who is not a licensed retail dealer and sells, gives, transfers, assigns, or otherwise disposes of, or receives, purchases or otherwise acquires a handgun pursuant to this section shall conduct the transaction through a licensed retail dealer.

The provisions of this paragraph shall not apply if the transaction is:

(a) between members of an immediate family as defined in subsection n. of this section;

(b) between law enforcement officers;

(c) between collectors of firearms or ammunition as curios or relics as defined in Title 18, U.S.C. section 921(a)(13) who have in their possession a valid Collector of Curios and Relics License issued by the Bureau of Alcohol, Tobacco, Firearms, and Explosives; or

(d) a temporary transfer pursuant to section 1 of P.L.1992, c.74 (C.2C:58-3.1) or section 1 of P.L.1997, c.375 (C.2C:58-3.2).

(3) Prior to a transaction conducted pursuant to this subsection, the retail dealer shall complete a National Instant Criminal Background Check of the person acquiring the handgun. In addition:

(a) the retail dealer shall submit to the Superintendent of State Police, on a form approved by the superintendent, information identifying and confirming the background check;

(b) every retail dealer shall maintain a record of transactions conducted pursuant to this subsection, which shall be maintained at the address displayed on the retail dealer's license for inspection by a law enforcement officer during reasonable hours;

(c) a retail dealer may charge a fee for a transaction conducted pursuant to this subsection; and

(d) any record produced pursuant to this subsection shall not be considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

b. Firearms purchaser identification card.

(1) A person shall not sell, give, transfer, assign or otherwise dispose of nor receive, purchase or otherwise acquire an antique cannon or a rifle or shotgun, other than an antique rifle or shotgun, unless the purchaser, assignee, donee, receiver or holder is licensed as a dealer under this chapter or possesses a valid firearms purchaser identification card, and first exhibits the card to the seller, donor, transferor or assignor, and unless the purchaser, assignee, donee, receiver or holder signs a written certification, on a form prescribed by the superintendent, which shall indicate that the person presently complies with the requirements of subsection c. of this section and shall contain the person's name, address and firearms purchaser identification card number or dealer's registration number. The certification shall be retained by the seller, as provided in paragraph (4) of subsection a. of N.J.S.2C:58-2, or, in the case of a person who is not a dealer, it may be filed with the chief police officer of the municipality in which the person resides or with the superintendent.

(2) A person who is not a licensed retail dealer and sells, gives, transfers, assigns, or otherwise disposes of, or receives, purchases or otherwise acquires an antique cannon or a rifle or shotgun pursuant to this section shall conduct the transaction through a licensed retail dealer.

The provisions of this paragraph shall not apply if the transaction is:

(a) between members of an immediate family as defined in subsection n. of this section;

(b) between law enforcement officers;

(c) between collectors of firearms or ammunition as curios or relics as defined in Title 18, U.S.C. section 921(a)(13) who have in their possession a valid Collector of Curios and Relics License issued by the Bureau of Alcohol, Tobacco, Firearms, and Explosives; or

(d) a temporary transfer pursuant to section 1 of P.L.1992, c.74 (C.2C:58-3.1) and section 1 of P.L.1997, c.375 (C.2C:58-3.2).

(3) Prior to a transaction conducted pursuant to this subsection, the retail dealer shall complete a National Instant Criminal Background Check of the person acquiring an antique cannon or a rifle or shotgun. In addition:

(a) the retail dealer shall submit to the Superintendent of State Police, on a form approved by the superintendent, information identifying and confirming the background check;

(b) every retail dealer shall maintain a record of transactions conducted pursuant to this section which shall be maintained at the address set forth on the retail dealer's license for inspection by a law enforcement officer during reasonable hours;

(c) a retail dealer may charge a fee, not to exceed \$70, for a transaction conducted pursuant to this subsection; and

(d) any record produced pursuant to this subsection shall not be considered a public record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

c. Who may obtain. Except as hereinafter provided, a person shall not be denied a permit to purchase a handgun or a firearms purchaser identification card, unless the person is known in the community in which the person lives as someone who has engaged in acts or made

statements suggesting the person is likely to engage in conduct, other than justified self-defense, that would pose a danger to self or others, or is subject to any of the disabilities set forth in this section or other sections of this chapter. A handgun purchase permit or firearms purchaser identification card shall not be issued:

(1) To any person who has been convicted of: (a) any crime in this State or its felony counterpart in any other state or federal jurisdiction; or (b) a disorderly persons offense in this State involving an act of domestic violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19) or its felony or misdemeanor counterpart involving an act of domestic violence as defined under a comparable statute in any other state or federal jurisdiction, whether or not armed with or possessing a weapon at the time of the offense;

(2) To any person who is presently confined for a mental disorder as a voluntary admission as defined in section 2 of P.L.1987, c.116 (C.30:4-27.2) or who is presently involuntarily committed to inpatient or outpatient treatment pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.);

(3) To any person who suffers from a physical defect or disease which would make it unsafe for that person to handle firearms, to any person with a substance use disorder involving drugs as defined in section 2 of P.L.1970, c.226 (C.24:21-2), or to any alcoholic as defined in section 2 of P.L.1975, c.305 (C.26:2B-8) unless any of the foregoing persons produces a certificate of a medical doctor, treatment provider, or psychiatrist licensed in New Jersey, or other satisfactory proof, that the person is no longer suffering from that particular disability in a manner that would interfere with or handicap that person in the handling of firearms; to any person who knowingly falsifies any information on the application form for a handgun purchase permit or firearms purchaser identification card;

(4) To any person under the age of 18 years for a firearms purchaser identification card and to any person under the age of 21 years for a permit to purchase a handgun;

(5) To any person where the issuance would not be in the interest of the public health, safety or welfare because the person is found to be lacking the essential character of temperament necessary to be entrusted with a firearm;

(6) To any person who is subject to or has violated a temporary or final restraining order issued pursuant to the "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et seq.) prohibiting the person from possessing any firearm or a temporary or final domestic violence restraining order issued in another jurisdiction prohibiting the person from possessing any firearm;

(7) To any person who as a juvenile was adjudicated delinquent for an offense which, if committed by an adult, would constitute a crime and the offense involved the unlawful use or possession of a weapon, explosive or destructive device or is enumerated in subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2);

(8) To any person whose firearm is seized pursuant to the "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et seq.) and whose firearm has not been returned; or

(9) To any person named on the consolidated Terrorist Watchlist maintained by the Terrorist Screening Center administered by the Federal Bureau of Investigation;

(10) To any person who is subject to or has violated a court order prohibiting the custody, control, ownership, purchase, possession, or receipt of a firearm or ammunition issued pursuant to the "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.);

(11) To any person who is subject to or has violated a court order prohibiting the custody, control, ownership, purchase, possession, or receipt of a firearm or ammunition issued pursuant to P.L.2021, c.327 (C.2C:12-14 et al.);

(12) To any person who is subject to or has violated a temporary or final protective order issued pursuant to the "Victim's Assistance and Survivor Protection Act," P.L.2015, c.147 (C.2C:14-13 et al.);

(13) To any person who has previously been voluntarily admitted to inpatient treatment pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.) or involuntarily committed to inpatient or outpatient treatment pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.), unless the court has expunged the person's record pursuant to P.L.1953, c.268 (C.30:4-80.8 et seq.);

(14) To any person who is subject to an outstanding arrest warrant for an indictable crime in this State or for a felony, other than a felony to which section 1 of P.L.2022, c.50 (C.2A:160-14.1) would apply, in any other state or federal jurisdiction; or

(15) To any person who is a fugitive from justice due to having fled from any state or federal jurisdiction to avoid prosecution for a crime, other than a crime to which section 1 of P.L.2022, c.50 (C.2A:160-14.1) would apply, or to avoid giving testimony in any criminal proceeding.

In order to obtain a permit to purchase a handgun or a firearms purchaser identification card, the applicant shall demonstrate that, within four years prior to the date of the application, the applicant satisfactorily completed a course of instruction approved by the superintendent in the lawful and safe handling and storage of firearms. The applicant shall be required to demonstrate completion of a course of instruction only once prior to obtaining either a firearms purchaser identification card or the applicant's first permit to purchase a handgun.

The applicant shall not be required to demonstrate completion of a course of instruction in order to obtain any subsequent permit to purchase a handgun, to replace an existing firearms purchaser identification card, or to renew a firearms purchaser identification card.

An applicant who is a law enforcement officer who has satisfied the requirements of subsection j. of N.J.S.2C:39-6, a retired law enforcement officer who has satisfied the requirements of subsection l. of N.J.S.2C:39-6, or a veteran who was honorably discharged as a member of the United States Armed Forces or National Guard who received substantially equivalent training shall not be required to complete the course of instruction required pursuant to the provisions of this subsection.

A person who obtained a permit to purchase a handgun or a firearms purchaser identification card prior to the effective date of P.L.2022, c.58 shall not be required to complete a course of instruction pursuant to this subsection.

d. Issuance. The chief police officer of an organized full-time police department of the municipality where the applicant resides or the superintendent, in all other cases, shall upon application, issue to any person qualified under the provisions of subsection c. of this section a permit to purchase a handgun or a firearms purchaser identification card.

A firearms purchaser identification card issued following the effective date of P.L.2022, c.58 shall display a color photograph and be electronically linked to the fingerprints of the card holder. A person who obtained a firearms purchaser identification card prior to the effective date of P.L.2022, c.58 shall not be required to obtain a firearms purchaser identification card that displays a color photograph and is electronically linked to fingerprints. The superintendent shall establish guidelines as necessary to effectuate the issuance of firearms purchaser identification cards that display a color photograph and which are electronically linked to the fingerprints of the card holder.

The requirements of this subsection concerning firearms purchaser identification cards issued following the effective date of P.L.2022, c.58 shall remain inoperative until such time as the superintendent establishes a system to produce cards that comply with this requirement and, until such time, applicants issued a firearms purchaser identification card shall be provided with cards that do not conform to the requirements of this section, which shall be afforded full force and effect until such time as the system is established and a compliant card is issued in accordance with this subsection. An applicant issued a non-compliant firearms purchaser identification card shall obtain a card, at no cost to the applicant, which conforms to the requirements of this section no later than one year after receiving notice that the system to produce cards that comply with this requirement is operational.

If an application for a permit or identification card is denied, the applicant shall be provided with a written statement of the reasons for the denial. Any person aggrieved by the denial of a permit or identification card may request a hearing in the Superior Court of the county in which the person resides if the person is a resident of New Jersey or in the Superior Court of the county in which the person's application was filed if the person is a nonresident. The request for a hearing shall be made in writing within 30 days of the denial of the application for a permit or identification card. The applicant shall serve a copy of the request for a hearing upon the chief police officer of the municipality in which the person resides, if the person is a resident of New Jersey, and upon the superintendent in all cases. The hearing shall be held and a record made thereof within 60 days of the receipt of the application for a hearing by the judge of the Superior Court. No formal pleading and no filing fee shall be required as a preliminary to a hearing. Appeals from the results of a hearing shall be in accordance with law.

The Administrative Director of the Courts shall coordinate with the superintendent in the development of an electronic filing system to receive requests for hearings and serve the chief police officer and superintendent as required in this section.

e. Applications. Applications for permits to purchase a handgun and for firearms purchaser identification cards shall be in the form prescribed by the superintendent and shall set forth the name, residence, place of business, age, date of birth, occupation, sex, any aliases or other names previously used by the applicant, gender, and physical description, including distinguishing physical characteristics, if any, of the applicant, and shall state whether the applicant is a citizen, whether the applicant is an alcoholic as defined in section 2 of P.L.1975, c.305 (C. 26:2B-8) or is a drug-dependent person as defined in section 2 of P.L.1970, c.226 (C.24:21-2), whether the applicant has ever been confined or committed to a mental institution or hospital for treatment or observation of a mental or psychiatric condition on a temporary, interim or permanent basis, giving the name and location of the institution or hospital and the dates of confinement or commitment, whether the applicant has been attended, treated or observed by any doctor or psychiatrist or at any hospital or mental institution on an inpatient or outpatient basis for any mental or psychiatric condition, giving the name and location of the doctor, psychiatrist, hospital or institution and the dates of the occurrence, whether the applicant presently or ever has been a member of any organization which advocates or approves the commission of acts of force and violence to overthrow the Government of the United States or of this State, or which seeks to deny others their rights under the Constitution of either the United States or the State of New Jersey, whether the applicant has ever been convicted of a crime or disorderly persons offense in this State or felony or misdemeanor in any other state or federal jurisdiction, whether the applicant is subject to a restraining order issued pursuant to the "Prevention of Domestic Violence Act of 1991", P.L.1991, c.261 (C.2C:25-17 et seq.) or an order entered under the provisions of a substantially similar statute under the laws of another jurisdiction prohibiting the applicant from possessing any firearm, whether the applicant is subject to a protective order issued pursuant to the "Victim's Assistance and Survivor Protection Act," P.L.2015, c.147 (C.2C:14-13 et al.) or an order entered under the provisions of a substantially similar statute under the laws of another jurisdiction, whether the applicant is subject to a protective order issued pursuant to the "Extreme Risk Protective Order Act of 2018", P.L.2018, c.35 (C.2C:58-20 et al.), whether the applicant is subject to a protective order issued pursuant to P.L.2021, c.327 (C.2C:12-14 et al.) prohibiting the applicant from possessing any firearm, and other information as the superintendent shall deem necessary for the proper enforcement of this chapter. For the purpose of complying with this subsection, the applicant shall waive any statutory or other right of confidentiality relating to institutional confinement. The application shall be signed



by the applicant and shall contain as references the names and addresses of two reputable citizens personally acquainted with the applicant.

An applicant for a permit to purchase a handgun shall also certify, with respect to each handgun listed on the form, whether the applicant is purchasing the handgun on the applicant's own behalf or, if not, that the purchase is being made on behalf of a third party to whom the applicant may lawfully transfer the handgun.

Application blanks shall be obtainable from the superintendent, from any other officer authorized to grant a permit or identification card, and from licensed retail dealers, or shall be made available through an online process established or made available by the superintendent.

The chief police officer or the superintendent shall obtain the fingerprints of the applicant and shall have them compared with any and all records of fingerprints in the municipality and county in which the applicant resides and also the records of the State Bureau of Identification and the Federal Bureau of Investigation, provided that an applicant for a handgun purchase permit who possesses a valid firearms purchaser identification card, or who has previously obtained a handgun purchase permit from the same licensing authority for which the applicant was previously fingerprinted, and who provides other reasonably satisfactory proof of the applicant's identity, need not be fingerprinted again; however, the chief police officer or the superintendent shall proceed to investigate the application to determine whether or not the applicant has become subject to any of the disabilities set forth in this chapter.

f. Granting of permit or identification card; fee; term; renewal; revocation. The application for the permit to purchase a handgun together with a fee of \$25, or the application for the firearms purchaser identification card together with a fee of \$50, shall be delivered or forwarded to the licensing authority who, upon determining that the application is complete, shall investigate the same and, provided the requirements of this section are met, shall grant the permit or the identification card, or both, if application has been made therefor, within 30 days from the date of receipt of the completed application for residents of this State and within 45 days for nonresident applicants. A permit to purchase a handgun shall be valid for a period of 90 days from the date of issuance and may be renewed by the issuing authority for good cause for an additional 90 days. A firearms purchaser identification card issued or renewed after the effective date of P.L.2022, c.58 shall expire during the tenth calendar year following its date of issuance and on the same calendar day as the person's date of birth.

If the date of birth of the firearms purchaser identification card holder does not correspond to a calendar day of the tenth calendar year, the card shall expire on the last day of the birth month of the card holder.

A firearms purchaser identification card issued pursuant to this section may be renewed upon filing of a renewal application and payment of the required fee, provided that the holder is not subject to any of the disabilities set forth in subsection c. of this section and complies with all other applicable requirements as set forth in statute and regulation. If an application for renewal of a firearms purchaser identification card is denied, the applicant shall be provided with a written statement of the reasons for the denial. Any person aggrieved by the denial of an application for renewal of a firearms purchaser identification card may request a hearing in the Superior Court of the county in which the person resides if the person is a resident of New Jersey or in the Superior Court of the county in which the person's application was filed if the person is a nonresident. The request for a hearing shall be made in writing within 30 days of the denial of the application for renewal of the firearms purchaser identification card. The applicant shall serve a copy of the request for a hearing upon the chief police officer of the municipality in which the applicant resides, if the person is a resident of New Jersey, and upon the superintendent in all cases. The hearing shall be held and a record made thereof within 60 days of the receipt of the application for a hearing by the judge of the Superior Court. A formal

pleading and filing fee shall not be required as a preliminary to a hearing. Appeals from the results of a hearing shall be in accordance with law.

The Administrative Director of the Courts shall coordinate with the superintendent in the development of an electronic filing system to receive requests for hearings and serve the chief police officer and superintendent as required in this section.

A firearms purchaser identification card issued prior to the effective date of P.L.2022, c.58 shall not expire.

A firearms purchaser identification card shall be void if the holder becomes subject to any of the disabilities set forth in subsection c. of this section, whereupon the card shall be returned within five days by the holder to the superintendent, who shall then advise the licensing authority. Failure of the holder to return the firearms purchaser identification card to the superintendent within the five days shall be an offense under subsection a. of N.J.S.2C:39-10. Any firearms purchaser identification card may be revoked by the Superior Court of the county wherein the card was issued, after hearing upon notice, upon a finding that the holder thereof no longer qualifies for the issuance of the permit. The county prosecutor of any county, the chief police officer of any municipality or any citizen may apply to the court at any time for the revocation of the card.

There shall be no conditions or requirements added to the form or content of the application, or required by the licensing authority for the issuance or renewal of a permit or identification card, other than those that are specifically set forth in this chapter.

g. Disposition of fees. All fees for permits shall be paid to the State Treasury for deposit into the Victims of Crime Compensation Office account if the permit is issued by the superintendent, to the municipality if issued by the chief police officer, and to the county treasurer if issued by the judge of the Superior Court.

h. Form of permit; establishment of a web portal; disposition of the completed information. (1) Except as otherwise provided in paragraph (2) of this subsection, the permit shall be in the form prescribed by the superintendent and shall be issued to the applicant electronically through e-mail or the web portal established or designated for this purpose by the superintendent or in such form or manner as may be authorized by the superintendent. Prior to the time the applicant receives the handgun from the seller, the applicant shall provide to the seller an acknowledgement of the permit in the form required under the process established by the superintendent, and the seller shall complete all of the information required on the web portal. This information shall be forwarded to the superintendent through the web portal, or in such other manner as may be authorized by the superintendent, and to the chief police officer of the municipality in which the purchaser resides, except that in a municipality having no chief police officer, the information shall be forwarded to the superintendent. The purchaser shall retain a copy of the completed information and the seller shall retain a copy of the completed information as a permanent record.

A transfer of a handgun between or among immediate family members, law enforcement officers, or collectors of firearms or ammunition as curios or relics shall be conducted via the web portal established or designated by the superintendent, which shall include among other things a certification that the seller and purchaser are in fact immediate family members, law enforcement officers, or collectors of firearms or ammunition as curios or relics.

(2) The requirements of this subsection concerning the delivery and form of permit and disposition of copies shall not be applicable when these functions may be completed by utilizing an electronic system as described in paragraph (2) of subsection b. of N.J.S.2C:58-2 or section 5 of P.L.2022, c.55 (C.2C:58-3.3a).

i. Restriction on number of firearms person may purchase. Only one handgun shall be purchased or delivered on each permit and no more than one handgun shall be purchased within any 30-day period, but this limitation shall not apply to:

(1) a federal, State, or local law enforcement officer or agency purchasing handguns for use by officers in the actual performance of their law enforcement duties;

(2) a collector of handguns as curios or relics as defined in Title 18, United States Code, section 921(a)(13) who has in the collector's possession a valid Collector of Curios and Relics License issued by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives;

(3) transfers of handguns among licensed retail dealers, registered wholesale dealers and registered manufacturers;

(4) transfers of handguns from any person to a licensed retail dealer or a registered wholesale dealer or registered manufacturer;

(5) any transaction where the person has purchased a handgun from a licensed retail dealer and has returned that handgun to the dealer in exchange for another handgun within 30 days of the original transaction, provided the retail dealer reports the exchange transaction to the superintendent; or

(6) any transaction where the superintendent issues an exemption from the prohibition in this subsection pursuant to the provisions of section 4 of P.L.2009, c.186 (C.2C:58-3.4).

The provisions of this subsection shall not be construed to afford or authorize any other exemption from the regulatory provisions governing firearms set forth in chapter 39 and chapter 58 of Title 2C of the New Jersey Statutes;

A person shall not be restricted as to the number of rifles or shotguns the person may purchase, provided the person possesses a valid firearms purchaser identification card and provided further that the person signs the certification required in subsection b. of this section for each transaction.

j. Firearms passing to heirs or legatees. Notwithstanding any other provision of this section concerning the transfer, receipt or acquisition of a firearm, a permit to purchase or a firearms purchaser identification card shall not be required for the passing of a firearm upon the death of an owner thereof to the owner's heir or legatee, whether the same be by testamentary bequest or by the laws of intestacy. The person who shall so receive, or acquire the firearm shall, however, be subject to all other provisions of this chapter. If the heir or legatee of the firearm does not qualify to possess or carry it, the heir or legatee may retain ownership of the firearm for the purpose of sale for a period not exceeding 180 days, or for a further limited period as may be approved by the chief law enforcement officer of the municipality in which the heir or legatee resides or the superintendent, provided that the firearm is in the custody of the chief law enforcement officer of the municipality or the superintendent during that period.

k. Sawed-off shotguns. Nothing in this section shall be construed to authorize the purchase or possession of any sawed-off shotgun.

l. Nothing in this section and in N.J.S.2C:58-2 shall apply to the sale or purchase of a visual distress signaling device approved by the United States Coast Guard, solely for possession on a private or commercial aircraft or any boat; provided, however, that no person under the age of 18 years shall purchase nor shall any person sell to a person under the age of 18 years a visual distress signaling device.

m. The provisions of subsections a. and b. of this section and paragraphs (4) and (5) of subsection a. of N.J.S.2C:58-2 shall not apply to the purchase of firearms by a law enforcement agency for use by law enforcement officers in the actual performance of the officers' official duties, which purchase may be made directly from a manufacturer or from a licensed dealer located in this State or any other state.

n. For the purposes of this section, "immediate family" means a spouse, domestic partner as defined in section 3 of P.L.2003, c.246 (C.26:8A-3), partner in a civil union couple as defined in section 2 of P.L.2006, c.103 (C.37:1-29), parent, stepparent, grandparent, sibling, stepsibling, child, stepchild, and grandchild, as related by blood or by law.

o. Registration of handguns owned by new residents. Any person who becomes a resident of this State following the effective date of P.L.2022, c.52 and who transports into this State a firearm that the person owned or acquired while residing in another state shall apply for a firearms purchaser identification card within 60 days of becoming a New Jersey resident, and shall register any handgun so transported into this State within 60 days as provided in this subsection.

A person who registers a handgun pursuant to this subsection shall complete a registration statement, which shall be in a form prescribed by the superintendent. The information provided in the registration statement shall include, but shall not be limited to, the name and address of the person and the make, model, and serial number of the handgun being registered. Each registration statement shall be signed by the person, and the signature shall constitute a representation of the accuracy of the information contained in the registration statement.

The registration statement shall be submitted to the law enforcement agency of the municipality in which the person resides or, if the municipality does not have a municipal law enforcement agency, any State Police station.

Within 60 days prior to the effective date of P.L.2022, c.52, the superintendent shall prepare the form of registration statement as described in this subsection and shall provide a suitable supply of statements to each organized full-time municipal police department and each State Police station.

A person who fails to apply for a firearms purchaser identification card or register a handgun as required pursuant to this subsection shall be granted 30 days to comply with the provisions of this subsection. If the person does not comply within 30 days, the person shall be liable to a civil penalty of \$250 for a first offense and shall be guilty of a disorderly persons offense for a second or subsequent offense.

If a person is in possession of multiple firearms or handguns in violation of this subsection, the person shall be guilty of one offense under this subsection provided the violation is a single event.

The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.) in a summary proceeding before the municipal court having jurisdiction. A law enforcement officer having enforcement authority in that municipality may issue a summons for a violation, and may serve and execute all process with respect to the enforcement of this subsection consistent with the Rules of Court.

p. A chief police officer or the superintendent may delegate to subordinate officers or employees of the law enforcement agency the responsibilities established pursuant to this section.

7. Section 4 of P.L.2018, c.35 (C.2C:58-23) is amended to read as follows:

C.2C:58-23 Filing of temporary extreme risk protection order.

4. a. Except as provided in subsection 1. of this section, a petitioner may file a petition, as prescribed by the Administrative Director of the Courts, for a temporary extreme risk protective order in the court in accordance with the Rules of Court alleging that the respondent poses a significant danger of bodily injury to self or others by having custody or control of, owning, possessing, purchasing, or receiving a firearm. The petition shall be heard by the court in an expedited manner.

Petition forms shall be readily available at the courts, and at State, county, and municipal law enforcement agencies.

Prior to filing a petition with the court, a family or household member may request assistance from a State, county, or municipal law enforcement agency which shall advise the petitioner of the procedure for completing and signing a petition for a temporary extreme risk protective order. A law enforcement officer from the agency may assist the family or

household member in preparing or filing the petition. This assistance may include, but not be limited to, providing information related to the factors set forth in subsection f. of this section, joining in the petition, referring the matter to another law enforcement agency for additional assistance, or filing the officer's own petition with the court.

Filing a petition pursuant to this section shall not prevent a petitioner from filing a criminal complaint or applying for a restraining order pursuant to the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.) or prevent any person from taking any action authorized pursuant to P.L.1987, c.116 (C.30:4-27.1 et seq.) based on the circumstances forming the basis of the petition.

A petitioner may apply for relief under this section in accordance with the Rules of Court.

b. A petition for a temporary extreme risk protective order shall include an affidavit setting forth the facts tending to establish the grounds of the petition, or the reason for believing that they exist, and, to the extent available, the number, types, physical description, and locations of any firearms and ammunition currently believed by the petitioner to be controlled or possessed by the respondent.

c. The court shall not charge a fee to file the petition.

d. The court, before issuing a temporary extreme risk protective order, shall examine under oath the petitioner and any witness the petitioner may produce. The court, in lieu of examining the petitioner and any witness, may rely on an affidavit submitted in support of the petition.

e. A judge shall issue the order if the court finds good cause to believe that the respondent poses an immediate and present danger of causing bodily injury to the respondent or others by having custody or control of, owning, possessing, purchasing, or receiving a firearm.

f. The county prosecutor or a designee of the county prosecutor shall produce in an expedited manner any available evidence including, but not limited to, available evidence related to the factors set forth in this section, and the court shall consider whether the respondent:

(1) has any history of threats or acts of violence by the respondent directed toward self or others;

(2) has any history of use, attempted use, or threatened use of physical force by the respondent against another person;

(3) is the subject of a temporary or final restraining order or has violated a temporary or final restraining order issued pursuant to the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et seq.);

(4) is the subject of a temporary or final protective order or has violated a temporary or final protective order issued pursuant to the "Victim's Assistance and Survivor Protection Act," P.L.2015, c.147 (C.2C:14-13 et al.);

(5) has any prior arrests, pending charges, or convictions for a violent indictable crime or disorderly persons offense, stalking offense pursuant to section 1 of P.L.1992, c.209 (C.2C:12-10), or domestic violence offense enumerated in section 3 of P.L.1991, c.261 (C.2C:25-19);

(6) has any prior arrests, pending charges, or convictions for any offense involving cruelty to animals or any history of acts involving cruelty to animals;

(7) has any history of drug or alcohol abuse and recovery from this abuse; or

(8) has recently acquired a firearm, ammunition, or other deadly weapon.

g. The temporary extreme risk protective order shall prohibit the respondent from having custody or control of, owning, purchasing, possessing, or receiving firearms or ammunition, and from securing or holding a firearms purchaser identification card or permit to purchase a handgun pursuant to N.J.S.2C:58-3, or a permit to carry a handgun pursuant to N.J.S.2C:58-4 during the period the protective order is in effect and shall order the respondent to surrender firearms and ammunition in the respondent's custody or control, or which the respondent

possesses or owns, and any firearms purchaser identification card, permit to purchase a handgun, or permit to carry a handgun held by the respondent in accordance with section 7 of P.L.2018, c.35 (C.2C:58-26). Any card or permit issued to the respondent shall be immediately revoked pursuant to subsection f. of N.J.S.2C:58-3.

h. A temporary extreme risk protective order issued under this section shall remain in effect until a court issues a further order.

i. The court that issues the temporary extreme risk protective order shall immediately forward:

(1) a copy of the order to the petitioner and county prosecutor in the county in which the respondent resides; and

(2) a copy of the order and the petition to the appropriate law enforcement agency in the municipality in which the respondent resides, which shall immediately, or as soon as practicable, serve it on the respondent.

If personal service cannot be effected upon the respondent, the court may order other appropriate substituted service. At no time shall a petitioner who is a family or household member be asked or required to serve any order on the respondent. The law enforcement agency serving the order shall not charge a fee or seek reimbursement from the petitioner for service of the order.

j. Notice of temporary extreme risk protective orders issued pursuant to this section shall be sent by the county prosecutor to the appropriate chiefs of police, members of the State Police, and any other appropriate law enforcement agency or court.

k. Any temporary extreme risk protective order issued pursuant to this section shall be in effect throughout the State, and shall be enforced by all law enforcement officers.

l. (1) A petition for a temporary extreme risk protective order filed against a law enforcement officer shall be filed in the law enforcement agency in which the officer is employed. The law enforcement officer or employee receiving the petition shall advise the petitioner of the procedure for completing and signing a petition.

(2) Upon receipt of the petition, the law enforcement officer's employer shall immediately initiate an internal affairs investigation.

(3) The disposition of the internal affairs investigation shall immediately be served upon the county prosecutor who shall make a determination whether to refer the matter to the courts.

(4) The law enforcement officer's employer shall take appropriate steps to implement any findings set forth in the disposition of the internal affairs investigation.

The law enforcement officer shall not be terminated during the pendency of the internal affairs investigation.

8. Section 2 of P.L.2019, c.103 (C.52:4B-60.2) is amended to read as follows:

C.52:4B-60.2 Findings, declarations relative to the rights of victims of sexual violence.

2. The Legislature finds and declares that:

a. The enactment of the "Crime Victim's Bill of Rights," P.L.1985, c.249 (C.52:4B-34 et seq.) and the "New Jersey Campus Sexual Assault Victim's Bill of Rights Act," P.L.1994, c.160 (C.18A:61E-1 et seq.) have resulted in significant advances in the recognition and protection of the rights of crime victims and survivors once they enter the criminal justice system;

b. Nonetheless, victims of sexual violence in particular often face circumstances where they may be blamed for the crime, assumed to be fabricating the crime, or taken less seriously than their injuries warrant. These victims are sometimes discouraged from proceeding with their complaints and as a result may not be afforded the protections and rights in the criminal justice system to which they are entitled;

c. Therefore, with no diminution of the legislatively-recognized rights of crime victims, it is the public policy of this State that the criminal justice system accord victims of sexual violence the following rights:

(1) To have any allegation of sexual assault treated seriously; to be treated with dignity and compassion; and to be notified of existing medical, counseling, mental health, or other services available for victims of sexual assault, whether or not the crime is reported to law enforcement;

(2) To be free, to the extent consistent with the New Jersey or United States Constitution, from any suggestion that victims are responsible for the commission of crimes against them or any suggestion that victims were contributorily negligent or assumed the risk of being assaulted;

(3) To be free from any suggestion that victims are to report the crimes to be assured of any other guaranteed right and that victims should refrain from reporting crimes in order to avoid unwanted personal publicity;

(4) When applicable, to no-cost access to the services of a sexual assault response team comprised of: a certified forensic nurse examiner, a confidential sexual violence advocate, and a law enforcement official as provided in accordance with the Attorney General's Standards for Providing Services to Victims of Sexual Assault, and the choice to opt into or out of any of the team's services;

(5) To be informed of, and assisted in exercising, the right to be confidentially or anonymously tested for acquired immune deficiency syndrome (AIDS) or infection with the human immunodeficiency virus (HIV) or any other related virus identified as a probable causative agent of AIDS; and to be informed of, and assisted in exercising, any rights that may be provided by law to compel and disclose the results of testing of a sexual assault suspect for communicable diseases;

(6) To have forensic medical evidence, if collected, retained for a minimum of five years, and to receive information about the status of the evidence upon request;

(7) To choose whether to participate in any investigation of the assault;

(8) To reasonable efforts to provide treatment and interviews in a language in which the victim is fluent and the right to be given access to appropriate assistive devices to accommodate disabilities that the victim may have, whether temporary or long term;

(9) To information and assistance in accessing specialized mental health services; protection from further violence; other appropriate community or governmental services, including services provided by the Victims of Crime Compensation Office; and all other assistance available to crime victims under current law;

(10) To be apprised of the availability and process by which a court may order the taking of testimony from a victim via closed circuit television in accordance with section 1 of P.L.1985, c.126 (C.2A:84A-32.4); and

(11) To be apprised of the availability and process by which to seek protections through a temporary or final protective order under the "Victim's Assistance and Survivor Protection Act," P.L.2015, c.147 (C.2C:14-13 et al.), if the victim believes that the victim is at risk for re-victimization or further harm by the perpetrator.

9. Section 3 of P.L.2019, c.103 (C.52:4B-60.3) is amended to read as follows:

C.52:4B-60.3 Publication of notice of rights on Internet website, posting at certain locations.

3. The Attorney General, in consultation with the New Jersey Coalition Against Sexual Assault, shall publish a notice of the rights enumerated in the "Sexual Assault Victim's Bill of Rights" pursuant to subsection c. of section 2 of this act, and shall make this notice available to the public on the Internet website of the Department of Law and Public Safety. All hospital emergency departments, police stations and other law enforcement agencies, sexual violence

service organizations, and any other entity informing victims of sexual violence of their rights shall post a copy of this notice in a conspicuous location that is available to the public.

The Attorney General shall incorporate the rights and services enumerated in the “Sexual Assault Victim’s Bill of Rights” pursuant to this act and in the “Victim’s Assistance and Survivor Protection Act,” P.L.2015, c.147 (C.2C:14-13 et al.), in the Attorney General Standards for Providing Services to Victims of Sexual Assault to ensure the compassionate and sensitive delivery of services to all sexual violence victims.

**Repealer.**

10. Section 2 of P.L.1999, c.47 (C.2C:12-10.2) is repealed.

11. This act shall take effect on the first day of the sixth month next following enactment.

Approved July 24, 2023.



# ATTACHMENT 2

## **VASPA Combined Packet (CN13133)**



# **New Jersey Victim’s Assistance and Survivor Protection Act (VASPA) Filing Packet**

## **Superior Court of New Jersey - Chancery Division - Family Part**

### **Who Should Use This Packet?**

#### **A. To file for a Temporary Protective Order (TPO) or amend your Verified Complaint you may use the forms in this packet if you are:**

- A victim of nonconsensual sexual contact, sexual penetration, lewdness, cyber-harassment, or stalking (see definitions on page 4) or any attempt at such conduct.
- A parent or guardian filing on behalf of your child who is less than 18 years of age **or** has a developmental disability or a mental disease or defect that renders them temporarily or permanently incapable of understanding the nature of the defendant’s conduct, including, but not limited to, being incapable of providing consent, or of understanding the nature of the alleged conduct.
- Filing an amended verified complaint to include additional information about the acts the defendant committed or attempted to commit against you.

#### **Do NOT use this packet if:**

You meet the definition of a “victim” under the Prevention of Domestic Violence Act (PDVA)- N.J.S.A. 2C:25-19 (d)(a) which is as follows:

A person protected by the PDVA includes any person:

1. **Who** is 18 years of age or older, **or** who is an emancipated minor, and who has been subjected to domestic violence by:
  - a. A spouse, or
  - b. A former spouse, or
  - c. Any other person who is a present household member or was at any time a household member, **or**

2. **Who, regardless of age,** has been subjected to domestic violence by a person:
  - a. With whom the victim has a child in common, or
  - b. With whom the victim anticipates having a child in common, if one of the parties is pregnant, or
  - c. Has been subjected to domestic violence by a person with whom the victim has or has had a dating relationship.

**B. You may file to amend your existing VASPA TPO for the following reason:**

- Add additional locations you would like the defendant to be barred from.
- Add or remove protected parties: or
- Other relief.

**This packet contains instructions and forms for the following:**

1. How to File a *New Jersey Victim's Assistance and Survivor Protection Act (VASPA) Verified Complaint* (page 8)
2. How to File a *New Jersey Victim's Assistance and Survivor Protection Act (VASPA) Amended Verified Complaint* (page 8)
3. How to request to amend an existing *VASPA Temporary Protective Order (TPO)* (page 18)

**Note:** If you are a victim of domestic violence and want to file for a domestic violence restraining order and it is after normal court hours, please contact your local law enforcement agency.

If you are filing on behalf of a minor child and the person you are filing against is a parent or guardian of the minor child, you cannot file under the Victim's Assistance and Survivor Protection Act. You must call the Division of Permanency and Protection at: 1-877 NJ ABUSE (1-877-652-2873); TTY/TDD 1-800-835-5510

**Note:** These materials have been prepared by the New Jersey Administrative Office of the Courts for use by self-represented litigants. The guides, instructions, and forms will be periodically updated as necessary to reflect current New Jersey statutes and court rules. The most recent version of the forms will be available at the county courthouse or on the Judiciary's Internet site [njcourts.gov](http://njcourts.gov). However, you are ultimately responsible for the content of your court papers.

**Completed forms are to be submitted to your local Family Division.  
A list of Family Division Offices can be found on [njcourts.gov](http://njcourts.gov)**

# Things to Think About Before You Represent Yourself in Court

## Try to Get a Lawyer

The law, the proofs necessary to present your case, and the procedural rules governing cases in the Family Division are complex. It is recommended that you make every effort to obtain the assistance of a lawyer. If you cannot afford a lawyer, you may contact the legal services program in your county to see if you qualify for free legal services. Their telephone number can be found online under “Legal Aid” or “[Legal Services](#).”

If you do not qualify for free legal services and need help in locating an attorney, you can contact the bar association in your county. The telephone number can also be found in your local yellow pages. Most county bar associations have a [Lawyer Referral Service](#).

The County Bar Lawyer Referral Service can supply you with the names of attorneys in your area willing to handle your case and will sometimes consult with you at a reduced fee.

There are a variety of organizations of minority lawyers throughout New Jersey, as well as organizations of lawyers who handle specialized types of cases. Ask the Family court staff in your county for a list of lawyer referral services that include these organizations.

## What You Should Expect If You Represent Yourself

While you have the right to represent yourself in court, you should not expect special treatment, help or attention from the court. The following is a list of some things court staff can and cannot do for you. Please read it carefully before asking court staff for help.

- We *can* explain and answer questions about how the court works.
- We *can* tell you what the requirements are to have your case considered by the court.
- We *can* give you some information from your case file.
- We *can* provide you with samples of court forms that are available.
- We *can* provide you with guidance on how to fill out forms.
- We *can* usually answer questions about court deadlines.
  
- We *cannot* give you legal advice. Only your lawyer can give you legal advice.
- We *cannot* tell you whether you should bring your case to court.
- We *cannot* give you an opinion about what will happen if you bring your case to court.
- We *cannot* recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- We *cannot* talk to the judge for you about what will happen in your case.
- We *cannot* let you talk to the judge outside of court.
- We *cannot* change an order issued by a judge.

## Keep Copies of All Papers

Make and keep copies for yourself, any signed orders and any other important papers that relate to your case.

## Definitions of Court Terms Used in VASPA Cases

**Amended Complaint:** An *amended complaint* is when you want to add additional details to your original complaint for the court to consider at the hearing.

**Application:** An *application* is a written request in which you ask the court to issue an order or to change an order that has already been issued.

**Attempt:** A specific effort to commit a crime and an act that takes a step toward completing the crime.

**Certification** - A *certification* is a written statement made to the court when you file papers with the court, swearing that the information contained in the filed papers is true subject to penalty if any statement is willfully false.

**Complaint** - A *complaint* is a formal document filed in court that starts a case. It typically includes the names of the parties and the issues you are asking the court to decide.

**Court Order** - A *court order* is the written decision issued by a court of law. For example, a child support court order sets forth how often, how much, and what kind of support is to be paid.

**Cyber-Harassment** – Means conduct that occurs, while making one or more communications in an online capacity via any electronic device or through social networking site and with the purpose to harass another, that involves: threatening to inflict injury or physical harm to any person or the property of any person; knowingly sending, posting, commenting, requesting, suggesting, or proposing any lewd, indecent, or obscene material to or about a person with the intent to emotionally harm a reasonable person or place a reasonable person in fear of physical or emotional harm; or threatening to commit any crime against a person or a person's property.

**Defendant** - the party sued in a civil lawsuit, or the party charged with a crime in a criminal prosecution. In some types of cases (such as divorce) a defendant may be called a respondent.

**Docket Number** - The *docket number* is the identifying number assigned to every case filed in the court.

**File** - To *file* means to give the appropriate forms to the court to begin the court's consideration of your request.

**FV:** The letters the court uses to identify a VASPA Protective order.

**Intimate Parts** - Means the following body parts: sexual organs, genital area, anal area, inner thigh, groin, buttock, or breast of a person.

**Lewdness** - Means the exposing of the genitals for the purpose of arousing or gratifying the sexual of the actor.

**Modification:** A change made to court order.

**Party** - A *party* is a person, business, or governmental agency involved in a court action.

**Plaintiff** - *Plaintiff* is another name for the person starting the court action by filing the appropriate papers the court will consider.

**Relief:** To ask for *relief* is to ask the court to grant something such as custody, parenting time, or support.

**Repeatedly:** Two or more occasions

**Sexual Contact** - Means an intentional touching by the victim or actor, either directly or through clothing, of the victim's or actor's intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the actor.

**Sexual Penetration** - Means vaginal intercourse, cunnilingus, fellatio, or anal intercourse between persons or insertion of the hand, finger, or object into the anus or vagina either by the actor or upon the actor's instruction.

**Stalking** – Means purposefully or knowingly engaging in a course of conduct directed at or toward a person that would cause a reasonable person to fear for their safety or the safety of a third person, or suffer other emotional distress, because the conduct involves: repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats implied by conduct or a combination thereof directed at or towards a person.

The numbered steps listed below tell you what forms you will need to fill out and what to do with them. Each form should be typed or printed clearly on 8 ½ x 11 white paper only. Forms cannot be filed on a different size or color paper. Use only the forms included in this packet. **Be sure to keep a copy for your records.**

## **Steps for Filing a Verified Complaint or Amended Complaint**

### **STEP 1: Fill out the *Confidential Information Sheet* (Form A)**

The Confidential Information sheet provides your, the defendant's and/or the incapacitated adult/minor child's demographic information. This information will be kept confidential and will not be shared with the defendant.

### **STEP 2: Fill out the *Verified Complaint or Amended Complaint* (Form B)**

The *Verified Complaint* is a written request in which you ask the court to establish a court order on your behalf or on a minor child's behalf. The court will establish an order based on testimony of the parties and written documentation submitted. Please check the appropriate box. If you are filing for the first time, check the Verified Complaint box. If you are amending your complaint, check the Amended Verified Complaint box.

### **STEP 3: Fill out the *Additional Information Sheet* if needed (Form C)**

This form is provided if you need additional space to type the details of the incident for which you are filing for a protective order.

### **STEP 4: Provide the court with the most recent address of the other party.**

If the court grants a temporary order of protection, the court will send the order to police department where the defendant resides, works or frequents to serve the defendant with the order and court date. Your appearance on the court date is **mandatory**.

**Note:** The other party will receive copies of all the papers you attach (except for the *Confidential Information Sheet*) to your complaint with the *Notice to Appear*, unless court rules prohibit this information from being shared.

You must provide the court with the most current address(es) (that you know of) for the other party when you file your complaint.

### **STEP 5: Check your completed forms and make copies.**

Check your forms and make sure they are complete. Remove all instruction sheets. Make sure you have signed all the forms wherever necessary.

### **STEP 6: Submit your completed paperwork.**

Submit your completed packet through the [Judiciary Electronic Document System \(JEDS\)](#). In JEDS please select the county where you would like to file your application. You may file your complaint in the county where the conduct or attempted conduct occurred, where the defendant resides, or where you reside or are sheltered.

You may also submit your completed application *in person* to the courthouse where the conduct or attempted conduct occurred, where the defendant resides, or where you reside or are sheltered.

### **STEP 7: Hearing**

**A hearing on your request for a VASPA order will be held either the same day as your submitted application or as soon after as practicable. You *must* be available for this hearing.**

If you submit the application through JEDS during the **normal court business hours**, the Family Division staff will contact you at telephone number or email address that you provided in your application to inform you of the time of the hearing. This hearing will take place the same day of your submitted application unless the application is submitted **after 4pm**. If the application is submitted after 4pm or on a weekend or a holiday, the court staff will contact you on the **next business day** to inform you of the time of the hearing. If you do not hear from the court by the next business day, call the Family Division in the county in which you filed your application.

The hearing may be in person, by video or by telephone. If you are unavailable when court staff try to contact you to set the hearing time, your application may be dismissed.

If you submit your application in person, the hearing will be held that same day. Court staff will inform you of the time of the hearing upon submission of your application.

**Note:** These applications will only be processed in the Family Division of the Superior Court during normal business hours.

These applications may only be taken at the Superior Court and are not to be accepted at Municipal Courts and/or police departments.

All courthouse addresses can be found on [njcourts.gov](http://njcourts.gov).



## **Instructions for Completing the VASPA Confidential Information Sheet (Form A)**

1. Part I of the VASPA Intake form (left side) is for the Plaintiff/Victim information. If you are the victim, enter your own information. If you are a **parent** or **guardian enter the minor child's** or **incapacitated adult's** information.
2. Part II of the form (right side) is for the Defendant's information. Please fill this side out with as much information that you have available. This will assist in serving the defendant with the Temporary Order if it is granted by the court.
3. Part III of the form should **only** be filled out if you are a parent/guardian filing on behalf of a minor child or incapacitated adult. Please complete the following fields on the second portion of the form under Parent/Guardian section.
4. Part IV of the form should be filled out if the Plaintiff has an attorney.
5. Part V of the form should be filled out with any identifiers you know about the defendant. This will assist in serving the defendant with the Temporary Order if it is granted by the court.
6. Part VI of the form should be filled out if either party requires an interpreter. Please specify type of interpreter. **Note:** The *Confidential Information Sheet* (Form A) will be kept confidential and will not be given to the other party/defendant.



**New Jersey Judiciary  
Victim’s Assistance and Survivor Protection Act (VASPA)  
Confidential Information Sheet**

**Do Not Give to Defendant**

Date: \_\_\_\_\_

<b>Part I. Your Information (Party Filing - Plaintiff)</b>		<b>Part II. Information of Person you’re filing against (Defendant)</b>	
Name		Name	
Any Prior Names or Also Known As (AKAs)		Any Prior Names or Also Known As (AKAs)	
Street Address		Street Address	
City		City	
State	Zip Code	State	Zip Code
Home Phone	Cell Phone	Home Phone	Cell Phone
Email		Email	
Social Security Number xxx-xx-		Social Security Number xxx-xx-	
Birth Date	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X	Birth Date	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X
Race		Race	
Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic		Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	

**Confidential Victim Information Sheet**  
**Do Not Give to Defendant**

Employment Information		Employment Information	
Employer Name		Employer Name	
Employer Address: Street		Employer Address: Street	
City		City	
State	Zip Code	State	Zip Code
Work Phone		Work Phone	
Email		Email	
Work Days	Work Hours	Work Days	Work Hours
Emergency Contact: Name		Other Place(s) Defendant May Be Reached	
Emergency Contact: Phone			

**Part III. Filing on Behalf of a Minor or Incapacitated Adult**

I, \_\_\_\_\_ am the  parent /  guardian. I am filing on behalf of the plaintiff because the plaintiff is:

- A minor
- Incapacitated adult

Parent/Guardian Name

Prior Name

Birth Date

Sex

M  F  X

Parent/Guardian Address: Street

**Confidential Victim Information Sheet**  
**Do Not Give to Defendant**

City		State	Zip Code
Home Phone	Work Phone	Email	
Race		Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	
<b>Part IV. Plaintiff's Attorney Information</b>			
Attorney Name			
Attorney Address: Street			
City		State	Zip Code
Office Phone		Email	
<b>Part VI.</b>			
The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at njcourts.gov.			
The New Jersey Judiciary provides court-interpreting services. If you need an interpreter, notify the court as soon as possible. <input type="checkbox"/> spoken language interpreter required    language: _____			

**You will be asked about the incident which brought you here today. Please be prepared to discuss the incident, plus any prior history, if applicable.**

## Instructions for Completing a Verified Complaint/Amended Complaint (Form B)

1. Leave the Docket Number blank. The court will provide this number for you.
2. On the right side of the form, enter the County where you are filing the application.
3. Please indicate if you are filing a Verified Complaint for a Victim's Assistance and Survivor Protective order for the first time or if you are amending an existing complaint.
4. Enter your name or the incapacitated adult or the minor's name, if you are filing a complaint on the behalf of an incapacitated adult or a minor child, in the space marked "Plaintiff".
5. If you are filing on behalf of a minor child or an incapacitated adult, enter your name in the space marked "Parent/Guardian".
6. If you are filing on behalf of a minor child or an incapacitated adult, please enter their date of birth in the space provided.
7. If you are represented by an attorney enter that information in the space provided.
8. In the Defendant's Information section, please complete with as much information as you can provide.
9. In the Current Allegation section:
  - a. Start by entering the date(s) and time(s) the defendant committed the act(s). Enter the details of the act(s) the defendant committed in the space provided. You can continue to use as many lines as necessary to state the exact details of the act(s) the defendant committed against you, minor child, or incapacitated adult. If you need more space for your allegation(s) there is an **Additional Information Sheet (Form C)** in this packet.
  - b. Check off the act or acts the defendant committed or attempted to commit: "*Sexual Contact, Sexual Penetration, Lewdness, Stalking, Cyber-Harassment*". See definitions of each act in the definitions section of this packet (on page 15).
  - c. Answer "Yes" or "No" regarding if a criminal complaint has been filed in this matter. If you select "Yes", enter the date, docket number and the county and state where the case is being heard in item c.2.
10. If you are filing to amend a complaint that was previously filed you will need to fill out **sections 1 and 3, Amending my Verified Complaint**. Under *subsection a* fill in the date your Verified Complaint was previously filed and under *subsection b* include the additional information about the act(s) the defendant committed or attempted to commit. If you need

more space for your allegation(s) there is an *Additional Information Sheet* (Form C) in this packet.

11. If you are the parent/guardian filing on behalf of a minor or incapacitated adult who is not present, fill out the section above the Certification with your name, the name of the person you are filing on behalf of and the reason the Plaintiff is not present.
12. In the Certification box, the signature of the party filing must be on the complaint. If you cannot scan a signed copy of this document, please type your name in the signature line.

Form B

Superior Court of New Jersey  
Chancery Division - Family Part  
\_\_\_\_\_ County

Docket Number: **FV** - \_\_\_\_\_

Plaintiff, \_\_\_\_\_

Plaintiff: Parent/Guardian,  
vs. \_\_\_\_\_

Defendant. \_\_\_\_\_

**Complaint for Victim’s Assistance  
and Survivor Protective Order**

- Verified Complaint for  
Victim’s Assistance and  
Survivor Protective Order**
- Amended Verified Complaint  
for Victim’s Assistance and  
Survivor Protective Order**

Plaintiff’s Name \_\_\_\_\_

Is the Plaintiff a minor or an incapacitated adult?  Yes  No

If yes, Guardian’s Name \_\_\_\_\_

Is the Plaintiff represented by an attorney?  Yes  No

If yes, Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

If you are filing for a New Complaint, complete sections 1 and 2  
If you are amending your Complaint, complete sections 1 and 3

**Section 1: Defendant’s Information**

Name	Date of Birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X
------	---------------	---

Aliases	Social Security Number
---------	------------------------

Race	Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic
------	--

Height	Weight	Eye Color	Hair Color
--------	--------	-----------	------------

Distinguishing Features (Scars, facial hair, tattoos, etc.) Please be specific: \_\_\_\_\_

Defendant Home Address: Street \_\_\_\_\_

**VASPA Complaint**

City			State	Zip Code
Other places the defendant can be located (gym, friend's house, restaurant/bar). Please specify times and addresses:				
Home Phone Number		Work Phone Number		Employer Phone Number
Cell Phone Number		Email Address		
Employer Name				
Employer Address: Street				
City			State	Zip Code
<b>Section 2: Current Allegation(s)</b>				
a. The undersigned complains that the defendant did commit or attempt to commit the following acts (be specific including the date and time the incident(s) occurred)				
b. The above constitutes the following criminal offenses were committed or attempted (Check all boxes that apply): <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Criminal Sexual Contact <input type="checkbox"/> Lewdness <input type="checkbox"/> Stalking <input type="checkbox"/> Cyber-Harassment				
c. Has a criminal complaint been filed in this matter? <input type="checkbox"/> Yes <input type="checkbox"/> No				
1. If No, do you plan on filing a criminal complaint? <input type="checkbox"/> Yes <input type="checkbox"/> No				
2. If Yes, case number: _____				
charges: _____				
3. If Yes, was a Sex Offender Restraining Order (Nicole's Law) issued? <input type="checkbox"/> Yes <input type="checkbox"/> No				
4. Is the defendant in jail? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown				
d. How do you know the defendant? (Neighbor, co-worker, friend, acquaintance, etc.) Please specify.				



<b>Section 3: Amending my Verified Complaint</b>
a. On _____ date I filed a Verified Complaint.
b. I am filing this amended Verified Complaint to include the following act(s) that the defendant committed or attempted to commit (be specific including the date and time the incident(s) occurred).

I, _____, am the parent or legal guardian of incapacitated adult or a minor plaintiff, _____, and am filing this complaint on their behalf. The incapacitated adult or minor is not present for the following reason(s):
--

**Certification**

I certify that the foregoing responses made by me are true. I am aware that if any of the foregoing responses made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/  
\_\_\_\_\_  
Signature:  Plaintiff /  Parent/Guardian



Form C

New Jersey Judiciary

**Victim’s Assistance and Survivor Protection Act (VASPA)  
Additional Information Sheet**

**Full Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Lined area for providing additional information.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_ s/ \_\_\_\_\_  
Date Signature:  Plaintiff /  Parent/Guardian

## **Instructions for Completing the Application to Amend VASPA TPO (Form D)**

1. Fill out the *Confidential Information Sheet* (Form A) – this must be completed even if you have done so in the past. See instructions on page 8.
2. Enter the names of the parties in the correct order on the “Plaintiff” and “Defendant” lines. You are the “Plaintiff” and the person you filed the victim’s assistance and survivor protection complaint against is the “Defendant. If you are the parent/guardian filing on behalf of a minor or incapacitated adult, you will need to fill out both lines.
3. On the right side of the form, enter the “County” where you are filing the application.
4. Enter the Docket Number that has been issued in your case. You can find that number on your granted temporary VASPA order, it starts with FV.
5. In the first paragraph, select the appropriate box of plaintiff or parent/guardian, enter the date your temporary VASPA order was granted on the line between the words “protective order dated to include”.
6. For item #1, list the addresses and location names that you would like the defendant barred from. Please indicate the reason.
7. For item #2, if you are requesting to add protected parties to your order, please indicate their name(s), relationship to you, and reason why they should be included on your TPO.
8. For item #3, if you are requesting a relief that is not granted or listed on your TPO please indicate what you are requesting and the reason why it should be granted by the court.
9. In the Certification section, enter your name on the line for I \_\_\_\_\_, certify...
10. Sign and date the form.

Superior Court of New Jersey  
Chancery Division - Family Part

\_\_\_\_\_ County

Docket Number: **FV** - \_\_\_\_\_

\_\_\_\_\_  
Plaintiff,

\_\_\_\_\_  
Parent/Guardian (if applicable),

vs.

\_\_\_\_\_  
Defendant.

**Application to Amend Victim's  
Assistance and Temporary  
Protective Order**

I am the  Plaintiff /  Parent/Guardian in the above matter, and I am requesting to amend my Victim's Assistance and Survivor Protective complaint and/or Temporary Protective Order dated \_\_\_\_\_ to include one or all the below:

1. I would like the defendant barred from the following locations (include address, name, and reason):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. I would like to add the following person(s) to my Protective Order (include name, relationship, and reason):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. I am requesting other relief (include reason):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certification**

I (name) \_\_\_\_\_ certify that the foregoing responses made by me are true. I am aware that if any of the foregoing responses made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/\_\_\_\_\_  
Signature:  Plaintiff /  Parent/Guardian

# ATTACHMENT 3

## **VASPA Complaint (CN13134)**

Superior Court of New Jersey  
Chancery Division - Family Part  
\_\_\_\_\_ County

Docket Number: **FV** - \_\_\_\_\_

\_\_\_\_\_  
Plaintiff,

\_\_\_\_\_  
Plaintiff: Parent/Guardian,  
vs.

\_\_\_\_\_  
Defendant.

**Complaint for Victim's Assistance  
and Survivor Protective Order**

- Verified Complaint for  
Victim's Assistance and  
Survivor Protective Order**
- Amended Verified Complaint  
for Victim's Assistance and  
Survivor Protective Order**

Plaintiff's Name \_\_\_\_\_

Is the Plaintiff a minor?  Yes  No

If yes, Guardian's Name \_\_\_\_\_

Is the Plaintiff represented by an attorney?  Yes  No

If yes, Name: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

If you are filing for a New Complaint, complete sections 1 and 2  
If you are amending your Complaint, complete sections 1 and 3

**Section 1: Defendant's Information**

Name	Date of Birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X
------	---------------	---

Aliases	Social Security Number
---------	------------------------

Race	Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic
------	--

Height	Weight	Eye Color	Hair Color
--------	--------	-----------	------------

Distinguishing Features (Scars, facial hair, tattoos, etc.) Please be specific: \_\_\_\_\_

Defendant Home Address: Street \_\_\_\_\_

City	State	Zip Code
Other places the defendant can be located (gym, friend's house, restaurant/bar). Please specify times and addresses:		
Home Phone Number	Work Phone Number	Employer Phone Number
Cell Phone Number	Email Address	
Employer Name		
Employer Address: Street		
City	State	Zip Code
<b>Section 2: Current Allegation(s)</b>		
a. The undersigned complains that the defendant did commit or attempt to commit the following acts (be specific including the date and time the incident(s) occurred)		
b. The above constitutes the following criminal offenses were committed or attempted (Check all boxes that apply): <input type="checkbox"/> Sexual Assault <input type="checkbox"/> Criminal Sexual Contact <input type="checkbox"/> Lewdness <input type="checkbox"/> Stalking <input type="checkbox"/> Cyber-Harassment		
c. Has a criminal complaint been filed in this matter? <span style="float: right;"><input type="checkbox"/> Yes   <input type="checkbox"/> No</span> 1. If No, do you plan on filing a criminal complaint? <span style="float: right;"><input type="checkbox"/> Yes   <input type="checkbox"/> No</span> 2. If Yes, case number: _____ charges: _____ 3. If Yes, was a Sex Offender Restraining Order (Nicole's Law) issued? <span style="float: right;"><input type="checkbox"/> Yes   <input type="checkbox"/> No</span> 4. Is the defendant in jail? <span style="float: right;"><input type="checkbox"/> Yes   <input type="checkbox"/> No   <input type="checkbox"/> Unkown</span>		
d. How do you know the defendant? (Neighbor, co-worker, friend, acquaintance, etc.) Please specify.		

**Section 3: Amending my Verified Complaint**

a. On \_\_\_\_\_ date I filed a Verified Complaint.

b. I am filing this amended Verified Complaint to include the following act(s) that the defendant committed or attempted to commit (be specific including the date and time the incident(s) occurred).

I, \_\_\_\_\_, am the parent or legal guardian of minor or incapacitated adult plaintiff, \_\_\_\_\_, and am filing this complaint on their behalf. The minor is not present for the following reason(s):

**Certification**

I certify that the foregoing responses made by me are true. I am aware that if any of the foregoing responses made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/  
\_\_\_\_\_  
Signature:  Plaintiff /  Parent/Guardian



# ATTACHMENT 4

## **VASPA Additional Form (CN13136)**



New Jersey Judiciary  
**Victim’s Assistance and Survivor Protection Act (VASPA)**  
**Additional Information Sheet**

**Full Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Multiple horizontal lines for writing additional information.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/\_\_\_\_\_  
Signature:  Plaintiff /  Parent/Guardian

# ATTACHMENT 5

## **VASPA Application to Amend Temporary Protective Order (CN13137)**

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Parent/Guardian (if applicable)

Superior Court of New Jersey  
Chancery Division – Family Part  
County of \_\_\_\_\_  
Docket FV - \_\_\_\_\_

v.

\_\_\_\_\_  
Defendant

**Application to Amend Victim’s Assistance and Temporary Protection Order**

I am the  plaintiff  parent/guardian in the above matter, and I am requesting to amend my Victim’s Assistance and Survivor Protection complaint and/or Temporary Protection Order dated \_\_\_\_\_ to include one or all the below:

1. I would like the defendant barred from the following locations (include address, name, and reason):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. I would like to add the following person(s) to my Protection Order (include name, relationship, and reason):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. I am requesting Other relief (include reason):

\_\_\_\_\_

**Certification**

I \_\_\_\_\_ (name) certify that the foregoing responses made by me are true I am aware that if any of the foregoing responses made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/\_\_\_\_\_  
 Plaintiff  Parent/Guardian (if applicable)

# ATTACHMENT 6

## **VASPA Confidential Information Sheet (CN13136)**



**New Jersey Judiciary**  
**Victim’s Assistance and Survivor Protection Act (VASPA)**  
**Confidential Information Sheet**

**Do Not Give to Defendant**

Date: \_\_\_\_\_

<b>Part I. Your Information (Party Filing - Plaintiff)</b>		<b>Part II. Information of Person you’re filing against (Defendant)</b>	
Name		Name	
Any Prior Names or Also Known As (AKAs)		Any Prior Names or Also Known As (AKAs)	
Street Address		Street Address	
City		City	
State	Zip Code	State	Zip Code
Home Phone	Cell Phone	Home Phone	Cell Phone
Email		Email	
Social Security Number xxx-xx-		Social Security Number xxx-xx-	
Birth Date	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X	Birth Date	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X
Race		Race	
Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic		Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	

Employment Information		Employment Information	
Employer Name		Employer Name	
Employer Address: Street		Employer Address: Street	
City		City	
State	Zip Code	State	Zip Code
Work Phone		Work Phone	
Email		Email	
Work Days	Work Hours	Work Days	Work Hours
Emergency Contact: Name		Other Place(s) Defendant May Be Reached	
Emergency Contact: Phone			

**Part III. Filing on Behalf of a Minor or Incapacitated Adult**

I, \_\_\_\_\_ am the  parent /  guardian. I am filing on behalf of the plaintiff because the plaintiff is:

- A minor
- Incapacitated adult

Parent/Guardian Name

Prior Name

Birth Date

Sex

M  F  X

Parent/Guardian Address: Street

City

State

Zip Code

Home Phone	Work Phone	Email	
Race		Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	
<b>Part IV. Plaintiff's Attorney Information</b>			
Attorney Name			
Attorney Address: Street			
City		State	Zip Code
Office Phone		Email	
<b>Part VI.</b>			
The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at njcourts.gov.			
The New Jersey Judiciary provides court-interpreting services. If you need an interpreter, notify the court as soon as possible. <input type="checkbox"/> spoken language interpreter required    language: _____			

**You will be asked about the incident which brought you here today. Please be prepared to discuss the incident, plus any prior history, if applicable.**



# ATTACHMENT 7

## **VASPA How to Enforce or Request a Change of VASPA Final Protective Order (CN13142)**



## **How to Enforce or Request a Change on Victim's Assistance and Survivor Final Protection Order (VASPA) or Sexual Assault Survivor's Protection Act Order (SASPA) Superior Court of New Jersey - Chancery Division - Family Part**

### **Who Should Use This Packet?**

You can use this packet if your **docket number starts with the letters "FV,"** and you have a VASPA or Sexual Assault Survivor's Protection Act (SASPA) order from the court that you want to change. Some types of changes you can request with this packet include but are not limited to:

- Prohibition against contact with others
- Remove or Add a Protected Party (Please note to do this you must be either the Plaintiff or Defendant)
- Barring the Defendant from certain locations
- Allowing Defendant access to certain locations

**Important Notice:** Look over the entire form and **check only the reliefs you are seeking.** You may seek more than one relief, but only the ones you check will be considered on the day of your hearing.

**Note:** These materials have been prepared by the New Jersey Administrative Office of the Courts for use by self-represented litigants. The guides, instructions, and forms will be periodically updated as necessary to reflect current New Jersey statutes and court rules. The most recent version of the forms will be available at the county courthouse or at [njcourts.gov](http://njcourts.gov). However, you are ultimately responsible for the content of your court papers. With limited exceptions, any paper filed with the court can be looked at by the public.

# Things to Think About Before You Represent Yourself in Court

## Try to Get a Lawyer

The court system can be confusing, and it is a good idea to get a lawyer if you can. If you cannot afford a lawyer, you may contact the legal services program in your county to see if you qualify for free legal services. Their telephone number can be found online or in your local yellow pages under “Legal Aid” or “[Legal Services](#).”

If you do not qualify for free legal services and need help in locating an attorney, you can contact the bar association in your county. Most county bar associations have a [Lawyer Referral Service](#). The County Bar Lawyer Referral Service can supply you with the names of attorneys in your area willing to handle your case and will sometimes consult with you at a reduced fee.

There are a variety of organizations of minority lawyers throughout New Jersey, as well as organizations of lawyers who handle specialized types of cases. Ask the Family court staff in your county for a list of lawyer referral services that include these organizations.

If you decide to proceed without an attorney, these materials explain the procedures that must be followed to have your papers properly filed and considered by the court. These materials do not provide information nor other procedural and evidentiary rules governing guardianship matters.

## What You Should Expect If You Represent Yourself

While you have the right to represent yourself in court, you should not expect special treatment, help or attention from the court. You must still comply with the Rules of the Court, even if you are not familiar with them. The following is a list of some things court staff can and cannot do for you. Please read it carefully before asking court staff for help.

- We *can* explain and answer questions about how the court works.
- We *can* tell you what the requirements are to have your case considered by the court.
- We *can* give you some information from your case file.
- We *can* provide you with samples of court forms that are available.
- We *can* provide you with guidance on how to fill out forms.
- We *can* usually answer questions about court deadlines.
- We *cannot* give you legal advice. Only your lawyer can give you legal advice.
- We *cannot* tell you whether you should bring your case to court.
- We *cannot* give you an opinion about what will happen if you bring your case to court.
- We *cannot* recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- We *cannot* talk to the judge for you about what will happen in your case.
- We *cannot* let you talk to the judge outside of court.
- We *cannot* change an order issued by a judge.

## **Keep Copies of All Papers**

Make and keep copies for yourself, of any signed orders, written agreements and other important papers that relate to your case.

## **These Papers Are for Filing an Application to Modify a Victim’s Assistance and Final Protection Order.**

The word application used in this packet means a written request in which you ask the court to change or enforce an order it has already made. The court will change an order only if important facts or circumstances have changed from the time the order was issued.

## **Notice to Appear**

When you file this application with the court, you must provide the court with the most current address of the other party (if known). The court will notice the plaintiff, defendant, and any attorney connected to your case of the hearing date. Your appearance is mandatory.

## **How to File an Appeal**

An appeal is a written request asking a higher court to look at the decision of the judge and change that judge's decision. You must make that written request for an appeal within 45 days after the judge decided the case and signed a judgment in the Superior Court.

If you want to file an appeal of a court order, do not use this packet of materials. Instead, you should contact the Appellate Division in writing or by phone:

Appellate Division, Superior Court  
Hughes Justice Complex  
P.O. Box 006,  
Trenton, NJ 08625-0006

Their telephone number is (609) 292-4822. The Appellate Division staff will provide you with information on how to file an appeal.

## **“My Case is an Emergency” (Emergent Application Order to Show Cause)**

An emergent hearing in family court is meant to protect children from substantial and irreparable harm. You must file for an emergent hearing at the courthouse. You cannot file for an emergent hearing through the mail. Only a judge can determine if your case will qualify as an emergent matter.

## **Where to Submit Your Papers**

You can mail, electronically submit or bring your completed packet to the courthouse where your case was last heard.

To electronically submit your papers, use the [Judiciary Electronic Document Submissions \(JEDS\) system](#). Visit [njcourts.gov](http://njcourts.gov) for more information about the JEDS system (including FAQs) and how to register to use the system: [njcourts.gov](http://njcourts.gov).

When mailing, make sure you specify the “Family Division” in your address, so your papers arrive at the correct division in the court.

**Sample Address**

(Name of County) Courthouse

Family Division

1234 Street

PO Box#

City, State, Zip code

All courthouse addresses can be found on [njcourts.gov](http://njcourts.gov).

## Definitions of Words Used in This Packet

**Application:** An *application* is a written request in which you ask the court to issue an order or to change an order that has already been issued.

**Award:** An *award* is the final decision of a judge granting damages or other relief to a party.

**Certification:** A *certification* is a written statement made to the court when you file papers with the court, swearing that the information contained in the filed papers is true.

**Court Order:** A *court order* is the written decision issued by a court of law. For example, a child support court order sets forth how often, how much, and what kind of support is to be paid.

**Docket Number:** The *docket number* is the identifying number assigned to every case filed in the court.

**Exhibits:** *Exhibits* are written documents you provide to the court to support what you want the court to decide.

**FV:** The letters the court uses to identify a VASPA protection order.

**File:** To *file* means to give the appropriate forms to the court to begin the court's consideration of your request.

**Modification:** A change made to court order.

**Party:** A *party* is a person, business, or governmental agency involved in a court action.

**Relief:** To ask for *relief* is to ask the court to grant something such as custody, parenting time, or support.

## Instructions for Completing the Application to Modify a Court Order

**Important Notice:** Look over the entire form and **check only the reliefs you are seeking**. You may seek more than one relief, but only the ones you check will be considered on the day of your hearing.

1. Fill out the *Confidential Information Sheet*. This must be completed even if you have done so in the past.
2. Enter the names of the Plaintiff and Defendant as they appear on your final order.
3. Select the County where you are filing the application.
4. Fill in the Docket Number that has been issued in your case. You can find that number on the previous court order you received.
5. If you are a parent/guardian filing on behalf of a minor or incapacitated adult, please fill in your name.
6. Type or print your name on the line that says "I". This tells the court who is filing the application to modify the existing court order.
7. Select the appropriate checkbox as to whether you are the plaintiff, parent/guardian, or defendant filing this application.
8. Enter the Plaintiff's Attorney information (Name, Address, Phone Number)
9. Enter the Defendant's Attorney information (Name, Address, Phone Number)
10. Enter the date that the current order was entered (mm/dd/yyyy format)
11. Describe in detail the change requested to your order.
12. Check all the boxes you would like the court to consider for modification. Please give a complete explanation for your request. If you need more space for your explanation, please use the Additional Information Sheet in this packet. (**Note:** if attaching the additional information sheet, please select the checkbox on the last page of the Application form.)
13. Sign and date the application and select the appropriate checkbox as to whether you are the plaintiff or defendant.
14. All your supporting documentation should be included with this packet.
15. Please make two copies, keep one complete copy for your records and send the original and one complete copy (including attachments) to the appropriate courthouse

via mail or electronically through JEDS, addressing it to the Family Division. The Family Division will then serve the packet to the other party. You will receive your court date in the mail. You may also hand deliver your packet to the Family Division in the county where you received your order.





**New Jersey Judiciary  
Victim’s Assistance and Survivor Protection Act (VASPA)  
Confidential Information Sheet**

**Do Not Give to Defendant**

Date: \_\_\_\_\_

<b>Part I. Your Information (Party Filing - Plaintiff)</b>		<b>Part II. Information of Person you’re filing against (Defendant)</b>	
Name		Name	
Any Prior Names or Also Known As (AKAs)		Any Prior Names or Also Known As (AKAs)	
Street Address		Street Address	
City		City	
State	Zip Code	State	Zip Code
Home Phone	Cell Phone	Home Phone	Cell Phone
Email		Email	
Social Security Number xxx-xx-		Social Security Number xxx-xx-	
Birth Date	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X	Birth Date	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> X
Race		Race	
Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic		Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	

**Confidential Victim Information Sheet**  
**Do Not Give to Defendant**

Employment Information		Employment Information	
Employer Name		Employer Name	
Employer Address: Street		Employer Address: Street	
City		City	
State	Zip Code	State	Zip Code
Work Phone		Work Phone	
Email		Email	
Work Days	Work Hours	Work Days	Work Hours
Emergency Contact: Name		Other Place(s) Defendant May Be Reached	
Emergency Contact: Phone			

**Part III. Filing on Behalf of a Minor or Incapacitated Adult**

I, \_\_\_\_\_ am the  parent /  guardian. I am filing on behalf of the plaintiff because the plaintiff is:

- A minor
- Incapacitated adult

Parent/Guardian Name

Prior Name

Birth Date

Sex

M  F  X

Parent/Guardian Address: Street

**Confidential Victim Information Sheet**  
**Do Not Give to Defendant**

City		State	Zip Code
Home Phone	Work Phone	Email	
Race		Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic	
<b>Part IV. Plaintiff's Attorney Information</b>			
Attorney Name			
Attorney Address: Street			
City		State	Zip Code
Office Phone		Email	
<b>Part VI.</b>			
The Judiciary will provide reasonable accommodations to enable individuals with disabilities to access and participate in court events. Please contact the local ADA coordinator to request an accommodation. Contact information is available at <a href="http://njcourts.gov">njcourts.gov</a> .			
The New Jersey Judiciary provides court-interpreting services. If you need an interpreter, notify the court as soon as possible. <input type="checkbox"/> spoken language interpreter required    language: _____			

**You will be asked about the incident which brought you here today. Please be prepared to discuss the incident, plus any prior history, if applicable.**

Superior Court of New Jersey  
Chancery Division - Family Part  
\_\_\_\_\_ County

Docket Number: **FV** - \_\_\_\_\_

**Application for Modification  
of a Victim's Assistance and  
Final Protective Order**

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Parent/Guardian (if applicable)

vs.

\_\_\_\_\_  
Defendant.

I \_\_\_\_\_, of full age, hereby certify as follows:

I am the  Plaintiff /  Parent/Guardian /  Defendant in this matter.

**Plaintiff's Attorney:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**Defendant's Attorney:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

The current Victim's Assistance and Protective Order was entered on \_\_\_\_\_.

1. I am requesting a change in the following conditions of the Protective Order:

Barring the Defendant from the following locations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Allowing the Defendant access to the following locations:

---

---

---

Add the following person(s) as protected parties to the Protective Order:

---

---

---

Add the following person(s) as protected parties to the Protective Order:

---

---

---

Remove the following person(s) as protected parties on the Protective Order:

---

---

---

2. Other relief requested:

---

---

---

---

---

---

Attached is a copy of the Order I request to modify.

Additional Information Form attached.

I certify that **all** the statements made above are true. I am aware that if **any** of the statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/

\_\_\_\_\_  
Signature:  Plaintiff /  Parent/Guardian /  Defendant



New Jersey Judiciary  
**Victim's Assistance and Survivor Protection Act (VASPA)**  
**Additional Information Sheet**

**Full Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

[Lined area for handwritten information]

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

\_\_\_\_\_  
Date

s/\_\_\_\_\_  
Signature:  Plaintiff /  Parent/Guardian

# ATTACHMENT 8

## **VASPA Certification to Dismiss Protective Order (CN13151)**

Superior Court of New Jersey  
Chancery Division - Family Part  
\_\_\_\_\_ County

Docket Number: **FV** - \_\_\_\_\_

**Certification for Dismissal  
of Victim’s Assistance and Survivor  
Protective Order**

\_\_\_\_\_  
Plaintiff,  
  
\_\_\_\_\_  
Plaintiff: Parent/Guardian (if applicable),  
vs.  
\_\_\_\_\_  
Defendant.

- 1.  I am the Plaintiff in the above captioned matter.
- I am the Parent/Guardian in the above captioned matter.
- 2. On \_\_\_\_\_ I appeared in Superior Court and signed a Complaint and Application for a Temporary Protective Order on  my behalf /  incapacitated adult/my child’s behalf.
- 3. On \_\_\_\_\_ the court entered a Final Protective Order.
- 4. I am asking the Court to dissolve all the restraints against the Defendant.
- 5. I am asking for this dismissal voluntarily, of my own free will and without coercion or interference from any person.
- 6. I am further aware that should I wish to contact an attorney or counseling group that I may do so prior to completing this Certification.
- 7. I understand that if criminal charges were filed by me or the police, dismissal of the Protective Order does not dismiss the criminal charges.
- 8. I am aware that if there are further acts of  Sexual Penetration,  Sexual Contact,  Lewdness,  Stalking, or  Cyber-Harassment, and I want a new Protective Order, I must reapply for a Protective Order at the courthouse.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/  
\_\_\_\_\_  
Signature