

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

Petitioner (Person Filing Petition)
on behalf of _____
(Protected Person)
v.

Respondent (Restrained Person)

Case No. _____ PR

20-DAY EX PARTE
ORDER OF PROTECTION FROM
FINANCIAL ABUSE (AS 13.26. 450)

A. BACKGROUND

The petitioner filed a petition requesting a 20-day ex parte order of protection from financial abuse on behalf of the protected person named above. The court makes the following findings and order based on:

- Allegations in the petition.
- Testimony on record. Date: _____ courtroom: _____ start time: _____ Present were: Petitioner Protected Person Respondent Other persons (list) _____
- Other evidence:

B. HEARING ON REQUEST FOR LONG-TERM ORDER

- The petitioner requested a long-term order. A hearing on the request for a long-term order will be held at:
Date and Time: _____ Judicial Officer: _____
Court Location: _____

C. EFFECTIVE DATES OF THIS ORDER

This order is effective immediately and will remain in effect for 20 days unless modified or dissolved earlier by court order. This order shall expire on _____ at 11:59 pm unless modified or dissolved earlier by court order.

D. FINDINGS OF FACT

1. VENUE
Venue is proper because the protected person resides here does not reside in Alaska but has property here. [AS 13.26.411]
2. SERVICE OF PETITION ON RESPONDENT BY PETITIONER
The petitioner certified in writing the efforts made to notify the respondent of the petition. Respondent was notified was not notified of the petition by the petitioner. [AS 13.26.450(a)]

3. SERVICE OF PETITION ON PROTECTED PERSON BY PETITIONER

- a. Proof of service of the petition on the protected person is not required because the petitioner is the protected person.
- b. The petitioner served the petition on the protected person or the protected person's attorney.
- c. Proof of service of the petition on the protected person by the petitioner is not required because service would cause an immediate threat of harm to the protected person's best interests.

[AS 13.26.450(a)]

4. QUALIFIED PROTECTED PERSON.

The protected person is qualified for protection against financial abuse because:

- The protected person is an adult who cannot effectively manage his or her property and affairs, and who has property that will be wasted or dissipated unless proper management is provided. [AS 13.26.401(2)]
- The protected person is a child under age 18 who qualifies for protection under AS 13.26.401(1).

5. PROBABLE CAUSE

a. There is probable cause to believe that the respondent is financially defrauding the protected person as follows:

- 1. Robbery, extortion, coercion under AS 11.41.500 to AS 11.41.530.

- 2. Offenses against property under AS 11.46.100 to AS 11.46.740.

- 3. Exploiting the protected person or the person's resources for personal gain, where there is no significant benefit to the protected person.

[AS 13.26.450(a); AS 13.26.595(1)-(3)]

b. Due to the financial defrauding identified above, there has been or is an immediate threat of waste or dissipation of the protected person's money or other property. [AS 13.26.450(a)]

6. OTHER FINDINGS.

E. ORDER

The request for a 20-day ex parte protective order is GRANTED, and IT IS ORDERED:

1. The respondent shall have no direct or indirect contact with the
 protected person petitioner (if different) . [AS 13.26.450(b)(3)]
 Exceptions: _____

2. The power of attorney dated _____ and currently held by
_____ is cancelled changed as follows:

[AS 13.26.450(b)(2)]

3. The respondent shall not do anything with the funds or other property of the
protected person. [AS 13.26.450(b)(4)]

4. The respondent shall not do the following things with the funds or other property
of the protected person. [AS 13.26.450(b)(4)]

5. Other protections (AS 13.26.435):

6. This order and the petition will be served on the respondent by
 DPS officer certified mail pursuant to Civil Rule 4
 This order and the petition will NOT be served on the respondent because the
respondent is an unknown individual/business/organization.

7. This order will be served on the protected person by
 hand-delivery at the court DPS officer first class mail
