

1 SB134
2 115804-1
3 By Senators Dunn, Bedford, Mitchell, Little (T) and Mitchem
4 RFD: Judiciary
5 First Read: 12-JAN-10

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the "Protection From
9 Abuse Act" provides procedures for the issuance of
10 protection orders related to domestic violence.

11 This bill would revise the "Protection From
12 Abuse Act." Among other things, the bill would
13 define the crimes subject to protection, further
14 provide for the plaintiffs, including persons in a
15 dating relationship, who may seek protection
16 orders, include threats as subject to protection,
17 further provide for the types of cases and
18 jurisdiction of the courts to issue protection
19 orders, clarify provisions related to uniform acts
20 regarding custody and support, provide for the form
21 of petitions, increase the time for final hearings,
22 provide for the issuance of orders and forms of
23 relief, provide for a Protection Order Registry at
24 the Administrative Office of Courts, and repeal the
25 provisions for criminal penalties from this civil
26 statute.
27

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to the Protection From Abuse Act; to amend
6 Sections 30-5-1, 30-5-2, 30-5-3, 30-5-4, 30-5-5, 30-5-6,
7 30-5-7, and 30-5-8 of the Code of Alabama 1975; to repeal
8 Sections 30-5-9 and 30-5-10 of the Code of Alabama 1975; to
9 further provide the issuance and the procedures for the
10 issuance of protection orders relating to domestic violence
11 and to repeal the provisions for criminal penalties.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Sections 30-5-1, 30-5-2, 30-5-3, 30-5-4,
14 30-5-5, 30-5-6, 30-5-7, and 30-5-8 of the Code of Alabama
15 1975, are amended to read as follows:

16 "§30-5-1.

17 "(a) This chapter shall be known as and may be cited
18 as the "Protection From Abuse Act."

19 "(b) This chapter shall be liberally construed and
20 applied to promote all of the following purposes:

21 "(1) To assure victims of domestic violence the
22 maximum protection from abuse that the law can provide.

23 "(2) To create a flexible and speedy remedy to
24 discourage violence and harassment against family members or
25 others with whom the perpetrator has continuing contact.

26 "(3) To expand the ability of law enforcement
27 officers to assist victims, to enforce the law effectively in

1 cases of domestic violence, and to prevent further incidents
2 of abuse.

3 "(4) To facilitate equal enforcement of criminal law
4 by deterring and punishing violence against family members and
5 others who are personally involved with the ~~offender~~
6 perpetrators.

7 "(5) To recognize that ~~battering~~ domestic violence
8 is a crime that will not be excused or tolerated.

9 "(6) To provide for protection orders to prevent
10 domestic ~~abuse~~ violence and provide for court jurisdiction and
11 venue; to provide for court hearing for petitions for relief;
12 and to provide for the contents and the issuance of protection
13 ~~orders; and to provide penalties for violations of protection~~
14 ~~orders~~.

15 "§30-5-2.

16 "~~(a)~~ In this chapter, the following words shall have
17 the following meanings unless the context clearly indicates
18 otherwise:

19 "(1) ABUSE. The occurrence of ~~one or more of the~~
20 ~~following acts, attempts, or threats between family or~~
21 ~~household members,~~ conduct directed at a plaintiff as defined
22 by this chapter, including the following:

23 "a. Arson. Arson as defined under Sections 13A-7-40
24 to 13A-7-43, inclusive.

25 "~~a.~~ b. Assault. Assault as defined under Sections
26 13A-6-20 to 13A-6-22, inclusive.

1 "~~b.~~ c. Attempt. With the intent to commit any crime
2 under this section or any other criminal act under the laws of
3 this state, performing any overt act towards the commission of
4 the offense.

5 "~~c.~~ d. Child abuse. Abusing ~~minor~~ children as
6 defined under Chapter 15 (commencing with Section 26-15-1) of
7 Title 26, known as "The Alabama Child Abuse Act."

8 "~~d.~~ e. Criminal coercion. Criminal coercion as
9 defined under Section 13A-6-25.

10 "~~m. Trespass~~ f. Criminal trespass. Entering or
11 remaining in the dwelling or on the premises of another after
12 having been warned not to do so either orally or in writing by
13 the owner of the premises or other authorized person as
14 defined under Sections 13A-7-2 to 13A-7-4.1, inclusive.

15 "~~e.~~ g. Harassment. Harassment as defined under
16 Section 13A-11-8.

17 "~~f.~~ h. Kidnapping. Kidnapping as defined under
18 Sections 13A-6-43 and 13A-6-44.

19 "~~g.~~ i. Menacing. Menacing as defined under Section
20 13A-6-23.

21 "~~h.~~ j. Other conduct. Any other conduct directed
22 toward a ~~member of the protected class~~ plaintiff covered by
23 this chapter that could be punished as a criminal act under
24 the laws of this state.

25 "~~i.~~ k. Reckless endangerment. Reckless endangerment
26 as defined under Section 13A-6-24.

1 ~~"j. l.~~ 1. Sexual abuse. Any ~~sex~~ sexual offenses
2 included in Article 4 (commencing with Section 13A-6-60) of
3 Chapter 6 of Title 13A.

4 ~~"k. m.~~ m. Stalking. Stalking as defined under Sections
5 13A-6-90 to 13A-6-94, inclusive.

6 ~~"i. n.~~ n. Theft. Knowingly obtaining or exerting
7 unauthorized control or obtaining control by deception over
8 property owned by or jointly owned by the plaintiff and
9 another. Theft includes theft as defined under Sections
10 13A-8-1 to 13A-8-5, inclusive.

11 ~~"n. o.~~ o. Unlawful imprisonment. Unlawful imprisonment
12 as defined under Sections 13A-6-41 and 13A-6-42.

13 "(2) ADULT. Any person 19 years of age or older, or
14 who otherwise is emancipated.

15 "(3) CHILD. A person 18 years of age or younger.

16 ~~"(3)(4)~~ (4) COURT. ~~The~~ A circuit court, ~~or judge or,~~
17 when the circuit court judge is unavailable, ~~the~~ a district
18 court judge. A district court judge may be designated by a
19 written standing order from the presiding circuit court judge
20 to handle protection from abuse cases.

21 ~~"(4) FAMILY OR HOUSEHOLD MEMBERS. A spouse, former~~
22 ~~spouse, parent, child, or any other person related within the~~
23 ~~6th degree consanguinity or affinity or common-law marriage, a~~
24 ~~person with whom the plaintiff has a child in common, or a~~
25 ~~present or former household member.~~

26 "(5) PLAINTIFF. For the purposes of this chapter,
27 the term plaintiff is ~~inclusive of the categories of eligible~~

1 plaintiffs listed below a person in need of protection from
2 domestic violence who is 18 years of age or older, is or has
3 been married, or is emancipated, and has one of the following
4 relationships:

5 "a. Related by marriage to the defendant including a
6 common law marriage.

7 "b. Had a former marriage or common law marriage
8 with the defendant.

9 "c. Has a child in common with the defendant.

10 "d. Has a dating relationship with the defendant.

11 "A dating relationship means a recent frequent,
12 intimate association, primarily characterized by the
13 expectation of affectionate or sexual involvement within the
14 last six months. A dating relationship does not include a
15 casual or business relationship.

16 "e. Is a current or former household member.

17 "A household member is a person maintaining or
18 having maintained a living arrangement with the defendant
19 where he or she is in, or was engaged in, a romantic or sexual
20 relationship.

21 ~~"a. Any eligible adult who has sought relief under~~
22 ~~this chapter for himself or herself.~~

23 ~~"b. Any adult relative, household member, guardian,~~
24 ~~or custodian who seeks relief on behalf of any of the~~
25 ~~following persons by filing a petition with any court having~~
26 ~~jurisdiction alleging abuse by the defendant:~~

27 ~~"1. A minor or minor child.~~

1 ~~"2. Any person prevented by physical or mental~~
2 ~~incapacity from seeking a protection order.~~

3 ~~"(6) PROTECTION ORDER. Any order of protection~~
4 ~~issued under this chapter for the purpose of preventing acts~~
5 ~~of abuse as defined in this chapter. The term refers to both~~
6 ~~ex parte and final orders issued by the court, whether~~
7 ~~obtained by filing an independent action or as a pendente lite~~
8 ~~order in another proceeding.~~

9 ~~"(b) Terms not otherwise defined by this chapter~~
10 ~~shall have the meaning given to them in Title 13A, (commencing~~
11 ~~with Section 13A-1-1), known as the Alabama Criminal Code or~~
12 ~~other provisions of law, as the case may be.~~

13 ~~"(7) THREAT. Any word or action, expressed or~~
14 ~~implied, made to cause the plaintiff to fear for his or her~~
15 ~~safety or for the safety of another person.~~

16 ~~"§30-5-3.~~

17 ~~"(a) The courts, as provided in this chapter, shall~~
18 ~~have jurisdiction over all proceedings under this chapter to~~
19 ~~issue protection orders.~~

20 ~~"(b) A protection order may be sought in any of the~~
21 ~~following manners: requested in any pending civil or domestic~~
22 ~~relations action, as an independent civil action, or in~~
23 ~~conjunction with the preliminary, final, or postjudgment~~
24 ~~relief in a civil action.~~

25 ~~"(1) As an independent civil action, or joined with~~
26 ~~any other civil action.~~

1 ~~"(2) As part of the preliminary, final, or post~~
2 ~~judgment relief in any civil action.~~

3 ~~"(3) As part of a criminal action at the request of~~
4 ~~the prosecuting attorney or at the request of the victim as a~~
5 ~~condition of any the following:~~

6 ~~"a. Pretrial release.~~

7 ~~"b. As part of sentencing or alternative sentencing.~~

8 ~~"c. As part of conditions of probation.~~

9 ~~"(c) A petition for a protection order may be filed~~
10 ~~in any county as follows of the following locations:~~

11 ~~"(1) Where the plaintiff or defendant resides.~~

12 ~~"(2) Where the plaintiff is temporarily located if~~
13 ~~he or she has left his or her residence to avoid further~~
14 ~~abuse, provided that no pending civil litigation involving the~~
15 ~~parties or criminal charges arising from the alleged abuse are~~
16 ~~before a court in the jurisdiction where the plaintiff~~
17 ~~resides. If pending civil litigation involving the parties or~~
18 ~~criminal charges arising from the alleged abuse are before a~~
19 ~~court in the jurisdiction where the plaintiff resides, then an~~
20 ~~order for protection must be sought where the plaintiff~~
21 ~~resides.~~

22 ~~"(3) Where a civil matter is pending before the~~
23 ~~court in which the plaintiff and the defendant are opposing~~
24 ~~parties.~~

25 ~~"(d) When custody, visitation, or support, or a~~
26 ~~combination of them, of a child or children has been~~
27 ~~established in a previous court order in this state, or an~~

1 action containing any of the issues above is pending in a
2 court in this state in which the plaintiff and the defendant
3 are opposing parties, a copy of any temporary ex parte
4 protection order issued pursuant to this chapter and the case
5 giving rise thereto should be transferred to the court of
6 original venue for further disposition as soon as practical
7 taking into account the safety of the plaintiff and any
8 children.

9 ~~"(d) Notwithstanding any provision to the contrary,~~
10 ~~a court in this state shall not issue a final order under this~~
11 ~~chapter if at the time of the filing of the petition: (1) a~~
12 ~~proceeding concerning the subject matter of the petition is~~
13 ~~pending in another court in this state; or (2) another court~~
14 ~~in this state has retained jurisdiction over the parties~~
15 ~~concerning the subject matter of the petition.~~

16 "(e) A minimum period of residency of a plaintiff is
17 not required to petition the court for an order of protection.

18 "§30-5-4.

19 "(a) The plaintiff's right to relief under this
20 chapter shall not be affected by his or her leaving the
21 residence or household to avoid further abuse.

22 "(b) At any hearing in a proceeding to obtain ~~an~~
23 ~~order for~~ a protection order, each party has a continuing duty
24 to inform the court of each pending proceeding in this state
25 or any other state for ~~an order for~~ a protection order, any
26 pending civil litigation in this state or any other state,
27 each pending proceeding in any family or juvenile court of

1 this state or any other state, each pending criminal case
2 involving the parties in this state or any other state, and
3 any existing child custody or support order, including the
4 case name, the file number, and the county and state of the
5 proceeding, if that information is known to the party.

6 "(c) The remedies and procedures provided in this
7 chapter are in addition to and not in lieu of any other
8 available civil or criminal remedies. Plaintiffs shall not be
9 barred from relief under this chapter because of other ~~pending~~
10 proceedings or ~~existing~~ judgments involving the parties in a
11 court of this state or any other state.

12 ~~"(d) The court shall not delay granting relief~~
13 ~~because of the existence of a pending action between the~~
14 ~~parties.~~

15 ~~"(e) Relief shall be available under this chapter~~
16 ~~without regard to whether the plaintiff has initiated divorce~~
17 ~~proceedings or sought other legal remedies.~~

18 ~~"(f) (d)~~ (d) If child custody, visitation, or support
19 have ~~already been adjudicated~~ ordered previously by a court of
20 this state or any other state prior to the filing of an action
21 under this chapter, the terms of ~~a~~ the previous court order
22 concerning these matters may be incorporated into a protection
23 order as long as the provisions of the Uniform Child Custody
24 Jurisdiction and Enforcement Act, Chapter 3B, and the Uniform
25 Interstate Family Support Act, Chapter 3A, are followed if an
26 order was issued in another state. ~~Visitation arrangements~~

1 ~~specified in an existing order may be modified in a protection~~
2 ~~order for the purpose of preventing further abuse.~~

3 ~~"(g) (e) Any protection order issued in this state~~
4 ~~pursuant to this chapter shall be effective throughout the~~
5 ~~this state and in all counties.~~

6 ~~"(h) (f) Any protection order issued by the court of~~
7 ~~another state shall be accorded full faith and credit and~~
8 ~~enforced as if it were an order of this state.~~

9 "\$30-5-5.

10 ~~"(a) Any plaintiff may seek relief under this~~
11 ~~chapter for himself or herself, for a minor, or for another~~
12 ~~person prevented by physical or mental incapacities from~~
13 ~~seeking a protection order by filing a petition with the court~~
14 ~~of proper jurisdiction alleging abuse by the defendant. A~~
15 ~~parent, legal guardian, legal custodian, or the State~~
16 ~~Department of Human Resources may petition for relief on~~
17 ~~behalf of the following:~~

18 ~~"(1) A minor.~~

19 ~~"(2) Any person prevented by physical or mental~~
20 ~~incapacity from seeking a protection order.~~

21 ~~"(b) Forms for Standardized petitions for actions~~
22 ~~pursuant to this chapter, motions, and pleadings shall be made~~
23 ~~available through the clerk's office circuit clerks' offices~~
24 ~~around the state. These forms shall be standard court forms.~~
25 The circuit clerk shall not be required to provide assistance
26 to persons in completing the forms or in presenting ~~his or her~~
27 ~~their~~ case to the court.

1 ~~"(c) (1) A court may issue mutual protection orders~~
2 ~~only if a separate petition has been filed by each party.~~

3 ~~"(2) When mutual protection orders are issued, the~~
4 ~~content of these orders must be sufficiently specific for any~~
5 ~~law enforcement officer to be able to determine which party~~
6 ~~has violated the order, if there is probable cause to believe~~
7 ~~a violation of an order has occurred.~~

8 "(c) The court shall not enter mutual orders. The
9 court shall issue separate orders that specifically and
10 independently state the prohibited behavior and relief granted
11 in order to clearly provide law enforcement with sufficient
12 direction when determining if a violation of the order has
13 occurred. For the purpose of judicial economy, a court may
14 consolidate two separately filed petitions into a single case.

15 "(d) Any ~~eligible~~ plaintiff or petitioner who files
16 a petition under this chapter, may do so through an attorney
17 or may represent himself or herself pro se throughout the
18 legal process outlined in this chapter, including, but not
19 limited to, the filing of pleadings, motions, and any other
20 legal documents with any court, and the appearance in ex parte
21 and formal court proceedings on his or her behalf.

22 ~~"(e) (1) Upon request, the court shall order the~~
23 ~~omission or deletion of the plaintiff's address, The following~~
24 ~~information shall not be contained on any court document made~~
25 ~~available to the public and the defendant by the circuit~~
26 ~~clerk's office: The plaintiff's home address and, if~~
27 ~~applicable, business address; a plaintiff's home telephone~~

1 number and, if applicable, business telephone number; the home
2 or business address or telephone number of any member of the
3 plaintiff's family or household,~~;~~ or an address that would
4 reveal the confidential location of a shelter for victims of
5 domestic violence as defined in Section 30-6-1. ~~That address~~
6 ~~shall be omitted or deleted from all documents filed with the~~
7 ~~court, documents made available to the public, and documents~~
8 ~~made available to the defendant.~~

9 "(2) If disclosure of the plaintiff's address, the
10 address of any member of the plaintiff's family or household,
11 or an address that would reveal the confidential location of a
12 shelter for victims of domestic violence is necessary to
13 determine jurisdiction or to consider a venue issue, it shall
14 be made orally and in camera.

15 "(3) If the plaintiff has not disclosed an address
16 or telephone number under this section the plaintiff shall
17 satisfy one of the following requirements:

18 "a. Designate and provide to the court an
19 alternative address.

20 "b. Elect to substitute the business address and
21 telephone number of his or her attorney of record in place of
22 the address of the plaintiff on any ~~form, motion, or pleading~~
23 court document.

24 "(f) No court costs and fees shall be assessed for
25 the filing, ~~and service of a petition for a protection order,~~
26 for the issuance, ~~or registration, or service of a protective~~
27 protection order, ~~or petition order~~ or for the issuance of a

1 witness subpoena under this chapter. Costs and fees may be
2 assessed against the defendant at the discretion of the court.

3 "§30-5-6.

4 "(a) ~~Within 14 days of~~ The court shall hold a
5 hearing after the filing of a petition under this chapter ~~a~~
6 upon the request of the defendant or within 10 days of the
7 perfection of service. A final hearing shall be ~~held set~~ at
8 which the ~~plaintiff~~ standard of proof shall ~~prove the~~
9 ~~allegation of abuse by~~ be a preponderance of the evidence. ~~The~~
10 ~~court shall advise the defendant that he or she may be~~
11 ~~represented by counsel.~~ If the defendant has not been served,
12 a final hearing may be continued to allow for service to be
13 perfected.

14 "(b) The court may enter such temporary ex parte
15 protection orders as it deems necessary to protect the
16 plaintiff or ~~minor~~ children from abuse, or the immediate and
17 present danger of abuse to the plaintiff or ~~minor~~ children,
18 upon good cause shown ~~in an ex parte proceeding.~~ The court
19 shall grant or deny a petition for a temporary ex parte
20 protection order filed under this chapter within three
21 business days of the filing of the petition. Any granted
22 temporary ex parte protection order shall be effective until
23 the final hearing date.

24 "(c) If a final hearing under subsection (a) is
25 continued, the court may make or extend temporary ex parte
26 protection orders under subsection (b) as it deems reasonably
27 necessary.

1 "§30-5-7.

2 "~~(a) The court may grant any protection order or~~
3 ~~approve any consent agreement to bring about a cessation of~~
4 ~~abuse of the plaintiff or minor children.~~

5 "~~(b) (a)~~ If it appears from a petition for ~~an order~~
6 for a protection order or a petition to modify ~~an order of a~~
7 protection order that abuse has occurred or from a petition
8 for a modification of an order for a protection order that a
9 modification is required warranted, the court may:

10 "(1) Without notice or hearing, immediately issue an
11 ~~order for protection ex parte protection order~~ or modify an
12 ~~order for protection ex parte protection order~~ as it deems
13 necessary ~~to protect the plaintiff or minor children.~~

14 "(2) After providing notice ~~by certified mail to the~~
15 ~~defendant at his or her last known address~~ as required by the
16 Alabama Rules of Civil Procedure, issue a final ~~order for~~
17 protection order or modify ~~an order for protection a~~
18 protection order after a hearing whether or not the defendant
19 appears.

20 "~~(c) (b)~~ A court may grant any of the following
21 relief without notice and a hearing in an order for ex parte
22 protection order or ~~a an ex parte~~ modification ~~issued ex parte~~
23 of a protection order:

24 "(1) Enjoin the defendant from threatening to commit
25 or committing acts of abuse, as defined in this chapter,
26 against the plaintiff or ~~minor children~~ of the plaintiff, and

1 any other person designated ~~family or household member~~ by the
2 court.

3 "(2) ~~Prohibit~~ Restrain and enjoin the defendant from
4 harassing, stalking, annoying, telephoning, contacting, or
5 otherwise communicating, directly or indirectly, with the
6 plaintiff or ~~minor~~ children or threatening or engaging in
7 conduct that would place the plaintiff, minors, children of
8 the plaintiff, or any other person designated by the court in
9 reasonable fear of bodily injury.

10 "(3) Order the defendant to stay away from the
11 residence, school, or place of employment of the plaintiff,
12 ~~the minor~~ any children, or any other person designated by the
13 court, or order the defendant to stay away from any specified
14 place frequented by the plaintiff, ~~the minor~~ any children, and
15 or any designated family or household member which person
16 designated by the court where the court determines the
17 defendant has no legitimate reason to frequent.

18 "(4) Award temporary custody of any ~~minor~~ children
19 of the parties.

20 "(5) Enjoin the defendant from interfering with the
21 plaintiff's efforts to remove ~~plaintiff's~~ any children of the
22 plaintiff and direct the appropriate law enforcement officer
23 to accompany the plaintiff during the effort to remove
24 ~~plaintiff's~~ any children of the plaintiff as necessary to
25 protect the plaintiff or any children from abuse.

26 "(6) Enjoin the defendant from removing ~~minor~~ any
27 children from the individual having legal custody of the ~~minor~~

1 children, except as ~~otherwise~~ subsequently authorized by a
2 custody or visitation order issued by a court of competent
3 jurisdiction.

4 "(7) Remove and exclude the defendant from the
5 residence of the plaintiff, regardless of ownership of the
6 residence.

7 "(8) ~~Direct~~ Order possession and use of an
8 automobile and other essential personal effects, regardless of
9 ownership, and direct the appropriate law enforcement officer
10 to accompany the plaintiff to the residence of the parties or
11 to other specified locations as necessary to protect the
12 plaintiff or any children from abuse.

13 "(9) Order other relief as it deems necessary to
14 provide for the safety and welfare of the plaintiff or ~~minor~~
15 any children and any person designated ~~family or household~~
16 member by the court.

17 "(10) Prohibit the defendant from transferring,
18 concealing, encumbering, or otherwise disposing of specified
19 property mutually owned or leased by the parties.<

20 "~~(d)~~ A (c) The court may grant any of the following
21 relief in a final ~~order for~~ protection order or a modification
22 of ~~an~~ a protection order after notice and a hearing, whether
23 or not the defendant appears:

24 "(1) Grant the relief available in subsection ~~(c)~~
25 (b).

26 "(2) Specify arrangements for visitation of any
27 ~~minor child~~ children by the defendant on a basis that gives

1 primary consideration to the safety of the plaintiff or ~~the~~
2 ~~minor child~~ any children, or both, and require supervision by
3 a third party or deny visitation if necessary to protect the
4 safety of the plaintiff or ~~minor child~~ any children, or both.

5 "(3) Order the defendant to pay attorney's fees and
6 court costs.

7 "(4) When the defendant has a duty to support the
8 plaintiff or ~~minor~~ any children living in the residence or
9 household and the defendant is the sole owner or lessee, grant
10 to the plaintiff possession of the residence or household to
11 the exclusion of the defendant by evicting the defendant or
12 restoring possession to the plaintiff, or both, or by consent
13 agreement allowing the defendant to provide suitable alternate
14 housing.

15 "(5) Order the defendant to pay temporary reasonable
16 support for the plaintiff or any ~~child~~ children in the
17 plaintiff's custody, or both, when the defendant has a legal
18 obligation to support such ~~person~~ persons. The amount of
19 temporary support awarded shall be in accordance with Child
20 Support Guidelines found in Rule 32, Alabama Rules of Judicial
21 Administration.

22 "(6) Order the defendant to provide temporary
23 possession of a vehicle to the plaintiff, if the plaintiff has
24 no other means of transportation of his or her own and the
25 defendant either has control of more than one vehicle or has
26 alternate means of transportation.

1 ~~"(e) (d)(1) Any final protection order or approved~~
2 ~~consent agreement shall be for a period of one year unless a~~
3 ~~shorter or longer period of time is expressly ordered by the~~
4 ~~court. Any temporary ex parte order issued pursuant to this~~
5 ~~chapter shall remain in effect until the final protection~~
6 ~~order is entered. While the final protection order is in~~
7 ~~effect, the court may amend its order ~~or an approved consent~~~~
8 ~~agreement at any time upon subsequent petition being filed by~~
9 ~~either party and a hearing held pursuant to this chapter.~~

10 ~~"(2) Upon motion and showing of cause a final~~
11 ~~protection order may be continued for a definite period of~~
12 ~~time to be set by the court. Any final protection order is of~~
13 ~~permanent duration unless otherwise specified or modified by a~~
14 ~~subsequent court order.~~

15 ~~"(f) (e) No order or agreement under this chapter~~
16 ~~shall in any manner affect title to any real property, except~~
17 ~~final subsequent proceedings available by law.~~

18 ~~"§30-5-8.~~

19 ~~"(a) A copy of any order under this chapter shall be~~
20 ~~issued to the plaintiff, the defendant, and the law~~
21 ~~enforcement officials with jurisdiction to enforce the order~~
22 ~~~~or agreement.~~ Certain information in these orders shall be~~
23 ~~entered in the Protection Order Registry of the Administrative~~
24 ~~Office of Courts.~~

25 ~~"(b) Each order shall bear the following language,~~
26 ~~prominently displayed: "A willful violation of this order is a~~
27 ~~Class A misdemeanor which is punishable by a fine not to~~

1 ~~exceed two thousand dollars (\$2,000) or imprisonment for up to~~
2 ~~a year in jail, or both, and is also punishable for civil~~
3 ~~contempt." However, failure to provide such notice shall not~~
4 ~~affect the validity of the protection order. Ex parte and~~
5 ~~final protection orders shall be in a format as provided by~~
6 ~~the Administrative Office of Courts. If a court wishes to~~
7 ~~provide additional information in these standardized court~~
8 ~~orders, the court may attach additional pages containing this~~
9 ~~additional information."~~

10 Section 2. Sections 30-5-9 and 30-5-10 of the Code
11 of Alabama 1975, are repealed.

12 Section 3. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.