

STATE OF VERMONT

SUPERIOR COURT

FAMILY DIVISION

Unit

Case No. _____

Complaint for Relief from Abuse/Neglect/Exploitation Pursuant to 33 V.S.A. Chapter 69

Plaintiff Information:

Name: _____

Date of Birth: _____

Interested Person's Information:

Name: _____

Date of Birth: _____

Address: _____

Email Address: _____

City/State/Zip: _____

Daytime Phone: _____

- I am: [] Agent; [] Power of Attorney; [] Advanced Directive; [] Guardian; [] Dept. of Disabilities, Aging, and Independent Living (DAIL)

Defendant's Information:

Name: _____

Date of Birth: _____

Address: _____

Email Address: _____

City/State/Zip: _____

Daytime Phone: _____

Describe Defendant's relationship to the Plaintiff:

Attorney Information:

Name: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email Address: _____

- Attorney is: [] for Plaintiff; [] for Interested Person

Plaintiff is 18 years of age or older and is a vulnerable adult because they:

- [] Are a resident of a licensed long-term care facility or a psychiatric hospital or psychiatric unit of a hospital;
- [] Received assistance with personal care services for more than one month from a designated home health agency, or from a person or organization that offers, provides, or arranges for personal care;
- [] Are determined clinically eligible to receive Long-Term Medicaid waiver services;
- [] Regardless of residence or whether any type of service is received, has a physical, mental, or developmental disability, infirmities as a result of brain damage or a mental condition, or infirmities of aging resulting in impairment of their ability to independently engage in activities of daily living or instrumental activities of daily living, or to provide for some aspect of their own personal care without assistance, or some impairment of their ability to protect themselves from abuse, neglect, or exploitation.

(To be completed by "Interested Person" only)

Plaintiff:

- is capable of expressing Plaintiff's wishes with respect to this Complaint; or
- is not capable of expressing Plaintiff's wishes with respect to this Complaint because:

- I request that a Guardian ad Litem be appointed because Plaintiff is not capable of expressing an opinion with respect to this Complaint.

Plaintiff:

- will attend the hearing.
- will not attend the hearing.

On _____, the Defendant:

- Abused Plaintiff, as "abuse" is defined by 33 V.S.A. Section 6902(1).
- Neglected Plaintiff, as "neglected" is defined by 33 V.S.A. Section 6902(21).
- Exploited Plaintiff, as "exploited" is defined by 33 V.S.A. Section 6902(13).
- Defendant is a family or household member and abused Plaintiff as defined by 15 V.S.A. Section 1101(1).

Plaintiff requests the court enter an order which includes the following:

- Defendant shall refrain from abusing Plaintiff;
- Defendant shall refrain from neglecting Plaintiff;
- Defendant shall refrain from exploiting Plaintiff;
- Defendant shall immediately leave the household:

The residence is located: _____

- owned in: Plaintiff's name only Defendant's Name
- rented/leased Both Plaintiff's & Defendant's Name

- Defendant shall not enter the household except with advance notice to and permission of Plaintiff, or permission of Plaintiff's guardian, AND in the presence of a law enforcement officer or the following person designated by the court: _____ for the purpose of: _____.
- Defendant shall not contact or communicate with Plaintiff in any way by any means, either directly or through a third party, except that the Defendant may _____.
- Defendant shall not place themselves within _____ feet of Plaintiff individually or of the following address(es): _____.
- Defendant shall not stalk Plaintiff, as defined in 12 V.S.A. Section 5131.
- Defendant shall not threaten, assault, molest, harass, or otherwise interfere with the personal liberty of Plaintiff.

- Defendant shall deliver all care plans, medicines, physicians' orders, and medical records to Plaintiff or Plaintiff's representative.
- Defendant shall not provide personal care to Plaintiff and shall cooperate in the transfer of Plaintiff's care to ensure Plaintiff's safety and well-being.
- Defendant shall immediately return any cash, checks, money, or property belonging to Plaintiff in the Defendant's possession to Plaintiff or Plaintiff's representative. Any funds sent to Defendant on behalf of Plaintiff shall be held by Defendant and brought to the scheduled hearing on _____.
- Defendant shall immediately return any personal documentation regarding Plaintiff, including identification documents, insurance information, financial records, and immigration documentation to Plaintiff, or Plaintiff's representative.
- Defendant shall not access, dispose of, take, or transfer funds, accounts, or property from Plaintiff or any account in the name of Plaintiff.
- Defendant shall cease any access, sharing, or use of identifying information, image, or likeness of Plaintiff.
- Until further Order of the Court or until the Order expires, _____ shall hold the following weapons belonging to Defendant: _____. Delivery of the weapons shall be made in the following manner: _____. Return of the weapons to Defendant is subject to the following restrictions and conditions, deemed appropriate to protect Plaintiff from further abuse: _____.
- Defendant shall return possession, care, and control of any animal owned, possessed, leased, kept, or held as a pet to Plaintiff.
- Other: _____

(If immediate relief is requested, complete next section. Otherwise, skip to date and signature.)

Request for Emergency Relief – Motion for Temporary Order

- Plaintiff will suffer serious and irreparable harm to Plaintiff's physical health or financial interests unless ex parte relief is granted, and therefore requests on an emergency basis the same relief as requested above, to the extent available.

The facts to support this request for relief can be found in Plaintiff's accompanying Statement.

Dated: _____

Signature of Plaintiff/Attorney/Interested Person

Printed Name