

## HOW TO USE THESE FORMS

The forms below allow a judge to complete an after-hours TERPO application. There are two separate forms, one for granting the TERPO and the other for denying the TERPO. Both include a hearing notice and investigation order. These are the official forms modified to include more functionality. There are some issues with the official forms that require each page to be reviewed before finalizing (e.g. the service language is different on the TERPO and Notice).

**NOTE:** This form has limited functionality when viewed or filled in with your internet browser. You will not be able to digitally sign and some fields may not update correctly. You should download a copy to your desktop or other location.

Any field not based on the county should be fully editable. The forms will autocomplete many fields once the county is selected from the dropdown:

### BEFORE SELECTION

Supreme Court, State of New York, County of -- Select County Below --  
at the  
PRESENT: Hon. <<Select or Insert Judge's Name and Title>>

### AFTER SELECTION

Supreme Court, State of New York, County of Delaware  
at the County Courthouse, 3 Court Street, Delhi, New York

Once you enter or change the county, the forms will also display preferred scheduling days and times (This information will not print on the final order):

The extreme risk protection order hearing is scheduled as follows:

|            |   |  |
|------------|---|--|
| Court:     | Cortland Supreme  | <b>Cortland Return Dates</b><br>Friday at 1:00 |
| Address:   | County Courthouse, 46 Greenbush Street, Suite 205, Cortland, New York |  |
| Room/Part: | 123   |  |
| Date:      | 1/16/25   |  |
| Time:      | 1:00 OAM <input checked="" type="radio"/> PM                          |  |


Note that the am/pm radio button will automatically set based on the time.


## DATES

The order date should default to the current date when you open the file. There is now only one date field for all orders/notices.

### Using the built-in calendar

Take advantage of the built-in calendar for scheduling by clicking on the down arrow when selecting a date field.

ORDERED that this order shall expire on 1/2/25 

ORDERED that this order shall expire on 1/2/25 

Dated: 1/2/25

TAKE NOTICE:

- The Court must hold a hearing to determine the appropriate date for the appearance notice for hearing date, testimony, call witnesses and offer evidence issued. Respondent may request a late date for the hearing, but the court **BEFORE** the scheduled hearing date should be consulted promptly.
- Upon expiration of this temporary order, the court will schedule a hearing to determine the appropriate date for the appearance notice for hearing date, testimony, call witnesses and offer evidence issued. Respondent may request a late date for the hearing, but the court **BEFORE** the scheduled hearing date should be consulted promptly.

Today: 1/2/2025

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|-----|-----|-----|-----|-----|-----|
|     |     |     | 1   | 2   | 3   | 4   |
| 5   | 6   | 7   | 8   | 9   | 10  | 11  |
| 12  | 13  | 14  | 15  | 16  | 17  | 18  |
| 19  | 20  | 21  | 22  | 23  | 24  | 25  |
| 26  | 27  | 28  | 29  | 30  | 31  |     |

## DIGITALLY SIGNING THE ORDERS

Because the official forms have separate orders for the TERPO and the Investigation, the judge will need to digitally sign twice. This means having to save once after each signature. For help on digital signatures click on this button:



## EMAILING THE CLERK

After you have saved the second signed copy of the final forms, you can email them to the appropriate Court Clerk by clicking on this button:



**OTHER BUTTONS** (These buttons will not be visible on a printed copy).



Save your form. Not necessary if you are digitally signing since you will be saving after each signature.



Print the document to a printer or as a PDF.



Delete ALL fields. If you need to start over with a new case click on this button to clear any prior information.

**THIS CANNOT BE UNDONE.**

Report any issues, comments, or suggestions to [6JDREFEREE@nycourts.gov](mailto:6JDREFEREE@nycourts.gov)

Present: \_\_\_\_\_

vs. \_\_\_\_\_  
Petitioner,

**Order Denying Application for a  
Temporary Extreme Risk Protection Order [CPLR § 6342]**

Index Number:

Respondent.

**Order Issued (check one):**      Ex Parte      Respondent Present in Court and Advised of Contents on the Record

Check if applicable:      ***Petitioner's name is anonymous***      ***Petitioner's address and contact information is confidential***

The petitioner having filed a sworn application for the issuance of a temporary extreme risk protection order against the respondent; and having considered the application, supporting documentation of the petitioner, if any, the time that has elapsed since the occurrence of such act or acts, the respondent's age at the time of the occurrence, the sworn testimony of the petitioner and witnesses produced by the petitioner, if any; and pursuant to the following findings of fact and conclusions of law:

\_\_\_\_\_  
The Court finds no probable cause to believe that the respondent is likely to engage in conduct that would result in serious harm to self or others as defined in MHL §9.39(a) and hereby **DENIES** petitioner's application for a temporary extreme risk protection order.

**TAKE NOTICE** that the Court must hold a hearing to determine if a final extreme risk protection order will be issued as follows:

- Court:
- Address:
- Room/Part:
- Date:
- Time:                      AM    PM
- Phone:

At the hearing, the parties shall have an opportunity to be heard, give testimony, call witnesses and offer evidence to assist the Court in determining if a final extreme risk protection order will be issued. The respondent may request a later hearing date to prepare for the hearing. To request a later date, the respondent must contact the court **BEFORE** the scheduled hearing date above. The respondent may also seek the advice of an attorney, and the attorney should be consulted promptly, and it is hereby;

**ORDERED** that \_\_\_\_\_ shall conduct a background investigation and report to the court and each

Local Law Enforcement Agency

party, subject to any appropriate redactions to protect any person, whether the respondent:

- a. Has any prior criminal conviction for an offense involving domestic violence, use of a weapon, or other violence; or
- b. Has any criminal charge or violation currently pending against them; or
- c. Is currently on parole or probation; or
- d. Possesses any registered firearms, rifles or shotguns; or
- e. Is or has been subject to or has violated or allegedly violated any Order of Protection,

**AND**, said report shall be provided to the court and each party at least 24 hours before the hearing date above, and it is further;

**(Optional: check only if applicable)**

**ORDERED** that petitioner’s address and other contact information is confidential and shall be redacted from any papers served upon or provided to the respondent; or

**ORDERED** that the case caption is amended to reflect that petitioner’s name is anonymous, and petitioner’s name shall be redacted from any papers served upon or provided to the respondent, and it is further;

**(Optional: check only if applicable)**

**ORDERED** that, having agreed to arrange for service through a third party, the petitioner shall serve a copy of this order and any associated papers upon the respondent on or before \_\_\_\_\_, or

**ORDERED** that the \_\_\_\_\_ shall serve a copy of this order and any associated papers upon the  
**Local Law Enforcement Agency**  
respondent on or before \_\_\_\_\_, and it is further;

**ORDERED** that, the Court, having notice of the fact that the respondent is a patient in a certified Office of Mental Health (OMH) facility on the date of this order, hereby authorizes service upon the respondent at such facility pursuant to 14 NYCRR 22.2, and it is further;

**ORDERED** that this order shall expire on \_\_\_\_\_.

**SO ORDERED:**

Dated: \_\_\_\_\_

Cc:

| <b>Acknowledgement of Service</b>   |                                  |
|---|----------------------------------|
| <i><b>NOTE:</b> This section is for use by court officials and law enforcement officers only.<br/>Third-party process servers must attach a sworn Affidavit of Service.</i> |                                  |
| The above-named respondent hereby acknowledges service of this order and any supporting documents and/or reports:   |                                  |
| _____<br><b>Signature of Respondent</b>   | Dated: _____                     |
| _____<br><b>Name of Witness</b>   | _____<br><b>Title/Shield No.</b> |
| _____<br><b>Signature of Witness</b>  | Dated: _____                     |