

### **How To File a Firearm Restraining Order or FRO:**

- There are two types of Firearms Restraining Orders: Emergency FRO and a Plenary FRO. Typically, an Emergency FRO is filed first which can lead to a Plenary FRO if the court determines the person is a danger to themselves or others. A Plenary FRO can last up to one year.
- To file an FRO, fill out the [Verified Petition form](#), and either the [Emergency FRO](#) form or [Plenary FRO](#) form. Forms can be obtained [online](#) at the Circuit Court of Cook County's website or in person at the Circuit Court of Cook County and the Cook County Sheriff's Office.

*Please consider calling the Circuit Court of Cook County at 312-603-4357 before completing forms, to get more specific instructions about where the court is located, and where to go once you are there. Once at the courthouse, you can also go to the Cook County Sheriff's Office for further assistance, if needed.*

- Bring these completed forms to any [Cook County District courthouse](#). Please ensure you provide an accurate Date of Birth for the person in crisis. This is required to correctly process an order. You are entitled to receive free clerical support from the State's Attorney office or from any Court Clerk's office.
  - For clerical support in Cook County, contact the Circuit Court of Cook County at 312-603-4357 or the Cook County State's Attorney office at (312) 603-1880
- The petition may be filed in any county where the respondent lives or in any county where an incident occurred that involved the respondent posing an immediate and present danger of causing personal injury. For a complete list of Illinois Circuit Courts, see [here](#). If you are unsure how to proceed, you may also consider requesting law enforcement to petition.

*Note that court hearings may be conducted via the Zoom online platform.*

### **For Emergency FRO**

- An Emergency FRO can be filed for, issued, and served on the same day. It can last up to 14 days and is followed by a full hearing which can result in a Plenary FRO. If an Emergency FRO is issued, the Court will schedule a follow-up hearing within 14 days in which both you (the person petitioning for the order) and the person in crisis (the person whom you are worried about) have an opportunity to explain whether a Plenary FRO should be issued. If, after the hearing, the Court determines that the person in crisis continues to pose a significant danger to themselves or others, the court shall issue a Plenary FRO and the Emergency FRO in effect will be dissolved.
- The petitioner does not have to notify the person in crisis yet; but, if applicable, the petitioner must make an effort to notify an intimate partner of the person in crisis if they are a target of the respondent or person in crisis.

### **For Plenary FRO:**

- A Plenary FRO will be issued by the Court after a hearing if the petitioner proves the person in crisis poses a significant danger of personal injury to themselves, or another. The person identified in the petition will be provided an opportunity to respond during this hearing.
- When attending the hearing, bring any documents (see list below) that help prove the reasons you think a Plenary FRO is necessary. Also, bring copies of all FRO forms filed with the Court. Some of the documents and other evidence that may help your case include:

- Witnesses or written statements from witnesses
- Any relevant photos
- Medical or police reports
- Damaged property
- Threatening letters, emails, or telephone messages

In determining whether to issue a Plenary FRO, the Court will consider evidence including, but not limited to, the following:

- Unlawful and reckless use, display, or brandishing of a firearm.
  - Any history of use, attempted use, or threatened use of physical force against another person.
  - Any prior arrest for a felony offense.
  - Evidence of the abuse of controlled substances or alcohol.
  - A recent threat of violence or act of violence directed toward themselves or another person.
  - A violation of a domestic violence order of protection.
  - Any pattern of violent acts or violent threats, including, but not limited to, threats of violence or act of violence directed toward themselves or others.
- If the Court issues a Plenary FRO at the hearing, the judge must sign the Plenary FRO. Please keep a copy of this order for your records. Note that Plenary FROs are valid for six months to a year and can be renewed once for up to one year.
  - If, at the hearing, the judge does not issue a Plenary FRO, then they shall dissolve any Emergency FRO then in effect.