

<u>Stage</u>	<u>Standard</u>
1. COMMENCEMENT a. Investigation b. Petitioner	Investigation by Law Enforcement Officers upon merits of request, after request by certain prescribed persons <u>Only</u> Law Enforcement Officers or State's Attorney or Attorney General office
2. EX PARTE INTERIM ORDER	a. Require showing of <i>imminent</i> prospective injury b. Require showing of <i>extreme</i> risk of injury c. Require submission of <i>specific facts</i> d. Require specific identification of firearms to be confiscated e. Require showings by <i>clear and convincing</i> evidence f. Require showings, at a minimum, by sworn affidavit and not telephonic submission g. Entry of interim order is discretionary h. Duration of effectiveness of interim order for a maximum of 7 days i. Allow voluntary submission of firearms, or, when involuntary confiscation is justified, compliance with No-Knock requirements and limitations j. Responsible storage of confiscated firearms
3. ADVERSARIAL HEARING	a. Provide sufficient notice to Respondent of hearing b. Venue in domicile of Respondent c. Require appearance by, and cross-examination of, Petitioner and other supporting witnesses d. Require Petitioner to prove right to relief by <i>clear and convincing</i> evidence e. Require proof of <i>extreme risk</i> f. Provide appointed counsel for Respondent g. Duration of effectiveness of

- confiscation order for a maximum of 180 days
 - h. Allow voluntary submission of firearms, or, when involuntary confiscation is justified, compliance with No-Knock requirements and limitations
 - i. Responsible storage of confiscated firearms
4. MALICIOUS PROSECUTION RELIEF
- a. Criminal prosecution of Petitioner for malicious commencement or perjury
 - b. Supplementary civil remedy for damages and attorneys fees as a result of malicious commencement or perjury
5. RESPONDENT POST-HEARING RELIEF
- a. Prompt return of confiscated firearms
 - b. Prompt restoration of any revoked Concealed Weapons License
 - c. Right to apply for lifting of confiscation order
6. MISCELLANEOUS RELIEF
- a. Petitioner right to renewal of confiscation order upon clear and convincing proof
 - b. Restricted reporting of Ex Parte Interim Orders
 - c. Upon termination of confiscation order, removal of entry for order in all databases, including NICS