

Lake County Rules of Family Law

PREAMBLE

The Rules of Professional Conduct mandate that all lawyers conduct themselves honorably and remind lawyers that they have a special responsibility for the quality of justice. For lawyers who practice family law, that special responsibility for the quality of justice often occurs in an emotionally-charged arena with litigants who are angry, disappointed, hurt, hostile, betrayed, sad, fearful, shocked, and/or lost. When a case involves minor children, emotions run even higher.

Some statistics indicate that, every thirty-two seconds, a child in America witnesses his or her parents' divorce. Out of wedlock births to adults have increased exponentially. Research establishes that how parents conduct themselves during a domestic relations proceeding has a greater impact on their children than the proceeding itself. These local rules have been enacted to help effectuate a dignified and effective means of resolving all family law disputes, but especially those disputes involving minor children. While recognizing our adversarial system for resolving family law problems, these local rules mandate that attorneys not ignore but embrace their equally important roles as negotiators and advisors and their special responsibility for the quality of justice.

LR 45-FL00-1 Scope, Citation and Definition, Cooperative Approach and Liberal Construction

- A. Scope. These rules shall apply to family cases in the Lake Circuit Court and the Superior Court of Lake County, Civil and Juvenile Divisions.
- B. Citation. These rules may be cited as the Lake County Rules of Family Law and abbreviated as F. L. R.
- C. Definition. Family cases shall include all cases involving claims for or related to marital dissolution or separation, paternity, child custody, parenting time or visitation with a child, and support of a child or spouse.

LR 45-FL00-2 Statement of Policy and Purpose

The Circuit and Superior Courts of Lake County are committed to a cooperative model for the handling of family cases by parents, attorneys, and judges. These rules shall be liberally construed and applied to serve the healthy and child-sensitive functioning of families. In all family cases with children, the goal will be protecting the best interests of those children.

A. Attorneys and parties in family cases are expected to act with the courts as co-problem solvers, not mere problem-reporters. Attorneys shall both inform and remind their clients about the judicial expectations of cooperation in family cases, assist their clients to understand and observe these standards, and encourage clients to participate in co-parenting classes, counseling, mediation, and other appropriate problem-solving processes.

B. In order to establish and maintain an atmosphere which fosters cooperative problem-solving, all parties and attorneys shall:

- (1) explore resources which may reduce conflict, build cooperation and protect children;
- (2) attempt reasonable cooperative measures before resorting to the court;
- (3) avoid disrespectful language and behavior; and,
- (4) avoid unnecessary motions or petitions, hearing and arguments.

Commentary

The Circuit and Superior Courts of Lake County recognize that conflict in family cases is destructive and often dangerous. Litigating family cases does not end or resolve the conflict; it heightens the conflict. The cooperative model for handling family cases is implemented in order to minimize such conflict and, instead, foster the healthy and child-sensitive functioning of families.

Actions taken in the earliest stages of parents' separation and other family crises, whether those actions are helpful or destructive, often define much of the future of the family case and the family; and, attorneys' language and conduct in these earliest days are often crucial to the future course of both the case and the future functioning of the family. Until the case is filed, the courts have no involvement and are powerless to help families at that point; however, at such early stages, attorneys can either set a tone of beneficial cooperation or of destructive conflict for the families they touch.

All too often in family cases the courtroom becomes an arena in which the parties are subjected to criticism, sometimes even ridicule or similar abuse. Such conduct will not be tolerated. Attorneys have an ethical obligation to refrain from abusive conduct and other offensive tactics; to treat all parties, witnesses and all others involved in the legal process with courtesy and respect; and, to refuse to participate in any effort to embarrass, delay or burden someone. The courts consider such conduct to be repugnant. So should the attorneys and all members of the family. Attorneys have an ethical obligation to consult with their client about the means to be employed and clients normally defer to the attorney's special knowledge and skill in such matters. These rules and comments require that when doing so, the attorney should educate the client about the

substantial risk that conflict presents for members of the family and of the benefits and opportunities for resolution through the cooperative model. If the prospective client will not abide by such advice, the attorney can and should consider declining the engagement. If a client agrees to abide but later shows the inability to do so or otherwise refuses, the attorney may and should consider withdrawing. Family members who elect to pursue the path of conflict instead of cooperation are not acting in the best interests of the children; and, the courts will consider the decisions made by the parties in this regard as part of its evaluation of the children's best interests and in the allocation of attorney fees.

This cooperative model will require some fundamental changes in the local legal culture, including the manner in which attorneys approach family cases. While fundamental change does not occur overnight, it must be done and begin now. Attorneys must change their primary focus in family cases. Instead of the gathering of evidence or other "case building", the attorney's primary focus must be on defusing the underlying source(s) of conflict(s) by helping the family to find the ways to reach resolution of their issues by using means which are less destructive than litigation.

As part of the cooperative model the courts will expect all parties and attorneys to consistently observe:

- (1) personal responsibility by acting on one's own opportunities to solve problems and improve circumstances rather than merely reporting on the alleged fault in others;*
- (2) cooperation by sensibly defining and pursuing the best interests of all family members;*
- (3) courtesy by constant observance of respectful language and behavior; and,*
- (4) focused attention on children's needs including an awareness that parent conflict is dangerous to children.*

As part of their duty to work as co-problem-solvers with the court in all family cases, if safe to do so, attorneys should:

- (1) speak with all clients, as early as possible and as often as necessary, about the advantages and judicial expectations of safe cooperation in family cases;*
- (2) refer clients to all co-parenting classes, counseling, mediation, and other problem-solving processes that appear to counsel to be promising resources for their clients;*
- (3) work with other counsel to ensure safety in families where domestic violence has been, or reasonably could be, an issue;*
- (4) work with other counsel in all cases to reduce conflict, build cooperation, and protect children;*

- (5) *avoid unnecessary motions and hearings; and*
- (6) *use the least divisive processes in pursuing safety, fairness, cooperation, and the protection of the best interests of children, for example:*
 - (a) *using certified mail or acknowledgment of service instead of sheriff service of process if viable,*
 - (b) *encouraging restraint and safe cooperation between family members,*
 - (c) *avoiding unnecessary motions and arguments, and*
 - (d) *exhausting all viable cooperative measures before requesting custody evaluations or trial settings.*

Before a case is filed, an attorney should:

- (1) *Assessment of Case and Safety Considerations. Counsel meeting with a person contemplating filing a family case should promptly assess whether the case can safely be handled cooperatively and without adversarial motions, hearings and other formal proceedings. Unless safety or exceptional circumstances make cooperation unreasonable, counsel should handle the case in ways that avoid court and maximize the parties' development of cooperative problem-solving.*
- (2) *Cooperation between Counsel Before Initial Filings. Counsel representing persons wishing to initiate a family case should make reasonable efforts to determine if the other spouse, parent, or putative parent is represented or may be seeking representation. Unless doing so might create a danger or substantial prejudice to their client or it is otherwise unreasonable to do so, counsel should:*
 - (a) *consult and cooperate with each other before filing;*
 - (b) *attempt in good faith to find cooperative resolutions to provisional matters, including peaceful separation, so that unnecessary provisional filings and hearings can be avoided; and*
 - (c) *refer parents to resources such as co-parent education, co-parent counseling, marital counseling, and mediation that can help them build cooperation between them.*
- (3) *Cooperation with Unrepresented Parties before Initial Filings. Unless doing so might create a danger or substantial prejudice to their client or it is otherwise unreasonable to do so, this same effort at consultation and cooperation should be made when counsel learns that the other spouse, parent, or putative parent is not intending to use legal representation. In such case, unless doing so might create*

a danger or substantial prejudice to their client or it is otherwise unreasonable to do so, counsel or the client should (a) communicate directly with that other spouse, parent, or putative parent and (b) attempt to avoid provisional filings and hearings on matters that could be resolved by cooperative measures including discussion, co-parent education, counseling, and mediation.

C. Website. Parties and counsel should visit the court's website at www.LakeCountyKids.org for more information on the procedures in use in Lake County in support of the cooperative handling of family cases.

LR 45-FL00-4 Initial and Provisional Hearings

Unless considerations of safety or other good cause make it unreasonable, before the date and time set for an initial or provisional hearing, counsel shall meet with each other (or any unrepresented party) in a good-faith attempt to resolve all matters.

LR 45-FL00-5 Mandatory Website Work for Parents

A. Dissolution of Marriage. In all dissolution cases where the parties have any children together under the age of 18, both parties shall complete the work on www.UpToParents.org within 30 days of initial filing.

B. Legal Separation. In all separation cases where the parties have any children together under the age of 18, both parties shall complete the work on www.WhileWeHeal.org within 30 days of initial filing.

C. Paternity. In all paternity cases, both parents shall complete the work on www.ProudToParent.org within 30 days of the court's finding of paternity.

D. Following completion of the website work required by this rule, the parents shall merge or exchange their chosen Commitments from their website work.

Commentary

The rule contemplates that, following completion of the website work required by this rule, the parents shall merge their chosen Commitments from their website work into a set of Agreed Commitments, review those Agreed Commitments before all hearings, and take copies of them to all hearings. If a hearing is held more than a year since the parents' completion of the website work, they shall redo the work, again merge their Commitments into a set of Agreed Commitments, and bring those Agreed Commitments to all hearings.

LR 45-FL00-6 Co-Parenting Class

- A. Dissolution of Marriage and Legal Separation. Mandatory Attendance. In all dissolution and separation cases where the parties have any children together under the age of 18, both parties shall complete a co-parenting class. The court may order both parties to attend additional co-parenting classes in post-decree matters. Information regarding the approved classes is available on the court's website at www.LakeCountyKids.org.
- B. Paternity. In all paternity cases the court may order the parties to attend and complete a co-parenting class.

LR 45-FL00-7 Proof of Compliance

- A. Dissolution of Marriage and Legal Separation. In order to monitor compliance, within 60 days of the initial filing of an action for dissolution or separation, each party shall file a verified certification of their completion of the mandatory website work as required under FLR. 5, above, and of any mandatory co-parenting class as required under FLR. 6, above, a sample form of which is attached hereto as Appendix "A".
- B. Paternity. In order to monitor compliance, within 45 days of the court's finding of paternity, each party shall file a verified certification of completion of the mandatory website work as required under FLR 5, above. A sample form is attached hereto as Appendix "B".
- C. Any party failing to timely file such a certification may be subject to a hearing on such a failure.

LR 45-FL00-8 Parenting Plan Proposals

- A. The Indiana Parenting Time Guidelines provide useful outlines of the **minimum** time each parent should have with the children to maintain frequent, meaningful, and continuing contact with them. Any parenting time plan submitted by agreement that provides for less than the **minimum** time allowed under the Indiana Parenting Time Guidelines must contain a written explanation for deviating from those guidelines. Agreed parenting plans that exceed the **minimum** time allowed under the Guidelines will not require a written explanation.
- B. Unless they have already executed an agreed parenting plan, the parties shall each prepare and exchange their written Parenting Plan Proposals utilizing the form which is attached hereto as Appendix "C". Parents, personally and with the help of counsel and all useful counseling, mediation and other problem-solving resources, shall continue to attempt to reach an agreed parenting plan. Parents shall bring their respective Parenting Plan Proposals to all hearings, mediation sessions, and settlement discussions.

Commentary

- A. Children whose parents live apart have special needs above and beyond those of other children, including the need for frequent, meaningful, and continuing contact with both parents. The courts will expect separated and divorced parents, wherever safely possible, to work together to support children's best possible relationships with each parent.*
- B. To assist parents and their counsel in developing parenting plans that will meet the needs of these children, parents with children under the age of 18 or dependent children over the age of 18 should use all reasonable efforts, discussion, counseling, mediation, and other resources to promptly agree on a parenting plan to include the decision-making and living arrangements that will serve to nurture and protect their children as the years progress. If a parenting plan is agreed on and signed by the parents, it may be submitted to the court for its consideration as the order which will govern the parents' co-parenting unless changed by agreement or court order.*
- C. Unless the parties have already entered in to a signed agreement resolving all such issues then, within 60 days of the initial filing of all actions for marital dissolution or separation, or any post-decree filing regarding the children, or the court's finding of paternity in all paternity cases, the parties shall each prepare and exchange their written Parenting Plan Proposals utilizing the form which is attached hereto as Appendix "C". Parents, personally and with the help of counsel and all useful counseling, mediation and other problem-solving resources, shall continue to attempt to reach an agreed parenting plan. If parents do not reach an agreed parenting plan, they shall bring their respective Parenting Plan Proposals to all hearings, mediation sessions, and settlement discussions.*
- D. The Indiana Parenting Time Guidelines provide useful outlines of the **minimum** time each parent should have with children to maintain frequent, meaningful, and continuing contact with them. It is the express preference of the Lake Circuit and Superior Courts that parenting plans, wherever safely possible, should:*
- (1) help parents understand the important advantages of supporting each other's relationships with their children;*
 - (2) exceed the Guideline minimums for each parent;*
 - (3) fit the particular needs of the family; and,*
 - (4) encourage parents' use of sensibility, flexibility, and reasonableness to allow for cooperative accommodations of special needs and circumstances in family activities.*

E. Whenever parents need resources to reduce conflict, build cooperation, preserve family relationships, or respond to the needs of their children, they and their attorneys (if any), should use all resources that could help them. Such resources include:

- (1) redoing the website work from www.UpToParents.org, www.WhileWeHeal.org, or www.ProudToParent.org;*
- (2) additional co-parenting classes, including re-attending the basic class or attending high-conflict classes;*
- (3) completing a new Parenting Plan Proposal;*
- (4) mediation;*
- (5) arbitration;*
- (6) a confidential therapeutic assessment of the parents to develop a set of recommendations for their improved interaction;*
- (7) individual, joint, family or child counseling;*
- (8) appointment of a parenting coordinator;*
- (9) appointment of a guardian ad litem for the children; and,*
- (10) any other measure that might protect children, reduce conflict, or build cooperation.*

F. If parents nevertheless continue to have conflict and appear in court without an agreement about the resources they will use, the court may select the resources the parents will be ordered to use.

LR 45-FL00-9 Protocols after Initial Filing

A. Duties Regarding Consultation. Except in emergencies or when it might create a danger or substantial prejudice or is otherwise unreasonable to do so, counsel and pro se parties shall make a reasonable attempt to have a personal or telephonic consultation to resolve any issue before filing or seeking any other relief through the court. Counsel and pro se parties contacted for a consultation shall make themselves reasonably available for consultation. The duty of consultation shall be continuing.

B. Substance of Consultation. In the consultation, counsel and pro se parties shall:

- (1) attempt to resolve all matters at issue;**
- (2) confirm the parties' compliance with FLR 5, FLR 6, FLR 7 and FLR 8; and,**

- (3) discuss the resources they believe the parents could use to resolve current and future issues and to build cooperation, including any resources listed in Commentary E to FLR 8.

C. Cooperation Update - Mandatory. All motions and pleadings other than the initial filings shall include a statement confirming compliance with items (1) through (3), above, including the date of the required personal or telephonic consultation; or, shall recite the specific reasons for the lack of a consultation.

D. Parents shall review and bring a copy of their website Commitments, as required by FLR 5 and the current Parenting Plan Proposals, as required by FLR 8, to every hearing.

Commentary

Counsel and pro se parties shall consult in advance of all court settings and exchange suggestions for the future course of the case that would serve the best interests of all family members.

During a Status Conference:

- A. *the attorneys and pro se parties will report on:*
 - (1) *the status of compliance with each of these rules by the parties and their attorneys; and,*
 - (1) *parent progress in reducing conflict, building cooperation, preserving family relationships, and responding to the needs of the children.*
- B. *where beneficial, the families will to be referred for any necessary help; and,*
- C. *the court will consider the future course of the case.*

LR 45-FL00-10 Requirements before Custody Evaluations

All requests for custody evaluations must be (1) in writing (2) certify that both parties and their counsel, if any, have engaged in at least one good faith attempt to resolve the issues through the use of a settlement conference or mediation.

The court will not grant a request for or otherwise order a custody evaluation except following a Status Conference in the presence of both parties and their attorneys, if any, during which the court has been satisfied that:

- A. both parties have completed the mandatory website work pursuant to FLR 6, above; and,
- B. both parents have completed any required co-parenting class pursuant to FLR 7, above; and,
- C. both parties have exchanged Parenting Plan Proposals pursuant to FLR 8, above; and,
- D. both parties and their attorneys, if any, have engaged in at least one good faith attempt to resolve the issues through the use of a settlement conference or consultation pursuant to FLR 9, above; and,

- E. the court has carefully considered and reviewed, with both parties and their attorneys, if any, the use of other resources including those listed in Commentary E to FLR 8.

Commentary

Custody evaluations are sometimes divisive and produce less, rather than more, cooperation between parents. As a result, custody evaluations will be reserved for cases where one or both parents lack the capacity to safely resolve the issues they face. No custody evaluation will be ordered or conducted unless reasonable cooperative measures have been attempted, such as co-parenting education, counseling and mediation.

LR 45-FL00-11 Case Captioning

Parties in dissolution, separation, and paternity cases shall not be captioned or designated as “petitioner”, “respondent”, “plaintiff”, or “defendant”. The parties shall be designated as “Mother”, “Father”, “Husband”, or “Wife”, “Former Husband”, “Former Wife”, and “Putative Father”. All captions shall comply with applicable statutes and case law.

LR 45-FL00-12 Form of Summons

Parties in dissolution, separation, and paternity cases shall prepare and utilize forms of summons as set forth herein.

A. Dissolution of Marriage and Legal Separation. In dissolution and separation cases, the appropriate summons shall be used and shall be substantially the same as the form(s) which attached hereto as Appendix “D”, “D-1”, “D-2”, or “D-3”.

B. Paternity. In paternity cases, the summons shall be substantially the same as the form which is attached hereto as Appendix “E”.

LR 45-FL00-13 Preparation of Information Sheet for Family Court Pilot Project

Contemporaneously with the filing of any action for dissolution, separation, or paternity, the party filing the initial petition shall complete and furnish the Clerk with an Information Sheet which is substantially the same as the form which is attached hereto as Appendix “F”. Because this form requires information which is excluded from the public access under Ind. Administrative Rule 9, this form shall be submitted on light green paper and conspicuously marked “**Not For Public Access**”.

LR 45-FL00-14 Judges' Notice

Whenever the initial filing is prepared by an attorney, the attorney shall also prepare and provide the client and the Clerk with a sufficient number of copies of the appropriate the Judges' Notice as required herein. In cases filed by pro se parties, the Clerk shall provide the appropriate Judges' Notice. The Judges' Notice to Parents Going through Divorce is attached as Appendix "G" and Judges' Notice to Parents in Paternity Cases is attached as Appendix "H".

LR 45-FL00-15 Financial Declaration Form

A. Requirement. In all relevant cases including dissolutions, separation, paternity, post-decree, or support proceedings and, irrespective of which court, each party shall prepare and exchange, within 60 days of initial filing for dissolution or separation or within 30 days of filing of any paternity or post-decree matters, the appropriate Financial Declaration Form (see Appendix "I" and "J"). These time limits may be extended or shortened by court order for good cause shown. In those cases where there is service, but no appearance by counsel, it is the responsibility of the initiating party to provide the other party with the appropriate blank Form and to notify that party of the duty to prepare and serve the same.

B. Exceptions. The Form need not be exchanged if:

- (1) the parties agree in writing within 60 days of the initial filing to waive exchange;
- (2) the parties have executed a written agreement which settles all financial issues;
- (3) the proceeding is merely at a provisional or emergency relief stage;
- (4) the proceeding is one in which the service is by publication and there is no response;
or,
- (5) the proceeding is post-decree and concerns issues without financial implications.

Provided, however, when the proceeding is post-decree and concerns an arrearage, the alleged delinquent party shall complete the entire Form, while the support recipient need complete merely the portion thereof which requires specification of the basis of the arrearage calculation (with appropriate supporting documentation).

C. Use at trial. The Forms are intended primarily as mandatory discovery though, subject to appropriate objection, they shall be admissible at the request of any party. Therefore, particularly in view of the presumptive nature of the Indiana Child Support Guidelines, direct examination on form data shall address only unusual factors which require explanation or corrections and shall not, particularly with respect to issues of support, be routinely permitted. For evidentiary purposes, the pages of the Form shall be deemed severable.

D. Supporting documents. For the purposes of providing a full and complete verification of assets, liabilities, and values, each party shall attach to the form all information reasonably required and reasonably available. This shall include recent bills, wage and tax records, and bank, pension and year-end mortgage statements. Reasonably available means that material which may be obtained by letter accompanied with an authorization, but does not mean material that must be subpoenaed or is in the possession of the other party. Appraisals of real estate and pensions, or appraisals of personal property such as jewelry, antiques, or special collections (stamps, coins, or guns, for example) are not required. However, once an appraisal is obtained, it must be exchanged unless the appraisal was obtained in accordance with the provisions of Trial Rule 26(B) (4) (b) and is not expected to be utilized during trial. Moreover, the court may direct that an appraisal be obtained just as it may designate the appraiser.

E. Privacy - Sealing of Forms. Whenever the interest of privacy so requires, the court may, upon motion, direct the admitted Forms sealed until further order. However, such requests shall not be made as a matter of course.

When ordered sealed, the Court Reporter shall place the Forms in a flat manner in an envelope of sufficient size, seal the envelope, and affix a copy of the order. Forms may be withdrawn at the conclusion of the case on such terms as the court allows.

F. Financial Declaration Form as Mandatory Discovery. The exchange of Forms constitutes mandatory discovery. Thus, Indiana Rules of Procedure, Trial Rule 37 sanctions apply. Additionally, pursuant to Trial Rule 26(E) (2) and (3), the Form shall be supplemented if additional material becomes available. Further, any additional discovery, such as a motion to produce, interrogatories, or depositions of the parties shall not commence until the Forms are exchanged and, once exchanged, shall not seek information already obtained.

LR 45-FL00-16 Indiana Child Support Guidelines

A. Worksheet Required. In all proceedings involving child support, each party shall file with any settlement or enter into evidence during any trial Indiana Child Support Guidelines Worksheets - one or more depending upon the facts. Further, the Worksheet(s) shall, when reasonably possible, be delivered to the other parent simultaneously with the Financial Declaration Form, but, in any event, within 10 days of receiving the other parent's Form. The Worksheets shall be promptly supplemented if any changes occur prior to resolution. All Worksheets shall be signed by the party(ies) submitting the Worksheet.

B. Support Settlement Agreements. If an agreement concerning support provides any deviation from the amount calculated under the Indiana Child Support Guidelines, the parents shall present the court with a written explanation justifying the deviation.

LR 45-FL00-17 Preparation of Orders

A. **Exchange.** It shall be the duty of the parties' attorneys to prepare decrees and other orders as directed by the court. The attorney so directed is first to submit them to all other attorneys of record or to the unrepresented party to enable them to challenge any provision thereof before submission to the court for entry.

B. **Additions.** If the preparing attorney believes the other attorney or the other party, if the other party is proceeding pro se, is unreasonably withholding approval as to form, or if either believes the other is attempting to make additions not addressed by the court, either may submit a proposed form to the court and shall attach thereto a written explanation of the dispute. The other party shall have 7 days to respond before the court enters any order. The court may enter sanctions against a party who has unreasonably withheld approval or attempted to make additions not addressed by the court.

C. **Signatures.** The signature line for counsel or pro se litigant shall indicate Approved as to Form. Such signature indicates that the order correctly reflects the court's ruling. It does not necessarily signify that the signing party or attorney agrees with the ruling.

LR 45-FL00-18 Sanctions

If a party or counsel fails to timely prepare, exchange or file a Financial Declaration Form or Child Support Worksheet or to cooperate in providing information therefore in a timely manner, either is subject to sanctions under Trial Rule 37.

LR 45-FL00-19 Attorney Fee Requests

A. **Affidavits.** When attorney fees (except those sought provisionally) are requested from the opposing party, the requesting attorney shall submit an appropriate affidavit, which, if the affidavit comports with these rules, the court shall admit as an exhibit.

B. **Content.** The affidavit shall indicate the:

- (1) requested fee and the basis thereof;
- (2) amounts counsel has billed, contracted for, or been promised; and,
- (3) amount counsel has received from all sources.

A copy of the written fee contract, if any, shall be attached to the affidavit and deemed a part thereof.

Opposing counsel may cross examine the requesting attorney as to any of the submitted material.

LR 45-FL00-20 Agreed Matters - Submission

No agreed matter shall be submitted unless accompanied with a signed agreement, and other appropriate documents, such as the decree, a wage withholding order, or a qualified domestic relations order. However, if the parties reach a settlement on the courthouse steps, then the court shall accept evidence of that settlement on the record, and enter the appropriate order upon preparation and filing by counsel within 21 days after submission, or such additional time as the court may allow.

LR 45-FL00-21 Orders Excluding Parent from the Residence

In all instances where emergency or extraordinary relief is requested including, but not limited to, excluding a parent from the residence, the court shall require full compliance with the provisions of Trial Rules 65(B) and 65(E). In situations involving allegations of physical abuse, intimidation or stalking, relief may be sought by a separate filing for an Order of Protection.