



# INDIANA

**Break** the Cycle

Empowering Youth to End  
Domestic Violence

[www.breakthecycle.org](http://www.breakthecycle.org)  
[www.thesafespace.org](http://www.thesafespace.org)  
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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Indiana's grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Indiana?

### Type of Relationship

In order to qualify for a protection order, the abuser must be someone:

- You are married to or used to be married to<sup>1</sup>
- You are dating or used to date (includes sexual relationships)<sup>2</sup>
- You have a child with<sup>3</sup>
- You are related to by blood, marriage or adoption (or other legal relationship)<sup>4</sup>

### Type of Abuse<sup>5</sup>

A judge may issue you a protection order when your abuser has:

- Physically abused you, or threatened or attempted to physically abuse you
- Placed you in fear of physical harm
- Stalked you
- Killed an animal to threaten you
- Intimidated or harassed a family or household member
- Forced you to engage in sexual activity

### Age

If you are 18 years or older, you can get a protection order on your own without a parent or guardian's permission. If you are under 18, you will need a parent, guardian or another representative to file for you.<sup>6</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary order. A judge can immediately issue a protection order.<sup>7</sup> The court will schedule a full hearing within 30 days.<sup>8</sup> After a hearing, a judge can grant you a permanent protection order which lasts for 2 years and is renewable.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must stay away from your home, school, work, or any specified<sup>10</sup>
- Abuser cannot commit or threaten to commit acts of domestic violence against you.<sup>11</sup>
- Abuser must not contact or communicate with you, directly or indirectly<sup>12</sup>
- Use of home, car or other property<sup>13</sup>
- Visitation, child and spousal support<sup>14</sup>
- Counseling at abuser's expense.<sup>15</sup>
- Attorney's fees.<sup>16</sup>
- Money for expenses due to domestic violence.<sup>17</sup>
- Abuser cannot use and must surrender all firearm(s) or deadly weapons.<sup>18</sup>

## How Much Will It Cost?

It is free<sup>19</sup>

You have the right to a safe and healthy relationship...  
free from violence and free from fear.

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<sup>1</sup> Ind. Code Ann. § 34-6-2-44.8(a)(5) (2007).

<sup>2</sup> *Id.* § 34-6-2-44.8(a)(2), (3).

<sup>3</sup> *Id.* § 34-6-2-44.8(a)(7).

<sup>4</sup> *Id.* § 34-6-2-44.8(a)(4)-(6).

<sup>5</sup> *Id.* §§ 31-9-2-42, 34-6-2-34.5.

<sup>6</sup> *Id.* § 34-26-5-2(a),(b).

<sup>7</sup> *Id.* § 34-26-5-9.

<sup>8</sup> *Id.* § 34-26-5-10(a).

<sup>9</sup> *Id.* §§ 34-26-5-8(f), 34-26-5-9(e).

<sup>10</sup> *Id.* § 34-26-5-9(b)(4).

<sup>11</sup> *Id.* § 34-26-5-9(b)(1).

<sup>12</sup> *Id.* § 34-26-5-9(b)(2).

<sup>13</sup> *Id.* § 34-26-5-9(b)(3), (5).

<sup>14</sup> *Id.* § 34-26-5-9(c)(2), (3)(C).

<sup>15</sup> *Id.* § 34-26-5-9(c)(3)(D)(ii).

<sup>16</sup> *Id.* § 34-26-5-9(c)(3)(A).

<sup>17</sup> *Id.* § 34-26-5-9(c)(3)(D).

<sup>18</sup> *Id.* § 34-26-5-9(c)(4).

<sup>19</sup> *Id.* § 34-26-5-16(1).

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