

### Access to Protection Orders

In Massachusetts, minors can obtain Protection Orders (POs),<sup>1</sup> and courts can issue POs against minor abusers.<sup>2</sup> Massachusetts also allows people in dating relationships to seek POs against their abusers.<sup>3</sup>

### Procedure

State law does not specify whether minors can petition for POs on their own behalf, nor does it specify who may file on their behalf. If a minor is able to file on their own behalf, Massachusetts law does not specify whether the parent or guardian of the minor will be notified about the PO.

### Definition of Abuse

A judge may issue a PO if the respondent has physically abused, threatened to physically abuse or sexually abused the petitioner.<sup>4</sup> The statute fails to explicitly recognize stalking and harassment as qualifications for relief. The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>5</sup> the respondent to:

- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support;
- pay spousal support;
- participate in a counseling or batterers' intervention program;
- not possess a gun;
- pay attorneys' fees;
- pay restitution for other harm; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Protection Order is modifiable.<sup>6</sup>

### Minors' Access to Sensitive Services<sup>7</sup>

All minors can consent to:

- Contraceptive services
- STI testing and treatment\*
- Prenatal care
- Medical care for minor child(ren)

\*A parent must be notified if the minor's health or life is at risk.

Minors can only access abortion services with parental consent.

### School Response to Dating Violence

Massachusetts law does not provide for a school response to dating violence.

### Recommendations for Immediate Policy Change

In order to improve Massachusetts's response to teen dating violence, the following changes are recommended:

- Allow minors to petition for POs on their own behalf and explicitly describe the procedure for doing so.
- Allow victims of intimate partner stalking and harassment to access POs.
- Allow all minors to access all sensitive services without parental involvement.
- Mandate dating violence education in all middle schools and high schools.

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## State Law Report Card



### References

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<sup>1</sup> MASS. GEN. LAWS ANN. Ch. 209A, § 8 (West 2009).

<sup>2</sup> *Id.* § 3.

<sup>3</sup> *Id.* § 1.

<sup>4</sup> *Id.* § 1.

<sup>5</sup> *Id.* § 3; § 3B; § 4.

<sup>6</sup> *Id.* § 3.

<sup>7</sup> Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

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