



Access to Protective Orders

In New Hampshire, minors can obtain Protective Orders (POs),¹ but the law does not specify whether POs can be granted against minor abusers. New Hampshire also allows people in dating relationships to seek POs against their abusers.²

Procedure

State law allows minors to petition for a PO on their own behalf,³ however, the law does not specify the age at which a minor may do so. New Hampshire law also fails to specify who else may file on the minor's behalf. The law does not specify whether the parent or guardian of a minor petitioner must be notified when a PO is issued.

Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse, stalked or harassed the petitioner; or damaged the petitioner's property.⁴ The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁵ the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- 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 Protective Order is modifiable.⁶

Minors' Access to Sensitive Services⁷

All minors can consent to:

- STI testing and treatment*
- Adoption**

Some minors can access contraceptive services and prenatal care.

*Applies only to minors 14 or older.

**The court may require parental consent.

School Response to Dating Violence

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

Recommendations for Immediate Policy Change

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

- Specify the age at which a minor can petition for POs on their own behalf.
- Allow all minors to access all sensitive services without parental involvement, including HIV testing and treatment, medical care for minor children, and abortion.
- Mandate dating violence education in all middle schools and high schools.



Empowering Youth to End Domestic Violence

For more information about state law and policy, visit www.breakthecycle.org or email policy@breakthecycle.org.

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State Law Report Card

The logo for the report card features a blue background. On the left is a yellow outline of the state of New Hampshire. To the right of the map is a white letter 'A' inside an orange circle.

New Hampshire

References

¹ N.H. REV. STAT. ANN. § 173-B:3(II)(a) (2009).

² *Id.* § 173-B:1(XV).

³ *Id.* § 173-B:3(II)(b).

⁴ *Id.* § 173-B:1(I).

⁵ *Id.* § 173-B:5(I).

⁶ *Id.* § 173-B:5(VIII).

⁷ 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, accessed December 1, 2009.

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