



INDIANA

Each state has different requirements for getting a civil domestic violence protection order. Because it makes protective orders reasonably accessible to teens, Indiana's grade for protecting teen victims of domestic and dating violence is a B.

Do I Qualify for an Order for Protection in Indiana?

Type of Relationship

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

- You are married to or used to be married to¹
- You are dating or used to date (includes sexual relationships)²
- You have a child with³
- You are related to by blood, marriage or adoption (or other legal relationship)⁴

Type of Abuse⁵

A judge is allowed to give you an order for protection 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 an order for protection 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.⁶

How Do I Get an Order for Protection?

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

What Can I Ask for in an Order for Protection?

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

- Abuser must stay away from your home, school, work, or any specified¹⁰
- Abuser cannot commit or threaten to commit acts of domestic violence against you.¹¹
- Abuser must not contact or communicate with you, directly or indirectly¹²
- Use of home, car or other property¹³
- Visitation, child and spousal support¹⁴
- Counseling at abuser's expense.¹⁵
- Attorney's fees.¹⁶
- Money for expenses due to domestic violence.¹⁷
- Abuser cannot use and must surrender all firearm(s) or deadly weapons.¹⁸

How Much Will It Cost?

It is free¹⁹

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

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

² *Id.* § 34-6-2-44.8(a)(2), (3).

³ *Id.* § 34-6-2-44.8(a)(7).

⁴ *Id.* § 34-6-2-44.8(a)(4)-(6).

⁵ *Id.* §§ 31-9-2-42, 34-6-2-34.5.

⁶ *Id.* § 34-26-5-2(a),(b).

⁷ *Id.* § 34-26-5-9.

⁸ *Id.* § 34-26-5-10(a).

⁹ *Id.* §§ 34-26-5-8(f), 34-26-5-9(e).

¹⁰ *Id.* § 34-26-5-9(b)(4).

¹¹ *Id.* § 34-26-5-9(b)(1).

¹² *Id.* § 34-26-5-9(b)(2).

¹³ *Id.* § 34-26-5-9(b)(3), (5).

¹⁴ *Id.* § 34-26-5-9(c)(2), (3)(C).

¹⁵ *Id.* § 34-26-5-9(c)(3)(D)(ii).

¹⁶ *Id.* § 34-26-5-9(c)(3)(A).

¹⁷ *Id.* § 34-26-5-9(c)(3)(D).

¹⁸ *Id.* § 34-26-5-9(c)(4).

¹⁹ *Id.* § 34-26-5-16(1).

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