



NORTH DAKOTA

Each state has different requirements for getting a civil domestic violence protection order. Because it makes protective orders extremely difficult for teens to obtain, North Dakota's grade for protecting teen victims of domestic and dating violence is a D.

Do I Qualify for a Protection Order in North Dakota?

Type of Relationship¹

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

- You are dating or used to date
- You are living with or used to live with
- You have a child with
- You are married to or used to be married to
- Who is your parent or your child
- You are related to by blood or marriage
- Whom the judge decides you have a relationship with that is sufficient to qualify

Type of Abuse²

A judge is allowed to give you a protection order when your abuser has:

- Physically abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Sexually abused you

Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order any time. An emergency protection order lasts for 72 hours.³ Whether or not you have an emergency order, you may go to court to file for a temporary protection order. The judge can give you a temporary order the day you file and will schedule a full hearing within 14 days.⁴ After the hearing, a judge can grant you a permanent protection order. The permanent order lasts for as long as the judge orders.

What Can I Ask for in a Protection Order?

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

- Abuser must not contact, harass, threaten, or molest you⁵
- Temporary child custody and visitation⁶
- Child and spousal support⁷
- Temporary possession or use of the home, car and other essential personal items⁸
- Counseling⁹
- Attorneys fees¹⁰

How Much Will It Cost?

It is free.¹¹

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

¹ N.D. Cent. Code §14-07.1-01(4) (2007).

² *Id.* §14-07.1-01.

³ *Id.* §14-07.1-08.

⁴ *Id.* §14-07.1-02(2); -03(4).

⁵ *Id.* §14-07.1-02(4)(a).

⁶ *Id.* §14-07.1-02(4)(c).

⁷ *Id.* §14-07.1-02(4)(e).

⁸ *Id.* §14-07.1-02(4)(b), (f).

⁹ *Id.* §14-07.1-02(4)(d).

¹⁰ *Id.* §14-07.1-02(4)(e).

¹¹ *Id.* §14-07.1-03(6).

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