



CALIFORNIA

Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders very accessible to youth, California's grade for protecting young victims of domestic and dating violence is an A.

Do I Qualify for a Protection Order in California?

Type of Relationship

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

- You are dating or used to date¹
- You are living with or used to live with²
- You have a child with³
- You are married to or used to be married to⁴
- In your immediate family⁵
- In your extended family (to the 2nd degree)⁶

Type of Abuse⁷

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

- Physically abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Sexually abused you
- Harassed you, made threatening phone calls, or stalked you
- Destroyed your personal property
- Disturbed your peace

Age⁸

If you are 12 years old or older, you can obtain a protection order on your own without a parent or guardian's permission. However, if you are under 18 and living with a parent or guardian, a copy of the protection order must be sent to at least one parent or guardian, unless the judge decides it would not be in your best interests. If you are under 12, you will need a parent or guardian to file for you.

How Do I Get a Protection Order?

If you qualify for a protection order, you can get an emergency protection order from the police at any time. Emergency orders last for five to seven days.⁹ Whether or not you have an emergency order, the next step is to go to court to file for a protection order. The temporary order lasts until you go back to court for a hearing. After a full hearing, the judge can grant a permanent protection order which lasts up to 5 years and is renewable.¹⁰ A protection order also can protect your family/household members.¹¹

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 you, your school, work or any other specified place¹²
- Abuser must not contact, abuse, or threaten you or destroy your personal property¹³
- Use of shared property or residence¹⁴
- Temporary child custody and visitation¹⁵
- Temporary child and spousal support¹⁶
- Order the abuser to go to counseling¹⁷
- Abuser cannot have or use a firearm¹⁸
- Require the abuser to pay for medical bills or other costs caused by the abuse¹⁹
- Attorneys fees²⁰

How Much Will It Cost?

It is free.²¹

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

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- ¹ Cal. Fam. Code §§ 6210, 6211(c) (2007).
 - ² *Id.* § 6209.
 - ³ *Id.* § 6211(d).
 - ⁴ *Id.* § 6211(a).
 - ⁵ *Id.* § 6211(e).
 - ⁶ *Id.* § 6211(f).
 - ⁷ *Id.* § 6320.
 - ⁸ Cal. Civ. Proc. Code § 372 (2007).
 - ⁹ *Id.* 6256.
 - ¹⁰ Cal. Fam. Code § 6345(a) (2007).
 - ¹¹ *Id.* 6252(c).
 - ¹² *Id.* § 6320, 6345(a).
 - ¹³ *Id.* § 6320.
 - ¹⁴ *Id.* §§ 6321, 6324.
 - ¹⁵ *Id.* § 6323.
 - ¹⁶ *Id.* § 6341.
 - ¹⁷ *Id.* § 6343(a).
 - ¹⁸ *Id.* § 6389.
 - ¹⁹ *Id.* § 6342.
 - ²⁰ *Id.* § 6344.
 - ²¹ *Id.* § 6222.

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