



IDAHO

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

Do I Qualify for a Protection Order in Idaho?

Type of Relationship

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

- You are dating or you used to date¹
- You are living with or used to live with²
- You have a child with³
- You are related by blood, marriage or adoption⁴
- You are married to or used to be married to⁵

Type of Abuse⁶

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

- Physically abused you
- Sexually abused you
- Unlawfully held you against your will
- Threatened to do any of the above

Age

If you are 18 years older, you can obtain a protection order on your own without a parent or guardian's permission. If you are a minor, you will likely need a parent or guardian¹ to file for you.⁷

How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary order. The temporary order can last up to 14 days and may be reissued.⁸ A full hearing will be held within 14 days of your application for a protection order or granting your temporary order.⁹ After a full hearing, the judge may grant you a protection order which lasts up to 1 year and is renewable for a period of time to be determined by the judge, including permanently.¹⁰

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 1,500 feet from your home, work, school, family/household members' residences or any area where you spend a lot of time¹¹
- Abuser must not commit acts of domestic violence and cannot harass, molest, annoy or disturb the peace¹²
- Abuser must not contact you directly or indirectly (includes using the telephone, email, texting, or interfering with victim's custody of children)¹³
- Temporary child custody¹⁴
- Counseling or other treatment for the abuser¹⁵
- Temporary and/or exclusive use of personal or joint property¹⁶
- Abuser must not use and must surrender any firearms¹⁷
- Attorneys fees and reimburse victim the costs to bring the action¹⁸

How Much Will It Cost?

It is free.¹⁹

ⁱSome Idaho judges will allow a minor to obtain a protection order without the assistance of a parent or guardian.

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

¹Idaho Code § 39-6303(1), (2) (2006).

² *Id.* § 39-6303(6).

³ *Id.* § 39-6303(3).

⁴ *Id.* § 39-6303(3).

⁵ *Id.*

⁶ *Id.* § 39-6303.

⁷ *Id.* § 39-6304(2).

⁸ *Id.* §§ 39-6308(5).

⁹ *Id.* §§ 39-6306(1); 39-6308(5).

¹⁰ *Id.* § 39-6306(5).

¹¹ *Id.* § 39-6308(1)(f).

¹² *Id.* § 39-6306(1)(g).

¹³ *Id.*

¹⁴ *Id.* § 39-6306(1)(a).

¹⁵ *Id.* § 39-6306(1)(d).

¹⁶ *Id.* §§ 39-6306(1)(c); 39-6308(1)(b).

¹⁷ *Id.* § 18-310.

¹⁸ *Id.* § 39-6308 (1) (f).

¹⁹ *Id.* § 39-6305.

You have the right to a safe and healthy relationship..

free from violence and free from fear.