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PROTECTION ORDERS 101

What is a protection order?

A protection order (also known as a restraining order) can help protect victims of physical, sexual, or emotional abuse from the person being abusive. It is called an "order" because it is signed by a judge and orders the person being abusive to do certain things, like stay away from you. There are many types of protection orders. In this handout, we are talking about domestic violence protection orders.

Who can get a protection order?

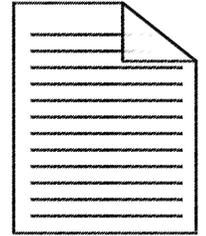
To get a protection order in most states, you need to have a relationship to the person who abused you. That person usually needs to be one of the following:

- Someone that you had a romantic or sexual relationship with
- Someone you are dating or someone you dated in the past
- Someone you live with or someone you used to live with
- The father or mother of your child
- Your current or ex-spouse
- Related to you by blood

Many states will also allow you to seek a protection order against a stranger if you are a victim of stalking or sexual assault. If you do not have any of the above relationships with the abuser, then you may not qualify for this type of protection order.

Where can I get a protection order?

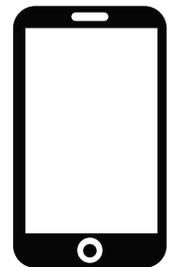
You can get a protection order at your local county courthouse during regular business hours.



Some states have options to get a protection order during hours when courts are normally closed, at places like the police department or municipal courts.

Who can help me get one?

You don't have to do this alone. Ask your local domestic violence shelter or hotline to connect you with resources or an advocate..

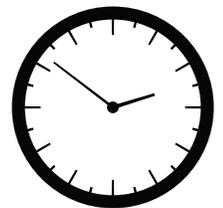


You can also contact your local police station. If you are in immediate danger and feel safe doing so, call 911

How long will the order last?

The length of a protection order is different from state to state.

You should check with your local courthouse to find out how long protection orders can last in your state.





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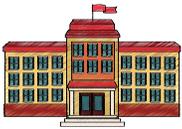
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What can a protection order do for you?

Available protections are different from state to state depending on their laws. In most states, the protection order can order the person being abusive to:

- Not physically, sexually or emotionally harm you
- Not contact you or other people named in the order (like your family or children)
- Return personal property to you, like clothing, a cell phone, or house keys
- Move out of your shared home
- Pay you back for medical costs and property damage they caused
- Not carry or own a gun
- Complete counseling and treatment programs, including domestic violence or batterers counseling, mental health counseling, drug and alcohol treatment, or parenting skills classes.
- To stay away from you and places you regularly go like your:



school



home



work



car



child's daycare
or school

In some states the protection order can also address:

- Child custody and visitation
- Child support
- Spousal support
- Payment of household bills

Protection Orders are just one option in a survivor's safety toolkit. You will want to discuss the benefits and risks of legal action like a protection order with legal counsel to determine if it is right for you. Minors (people under 18 years of age), need additional information when getting a protection order. Visit breakthecycle.org and download the Protection Orders: Special Considerations for Minors handout to learn more.

These practices highlight good options, but are no substitute for the judgment of a survivor and their attorney in each case. This is not legal advice.