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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?

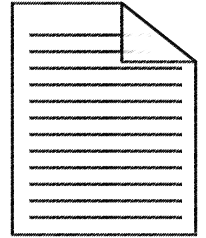
To get a protection order in most states, you need to have a relationship to the person who abused you. That person usually needs to be one of the following:

- 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?

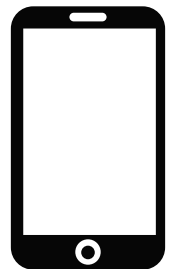
You can get a protection order at your local county courthouse during regular business hours.



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..

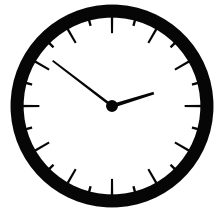


You can also contact your local police station. If you are in immediate danger and feel safe doing so, call 911

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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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.



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PROTECTION ORDERS: SPECIAL CONSIDERATIONS FOR MINORS

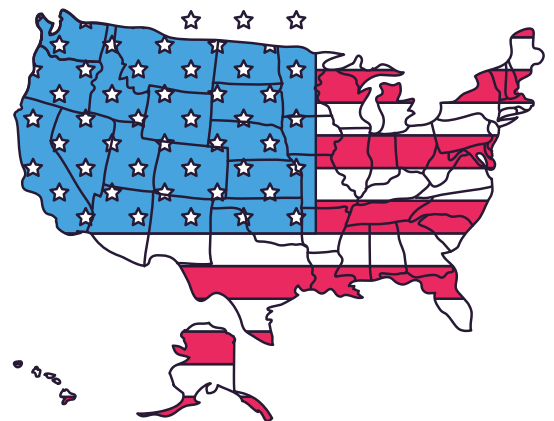
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A minor is anyone under the age of 18, unless they are emancipated. Minors and their guardians need to know special information in order to secure a protection order. You can learn more about domestic violence protection orders in our Protection Orders 101 handout.

Your state laws determine whether a minor can get a protection order.

Research these questions in your state:

- Is a minor allowed to get a protection order?
- What is the minimum age to ask the court for a protection order?
- Can a minor petition (make a request to the court) for themselves or do they need a parent to make the request for them?
- If a minor petitions for themselves, will the court report it to their parent or guardian?
- What types of abuse are covered? For instance, some states do not cover digital abuse





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PROTECTION ORDERS: SPECIAL CONSIDERATIONS FOR MINORS

As a young person, you may want to ask for special protections like these:

- The person being abusive can't contact or harass you on social media (like Twitter, Snapchat, or Instagram)
- Require that the person being abusive delete sexual or offensive comments, pictures, or videos of you from social media and their cell phones
- Request that the protection order lasts for as long as possible so that you do not have to come back to court to extend it
- Orders related to school (see below)



What if both of you attend the same school or after-school activities?

Ask the court for special protections that require the person being abusive to:

- Stay away from your school
- Stay a certain distance from you while at school
- Stay out of certain areas of your school
- Stay out of certain after-school activities





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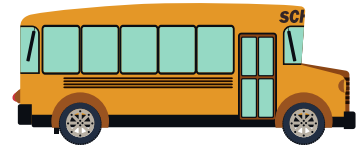
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PROTECTION ORDERS: SPECIAL CONSIDERATIONS FOR MINORS

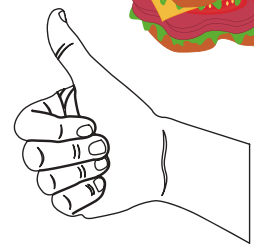
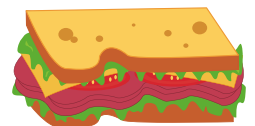
You can also ask your school for these protections:

- No contact on school grounds or at school activities
- Changes in class schedules to limit contact
- Requirements that both of you enter and exit the school through different doors
- School and bus escorts to ensure safety
- Require the school to have healthy relationships, consent, or sexual abuse classes or counseling for the person being abusive
- Expel or suspend the person being abusive



A personal safety plan can provide you with more safety and security. Consider these items in your safety planning:

- The safest route and method of transportation to get home from school
- Finding a buddy to walk with you from class to class or to and from school
- Areas on your school campus that feel safe
- Where and with whom you will spend lunch and free periods



Find safety planning guides and more information on our legal services at breakthecycle.org.

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