





## MOTIONS TO TERMINATE OR MODIFY CIVIL PROTECTION ORDERS

SAFER

A civil protection order is generally subject to termination or modification if: (1) something has changed; or (2) something isn't working.

### Something has changed: Nature and context of IPV

- IPV has diminished or stopped altogether
- Children are more insulated from IPV
- R's parenting skills have improved
- R has a better support system in place

### Something has changed: Effects of IPV

- IPV no longer poses as big a threat to P's safety
- P does not appreciate the danger R poses
- P's priorities around safety have shifted
- IPV no longer poses as big a threat to children's safety/wellbeing
- IPV no longer undermines P's parenting
- IPV no longer disrupts the co-parenting relationship
- IPV no longer threatens P's economic and/or housing security
- P's educational, work, and/or immigration status is more stable
- P has better social and/or structural supports in place
- P is better able to exercise personal freedom and autonomy

### Something isn't working: The CPO is not practical

- P needs R's help with the kids
- R is unable to work with CPO in place and P needs R's financial help
- CPO is too hard on the kids
- P & R's lives are too intertwined (same church, school, dentist, etc.)
- P & R can't afford two homes, two cars, two sets of everything
- P & R desire to get back together and/or make things work
- CPO requires too much of P to effectuate (notifying teachers, etc.)

### Something isn't working: The CPO is prompting retaliation

- R is seeking custody and promises to keep P in court forever
- R is fighting paternity and child support to get back at P

### Something isn't working: The CPO does not provide adequate relief

- CPO doesn't include temporary child-related relief
- CPO doesn't include temporary economic relief
- CPO doesn't grant P temporary possession of home or personal property

### Something isn't working: The CPO is not being enforced

- P is unable or unwilling to report violations due to safety concerns
- The police won't arrest R for violations
- The prosecutor won't charge R for violations
- The court expects P & R to mediate CPO disputes
- The court won't schedule a contempt hearing
- The court won't sanction R upon findings of contempt

### Something isn't working: The CPO is being used against petitioner

- R is using CPO as an excuse to shirk responsibilities
- R is using CPO to support claim of parental alienation
- R tells kids that CPO is to blame for breaking up the family
- GAL says CPO makes it look like P is vindictive or "unfriendly"
- R's family won't support or help with the kids while CPO is in place
- P can't get a job with CPO in place – it makes employers nervous

### Something isn't working: The CPO is being used against the kids

- R is using the CPO to turn the kids against P
- R is using the CPO as an excuse to deny paternity
- R tells kids that CPO is ruining R's relationship with them
- R is punishing the kids for disclosing abuse that gave rise to CPO

### Something isn't working: There's pressure to dismiss the CPO

- R is threatening to hurt or kill P if CPO isn't dismissed
- R's family is threatening to hurt or kill P if CPO isn't dismissed
- R is threatening to hurt, kill, or take the kids if CPO isn't dismissed
- R is threatening to ruin P's career if CPO isn't dismissed
- Kids are pressuring P to dismiss CPO so R can come home

### Something isn't working: P never wanted the CPO in the first place

- CPS told P they'd take the kids if P didn't get a CPO
- Employer threatened to fire P unless P got a CPO
- Housing authority threatened eviction if P didn't get a CPO
- Kids' school threatened to call CPS if P didn't get a CPO