

**Break** the Cycle

Empowering Youth to End  
Domestic Violence

**STATE-BY-STATE  
TEEN DATING VIOLENCE  
REPORT CARD  
2009**

Break the Cycle State-by-State Report Card  
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For more information about this report, please contact Break the Cycle.

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# STATE-BY-STATE REPORT CARD

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## STATE-BY-STATE REPORT CARD HIGHLIGHTS FOR 2009

- Break the Cycle refined its scoring system in order to better assess the way that state civil domestic violence protection order laws address the needs of teen victims of domestic violence.
- Eight states' grades improved – Illinois, Minnesota, Mississippi, Florida, Delaware, Wisconsin, Maryland, New York, and Iowa.
- Two states received “A” grades for the first time – Illinois and Minnesota.
- Four states that received “F” grades last year improved their grades – Wisconsin (“B”), Maryland (“C”), New York (“C”), and Iowa (“D”).
- New York changed its civil domestic violence protection order law to include dating and cohabitating relationships, better protecting teen victims of domestic violence.
- Florida expanded its definition of domestic abuse to include dating violence and increased protections for victims of dating violence, allowing many teens greater access to civil remedies.
- New Mexico added sexual assault and stalking to its definition of domestic abuse, expanding protection for all victims of domestic violence.
- The District of Columbia passed legislation increasing legal protection for minor victims of domestic violence, including clarifying when minors may petition for protection on their own behalf and holding minor perpetrators accountable and providing appropriate interventions.

## STATE-BY-STATE REPORT CARD EXECUTIVE OVERVIEW

As the leading voice for teens on the issue of dating violence, Break the Cycle advocates for policy and legislative changes to better protect the rights and promote the health of teens nationwide. Engaging, educating and empowering youth through prevention and intervention programs, Break the Cycle helps young people identify and build safe, healthy relationships.

One in three teens will experience some form of abuse in a dating relationship. Teens who suffer from abusive relationships exhibit increased rates of substance abuse, high-risk sexual behaviors, eating disorders and suicidality. Teen victims are substantially more likely than classmates to bring weapons to school and three times as likely to be involved in a physical fight.

Sadly, teens face overwhelming obstacles to getting help such as limited access to basic securities like money, shelter and transportation. Exacerbating the barriers for teens are the widespread statutory restrictions that exist because so few states recognize teens as victims of domestic abuse. In fact, teens experience abuse at extremely high rates and young women between the ages of 16 and 24 exhibit the highest rates of abuse—above any other age group.

Break the Cycle believes that minor teens should be able to access the same legal protections as adult victims of domestic violence, including civil domestic violence protection or restraining orders, and that state domestic violence laws should explicitly state the rights and responsibilities of minors under the law. Break the Cycle believes that all teens over the age of 12 should have the right to petition for protection on their own behalf and that domestic violence protection orders should be available against minor abusers.

To call attention to this critical situation, Break the Cycle set out to assess the climate of each state's civil domestic violence protection order laws and their impact on teens seeking protection from abusive relationships. Initially, the aim of the research was to compile an up-to-date single location of this state-by-state information for teens and those who care about them.

However, after the preliminary research was completed, Break the Cycle identified a series of common trends (both negative and positive) that called for further analysis. The factors were then grouped into larger categories, which were placed in order from most adverse to most protective. Point values (ranging from -5 to +5) were assigned to each category depending on whether the statute language was helpful or harmful in the protection of minors.

When a state's law was ambiguous or unclear with regard to the treatment of minors, Break the Cycle's scoring system assigned negative points. If a discrepancy existed between the text of the statute and the application of the law to minor victims of domestic violence, Break the Cycle relied on the guidance of domestic violence organizations from within that state to clarify the law. In cases where such clarification was not possible, final scores reflect the text of the statute only.

Once final scores were tallied, the numbers were converted to percentages with the following distribution:

- A**     **≥81%**
- B**     **71% - 80%**
- C**     **63% - 70%**
- D**     **55% - 62%**
- F**     **≤54% or automatic failure**

Only five states received A's—California, Illinois, Minnesota, New Hampshire and Oklahoma. Eleven states failed, with ten of those states receiving an automatic failure.

Break the Cycle hopes these grades will spur action among state legislatures throughout the country and activism among our nation's youth. It is essential that dating violence and the needs of minor victims be specifically addressed within state domestic violence statutes. Lawmakers have a responsibility to address this issue and to propose legislation that will ensure the protection of all victims of domestic violence—regardless of their age.

## STATE-BY-STATE REPORT CARD FACTORS CONSIDERED FOR EVALUATION & GRADING

### Positive Factors

- The statute includes various lesser offenses within its definition of abuse that make it easier for a victim to get a protection or restraining order (e.g. cyberstalking, harassing phone calls, sexually oriented offenses, stalking, emotional abuse, animal cruelty)
- Generally, the length of the restraining order lasts for one year. Anything more than one year is positive and longer than two years is extremely positive.
- The statute provides the victim with various kinds of compensation (e.g. medical expenses, injuries, insurance, moving expenses, lost earnings, reimbursement for meals, pain and suffering).
- The statute allows minors to file a protection or restraining order without an adult's involvement.
- The statute recognizes extended degrees of family members under the group that may get a protection or restraining order on behalf of a minor or are protected by the order (e.g. step, grandparent, child, second cousin).
- The statute allows a victim to obtain a protection or restraining order against minors within a certain age limit.

### Negative Factors

- Sexual abuse is not included within the definition of abuse.
- The statute does not include a stay away order.
- Dating is not recognized but sexual relations are recognized.
- The statute specifically identifies heterosexual relationships as the only group afforded domestic violence protection.
- The statute does not include personal relationships in which the parties are residing together.
- The statute does not provide for child custody, child or spousal support for the victim requesting a protection or restraining order.
- The statute requires a minor to get parental permission when seeking a protection or restraining order.
- The statute does not protect other individuals under the protection or restraining order (i.e. family members, children, and/or other household members).
- The statute does not specify who files for a petition on behalf of a minor (because minors cannot file on their own).
- Generally, the length of the restraining order lasts for one year. Anything less than one year is negative.
- The statute does not allow restraining orders to be filed against someone under 18 years of age.

### Automatic Failure

- Dating relationships are not specifically recognized as valid domestic relationships for obtaining restraining orders.
- Protection orders and restraining orders are not available to minors.

**Please note:** This analysis of state laws was conducted by looking *only* at state civil domestic violence protection or restraining order laws. While teens may be able to seek protection and other remedies through other types of protection or protection orders or through the criminal law, these laws were not included for the purpose of this analysis.

## STATE-BY-STATE REPORT CARD SUMMARY OF FINDINGS

Below is a summary of findings<sup>1</sup> on how state civil domestic violence protection order laws address the circumstances teen victims<sup>2</sup> face.

### Dating Relationships

- Thirty-nine states and the District of Columbia allow victims of domestic violence who are dating their abuser to apply for a civil domestic violence protection or restraining order. These states are: AK, AR, CA, CO, CT, DC, DE, FL, HI, IA, ID, IL, IN, KS, LA, ME, MA, MI, MN, MS, MO, MT, NE, NV, NY, NH, NJ, NM, NC, ND, OK, PA, RI, TN, TX, VT, WA, WV, WI and WY. Not all of these states use the word “dating” in the law or define dating in the same way. But, all thirty-nine include protection for victims in a dating relationship.
- Eleven states do *not* allow a victim who is in a dating relationship to apply for protection under their civil domestic violence protection or restraining order laws. These states are: AL, AZ, GA, KY, MD, OH, OR, SC, SD, UT and VA.
- One of these states, Oregon, allows a victim who is in a sexual relationship with the abuser to apply for a protection or restraining order.

### Co-Parents

- All but four states, LA, NH, TN, and VT, explicitly allow victims of domestic violence who have a child with their abuser to apply for a protection or restraining order. However, each of those four states includes at least some protection under the law for teens that are or were dating, living with or in an intimate relationship with their abuser.
- Illinois goes farther than other states, allowing victims of domestic violence to apply for a protection or restraining order against an abuser who is allegedly the parent of their child.

### Restrictions for Same-Sex Relationships

- There are five states that in some way restrict protection under the civil domestic violence laws to opposite-sex couples only. Three of these states, MT, NC and SC, specifically offer protection only to opposite-sex couples.
- Louisiana law specifies that to qualify for a domestic violence protection order as a cohabitant, the victim must be living with an abuser of the opposite sex.
- In Idaho, the text of the civil domestic violence law does not exclude same-sex couples; however, when the law was adopted, the Idaho legislature stated that the law was intended for opposite-sex couples.

<sup>1</sup>This Report Card and the information it contains is not legal advice and does not create an attorney-client relationship. While great care was taken to provide current and accurate information, Break the Cycle is not responsible for inaccuracies in the text.

<sup>2</sup> The relationship categories discussed in this section apply to all petitioners regardless of age, but are particularly relevant to teens.



## Restrictions on Protection for Minor Victims

- New Hampshire is the only state where the law specifically allows a minor of any age to go to court by themselves to apply for a protection order.
- In Missouri, domestic violence protection orders are only available to adults.
- Nine states, CA, CT, MN, NJ, OK, OR, UT, WA and WY, allow minors to obtain protection or restraining orders without the involvement of a parent, guardian or other adult if they meet certain requirements. These requirements include being a certain age (e.g. over 16) or having a certain relationship with the abuser (e.g. having a child in common with the abuser). Three of these states, CT, NJ, WY, do not specify how a minor victim can apply if they do not meet the age or relationship requirements.
- Four states, AZ, ID, IA, and NV, explicitly require that a minor must have a parent or legal guardian involved in the process of applying for a protection or restraining order.
- More than half of states do not explicitly specify the minimum age of a petitioner.
- 16 states do not specify who can file for a minor  
CO,CT,DE,DC,MA,NE,NJ,MN,NY,NC,ND,RI,TN,VA,WY, and SD.
- Tennessee does not specify who can file for a minor; however, a minor must have one signature from a parent or legal guardian.

## Restrictions on Protection from Minor Abusers

- Seven states impose explicit age restrictions on the person against whom a protection or restraining order is obtained: AZ, CO, MI, MO, NV, NJ, and OK. Many state laws are silent on the issue of obtaining protection or restraining orders against minors.
- In Missouri and Nevada, a victim cannot get a protection or restraining order against anyone who is a minor. In New Jersey, the abuser must be 18 years old or emancipated.
- Four state laws allow protection or restraining orders against some, but not all, minors. In Oklahoma, a victim cannot get a protection or restraining order against someone under the age of 13; in Arizona the abuser must be 12; and, in Colorado and Michigan, the abuser must be at least 10.

## STATE-BY-STATE REPORT CARD GRADE SUMMARY

Alabama	<i>f</i>
Alaska	<i>C</i>
Arizona	<i>f</i>
Arkansas	<i>B</i>
California	<i>A</i>
Colorado	<i>D</i>
Connecticut	<i>D</i>
Delaware	<i>C</i>
District of Columbia	<i>C</i>
Florida	<i>B</i>
Georgia	<i>f</i>
Hawaii	<i>C</i>
Idaho	<i>D</i>
Illinois	<i>A</i>
Indiana	<i>B</i>
Iowa	<i>D</i>
Kansas	<i>D</i>
Kentucky	<i>f</i>
Louisiana	<i>B</i>
Maine	<i>C</i>
Maryland	<i>C</i>
Massachusetts	<i>D</i>
Michigan	<i>C</i>
Minnesota	<i>A</i>
Mississippi	<i>B</i>
Missouri	<i>f</i>

Montana	<i>D</i>
Nebraska	<i>D</i>
Nevada	<i>D</i>
New Hampshire	<i>A</i>
New Jersey	<i>C</i>
New Mexico	<i>D</i>
New York	<i>C</i>
North Carolina	<i>f</i>
North Dakota	<i>D</i>
Ohio	<i>f</i>
Oklahoma	<i>A</i>
Oregon	<i>D</i>
Pennsylvania	<i>B</i>
Rhode Island	<i>C</i>
South Carolina	<i>f</i>
South Dakota	<i>f</i>
Tennessee	<i>C</i>
Texas	<i>B</i>
Utah	<i>f</i>
Vermont	<i>C</i>
Virginia	<i>f</i>
Washington	<i>B</i>
West Virginia	<i>C</i>
Wisconsin	<i>B</i>
Wyoming	<i>C</i>

**For more information visit [www.breakthecycle.org](http://www.breakthecycle.org).**



# ALABAMA

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[www.breakthecycle.org](http://www.breakthecycle.org)

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Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Alabama's grade for protecting teen victims of dating and domestic violence is an F.

## Do I Qualify for a Protection Order in Alabama?

### Type of Relationship<sup>1</sup>

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

- You live with or used to live with
- You have a child with
- You are married to or used to be married to
- In your immediate family
- In your extended family (related to the 6<sup>th</sup> degree)

### Type of Abuse<sup>2</sup>

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
- Abused a child
- Recklessly endangered you
- Stalked you
- Held you against your will

### Age

If you are 19 years or older, you can obtain a protection order on your own without adult supervision. If you are younger than 19, an adult relative, guardian, a household member, or custodian must file for you.<sup>3</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. After a hearing, the judge may grant you a temporary protection order.<sup>3</sup> Within fourteen days of requesting the order, the judge will conduct a full hearing. At that hearing, the judge may grant you a permanent protection order, which lasts up to one year<sup>4</sup> and is renewable.<sup>5</sup> The protection order may also be extended to cover your family or other household members.<sup>6</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser must stay away from your home, school or work; minor children or household members; or any specified place the abuser has no legitimate reason to frequent<sup>7</sup>
- The abuser must not harass, annoy, telephone, contact or communicate with you<sup>8</sup>
- Use of a joint residence, specifically excluding abuser from home<sup>9</sup>
- Child custody and visitation rights<sup>10</sup>
- Temporary child and spousal support<sup>11</sup>
- Attorneys fees and court costs<sup>12</sup>

## How Much Will It Cost?

It is free.<sup>13</sup>

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

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<sup>1</sup> Ala. Code § 30-5-2(a)(4) (2007).

<sup>2</sup> *Id.* § 6320.

<sup>3</sup> *Id.* § 30-5-2(a)(2), (5).

<sup>3</sup> *Id.* § 30-5-7(b)(1).

<sup>4</sup> *Id.* § 30-5-6(a), 7(e)(1).

<sup>5</sup> *Id.* § 30-5-7(e)(2).

<sup>6</sup> *Id.* § 30-5-7(c)(1).

<sup>7</sup> *Id.* § 30-5-7(c)(3).

<sup>8</sup> *Id.* § 30-5-7(c)(1), (2).

<sup>9</sup> *Id.* § 30-5-7(c)(7), (d)(4).

<sup>10</sup> *Id.* § 30-5-7(c)(4), (d)(2).

<sup>11</sup> *Id.* § 30-5-7(d)(5).

<sup>12</sup> *Id.* § 30-5-7(d)(3).

<sup>13</sup> *Id.* § 30-5-7(c)(1).

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free from violence and free from fear.



# ALASKA

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

## Do I Qualify for a Protection Order in Alaska?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You have or used to have a sexual relationship with<sup>2</sup>
- You live with or used to live with<sup>3</sup>
- You have a child with<sup>4</sup>
- You are married to or used to be married to<sup>5</sup>
- In your immediate family<sup>6</sup>
- In your extended family (to the 4<sup>th</sup> degree)<sup>7</sup>

### Type of Abuse<sup>8</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Sexually abused you
- Threatened to abuse you
- Harassed you
- Stalked you

### Age

If you are 18 years or older, you can obtain a protection order on your own without adult supervision. If you are under 18, you will need a parent, guardian or other adult appointed by the court to file for you.<sup>9</sup>

## 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. These emergency orders last for seventy-two hours.<sup>10</sup> Whether or not you have an emergency order, the next step is to go to court to request a temporary protection order. The temporary order lasts for twenty days.<sup>11</sup> Then within ten days of granting the temporary order, a judge will conduct a full hearing. At the hearing, a judge may grant you a permanent protection order, which will last up to one year.<sup>12</sup>

## 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 your home, school, workplace, places you frequent often, minor children and household members<sup>13</sup>
- Abuser must not contact, harass, annoy, threaten, stalk, or communicate with you<sup>14</sup>
- Temporary child custody and visitation<sup>15</sup>
- Temporary child and spousal support<sup>16</sup>
- Compensation for damages caused by the abuser like medical expenses, counseling, shelter, and damaged property<sup>17</sup>
- Use of the residence and personal property<sup>18</sup>
- Abuser must surrender any firearms<sup>19</sup>
- Counseling at abuser's expense<sup>20</sup>
- Attorney's fees and court costs<sup>21</sup>

## How Much Will It Cost?

It is free.<sup>22</sup>

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

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<sup>1</sup> Alaska Stat. § 18.66.990(5)(C), (D) (2006).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* § 18.66.990(5)(B).

<sup>4</sup> *Id.* § 18.66.990(5)(G).

<sup>5</sup> *Id.* § 18.66.990(5)(A).

<sup>6</sup> *Id.* § 18.66.990(5)(F), (H).

<sup>7</sup> *Id.* § 18.66.990(5)(E), (F).

<sup>8</sup> *Id.* § 18.66.990.

<sup>9</sup> *Id.* § 18.66.100(a).

<sup>10</sup> *Id.* § 18.66.110(b).

<sup>11</sup> *Id.* § 18.66.110(a).

<sup>12</sup> *Id.* § 18.66.110(b)(2).

<sup>13</sup> *Id.* § 18.66.100(c)(4).

<sup>14</sup> *Id.* § 18.66.100(c)(1), (2).

<sup>15</sup> *Id.* § 18.66.100(c)(9).

<sup>16</sup> *Id.* § 18.66.100(c)(12).

<sup>17</sup> *Id.* § 18.66.100(c)(13).

<sup>18</sup> *Id.* § 18.66.100(c)(3), (10).

<sup>19</sup> *Id.* § 18.66.100(c)(6), (7).

<sup>20</sup> *Id.* § 18.66.100(c)(13), (15).

<sup>21</sup> *Id.* § 18.66.100(c)(14).

<sup>22</sup> *Id.* § 18.66.150(d).

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



# ARIZONA

**Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Arizona's grade for protecting teen victims of dating and domestic violence is an F.**

## Do I Qualify for a Protection Order in Arizona?

### Type of Relationship

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

- You are living with or used to live with<sup>1</sup>
- You have a child with or are pregnant by<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- Who is your grandparent, parent, sibling, child or grandchild by blood, marriage or court order<sup>4</sup>

### Type of Abuse<sup>5</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Sexually abused you
- Endangered you
- Trespassed on your property
- Stalked, harassed or intimidated you
- Unlawfully held you against your will
- Damaged your property
- Used the telephone to terrify, intimidate, harass, or annoy you

### Age

If you are 18 years or older, you can obtain a protection order on your own without adult supervision. If you are under 18, you will need a parent, legal guardian, or person with legal custody to file for you.<sup>6</sup> Under Arizona law, you cannot get a protection order *against* a minor 12 years or younger.<sup>7</sup>

## 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. These emergency orders last until the end of the next day the court is open.<sup>8</sup> Whether or not you have an emergency order, the next step is to go to court to request a protection order. You may have to have a hearing before the judge will make the order. Final protection orders can last up to one year from the date you serve it to the abuser.<sup>9</sup> A protection order can also protect others that you specify.<sup>10</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not contact you<sup>11</sup>
- Abuser must stay away from your school, work, home, or other designated places<sup>12</sup>
- Use of the residence<sup>13</sup>
- Information on counseling options<sup>14</sup>
- Abuser cannot use or have a firearm<sup>15</sup>

## How Much Will It Cost?

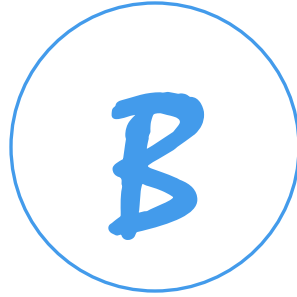
It is free.<sup>16</sup>

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

- 
- <sup>1</sup> Ariz. Rev. Stat. § 13-3601(A)(1) (2007).  
<sup>2</sup> *Id.* § 13-3601(A)(2), (3).  
<sup>3</sup> *Id.* § 13-3601(A)(1).  
<sup>4</sup> *Id.* § 13-3601(A)(4), (5).  
<sup>5</sup> *Id.* § 13-3601(A).  
<sup>6</sup> *Id.* § 13-3602(A).  
<sup>7</sup> *Id.* § 13-3602(B).  
<sup>8</sup> *Id.* § 13-3624.  
<sup>9</sup> *Id.* § 13-3602(K).  
<sup>10</sup> *Id.* § 13-3602(G)(4).  
<sup>11</sup> *Id.* § 13-3602(G)(3).  
<sup>12</sup> *Id.*  
<sup>13</sup> *Id.* § 13-3602(G)(2), (3).  
<sup>14</sup> *Id.* §§13-3601(I), 3602(D).  
<sup>15</sup> *Id.* §§13-3601(C), (D), (E), (F); 3602(G)(4).  
<sup>16</sup> *Id.* § 13-3602(D), (I).

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free from violence and free from fear.





# ARKANSAS

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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to youth, Arkansas' grade for protecting young victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Arkansas?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You have a child with<sup>4</sup>
- In your immediate family<sup>5</sup>
- In your extended family (to the 4<sup>th</sup> degree)<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

### Age

If you are 18 years or older, you can obtain a protection order on your own without adult supervision. If you are under 18, you will need a family or household member or an employee/volunteer from a domestic violence program or shelter to file on your behalf.<sup>8</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. After a hearing, the judge may grant you a temporary protection order that will last for at least 30 days.<sup>9</sup> Within 30 days of requesting the order, a judge will conduct a full hearing. At that hearing, the judge may grant you a permanent protection order, which lasts up to ten years and is renewable.<sup>10</sup> This protection order can also cover and protect other family and household members.<sup>11</sup>

## 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 your work, school, or other places that you frequent<sup>12</sup>
- Abuser must not contact, threaten, injure, mistreat, molest, or harass you<sup>13</sup>
- Temporary child visitation rights upon the agreement that abuser will get counseling<sup>14</sup>
- Temporary child custody<sup>15</sup>
- Temporary child support and spousal support<sup>16</sup>
- Temporary use of a shared residence, specifically excluding abuser from home<sup>17</sup>
- Attorney's fees<sup>18</sup>

## How Much Will It Cost?

It is free.<sup>19</sup>

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free from violence and free from fear.

- 
- <sup>1</sup> Ark. Code Ann. § 9-15-103(3), (4)(A) (2006).  
<sup>2</sup> *Id.* § 9-15-103(3).  
<sup>3</sup> *Id.*  
<sup>4</sup> *Id.*  
<sup>5</sup> *Id.*  
<sup>6</sup> *Id.*  
<sup>7</sup> *Id.* § 9-15-103.  
<sup>8</sup> Ark. Code Ann. §§ 9-15-201(d); 203(b).  
<sup>9</sup> Ark. Code Ann. § 9-15-206(c).  
<sup>10</sup> *Id.* § 9-15-205(b).  
<sup>11</sup> *Id.* § 9-15-205(a)(7)(A).  
<sup>12</sup> *Id.* § 9-15-205(a)(2).  
<sup>13</sup> *Id.* §§ 9-15-205(A)(6), (7)(B).  
<sup>14</sup> *Id.* §§ 9-15-205(a)(3), 9-27-331(d)(1)(A), 9-27-341.  
<sup>15</sup> *Id.* § 9-15-205(a)(3).  
<sup>16</sup> *Id.* § 9-15-205(a)(4).  
<sup>17</sup> *Id.* § 9-15-205(a)(1).  
<sup>18</sup> *Id.* § 9-15-202(c)(2).  
<sup>19</sup> *Id.* § 9-15-202(a),(c)(1).

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# 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 date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- In your immediate family<sup>5</sup>
- In your extended family (to the 2<sup>nd</sup> degree)<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

### Age<sup>8</sup>

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.<sup>9</sup> 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.<sup>10</sup> A protection order also can protect your family/household members.<sup>11</sup>

## 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 place<sup>12</sup>
- Abuser must not contact, abuse, or threaten you or destroy your personal property<sup>13</sup>
- Use of shared property or residence<sup>14</sup>
- Temporary child custody and visitation<sup>15</sup>
- Temporary child and spousal support<sup>16</sup>
- Order the abuser to go to counseling<sup>17</sup>
- Abuser cannot have or use a firearm<sup>18</sup>
- Require the abuser to pay for medical bills or other costs caused by the abuse<sup>19</sup>
- Attorneys fees<sup>20</sup>

## How Much Will It Cost?

It is free.<sup>21</sup>

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free from violence and free from fear.

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

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# COLORADO

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

## Do I Qualify for a Protection Order in Colorado?

### Type of Relationship

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

- You are in an intimate relationship with or used to be in an intimate relationship with<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- Have a child with<sup>3</sup>
- You are now or used to be related to<sup>4</sup>

### Type of Abuse<sup>5</sup>

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

- Physically abused you
- Attempted to physically abuse you.
- Threatened to act violently against you
- Stalked you
- Acted or threatened to act violently against your minor child.
- Sexually abused you

### Age

If you are 18 years or older, you can obtain a protection order on your own without an adult's permission. For minors under 18, the law does not say how you can file for a protection order. This means that it is up to individual courts and judges to decide whether you can get one without your parent's permission. Check with local domestic violence organizations to see how your local courts handle minors who request protection orders. You cannot get a protection order against someone who is 10 or younger.<sup>6</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order, you can get an emergency protection order from the police any time the courts are closed.<sup>7</sup> Emergency orders last until the end of the next day the court is open.<sup>8</sup> Whether or not you have an emergency order, the next step is to go to county court to file for a temporary protection order. The temporary order lasts up to fourteen days, until you go back to court for a hearing. After a hearing, the judge can issue a protection order that will remain in effect permanently or until the judge grants a motion to dismiss<sup>1</sup> the order.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Order the abuser not to contact you or your children, including through third parties<sup>10</sup>
- Order the abuser to stay away from your family home, work, school, or daycare<sup>11</sup>
- Temporary child custody and visitation<sup>12</sup>
- Order the abuser to continue paying bills<sup>13</sup>
- Attorneys' fees<sup>14</sup>

## How Much Will It Cost?

It is free.<sup>15</sup>

<sup>1</sup> A permanent protection order can never be dismissed if the abuser has been convicted of misdemeanor or felony domestic violence. Colo. Rev. Stat. §§ 13-14-102 (17.5) (2008).

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<sup>1</sup> Colo. Rev. Stat. §§ 13-14-101(2) (2008).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at § 13-14-101.

<sup>6</sup> *Id.* at § 13-14-102(1.5).

<sup>7</sup> *Id.* at § 13-14-103(1)(f).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.* at § 13-14-102(7)-(9).

<sup>10</sup> *Id.* at § 13-14-102(15)(b).

<sup>11</sup> *Id.* at § 13-14-102(15)(c) and (d).

<sup>12</sup> *Id.* at § 13-14-102(15)(e)(I), (II).

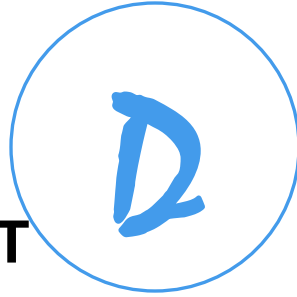
<sup>13</sup> *Id.* at § 13-14-102(15)(g)(I).

<sup>14</sup> *Id.* at § 13-14-102(21)(c).

<sup>15</sup> *Id.* at § 13-14-102(21)(a).

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# CONNECTICUT

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

## Do I Qualify for a Protection Order in Connecticut?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with (as long as both of you are 16 years or older)<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- Who is your parent or your child<sup>5</sup>
- You are related to by blood or marriage (as long as both of you are 18 years or older)<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

- Physically abused you
- Sexually abused you
- Attempted to physically abuse you
- Threatened to physically abuse you

### Age

If you are 18 years old or older, or if you are 16 years or older and currently or formerly living with the abuser, you can obtain a protection order on your own without a parent or guardian's permission. In all other circumstances, if you are under 18, the law does not say how you can file for a protection order. This means that it is up to individual courts and judges to decide whether you can get one without your parent's permission. Check with local domestic violence organizations to see how your local courts handle minors who request protection orders.<sup>8</sup>

## How Do I Get a Protection Order?

If you qualify to apply for a protection order, you can go to court to file for a temporary protection order. At that time, the judge may give you a temporary order and schedule a full hearing for sometime within the next 14 days. After a full hearing, the judge can grant you a permanent protection order, which lasts for 6 months and can be renewed.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser may not threaten, harass, injure, molest, assault, sexually assault, attack or intimidate you<sup>10</sup>
- Abuser must not put "any restraint on your person or liberty"<sup>11</sup>
- Temporary child custody and visitation<sup>12</sup>
- Temporary and/or exclusive use of residence<sup>13</sup>
- The protection order will also protect your dependent children or others at the court discretion<sup>14</sup>

## How Much Will It Cost?

It is free.<sup>15</sup>

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<sup>1</sup> Conn. Gen. Stat. §§ 46b-15(a), 38a(2)(F).

<sup>2</sup> Conn. Gen. Stat. § 46b-38a(2)(D).

<sup>3</sup> *Id.* § 46b-38a(2)(E).

<sup>4</sup> *Id.* § 46b-38a(2)(A).

<sup>5</sup> *Id.* § 46b-38a(2)(B).

<sup>6</sup> *Id.* § 46b-38a(2)(C).

<sup>7</sup> *Id.* § 46b-38a(1).

<sup>8</sup> *Id.* §§ 46b-15(a), 46b-38a(2).

<sup>9</sup> *Id.* § 46b-15(b).

<sup>10</sup> *Id.* §§ 46b-15(b), 46b-38c(2)(e).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* § 46b-15(b).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* § 52-259a.

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# DELAWARE

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

## Do I Qualify for a Protection Order in Delaware?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with, in an intimate relationship<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You live with who is your parent, step-parent, child, sibling, in-law, or grandparent<sup>4</sup>
- You have a child with<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically or sexually abused you, or attempted to
- Unlawfully held you against your will
- Destroyed or damaged your property
- Abused your child
- Coerced you to do or refrain from doing something
- Engaged in alarming behavior that causes you fear or emotional distress
- Engaged in any conduct that a reasonable person would find to be threatening or harmful

### Age

If you are 18 years or older, you can obtain a protection order yourself without an adult's permission. For minors under 18, the law does not say how you can file for a protection order. This means that it is up to individual courts and judges to decide whether you can get one without your parent's permission. Check with local domestic violence organizations to see how your local courts handle minors who request protection orders.

## How Do I Get a Protection Order?

You can file a Protection From Abuse Petition at the Family Court clerk's office. If you are in immediate danger, you can ask that the judge hold an emergency hearing and give you a temporary order. The judge will also schedule a full hearing within the next 10 days.<sup>7</sup> If you do not request a temporary order, the judge will schedule a full hearing within 30 days.<sup>8</sup> At that time, the judge can grant you a permanent protection order, which lasts for one year and can be renewed.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Order the abuser to not contact or attempt to contact you<sup>10</sup>
- Temporary child custody and visitation<sup>11</sup>
- Child and spousal support<sup>12</sup>
- Temporary and exclusive use of any property, including a shared residence<sup>13</sup>
- Money for costs resulting from the abuse, including counseling, medical and moving expenses, and attorneys fees<sup>14</sup>
- Order the abuser to surrender any firearms<sup>15</sup>
- Any other relief the court deems appropriate to prevent or reduce the likelihood of future abuse<sup>16</sup>

## How Much Will It Cost?

It is free.

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<sup>1</sup> Del. Code Ann. tit. 10, § 1041(2)(b) (2007)

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* § 1041(2)(a).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* §1041(1).

<sup>7</sup> *Id.* § 1043(d).

<sup>8</sup> *Id.* § 1044(a).

<sup>9</sup> *Id.* §§ 1045(b)-(e).

<sup>10</sup> *Id.* §§ 1045(a)(2).

<sup>11</sup> *Id.* § 1045(a)(5).

<sup>12</sup> *Id.* § 1045(a)(6).

<sup>13</sup> *Id.* §§ 1045(a)(4).

<sup>14</sup> *Id.* § 1045(a)(7).

<sup>15</sup> *Id.* § 1045(a)(8).

<sup>16</sup> *Id.* § 1045(a)(12).

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## DISTRICT OF COLUMBIA

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

### Do I Qualify for a Protection Order in Washington, DC?

#### Type of Relationship

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

- You are in a romantic relationship with (it does not have to be a sexual relationship)<sup>1</sup>
- You are sharing a residence with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood or legal custody<sup>5</sup>

#### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Attempted to abuse you
- Threatened to injure you
- Attempted or threatened to physically abuse you
- Stalked you

#### Age

If you are 18 years or older, you can obtain a protection order yourself without an adult's permission.<sup>7</sup> For minors under 18, the law does not say who can file for you.<sup>1</sup> It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

### How Do I Get a Protection Order?

If you qualify to apply for a protection order, you can go to court to file for the order. A judge will decide whether there is enough threat of immediate danger to grant a temporary protection order. The judge will also schedule a time in the next 14 days for a full hearing. The temporary order lasts until your hearing.<sup>8</sup> After the hearing, the judge may grant you a permanent order which lasts up to 1 year and is renewable.<sup>9</sup>

### What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser must stop abusive behaviors<sup>10</sup>
- Order the abuser to attend counseling<sup>11</sup>
- The abuser must stay away from you and your home<sup>12</sup>
- Child and spousal support<sup>13</sup>
- Temporary child custody and visitation<sup>14</sup>
- Require the abuser to pay you back for costs caused by the abuse, including court costs and attorney fees<sup>15</sup>
- Abuser must surrender any firearm(s)<sup>16</sup>

### How Much Will It Cost?

It is free.

<sup>1</sup> In December 2008, the District of Columbia passed legislation that clarifies how minor victims of domestic violence may petition for protection orders. However, because the law is not expected to take effect until March 2009, it was not taken into consideration for this report.

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<sup>1</sup> D.C. Code Ann. § 16-1001(5)(B) (2007).

<sup>2</sup> *Id.* § 16-1001(5)(A).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* § 16-1001(5).

<sup>7</sup> *Id.* §§ 46-101, 16-1004(d).

<sup>8</sup> *Id.* § 16-1004(d).

<sup>9</sup> *Id.* § 16-1005(d).

<sup>10</sup> *Id.* §§ 16-1005(c)(1), (3).

<sup>11</sup> *Id.* § 16-1005(c)(2).

<sup>12</sup> *Id.* §§ 16-1005(c)(3)-(4).

<sup>13</sup> Specified in court forms when filing for a protection order.

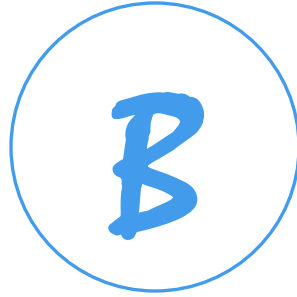
<sup>14</sup> *Id.* §§ 16-1005(c)(6)-(7).

<sup>15</sup> *Id.* § 16-1005(c)(8).

<sup>16</sup> Specified in court forms when filing for a protection order.

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# FLORIDA

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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Florida's grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Florida?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- In your immediate family<sup>5</sup>
- You are related to by blood or marriage<sup>6</sup>

### Type of Abuse<sup>7</sup>

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
- Stalked you
- Unlawfully held you against your will

### Age

If you are 18 years or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, you can get a protection order by yourself without an adult's involvement if you are dating the abuser.<sup>8</sup>

## How Do I Get a Protection Order?

If you qualify to apply for a protection order, you can go to court to file for a temporary order. After a hearing, the judge may grant you a temporary protection order which lasts for 15 days. The judge may also schedule another hearing.<sup>9</sup> After the full hearing, the judge may grant you a permanent order that lasts as long as the judge orders.<sup>10</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser must stay away from your home, school, work, and other designated places<sup>11</sup>
- The abuser must also stay away from any family or household members identified by the court.<sup>12</sup>
- The abuser cannot contact or communicate with you directly or indirectly.<sup>13</sup>
- Exclusive use of the residence<sup>14</sup>
- Temporary child custody and visitation orders<sup>15</sup>
- Temporary child and spousal support<sup>16</sup>
- Abuser must not use and must surrender all firearm(s)<sup>17</sup>
- Counseling for the abuser at his/her own expense<sup>18</sup>

## How Much Will It Cost?

It is free.<sup>19</sup>

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free from violence and free from fear.

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<sup>1</sup> Fla. Stat. Ann. § 784.046(1)(d) (2007).

<sup>2</sup> *Id.* § 741.28 (3).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* § 784.046.

<sup>8</sup> *Id.* § 784.046(2)(b).

<sup>9</sup> *Id.* § 741.30(5)(c).

<sup>10</sup> *Id.* § 741.30(6)(c).

<sup>11</sup> *Id.* § 741.31(4)(a)(2), (6).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* § 741.31(4)(a)(3), (5).

<sup>14</sup> *Id.* § 741.30(6)(a)(2).

<sup>15</sup> *Id.* § 741.30(6)(a)(3)-(4).

<sup>16</sup> *Id.*

<sup>17</sup> *Id.* § 790.233.

<sup>18</sup> *Id.* § 741.30(6)(a)(5).

<sup>19</sup> *Id.* § 741.30(2)(a), (b).

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# GEORGIA

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Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Georgia's grade for protecting teen victims of dating and domestic violence is an F.

## Do I Qualify for a Protection Order in Georgia?

### Type of Relationship

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

- You are living with or used to live with<sup>1</sup>
- You have a child with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- Parent-child<sup>4</sup>
- Related by blood or marriage<sup>5</sup>
- Your step-parent, step-child, foster parent or foster child<sup>6</sup>

### Type of Abuse<sup>7</sup>

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
- Stalked you
- Severely damaged your property
- Unlawfully held you against your will

### Age

If you are 18 years old or older, you can obtain for a protection order yourself without an adult's permission. If you are younger than 18 years old, you may not file for an order yourself. You will need a person over 18 to file for you.<sup>8</sup>

## 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. If a judge gives you a temporary protection order, he or she will schedule you for a full hearing within 10 days.<sup>9</sup> After a full hearing, the judge can grant you a permanent protection order that will last for 1 to 3 years.<sup>10</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must restrain from acts of domestic violence and harassment<sup>11</sup>
- Temporary and/or exclusive use of property<sup>12</sup>
- Temporary child custody<sup>13</sup>
- Temporary visitation orders<sup>14</sup>
- Child and spousal support<sup>15</sup>
- Counseling for the abuser<sup>16</sup>
- Attorneys fees<sup>17</sup>

## How Much Will It Cost?

It is free.<sup>18</sup>

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free from violence and free from fear.

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<sup>1</sup> Ga. Code Ann. § 19-13-1 (2007).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* § 39-1-1(a), §19-13-3(a).

<sup>9</sup> *Id.* §19-13-3(c).

<sup>10</sup> *Id.* § 19-13-4(c).

<sup>11</sup> *Id.* § 19-13-4(a)(9).

<sup>12</sup> *Id.* § 19-13-4(a)(8).

<sup>13</sup> *Id.* § 19-13-4(a)(4).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* § 19-13-4(a)(7).

<sup>16</sup> *Id.* § 19-13-4(a)(11).

<sup>17</sup> *Id.* § 19-13-4(a)(10).

<sup>18</sup> *Id.* § 15-6-77(e)(4).

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# HAWAII

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

## Do I Qualify for a Protection Order in Hawaii?

### Type of Relationship<sup>1</sup>

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

- You are married or used to be married to
- You are dating or used to date
- You have a child with
- You are dating or used to date
- You are living with or used to live with
- In your immediate family
- You are related to by blood

### Type of Abuse<sup>2</sup>

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

- Inflicted any physical harm, bodily injury or assault upon you
- Threatened imminent physical harm, bodily injury or assault
- Sexually abuse you
- Inflicted extreme psychological abuse
- Inflicted malicious property damage

### Age

If you are 18 years or older, you can obtain a protection order on your own without an adult's permission. If you are younger than 18 years old, any family or household member or a state agency must file on your behalf.<sup>3</sup>

## How Do I Get a Protection Order?<sup>4</sup>

If you want to obtain a protection order, you can go to court to file for a temporary protection order. The length of this order is at the discretion of the judge, but not to exceed 90 days. Then the judge will schedule a full hearing for a permanent protection order. After a full hearing, the judge can grant you a permanent protection order that is renewable.

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- To restrain the abuser from contacting you<sup>5</sup>
- The abuser cannot threaten or physically abuse you or anyone residing in your home<sup>6</sup>
- The abuser must leave the residence for the length of the protection order<sup>7</sup>
- Child custody<sup>8</sup>
- Visitation<sup>9</sup>
- Abuser must not use and must surrender all firearm(s)<sup>10</sup>

## How Much Will It Cost?

It is free.

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

---

<sup>1</sup> Haw. Rev. Stat. § 709-906(1) (2006).

<sup>2</sup> *Id.* § 586-1.

<sup>3</sup> *Id.* §§ 577-1; 586-3(b)(1), (2).

<sup>4</sup> *Id.* § 586-5(a), (b).

<sup>5</sup> *Id.* §§ 586-4 (a), 586-5.5.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* §§ 586-5(a), (b); 586-5.5.

<sup>9</sup> *Id.* § 586.5(b), 586-5.5.

<sup>10</sup> *Id.* § 134-7.5.

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# 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 date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are related by blood, marriage or adoption<sup>4</sup>
- You are married to or used to be married to<sup>5</sup>

### Type of Abuse<sup>6</sup>

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 guardian<sup>1</sup> to file for you.<sup>7</sup>

## 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.<sup>8</sup> A full hearing will be held within 14 days of your application for a protection order or granting your temporary order.<sup>9</sup> 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.<sup>10</sup>

## 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 time<sup>11</sup>
- Abuser must not commit acts of domestic violence and cannot harass, molest, annoy or disturb the peace<sup>12</sup>
- Abuser must not contact you directly or indirectly (includes using the telephone, email, texting, or interfering with victim's custody of children)<sup>13</sup>
- Temporary child custody<sup>14</sup>
- Counseling or other treatment for the abuser<sup>15</sup>
- Temporary and/or exclusive use of personal or joint property<sup>16</sup>
- Abuser must not use and must surrender any firearms<sup>17</sup>
- Attorneys fees and reimburse victim the costs to bring the action<sup>18</sup>

## How Much Will It Cost?

It is free.<sup>19</sup>

<sup>i</sup>Some Idaho judges will allow a minor to obtain a protection order with the assistance of a parent or guardian.

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<sup>1</sup>Idaho Code § 39-6303(1), (2) (2006).

<sup>2</sup> *Id.* § 39-6303(6).

<sup>3</sup> *Id.* § 39-6303(3).

<sup>4</sup> *Id.* § 39-6303(3).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* § 39-6303.

<sup>7</sup> *Id.* § 39-6304(2).

<sup>8</sup> *Id.* §§ 39-6308(5).

<sup>9</sup> *Id.* §§ 39-6306(1); 39-6308(5).

<sup>10</sup> *Id.* § 39-6306(5).

<sup>11</sup> *Id.* § 39-6308(1)(f).

<sup>12</sup> *Id.* § 39-6306(1)(g).

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* § 39-6306(1)(a).

<sup>15</sup> *Id.* § 39-6306(1)(d).

<sup>16</sup> *Id.* §§ 39-6306(1)(c); 39-6308(1)(b).

<sup>17</sup> *Id.* § 18-310.

<sup>18</sup> *Id.* § 39-6308 (1) (f).

<sup>19</sup> *Id.* § 39-6305.

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# ILLINOIS

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

## Do I Qualify for a Protection Order in Illinois?

### Type of Relationship<sup>1</sup>

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

- You are dating or used to date
- You are living with or used to live with
- You have a child with
- You are married to or used to be married to
- You are related to by blood or marriage, including parents, children, step-children and people who share a blood relationship through a child

### Type of Abuse<sup>2</sup>

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

- Physically abused you or threatened or attempted to physically abuse you
- Repeatedly called you at work or home
- Harassed you
- Stalked you
- Created a disturbance at school or work
- Threatened to take or hide your minor child from you

### Age

If you are 18 years or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, any adult may file for you.<sup>3</sup> Additionally, the law specifically states that a protection order shall not be denied because the person seeking the order is a minor.<sup>4</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court and file for an emergency protection order. A judge can give you an emergency order, which can last from 14 to 21 days, on the same day you file and will schedule a time for you to come back to court for a full hearing.<sup>5</sup> After the hearing, a judge can give you a permanent protection order which usually lasts for 2 years and is renewable.<sup>6</sup>

## 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 and must stay away from your home, school, workplace and other places.<sup>7</sup>
- Counseling for the abuser<sup>10</sup>
- Money for damages caused by the abuser (includes temporary shelter and meals).<sup>8</sup>
- Use, possession and/or protection of personal or joint property.<sup>11</sup>
- Child custody, visitation and support.<sup>9</sup>
- Abuser may not possess any firearms.<sup>12</sup>
- Attorneys' fees<sup>13</sup>.

## How Much Will It Cost?

It is free<sup>14</sup>.

You have the right to a safe and healthy relationship...  
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<sup>1</sup> 750 Ill. Comp. Stat. 60/103(6) (2007).

<sup>2</sup> *Id.* 60/103(1), (7), (14).

<sup>3</sup> *Id.* 60/201(b).

<sup>4</sup> *Id.* 60/214(a).

<sup>5</sup> *Id.* 60/220(a)(1).

<sup>6</sup> *Id.* 60/220(b), (e).

<sup>7</sup> *Id.* 60/214(b)(3), 60/217-219.

<sup>8</sup> *Id.* 60/214(b)(13).

<sup>9</sup> *Id.* 60/214(b)(5)-(7), (12).

<sup>10</sup> *Id.* 60/214(b)(4), 60-218(a).

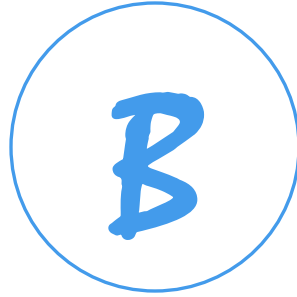
<sup>11</sup> *Id.* 60/214(b)(10)-(11).

<sup>12</sup> *Id.* 60/214(b)(14.5).

<sup>13</sup> *Id.* 60/214(b)(13).

<sup>14</sup> *Id.* 60/220(b).

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# INDIANA

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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Indiana's grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Indiana?

### Type of Relationship

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

- You are married to or used to be married to<sup>1</sup>
- You are dating or used to date (includes sexual relationships)<sup>2</sup>
- You have a child with<sup>3</sup>
- You are related to by blood, marriage or adoption (or other legal relationship)<sup>4</sup>

### Type of Abuse<sup>5</sup>

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

- Physically abused you, or threatened or attempted to physically abuse you
- Placed you in fear of physical harm
- Stalked you
- Killed an animal to threaten you
- Intimidated or harassed a family or household member
- Forced you to engage in sexual activity

### Age

If you are 18 years or older, you can get a protection order on your own without a parent or guardian's permission. If you are under 18, you will need a parent, guardian or another representative to file for you.<sup>6</sup>

## 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. A judge can immediately issue a protection order.<sup>7</sup> The court will schedule a full hearing within 30 days.<sup>8</sup> After a hearing, a judge can grant you a permanent protection order which lasts for 2 years and is renewable.<sup>9</sup>

## 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 your home, school, work, or any specified<sup>10</sup>
- Abuser cannot commit or threaten to commit acts of domestic violence against you.<sup>11</sup>
- Abuser must not contact or communicate with you, directly or indirectly<sup>12</sup>
- Use of home, car or other property<sup>13</sup>
- Visitation, child and spousal support<sup>14</sup>
- Counseling at abuser's expense.<sup>15</sup>
- Attorney's fees.<sup>16</sup>
- Money for expenses due to domestic violence.<sup>17</sup>
- Abuser cannot use and must surrender all firearm(s) or deadly weapons.<sup>18</sup>

## How Much Will It Cost?

It is free<sup>19</sup>

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free from violence and free from fear.

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<sup>1</sup> Ind. Code Ann. § 34-6-2-44.8(a)(5) (2007).

<sup>2</sup> *Id.* § 34-6-2-44.8(a)(2), (3).

<sup>3</sup> *Id.* § 34-6-2-44.8(a)(7).

<sup>4</sup> *Id.* § 34-6-2-44.8(a)(4)-(6).

<sup>5</sup> *Id.* §§ 31-9-2-42, 34-6-2-34.5.

<sup>6</sup> *Id.* § 34-26-5-2(a),(b).

<sup>7</sup> *Id.* § 34-26-5-9.

<sup>8</sup> *Id.* § 34-26-5-10(a).

<sup>9</sup> *Id.* §§ 34-26-5-8(f), 34-26-5-9(e).

<sup>10</sup> *Id.* § 34-26-5-9(b)(4).

<sup>11</sup> *Id.* § 34-26-5-9(b)(1).

<sup>12</sup> *Id.* § 34-26-5-9(b)(2).

<sup>13</sup> *Id.* § 34-26-5-9(b)(3), (5).

<sup>14</sup> *Id.* § 34-26-5-9(c)(2), (3)(C).

<sup>15</sup> *Id.* § 34-26-5-9(c)(3)(D)(ii).

<sup>16</sup> *Id.* § 34-26-5-9(c)(3)(A).

<sup>17</sup> *Id.* § 34-26-5-9(c)(3)(D).

<sup>18</sup> *Id.* § 34-26-5-9(c)(4).

<sup>19</sup> *Id.* § 34-26-5-16(1).

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# IOWA

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

## Do I Qualify for a Protection Order in Iowa?

### Type of Relationship

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

- You are dating or dated within the past year<sup>1</sup>
- You are married or used to be married<sup>4</sup>
- You are living together or used to live together<sup>2</sup>
- You are related by blood or marriage (only if you are 18 or older) and you are living together or lived together in the past year<sup>5</sup>
- You have a child together<sup>3</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Pointed a firearm or other weapon at you
- Placed you in fear of immediate physical contact and has the apparent ability to accomplish the act

### Age<sup>7</sup>

If you are 18 years or older, you can get a protection order yourself, without an adult's permission. If you are under 18, you will need a parent or guardian to file for you.

## How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order<sup>1</sup> from a District Court Judge or District Associate Judge at any time.<sup>8</sup> These emergency orders last for 72 hours.<sup>9</sup> Whether or not you have an emergency order, you may go to court to file for a temporary protection order. The judge can give you a temporary order that will protect you until the full hearing, which must be scheduled 5 to 15 days after filing for the temporary order.<sup>10</sup> After a full hearing, a judge can grant you a permanent protection order which lasts 1 year and is renewable.<sup>11</sup>

## 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 your home, school or work and cannot abuse you<sup>12</sup>
- Child custody and visitation<sup>14</sup>
- Child and spousal support<sup>15</sup>
- Use of your home or provide alternate housing<sup>13</sup>
- Counseling for victim and abuser<sup>16</sup>
- Attorneys fees and court costs<sup>17</sup>

## How Much Will It Cost?

It is free<sup>18</sup>.

<sup>i</sup> Advocates report that emergency protection orders are issued very infrequently. If you are considering filing for an emergency protection order, please check with your local domestic violence organization to see how your local courts handle them.

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<sup>1</sup> Iowa Code § 236.2(2)(e), (5) (2006).

<sup>2</sup> *Id.* § 236.2(4)(a), (d).

<sup>3</sup> *Id.* § 236.2(c).

<sup>4</sup> *Id.* § 236.2(2)(b).

<sup>5</sup> *Id.* § 236.2(2)(a), (d), (4)(a).

<sup>6</sup> *Id.* § 708.1.

<sup>7</sup> *Id.* § 236.3.

<sup>8</sup> *Id.* § 236.6(1).

<sup>9</sup> *Id.* § 236.6(2).

<sup>10</sup> *Id.* § 236.4(1).

<sup>11</sup> *Id.* § 236.5 (2)(e).

<sup>12</sup> *Id.* § 236.5(2)(a), (c).

<sup>13</sup> *Id.* § 236.5(2)(b).

<sup>14</sup> *Id.* § 236.5(2)(d).

<sup>15</sup> *Id.* § 236.5(2)(e).

<sup>16</sup> *Id.* § 236.5(1).

<sup>17</sup> *Id.* § 236.5(3).

<sup>18</sup> *Id.* § 236.3.

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# KANSAS

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

## Do I Qualify for a Protection Order in Kansas?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>

### Type of Abuse<sup>4</sup>

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
- Recklessly or intentionally caused bodily injury
- Engaged in sexual intercourse with a minor 16 or younger

### Age

If you are 18 years and older, you may obtain a protection order on your own. If you are under 18 years old, you will need a parent or an adult who lives with you to file for you.<sup>5</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order and your situation is urgent, you can get an emergency protection order from the police at any time. These emergency orders last until 5:00 p.m. on the first day the court is open after the order is issued.<sup>6</sup> Whether or not you have an emergency order, you may go to court to file for a temporary protection order. The judge can give you a temporary protection order and will schedule a full hearing within 20 days of filing. After a full hearing, a judge can grant you a permanent protection order which lasts 1 year and is renewable for an additional year.<sup>7</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not abuse, molest or interfere with your privacy or the privacy of your children<sup>8</sup>
- Temporary and exclusive use of joint property<sup>9</sup>
- Temporary child custody and visitation<sup>10</sup>
- Child and spousal support for less than 1 year<sup>11</sup>
- Counseling for abuser<sup>12</sup>
- Attorney's fees<sup>13</sup>

## How Much Will It Cost?

It is free.<sup>14</sup>

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<sup>1</sup> Kan. Stat. Ann. § 60-3102(b), (c) (2006).

<sup>2</sup> *Id.* § 60-3102(b).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* § 60-3102(a).

<sup>5</sup> *Id.* §§ 39-1430(a), 60-3104(b).

<sup>6</sup> *Id.* § 60-3105(b).

<sup>7</sup> *Id.* § 61-3107(e).

<sup>8</sup> *Id.* § 60-3107(a)(1)

<sup>9</sup> *Id.* § 60-3107(a)(2),(d).

<sup>10</sup> *Id.* § 60-3107(a)(4).

<sup>11</sup> *Id.* § 60-3107(a)(6).

<sup>12</sup> *Id.* § 60-3107(a)(9).

<sup>13</sup> *Id.* § 60-3107(a)(7).

<sup>14</sup> *Id.* § 60-3104(d)

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# KENTUCKY

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**Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Kentucky's grade for protecting teen victims of dating and domestic violence is an F.**

## Do I Qualify for a Protection Order in Kentucky?

### Type of Relationship

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

- You are married to or used to be married to<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- In your immediate family<sup>4</sup>
- You are related by blood or marriage (to the 2<sup>nd</sup> degree)<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

### Age

If you are 18 or older, you can apply for a protection order yourself, without an adult's permission. If you are under 18 and want a protection order against someone in your family, you will need an adult family member to file for you.<sup>7</sup> But, if you are under 18 and want an order against someone you have had a relationship with, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get an order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If you qualify for a protection order, you may go to court to file for a temporary protection order. The judge can give you a temporary protection order and will schedule a full hearing within 14 days.<sup>8</sup> The temporary order will protect you until the hearing. After the hearing, the judge can grant you a permanent protection order which lasts up to 3 years and is renewable for an additional period of up to 3 years.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not contact, harass, batter, annoy, threaten, or otherwise communicate with you<sup>10</sup>
- Abuser must not commit any acts of domestic violence against you<sup>11</sup>
- Require abuser to vacate shared premises<sup>12</sup>
- Abuser must not dispose of or damage any of your property<sup>13</sup>
- Temporary child custody<sup>14</sup>
- Temporary Child and spousal support<sup>15</sup>
- Counseling for both parties<sup>16</sup>

## How Much Will It Cost?

It is free.<sup>17</sup>

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

---

<sup>1</sup> Ky. Rev. Stat. Ann. § 403.720(2) (2007).

<sup>2</sup> *Id.* § 403.720(3).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* § 403.720(2).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* § 403.720.

<sup>7</sup> *Id.* § 403.725(3).

<sup>8</sup> *Id.* § 403.740(4).

<sup>9</sup> *Id.* § 403.750(2).

<sup>10</sup> *Id.* § 403.750(1)(a),(b).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* §403.740(1)(d).

<sup>13</sup> *Id.* §403.740(1)(c).

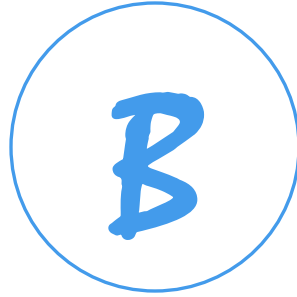
<sup>14</sup> *Id.* §403.740(1)(e).

<sup>15</sup> *Id.* §403.740(1)(f), (4).

<sup>16</sup> *Id.* §§ 403.725 (5), 403.750 (1)(g).

<sup>17</sup> *Id.* § 403.730(3).

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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Louisiana's grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Louisiana?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are married to or used to be married to<sup>3</sup>
- You are living with or used to live with (you and the abuser must be a man and a woman)<sup>2</sup>
- Who is your parent, child, Stepparent, stepchild, foster parent, foster child, grandparents or grandchild<sup>4</sup>

### Type of Abuse<sup>5</sup>

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

- Physically abused you
- Sexually abused you
- Attempted to abuse you

### Age

If you are 18 or older, you can obtain a protection order on your own, without an adult's permission. If you are under 18, you will need a parent, adult household member or district attorney to file for you.<sup>6</sup>

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. A judge can grant you the temporary order the same day and will schedule a full hearing within 15 days of granting the order.<sup>7</sup> After the hearing, the judge can grant you a permanent protection order which lasts 18 months and is renewable at the discretion of the court.<sup>8</sup>

## 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 your home, school, work, and other places you often go<sup>9</sup>
- Temporary child and spousal support<sup>13</sup>
- Abuser must not harass or abuse you or your children<sup>10</sup>
- Temporary and exclusive use of joint property<sup>14</sup>
- Money for damages caused by the abuser<sup>11</sup>
- Counseling for both victim and abuser at abuser's expense<sup>15</sup>
- Temporary child custody and visitation<sup>12</sup>
- Attorney's fees<sup>16</sup>

## How Much Will It Cost?

It is free<sup>17</sup>

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

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<sup>1</sup> La. Rev. Stat. § 46:2151(B) (2006).

<sup>2</sup> *Id.* § 46:2132(4).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* § 46:2132.

<sup>6</sup> *Id.* §§ 46:2132(1), 46:2133(C).

<sup>7</sup> *Id.* § 46:2135(B), (D).

<sup>8</sup> *Id.* § 46:2136(F).

<sup>9</sup> *Id.* § 46:2135(A)(1).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* § 46:2136.1.

<sup>12</sup> *Id.* § 46:2135(A)(3), (5).

<sup>13</sup> *Id.* § 46:2135(A)(2).

<sup>14</sup> *Id.* § 46:213g(A)(2).

<sup>15</sup> *Id.* § 46:2136(A)(4).

<sup>16</sup> *Id.* § 46:2136.1.

<sup>17</sup> *Id.* § 46:2136.1.

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free from violence and free from fear.





# MAINE

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

## Do I Qualify for a Protection Order in Maine?

### Type of Relationship<sup>1</sup>

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

- You are dating or used to date
- You are living with or used to live with
- You are married to or used to be married to
- You have a child together
- You are having sex with or had sex with
- You are related to by blood or marriage and who is an adult in your household.

### Type of Abuse<sup>2</sup>

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
- Unlawfully held you against your will
- Stalked you

### Age

If you are 18 or older, you can get a protection order on your own.<sup>3</sup> If you are under 18 and want a protection order against someone in your family, you will need a person responsible for you to file the papers.<sup>4</sup> In all other cases, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get an order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. If granted, the order lasts until your hearing, which must be scheduled within 21 days of filing.<sup>5</sup> After a full hearing, a judge can grant you a permanent protection order which lasts up to 2 years and is renewable.<sup>6</sup>

## 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 home, school, work and other places you go<sup>7</sup>
- Abuser must not contact, harass, batter, annoy, threaten, or communicate with you<sup>8</sup>
- Temporary child custody and visitation<sup>9</sup>
- Temporary child and spousal support<sup>10</sup>
- Use of the home or provide alternate housing<sup>11</sup>
- Money for damages caused by the abuser<sup>12</sup>
- Abuser not to own or possess any firearm<sup>13</sup>
- Counseling for abuser<sup>14</sup>
- Attorney's fees and court costs<sup>15</sup>

## How Much Will It Cost?

It is free<sup>16</sup>

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

---

<sup>1</sup> Me. Rev. Stat. Ann. tit. 19-A, § 4002(4) (2006).

<sup>2</sup> *Id.* § 4002.

<sup>3</sup> *Id.* § 4002(2).

<sup>4</sup> *Id.* § 4005(1).

<sup>5</sup> *Id.* § 4006(1), (2).

<sup>6</sup> *Id.* § 4007(2).

<sup>7</sup> *Id.* § 4007(1)(C), (D).

<sup>8</sup> *Id.* § 4007(1)(A).

<sup>9</sup> *Id.* § 4007(1)(G).

<sup>10</sup> *Id.* § 4007(1)(I), (J).

<sup>11</sup> *Id.* § 4007(1)(E).

<sup>12</sup> *Id.* § 4007(1)(K).

<sup>13</sup> *Id.* § 4007(1)(A-1).

<sup>14</sup> *Id.* § 4007(1)(H).

<sup>15</sup> *Id.* § 4007(1)(L).

<sup>16</sup> *Id.* § 4005(4).

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# MARYLAND

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

## Do I Qualify for a Protection Order<sup>1</sup> in Maryland?

### Type of Relationship

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

- You have lived with and have had a sexual relationship with for at least 90 days within the last year<sup>1</sup>
- You have a child with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You are related to by blood, marriage or adoption<sup>4</sup>
- Who is your parent, child, stepparent, or stepchild and who you lived with for at least 90 days within the last year<sup>5</sup>
- Who has abused you within the last 30 days<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Threatened physical abuse
- Sexually abused you
- Held you against your will
- Stalked you

### Age

If you are 18 or older, you can file for a protection order or a peace order on your own. If you are under 18, an adult relative, an adult who lives with you, the Maryland state attorney, or the department of social services can file for you.<sup>8</sup>

## How Do I Get a Protection Order?

If your situation is urgent, you can get an interim protection order or peace order whenever the court is closed. These emergency orders last for 2 business days or until the date of the temporary order hearing.<sup>9</sup> Whether or not you have an interim order, you may file for a temporary protection order. The temporary order will protect you until the full hearing, which will be held within 7 days of filing.<sup>10</sup> After the hearing, the judge can grant you a final protection order which lasts 1 year and is renewable for up to another 6 months.<sup>11</sup> Final peace orders are effective for up to 6 months.<sup>12</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser must stay away from your work, school, home, child care and other family members' homes<sup>13</sup>
- Abuser cannot threaten, harass, abuse, contact or attempt to contact you.<sup>14</sup>
- Use and possession of the residence<sup>15</sup>
- Temporary child custody and visitation<sup>16</sup>
- Temporary child and spousal support<sup>17</sup>
- Counseling for all parties<sup>18</sup>
- Attorneys fees and court costs<sup>19</sup>

## How Much Will It Cost?

It is free<sup>20</sup>.

<sup>i</sup> The Maryland protection order statute does not include non-cohabitating dating or sexual relationships; however any person who is not eligible to petition for a protection order is eligible for a peace order, which offers similar relief.

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- 
- <sup>1</sup> Md. Code Ann., Fam. Law. § 4-501(l)(2) (2007).  
<sup>2</sup> *Id.* § 4-501(l)(6).  
<sup>3</sup> *Id.* § 4-501(l)(1).  
<sup>4</sup> *Id.* § 4-501(l)(3).  
<sup>5</sup> *Id.* § 4-501(l)(4).  
<sup>6</sup> Md. Code Ann., Cts. & Jud. Proc. §§ 3-1501(f), 3-1503(a).  
<sup>7</sup> Md. Code Ann., Fam. Law. § 4-501(b); Md. Code Ann., Cts. & Jud. Proc. § 3-1503(a).  
<sup>8</sup> Md. Code Ann., Fam. Law. § 4-501(m)(2)(ii).  
<sup>9</sup> Md. Code Ann., Fam. Law. § 4-504.1(g); Md. Code Ann., Cts. & Jud. Proc. § 3-1503.1.  
<sup>10</sup> Md. Code Ann., Fam. Law. § 4-505(c)(1); Md. Code Ann., Cts. & Jud. Proc. § 3-1504(c).  
<sup>11</sup> Md. Code Ann., Fam. Law. §§ 4-506(b)(2)(iii), 4-507(a)(2).  
<sup>12</sup> Md. Code Ann., Cts. & Jud. Proc. § 3-1505(f).  
<sup>13</sup> Md. Code Ann., Fam. Law. § 4-506(d)(5), (6); Md. Code Ann., Cts. & Jud. Proc. § 3-1505(d)(1)(iii), (iv).  
<sup>14</sup> Md. Code Ann., Fam. Law. § 4-506(d)(1), (2); Md. Code Ann., Cts. & Jud. Proc. § 3-1505(d)(1)(ii).  
<sup>15</sup> *Id.* § 4-506(d)(4).  
<sup>16</sup> *Id.* § 4-506(d)(7), (8).  
<sup>17</sup> *Id.* § 4-506(d)(9).  
<sup>18</sup> Md. Code Ann., Fam. Law. § 4-506(d)(11); Md. Code Ann., Cts. & Jud. Proc. § 3-1505(d)(1)(v).  
<sup>19</sup> Md. Code Ann., Fam. Law. § 4-506(d)(13); Md. Code Ann., Cts. & Jud. Proc. § 3-1505(d)(1)(vi).  
<sup>20</sup> Md. Code Ann., Fam. Law. § 4-504(c).

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# MASSACHUSETTS

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

## Do I Qualify for a Protection Order in Massachusetts?

### Type of Relationship<sup>1</sup>

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

- You are dating or used to date
- You are married to or used to be married to
- You are living with or used to live with
- You have a child with
- You are related to by blood or marriage

### Type of Abuse<sup>2</sup>

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
- Placed you in fear of imminent harm
- Sexually abused you

### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. For minors under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order from the police at any time. These emergency orders last for 1 business day.<sup>3</sup> Whether or not you have an emergency order, you may go to court to file for a temporary protection order. The judge can give you a temporary order that day and will schedule a full hearing within 10 business days.<sup>4</sup> After the hearing, the judge can grant you a permanent protection order which lasts for 1 year and is renewable.<sup>5</sup>

## 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 home, and work<sup>6</sup>
- Abuser must not contact, harass, batter, annoy, threaten, or communicate with you<sup>7</sup>
- Money for damages caused by the abuser<sup>8</sup>
- Temporary child and spousal support<sup>9</sup>
- Temporary child custody and visitation<sup>10</sup>
- Counseling as a condition of visitation<sup>11</sup>
- Temporary exclusive use of the residence for less than 1 year<sup>12</sup>
- Abuser must not own or possess any guns<sup>13</sup>
- Attorneys fees<sup>14</sup>

## How Much Will It Cost?

It is free<sup>15</sup>.

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

---

<sup>1</sup> Mass. Ann. Laws Ch. 209A, §1 (2007).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* 209A, §5.

<sup>4</sup> *Id.* 209A, §4.

<sup>5</sup> *Id.* 209A, §3.

<sup>6</sup> *Id.* 209A, §3(c).

<sup>7</sup> *Id.* 209A, §3(a),(b).

<sup>8</sup> *Id.* 209A, §3(f).

<sup>9</sup> *Id.* 209A, §3(e).

<sup>10</sup> *Id.* 209A, §3(a)-(i), (d).

<sup>11</sup> *Id.* 209A, §3(c), (i).

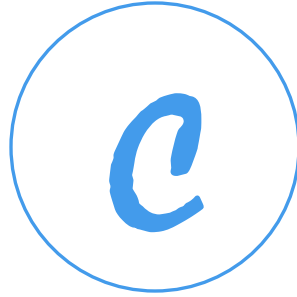
<sup>12</sup> *Id.* 209A, §3(c).

<sup>13</sup> *Id.* 209A, §3B.

<sup>14</sup> *Id.* 209A, §3(f).

<sup>15</sup> *Id.* 209A, §3.

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## MICHIGAN

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

### Do I Qualify for a Protection Order in Michigan?

#### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You have a child with<sup>4</sup>

#### Type of Abuse

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

- Physically abused you<sup>5</sup>
- Threatened to physically abuse you<sup>6</sup>
- Attempted to physically abuse you<sup>7</sup>
- Sexually abused you<sup>8</sup>
- Harassed you<sup>9</sup>

#### Age

If you are 18 or older, you can get a protection order on your own without an adult's permission.<sup>10</sup> If you are under 18, you must have an adult (acting as your "next friend") file for you.<sup>11</sup>

### How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. The judge can give you a temporary order that day and will schedule a time for you to come back to court for a full hearing. After the hearing, a judge can grant you a permanent protection order that is renewable.<sup>12</sup>

### 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 and your home, school, work, other places you often go and any place you are currently in<sup>13</sup>
- Abuser must not contact, harass, batter, annoy, threaten, or otherwise communicate with you<sup>14</sup>
- Temporary and/or exclusive use of property<sup>15</sup>
- Abuser must stay away<sup>16</sup>
- Child custody and visitation<sup>17</sup>
- Abuser must not use and must surrender all firearm(s)<sup>18</sup>

### How Much Will It Cost?

It is free.<sup>19</sup>

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

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<sup>1</sup> Mich. Comp. Laws. Serv. § 600.2950(30(a)(2007).

<sup>2</sup> *Id.* § 600.2950(1).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* §§ 400.1501(d)(i), 600.2950.

<sup>6</sup> *Id.* §§ 400.1501(d)(ii), 600.2950.

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* §§ 400.1501(d)(iii), 600.2950.

<sup>9</sup> *Id.* §§ 400.1501 (i), (iv); 600.2950

<sup>10</sup> MCR § 3.702(6).

<sup>11</sup> *Id.* § 3.703(F)(2).

<sup>12</sup> *Id.* § 3.707(B)(1).

<sup>13</sup> Mich. Comp. Laws. Serv. § 600.2950(1)(a).

<sup>14</sup> *Id.* § 600.2950(1).

<sup>15</sup> *Id.* § 600.2950(1)(a).

<sup>16</sup> *Id.* § 600.2950(1)(g).

<sup>17</sup> *Id.* §600.2950(1)(d).

<sup>18</sup> *Id.* § 600.2950(2).

<sup>19</sup> *Id.* § 600.2950b.

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

## Do I Qualify for a Protection Order in Minnesota?

### Type of Relationship

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

- You are dating (including sexual relationships)<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You have a child with (or if you are pregnant with that person's child)<sup>4</sup>
- Who is your parent or your child<sup>5</sup>
- You are related by blood or marriage<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

- Physically abused you
- Threatened you
- Attempted to abuse you
- Sexually abused you

### Age<sup>8</sup>

If you are 16 years old or older, you can obtain a protection order against someone you are married to or have a child with by yourself, without an adult's permission. In all other circumstances if you are under 18, you will need a family member or household member to file for you, or if the judge finds that it is in your best interest, a reputable adult 25 or older may file for you.

## How Do I Get a Protection Order?

If you qualify, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 14 days of filing for the temporary order.<sup>9</sup> After the hearing, the judge can give you a permanent protection order which lasts for 1 year and is renewable.<sup>10</sup>

## 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 your work or where you are located<sup>11</sup>
- Abuser must not commit acts of domestic abuse<sup>12</sup>
- Temporary and exclusive use of property<sup>13</sup>
- Temporary child custody and visitation<sup>14</sup>
- Temporary child and spousal support<sup>15</sup>
- Money for damages caused by the abuser<sup>16</sup>
- Counseling for abuser or at your request if married or have children with your abuser<sup>17</sup>

## How Much Will It Cost?

It is free<sup>18</sup>.

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

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<sup>1</sup> Minn. Stat. § 518B.01(2)(b)(7) (2006).

<sup>2</sup> *Id.* § 518B.01 (2)(b)(4).

<sup>3</sup> *Id.* § 518B.01 (2)(b)(1).

<sup>4</sup> *Id.* § 518B.01 (2)(b)(5)-(6).

<sup>5</sup> *Id.* § 518B.01 (2)(b)(2).

<sup>6</sup> *Id.* § 518B.01 (2)(b)(3).

<sup>7</sup> *Id.* § 518B.01 (2).

<sup>8</sup> *Id.* § 518B.01 (4)(a).

<sup>9</sup> *Id.* § 518B.01 (5)(a),(c),(d).

<sup>10</sup> *Id.* § 518B.01 (6)(12)(b).

<sup>11</sup> *Id.* § 518B.01 (6)(a)(9).

<sup>12</sup> *Id.* § 518B.01 (6)(a)(1).

<sup>13</sup> *Id.* § 518B.01 (6)(a)(2).

<sup>14</sup> *Id.* § 518B.01 (6)(a)(4).

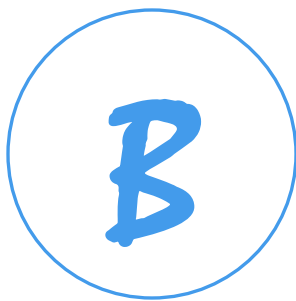
<sup>15</sup> *Id.* § 518B.01 (6)(a)(5).

<sup>16</sup> *Id.* § 518B.01 (4)(h), (6)(a)(10).

<sup>17</sup> *Id.* §§ 518B.01 (6)(a)(6), (7).

<sup>18</sup> *Id.* § 518B.01 (3)(a).

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



# MISSISSIPPI

**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Mississippi's grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Mississippi?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- Who is your parent or your child<sup>5</sup>
- You are related to by blood or marriage and living with or used to live with<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you
- Sexually abused you if you are a minor
- Stalked or cyber stalked you

### Age

If you are 18 years or older or legally married, you can obtain a protection order yourself, without an adult's permission.<sup>8</sup> If you are under 18, you will need a parent, adult household member or "next friend" to file for you.<sup>9</sup>

## How Do I Get a Protection Order?

If you qualify, you can go to court to file for a temporary protection order. The judge can give you the order that day and will schedule a full hearing within 10 days of filing for protection.<sup>10</sup> After the hearing, the judge can give you a permanent protection order which lasts 3 years.<sup>11</sup>

## 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 your residence or work<sup>12</sup>
- Cannot abuse you or contact you through the phone or electronic methods<sup>13</sup>
- Temporary and/or exclusive use of the residence or must provide alternate housing<sup>14</sup>
- Temporary child custody<sup>15</sup>
- Temporary child and spousal support<sup>16</sup>
- Counseling for both parties<sup>17</sup>
- Attorneys' fees<sup>18</sup>
- Money for damages caused by the abuser (including medical expenses, lost earnings, moving expenses)<sup>19</sup>

## How Much Will It Cost?

It is free.<sup>20</sup>

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

- 
- <sup>1</sup> Miss. Code Ann. §93-21-3(a),(d).  
<sup>2</sup> *Id.* §93-21-3(a), (e).  
<sup>3</sup> *Id.* §93-21-3(e).  
<sup>4</sup> *Id.*  
<sup>5</sup> *Id.*  
<sup>6</sup> *Id.* §93-21-3(a), (e).  
<sup>7</sup> *Id.* §93-21-3(a)(i)-(vi).  
<sup>8</sup> *Id.* §93-21-3(b).  
<sup>9</sup> *Id.* §93-21-7(1).  
<sup>10</sup> *Id.* §93-21-11(1)-(3).  
<sup>11</sup> *Id.* §93-21-17(2).  
<sup>12</sup> *Id.* §§93-21-15(1)(b), (c); 93-21-13(2)(b)(c).  
<sup>13</sup> *Id.* §§93-21-15(1)(a),(h); 93-21-13(1)(a)-(c).  
<sup>14</sup> *Id.* §§93-21-15(1)(g); 93-21-13(1)(d).  
<sup>15</sup> *Id.* §93-21-15(1)(d).  
<sup>16</sup> *Id.* §§93-21-15(1)(c), (e).  
<sup>17</sup> *Id.* §93-21-15(1)(f).  
<sup>18</sup> *Id.* §§93-21-15(1)(f); 93-21-7(2).  
<sup>19</sup> *Id.*  
<sup>20</sup> *Id.* §93-21-7(2).

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free from violence and free from fear.



# MISSOURI

Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Missouri's grade for protecting teen victims of dating and domestic violence is an F.

## Do I Qualify for a Protection Order in Missouri?

### Type of Relationship

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

- You are dating or used to date (as long as both of you are over 18)<sup>1</sup>
- You are living with or used to live with (as long as both of you are over 18)<sup>2</sup>
- You have a child with (as long as both of you are over 18)<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood or marriage (as long as both of you are over 18)<sup>5</sup>

### Type of Abuse<sup>6</sup>

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
- Emotionally abused you
- Unlawfully held you against your will
- Stalked you

### Age

If you are 18 or older, you can obtain a protection order yourself, without an adult's involvement.<sup>7</sup> If you are under 18 years old, you will not qualify for a protection order. The law specifically states it applies only to adults.<sup>8</sup>

## How Do I Get a Protection Order?

If you qualify, you can go to court to apply for a temporary protection order.<sup>9</sup> The judge can give you a temporary order immediately and will schedule a full hearing within 15 days of requesting protection.<sup>10</sup> After the hearing, a judge can grant you a permanent protection order which lasts for 180 days to 1 year and is renewable.<sup>11</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not communicate, abuse, or stalk you<sup>12</sup>
- Abuser may not enter your home<sup>13</sup>
- Use or possession of the home, car and other essential property<sup>14</sup>
- Money for damages caused by the abuser<sup>15</sup>
- Child and Spousal support<sup>16</sup>
- Child custody and visitation<sup>17</sup>
- Attorneys fees<sup>18</sup>
- Counseling<sup>19</sup>

## How Much Will It Cost?

It is free.<sup>20</sup>

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

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<sup>1</sup> Mo. Rev. Stat. §455.010(5) (2006).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* §455.010(5).

<sup>6</sup> *Id.* §§455.501(1); 455.505.

<sup>7</sup> *Id.* §455.010(2).

<sup>8</sup> *Id.* §455.010(5).

<sup>9</sup> *Id.* §455.035(1).

<sup>10</sup> *Id.* §455.040(1).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* §455.050(1.) (3).

<sup>13</sup> *Id.* §455.050(1.) (2).

<sup>14</sup> *Id.* §§455.045(2), 455.050(3)(7).

<sup>15</sup> *Id.* §455.050(3.) (12), (4.).

<sup>16</sup> *Id.* § 455.050(3.) (3), (4).

<sup>17</sup> *Id.* §455.050(3) (1), (2).

<sup>18</sup> *Id.* §455.075.

<sup>19</sup> *Id.* §455.050(3.) (9).

<sup>20</sup> *Id.* §455.027.

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# MONTANA

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

## Do I Qualify for a Protection Order in Montana?

### Type of Relationship<sup>1</sup>

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

- You are dating or involved in an intimate relationship with or used to be (as long as you and the abuser are a man and a woman)
- You have a child with
- You are married to or used to be married to
- In your family, including your parents, child siblings, and relationships created by adoption and marriage

### Type of Abuse<sup>2</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you
- Sexually abused you
- Recklessly endangered you
- Stalked you
- Unlawfully held you against your will

### Age

If you are 18 or older, you can obtain a protection order yourself, without an adult's permission.<sup>3</sup> If you are under 18, you will need a parent, guardian ad litem, or other representative to file for you.<sup>4</sup>

## How Do I Get a Protection Order?

If you qualify, you can go to court to file for a temporary order of protection that lasts for 20 days.<sup>5</sup> The judge will then schedule a full hearing. After the hearing, the judge can grant you a permanent protection order. The length of the permanent order is determined by the judge.<sup>6</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must stay 1,500 feet away from your home, school, work, and other places you often go to<sup>7</sup>
- Abuser must not contact, harass, batter, annoy, threaten, or otherwise communicate with you or family members<sup>8</sup>
- Abuser must not use and must surrender any firearm(s) used against the victim<sup>9</sup>
- Counseling for abuser<sup>10</sup>
- Possession or use of the property, car or other essential personal items<sup>11</sup>

## How Much Will It Cost?

It is free.<sup>12</sup>

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

---

<sup>1</sup> Mont. Code Ann. §45-5-206(2)(a),(b) (2005).

<sup>2</sup> *Id.* §40-15-102(1).

<sup>3</sup> *Id.* §41-1-101(1).

<sup>4</sup> *Id.* §40-15-102(3).

<sup>5</sup> *Id.* §40-15-201(4).

<sup>6</sup> *Id.* §40-15-204(1).

<sup>7</sup> *Id.* §§40-15-201(2)(d), 40-15-204(3).

<sup>8</sup> *Id.* §§40-15-201(2)(a),(b); 40-15-204(3).

<sup>9</sup> *Id.* §§40-15-201(2)(f); 40-15-204(3).

<sup>10</sup> *Id.* §§40-15-201(2)(i); 40-15-204(3).

<sup>11</sup> *Id.* §§40-15-201 (2)(e), (h); 40-15-204(3).

<sup>12</sup> *Id.* §40-15-204(8).

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# NEBRASKA

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

## Do I Qualify for a Protection Order in Nebraska?

### Type of Relationship<sup>1</sup>

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

- You are dating or used to date
- You are married to or used to be married to
- You are living with or used to live with
- You are related to by blood or marriage
- You have a child with

### Type of Abuse<sup>2</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you
- Sexually abused you

### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. The judge can give the order that day and will schedule a full hearing within 30 days.<sup>3</sup> After the hearing, the judge can grant you a permanent protection order which lasts one year.<sup>4</sup>

## 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<sup>5</sup>
- Child custody (not to exceed 90 days)<sup>8</sup>
- Abuser must not contact, telephone, attack or threaten you<sup>6</sup>
- Any relief necessary to provide for the safety and welfare of victim and any family or household member<sup>9</sup>
- Temporary or exclusive use of residence<sup>7</sup>

## How Much Will It Cost?

It is free.<sup>10</sup>

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

---

<sup>1</sup> Neb. Rev. Stat. Ann. §42-903(3) (2006).

<sup>2</sup> *Id.* §42-903(1).

<sup>3</sup> *Id.* §42-925.

<sup>4</sup> *Id.* §42-924(3).

<sup>5</sup> *Id.* §42-924(1)(e).

<sup>6</sup> *Id.* §42-924(1)(a),(b), (c).

<sup>7</sup> *Id.* §42-924(1)(d).

<sup>8</sup> *Id.* §42-924(1)(f).

<sup>9</sup> *Id.* §42-924(1)(g).

<sup>10</sup> *Id.* §42-924.01.

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# NEVADA

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

## Do I Qualify for a Protection Order in Nevada?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood or marriage<sup>5</sup>

### Type of Abuse<sup>6</sup>

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
- Stalked you
- Unlawfully held you against your will
- Criminally damaged your property

### Age

If you are 18 years or older, you can get a protection order yourself, without an adult's permission. If you are under 18, you will need a parent or guardian to file for you.<sup>7</sup>

## How Do I Get a Protection Order?

If you want a protection order, you can go to court to file for a temporary order. A judge can give you the temporary order that day and will schedule a full hearing within 45 days of your request for protection.<sup>8</sup> After the hearing, a judge can give you a permanent protection order which lasts 1 year.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Your abuser must stay away from your home, school, work, day care or other places you frequent<sup>10</sup>
- Abuser must not harass, threaten, or communicate with you or your minor child directly or indirectly<sup>11</sup>
- Temporary visitation<sup>12</sup>
- Child and spousal support (including rent or mortgage payments)<sup>13</sup>
- Abuser must surrender any firearms<sup>14</sup>
- Attorneys' fees and court costs<sup>15</sup>

## How Much Will It Cost?

It is free.<sup>16</sup>

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

- 
- <sup>1</sup> Nev. Rev. Stat. Ann. §33.018(1), (2) (2007).  
<sup>2</sup> *Id.* §33.018(1).  
<sup>3</sup> *Id.* §33.018(1).  
<sup>4</sup> *Id.* §33.018(1).  
<sup>5</sup> *Id.* §33.018(1).  
<sup>6</sup> *Id.* §33.018.  
<sup>7</sup> *Id.* §33.400(1).  
<sup>8</sup> *Id.* §33.420(3).  
<sup>9</sup> *Id.*  
<sup>10</sup> *Id.* §§33.030(1)(c), (4); 33.400(3)(a).  
<sup>11</sup> *Id.* §33.030(1)(a), (1)(e).  
<sup>12</sup> *Id.* §33.030(2).  
<sup>13</sup> *Id.*  
<sup>14</sup> *Id.* §33.030(2)(1)(A)-(B). See 2007 Nev. ALS 318,9)  
<sup>15</sup> *Id.* §33.030(2)(b)(4).  
<sup>16</sup> *Id.* §33.050(1).

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# NEW HAMPSHIRE

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

## Do I Qualify for a Protection Order in New Hampshire?

### Type of Relationship

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

- You are or used to be involved in an intimate or sexual relationship with<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You are related to by blood or marriage<sup>4</sup>

### Type of Abuse<sup>5</sup>

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

- Physically abused you or attempted or threatened to physically abuse you
- Sexually abused you
- Harassed you
- Unlawfully held you against your will
- Destroyed your property

### Age

No matter how old you are, even if you are under 18, you can get a protection order by yourself, without an adult or your parent's permission.<sup>6</sup>

## How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order from the police at any time. An emergency order lasts until the end of the next business day.<sup>7</sup> Whether or not you have an emergency order, you can go to court to get a temporary protection order. After a full hearing, which must be scheduled within 30 days of asking for protection, a judge can give you a permanent protection order which lasts 1 year and can be extended for an additional 1 to 5 years.<sup>8</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser cannot enter your home, work, school or any other frequented places<sup>9</sup>
- Abuser must not harass, threaten, or abuse you or your family and household members<sup>10</sup>
- The abuser cannot communicate with you, directly or indirectly<sup>11</sup>
- Temporary child custody and visitation<sup>12</sup>
- Child and spousal support<sup>13</sup>
- Money for damages caused by the abuser<sup>14</sup>
- Temporary and/or exclusive use of the property<sup>15</sup>
- Counseling for abuser<sup>16</sup>
- Attorneys fees<sup>17</sup>
- The abuser is not allowed to possess or purchase a firearm.<sup>18</sup>

## How Much Will It Cost?

It is free.<sup>19</sup>

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

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<sup>1</sup> N.H. Rev. Stat. Ann. §173-B:1(XV) (2007).

<sup>2</sup> *Id.* §173-B:1(X)(a).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* §173B:1(X)(b)

<sup>5</sup> *Id.* §173-B:1.

<sup>6</sup> *Id.* §173-B:3(II)(a), (b).

<sup>7</sup> *Id.* §173-B:4(I).

<sup>8</sup> *Id.* §§173-B:3(VII), B:4, B:5(VI).

<sup>9</sup> *Id.* §173-B:5(I)(a)(2),(3).

<sup>10</sup> *Id.* §173-B:5(I)(a), (IV).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* §173-B:5(I)(b)(1), (6).

<sup>13</sup> *Id.* §173-B:5(I)(b)(8).

<sup>14</sup> *Id.* §173-B:5(I)(b)(9).

<sup>15</sup> *Id.* §173-B:5(I)(b)(1).

<sup>16</sup> *Id.* §173-B:5(I)(b)(8).

<sup>17</sup> *Id.* §173-B:5(I)(b)(10).

<sup>18</sup> *Id.* §173-B:5(II).

<sup>19</sup> *Id.* §173-B:3(III).

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free from violence and free from fear.



## NEW JERSEY

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

### Do I Qualify for a Protection Order in New Jersey?

#### Type of Relationship<sup>1</sup>

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

- You are dating or used to date
- You live with or used to live with (as long as both of you are 18 or older)
- You are married to or used to be married to
- You have a child with (including if you are pregnant with the abuser's child)

#### Type of Abuse<sup>2</sup>

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

#### Age

If you are 18 or older, you can obtain a protection order on your own without an adult's permission.<sup>3</sup> If you are under 18, you can get a protection order by yourself without an adult's involvement if you are dating the abuser<sup>4</sup> or have been emancipated.<sup>1</sup> However, you can only get a protection order against an abuser who is over 18 or has been emancipated.<sup>5</sup>

### How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within ten days of your request for protection.<sup>6</sup> After the hearing, the judge may grant you a permanent protection order.

### 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 your residence, school, workplace, and other specific places<sup>7</sup>
- Abuser must not harass, stalk, threaten, or contact you, your family or your co-workers<sup>8</sup>
- Temporary child custody and visitation<sup>9</sup>
- Child and spousal support<sup>10</sup>
- Use of the home or provide other housing<sup>11</sup>
- Money for damages caused by the abuser<sup>12</sup>
- Counseling for abuser<sup>13</sup>
- Attorneys fees<sup>14</sup>
- You may get temporary possession and use of the car and other essential items<sup>15</sup>
- Abuser must not use and must surrender any firearms<sup>16</sup>

### How Much Will It Cost?

It is free.

<sup>i</sup> An emancipated minor is a minor who has been married, has entered military service, has a child or is pregnant, or has been declared by a court or administrative agency to be emancipated. NJ Stat. § 2C:25-19(e) (2007).

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free from violence and free from fear.

- 
- <sup>1</sup> NJ Stat. § 2C:25-19(d) (2007).  
<sup>2</sup> *Id.* § 2C:25-19(a).  
<sup>3</sup> *Id.* § 2C:25-19(e).  
<sup>4</sup> *Id.* § 2C:25-19(d).  
<sup>5</sup> *Id.* § 2C:25-19(a).  
<sup>6</sup> *Id.* § 2C:25-29(a).  
<sup>7</sup> *Id.* §2C:25-29(b)(6).  
<sup>8</sup> *Id.*  
<sup>9</sup> *Id.* § 2C:25-29(b)(11); *Id.* § 2C:25-29(b)(3).  
<sup>10</sup> *Id.* § 2C:25-29(b)(10).  
<sup>11</sup> *Id.* § 2C:25-29(b)(2).  
<sup>12</sup> *Id.* § 2C:25-29(b)(4).  
<sup>13</sup> *Id.* § 2C:25-29(b)(5).  
<sup>14</sup> *Id.* § 2C:25-29(b)(4).  
<sup>15</sup> *Id.* § 2C:25-29(b)(9).  
<sup>16</sup> *Id.* § 2C:25-29(b).

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# NEW MEXICO

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

## Do I Qualify for a Protection Order in New Mexico?

### Type of Relationship

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

- You are or used to be involved in a personal relationship with<sup>1</sup>
- You live with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- Who is your parent or your child<sup>5</sup>
- You are related to by blood or marriage (including stepparent or in-laws)<sup>6</sup>

### Type of Abuse<sup>7</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Harassed you, including telephone harassment
- Stalked you
- Caused you emotional distress
- Criminally damaged your property
- Harmed or threatened to harm your children

### Age

If you are 18 or older, you can obtain a protection yourself without an adult's permission. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order from the police at any time. An emergency order lasts for 72 hours.<sup>8</sup> Whether or not you have an emergency order, you can go to court to file for a temporary protection order. The judge can give you the temporary order that day and will schedule a full hearing within 10 days.<sup>9</sup> After the hearing, a judge can grant you a permanent protection order which lasts 6 months and is renewable for an additional 6 months.<sup>10</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser must stay away from you<sup>11</sup>
- The abuser cannot abuse or contact you<sup>12</sup>
- Temporary child custody and visitation<sup>13,14</sup>
- Temporary child and spousal support<sup>15</sup>
- Counseling<sup>16</sup>
- Money for damages caused by the abuser<sup>17</sup>
- Use of property<sup>18</sup>

## How Much Will It Cost?

It is free.<sup>19</sup>

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

---

<sup>1</sup> N.M. Stat. Ann §40-13-2(D) (2007).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* §40-13-2(A),(D).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* §40-13-2(D).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* §§40-4-8, 40-13-2.

<sup>8</sup> *Id.* §40-13-3.2(E).

<sup>9</sup> *Id.* §40-13-4(C), (D).

<sup>10</sup> *Id.* §40-13-6(B).

<sup>11</sup> *Id.* §40-13-5(A).

<sup>12</sup> *Id.* §40-13-5(A)(3).

<sup>13</sup> *Id.* §40-13-5(A)(2).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* §40-13-5(A)(6).

<sup>17</sup> *Id.* §40-13-5(A)(5).

<sup>18</sup> *Id.* §40-13-5(A)(1).

<sup>19</sup> *Id.* §40-13.3.1.

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# NEW YORK

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

## Do I Qualify for a Protection Order in New York?

### Type of Relationship

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

- You date or used to date<sup>1</sup>
- You are living with or used to live with, in an intimate relationship<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood or marriage<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Threatened physical abuse
- Stalked you

### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission; judges' interpretation of the law may differ in courts around the state.<sup>1</sup> Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If you want a protection order, you can go to the court and file for temporary protection order. If the judge gives you a temporary order, you will have to attend another hearing where the judge can grant you a permanent protection order. This lasts up to two years under normal circumstances or five years under especially dangerous circumstances.<sup>7</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser must stay away from your home, school, work, or any other specific places.<sup>8</sup>
- The abuser must stay away from your spouse, parents, or children.<sup>9</sup>
- Money for damages caused by the abuser<sup>10</sup>
- Child custody and visitation<sup>11</sup>
- Child support<sup>12</sup>
- Counseling for the abuser at abuser's expense<sup>13</sup>
- Attorneys fees<sup>14</sup>

## How Much Will It Cost?

It is free.

<sup>1</sup> Judges may look to New York's Civil Practice Law and Rules for guidance, which advises courts to consider a minor's competency before the court. A judge may appoint a guardian ad litem or allow a minor to proceed with an attorney or law guardian, with or without parental consent.

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

---

<sup>1</sup> N.Y. Fam. Ct. Act § 812(1)(e) (2007

<sup>2</sup> *Id.* § 812(1)(e).

<sup>3</sup> *Id.* § 812(1)(d).

<sup>4</sup> *Id.* §812(1)(b), (c).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* § 812(1).

<sup>7</sup> *Id.* § 842.

<sup>8</sup> *Id.* § 842(a).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* § 841(e), (i).

<sup>11</sup> *Id.* § 842.

<sup>12</sup> *Id.* § 842.

<sup>13</sup> *Id.* § 842(g).

<sup>14</sup> *Id.* § 842(f).

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# NORTH CAROLINA

Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, North Carolina's grade for protecting teen victims of dating and domestic violence is an F.

## Do I Qualify for a Protection Order in North Carolina?

### Type of Relationship

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

- You live with or used to live with (as long as you and the abuser are a man and a woman)<sup>1</sup>
- You are dating or used to date (as long as you and the abuser are a man and a woman)<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- Who is your parent, child, grandparent or grandchild (you may not get a protection order against a child or grandchild under age 16)<sup>5</sup>
- Who is or was a member of your household<sup>6</sup>

### Type of Abuse<sup>7</sup>

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
- Inflicted substantial emotional distress

### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, the court will appoint a guardian ad litem for you.<sup>8</sup> This person can be your parent or another adult that the court approves.

## How Do I Get a Protection Order?

If you want to obtain a protection order, you can go to court to file for a temporary protection order. A judge can give you the temporary order that day and will schedule a time for you to come back to court for a full hearing.<sup>9</sup> After the hearing, a judge can give you a final order that lasts one year and is renewable.<sup>10</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not contact, harass, threaten, or visit you at home or at work<sup>11</sup>
- Abuser must not purchase a firearm<sup>12</sup>
- Temporary child custody and visitation<sup>13</sup>
- Child and spousal support<sup>14</sup>
- Temporary and/or exclusive use of the property (includes providing alternate housing)<sup>15</sup>
- Counseling for abuser<sup>16</sup>
- Attorneys fees<sup>17</sup>

## How Much Will It Cost?

It is free.<sup>18</sup>

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free from violence and free from fear.

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<sup>1</sup> N.C. Gen. Stat. §50B-1(b)(2) (2006).

<sup>2</sup> *Id.* §50B-1(b)(6) (2006).

<sup>3</sup> *Id.* §50B-1(b)(4).

<sup>4</sup> *Id.* §50B-1(b)(1).

<sup>5</sup> *Id.* §50B-1(b)(3).

<sup>6</sup> *Id.* §50B-1(b)(3), (5).

<sup>7</sup> *Id.* §50B-1.

<sup>8</sup> N.C. R. Civ. P. 17

<sup>9</sup> *Id.* §50B-2(c).

<sup>10</sup> *Id.* §50B-3(b).

<sup>11</sup> *Id.* §50B-3(a)(9).

<sup>12</sup> *Id.* §50B-3(a)(11).

<sup>13</sup> *Id.* §50B-3(a)(4), (a1).

<sup>14</sup> *Id.* §50B-3(a)(6),(7).

<sup>15</sup> *Id.* §50B-3(a)(2),(3),(5).

<sup>16</sup> *Id.* §50B-3(a)(12).

<sup>17</sup> *Id.* §50B-3(a)(10).

<sup>18</sup> *Id.* §50B-2(a).

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## NORTH DAKOTA

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

### Do I Qualify for a Protection Order in North Dakota?

#### Type of Relationship<sup>1</sup>

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

- You are dating or used to date
- You are living with or used to live with
- You have a child with
- You are married to or used to be married to
- Who is your parent or your child
- You are related to by blood or marriage
- Whom the judge decides you have a relationship with that is sufficient to qualify

#### Type of Abuse<sup>2</sup>

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

#### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

### How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order any time. An emergency protection order lasts for 72 hours.<sup>3</sup> Whether or not you have an emergency order, you may go to court to file for a temporary protection order. The judge can give you a temporary order the day you file and will schedule a full hearing within 14 days.<sup>4</sup> After the hearing, a judge can grant you a permanent protection order. The permanent order lasts for as long as the judge orders.

### What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not contact, harass, threaten, or molest you<sup>5</sup>
- Temporary child custody and visitation<sup>6</sup>
- Child and spousal support<sup>7</sup>
- Temporary possession or use of the home, car and other essential personal items<sup>8</sup>
- Counseling<sup>9</sup>
- Attorneys fees<sup>10</sup>

### How Much Will It Cost?

It is free.<sup>11</sup>

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free from violence and free from fear.

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<sup>1</sup> N.D. Cent. Code §14-07.1-01(4) (2007).

<sup>2</sup> *Id.* §14-07.1-01.

<sup>3</sup> *Id.* §14-07.1-08.

<sup>4</sup> *Id.* §14-07.1-02(2); -03(4).

<sup>5</sup> *Id.* §14-07.1-02(4)(a).

<sup>6</sup> *Id.* §14-07.1-02(4)(c).

<sup>7</sup> *Id.* §14-07.1-02(4)(e).

<sup>8</sup> *Id.* §14-07.1-02(4)(b), (f).

<sup>9</sup> *Id.* §14-07.1-02(4)(d).

<sup>10</sup> *Id.* §14-07.1-02(4)(e).

<sup>11</sup> *Id.* §14-07.1-03(6).

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## OHIO

**Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Ohio's grade for protecting teen victims of dating and domestic violence is an F.**

### Do I Qualify for a Protection Order in Ohio?

#### Type of Relationship

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

- You live with or have lived with in the last 5 years<sup>1</sup>
- You have a child with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- Who is your parent or your child<sup>4</sup>
- Who you are related to by blood or marriage and you live with or used to live with<sup>5</sup>

#### Type of Abuse<sup>6</sup>

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
- Stalked you
- Recklessly endangered you

#### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, you will need a parent or adult household member to file for you.<sup>7</sup>

### How Do I Get a Protection Order?

If you want to obtain a protection order, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 7 to 10 days.<sup>8</sup> After the hearing, a judge can grant you a permanent protection order which lasts 5 years and is renewable.<sup>9</sup>

### What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not abuse you or your family or household members<sup>10</sup>
- Abuser must stay away from your home, school, and work<sup>11</sup>
- Temporary child custody and visitation<sup>12</sup>
- Temporary and/or exclusive use of the property or provide alternate housing<sup>13</sup>
- Child and spousal support<sup>14</sup>
- Counseling<sup>15</sup>

### How Much Will It Cost?

It is free.<sup>16</sup>

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<sup>1</sup> Ohio Rev. Code Ann. §3113.31(A)(4) (2007).

<sup>2</sup> *Id.* §3113.31(A)(3)(b).

<sup>3</sup> *Id.* §3113.31(A)(3)(a)(i).

<sup>4</sup> *Id.* §3113.31(A)(3)(a)(ii).

<sup>5</sup> *Id.* §3113.31(A)(3)(a).

<sup>6</sup> *Id.* §§3113.31(A)(1), 2903.211, 2911.211.

<sup>7</sup> *Id.* §3113.31(C).

<sup>8</sup> *Id.* §3113.31(D)(2)(a).

<sup>9</sup> *Id.* §3113.31(E)(3)(a), (c).

<sup>10</sup> *Id.* §3113.31(E)(1)(a).

<sup>11</sup> *Id.* §3113.31(E)(1)(g).

<sup>12</sup> *Id.* §3113.31(E)(1)(d).

<sup>13</sup> *Id.* §3113.31(E)(1)(b), (c).

<sup>14</sup> *Id.* §3113.31(E)(1)(e).

<sup>15</sup> *Id.* §3113.31(E)(1)(f).

<sup>16</sup> *Id.* §3113.31(J).

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# OKLAHOMA

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

## Do I Qualify for a Protection Order in Oklahoma?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You live or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- Who is your parent or child<sup>5</sup>
- You are related to by blood or marriage, includes step-parents, in-laws, and adoption or foster relationships<sup>6</sup>
- Who stalked or raped you, whether or not you have a relationship with or even know them<sup>7</sup>

### Type of Abuse<sup>8</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Sexually abused you
- Emotionally distressed you
- Harassed you
- Stalked you
- Sexually harassed you
- Harassed you through obscene telephone calls

### Age

If you are 16 or older, you can get a protection order yourself, without an adult's permission.<sup>9</sup> If you are under 16, you will need an adult family or household member to file for you.<sup>10</sup> You can get a protection order against anyone who is 13 or older.<sup>11</sup>

## How Do I Get a Protection Order?

If you want to get a protection order, you can go to court to file for a temporary protection order.<sup>12</sup> The judge can give you a temporary order that day and will schedule a full hearing within 20 days.<sup>13</sup> After the hearing, a judge can grant you a permanent protection order which lasts 3 years and is renewable.<sup>14</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Anything necessary to stop the domestic abuse against the victim<sup>15</sup>
- Stop visitation or order supervised visitation<sup>16</sup>
- Counseling for both parties<sup>17</sup>
- Abuser must not use and must surrender any guns used to commit the domestic violence<sup>18</sup>
- Attorneys fees<sup>19</sup>

## How Much Will It Cost?

It is free.<sup>20</sup>

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<sup>1</sup> Okla. Stat. Ann. tit. 22, §60.1(5) (2007).

<sup>2</sup> *Id.* §60.1(4)(G).

<sup>3</sup> *Id.* §60.1(4)(H).

<sup>4</sup> *Id.* §60.1(4)(A), (B).

<sup>5</sup> *Id.* §60.1(4)(D), (E).

<sup>6</sup> *Id.* §60.1(4).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.* §§60.1(1)-(3); tit. 22, §60.2(A).

<sup>9</sup> *Id.* §60.2(A).

<sup>10</sup> *Id.* §60.2(A).

<sup>11</sup> *Id.* §60.1(1)-(2).

<sup>12</sup> *Id.* §60.3(A).

<sup>13</sup> *Id.* §60.4(B)(1)-(2).

<sup>14</sup> *Id.* §60.4(G)(1).

<sup>15</sup> *Id.* §60.4(C)(1).

<sup>16</sup> *Id.* §60.4(I)(1).

<sup>17</sup> *Id.* §60.4(E)(1)-(2).

<sup>18</sup> *Id.* §§60.8; tit. 21, §1290.11(A)(8).

<sup>19</sup> *Id.* §60.2(C).

<sup>20</sup> *Id.* §60.2(C)(1).

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# OREGON

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

## Do I Qualify for a Protection Order in Oregon?

### Type of Relationship

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

- You are sexually intimate with (or have been sexually intimate with in the last two years)<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood, marriage, or adoption (as long as both of you are adults)<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Sexually abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Recklessly endangered you
- Placed you in fear of imminent bodily injury

### Age

If you are 18 or older, you can get a protection order on your own without an adult's permission. If you are under 18, you can file on your own if the abuser is your spouse, former spouse or you are sexually intimate with your abuser and your abuser is 18 or over.<sup>7</sup> If you are under 18 and want a protection order against anyone else, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If you want a protection order, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a date for a full hearing. After the hearing, the judge can grant you a permanent order which lasts for 1 year and is renewable.<sup>8</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- The abuser cannot enter or try to enter a place or surrounding areas where you are<sup>9</sup>
- Abuser cannot intimidate, molest, interfere or contact you in person, by phone or by mail<sup>10</sup>
- Temporary child custody and visitation<sup>11</sup>
- Attorneys fees<sup>12</sup>
- Abuser is required to attend perpetrator intervention program<sup>13</sup>
- Any other relief necessary for safety and welfare of you and your children<sup>14</sup>

## How Much Will It Cost?

It is free.<sup>15</sup>

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free from violence and free from fear.

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<sup>1</sup> Or. Rev. Stat. §107.705(3)(e) (2005).

<sup>2</sup> *Id.* §107.705(3)(d).

<sup>3</sup> *Id.* §107.705(3)(f).

<sup>4</sup> *Id.* §107.705(3)(a), (b).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* §107.705

<sup>7</sup> *Id.* §107-726.

<sup>8</sup> *Id.* §§107.718(3), 107.725.

<sup>9</sup> *Id.* §107.718(1)(g).

<sup>10</sup> *Id.* §107.718(1)(e).

<sup>11</sup> *Id.* §107.718(1)(a), (4).

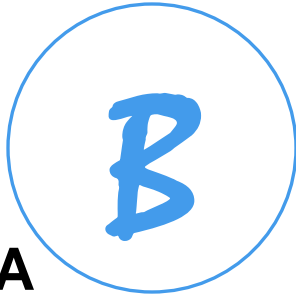
<sup>12</sup> *Id.* §107.716(2), §107.837.

<sup>13</sup> *Id.* §107.718(6)(c).

<sup>14</sup> *Id.* §107.718(1)(h).

<sup>15</sup> *Id.* §107.718(8)(c).

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# PENNSYLVANIA

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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Pennsylvania's grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Pennsylvania?

### Type of Relationship<sup>1</sup>

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

- You are or used to be involved in an intimate, sexual or dating<sup>2</sup> relationship with
- You live with or used to live with
- You have a child with
- You are married to or used to be married to
- Who is your parent or your child
- You are related to by blood or marriage

### Type of Abuse<sup>3</sup>

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

- Physically abused you, attempted to physically abuse you or put you in fear of serious bodily injury
- Sexually abused you
- Harassed you
- Recklessly endangered you
- Unlawfully held you against your will
- Stalked you

### Age

If you are 18 or older, you can get a protection order yourself without adult involvement.<sup>4</sup> If you are under 18, you will need your parent, adult household member, or a guardian ad litem to file for you.<sup>5</sup>

## How Do I Get a Protection Order?

A protection order may be available at any time. Even if the courts are closed you may apply for an Emergency Protection from Abuse Order. The emergency order lasts until the end of the next business day when the court is available.<sup>6</sup> Whether or not you have an emergency order, you may go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 10 days.<sup>7</sup> After the hearing, a judge can grant you a final protection order, which lasts up to 3 years and is renewable.<sup>8</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser cannot abuse, stalk, contact, or harass you, your minor children or relatives.<sup>9</sup>
- Abuser must stay away from your school or work<sup>10</sup>
- Child custody and visitation<sup>11</sup>
- Other appropriate relief designed to bring an end to the abuse<sup>16</sup>
- Child and spousal support<sup>12</sup>
- Money for damages caused by the abuser<sup>13</sup>
- Abuser must not use and must surrender all firearms<sup>14</sup>
- Attorney fees<sup>15</sup>

## How Much Will It Cost?

It is free.<sup>17</sup>

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

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<sup>1</sup> 23 Pa. Cons. Stat. §6102(a) (2006).

<sup>2</sup> *Varner v. Holley*, 854, A. 2d 520, 522 (Pa. Super. 2004); *R.G. v. T. D.*, 672 A. 2d 341 (Pa. Super. 1996).

<sup>3</sup> *Id.* §6102.

<sup>4</sup> *Id.* §6102(a).

<sup>5</sup> *Id.* §6106(a).

<sup>6</sup> *Id.* §6110(b).

<sup>7</sup> *Id.* §6107(a).

<sup>8</sup> *Id.* §6108(d), (e)(1).

<sup>9</sup> *Id.* §6108(a)(1), (6), (9).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* §6108(a)(4).

<sup>12</sup> *Id.* §6108(a)(5).

<sup>13</sup> *Id.* §6108(a)(8).

<sup>14</sup> *Id.* §6108(a)(7).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.* §6108(a)(10).

<sup>17</sup> *Id.* §6106.

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# RHODE ISLAND

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

## Do I Qualify for a Protection Order in Rhode Island?

### Type of Relationship

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

- You are dating or dated within the past year<sup>1</sup>
- You are living with or have lived with in the past 3 years (if both of you are over 18)<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or have been married to<sup>4</sup>
- You are related to by blood or marriage<sup>5</sup>
- Who is your parent or child (includes step-children), but only if child is under 18<sup>6</sup>

### Type of Abuse<sup>7</sup>

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
- Stalked or cyberstalked you
- Sexually abused you

### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order from the police at any time. The emergency order lasts until the end of the next business day.<sup>8</sup> Whether or not you have an emergency order, you may go to court to file for a temporary protection order. A judge can give you a temporary order that day that lasts up to 21 days and will schedule a date for a full hearing.<sup>9</sup> After the hearing, a judge can grant you a permanent protection order which lasts 3 years and is renewable.<sup>10</sup>

## 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 and cannot assault, molest or both you<sup>11,12</sup>
- Abuser cannot contact you at home on the street, or other specified areas<sup>13</sup>
- Temporary, exclusive use of the home<sup>14</sup>
- Child custody<sup>15</sup>
- Child support (not to exceed for 90 day)<sup>16</sup>
- Abuser cannot use or must surrender firearm(s)<sup>17</sup>

## How Much Will It Cost?

It is free.<sup>18</sup>

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

---

<sup>1</sup> R.I. Gen. Laws §§8-8.1-1(3), 15-15-1(5) (2006).

<sup>2</sup> *Id.* §8-8.1-1(1).

<sup>3</sup> *Id.* §15-15-1(3).

<sup>4</sup> *Id.* §15-15-1(2).

<sup>5</sup> *Id.* §15-15-1(4).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* §§8-8.1-1(3), 15-15-1.

<sup>8</sup> *Id.* §§8.8.1-4(b)(1), 15-15-4(b).

<sup>9</sup> *Id.* §§8.8.1-4(a), 15-15-4(a).

<sup>10</sup> *Id.* §§8-8.1-3(i), 15-15-3(h)(2).

<sup>11</sup> *Id.* §§8-8.1-3(a)(1), 15-15-3(a)(1).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.* §§8-8.1-3(a)(1), 15-15-3(a)(1).

<sup>14</sup> *Id.* §§8-8.1-3(a)(1),(2); 15-15-3(a)(1),(2.)

<sup>15</sup> *Id.* §15-15-3(a)(3).

<sup>16</sup> *Id.* §15-15-3(a)(4).

<sup>17</sup> *Id.* §15-15-3(a)(5).

<sup>18</sup> *Id.* §15-15-2(c).

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



## SOUTH CAROLINA

Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, South Carolina's grade for protecting teen victims of dating and domestic violence is an F.

### Do I Qualify for a Protection Order in South Carolina?

#### Type of Relationship

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

- You live with or used to live with (if they are of the opposite sex)<sup>1</sup>
- You are married to or used to be married to<sup>2</sup>
- You have a child with<sup>3</sup>

#### Type of Abuse<sup>4</sup>

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

#### Age

If you are 18 or older, you can obtain a protection order yourself without an adult's permission. If you are under 18, you will need an adult household member to file for you.<sup>5</sup>

### How Do I Get a Protection Order?

If you want to obtain a protection order, you can go to court to file for a temporary order of protection. A judge can give you a temporary order that day and will schedule a full hearing within 15 days.<sup>6</sup> After the hearing, a judge can give you a permanent order of protection which lasts 6 months to 1 year and is renewable.<sup>7</sup>

### What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser cannot abuse, threaten, molest, communicate or attempt to communicate with you<sup>8</sup>
- Abuser must stay away from your home, school, work and other specified places<sup>9</sup>
- Temporary child custody and visitation<sup>10</sup>
- Temporary child and spousal support<sup>11</sup>
- Temporary and/or exclusive use of the home<sup>12</sup>
- Attorneys fees<sup>13</sup>

### How Much Will It Cost?

It is free.<sup>14</sup>

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

---

<sup>1</sup> S.C. Code Ann. §20-4-20(b)(iv) (2006).

<sup>2</sup> *Id.* §20-4-20(b)(i)-(ii).

<sup>3</sup> *Id.* §20-4-20(b)(iii).

<sup>4</sup> *Id.* §20-4-20

<sup>5</sup> *Id.* §20-4-40(a).

<sup>6</sup> *Id.* §20-4-50(a),(b).

<sup>7</sup> *Id.* §20-4-70(A).

<sup>8</sup> *Id.* §20-4-60(a)(1)-(2).

<sup>9</sup> *Id.* §20-4-60(a)(2).

<sup>10</sup> *Id.* §20-4-60(c)(1).

<sup>11</sup> *Id.* §20-4-60(c)(2).

<sup>12</sup> *Id.* §20-4-60(c)(3).

<sup>13</sup> *Id.* §20-4-60(c)(6).

<sup>14</sup> *Id.* §20-4-40(f).

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



## SOUTH DAKOTA

**Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, South Dakota's grade for protecting teen victims of dating and domestic violence is an F.**

### Do I Qualify for a Protection Order in South Dakota?

#### Type of Relationship<sup>1</sup>

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

- You live with or used to live with
- You have a child with
- You are married to or used to be married to
- You are related to by blood, marriage or adoption

#### Type of Abuse<sup>2</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you

#### Age

If you are 18 or older, you can get a protection order on your own without adult involvement.<sup>3</sup> If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

### How Do I Get a Protection Order?

If you want a protection order, you can go to court to request a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 30 days.<sup>4</sup> After a full hearing, a judge can grant you a permanent protection order which lasts up to 3 years.<sup>5</sup>

### What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not abuse you<sup>6</sup>
- Temporary or exclusive use of a joint residence<sup>7</sup>
- Temporary child custody and visitation<sup>8</sup>
- Temporary child and spousal support<sup>9</sup>
- Abuser cannot use or must surrender firearm(s)<sup>10</sup>
- Counseling for both parties<sup>11</sup>

### How Much Will It Cost?

It is free.<sup>12</sup>

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

- 
- <sup>1</sup> S.D. Codified Laws §25-10-1(2).  
<sup>2</sup> *Id.* §25-10-1.  
<sup>3</sup> *Id.* §26-1-1.  
<sup>4</sup> *Id.* §§25-10-4, 25-10-7, 25-10-7.1.  
<sup>5</sup> *Id.* §25-10-5.  
<sup>6</sup> *Id.* §§25-10-1(3), 25-10-5(1).  
<sup>7</sup> *Id.* §25-10-5(2).  
<sup>8</sup> *Id.* §25-10-5(3).  
<sup>9</sup> *Id.* §25-10-5(4).  
<sup>10</sup> *Id.* §25-10-24.  
<sup>11</sup> *Id.* §25-10-5(5).  
<sup>12</sup> *Id.* §25-9B-313.

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# TENNESSEE

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

## Do I Qualify for a Protection Order in Tennessee?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are married to or used to be married to<sup>4</sup>
- You have or used to have a sexual relationship with<sup>2</sup>
- You are related to by blood, marriage, or adoption<sup>5</sup>
- You live with or used to live with<sup>3</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Sexually assaulted you
- Attempted to physically abuse you
- Stalked you
- Threatened to abuse you
- Damaged your property
- Sexually abused you
- Unlawfully held you against your will

### Age

If you are 18 or older, you can get a protection order yourself.<sup>7</sup> If you are under 18, you will need one parent or guardian or a case worker from a child abuse or family violence nonprofit organization to sign the petition for you.<sup>8</sup> However, if a case worker files for you, you cannot get a protection order against your parents and a copy of the protection order and notice of all hearings must be sent to at least one parent or guardian, unless the judge decides it would create a threat of serious harm to you to do so.<sup>9</sup>

## How Do I Get a Protection Order?

If you want a protection order, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 15 days.<sup>10</sup> After the hearing, a judge may grant you a permanent protection order which lasts for less than one year and is renewable.<sup>11</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Order the abuser to not contact you directly or indirectly<sup>12</sup>
- Possession of the residence<sup>15</sup> or order the abuser to provide alternate housing<sup>16</sup>
- Order the abuser to not abuse, stalk, assault or threaten you or your minor children<sup>13</sup>
- Child and spousal support<sup>17</sup>
- Temporary child custody and visitation<sup>14</sup>
- Counseling for abuser<sup>18</sup>
- Provide for the custody and care of any animals<sup>19</sup>

## How Much Will It Cost?

It is free.<sup>20</sup>

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

---

<sup>1</sup> Tenn. Code Ann. §36-3-601(5)(C) (2007).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* §36-3-601(5)(B).

<sup>4</sup> *Id.* §36-3-601(5)(A).

<sup>5</sup> *Id.* §36-3-601(5)(D), (E), (F).

<sup>6</sup> *Id.* §§36-3-601(1), 36-3-602(a).

<sup>7</sup> *Id.* §36-3-601(2).

<sup>8</sup> *Id.* §36-3-602(b).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* §36-3-605(b).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* §36-3-606(a)(2).

<sup>13</sup> *Id.* §36-3-606(a)(1).

<sup>14</sup> *Id.* §36-3-606(a)(6).

<sup>15</sup> *Id.* §36-3-606(a)(4).

<sup>16</sup> *Id.* §36-3-606(a)(5).

<sup>17</sup> *Id.* §36-3-606(a)(7).

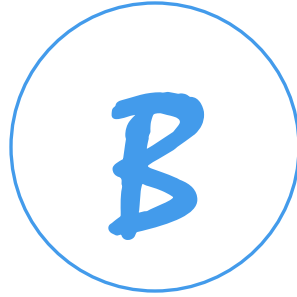
<sup>18</sup> *Id.* §36-3-606(a)(8).

<sup>19</sup> *Id.* §36-3-606(a)(9).

<sup>20</sup> *Id.* §36-3-617(a).

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# TEXAS

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**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Texas' grade for protecting teen victims of domestic and dating violence is a B.**

## Do I Qualify for a Protection Order in Texas?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You live with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood or marriage (including foster parent and child)<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you or attempted or threatened to physically abuse you
- Sexually abused you
- Sexually assaulted you

### Age

If you are 18 or over, you can get a protection order by yourself without an adult's involvement. If you are under 18, an adult family member or any adult may file for you.<sup>7</sup>

## How Do I Get a Protection Order?

If you want a protection order, you may go to court to file for a temporary protection order. A judge may give you temporary order that day that lasts up to 20 days and will schedule a full hearing within 14 days after filing.<sup>8</sup> After the hearing, a judge can grant you a permanent protection order which lasts for 2 years and is renewable.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not commit family violence, threaten or harass, annoy, alarm, abuse, torment, or embarrass you<sup>10</sup>
- The abuser cannot communicate directly or indirectly in a threatening or harassing manner (the only exception is that the abuser can communicate through an attorney)<sup>11</sup>
- Abuser must stay away from your residence, work, business, child care, school<sup>12</sup>
- Temporary or exclusive use of the home<sup>13</sup>
- Child and spousal support<sup>14</sup>
- Counseling for abuser<sup>15</sup>
- Prohibit the abuser from possessing a firearm<sup>16</sup>
- Attorneys fees<sup>17</sup>

## How Much Will It Cost?

It is free.<sup>18</sup>

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

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<sup>1</sup> Tex. Fam. Code Ann. §71.0021(b), (c) (2007).

<sup>2</sup> *Id.* §71.005

<sup>3</sup> *Id.* §71.003

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* §§71.004, 71.0021.

<sup>7</sup> *Id.* §82.002(a),(c).

<sup>8</sup> Tex. Fam. Code. Ann. §§84.001, 84.002.

<sup>9</sup> *Id.* §§85.025(a)(1), 82.008, 82.025, 82.0085.

<sup>10</sup> *Id.* §85.022(b)(2)(A)-(B); (b)(5).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* §85.022(b)(3)-(4).

<sup>13</sup> *Id.* §83.006, 85.021(2) (abuser must have committed violence within the last 30 days against household member, applicant must have lived in the house during the last 30 days, and must be likely danger of future abuse. If abuser owns the property, court must find an obligation to support party or child who is granted possession of house.).

<sup>14</sup> *Id.* §85.021(4).

<sup>15</sup> *Id.* §85.022(a)(1)-(2).

<sup>16</sup> *Id.* §85.022(b)(6).

<sup>17</sup> *Id.* §81.005.

<sup>18</sup> *Id.* §81.002.

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# UTAH

**Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Utah's grade for protecting teen victims of dating and domestic violence is an F.**

## Do I Qualify for a Protection Order in Utah?

### Type of Relationship

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

- You live with or used to live with<sup>1</sup>
- You are married to or used to be married to<sup>3</sup>
- You have a child with (including if you are pregnant with the abuser's child)<sup>2</sup>
- You are related to by blood or marriage (if a parent, child or sibling, you must be 18)<sup>4</sup>

### Type of Abuse<sup>5</sup>

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

- Physically abused you
- Sexually abused you or sexually harassed you
- Attempted to physically abuse you
- Possession of a deadly weapon with intent to assault you
- Harassed or stalked you
- Damaged your property
- Recklessly endangered you

### Age

If you are 16 or older, you can obtain a protection order yourself without an adult's permission. If you are under 16, Utah does not specify who files for you.<sup>6</sup> It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If you want a protection order, you can go to court to file for a temporary protection order. A judge can give you a protection order that day and will schedule a full hearing within 20 days.<sup>7</sup> After the hearing, a judge can give you a permanent protection order which lasts for either 150 days or 2 years.<sup>8</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not abuse, threaten, harass, telephone, contact or communicate with you, directly or indirectly<sup>9</sup>
- Use or possession of the home, car and other essential personal items<sup>12</sup>
- Abuser must stay away from your home, school, work and other places you or any family or household member frequent<sup>10</sup>
- Temporary child custody and visitation (including supervised visitation or stopping visitation for the safety of you or your child)<sup>13</sup>
- Child and spousal support<sup>11</sup>
- Abuser's gun can be taken away upon showing that it might pose a serious threat to you<sup>14</sup>

## How Much Will It Cost?

It is free.<sup>15</sup>

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

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<sup>1</sup> Utah Code Ann. §30-6-1(2)(b), (f) (2007).

<sup>2</sup> *Id.* §30-6-1(2)(d), (e).

<sup>3</sup> *Id.* §30-6-1(3)(a).

<sup>4</sup> *Id.* §30-6-1(3)(a).

<sup>5</sup> *Id.* §§30-6-1(1), 77-36-1(2).

<sup>6</sup> *Id.* §30-6-2.

<sup>7</sup> *Id.* §§30-6-4.2(1), 30-6-4.3(1).

<sup>8</sup> *Id.* §§30-6-4(1)(b)(v), 30-6-4.3(6)(a).

<sup>9</sup> *Id.* §30-6-4.2(2)(a)-(b), (e), (g).

<sup>10</sup> *Id.* §30-6-4.2(2)(c).

<sup>11</sup> *Id.* §30-6-4.2(2)(h).

<sup>12</sup> *Id.* §30-6-4.2(2)(c), (f).

<sup>13</sup> *Id.* §30-6-4.2(2)(f), (3)(b).

<sup>14</sup> *Id.* §30-6-4.2(2)(d).

<sup>15</sup> Utah Code Ann. §30-6-4(1)(a), (3).

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free from violence and free from fear.



## VERMONT

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

### Do I Qualify for a Protection Order in Vermont?

#### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You live with or used to live with<sup>3</sup>
- You are or used to be in a sexual relationship with<sup>2</sup>
- Who shared occupancy of a dwelling<sup>4</sup>
- In your family<sup>5</sup>

#### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you
- Sexually assaulted you
- Placed you in fear of imminent serious physical harm
- Stalked you

#### Age

If you are over 18, you can file for a protection order yourself, without an adult's involvement. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

### How Do I Get a Protection Order?

If you want a protection order, you can go to court and file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 10 days.<sup>7</sup> After the hearing, a judge can give you a permanent order which lasts as long as the judge orders and is renewable.<sup>8</sup>

### What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must stay a specific distance away from you and your children and cannot interfere with your personal liberty<sup>9</sup>
- Your abuser cannot contact you or your children by phone or mail.<sup>11</sup>
- Abuser must stay away from your residence and other places you often go to<sup>10</sup>
- Temporary child and spousal support (not to exceed 3 months)<sup>12</sup>

### How Much Will It Cost?

It is free.<sup>13</sup>

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

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<sup>1</sup> Vt. Stat. Ann. tit. 15 §1101(2) (2006).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* §1101(1).

<sup>7</sup> *Id.* §1104(b).

<sup>8</sup> *Id.* §1103(e).

<sup>9</sup> *Id.* §1103(c)(1).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* §1103(c)(5), (6).

<sup>13</sup> *Id.* §1103(f).

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



# VIRGINIA

Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protection orders, Virginia's grade for protecting teen victims of dating and domestic violence is an F.

## Do I Qualify for a Protection Order in Virginia?

### Type of Relationship

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

- You live with or have lived with in last 12 months<sup>1</sup>
- You have a child with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- In your family, including relatives, parents, step-parent, step-children, grandparents, grandchildren, and step/full siblings<sup>4</sup>
- Who is you are related to by marriage and who lives in your home<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you

### Age

If you are over 18, you can file for a protection order yourself, without an adult's involvement. If you are under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protection orders.

## How Do I Get a Protection Order?

If your situation is urgent, you can get an emergency protection order from the police at any time. Emergency orders last for 72 hours or until 5:00 p.m. the next day when the court is open.<sup>7</sup> Whether or not you have an emergency order, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 15 day to 30 days.<sup>8</sup> After the hearing, a judge can give you a permanent protection order which lasts up to 2 years.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser must not abuse or contact you or your family or household members<sup>10</sup>
- Temporary or exclusive use of the home or provide alternate housing<sup>11</sup>
- Possession and use of the car<sup>12</sup>
- Temporary child custody and visitation<sup>13</sup>
- Temporary child support<sup>14</sup>
- Attorneys fees<sup>15</sup>
- Counseling for abuser<sup>16</sup>

## How Much Will It Cost?

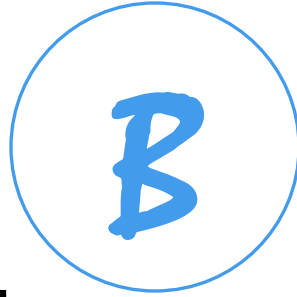
It is free.<sup>17</sup>

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

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- <sup>1</sup> Va. Code Ann. §16.1-228 (vi) (2006).  
<sup>2</sup> *Id.* §16.1-228(v)  
<sup>3</sup> *Id.* §16.1-228(i), (ii). .  
<sup>4</sup> *Id.* §16.1-228(iii), (iv).  
<sup>5</sup> *Id.*  
<sup>6</sup> *Id.* §1101(1).  
<sup>7</sup> *Id.* §16.1-253.4(c).  
<sup>8</sup> *Id.* §16.1-253.1(B)  
<sup>9</sup> *Id.*  
<sup>10</sup> *Id.* §16.1-279.1(A)(2)  
<sup>11</sup> *Id.* §§16.1-279.1(A)(6), 16.1-253.1(a)(4); 16.1-253.4(B)(3).  
<sup>12</sup> *Id.* §16.1-279.1(A)(5).  
<sup>13</sup> *Id.* §16.1-279.1(A)(8).  
<sup>14</sup> *Id.* §16.1-279.1(A1).  
<sup>15</sup> *Id.* §16.1-279.1(D).  
<sup>16</sup> *Id.* §16.1-279.1(A)(7).  
<sup>17</sup> *Id.* §16.1-279.1(I).

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





## WASHINGTON

Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Washington's grade for protecting teen victims of domestic and dating violence is a B.

### Do I Qualify for a Protection Order in Washington?

#### Type of Relationship

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

- You are dating or used to date (if you are both 16 years or older)
- You live with or used to live with while dating (if you are both 16 years or older)<sup>1</sup>
- You have a child with<sup>2</sup>
- You are married to or used to be married to<sup>3</sup>
- You live with or used to live with (if you are both over 18)<sup>4</sup>
- You are related to by blood or marriage (if you are both over 18)<sup>5</sup>
- Who is your parent, child, stepparent, stepchild, grandparent, or grandchild<sup>6</sup>

#### Type of Abuse<sup>7</sup>

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
- Sexually assaulted you
- Stalked you

#### Age

If you are 16 or older, you can get a protection order yourself without an adult's permission.<sup>8</sup> If you are under 16, you will need an adult family or household member to file for you.<sup>9</sup>

### How Do I Get a Protection Order?

If you want a protection order, you can go to court to file for a temporary order for protection, which will last for 14 to 24 days.<sup>10</sup> A judge can give you a temporary order that day and will also schedule a date for a full hearing. After the hearing, a judge can give you a permanent order for protection that will last for a fixed period or can be permanent and may be renewed 3 months before it expires.<sup>11</sup>

### 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<sup>12</sup>
- Abuser must not abuse or contact you or your child or household members<sup>13</sup>
- Counseling for abuser<sup>14</sup>
- Temporary possession or use of the home, car and other essential personal items<sup>15</sup>
- Attorneys fees and court costs<sup>16</sup>

### How Much Will It Cost?

It is free.<sup>17</sup>

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

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<sup>1</sup> Wash. Rev. Code Ann. §26.50-010(2),(3) (2007).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* §26.50.010(2).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* § 9-15-103.

<sup>8</sup> *Id.* §26.50.020(2).

<sup>9</sup> *Id.* §26.50.020(1)-(2).

<sup>10</sup> *Id.* §26.50.070(4).

<sup>11</sup> *Id.* §26.50.060(2)-(3).

<sup>12</sup> *Id.* §26.50.070(1)(c).

<sup>13</sup> *Id.* §26.50.070(1)(a), (e).

<sup>14</sup> *Id.* §26.50.060(1)(e).

<sup>15</sup> *Id.* §§26.50.010(7), 26.50.060(1)(b), (k)-(l)

<sup>16</sup> *Id.* §26.50.060(1)(g).

<sup>17</sup> *Id.* §26.50.030 (4).

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# WEST VIRGINIA

**Break** the Cycle

Empowering Youth to End  
Domestic Violence

[www.breakthecycle.org](http://www.breakthecycle.org)

[www.thesafespace.org](http://www.thesafespace.org)

888.988.TEEN

[askanything@breakthecycle.org](mailto:askanything@breakthecycle.org)

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

## Do I Qualify for a Protection Order in West Virginia?

### Type of Relationship

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

- You are dating or used to date (includes sexual and intimate partners)<sup>1</sup>
- You live with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- In your family, including parents, stepparents, in-laws, siblings, half and step siblings, stepchildren, aunts, uncles, nephew, nieces, cousins, or grandparents<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Attempted to physically abuse you
- Sexually abused or sexually assaulted you
- Harassed you
- Recklessly endangered you
- Sexually harassed you
- Unlawfully held you against your will
- Psychologically abused you

### Age

If you are 18 or older, you can get a protection order on your own, without an adult's involvement. If you are a minor, a family member or household member of the minor victim may file for you.<sup>7</sup>

## How Do I Get a Protection Order?

If you want a protection order, you can go to court to file for a temporary protection order. A judge can give you a temporary order that day and will schedule a full hearing within 10 days of issuing the temporary order.<sup>8</sup> After the hearing, a judge can give you a permanent protection order which lasts for 90 to 180 days.<sup>9</sup> A 90 day permanent protection order is renewable for an additional 90 days.<sup>10</sup>

## 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 and work<sup>11</sup>
- Abuser must not abuse, harass, stalk, threaten, intimidate, verbally harass, or contact you through telephone<sup>12</sup>
- Child custody and visitation<sup>13</sup>
- Child and spousal support<sup>14</sup>
- Money for damages caused by the abuser<sup>15</sup>
- Temporary and/or exclusive use of the property<sup>16</sup>
- Counseling for abuser<sup>17</sup>

## How Much Will It Cost?

It is free.<sup>18</sup>

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

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<sup>1</sup> W. Va. Code Ann. §48-27-204(3), (4) (2007).

<sup>2</sup> *Id.* §48-27-204(2), (5).

<sup>3</sup> *Id.* §48-27-204 (6).

<sup>4</sup> *Id.* §48-27-204 (1).

<sup>5</sup> *Id.* §48-27-204.

<sup>6</sup> *Id.* §48-27-202.

<sup>7</sup> *Id.* §48-27-305(2).

<sup>8</sup> *Id.* §48-27-403(d).

<sup>9</sup> *Id.* §48-27-505

<sup>10</sup> *Id.* §48-27-505(a), (b).

<sup>11</sup> *Id.* §48-27-503(2), (7).

<sup>12</sup> *Id.* §§48-27-502(a); 503(7), (9).

<sup>13</sup> *Id.* §48-27-503(3)-(4).

<sup>14</sup> *Id.* §48-27-503(5), (6).

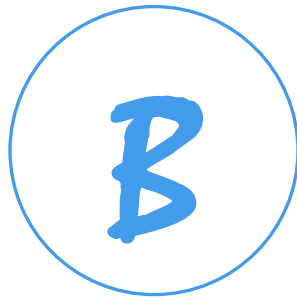
<sup>15</sup> *Id.*

<sup>16</sup> *Id.* §48-27-503(2).

<sup>17</sup> *Id.* §48-27-503(7).

<sup>18</sup> *Id.* §§48-27-308, 403(b).

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## WISCONSIN

**Each state has different requirements for getting a civil domestic violence protection order. Because it makes protection orders reasonably accessible to teens, Wisconsin's grade for protecting teen victims of domestic and dating violence is a B.**

### Do I Qualify for a Restraining Order in Wisconsin?<sup>i</sup>

#### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You live with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- You are related to by blood or adoption<sup>5</sup>
- Who has abused<sup>6</sup> or harassed<sup>7</sup> you)

#### Type of Abuse<sup>8</sup>

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

- Physically abused you
- Sexually abused or assaulted you
- Attempted or threatened to physically or sexually abuse you
- Stalked you
- Criminally damaged or threatened to damage your property
- Repeatedly harassed or intimidated you

#### Age

If you are 18 years old or older, you may get any restraining order on your own without an adult's permission. If you are under 18 years old, you do not qualify for a Domestic Abuse Restraining Order, however you may file for a Child Abuse Restraining Order or a Harassment Restraining Order by yourself, without an adult or your parent's permission. The court may choose to appoint a guardian ad litem for you.

### How Do I Get a Restraining Order?

If you qualify for a restraining order, you can go to court to file for a temporary restraining order. A judge can give you a temporary order that day and will also schedule a full hearing within 14 days of issuing a the order.<sup>9</sup> After the hearing, the judge may grant you a Domestic Abuse Restraining Order or a Harassment Restraining Order, which last up to 4 years<sup>10</sup>, or a Child Abuse Restraining Order, which lasts up to 2 years or until you turn 18.<sup>11</sup>

### What Can I Ask for in a Restraining Order?

You may ask the court for the following in a restraining order:

- Abuser cannot abuse, harass, or contact you<sup>12</sup>
- Abuser must stay away from your residence and other places you often go to<sup>13</sup>
- Temporary, exclusive use of property<sup>14</sup>
- Abuser must not use and must surrender any firearm(s)<sup>15</sup>

### How Much Will It Cost?

It is free.

<sup>i</sup> Wisconsin law provides for restraining orders under four separate statutes, three of which are addressed in this report card: Domestic Abuse Restraining Orders, Child Abuse Restraining Orders, and Harassment Restraining Orders. Domestic Abuse Restraining Orders are available only to petitioners over 18; Child Abuse and Harassment Restraining Orders are not limited by the age of the petitioner.

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

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<sup>1</sup> Wis. Stat. Ann. §813.12(1)(ag) (2006).

<sup>2</sup> *Id.* §813.12(1)(c).

<sup>3</sup> *Id.* §813.12(1)(b).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* §813.122.

<sup>7</sup> *Id.* §813.125.

<sup>8</sup> *Id.* §813.12(1)(am); *Id.* §813.122(1)(a); *Id.* §813.125(1).

<sup>9</sup> *Id.* §813.12(3)(a),(c); *Id.* §813.122(4)(a),(c); *Id.* §813.125(3)(a),(c).

<sup>10</sup> *Id.* §813.12(4)(c)(1); *Id.* §813.125(4)(c).

<sup>11</sup> *Id.* §813.122(5)(d)1.

<sup>12</sup> *Id.* §813.12(4)(a); *Id.* §813.122(5)(a); *Id.* §813.125(4)(a).

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* §813.12(4)(am); *Id.* §813.125(4)(am).

<sup>15</sup> *Id.* §813.12(4m); *Id.* §813.122(5m); *Id.* §813.125(4m).

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# WYOMING

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

## Do I Qualify for a Protection Order in Wyoming?

### Type of Relationship

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

- You are dating or used to date<sup>1</sup>
- You are living with or used to live with<sup>2</sup>
- You have a child with<sup>3</sup>
- You are married to or used to be married to<sup>4</sup>
- Who is your parent or your child (only if you are over 18)<sup>5</sup>

### Type of Abuse<sup>6</sup>

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

- Physically abused you
- Threatened to physically abuse you
- Attempted to physically abuse you
- Sexually abused you

### Age

If you are 16 or older, or legally married, you can obtain a protection order on your own.<sup>7</sup> If you are younger than 16, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a protection order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want orders of protection.

## 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 of protection. A judge can give you a temporary order of protection that day and will also schedule a full hearing within 72 hours of granting the temporary order.<sup>8</sup> After a full hearing, the court can grant you a permanent order of protection, which can last up to one year and is renewable.<sup>9</sup>

## What Can I Ask for in a Protection Order?

You may ask the court for the following in a protection order:

- Abuser cannot initiate contact with you<sup>10</sup>
- Abuser cannot abduct, remove, or conceal your children or property in your custody<sup>11</sup>
- Temporary or exclusive use of residence<sup>12</sup>
- Attorney fees<sup>13</sup>
- Temporary child custody and visitation<sup>14</sup>
- Temporary child and spousal support<sup>15</sup>
- Money for damage caused by abuser (including medical expenses)<sup>16</sup>
- Counseling for abuser for up to 90 days<sup>17</sup>

## How Much Will It Cost?

It is free.<sup>18</sup>

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

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<sup>1</sup> Wyo. Stat. Ann. §35-21-102(a)(iv)(H) (2006).

<sup>2</sup> *Id.* §35-21-102(a)(iv)(D), (F).

<sup>3</sup> *Id.* §35-21-102(a)(iv)(G).

<sup>4</sup> *Id.* §35-21-102(a)(iv)(A), (C).

<sup>5</sup> *Id.* §35-21-102(a)(iv)(E).

<sup>6</sup> *Id.* §35-21-102(a)(iii).

<sup>7</sup> *Id.* §§35-21-102(a)(i), 35-21-103(a).

<sup>8</sup> *Id.* §35-21-104(a)(iii).

<sup>9</sup> *Id.* §35-21-106(b).

<sup>10</sup> *Id.* §35-21-105(a)(iii).

<sup>11</sup> *Id.* §35-21-105(a)(iv), (v).

<sup>12</sup> *Id.* §35-21-105(a)(i).

<sup>13</sup> *Id.* §35-21-103(h).

<sup>14</sup> *Id.* §35-21-105 (b)(i).

<sup>15</sup> *Id.* §35-21-105 (b)(ii).

<sup>16</sup> *Id.* §35-21-105(b)(iii).

<sup>17</sup> *Id.* §35-21-105(a)(vii).

<sup>18</sup> *Id.* §35-21-103(d).

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free from violence and free from fear.



## STATE-BY-STATE REPORT CARD RECOMMENDATIONS FOR POLICY IMPROVEMENT

Break the Cycle's recommendations for improvement seek the removal of any and all barriers that might prevent a young person from accessing protection under the law. Even in states that received an "A" grade, there are ways to make laws more accessible to and protective of teens. Following is a brief overview of recommendations for state law improvement:

- States should permit minors 12-years-old and above to petition for domestic violence protection orders.
- States should remove restrictions that require parental involvement, permission and/or notification in order for minors to access civil domestic violence remedies.
- States should ensure minors can petition for custody and child support for their own children.
- States should promote education among their judges and within the juvenile system on the issue of teen dating violence.
- States should permit same-sex couples to access all civil domestic and dating violence remedies.
- States should specifically state that "dating" meets the relationship requirement within their domestic violence protection order and criminal statutes, regardless of the existence of a sexual relationship.
- State laws should provide for free legal services for minors seeking protection or, at a minimum, provide lay advocacy services for minor litigants.
- Statutes should ensure minors are legally able to consent to, contract for and afford services necessary to address domestic and dating violence, such as medical care and mental health services. That might require states to establish funding pools to help adolescents cover the costs of services which are not free.
- States should ensure that minors can apply for and access Crime Victims Compensation Funds to help cover the costs associated with their victimization and treatment.
- States should hold minor perpetrators accountable by allowing protection orders to be issued against them and creating youth-centered intervention programs. However, courts should also take into account the perpetrator's youth when determining appropriate court services and confidentiality.
- States should ensure that schools implement appropriate, effective prevention and intervention policies to address dating and sexual violence in a manner that respects victim confidentiality and holds perpetrators accountable.

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