

THE LAW

In order to be granted a protection order, you must be able to show the following two conditions

1. You must have a **domestic relationship** with the respondent. Domestic relationships include married or previously married, couples who have a child in common, couples who reside together or formerly resided together, related by blood, and adults and minors who have been or are currently in dating relationships. Roommates may qualify as well.
2. A recent **act or threat of violence** must have been committed against you by the respondent. An act of violence would include physical injury, sexual abuse, or forced imprisonment.

THE EX PARTE HEARING

- Your hearing today is an ex parte hearing, meaning the other party is not present.
- You will be called by the judge to give your testimony on the circumstances that led you to seek a protection order. Keep your testimony to incidences that are relevant to the conditions above.
- Make sure you have all relevant addresses (work, relatives, daycare) from which the respondent is to be restricted should you be granted a protection order.
- There are 3 possible outcomes at this hearing **1)** the temporary protection is granted. It will be in effect for up to 14 days at which time a secondary hearing will be held. **2)** The judge resets the hearing for both parties to be present, meaning there is *not* a temporary protection order in place. The other party will be served notice of the 14-day hearing. **3)** Finally, the judge may dismiss the order.

THE 14 DAY HEARING

- At this hearing the respondent will have a chance to appear and give his/her testimony.
- To prepare, bring witnesses and other evidence (photographs, phone/text messages, ER reports etc.). It may be helpful to have your testimony written down and to have considered any exceptions to the protection order (i.e. visitation, contact through attorneys, or by telephone etc.) At this time the Judge may issue an order for up to 1 year.
- If you don't appear for the 14-day hearing the protection order will be dismissed.

MODIFICATIONS & RENEWALS

- You may petition for a modification of any of the terms of the protection order throughout the duration of the order.
- Prior to the conclusion of the extended order, you may file a petition for a renewal of the protection order. The motion should be filed a minimum of 2 weeks prior to the order expiration.
- You must file all modifications and renewals at Ada County Courthouse. These petitions will be heard in front of a judge on the same calendar day as the 14-day hearings.

REMEMBER

- The protection order is not in effect until the respondent is served. The respondent will be served by law enforcement within 24 hours as long as he/she can be located (it is your responsibility to keep in touch with law enforcement as to the whereabouts of the respondent until he/she is served).
- Make copies of the protection order keep one with you at all times and at each address on the order.
- **Call 9-1-1** if the respondent violates the protection order. The respondent may be subject to arrest, fines, and/or imprisonment.
- Keep a written log of violations and abuse and report all incidences of physical abuse to the police.

