

ORDER OF PROTECTION - INFORMATION SHEET

You are about to ask for a Temporary Order of Protection as a victim of Domestic Abuse (partner/ex-partner or family/ex-family member) and/or Stalking (3 or more incidents of life-threatening events reported to Law Enforcement).

You are the PETITIONER. The Petitioner is the person being abused and/or stalked, and asking for protection. The RESPONDENT is the person you are asking the court to protect you from. A Temporary Order of Protection is an order, signed by a judge that restricts or prohibits the Respondent from contacting you. A Temporary Order of Protection is good for twenty (20) days or until a hearing is held and a Permanent Order is issued.

The attached Petition must be filled out by you COMPLETELY! If pages or sections are left blank, the order will NOT be entered into the law enforcement data base and cannot be enforced. This includes as many personal identifiers and information regarding the possible location of the Respondent as possible! Once the Petition is complete, you must appear in court before the Judge (any day at 10:00 a.m.) and swear to the information contained. If your Petition is not complete or detailed, you may be requested to add more information.

You have the right to appear in court on your own to request a Temporary Order of Protection. However, the following resources are available in your community to help you through this process:

The Friendship Center, 1430 N. Sanders, Helena, MT 442-6800
Montana Legal Services, 801 North Last Chance Gulch, Helena, MT 442-9830

When signed by a Judge, a Temporary Order of Protection goes into effect once the Respondent has been served with the paperwork by Law Enforcement. After the Judge signs the Order, these are the next steps:

- A hearing will be set by the Court within twenty (20) days.
- A copy of the Petition and Temporary Order will be given to the Lewis & Clark County Sheriff's Civil Department for service upon the Respondent.
- If law enforcement cannot find/serve the Respondent, the hearing cannot be held. If the Respondent has been served but chooses not to attend the hearing, the matter can still proceed, as long as the Petitioner is present.
- At the hearing you must be prepared to explain to the court why you are asking for an Order of Protection. This includes bringing evidence and witnesses to the hearing who have knowledge about the facts in your Petition.

You will need to be present at the hearing. If you do not appear, the Order of Protection will be dismissed and you will not be eligible to re-file unless there are further incidents reported to Law Enforcement.

You can call the Lewis & Clark County Sheriff's Office Civil Bureau at (406) 447-8219 to check the status of the service of the order.

You should keep copies of your Order with you at all times. It is a good idea to always carry one in your purse or wallet, as well as having a copy at work and at your children's schools.