

What if the restraining order or civil protection order is violated?

- ◆ The violation of a restraining order and civil protection order is a Class D Felony, punishable by a \$5,000 dollar fine and up to 5 years in prison.
- ◆ **Beginning January 1, 2015**, the penalty increases to a class C felony for violation of the restraining order if the respondent restricts the protected person's freedom ; or threatens, harasses, assaults, molests, sexually assaults or attacks the protected person.
- ◆ If you feel as if you are in immediate danger, always call the police at 911.

Did You Know....

There is **NO CHARGE** to apply for a restraining order or a civil protection order!



Some helpful resources:

**Connecticut Coalition
Against Domestic Violence**
1-888-774-2900

CT Law Help
Ctlawhelp.org

CT Office of Victim Services
1-800-822-8428
www.jud.ct.gov

Statewide Legal Services
1-800-453-3320



Office of the Victim Advocate
505 Hudson Street, 5th Floor
Hartford, CT, 06106
860-550-6632
Toll Free 1-888-771-3126
Fax: 860-560-7065
www.ct.gov/ova

Civil/Family Orders of Protection



What is the purpose of a restraining order and a civil protection order?

- ◆ Both orders of protection are issued by the civil/family court to protect the applicant from threats, harassment, or injury by the named respondent.
- ◆ A restraining order is most commonly issued in situations of domestic violence, where one family member is harming another.
- ◆ The civil protection order was created specifically to protect applicants who are not members of the same household as or blood related to the respondent.

Who can apply for a restraining order?

- ◆ A family or household member alleging continuous threat of present physical pain or physical injury, stalking, or a pattern of threatening behavior by another family or household member.
- ◆ This also includes people in present or past dating relationships.

Who can apply for a civil protection order?

- ◆ Any person who has been the alleged victim of sexual abuse, sexual assault, or stalking regardless of whether or not they are of the same family or household as the named respondent.

How long does a restraining order and a civil protection order typically last?

There are two types of orders:

- ◆ Ex-parte order: This is a temporary order of protection imposed by the court without the presence of the respondent that lasts 14 days until a hearing.
- ◆ Restraining Order or Civil Protection Order: This is the permanent order of protection that lasts for up to one year and is issued at the hearing.
- ◆ If you need to make the order last longer, you can file a motion for extension with the court, which can be found in the clerk's office and must be filed 3 weeks before the original order expires.

How to obtain a restraining order or a civil protection order:

- ◆ Fill out the necessary forms by either going to the local courthouse or www.jud.ct.gov/webforms/ and DO NOT sign these forms until you are in front of a court clerk or notary public.
- ◆ File your completed forms at the Family Court Clerk's Office at the courthouse that serves the towns where you or the respondent live.
- ◆ Once you bring the completed forms to the courthouse, the clerk will give them to a judge who will decide whether or not to issue you a temporary ex-parte order for 14 days.
- ◆ Even if the court does not grant you a temporary ex parte order, the court should schedule a full court hearing within 14 days. Once the judge has set a hearing date, you must arrange to serve the respondent with the court papers through the Marshal.
- ◆ The Marshal is required to serve the respondent the papers at least 5 days before the hearing. You must attend the hearing for the court to consider granting the permanent order.

*** PLEASE NOTE THAT THE CIVIL PROTECTION ORDER DOES NOT TAKE EFFECT UNTIL JANUARY 1, 2015**