



What is a protective order?

It is a court order, signed by a judge, designed to prevent further acts of domestic violence, dating violence, sexual assault or stalking.

The person who files for protection is called the PETITIONER; the person filed against is called the RESPONDENT.

What can a protective order do?

A judge can order the respondent to:

- Have no contact with you, your children, or others who might need protection either in person, by phone, text, email or social media, or through friends or family
- Stay away from your home, school, workplace or other places you may likely be
- Stop abusing or threatening you
- Leave a shared home

If you have children in common, the court may give you temporary custody and set up a visitation schedule, or order child support

Are there different types of protective orders?

Yes. In Kentucky there are two types of protective orders: Domestic Violence Orders and Interpersonal Protective Orders

Who can file for a Domestic Violence Order?

- family members (spouses, ex-spouses, parents, children, grandparents, grandchildren)
- couples who have lived together
- couple who have a child in common

Who can file for an Interpersonal Protective Order?

- people who are in or have been in a dating relationship
- people who have been sexually assaulted
- people who have been stalked

How do I get a protective order?

You have to show the court that you were physically injured, assaulted, sexually assaulted, or stalked by the respondent OR that the respondent did something to place you in a reasonable fear that you were about to be physically injured, assaulted, sexually assaulted, or stalked

Where do I go to get a protective order?

You should go to the Circuit Clerk's office – either in the county where you usually live, or the county to which you've fled in order to escape the abuse

After business hours, you should contact your local police or domestic violence program to find out what you have to do. Protective orders are available 24 hours per day, every day!

What happens when I ask for a protective order?

You will be asked to fill out a form called a Petition - someone will be available to assist you if you need help. This is where you will explain what happened and what your relationship is to the respondent (if any). The form is then reviewed by a judge, who will decide whether or not to set the matter for a court hearing. You will be told when to come to court for your hearing, and law enforcement officers will try to serve the appropriate paperwork on the respondent.

Will I be protected by a court order while I wait for my court hearing?

Yes - if the judge gave you an Emergency Protective Order or Temporary Interpersonal Protective Order. If the respondent violates that temporary order while you wait for a court hearing, he or she may be arrested if you call the police. However, you should also be thinking of other ways to keep yourself safe as well. You can contact your local domestic violence program to speak to an advocate about safety planning.

How will I know when the respondent gets notified to come to court?

You can register for VINE PO (Victim Information Notification Everyday – Protective Order) by phone at 1-877-687-6818 or online at www.registervpo.com. You will receive a phone call or email letting you know the abuser has received the court paperwork, and when you should come to court.

What happens when I go to court?

The judge will hold a hearing and listen to both sides. You can bring witnesses or things like medical records or police reports to prove that the abuse happened. Phone call logs, texts, emails or screen shots of social media posts might also be helpful. Afterward, you should be granted a long term order – a Domestic Violence Order or an Interpersonal Protective Order. These may last for up to three years.

What will the long term order say?

The long term order can do all the things that the temporary order did – such as order the respondent to not contact you or hurt you and decide custody and visitation. It can also order you or the respondent to go to domestic or dating violence counseling.

Can I ever change or extend the long term order?

Yes. If you need to change anything on the order, go back to the Circuit Clerk's office. This will put your case back before the judge. You can also do this before your order expires, if you want to try to get it extended.

Do I need an attorney to get a protective order?

You are not required to hire an attorney but you may wish to do so. The respondent may or may not hire an attorney to help them with their case. Sometimes you may be able to get an attorney for free through your local legal services office.*

What if the abuser is a minor or I am a minor?

An adult may file on behalf of a minor, but a minor may also be allowed to file for themselves – check with your local Circuit Clerk or law enforcement agency.

It doesn't matter if the person abusing you is a minor or an adult, you can still request a protective order.

What if I go to the same school as the abuser?

You must let the judge know this, so they will give you an order which keeps you protected while allowing both you and the abuser to continue your education. It is a good idea to let your school know as soon as you have a temporary order, so they may come to court for the hearing and the judge can hear directly from them about what would work best.

THERE ARE NO FEES OR COSTS TO YOU FOR ASKING FOR A PROTECTIVE ORDER.

***Kentucky Legal Services Offices:**

AppalRed: (866) 277 5733 www.ardfky.org (south and eastern KY)

Legal Aid Bluegrass: (859)431 8200 www.lablaw.org (central and northern KY)

Legal Aid Louisville: (800) 292 1862 www.laslou.org (Jefferson & surrounding counties)

Kentucky Legal Aid: (800)782 1924 www.klaid.org (western KY)