



What Happens After You Get An Order of Protection

Important Phone Numbers

Court Clerk

Domestic Violence Program/Hot Line
In the state where you got the order

State Police

Local Police

Your Lawyer

National Domestic Violence 24 hour HOT LINE
1-800-799-SAFE (7233)
1-800-787-3224 (TDD/TTY)
On the internet at:
www.thehotline.org/about-us/contact/



Legal Aid Society
of Middle Tennessee & the Cumberland

las.org

1-800-238-1443

In partnership with



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What if my abuser and I decide to get back together?

First, see what your Order of Protection says. Does the Order say the abuser must have no contact with you? Does the Order tell the abuser to move out of your home? Then you should file something to ask the judge to change the order so you can live together.

Does your Order tell the abuser not to hit or threaten you? Then you can live together without changing the Order.

To ask the judge to change your Order, you file a "Motion to Modify." A Motion to Modify asks the judge to change the Order of Protection. You may want to ask a private lawyer to do this for you. The Clerks may have forms you can fill out yourself.

The Order of Protection is a judge's order. You CAN'T say it is over or that your abuser can have contact. You must ask the judge to change the Order.

What happens to my Order of Protection if I move?

Are you moving to a different part of Tennessee? Your Order is good anywhere in Tennessee. Just keep it with you all the time. Then you can always show it to the police if you need to. Before you have a problem, you can give copies to the local police or sheriff. You may also give a copy to the court that handles Orders of Protection.

Your Order of Protection is good in another state. But states have different rules about using your Order. In some states you must file your Order of Protection with the local court.

How can you find out how to use your Order in your new state? Ask for our brochure "Using Your Order of Protection in Another State" OR call a court, a shelter for abused women or a Legal Aid office there.



What is an Order of Protection?

Your Order of Protection tells your abuser to leave you alone. Don't count on your Order by itself to keep you safe. Along with the Order, you need to help yourself.

You need a plan to help you stay safe. Make a plan even if you think there won't be a next time. Think of things to help keep yourself safe, and Legal Aid can help you make your safety plan. Here are some tips:

- Plan how to get out of your home if your abuser shows up.
- Always have a way to contact 911.
- Hide your purse and keys where you can always get them.
- Think of places you can go if you have to leave home. Pick at least one place your abuser won't think of right away.

Keep your signed Order of Protection with you at all times. This will help keep you safe and help the Police if you call them.

An Order of Protection tells the abuser not to hit or threaten you.

If your abuser hits or threatens you, call 911. Show your Order to the police. The police can arrest your abuser. But they have to know you have an Order of Protection. And they need to believe that your abuser has disobeyed it. They don't have to see the abuser disobey the Order, but they do have to believe he/she violated the Order.

If the Order says no contact, it means the abuser:

- Can't live with you.
- Must stay away from you.
- They must also stay away any children listed in the Order.
- Can't call or text you, send letters, emails, or send social media messages.
- Can't give you presents of any kind.
- Can't send you messages through friends, relatives, neighbors, or other people.
- Can't contact you any other way.

What if your abuser does any of these things? Call the Police. What if your abuser doesn't do everything the Order says? It's a serious sign of danger. Call the Police right away. You may also want to contact Legal Aid or a private lawyer.

Ways to avoid problems and be safer

- Do not communicate with your abuser in person, over the phone, social media, email or text
- Do not meet up with your abuser. If you see your abuser in public, leave the area.
- Stay away from your abuser's family and friends.
- Don't open the door until you know who is there. If your abuser comes to your home, DON'T let him/her in. Call 911.
- What if you are told you can have contact because the Order was changed or ended? Check with the court that issued the order first. Don't have any contact with the abuser until the court tells you it is OK OR you get a court paper saying the Order is changed or ended.

What happens if the police arrest my abuser?

There will be a hearing to decide if your abuser disobeyed the Order of Protection. Before the hearing, your abuser may get out of jail on bond. You should be contacted if he/she is let out of jail. Plan how to stay safe until the hearing.

Go to the hearing. To find out more about the hearing, call the District Attorney's office. At the hearing, if the Judge decides the abuser violated the Order, he/she can order different things. The judge can fine the abuser \$50 or send him/her to jail for up to 10 days. In some cases, it can be longer.



What if the police don't arrest my abuser?

You can ask the judge to punish the abuser for disobeying court orders. To do this, you file a Petition of Contempt at the Court. A Petition of Contempt is a paper that says how your abuser broke the order. It asks the judge to punish him/her. Before you file a Petition for Contempt, it's a good idea to see a lawyer. Your abuser may get a free lawyer. You have to get your own lawyer or speak for yourself in court.

Can anyone else be arrested if they disobey my Order of Protection?

No. Only your abuser can be arrested for breaking the order. If the abuser tells someone else to contact you, the abuser may be arrested for this. Call the Police if this happens.

What if criminal charges are filed against my abuser?

The District Attorney's office in your county will handle the case. Call them with questions about the criminal case. You won't need your own lawyer, but you must go to the criminal hearing. To find out the court date for the criminal case, call the General Sessions Court.

My Order of Protection says it ends on a certain date. What if I still need it after that?

You can ask the court to extend it. The Judge may decide to keep your Order going for another year or longer if there have been violations. If you decide you need the Order for more time, ask for this at least 30 days before your Order ends. Legal Aid may be able to help you fill out the paperwork. The Clerks may have papers you can fill out yourself. You can also ask a private lawyer for help. Just be sure to ask for more time before the Order ends.

Can the Order of Protection order things about children and support?

Your Order of Protection may also tell your abuser to pay child support. It may say the abuser can only see the children with another adult around. You must put the children on the Petition for Order of Protection to ask the court to order things about the children.

What about moving my children to another state?

Usually, you must tell the other parent before you move the child to another state. This is the law. But it is not true in every case. To see if this law applies to you, call Legal Aid or a private lawyer.