

## Restraining Orders: 101

A [restraining order](#) is a document, signed by a judge, that criminalizes legal behavior and allows it to be punishable in court. For example, a restraining order can make it illegal for an abuser to drive by your house. They're usually free to file and have served. Restraining orders can be obtained through:

- ◆ Criminal court - when an abuser is arrested; or
- ◆ Civil court - when a survivor of abuse requests it.

### Types of restraining orders:

Temporary ex parte orders - the respondent doesn't have notice, and the order can be issued on the same day that a victim files the petition. They usually last a short time.

Final orders - issued after the respondent is given notice and the chance to appear in court. If the abuser does not consent to the order, the judge will hear evidence and decide whether to grant the order.

### Tips for filing a restraining order:

- ◆ Be specific in the petition about the abuse you experienced.
- ◆ Think of your petition as a roadmap for anything you'd want to testify to at trial.
- ◆ Think through the type of help (relief) you need in the order.
- ◆ Gather evidence to support your claim of abuse. This can include screenshots of texts, emails, and social media posts; destroyed clothing; a damaged phone, or other items. You can also keep a log of abusive behavior, including details about the abuse and any witnesses.

If your restraining order is denied, you may consider contacting a [lawyer](#) to think through legal options, like appealing the decision. You can also contact a [local organization that deals with domestic violence](#) that might be able to provide support and help establish a safety plan.

You can find state-specific legal information on restraining orders, domestic violence, sexual assault, and stalking as well as resources for getting help on WomensLaw.org. You can send us your specific questions by writing to our Email Hotline at <https://hotline.WomensLaw.org>.

