

# Filing for a Protective Order

If you seek a temporary protective order, contact Courtney Hause, Campus Victim's Advocate ([courtney.hause@ung.edu](mailto:courtney.hause@ung.edu)). She will support you by helping you understand the process and find resources.

The process for obtaining a protective order may look different from county to county, and you must file the order in the county where the respondent (the accused) lives. Counties have different advocacy groups to guide victims through the process. If you do not have an attorney, you may be able to obtain one through an advocacy group.

## **Gather What You Will Need**

- Proof of identity, such as a valid Georgia driver's license
- Information about the respondent, such as their full name, date of birth, home address, and contact information.
- Required forms, such as a petition for a temporary protective order. There may be multiple documents required for one petition.
- Evidence that is specific and clearly documented. You may need to present proof of relationship to the respondent and proof of violence, such as assault, stalking, or threats. Consider creating a logbook of these events and when they occurred, this can show a frequency and escalation of behavior.
- Explanation of why you believe you need protection. You may need to explain why you believe the violence may occur in the future and why you fear for your safety.
- Witnesses who can provide testimony that supports the claims in your petition. This can include a family member or police officer. Your witnesses must be able to appear in person in court during a full hearing.

## **File a Protective Order Petition**

- There are three types of protective orders available in Georgia: family violence protective orders, stalking protective orders, and employer protective orders. You'll have to specify which type of protective order you are petitioning for.
  - Family violence protective orders: Victims of family violence can petition for a protective order against a spouse, family member, or household member that has committed an act of violence against the petitioner.
  - Stalking protective orders: Victims of stalking can petition for a protective order against someone who has followed, surveilled, or threatened the safety of the petitioner without their consent for the purpose of harassing and intimidating.
  - Employer protective orders: Victims of workplace violence can petition for a protective order against an employer that has threatened or committed an act of violence against the petitioner.

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- Your petition will be assigned a case number or docket number. Please keep this number for your records.

### **Appear in Court**

- You may have multiple court hearings during your petition process. On the day of your court appearance, arrive early and go to your assigned courtroom. Bring a copy of all your required forms and documents with you. The court may dismiss your case if you fail to attend your hearing.
- Your first court appearance may be an ex parte initial hearing. Your initial hearing could happen as early as the day you file a petition. The respondent is not notified of and does not attend this hearing. The judge will review your case and decide whether it is necessary to immediately grant an ex parte protective order that will last until the full hearing. If granted, the judge will order the local sheriff's department to serve the ex parte protective order to the respondent.
- Your full hearing will be within 30 days of you filing a petition. During the full hearing, the judge will hear your case and any witness testimony, review the evidence, and decide on the case. The judge will either dismiss the petition due to insufficient evidence or grant a temporary protective order.
- The judge may include stipulations related to child support, visitation, spousal support, family violence intervention programs, etc.

### **Next Steps**

- You will receive a certified copy if a temporary protective order is issued. The sheriff's department will serve the order to the respondent. The Superior Court Clerk's Office, the local sheriff's department, and the Family Violence Protective Order Registry will also have a record of this order.
- The temporary protective order goes into effect when the order has been served to the respondent.
- A violation of the protective order may result in immediate arrest, criminal prosecution, and/or penalties for contempt of court.
- Temporary protective orders usually expire after 6 to 12 months. You must petition the Superior Court if you wish for the order to be extended or converted to a permanent order.

*Adapted from: <https://georgia.gov/get-protective-order>*

### **Existing Protective Order**

- If you have an existing protective order, you can submit that information via the protective order questionnaire located at The University of North Georgia Department of Public Safety's website. This information is to give UNG Police vital knowledge of existing protective orders to better provide a safe environment for our students, faculty, and staff. <https://ung.edu/public-safety/>.