

What to do at the hearing:

- Dress nicely. Most courts have rules about clothing; no holey jeans, no hats, nothing revealing.
- Listen to all court employees and follow their instructions.
- If the Respondent doesn't show up, you may not have to testify. If they show up, you may have a hearing.
- Tell the judge what happened and why you need an order of protection.
- The Respondent, their attorney, or the Judge may question you.
- The Respondent may testify. If they do; you, your attorney, or the Judge may question them.
- After the hearing the judge will decide if you can get the order of protection and how long you will have it. The judge will also decide who pays the court costs.
- If you do not go to court, you will have to pay the court costs.



Scan the QR code for more information.

West Tennessee Legal Services

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Jackson

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Jackson, TN 38301

Memphis

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Dyersburg

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Dyersburg, TN 38024

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113 W Paris St
Huntingdon, TN 38344

Selmer

141 N Third St
Selmer, TN 38375

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WTLS EEOC Officer
210 W. Main St.
Jackson, TN 38301

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LEGAL SERVICES CORPORATION

ORDERS OF PROTECTION



WEST TENNESSEE LEGAL SERVICES

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FREE LEGAL HELP FOR LOW-INCOME FAMILIES WITH CHILDREN

What is an order of Protection?

It is a court order (paper) signed by a judge. You can get an Order of Protection for you and your children. This Order gives police the right to arrest your abuser without a warrant if violated.

You can get an order of protection against:

- Someone who stalked you.
- Someone who made you have sex against your will or made you afraid they would.
- Someone who has hurt or threatened to hurt you, if they are/were your spouse, family member, your child's other parent, someone you have lived with, or someone you have dated or had sex with.

How can you get an order of protection?

File the paperwork (petition) with the court clerk in the county where the abuse happened or where the other person lives. If the other person does not live in Tennessee, you can file where you live. A petition tells the judge why you want an order of protection.

When filling out the petition:

- You are the Petitioner.
- The person who stalked, threatened or hurt you is the Respondent.
- Read and fill out all blanks and boxes that are relevant to you.
- Tell how you have been hurt or threatened. Use details and try to give the exact dates when it happened.
- If you are under 18 and not married or legally emancipated, your parent, legal guardian, or caseworker must request an order of protection for you.
- You don't pay the court costs when you file.

An order of protection *may*:

- Make them move out and/or provide other housing for you and your kids.
- Prevent them from having a firearm.
- Order your telephone provider to transfer the billing and rights to you.
- Order them to go to counseling for anger, violence or addiction.
- Give you temporary custody of the children.
- Order them to pay you support for you and/or your children.
- Give you time to retrieve your property including pets.

Some courts will not discuss child support or custody but will refer you to another court

After you file your petition:

You may get a short-term order of protection until the court hearing if you are in immediate and present danger.

You will get a date to go to court to present your petition to the Judge.

- The Respondent must be personally served before the case can be heard.
- A process server will attempt service and provide notice of the hearing.
- If service is unsuccessful, the hearing will be rescheduled.
- You must attend all hearings. Failure to appear may result in dismissal, refiling, and court costs.

If you get an order of protection and the other person doesn't follow the rules it is called a violation.

- **Violation of the temporary order can occur before the hearing and result in arrest and jail time.**
- **A violation of an Order of Protection in Tennessee can result in immediate arrest by the police.**
- **A violation of the extended Order of Protection is a misdemeanor and results in a fine of up to \$2,500 and a jail sentence up to 11 months and 29 days.**