

CONSIDER

Think about **SAFETY PLANNING**

Safety at Home

Inform friends, family and neighbors that you have a protective order.

Change all your locks, check your windows for security and consider installing motion sensitive lights.

Ask police to do a safety check of your home for weak safety areas.

Keep a cell phone with you. Ask your local police about 911 cell phones.

Pack an overnight bag with copies of important papers and leave it in a safe place outside the home.

Safety at Work

When possible, talk to your boss about a safety plan at work. Try to arrange time off for court appearances.

Keep your restraining order with you at all times.

Let trusted co-workers and security know you have a restraining order.

Vary your schedule whenever possible.

If you are followed when in your car, go to the nearest police station, fire station or public place.

CONTACT

A Better Way Services, Inc.

CALL

765-747-9107

SUICIDE HOTLINE

1-800-273-TALK

24-HOUR CRISIS LINE

765-288-HELP

OTHER RESOURCES

ICADV

Indiana Coalition
Against Domestic Violence

24-Hour Hotline: 1-800-332-7385

NCADV

National Coalition
Against Domestic Violence

Website: ncadv.org

The National
Domestic Violence Hotline

24-Hour Hotline: 1-800-799-SAFE



The Community Foundation
of Muncie & Delaware County, Inc.



This program is funded in part by the City of Muncie's
Community Development Block Grant thru HUD.



a better way

PROTECTIVE ORDERS

INFORMATION | ADVOCACY | PREVENTION



OUR MISSION

To reduce domestic abuse, sexual assault and suicide through service, shelter, crisis intervention and prevention initiatives.



Learn more at
abetterwaymuncie.org

DEFINED

What is a

PROTECTIVE ORDER?

Indiana Orders of Protection (IC §34-6-2-121.6)

A protective order is a civil injunction used to protect you from someone who has abused, stalked, or harassed you. This includes, but is not limited to:

- **threatening to commit or committing an act of violence against you;**
- **abusing, harassing or contacting you or a member of your household;**
- **entering your property or workplace;**
- **damaging your property.**

Ex Parte Orders for Protection

If you are in immediate danger: An ex parte order can be issued as soon as you file your petition, without the abuser being present or notified beforehand, if you are the victim of domestic/family violence.

Either party then has 30 days from the date the abuser is served with the ex parte order to request a hearing on the ex parte order for protection.

The court cannot issue an ex parte order based only on harassment.

Final Orders for Protection

A final order for protection is one that is issued after a court hearing in which you and the abuser both have the right to attend a hearing and present evidence (i.e., testimony, witnesses, etc.).

You must attend that hearing even if the abuser does not. You can still get a final order even if the abuser does not attend, as long as they were served with notice of the hearing.

If you do not go to the hearing, your ex parte order may expire and you may have to start the process over again. If you are given a final order after a hearing, it will generally last for two years, unless otherwise stated.

How to File

Online E-Filing

Filing for an order of protection can now be completed online with (or without) a victim advocate. Filing is free of charge.

Visit: public.courts.in.gov/porefsp#

Speak With An Advocate

Although not required, you can speak with an advocate in your region, confidentially and free of charge, to help you assess your level of danger, plan for safety, and also assist you with completing the Protection Order Petition.

A Better Way: 765-747-9107

Muncie Victim Advocate Office: 765-747-4777

Delaware County Prosecutors: 765-747-7801

Creating an Account

To create an account, you will need the following:

- **Name**
- **Phone Number**
- **Address**
- **Secure Email Address**

Information Needed

- **The incident(s) that took place**
- **Any documents or photos that support your request**
- **Identify the protected party or parties (children/pets)**
- **Identify and describe the respondent (defendant)**
- **Any firearm or weapon restriction requests**

Court

The court **MUST** schedule a hearing within 30 days of the filing of the petition for an Order of Protection if the court orders the Respondent to give you possession of the residence or other essential personal property, visitation arrangements, ordering payment of fees or expenses, or prohibiting Respondent's gun use.

Frequently Asked

Do I need an attorney?

No. You **do not** need an attorney to file an order of protection. However, you may wish to have a lawyer, especially if the abuser has a lawyer and/or if your case is going to go to trial.

Visit indianalegalservices.org for free legal assistance.

Can I get an order of protection from any court in Indiana?

In all except small claims court. The petition must be filed in the county in which you live, the abuser lives or in which the abuse occurred.

What do I do with the order once it is granted?

Make copies. Keep one with you at all times. Keep a copy in your car, home, at work and at a friend's house. Follow up with the court to make sure the abuser is served (Indiana law requires that the abuser receive a copy of it).

What should I do if the abuser violates the order?

That is a crime in Indiana and the abuser can be arrested for violating it. If you don't feel safe call 911. When police arrive, show them the order; they should enforce it. Additionally, the violation of an order may also be considered civil contempt and you can request its enforcement by a judge.

What should I do if I move to or visit another county or state?

Your Indiana protective order is valid and enforceable in every other county and state. Be sure to carry a copy with you at all times.

Can I keep my new address secret?

If you move within Indiana you can participate in the Address Confidentiality Program. It allows you to use a post office box registered to the State Attorney General as your permanent address.

Your application must be signed by a trained victim advocate