

▶ What if the Respondent Contacts Me After I Obtain a Restraining Order or During the TRO?

In order for both the TRO and the Injunction to be effective, the respondent must know it exists (they must have been served) and you must report any violation to law enforcement. Call 911 immediately if you suspect or know of any violation of the order. This could result in an arrest and a criminal charge for violating a restraining order.

▶ What Else Can I Do?

Speak with an advocate, friends or family to develop a Safety Plan which may include but isn't limited to a restraining order. Speaking with an advocate at Advocates of Ozaukee is free. Advocates of Ozaukee provides legal advocacy by assisting with and accompanying petitioners to restraining order hearings, family law hearings and abuser's criminal hearings. Advocates of Ozaukee offers additional supportive services to survivors of domestic and sexual abuse.

Report the abuse to law enforcement. If your abusive partner has been arrested, speak with the Victim Witness Coordinator within the District Attorney's Office to explore additional No Contact Orders that could be included in a criminal case.

Explore starting or modifying orders within Family Court (divorce, legal separation, paternity) related to any child(ren) you share with your abusive partner. A domestic abuse restraining order may impact existing or future orders.

▶ Important Telephone Numbers

Emergency (All departments): 911

Non-Emergency

Ozaukee Sheriff's: 262-284-7172

Cedarburg Police: 262-375-7620

Fredonia Police: 262-692-9125

Grafton Police: 262-375-5320

Mequon Police: 262-242-3500

Port Washington Police: 262-284-2611

Saukville Police: 262-284-0444

Thiensville Police: 262-242-2100

Ozaukee County District Attorney

District Attorney: 262-284-8380

Victim Witness: 262-284-8387

Ozaukee County Clerk of Courts: 262-284-8409

Ozaukee County Department of Human Services

Child Protective Services: 262-284-8200

Counseling Center: 262-284-8128

Shelter and Advocacy Programs

Advocates of Ozaukee (Domestic and Sexual Abuse Service Provider): 262-284-6902

Family Promise (Homelessness): 262-268-2723

Probation and Parole: 262-375-7940

VINE (Statewide Service Notification Program):

1-855-948-7648, use your case number to register for notifications



SUPPORT SERVICES

Toll free: 1.877.375.4034

Local: 262.284.6902

Texting hotline: 262-891-7262

Business: 262.284.3577

Fax: 262.284.4403

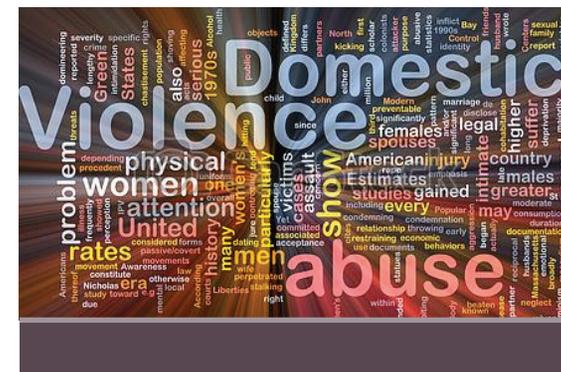
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Twitter account: [Advocatesofoz](https://twitter.com/Advocatesofoz)

OZAUKEE COUNTY

How to File a Domestic Abuse Restraining Order



▶ What is a Restraining Order?

A Restraining Order - also known as an Injunction - is a civil court order that prohibits certain types of contact between two individuals. The order cannot prevent contact but the abusive individual who violates the order can be arrested, and a violation of a restraining order can become a criminal offense. This brochure describes who can get a domestic abuse restraining order, what the order can include, and the procedure for applying for the order. The order is only one part of an overall safety plan, but it can be very important step toward having an abusive individual understand that society will not tolerate domestic abuse.

▶ Who Can File a Domestic Abuse Restraining Order? Against Whom Can a Domestic Abuse Restraining Order be Filed?

If you are an adult - 18 years+ - and the victim of domestic abuse as defined by the statute, you can file for a domestic abuse restraining order. The person filing is the Petitioner. You can apply for a restraining order against another **adult** who is: a spouse, former spouse, a current or former household member, a family member, an adult with whom you have a child in common, an adult with whom you've had a dating relationship, or an adult caregiver. The person you are filing against is the Respondent. The respondent must have engaged in or threatened to engage in any of the following behavior: intentional infliction of physical pain, physical injury or illness, intentional impairment of physical condition, sexual assault, damage to personal property, or threats of any of the above. Examples of these behaviors include- shoving, punching, breaking your phone, punching holes in walls, forcing sexual contact/activity, choking, or threats to engage in any of these examples.

▶ How Do I File for a Domestic Abuse Restraining Order?

You can apply/file for a restraining order at the Ozaukee County Justice Center with the Clerk of Courts - 1201 S. Spring Street, Port Washington, Wisconsin. Hours of operation for the Clerk of Courts are 8:30am to 5:00pm, Monday through Friday. It is free to file a restraining order. You will need to fill out several court forms and write a statement describing your experiences of domestic abuse and requesting protection. The court forms can be found at www.wicourts.gov under drop-down tab "Forms", "Circuit Court", "Civil", "Domestic Abuse Restraining Orders/Injunctions". You will need the forms numbered: CV-402, CV-403, CV-404, CV-432, CV-437, CV-502, CV-800, CV-801, CV-804, plus your statement. Your statement should be as detailed as possible using dates, times, locations and what was done or said by the respondent. The respondent will get a copy of all of the forms and your statement, except CV-502. An advocate can also provide you with the forms, assist you in completing the forms and writing a statement, and discuss and support you through the process- for free. An advocate can be requested through Advocates of Ozaukee.

▶ What Can I Request on the Order?

You can request that the respondent be ordered to do any of the following:

- Refrain from committing domestic abuse against you.
- Avoid your residence or any location where you may temporarily be located.
- Avoid contacting you or using any third party, other than an attorney or law enforcement, to contact you on their behalf.
- Refrain from harming or disposing of your household pet, and allowing you to retrieve your household pet.
- If you share a wireless phone provider, allow you to be removed from the shared service.
- Prevent the Respondent from owning or possessing a firearm for the duration of the restraining order.

▶ What Happens After I File the Forms?

The forms and your statement will be reviewed by the Court Commissioner or a Judge. That court official will grant or deny the Temporary Restraining Order (TRO) based on what was described in your statement. If the TRO is granted, the court official will schedule a hearing for the Restraining Order/Injunction. The TRO is in effect from when the respondent is served with copies of the paperwork until the date of the hearing. The hearing will be scheduled no more than 14 days after you file the paperwork. The Clerk of Courts will forward copies of the paperwork to the Sheriff's Department to request service. Service is delivery of the paperwork to the respondent and must be completed before the scheduled hearing. The hearing is the opportunity to request the restraining order be granted up to 4 years, or 10 years if there is evidence to prove substantial risk that homicide or sexual assault may occur.

At the hearing both you and the respondent will be given the opportunity to share with the Judge your positions on the allegations of domestic abuse. Both of you have the right to hire a private attorney, an attorney **will not** be provided to either person. Attorneys are not required. You must be present at the hearing if you want the restraining order to be extended beyond the TRO, and up to 4 years. The respondent is able to attend the hearing to object to the issuance of the restraining order. However, the respondent does not have to attend if they do not want to object to restraining order. The Judge will make a decision based off of testimony from both you and the respondent, and either grant or deny your request at the end of the hearing. Contact an advocate if you would like assistance with preparing for the hearing, and/or if you would like accompaniment to and support at the hearing.