

# MS PROTECTION ORDERS

## 5 THINGS YOU NEED TO KNOW ABOUT DOMESTIC ABUSE PROTECTION ORDERS

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### WHAT IS A DAPO?

A **D**omestic **A**buse **P**rotection **O**rders can require the abuser to do, or not to do, certain things that place you in fear or danger. For instance, a DAPO can require the abuser to stay away from your home, your place of employment or school. A DAPO can prohibit the abuser from contacting you in person, by phone, or electronically.

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### PART OF A COMPLETE SAFETY PLAN

REMEMBER that a DAPO is a court order – it is not a guarantee of safety. A DAPO can, however, be a useful tool as part of your safety plan, as law enforcement officers are required by law to enforce DAPOs and make warrantless arrests for knowing violations.

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### WHO CAN BE PROTECTED?

- You - the petitioner
- You may file on behalf of:
  - a minor if you are their parent, member of household or next friend
  - someone who is not mentally or physically able to file without the help of another
- Other household members may be included in the petition

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### WILL MY ABUSER KNOW ABOUT THIS?

Yes. When you ask the court for a DAPO, your abuser will be served with a Summons to appear in court for the hearing. They will also be provided a copy of your request for protection, and any emergency order that was issued.

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### WILL I HAVE TO GO TO COURT?

Yes. When you file a petition, the date and time for a hearing will be set. It is very important that you attend the hearing, even if you have already been given an emergency 10-day order. If you fail to appear for that hearing, the Court will dismiss your petition for protection ending any conditions that were set in place for your protection.

**CALL 911 TO REPORT VIOLATIONS**

# MYTH VERSUS REALITY



"I can file a domestic abuse protection order against anyone."



A DAPO can be filed against Current/ former spouses; People living as spouses or formerly lived as spouses; People having any children together; People related by blood or marriage who live together or formerly lived together; Current/ former dating relationship.

"I can only file for a DAPO at County Court in any city or county."

City courts, justice courts, county courts and chancery courts all have the authority to issue DAPOs; however final orders can only be issued by county or chancery courts. The petition must be filed where the abuse occurred or where the abuser lives.

"I can file my petition in any city or county."

The petition must be filed where the abuse occurred or where the abuser lives.

"I must hire an attorney in order to file a petition; I have to file charges against my abuser."

There is no law that requires someone to hire a lawyer or file charges to grant protection through a DAPO. Care Lodge is able to provide referrals for supportive services at the request of the victim.

"If I feel like it's safe, I can give my abuser permission to disregard the conditions outlined in the order."

No. Only the court can modify the DAPO. Even though the order is not against you, you should not do anything that could put yourself in a dangerous situation.



If you would like to know more about how DAPOs work, the court process, or how to increase your safety, ask for an advocate by calling  
**601.482.8719**