

# INFORMATION ABOUT TEMPORARY RESTRAINING ORDERS AND INJUNCTIONS ("PROTECTION ORDERS")

- The terms "Restraining Order" and "Protection Order" are interchangeable.
- The Clerk of Courts Office CANNOT provide legal advice.
- The Clerk of Courts Office has the forms that you need and collects the filing fee (if necessary).
- The forms are also available at the Green County Family Court website - <http://www.greencountyfcc.org/restrain.html>  
and at the Wisconsin Courts' website - <http://www.wicourts.gov/forms1/circuit.htm>

## What kind of Restraining Order do I want?

There are four kinds of Restraining Orders under Ch. 813 of Wisconsin Statutes:

1. Domestic Abuse: Section 813.12
2. Harassment: Section 813.125
3. Child Abuse: Section 813.122
4. Vulnerable Adult: Section 813.123

You must decide which type you qualify for. Please see the attached checklist. The Clerk of Courts cannot help you.

The Wisconsin Statutes are located online at

<http://www.legis.state.wi.us/rsb/stats.html>

## What if I have questions?

You need to read the statutes or talk to an attorney. The State Bar has a lawyer referral service, at 1-800-362-9082 or <http://www.legalexplorer.com>.

Also, Green Haven Family Advocates, 1811 11<sup>th</sup> St., Monroe, WI 53566 (phone: 608-325-7711) can provide help BUT ONLY if the case involves domestic abuse. GREEN HAVEN FAMILY ADVOCATES CANNOT PROVIDE LEGAL ADVICE TO YOU OR REPRESENT YOU IN COURT. They cannot help you if they helped someone else to get a restraining order against you or if they have helped the person that you want to get a restraining order against.

## **Kinds of Protection Orders:**

The following is a checklist which should help you to decide which kind of Protection Order to apply for:

### **1. Domestic Abuse** (you must be able to check at least one box from each of the 3 categories):

#### **A. I (the Petitioner) am:**

- An adult
- The guardian of an adult incompetent person

#### **B. The person I want the Order against (the Respondent) is:**

- A spouse, former spouse, parent, child, or person related by blood or adoption to me.
- A person who lives with me or lived with me in the past.
- The other parent of my child.
- A person who provides in home or community care for me.
- A person I dated or am dating.

#### **C. Types of Domestic Abuse:**

- Intentionally causing physical pain, physical injury or illness
- Threatening to cause physical pain, physical injury or illness
- Worsening a physical condition
- Threatening to worsen a physical condition
- Disabling a physical condition
- Threatening to disable a physical condition
- Damage to your personal property
- Sexual contact without consent
- Threatening to have sexual contact without consent
- Sexual intercourse without consent
- Threatening to have sexual intercourse without consent

### **2. Harassment** (you must be able to check at least one box from the following):

- Strikes, shoves, kicks or has other physical contact
- Attempts to strike, shove, kick or have other physical contact
- Threatens to strike, shove, kick or have other physical contact
- Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose
- Stalking

**3. Child Abuse** (you must be able to check at least one box from each of the 2 categories):

**A. I (the Petitioner) am:**

- The child
- A parent of the child
- A stepparent of the child
- A legal guardian of the child

**B. Types of Child Abuse:**

- Injuring a child (not accidentally)
- Sexual intercourse
- Sexual contact
- Sexual exploitation
- Permitting, allowing or encouraging the child to violate prostitution laws
- Forcing the child to view sexual activity
- Exposing genitals or pubic area to the child
- Causing the child to expose genitals or pubic area
- Emotional damage

**4. Vulnerable Adult** (you must be able to check at least one box from each of the 2 categories):

**A. I (the Petitioner) am:**

- A developmentally disabled person
- An adult with infirmities of aging
- A parent of a developmentally disabled person
- A parent of an adult with infirmities of aging
- An adult sibling of the vulnerable adult
- The legal guardian of a developmentally disabled person
- The legal guardian of an adult with infirmities of aging

**B. Types of abuse:**

**The Respondent has interfered with or could interfere with:**

- An investigation by the county protective services agency
- The delivery of protective services
- A protective placement