

How Do I Get a Restraining Order?



WHAT IS A RESTRAINING ORDER?

An Injunction Against Harassment and an Order of Protection are both types of restraining orders. A restraining order is a court order that prohibits someone from contacting or approaching you. The order can only be issued against one person.

Do I need an Injunction Against Harassment or an Order of Protection?

The type of relationship you have with the person controls which type of order you request.

INJUNCTION AGAINST HARASSMENT

- Applies to: anyone including someone you have dated in the past but not lived with, neighbors, friends, or strangers.
- There must be a series of harassment before a judge will consider granting the order. A series is two or more harassing, annoying or alarming acts that have occurred in the past year.
 - *Tip: Record dates of incidents.*
- You must tell the person that you are going to apply for an injunction, or give the judge a good reason why you have not.

ORDER OF PROTECTION

- Applies to: someone with whom you share a “family” relationship, a current or previous romantic or sexual partner, or someone you live with now or have lived with in the past.
- Intended to: prevent acts of domestic violence.
- The person you want an order of protection against must have committed or threatened to commit an act of domestic violence against you or a family member within the last year.

How do I get one?

- Download and complete the form via the link listed in this pamphlet and take it with you to court, or complete the form given to you by staff at the courthouse.
- Go to the clerk’s desk at the courthouse to file the paperwork.
- After you complete and file the paperwork, you will be scheduled to appear the same day before a judge, who will review your petition and either grant or deny it.

Is there a fee to file?

There is NO filing fee.

What information do I need for the paperwork?

- Defendant’s name (the defendant is the person you are filing against), other defendant identifiers such as address or date of birth, to the best of your knowledge.
- Your name, telephone number, address (may request it remain confidential), and date of birth.
- Be prepared to describe your relationship to the defendant.
- Know specifics including, what type of contact you are trying to prohibit, i.e. in-person, social media, third parties, electronic.

If the petition is granted by the judge:

- Court staff will complete the necessary paperwork for you.
- Court staff will explain how to “serve” the defendant, which is the procedure by which the defendant receives notice.
- The defendant must be served with the injunction or the order before it becomes effective.

Are there fees for service?

- **Injunction Against Harassment:**
A fee will be charged for serving the defendant; however, there is NO fee if the petition arises out of a dating relationship.
- **Order of Protection:**
There is NO fee for serving the defendant.

Using the Pima County Constables Office is the easiest way to get the other party served. UAPD does not serve injunctions unless the injunction involves University business.

What do you do after service is complete?

- Once an injunction or order has been served, it is important to keep a copy of the injunction or order with you at all times.
- It will be in effect for twelve (12) months.

What does the University of Arizona Police Department (UAPD) need?

- Make three (3) copies of the injunction or order, one for UAPD, one for Tucson Police Department (or other local jurisdiction) and one for yourself.
- Bring a copy to UAPD even if it has not yet been served.
- Once the injunction or order has been served give UAPD a copy of the served injunction or order.

Can I pick and choose when to enforce the injunction or order?

- No, both parties are bound by the injunction and cannot pick and choose when and how to enforce it.

What happens if the defendant violates the order or injunction?

IN AN EMERGENCY CALL 911!

- Once the injunction or order is served on the defendant, a violation of the court order is a criminal act.
- If the defendant does not follow the terms, then the police should be notified of a violation.
 - Note: If it has NOT been served, the defendant is not legally obligated to follow the order.

FILING AN INJUNCTION OR ORDER

Where do you get one?

An injunction or order may be filed in any of the following courts, Monday through Friday, between the hours of 8:00 AM and 4:30 PM.

- **Pima County Superior Court,**
Clerk's Office, 110 W. Congress, 1st Floor
(520) 740-3272
- **Pima Consolidated Justice Court**
240 N. Stone Avenue
(520) 724-3171
- **Pima County Juvenile Court, Clerk's Office**
2225 E. Ajo Way
(520) 740-4412
- **Tucson City Court**
103 E. Alameda Street
(520) 791-4971

After 4:30 PM weekdays, or at any time on a weekend or holiday, contact the Tucson Police Department (520-791-4444) or the Pima County Sheriff's Department (520-351-4600).

In case of an emergency, call 911.

FORMS

Injunction Against Harassment

www.tucsonaz.gov/files/courts/PoGeneralPetition.pdf
www.tucsonaz.gov/files/courts/POGuideSheet.pdf

Orders of Protection

https://www.tucsonaz.gov/files/courts/PO_Order_of_Protection_Form.pdf
https://www.tucsonaz.gov/files/courts/PO_Order_of_Protection_Guide_Sheet.pdf

RESOURCES

General Student Resources, Referrals & Support

Student Legal Services

<http://legal.asua.arizona.edu>
(520) 621-2782

Emerge! – Center Against Domestic Abuse (off-campus)

www.emergecenter.org
(888) 428-0101

Student Assistance

<http://deanofstudents.arizona.edu/student-assistance>
(520) 621-7057

Survivor Advocates

<http://survivoradvocacy.arizona.edu>
(520) 621-5767

Women & Gender Resource Center

<http://wgrc.arizona.edu>
(520) 621-4498

Health and Well-being

Campus Health Services

www.health.arizona.edu
Main: (520) 621-6490 After Hours: (520) 570-7898

Counseling and Psych Services at Campus Health

www.health.arizona.edu/counseling-psych-services
(520) 621-3334

Coordinator for Sexual Assault and Trauma

Treatment Services (part of Counseling and Psych Services at Campus Health)

Interim/Immediate Measures

Dean of Students Office

<http://deanofstudents.arizona.edu>
(520) 621-7057

Interim measures are steps taken by the University and are independent from legal action. Interim measures can include: No contact orders, temporary emergency housing, changes to class or activity schedules, etc.