

CONFIDENTIALITY

The defendant will receive a copy of the plaintiff's petition that includes all protected addresses and the allegations made against the defendant. If the defendant does not already know your address, you can request that your address be kept confidential by the court.

CONTESTMENT HEARING

The defendant has the right to contest the protective order one time throughout the duration of the active order (365 days). The requested hearing will be held within 5-10 business days after a written request has been filed in the court which the order was issued. At the hearing, the order may remain in effect, be modified, or quashed (dismissed). If the plaintiff does not appear at the hearing, their order may be quashed. Therefore, plaintiffs must notify the court of any change in their contact information to ensure they are notified of any hearing dates and times.

LAW ENFORCEMENT CIVIL STANDBY

If the plaintiff or defendant need to obtain personal belongings from the other party, a civil standby may be requested. A civil standby allows either party to return one time with a law enforcement officer to obtain necessary personal belongings from the residence.

MODIFYING OR QUASHING A PROTECTIVE ORDER

In order to modify or quash an active protective order, the plaintiff must return to the court where the order originated. Additional paperwork may need to be filed and the plaintiff will always meet with the judge prior to any changes of the order. Only a judge can modify or quash a protective order. Nothing can be done to stop, change, or undo a protective order without the court's written approval. It is recommended a person seeking to quash or modify a protective order first speak to a victim advocate to safety plan.

VICTIM ASSISTANCE

Victim Advocates are available at Glendale City Court, Glendale Police Victim Assistance, and Glendale City Prosecutors Office. In addition to assisting with protective orders, advocates can assist with safety planning and provide additional community resources to crime victims. Contact information for advocates can be found on the back of this brochure.



Emergency
911

Glendale Police Non-Emergency
(623) 930-3000

Glendale Police; Victim Assistance
(623) 930-3030

Glendale City Prosecutors Office
(623) 930-3475

Glendale City Court
(623) 930-2400

Maricopa County Superior Court
(602) 506-3204

Community Information & Referral
(800) 352-3792

Arizona Coalition to End Sexual and Domestic Violence
(602) 279-2900

National Coalition Against Domestic Violence
(800) 799-7233

www.domesticshelters.org

www.azpoint.azcourts.gov

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August 2020

ORDERS OF PROTECTION



GLENDALE POLICE DEPARTMENT

ORDERS OF PROTECTION DEFINED

An *Order of Protection* is a court order issued by a judge to stop a person from committing domestic violence acts or from contacting other parties protected by the order. The order of protection can also bring other forms of relief such as defining exclusive use of the home, adding other protected parties, and removing firearms from the home.

A person is eligible for an order of protection if one of the following applies to the plaintiff/defendant relationship:

- Married (past or present)
- Currently live or have lived together previously
- Romantic/Sexual (past or present)
- Parent of a child in common
- One party is pregnant by the other
- Related as parent, grandparent, child, grandchild, brother, sister (or in-law/step)
- Dating (not romantic or sexual)

INJUNCTION AGAINST HARASSMENT

An *Injunction Against Harassment* is a court order issued by a judge to stop a person from harassing, annoying, or alarming another person. A relationship between the plaintiff and defendant does not have to exist, as is required by an order of protection. In order to petition the court for an injunction against harassment, the defendant must have committed a series of acts of harassment against the plaintiff in the last year. Sexual violence victims can obtain an injunction against harassment after a single act of harassment within the last year.

INJUNCTION AGAINST WORKPLACE HARASSMENT

An *Injunction Against Workplace Harassment* may be filed by an employer or owner of a business for the benefit of an employee/business.

EMERGENCY ORDER OF PROTECTION

A law enforcement officer can contact the judge to request an *Emergency Order of Protection* during the hours that the court is closed. This order may be granted by a judge in writing, verbally, or by telephone for a person in “imminent and present danger of domestic violence.” An emergency order of protection is valid for 72 hours or until the close of the next business day, whichever is longer.

GENERAL INFORMATION

The Plaintiff is the person who files a petition at the court in order to obtain a protective order. The Defendant is the person who the petition for a protective order is filed against.

In order to petition the court for a protective order, the plaintiff will need:

- Full name and date of birth (if known) of the person you are seeking protection from (defendant)
- Home or work address (if known) where the defendant resides or works
- Any past or present court proceeding information involving the plaintiff and defendant
- The dates and facts of the domestic violence or harassing acts

FILING A PETITION FOR A PROTECTIVE ORDER

In order to complete the petition, the plaintiff will need to have an email address. If the plaintiff does not have a pre-existing email that is safe, they are requested to create one prior to beginning the petition process. To start a new petition, visit the Arizona Protective Order Initiation and Notification Tool (AZPoint) at azpoint.azcourts.gov.

- Click **Create Account** and enter your contact information
- Go to your email and verify your account
- Click **Start a New Petition** and answer all the questions
- Click **Save Progress** often to save
- After answering all the required questions, click **Make Court Ready**
- Then click **Save Petition**

Once the petition has been saved, the portal will give the plaintiff a confirmation number. Bring this confirmation number to the courthouse. The clerks will print the documents and the plaintiff will then see a judge. If the judge grants the protective order, the plaintiff will receive a copy of the petition.

SERVICE OF THE PROTECTIVE ORDER

Service of the protective order can only be completed by law enforcement or a process server. There are no fees associated with the service of an order of protection, however some fees may apply to the service of an injunction against harassment by a process server.

Orders of protection are electronically sent to the law enforcement agency where the defendant lives or works in order to serve them. Injunctions against harassment are not sent electronically to law enforcement and it is up to the plaintiff to contact a process server to have their order served.

Orders of protection, injunctions against harassment, and injunctions against workplace harassment orders are all valid for one year from the date the defendant is served with the court order. The petition alone is not enforceable by law until it is served on the defendant.

OTHER PROTECTED PARTIES

It is possible that the plaintiff will be referred to Superior Court if shared children are requested as protected persons in a protection order. Only a Superior Court can decide child custody or parenting time. Plaintiffs that wish to add additional adults to their protective order may be told that the additional adults need to be present and/or request their own protective order. Pets that were involved with an incident or may be in danger of the defendant may also be listed on the order for protection.

FIREARMS

The plaintiff may request the judge order the defendant not to possess firearms while the order is in effect because of the risk of harm to the plaintiff or other protected parties. Law enforcement officers have no legal authority to enter the defendant's residence or search the defendant's person for firearms unless other probable cause exists.