

Will an Order of Protection Always Keep Me Safe?

Not necessarily. Studies show that Orders of Protection lower but do not eliminate the risk of ongoing, future violence. Most abusers do obey the Order, but some do not. However, not leaving an abusive partner can be extremely dangerous as the violence often escalates.

It may be appropriate to consider moving to a domestic violence shelter or to a different location that is unknown to the other person. An Order of Protection can help protect you, but it is still just a piece of paper.

Don't let the Order give you a false sense of security. Trust your instincts and do whatever is necessary to protect yourself.

This pamphlet was prepared as a public service to assist victims of domestic violence. It attempts to answer many frequently asked questions. However, it is not intended to be a comprehensive statement of Missouri law. You are encouraged to contact an attorney regarding your specific situation.

What if the Abuser Violates the Order of Protection?

If the person violates the Order, there are procedures in place to assist and protect you. As much as law enforcement officers and the Prosecuting Attorney may want to help you, the law defines which acts are criminal and which are civil.

You should file a report with law enforcement, and they or your advocate can provide you with the pamphlet specifically describing procedures for violations of Orders of Protection.

The Prosecuting Attorney may be able to file charges if evidence proves that the person violated the order by physically abusing or stalking you or by being at a location forbidden by the Order. Remember that the terms abuse and stalking have specific, limited definitions under Missouri law.

For all other violations the Judge will review the action when you file a civil notice advising the Judge that the person has violated the Court's Order. The Court has forms for this purpose and the Court Advocate can assist you. You can also file this notice for situations where the Prosecuting Attorney is also filing criminal charges.

ORDERS OF PROTECTION

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GENERAL PROCEDURES

PREPARED AND DISTRIBUTED BY:
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AND

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