

## Change of Address

If you move after the court issues the restraining order, contact the clerk's office to find out how to update your information.

## Length of the Restraining Order

The new Order of Protection, and Additional Orders of Protection if ordered, are good for six (6) months, unless the Judge orders a different length of time.

About five (5) weeks before the end of the restraining order, the Office of Victim Services will mail you a letter, to the address listed in the order, or your new address if you gave it to the court, telling you the end date of the restraining order.

## Violating the Restraining Order

If the Respondent violates any order issued you should contact the police immediately and file a complaint.

## Extending the Restraining Order

If you want the restraining order to continue after the period ordered by the court, you must file a Motion to Extend with the clerk's office. To keep the order from running out, you should file the motion at least two (2) to three (3) weeks before the restraining order ends.

After the motion is filed, the clerk will schedule a hearing, and return the motion to you for delivery to the Respondent. To have the motion delivered to the Respondent, follow the steps listed in the "Delivery to the Respondent (Service of Process)" section of this brochure.

On the hearing date, the same court procedures apply as described in "The Court Hearing" section of this brochure.

## For more information contact:

**Office of Victim Services**

**1-800-822-8428**

225 Spring Street

Wethersfield, CT 06109

[www.jud.ct.gov/crimevictim](http://www.jud.ct.gov/crimevictim)

## Domestic Violence Programs

### *Shelter • Information • Referrals*

Domestic Violence programs are located throughout the State of Connecticut. The programs provide a 24-hour hotline, information, referrals, and shelter to victims of domestic violence.

## Statewide Domestic Violence Hotline

**1-888-774-2900**

## ADA Notice

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at [www.jud.ct.gov/ADA/](http://www.jud.ct.gov/ADA/).

**Disclaimer:** This publication has been put together by the Judicial Branch as a public service and under the provisions of section 46b-15b of the Connecticut General Statutes. It is based on the Connecticut General Statutes in effect at the time of publication. This information is not intended as a substitute for getting legal advice from a Connecticut attorney. You are responsible for any actions you take on your own behalf. The clerk's office may assist you with procedural questions; however, the staff cannot act as your attorney or give legal advice and are not responsible for any errors or omissions in these procedures. If you need more information or assistance, you should either contact an attorney or read the appropriate sections of the Connecticut General Statutes and the Connecticut Practice Book.

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# Restraining Orders:

## How to Apply for Relief from Abuse



[www.jud.ct.gov](http://www.jud.ct.gov)

State of Connecticut Superior Court

## The Forms You Need to Apply for a Restraining Order

Fill out an Application for Relief From Abuse form (JD-FM-137), and an Affidavit — Relief From Abuse form (JD-FM-138).

If you want temporary custody of your children, fill out an Affidavit Concerning Children form (JD-FM-164).

**Note:** The person who fills out the Application for Relief From Abuse form (JD-FM-137) is called the “Applicant” in the restraining order process.

The person the Application for Relief From Abuse form is filed against is called the “Respondent”.

### Application Procedures

You must give the filled-out forms to the court clerk. The Application and Affidavits(s) must be signed in front of a clerk, notary public or lawyer.

The Application and Affidavits(s) will be reviewed by a Judge. You may be asked by the Judge why you are asking for the restraining order when the Judge reviews the Application.

### Fees

You do not have to pay court fees to file the Application or for any motion to change or extend the order. The fee for delivery of the Application (known as service) and any orders issued without a hearing (ex parte) will be paid for by the Judicial Branch.

### After the Judge Rules on the Application

After the hearing, if the judge ordered that you get a restraining order, the clerk’s office will process the papers and give you two (2) certified copies of a:

- Order of Protection form (JD-CL-99) and, if appropriate
- Additional Orders of Protection form (JD-CL-100)

The clerk will also return to you the original:

- Application for Relief From Abuse form (JD-FM-137)
- Affidavit – Relief From Abuse form (JD-FM-138)
- Affidavit Concerning Children form (JD-FM-164)

The clerk will also give you a:

- Order and Notice of Court Hearing form (JD-FM-140)
- General Restraining Order Notifications form (JD-CL-104)

- Restraining Order Service Instructions/Profile form (SMC-1)

You should keep one of the certified copies of the Order of Protection form (JD-CL-99) and Additional Orders of Protection form (JD-CL-100), if ordered, with you at all times and the other certified copy of the orders in a safe place.

The orders granted by the Judge will last no more than fourteen (14) days; they can be extended later at the hearing.

The clerk will send a copy of the order or information in the order to law enforcement within forty-eight (48) hours.

### Delivery to the Respondent (Service of Process)

To make sure that the Respondent knows about the restraining order, if the court ordered one, and about the hearing date, bring all of the forms the clerk gave you to a State Marshal or any proper officer for delivery to the Respondent. (The clerk or someone at a Court Service Center can explain to you who a “proper officer” is). You may get a current list of State Marshals from the clerk’s office or the Judicial Branch web site at [www.jud.ct.gov](http://www.jud.ct.gov). At some courthouses, a State Marshal is at the courthouse at certain times during the day to help with service.

The Restraining Order Service Instructions/Profile form (SMC-1) is needed to make arrangements for delivery of the paperwork to the Respondent.

The forms must be delivered to the Respondent at least five (5) days before the hearing date. If you do not know where the Respondent lives or cannot give enough information about how to find the Respondent, the State Marshal may not be able to find the Respondent to deliver the papers and your protection might be limited.

After the State Marshal delivers the forms, the original forms must be returned to the clerk’s office so that the clerk can perform the required tasks to schedule the court hearing date. It is recommended that the forms be returned to the clerk’s office at least two (2) working days before the scheduled hearing date.

### Firearm Restrictions

Firearm Restrictions apply to Respondents who are subject to orders of protection. A notice of the firearm restrictions is printed on the General Restraining Order Notification form (JD-CL-104).

## Testimony by Other Means

Before the hearing, you may file a motion asking that your testimony be taken in a different place, away from the Respondent. The Judge may order the use of videoconferencing or another way for you to give testimony. If you want to request this, you should file a motion with the court as soon as possible after the restraining order is issued.

### The Court Hearing

You must go to the hearing if you want the court to give you a restraining order, if it hasn’t given you one already, or to extend the restraining order if it already gave you one. During the hearing you will be able to tell the Judge why you want the restraining order or why you want to extend one.

If you think you need more security when you are in court for the hearing, contact the clerk’s office or the Court Service Center where the hearing will be.

On the day of the hearing and before going in front of the Judge, you and the Respondent must meet separately with a Family Relations Counselor (FRC) from the Court Support Services Division. There will be a sign-up sheet in the area of the court house where the FRC has the meetings. A Judicial Marshal can tell you where that is. The FRC will ask for information about any existing court orders, possession of firearms or permits, history of the relationship, and information on child-related matters. The FRC may make recommendations and may refer you to other agencies for other services. At the end of the meeting you and the Respondent will go to the courtroom to wait for your hearing.

Witnesses or evidence that will support your claims should be brought to the hearing.

### After the Hearing

If the restraining order is granted by the Judge, you will get two (2) certified copies of a new Order of Protection form (JD-CL-99) and Additional Orders of Protection form (JD-CL-100) if ordered. A copy of the order(s) will be given or mailed to the Respondent.

The clerk will send a copy of the order(s) or the information in the order(s) to law enforcement within forty-eight (48) hours.

You should keep one of the certified copies of the Order of Protection form (JD-CL-99) and Additional Orders of Protection form (JD-CL-100), if ordered, with you at all times and the other certified copy of the orders in a safe place.

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- Order and Notice of Court Hearing form (JD-FM-140), and
- General Restraining Order Notifications form (JD-CL-104)

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