

Information on Florida Protection Orders for Victims of Sexual Violence

Resources

Florida Council Against Sexual Violence
Statewide Hotline: 1-888-956-RAPE (7273),
(850) 297-2000 or visit www.fcasv.org

Florida Legal Services
(850) 385-7900 or visit www.floridalegal.org

This pamphlet provides general legal information. It does not constitute legal advice and should not be relied on as legal advice. Please consult an attorney who can answer your legal questions and give advice based on your particular circumstance. Information in this pamphlet is current as of May 2013.

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Sponsored by the Florida Council Against Sexual Violence, Inc. and the State of Florida Department of Children and Families.

Violations of a Protection Order

A perpetrator has violated a protection order if he or she:

- refuses to leave the place where the victim and the perpetrator live
- goes to or comes near the victim's car, home, school, job or any place where the victim goes often
- is violent toward the victim or threatens to harm the victim, or
- calls or contacts the victim

Violations of protection orders are 1st degree misdemeanors.

Filing a Petition for a Protection Order

A petition for an order of protection can be filed with the clerk of court. If you do not have an attorney, the clerk of court will give you basic forms and information on how to fill them out. A temporary order may be issued until there is a hearing where a judge will make a final decision on whether to issue a permanent order.

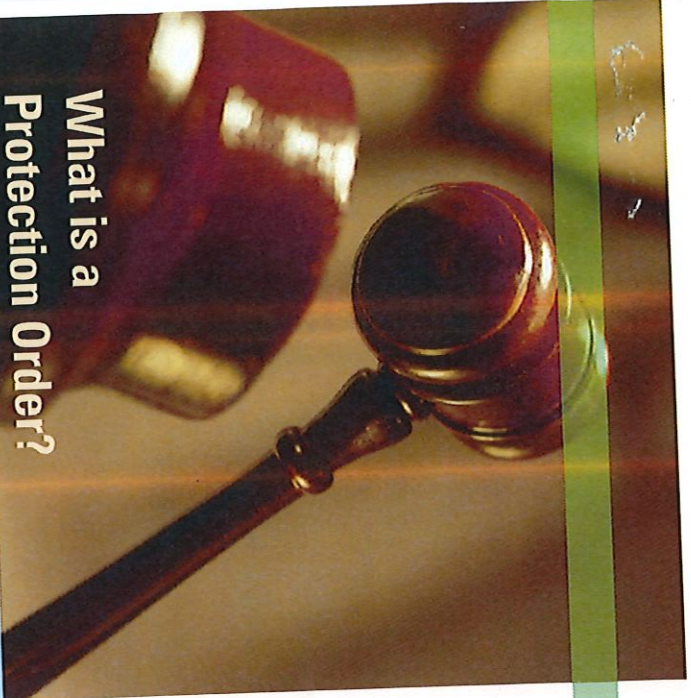
There is no cost to file a petition for a protection order and you are not required to have an attorney. However, if you would like to request legal advice or representation by an attorney, contact your local Legal Services or Legal Aid office for assistance.



*A statewide nonprofit organization
committed to victims and survivors of
sexual violence and the sexual assault
crisis programs who serve them.*



Prepared by the Florida
Council Against Sexual Violence



What is a Protection Order?

A protection order (sometimes referred to as an 'injunction for protection') is an order issued by the court requiring that your abuser have no contact with you and remain a certain distance away from you at all times.

Types of Protection Orders

In Florida, there are five types of protection orders: sexual violence orders, dating violence orders, repeat violence orders, stalking orders and domestic violence orders. All five orders can be applied for by the victim or a parent or guardian if the victim is a minor.

Sexual Violence Orders

This order applies to victims of sex crimes. To apply for this order, victims must have reported the crime to law enforcement and have cooperated during any criminal proceedings. If the perpetrator is already in prison, the victim may obtain an order up to 90 days before the perpetrator's release or any time thereafter.

Dating Violence Orders

This order applies to victims who have had a romantic relationship with their perpetrator within the last 6 months, regardless of whether they lived together. There is no requirement to report the violence to law enforcement and/or cooperate during the investigation.

Repeat Violence Orders

This order applies to victims who have suffered two or more incidents of violence or stalking in the last 6 months. There is no requirement to report the violence to law enforcement or cooperate during criminal proceedings.

Stalking Orders

This order applies to victims who are repeatedly harassed, followed or cyberstalked. There is no requirement to report the violence or threat of violence to law enforcement or cooperate during criminal proceedings.

Domestic Violence Orders

This order applies to victims who are related to or have lived with their abusers as a family or have children in common. Victims must have already suffered an incident of violence or have a reasonable belief that violence is about to occur. There is no requirement to report the violence or threat of violence to law enforcement or cooperate during criminal proceedings.

