

To obtain an Order of Protection in Will County, you may do any of the following:

- ❖ Go to Will County Courthouse located at 14 W. Jefferson St. Joliet, IL 60432 and proceed to the Order of Protection office, located on the first floor, room 115.
- ❖ Contact a nearby domestic violence agency such as Groundwork Domestic Violence Program (815) 729-1228 and ask for assistance.
- ❖ Contact your local police agency social worker.
- ❖ Ask your attorney to file a petition in civil court.
- ❖ Request an order during the course of a divorce proceeding.

What is an Order of Protection and how can it help you?

An Order of Protection is a court order available to “family or household members” prohibiting the abuser from certain activities or ordering the abuser to take certain actions. An Order of Protection may include, but is not limited to:

- ❖ Prohibit the abuser from harassing, abusing, stalking, intimidating, and/or interfering with the personal liberty of you and your dependents
- ❖ Order the abuser to leave and stay away from your shared residence (even if the abuser is the property owner or sole individual listed on a lease).
- ❖ Order the abuser to stay away from your home, employer, school, your dependents’ school/daycare
- ❖ Order the abuser to not contact you in any way, including phone, mail and through third-parties
- ❖ Prohibit the abuser from taking or damaging your personal property or property you own with him/her
- ❖ You can petition to order the abuser to pay child support, medical costs, legal expenses and undergo counseling
- ❖ Address issues regarding your children, including but not limited to visitation

Who is eligible for an Order of Protection?

An Order of Protection can be filed against a family or household member who has committed acts of domestic violence against you or your minor child.

A family or household member includes:

- Spouse or Ex-spouse
- Boyfriend/Girlfriend, former dating relationship
- A parent, step-parent, or grandparent

- A step-child or child of yours even if you are not married to the child's mother or father
- Siblings, step-siblings
- A person related to you by blood or marriage

Acts of domestic violence include:

- Physical abuse
- Interfering with personal liberty
- Harassment
- Stalking
- Intimidation of a dependent
- Willful deprivation
- Neglect
- Exploitation

Procedure to Petition for an Emergency Order of Protection

- ❖ Go to Will County Courthouse located at 14 W. Jefferson St. Joliet, IL 60432.

NOTE: cameras or camera phones are not allowed in the courthouse

NOTE: filing for an order of protection will take some time. Please be patient and give yourself plenty of time to complete the process.

NOTE: You do not need to have a police report or have contacted the police in order to seek an order of protection.

NOTE: You are going to need to know certain information about the abuser such as their address or work address. This is important so that they can be served with the Order of Protection. You are also going to need addresses of the places you would like the abuser to stay away from such as your employer and your child's school/daycare.

- ❖ Go to Order of Protection office located on the first floor in room 115.

- ❖ Sign in on the sheet provided.

- ❖ You will then be assisted by an Order of Protection staff member to fill out the forms.

NOTE: On the Order, you will be listed as the Petitioner and the abuser will be listed as the Respondent.

NOTE: When filling out the forms with a staff member ask as many questions as you need to. Also, when filling out the narrative of the events of abuse be very specific (where you were when the abuse happened, who was

there with you, what kind of abuse occurred; if verbal, what was said, were there injuries and if so where and by what means did they get there, were the police called, etc.). **You may want to come prepared with a “diary of abuse”-a record of incidents when you have been abused, but it is not necessary**

- ❖ After the forms are completed, the person helping you will give the forms to the Clerk’s office, who will then prepare a file.
- ❖ Once the petition for the order of protection is filed you will be directed to wait in the proper courtroom so the Judge can hear your petition.

What if an Emergency Order of Protection is granted by the Judge?

- ❖ The Judge will assign a return date and time for an Extension Hearing.
NOTE: Emergency Orders of Protection will last 14-21 days, in order to extend the Order of Protection; you must appear for the extension hearing scheduled by the Judge.
- ❖ A copy of the Order of Protection will be provided for you, **DO NOT** leave the courthouse without it!
- ❖ Make sure you review the order before you leave the courtroom. If there is an error or information missing, ask the clerk to make the correction before you leave.
- ❖ Keep the order of protection with you at all times. If needed, make a copy for your workplace, children’s school/ daycare, neighbor, etc.

What if an Emergency Order of Protection is not granted by the Judge?

- ❖ There is a possibility that you may leave the courthouse without an Order of Protection.
- ❖ The Judge may deny the petition for the Order of Protection. The Judge may deny the petition for the Order of Protection for many reasons. The Judge may deny the Order because you do not meet the burden of proof or because no “family or household member” relationship exists.
- ❖ The Judge may set a hearing date for the petition of an Order of Protection. This does not mean you will not get an Order of Protection granted or that the petition has been denied, it simply means the judge would like the opportunity to hear both sides of the story before making a decision on the matter.

What if the petition for an Emergency Order of Protection is denied?

- ❖ When you initially ask for an Order of Protection, the Judge may deny your request and decide NOT TO SET A HEARING DATE.
- ❖ If this happens, and you feel that there has been some kind of error, you should IMMEDIATELY contact a private attorney or your local legal aid office.
- ❖ YOU HAVE THIRTY DAYS to file an appeal or to ask the Judge to change his mind.
- ❖ This is a complicated procedure and usually requires an attorney.
- ❖ If you have started this process, and your abuser commits a NEW act of abuse against you, you may seek another order of protection on those new grounds

What if the petition for an Emergency Order of Protection was set for a hearing?

- ❖ The Judge will set a hearing date instead of issuing an Emergency Order of Protection. The hearing will be held to determine whether an Order of Protection will be granted.
- ❖ The respondent will receive notice of the hearing date and is given the opportunity to tell their side of the story at that time.
- ❖ When you return to the courthouse on the date and time indicated, go to the courtroom indicated and check-in with the clerk.
- ❖ If you (petitioner) do not appear, the Order will be dismissed. A dismissed order is longer effective.
NOTE: make sure you appear, even if you intend to drop the Order of Protection. This is important for many reasons. The Judge wants to hear your reason for dropping the Order also; the Judge wants to ensure your safety.
- ❖ You (petitioner) should bring witnesses and/or proof of the abuse, such as pictures.
- ❖ At the hearing, you may ask the Judge to:
 1. Extend the Order;
 2. Change parts of it; or
 3. Drop the Order
- ❖ You may bring an attorney, although one is not required. You may qualify for an attorney. Call Legal Aid: (815) 727-5123.

❖ The Respondent may appear with or without an attorney. At this time the Respondent will tell his/her part of the story.

❖ After hearing the statements of both parties, the Judge may end the proceedings or extend the Order of Protection for up to two years.

NOTE: Be sure to return for every extension date the Judge sets, even if you want to drop the Order of Protection.

If the abuser violates the Order of Protection

❖ Call the police no matter what the circumstance. If an Order of Protection is violated, the abuser may have committed a Class A Misdemeanor and may be arrested. A second or subsequent offense may be a Class 4 Felony.

Important Phone Numbers:

During an Emergency always call:	911
Groundwork Domestic Violence Program:	(815) 729-1228
Family Counseling Agency of Will County:	(815) 722-4384
Bridges to a New Day	(815) 838-2690
(Offers individual or family counseling for survivors of domestic violence)	
Will County Legal Assistance:	(815) 727-5123
Will County State's Attorney Office:	(815) 727-8453
Lamb's Fold Women's Shelter:	(815) 723-5262
National Domestic Violence Hotline:	(800) 799-SAFE (7233)
	(800) 787-3224 (TTY)
National Sexual Assault Hotline:	(800) 656-HOPE (4613)