

Step by Step – Domestic Violence Protective Orders

Domestic violence protective orders prohibit a respondent from threatening to commit or committing domestic violence against a petitioner and can require the respondent to stay away and not contact the petitioner. They can also grant temporary child custody, child support, possession of a home and car, or payment of medical or other expenses. For more information,

Petitioners read: [How to Represent Yourself in Alaska's Domestic Violence Protective Order Process](#)

Respondents read: [What to Do When Someone Files a Domestic Violence Protective Order Against You](#)

To request an *Ex Parte Protective Order* (lasts 20 days) or a *Long Term Protective Order* (lasts 1 year) or BOTH, file a **Petition form DV-100** (<https://public.courts.alaska.gov/web/forms/docs/dv-100-127-one.pdf> or <https://akcipowizard.truefiling.com/> for 1 petitioner or <https://public.courts.alaska.gov/web/forms/docs/dv-100-127-multi.pdf> for multiple petitioners such as parent and children). Can pick up at the local court or shelter.

For an *Ex Parte Protective Order*, the judge will review petition and may hold a hearing where Petitioner will testify. Petitioner explains why needs protection from Respondent by answering: What happened? When? Where? Who was present? Can bring exhibits (documents, photos) and witnesses to provide additional evidence. Petitioner must prove by a probable cause that (1) Petitioner and Respondent have a specific type of relationship, and (2) the Respondent committed acts of criminal domestic violence set out in the law. If Petitioner asks only for a *Long Term Protective Order*, court will set a hearing within 20 days.

Judge **denies** *Ex Parte Protective Order*

If Petitioner did **NOT** also request a *Long Term Protective Order*, the **case is closed**

If Petitioner also requested a *Long Term Protective Order*, a hearing will be set **within 20 days** (no *Order* is in effect during that time); Police will serve Respondent with the *Notice of the Long Term Order* hearing

Judge **grants** *Ex Parte Protective Order* - lasts **20 days**). If Petitioner also requested a *Long Term Order*, court will set a hearing within 20 days.

If Petitioner did **NOT** ask for a *Long Term Protective Order*, *Ex Parte Protective Order* lasts **20 days**

After 20 days, **case is closed**

If Petitioner also requested a *Long Term Protective Order*, a hearing will be set **within 20 days**; Police will serve Respondent with the *Ex Parte Protective Order* which contains notice of the *Long Term Protective Order* hearing date

At the *Long Term Protective Order* hearing, Petitioner **explains** why need protection from Respondent by answering: What happened? When? Where? Who was present? Can bring exhibits (documents, photos) and witnesses to provide additional evidence. Must prove the need for a protective order by a preponderance of the evidence (a more difficult standard compared to an *Ex Parte Order*.) Respondent explains their side of the situation.

Judge **denies** *Long Term Protective Order* - **case closed**

Judge **grants** *Long Term Protective Order* - lasts **1 year**

After 1 year, **case closed** or Petitioner may **file a new petition for Protective Order** if there is a reason

If you need to change your *Ex Parte Protective Order* or *Long Term Protective Order* or want to dismiss your *Order*, file a *Request to Modify/Dissolve*, form DV-135:

<https://public.courts.alaska.gov/web/forms/docs/dv-135-one.pdf> (1 petitioner) or <https://public.courts.alaska.gov/web/forms/docs/dv-135-multi.pdf> (multiple petitioners).

For more information about the process, call 907-264-0851 or 1-866-279-0851. SHC-3200 (09/18)