



GEORGIA



Empowering Youth to End
Domestic Violence

www.breakthecycle.org

www.thesafespace.org

888.988.TEEN

askanything@breakthecycle.org

Each state has different requirements for getting a civil domestic violence protective order. Because it severely impedes teen victims' access to domestic violence protective orders, Georgia's grade for protecting teen victims of dating and domestic violence is an F.

Do I Qualify for a Protective Order in Georgia?

Type of Relationship

In order to qualify for a protective order, the abuser must be someone:

- You are living with or used to live with¹
- You have a child with²
- You are married to or used to be married to³
- Parent-child⁴
- Related by blood or marriage⁵
- Your step-parent, step-child, foster parent or foster child⁶

Type of Abuse⁷

A judge is allowed to give you a protective order when your abuser has:

- Physically abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Sexually abused you
- Stalked you
- Severely damaged your property
- Unlawfully held you against your will

Age

If you are 18 years old or older, you can obtain for a protective order yourself without an adult's permission. If you are younger than 18 years old, you may not file for an order yourself. You will need a person over 18 to file for you.⁸

How Do I Get a Protective Order?

If you qualify for a protective order, you can go to court to file for a temporary order. If a judge gives you a temporary protective order, he or she will schedule you for a full hearing within 10 days.⁹ After a full hearing, the judge can grant you a permanent protective order that will last for 1 to 3 years.¹⁰

What Can I Ask for in a Protective Order?

You may ask the court for the following in a protective order:

- Abuser must restrain from acts of domestic violence and harassment¹¹
- Temporary and/or exclusive use of property¹²
- Temporary child custody¹³
- Temporary visitation orders¹⁴
- Child and spousal support¹⁵
- Counseling for the abuser¹⁶
- Attorneys fees¹⁷

How Much Will It Cost?

It is free.¹⁸

You have the right to a safe and healthy relationship...
free from violence and free from fear.

¹ Ga. Code Ann. § 19-13-1 (2007).

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.* § 39-1-1(a), §19-13-3(a).

⁹ *Id.* §19-13-3(c).

¹⁰ *Id.* § 19-13-4(c).

¹¹ *Id.* § 19-13-4(a)(9).

¹² *Id.* § 19-13-4(a)(8).

¹³ *Id.* § 19-13-4(a)(4).

¹⁴ *Id.*

¹⁵ *Id.* § 19-13-4(a)(7).

¹⁶ *Id.* § 19-13-4(a)(11).

¹⁷ *Id.* § 19-13-4(a)(10).

¹⁸ *Id.* § 15-6-77(e)(4).

You have the right to a safe and healthy relationship..
free from violence and free from fear.