



IDAHO

Each state has different requirements for getting a civil domestic violence protection order. Because it makes protective orders extremely difficult for teens to obtain, Idaho's grade for protecting teen victims of domestic and dating violence is a D.

Do I Qualify for a Protection Order in Idaho?

Type of Relationship

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

- You are dating or you used to date¹
- You are living with or used to live with²
- You have a child with³
- You are related by blood, marriage or adoption⁴
- You are married to or used to be married to⁵

Type of Abuse⁶

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

- Physically abused you
- Sexually abused you
- Unlawfully held you against your will
- Threatened to do any of the above

Age

If you are 18 years older, you can obtain a protection order on your own without a parent or guardian's permission. If you are a minor, you will need a parent to file for you.⁷

How Do I Get a Protection Order?

If you qualify for a protection order, you can go to court to file for a temporary order. The temporary order can last up to 14 days and may be reissued.⁸ A full hearing will be held within 14 days of your application for a protection order or granting your temporary order.⁹ After a full hearing, the judge may grant you a permanent protective order which lasts up to 1 year and is renewable for an additional year.¹⁰

What Can I Ask for in a Protection Order?

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

- Abuser must stay away 1,500 feet from your home, work, school, family/household members' residences or any area¹¹
- Abuser must not commit acts of domestic violence and cannot harass, molest, annoy or disturb the peace¹²
- Abuser must not contact you directly or indirectly (includes using the telephone or interfering with victim's custody of children).¹³
- Temporary child custody¹⁴
- Counseling for the abuser.¹⁵
- Temporary and/or exclusive use of personal or joint property.¹⁶
Abuser must not use and must surrender any firearm(s).¹⁷
- Attorneys fees and reimburse victim the costs to bring the action.¹⁸

How Much Will It Cost?

It is free.¹⁹

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

¹Idaho Code § 39-6303(1), (2) (2006).

²*Id.* § 39-6303(6).

³*Id.* § 39-6303(3).

⁴*Id.* § 39-6303(3).

⁵*Id.*

⁶*Id.* § 39-6303.

⁷*Id.* § 39-6304(2).

⁸*Id.* §§ 39-6308(5).

⁹*Id.* §§ 39-6306(1); 39-6308(5).

¹⁰*Id.* § 39-6306(5).

¹¹*Id.* § 39-6308(1)(f).

¹²*Id.* § 39-6306(1)(g).

¹³*Id.*

¹⁴*Id.* § 39-6306(1)(a).

¹⁵*Id.* § 39-6306(1)(d).

¹⁶*Id.* §§ 39-6306(1)(c); 39-6308(1)(b).

¹⁷*Id.* § 18-310.

¹⁸*Id.* § 39-6308 (1) (f).

¹⁹*Id.* § 39-6305.

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