



MASSACHUSETTS

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

Do I Qualify for a Restraining Order in Massachusetts?

Type of Relationship¹

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

- You are dating or used to date
- You are married to or used to be married to
- You are living with or used to live with
- You have a child with
- You are related to by blood or marriage

Type of Abuse²

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

- Physically abused you
- Attempted to physically abuse you
- Threatened to physically abuse you
- Placed you in fear of imminent harm
- Sexually abused you

Age

If you are 18 or older, you can obtain a restraining order yourself without an adult's permission. For minors under 18, the law does not say who can file for you. It will be up to the individual courts and judges whether you can get a restraining order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want restraining orders.

How Do I Get a Restraining Order?

If your situation is urgent, you can get an emergency restraining order from the police at any time. These emergency orders last for 1 business day.³ Whether or not you have an emergency order, you may go to court to file for a temporary restraining order. The judge can give you a temporary order that day and will schedule a full hearing within 10 business days.⁴ After the hearing, the judge can grant you a permanent restraining order which lasts for 1 year and is renewable.⁵

What Can I Ask for in a Restraining Order?

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

- Abuser must stay away from you, your home, and work⁶
- Abuser must not contact, harass, batter, annoy, threaten, or communicate with you⁷
- Money for damages caused by the abuser⁸
- Temporary child and spousal support⁹
- Temporary child custody and visitation¹⁰
- Counseling as a condition of visitation¹¹
- Temporary exclusive use of the residence for less than 1 year¹²
- Abuser must not own or possess any guns¹³
- Attorneys fees¹⁴

How Much Will It Cost?

It is free¹⁵.

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

¹ Mass. Ann. Laws Ch. 209A, §1 (2007).

² *Id.*

³ *Id.* 209A, §5.

⁴ *Id.* 209A, §4.

⁵ *Id.* 209A, §3.

⁶ *Id.* 209A, §3(c).

⁷ *Id.* 209A, §3(a),(b).

⁸ *Id.* 209A, §3(f).

⁹ *Id.* 209A, §3(e).

¹⁰ *Id.* 209A, §3(a)-(i), (d).

¹¹ *Id.* 209A, §3(c), (i).

¹² *Id.* 209A, §3(c).

¹³ *Id.* 209A, §3B.

¹⁴ *Id.* 209A, §3(f).

¹⁵ *Id.* 209A, §3.

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