



NEW JERSEY

Each state has different requirements for getting a civil domestic violence protection order. Because it makes protective orders reasonably accessible to teens, New Jersey's grade for protecting teen victims of domestic and dating violence is a B.

Do I Qualify for a Restraining Order in New Jersey?

Type of Relationship¹

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

- You are dating or used to date
- You live with or used to live with (as long as both of you are 18 or older)
- You are married to or used to be married to
- You have a child with (including if you are pregnant with the abuser's child)

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
- Sexually abused you
- Harassed you, made threatening phone calls, or stalked you
- Destroyed your personal property
- Disturbed your peace

Age

If you are 18 or older, you can obtain a restraining order on your own without an adult's permission.³ If you are under 18, you can get a restraining order by yourself without an adult's involvement if you are dating the abuser, have a child with the abuser or are pregnant with the abuser's child.⁴ If you are under 18, you can also file for a restraining order yourself if you have been married, have served in the military, have a child or are currently pregnant.⁵

How Do I Get a Restraining Order?

If you want a restraining order, you can go to court to file for a temporary restraining order. A judge can give you a temporary order that day and will schedule a full hearing within ten days of your request for protection.⁶ After the hearing, the judge may grant you a permanent restraining order.

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 your residence, school, workplace, and other specific places⁷
- Abuser must not harass, stalk, threaten, or contact you, your family or your co-workers⁸
- Temporary child custody and visitation^{9,10}
- Child and spousal support¹¹
- Use of the home or provide other housing¹²
- Money for damages caused by the abuser¹³
- Counseling for abuser¹⁴
- Attorneys fees¹⁵
- You may get temporary possession and use of the car and other essential items¹⁶
- Abuser must not use and must surrender any firearm(s)¹⁷

How Much Will It Cost?

It is free.

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

¹ NJ Stat. § 2C:25-19(d) (2007).

² *Id.* § 2C:25-19(a).

³ *Id.* § 2C:25-19(e).

⁴ *Id.* § 2C:25-19(d).

⁵ *Id.* § 2C:25-19(e).

⁶ *Id.* § 2C:25-29(a).

⁷ *Id.* §2C:25-29(b)(6).

⁸ *Id.*

⁹ *Id.* § 2C:25-29(b)(11).

¹⁰ *Id.* § 2C:25-29(b)(3).

¹¹ *Id.* § 2C:25-29(b)(10).

¹² *Id.* § 2C:25-29(b)(2).

¹³ *Id.* § 2C:25-29(b)(4).

¹⁴ *Id.* § 2C:25-29(b)(5).

¹⁵ *Id.* § 2C:25-29(b)(4).

¹⁶ *Id.* § 2C:25-29(b)(9).

¹⁷ *Id.* § 2C:25-29(b).

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