



RHODE ISLAND

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

Do I Qualify for a Protective Order in Rhode Island?

Type of Relationship

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

- You are dating or dated within the past year¹
- You are living with or have lived with in the past 3 years (if both of you are over 18)²
- You have a child with³
- You are married to or have been married to⁴
- You are related to by blood or marriage⁵
- Who is your parent or child (includes step-children), but only if child is under 18⁶

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
- Stalked or cyberstalked you
- Sexually abused you

Age

If you are 18 or older, you can obtain a protective order yourself without an adult's permission. If you are 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 protective order without your parent's permission. Check with a local domestic violence organization to see how your local courts handle minors who want protective orders.

How Do I Get a Protective Order?

If your situation is urgent, you can get an emergency protective order from the police at any time. The emergency order lasts until the end of the next business day.⁸ Whether or not you have an emergency order, you may go to court to file for a temporary protective order. A judge can give you a temporary order that day that lasts up to 21 days and will schedule a date for a full hearing.⁹ After the hearing, a judge can grant you a permanent protective order which lasts 3 years and is renewable.¹⁰

What Can I Ask for in a Protective Order?

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

- Abuser must stay away from you and cannot assault, molest or both you^{11,12}
- Abuser cannot contact you at home on the street, or other specified areas¹³
- Temporary, exclusive use of the home¹⁴
- Child custody¹⁵
- Child support (not to exceed for 90 day)¹⁶
- Abuser cannot use or must surrender firearm(s)¹⁷

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 R.I. Gen. Laws §§8-8.1-1(3), 15-15-1(5) (2006).

² *Id.* §8-8.1-1(1).

³ *Id.* §15-15-1(3).

⁴ *Id.* §15-15-1(2).

⁵ *Id.* §15-15-1(4).

⁶ *Id.*

⁷ *Id.* §§8-8.1-1(3), 15-15-1.

⁸ *Id.* §§8.8.1-4(b)(1), 15-15-4(b).

⁹ *Id.* §§8.8.1-4(a), 15-15-4(a).

¹⁰ *Id.* §§8-8.1-3(i), 15-15-3(h)(2).

¹¹ *Id.* §§8-8.1-3(a)(1), 15-15-3(a)(1).

¹² *Id.*

¹³ *Id.* §§8-8.1-3(a)(1), 15-15-3(a)(1).

¹⁴ *Id.* §§8-8.1-3(a)(1),(2); 15-15-3(a)(1),(2.)

¹⁵ *Id.* §15-15-3(a)(3).

¹⁶ *Id.* §15-15-3(a)(4).

¹⁷ *Id.* §15-15-3(a)(5).

¹⁸ *Id.* §15-15-2(c).

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