



UTAH

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, Utah's grade for protecting teen victims of dating and domestic violence is an F.

Do I Qualify for a Protective Order in Utah?

Type of Relationship

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

- You live with or used to live with¹
- You have a child with (including if you are pregnant with the abuser's child)²
- You are married to or used to be married to³
- You are related to by blood or marriage (if a parent, child or sibling, you must be 18)⁴

Type of Abuse⁵

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

- Physically abused you
- Attempted to physically abuse you
- Harassed or stalked you
- Recklessly endangered you
- Sexually abused you or sexually harassed you
- Possession of a deadly weapon with intent to assault you
- Damaged your property

Age

If you are 16 or older, you can obtain a protective order yourself without an adult's permission. If you are under 16, Utah does not specify who files for you.⁶ 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 you want a protective order, you can go to court to file for a temporary protective order. A judge can give you a protective order that day and will schedule a full hearing within 20 days.⁷ After the hearing, a judge can give you a permanent protective order which lasts for either 150 days or 2 years.⁸

What Can I Ask for in a Protective Order?

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

- Abuser must not abuse, threaten, harass, telephone, contact or communicate with you, directly or indirectly⁹
- Abuser must stay away from your home, school, work and other places you or any family or household member frequent¹⁰
- Child and spousal support¹¹
- Use or possession of the home, car and other essential personal items¹²
- Temporary child custody and visitation (including supervised visitation or stopping visitation for the safety of you or your child)¹³
- Abuser's gun can be taken away upon showing that it might pose a serious threat to you¹⁴

How Much Will It Cost?

It is free.¹⁵

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

¹ Utah Code Ann. §30-6-1(2)(b), (f) (2007).

² *Id.* §30-6-1(2)(d), (e).

³ *Id.* §30-6-1(3)(a).

⁴ *Id.* §30-6-1(3)(a).

⁵ *Id.* §§30-6-1(1), 77-36-1(2).

⁶ *Id.* §30-6-2.

⁷ *Id.* §§30-6-4.2(1), 30-6-4.3(1).

⁸ *Id.* §§30-6-4(1)(b)(v), 30-6-4.3(6)(a).

⁹ *Id.* §30-6-4.2(2)(a)-(b), (e), (g).

¹⁰ *Id.* §30-6-4.2(2)(c).

¹¹ *Id.* §30-6-4.2(2)(h).

¹² *Id.* §30-6-4.2(2)(c), (f).

¹³ *Id.* §30-6-4.2(2)(f), (3)(b).

¹⁴ *Id.* §30-6-4.2(2)(d).

¹⁵ Utah Code Ann. §30-6-4(1)(a), (3).

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