



WISCONSIN

Each state has different requirements for getting a civil domestic violence protection order. Because it severely impedes teen victims' access to domestic violence protective orders, Wisconsin's grade for protecting teen victims of dating and domestic violence is an F.

Do I Qualify for a Restraining Order in Wisconsin?

Type of Relationship

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

- You are dating or used to date (as long as both of you are over 18)¹
- You live with or used to live with (as long as both of you are over 18)²
- You have a child with (as long as both of you are over 18)³
- You are married to or used to be married to (as long as both of you are over 18)⁴
- You are related to by blood or adoption (as long as both of you are over 18)⁵

Type of Abuse⁶

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

- Physically abused you
- Sexually abused you
- Sexually assaulted you
- Threatened to abuse you or damage your property
- Criminally damaged your property

Age

If you are 18 years old or older, you may get a restraining order on your own without an adult's permission. If you are under 18 years old, you will not qualify for a restraining order. The domestic abuse restraining order law specifically states it applies only to adults.⁷

How Do I Get a Restraining Order?

If you qualify for 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 also schedule a full hearing within 14 days of issuing a the order.⁸ After the hearing, the judge may grant you a permanent restraining order which lasts up to 4 years.⁹

What Can I Ask for in a Restraining Order?

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

- Abuser cannot abuse you or contact you¹⁰
- Abuser must stay away from your residence and other places you often go to¹¹
- Abuser must not use and must surrender any firearm(s)¹²
- Temporary, exclusive use of property¹³

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 Wis. Stat. Ann. §813.12(1)(ag) (2006).

² *Id.* §813.12(1)(c).

³ *Id.* §813.12(1)(b).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.* §813.12(1)(am)

⁷ *Id.* §813.12(1)(am).

⁸ *Id.* §813.12(3)(a),(c).

⁹ *Id.* §813.12(4)(c).

¹⁰ *Id.* §813.12(4).

¹¹ *Id.*

¹² *Id.* §813.12(4m).

¹³ *Id.* §813.12(4)(am).

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