# ORDER OF PROTECTION

## FILING GUIDE

### WHAT TO WRITE IN YOUR PETITION

- Note police involvement
  - Request a FOIA of police report
  - The Courts do not have access to the police report
- Provide a clear summary
  - this is not a substitute for your testimony
  - Separate paragraphs by specific incidents & dates

❗ ***The Judge can only hear/look at what is in your petition***

### WHO NEEDS PROTECTION?

- Include who you want covered:
  - You
  - Your children
  - Other household members
- Include all addresses:
  - Home
  - Work
  - Childcare/School
  - Other frequented addresses

### EVIDENCE YOU CAN USE

- Photos
- Screenshots/Messages
- Physical Evidence
- Videos
- Live Testimony/Witnesses
- Other forms of evidence may require further steps to introduce

✅ ***You must show how the evidence is relevant***

### WHAT ARE YOU ASKING THE COURT TO DO?

- No contact
- Protection from abuse/harassment
- Exclusive possesion of residence
- Limited contact - about children
- Pets
- Firearm Restraining Order (Karina's Law)

❌ ***Not all requests may be granted at the emergency hearing***

### INFORMATION FOR SERVING RESPONDENT

- Full name, DOB, & Phone Number
- Home & Work Address
- Any other identifying details
- Fill out 'service data sheet'

***More info assists with service of Summons***

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### NEXT STEPS - AFTER EMERGENCY OP HEARING

- Plenary Order Hearing will be in 14-21 days
- You must return to court and prove your case:
  - Bring evidence and witnesses
- If you need more time- request a motion for continuance

🔔 ***DO NOT MISS YOUR COURT DATE!*** *If* you do - the hearing will be denied, case dismissed, with no future court date

### COURT SUPPORT

- You may request help exiting safely
- Court Security can provide assistance
- Turning Point Advocates are available for support
- Bring a trusted person with you

### RESOURCES

- Turning Point Domestic Violence Services
- NWCASA
- McHenry County Legal Self-Help
- illinoislegalaid.org
- Scan QR Code for Resources:

### SPECIAL SITUATIONS

- Open divorce case → contact your attorney first
- Filing for high-risk adult → different legal standard
- Children (under the age of 13) testifying → consult an attorney

This guide is intended to assist with drafting an Order of Protection Petition. It is not legal advice and does not replace legal counsel. For attorney referrals, please contact the McHenry County Bar Association. This project was created by the 22nd Judicial Circuit Family Violence Coordinating Council, and supported by grant funds from the Illinois Criminal Justice Information Authority. Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the State of Illinois, or the Illinois Criminal Justice Information Authority.