

CIVIL PROTECTION ORDER STAGES:

First Stage: Temporary Protection Order (TPO)

TPO's are protection orders that typically last 14 days. They are the first step to getting a Permanent Protection Order.

Petitioners apply for TPO's by filling out the correct forms which are listed in this brochure. It is important you tell the Judge the entire story (The Judge has no background) and you **MUST COMPLETE** all the forms! The Judge usually rules on the complaint the same day. The respondent does not need to be there.

Imminent danger needs to be demonstrated by the petitioner. This means in fear of your life, health or safety. If the Judge agrees, the temporary order will be issued and a hearing date will be set.

The respondent **MUST** be served with the TPO. The protected person may not do this him/herself. Instead, the petitioner can ask the Sheriff Department, a process server or anyone 18 or older not named in the TPO and must be notarized. Temporary Protection Orders **DO NOT** take effect until the respondent is served. If the petitioner cannot get service, the case is continued for another 14 days to accomplished service.

Once the respondent has been served the return of service must be filed with the court.

Second Stage: Permanent Protection Order (PPO)

Judges will hold a hearing before issuing a PPO. The petitioner and/or respondent can hire attorneys to represent them if they wish, but not required. Evidence and witnesses may be presented.

Based on this hearing the Judge may grant or deny the PPO. The Judge also has option to extend the TPO.

The petitioner must be present at the hearing for the Judge to issue a permanent protection order. If the respondent fails to appear at the hearing, the TPO previously entered by the Court shall be made permanent without further notice or service upon the Restrained Person.

This order will remain in effect permanently and can only be modified or dropped by a Judge.

****NOTE:** If there is a divorce proceeding and a request for a civil protection order, the permanent order will be heard in connection with the divorce.

Are you a victim of domestic violence, stalking or sexual assault? Confused? Need help?

Making the decision to obtain a protection order can be a confusing process. We are here to help you through the process.

Protection Order Information For Clear Creek County



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Types of Protection Orders

Civil Protection Orders are sought by victims, and judges may grant them based on statute.

Criminal Protection Orders are sought by courts and courts issue them whether the victim wants them or not.

Civil Protection Order Forms

Forms needed to obtain a civil protection order may be picked up at:

- Clear Creek County Courts
- Web site: https://www.courts.state.co.us/Self_Help/protectionorders/

Download the following forms:

- JDF 400—Instructions for Obtaining a Protection Order
- JDF 401—Incident Checklist
- JDF 402—Verified Complaint/Motion for Civil Protection Order
- JDF 442—Information Sheet for Registering a Protection Order



What is the difference between a Civil or a Criminal Protection Order?

	Civil Protection Order	Criminal Protection Order
Who Initiates the Order?	The individual seeking protection.	The Judge required by statute 18-1-1001.
How long does the Protection Order last?	It does NOT expire. It can be modified by the person who requested the order at anytime or after 2 years, the restrained person can request a modification.	It lasts as long as the criminal case does, through completion of sentence (unless modified by the Judge).
Who can change or modify the Order?	Only a Judge can change or modify the Order	Only a Judge can change or modify the Order
Who can request that a Protective Order be modified?	Only the person who requested the Protection Order. After 2 years, the restrained person can request a modification.	The victim of the crime may ask to change or modify the Order. Restrained may request to change or modify but will have to be discussed with victim prior by the District Attorney's Office. (Safety Plan will have to be conducted and another hearing may be required)
Who does it protect?	The individual requesting the Order. This can include minor children.	The victim and victim's minor children (If the Judge includes them.)
Who can enforce it?	Any law enforcement officer in any state in the country	Any law enforcement officer in any state in the country
Does it cost money to get it?	The Court may charge a filing fee to the person seeking a CPO. A filing fee is required except when the person is a victim of domestic violence, stalking,	NO
Do I need to carry any proof to have the Order enforced?	RECOMMENDED	RECOMMENDED
Civil & Criminal Protective Orders are entered on CCIC (State Wide) and NCIC (National)		

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