

THE INDIANA CIVIL PROTECTION ORDER ACT AND HEARINGS

Things that don't require a hearing unless the Respondent asks for one (Ind. Code 34-26-5-9 (b)):

- Prohibiting the Respondent from committing, or threatening to commit, acts of domestic or family violence, stalking, or sex offenses against the Petitioner or the Petitioner's family or household members **(b)(1)**;
- Prohibiting the Respondent from harassing, annoying, telephoning, contacting, or directly or indirectly communicating with the Petitioner **(b)(2)**;
- Ordering the Respondent to stay away from the Petitioner's residence, school, place of employment, or other places **(b)(4)**; and,
- Ordering the Respondent to stay away from places where the Petitioner's family or household members regularly go **(b)(4)**.

Things that can be ordered by the Judge right away, but that require a hearing within 30 days:

- Evicting the Respondent from the Petitioner's residence **(b)(3)**;
- Ordering the Respondent to give the Petitioner the possession and use—regardless of ownership—of:
 - A home they both share;
 - A car or other motor vehicle;
 - Other necessary personal items **(b)(5)**;
- Directing a law enforcement officer to accompany Petitioner to the parties' residence to:
 - Ensure that Petitioner is safely restored to possession of the residence, automobile, and other essential personal items; or
 - Supervise Petitioner's or Respondent's removal of personal belongings **(b)(5)**; and,
- Ordering other additional relief **(b)(6)**.

Things that can only be ordered by the Judge once a hearing has been held (Ind. Code 34-26-5-9 (c)):

- Parenting time—establish rules for visitation, require that it be supervised by a third party, or deny visitation altogether if necessary to protect the safety of Petitioner or child **(c)(2)**;
- Ordering the Respondent to pay money to the Petitioner for various things, such as:
 - Attorney fees;
 - Rent/mortgage payments on Petitioner's residence;
 - Child support/maintenance;
 - Expenses related to the domestic or family violence, including:
 - Medical expenses, counseling, shelter, repair or replacement of damaged property **(c)(3)**;
- Pay the costs and expenses incurred in connection with the use of a GPS tracking device, if one is ordered **(c)(3)**;
- Prohibiting the Respondent from using or possessing firearms, ammunition, or deadly weapons; and,
 - Directing the Respondent to surrender those items to a local law enforcement agency for the duration of the Order for Protection (unless the court orders another date) **(c)(4)**.