

Orders of Protection: Petition

Orders of Protection are civil in nature and distinguishable from “No Contact Orders” provided for in criminal cases and “Mutual/Standard Restraining Orders” entered in divorce proceedings.

§9-15-201

A Petition shall be filed in the county:

- Where the petitioner resides,
- Where the alleged incidence of abuse occurred, or
- Where the respondent may be served

A Petition may be filed by:

- Any adult or household member on behalf of himself or herself;
- Any adult or household member on behalf of another family or household member who is a minor, including a married minor;
- Any adult or household member on behalf of another family or household member who has been adjudicated an incompetent; or
- Any employee or volunteer of a domestic violence shelter or program on behalf of a minor, including a married minor

A Petition shall:

- Be **verified**;
- Be **accompanied by an affidavit**, made under oath, stating the specific facts and circumstances of domestic abuse and state the specific relief sought;
- Disclose the existence of any pending litigation between the parties (a petition may be filed regardless of whether there is any pending litigation between the parties); and
- Disclose any prior filings of a petition for an order of protection.

§9-15-203

A Petitioner may omit from all documents filed with the Court:

- o Home/physical address or
- o Business address

However, the petitioner shall provide the court with a mailing address. The court may order disclosure of petitioner’s address under certain circumstances (please see Ark. Code Ann. §9-15-203 (c) (2) (A - C)).

§9-15-205

Relief shall be granted for a period no less than 90 days nor more than 10 years.

Note: The order may be renewed at a subsequent hearing where proof is submitted and the Court finds that the threat of domestic abuse still exists.

§9-15-216

Mutual Orders of Protection **shall not** be granted to opposing parties unless each party has:

- o Filed and served a petition
- o Committed domestic abuse
- o Poses a risk of violence to the other party
- o Otherwise satisfied all prerequisites for the type of order and remedies sought