

A Guide to Protective Orders In Virginia

This guide is a starting point to learn more about Protective Orders (PO). While a PO can be a great tool for increasing your safety it is important to remember that every case is unique. If possible, we encourage you to contact us or an attorney to discuss your case prior to filing for a PO. We are here to help!

To access JCADA's services, leave us a confidential message:



1-877-885-2232



support@jcada.org

Learn more about JCADA's services:



jcada.org/survivor-services

Protective Orders in VA

What is a Protective Order (PO)?

A PO is a court order in which a judge requires one person (the respondent) to refrain from doing certain acts against another person (the petitioner). For example, the respondent may be required to stay away from or refrain from contacting the petitioner.

Who is a PO filed against?

- A current or ex-spouse
- Co-habitants (as long you have cohabitated in the past year)
- An individual with whom you share a child

What qualifies for a PO?

Any act that involves violence, force, or threat that results in bodily injury or places one in reasonable fear of bodily injury, sexual assault, or death.

What protections can be requested in a PO?

- Prohibit acts of abuse;
- Prohibit contact with the petitioner and family/household members;
- Grant the petitioner possession of the home/property;
- Order the respondent to participate in treatment programs;
- Order the respondent to provide a suitable alternative housing solution to the petitioner and their cohabitants, and/or order respondent to maintain utility services;
- Grant temporary custody or visitation of shared child(ren);
- Grant temporary child support;
- Grant possession of pets.



How to File for a PO in VA

Submit the forms

Forms can be submitted in person during business hours at the Juvenile and Domestic Relations District Court.

Types of POs

Emergency Protective Order (EPO):

- This can be filed at your local magistrate's office when the court is closed and lasts for up to 72 hours or until the next day the court is in session.
- EPO is **not** required in order to get a preliminary protective order.

Preliminary Protective Order (PPO):

- A PPO can be filed in person at the court house during business hours.
- A PPO should be filed within a short time after you have been a victim of an act of abuse, violence, force or threat.
- The respondent does not have to be present at this hearing.
- A judge will decide if the PPO will be granted based on your sworn statement.
- If granted a PPO, protections will be in place for up to 15 days or until the date of the Final Protection Order.

"Permanent" Protection Order (PO):

- A judge can grant a PO that lasts up to 2 years.
- Both the petitioner and respondent must be present at the PO hearing and appear before a judge.
- Both parties will be asked to describe what happened at the hearing.
- A judge will rule if a PO is granted, and specifics of the PO will be determined.

We encourage you to contact JCADA or an attorney to discuss your specific case.

