

# Petition for Injunction (Restraining Order)



## 1 Make sure you can file

Even during court closures due to COVID-19, individuals can still file a Petition for Injunction for Protection (restraining order). The type of Injunction for Protection will depend on your relationship with the Respondent. Domestic violence laws only apply to your situation if the respondent is your spouse, former spouse, related to you by blood or marriage, living with you now or has lived with you in the past (if you are or were living as a family), or the other parent of your child(ren) whether or not you have ever been married or ever lived together. Otherwise, you may qualify for an Injunction for Protection Against: Repeat Violence, Dating Violence, Sexual Violence, or Stalking Violence.



## 2 Familiarize yourself with the terminology

Because you are making a request to the court, you are called the **petitioner**. The person whom you are asking the court to protect you from is called the **respondent**. *Domestic violence* includes: assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to petitioner by any of petitioner's family or household members.



## 3 File the Petition

You can go to the second floor of the Broward Central Courthouse located at 201 SE 6th Street, Fort Lauderdale, FL 3330, room 02140, OR the West Regional Courthouse located at 100 N. Pine Island Road - Room 180, Plantation, FL 33324 to petition for an Injunction. *Note that the West Regional Courthouse does not accept filings after 2pm.* You must wear some sort of face covering to enter the courthouse. You need to tell the Deputy or security guard that you are there to file a Petition for an Injunction for Protection. The operating hours are Monday through Friday from 8:30AM to 5:00PM. If you are seeking to file a petition after hours or on the weekend, you should call Women In Distress of Broward County's Crisis Line at 954-761-1133 to determine if you are eligible to file outside of the Court's regular business hours



## 4 The Court will grant or deny the Temporary Injunction on an Ex Parte basis

Based on the facts in your petition, the judge will consider whether you are a victim of domestic violence or that an imminent danger of domestic violence exists, and then grant or deny the temporary injunction.

If granted/issued, the temporary injunction is issued ex parte. This means that the judge has considered only the information presented by one side-- YOU.



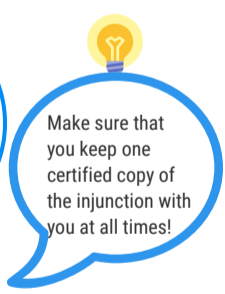
## 5 A If denied

If your petition is denied, you may: amend your petition by filing a Supplemental Affidavit in Support of Petition for Injunction for Protection Against Domestic Violence, Repeat or Dating Violence, Florida Family Law Form 12.980 (g); attend the Order Setting Hearing Without Issuance of a Temporary Injunction, and present facts that support your petition; and/or dismiss your petition.



## 5 B If granted

A temporary injunction is issued without notice to the respondent. The clerk will give your petition, the temporary injunction, and any other papers filed with your petition to the sheriff or other law enforcement officer for personal service on the respondent. The temporary injunction will take effect immediately after the respondent is served with a copy of it. **It lasts until a full hearing can be held or for a period of 15 days, whichever comes first.** The information for your court hearing is contained in the temporary injunction, including courtroom and Zoom link. The court *may extend* the temporary injunction beyond 15 days for a good reason, which may include failure to obtain service on the respondent.



## 6 Attend the Zoom hearing to prevent dismissal

You should be available for at least 15 minutes before the time of your hearing and for at least 1-2 hours after the hearing time as the Court may be running late. If the Judge, Judge's assistant, or case manager cannot get in touch with you at the time of the hearing, whether through telephone or Zoom, then your Temporary Injunction may be dismissed. Be sure to keep the Court updated with any changes to your contact information and make sure to inform the Court if your information is to be kept confidential.

Judges have included their Zoom Courtroom link in their procedures located at <http://www.17th.flcourts.org/judiciary-list-and-category/#>.

