

How To Get A District Court Protective Order

Temporary Restraining Orders (TRO's) are issued by the District Court when the Court determines there has been a pattern of harrasment including: physical/sexual violence, threats of violence, malicious property damage, psychological abuse, stalking and/or repeated unwanted contact.

If you are not related to the person who is abusing you and you have never lived together, go to the Honolulu District Court, Regular Claims Division, located at 1111 Alakea Street, third floor, to file a request for a TRO. You can apply for a TRO between 7:45 a.m. and 3:00 p.m., Monday through Friday, except for holidays. No appointment is necessary.

Bring coins for metered parking or enough money to

park in a lot. Alii Place, 1099 Alakea Street, across the street from the Honolulu District Court, provides parking at reasonable public rates. It takes about two hours to get a TRO.

A District Court clerk will help you fill out the necessary forms. You will be the "Petitioner"; the abuser is called the "Respondent." If the TRO is granted, the Respondent will receive a copy. If you are afraid for the Respondent to know your address or telephone number, explain that to the clerk.

It is possible to let the court know how to reach you, without the Respondent knowing where you are.

The petition should contain the dates of the abuse and spe-

cifics regarding violence or threats of violence. Describe the physical and psychological abuse, the verbal threats and the property damage. You can include medical records, police reports or other documents about the abuse. If the Respondent possesses or has threatened you with guns, be sure to include that information in the petition.

Be prepared to give details regarding the abuse. Failure to provide a detailed statement can result in the petition being denied.

If you are 17 or younger, one of your parents or a legal guardian needs to come with you to file for the TRO on your behalf. If the abuser is a minor, the abuser's parent or guardian should be named as the Respondent on the abuser's behalf. If you cannot have a parent or legal guardian come with you, explain why in your petition.

hearing, but you may want one, especially if you think the Respondent will obtain legal counsel.

There is a ~~\$25.00~~ ^{\$15.00} filing fee for the TRO, which can be waived in exceptional circumstances.

No person who has been restrained pursuant to any order of any court from contacting, threatening, or physically abusing any person, shall possess or control any firearm or ammunition so long as the protective order or any extension thereof is in effect. Chapter 134, Hawaii Revised Statutes.

Personal checks are accepted. Ask the clerk to "conform" all copies by stamping the judge's signature and the date of signing on all orders. Request an extra certified copy and two copies of the "Return of Service".

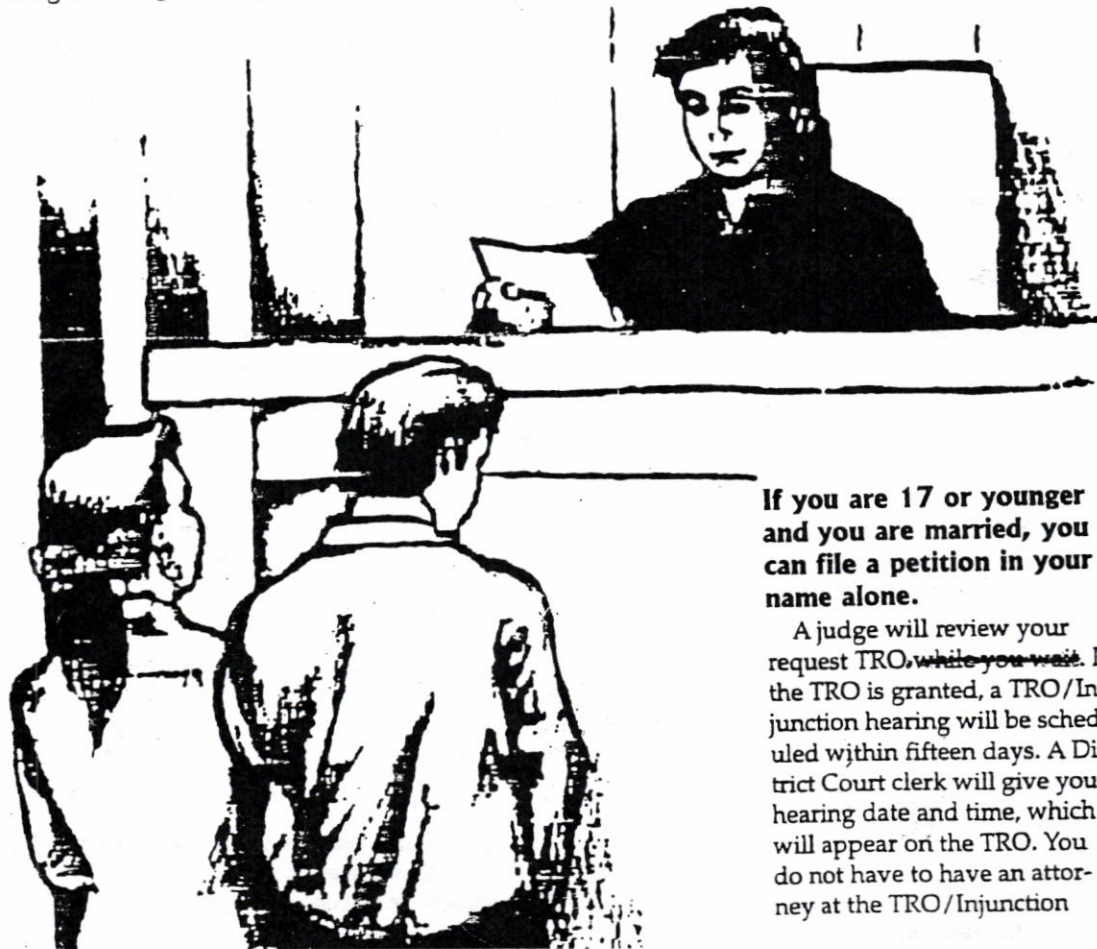
You must then take the TRO papers to the the police, who will "serve" the Respondent, which means give the Respondent a copy of the TRO. Go to the police station in the same area where the Respondent resides. Give the police exact addresses where the Respondent can be located and the times you would expect the Respondent to be at those addresses. There is no charge for this service.

revised 10/96

Your TRO is not officially in effect until the Respondent receives a copy.

Your TRO orders the Respondent not to contact you. While the TRO is in effect, there should be no contact either by the abuser or by anyone acting on the abuser's behalf. Report violations to the police immediately. If you initiate or invite contact with the abuser, your TRO is still valid, but the court and police may question your actions.

Keep a copy of your TRO with you at all times.



If you are 17 or younger and you are married, you can file a petition in your name alone.

A judge will review your request TRO, while you wait. If the TRO is granted, a TRO/Injunction hearing will be scheduled within fifteen days. A District Court clerk will give you a hearing date and time, which will appear on the TRO. You do not have to have an attorney at the TRO/Injunction