



Should I File a Restraining Order?

While it's true that no one can truly know what happens at your family home behind closed doors, going through a divorce can bring a lot to light — including emotional and physical abuse. If you've been considering filing a restraining order, here are some questions to ask yourself so you know what help to ask for.

What will the order do?

Often, many spouses are afraid to file a restraining order against their partner out of fear of the consequences. However, it's important to understand that a restraining order is meant to help you. A restraining order (also called a "protective order") can protect you or another member of your family from being:

- Physically or sexually abused
- Threatened
- Stalked
- Harassed

If you are filing for an order, you are known as a "protected person," and the person the order is against is the "restrained person."

Is the restraining order for you?

Restraining orders can include other “protected persons” in some instances, such as family or household members of the protected person. This has especially been the case for children living in the house that need to be protected as well.

What type of order are you seeking?

There are a few different protective or domestic violence orders you can petition for when it comes to California restraining orders. These orders include:

- Personal conduct orders (to prevent a person from calling, disturbing the peace, etc.)
- Stay-away orders (to keep a person away from you and your residence.)
- Residence exclusion (to order a person to move out of your residence.)

Additionally, a restraining order can be awarded as emergent, temporary, or permanent — so it's important to understand your need.

Should you file during your divorce?

If you are considering divorcing your spouse because of violence at home, or your spouse has become violent during your divorce proceedings, you are within your rights to file a protective order. While some clients fear their spouse will lash out during divorce proceedings, the order will serve as a testament to their character and can help defend you.

Filing for a Restraining Order in Irvine

At Sullivan Law & Associates, our attorneys understand that [filing for a protective order](#) of any kind is an emotional experience and a hard decision. If you're in need of help, our team is there for you. [Contact us today](#) to book a free consultation.