

Who Can File a Domestic Restraining Order?

Do you feel concerned for your safety, or worried about the well being of your children? Sometimes, after a divorce, breakup, or separation, the “wronged” party may feel angry enough to act on their feelings, putting you in danger. Unfortunately, these types of dangerous individuals might commit acts of domestic violence, in which case you should file a restraining order.

Whenever you feel threatened or endangered, you should take immediate action to protect yourself and those around you. If you are wondering whether or not you should file a restraining order, make sure you know what these orders do and discover how you can obtain one.

About Restraining Orders

A restraining order is a type of protective order designed to keep dangerous individuals away from their potential targets. With a valid court order, a restraining order can prevent someone from contacting their alleged target completely. For example, if Jane has a restraining order against John, John may not contact Jane, including any calls, emails, or social media contact. Additionally, the restraining order can prohibit John from coming within a certain distance of Jane, her place of work, her school, and her home.

If two individuals share custody of a child or have some other legal reason for contacting one another, the court might adjust the parameters of a long-term restraining order. However, in many cases, the restraining order will also protect the children from any contact from your alleged abuser.

Who Can File?

[According to California law](#), anyone who threatened or abused by a family member may file for a domestic restraining order. There are several different types of restraining orders available, but a domestic restraining order is a specific type of protection applicable to family issues or spousal abuse.

You may qualify for a domestic restraining order if you and the person you wish to restrain have one of the following relationships:

- Married
- Domestic partners
- Currently or previously dated
- Living together, or previously lived together
- Share a child together
- Biological relatives (for example— father, son, sister, grandmother, uncle, etc.)

Getting Help

If you suffer any type of abuse, or if you have reason to fear bodily injury, you have a right to seek a domestic restraining order. Abuse takes many forms but can include harassment, stalking, molestation, sexual assault, written threats, continual unwanted contact, or physical assault. Once you contact a family law attorney and file the appropriate paperwork through the court, a judge can issue a temporary

order to provide you with immediate protection from your abuser. Once a full restraining order is effective, it can last for up to 5 years.

A domestic violence restraining order is designed to help people who have been abused or threatened with abuse by the people who are closest to them. Whether at the hands of a spouse, sibling, ex-partner, or other relation, anybody suffering at the hands of an abuser has legal options.

[Contact Sullivan Law & Associates](#) to discuss your family law case with our Irvine divorce lawyers.