

Sexual Assault / Stalking Protective Order

A sexual assault or stalking order is a superior court order that can protect you from someone who is not a family member or household member who has stalked or sexually assaulted you. The parties' relationship must NOT be: family members, a household member, or be in a sexual or dating relationship. If any of those are true then you should obtain a Relief from Abuse order through Family Court. The type of abuse that is covered in a sexual assault or stalking order MUST include one of the following: stalking, sexual assault, aggravated sexual assault, lewd and lascivious with a child. Physical abuse is not included in this order. What the order could provide may include any of the following: stay away, no direct/ indirect contact, and any protections the court deems as necessary.

The process of obtaining an order is as follows:

You can apply for a sexual assault or stalking order only DURING business hours at the Superior Court. There is no after hours option to apply for this order at the police station. If the judge grants your order, it will be in effect from the time it is served on the defendant by law enforcement. You must attend a hearing for the final order, normally within 10 days. When the order is served to the defendant they will also be notified of the final order hearing date. In order for the final sexual assault or stalking order to be obtained the plaintiff must attend this hearing otherwise the order will be dropped. Your local domestic and sexual violence program can sit with you at court and provide more information if desired. A final sexual assault or stalking order can be issued at the scheduled hearing and only after the court has either found that abuse has occurred or the defendant agrees to the order without findings. If a final order is not granted you can still work with your local domestic and sexual violence agency to create a safety plan or utilize other services they offer.

Your local domestic and sexual violence agency can assist you with filling out the paperwork for a temporary sexual assault or stalking order, attend the court hearing with you, and answer questions you may have about the process. If you need a Sexual Assault Exam a confidential advocate can provide support through that process. You can also call your local domestic and sexual violence agency's hotline for confidential and free assistance 24 hours a day 7 days a week:

Umbrella: (802) 748-8645

If you live in Caledonia or South Essex Counties.

Aware: (802) 472-6463

If you live in Hardwick, Cabot, Craftsbury, Greensboro, Stannard, Walden, and Woodbury.

If you are in immediate danger call 911