



## What is Family Violence?

The Georgia Code 19-13-1 defines family violence as certain kinds of crimes between people who have a certain kind of connection to each other. The kinds of crimes include battery or assault, stalking, criminal damage to property, unlawful restraint, criminal trespass or any felony. The people must be connected to each other as past or present spouses, parents of the same child, parents and children, stepparents and stepchildren or other persons living or formerly living in the same household. If the crime is stalking, the people do not have to have any connection to each other.

## How Can a Temporary Protective Order (TPO) Help You?

A temporary protective order (TPO) is a court order to help protect you from someone who is abusing, threatening or harassing you. The order will require the abuser to stay away from you, your home and your work. The abuser will be prohibited from contacting you in any way. The court can also order the abuser to stay away from your children if the court feels they are at risk. The court can also order other kinds of relief in the TPO, such as temporary custody, support and possession of vehicles.

Getting a TPO does not mean the abuser goes to jail. The TPO makes it easier for the police to arrest the abuser for coming near you later, even if the abuser does not hurt you again.

## How to Get a TPO

There must be a recent threat of physical abuse or physical violence. The temporary protective order must be filed in the county where the abuser resides. If the abuser lives out of state, the TPO may be filed in the Georgia county where you live or where the violence occurred.

You will need to go to the Superior Clerk's office and tell the clerk you want to file for a temporary protective order. They will give you the paperwork to complete. You must know the abuser's name and current work and/or home address.

The clerk will then take you to talk to a judge about your case. You must be ready to tell the judge about the violence that has occurred. The judge will want to know if you believe the abuse will continue.

If the judge grants you a TPO, the abuser will be served the order. A hearing will be held within 30 days. Both of you will be required to attend the hearing to determine if the order will be extended.

At the hearing, the judge will decide if the TPO should be extended for up to 12 months. The court can also decide other issues such as temporary custody and support for your children and support for you, or substance abuse treatment for your abuser.

If there is a new threat of violence before the TPO expires, you can go back to court and ask that the order be extended or made permanent.

Family violence causes many complex problems – legal, physical, emotional and financial. TPOs can help with some of these problems, but not all. Contact your local family violence shelter or legal aid office for advice or help with family violence problems (see lists below or on the back of the flyer).

### Clayton County

Association of Battered Women of Clayton County  
(Secur'us House)

770-961-7233

Clayton County Superior Court

770-477-3405

### Cobb County

YWCA of Cobb County Battered Women's Program

770-427-3390

Cobb Family Resources

770-428-2601

### DeKalb County

Women's Resource Center

404-688-9436

DeKalb Superior Court

404-371-2836

### Fulton County

Partnership Against Domestic Violence

404-873-1766

Fulton Superior Court

404-730-5344

### Gwinnett County

Partnership Against Domestic Violence

770-806-8873

Gwinnett County Superior Court

770-822-8100

### Statewide Referrals

Domestic Violence Statewide Referral Hotline

1-800-334-2836

### Immigrants

Catholic Social Services

404-881-6571

Atlanta Legal Aid Society Hispanic Outreach Project

404-377-5381

St. Joseph's Mercy Mobile  
Spanish

404-851-7777

Vietnamese

404-851-5500

# Contact Us

DeKalb County  
246 Sycamore Street  
Suite 120  
Decatur, GA 30030  
(404) 377-0701

Clayton County Pro Bono Project  
1000 Main Street  
Forest Park, GA 30050  
(404) 366-0586

Cobb County  
30 S. Park Square  
Marietta, GA 30090  
(770) 528-2565

Fulton County  
151 Spring Street, N.W.  
Atlanta, GA 30303  
(404) 524-5811

South Fulton &  
Clayton Counties  
1514 East Cleveland Avenue  
Suite 100  
East Point, GA 30344  
(404) 669-0233  
(Wagon Works Building)

Gwinnett County  
180 Camden Hill Road  
Suite A  
Lawrenceville, GA 30045  
(678)376-4545

For TTD/TTY users, call the Georgia Relay  
Center at (800) 255-0135.

Copyright Atlanta Legal Aid Society, Inc.  
June 30, 2008



## How to Get a Temporary Protective Order

Atlanta Legal Aid Society, Inc. °