

## The 209A Restraining Order Process

**Step #1** A temporary 209A restraining order is granted either:

- By a judge in court during regular court business hours, or
- Over the phone by a judge after court hours or over a weekend by contacting local police. If the judge grants the order over the phone, the person seeking the order must appear in court the next time court is in session to extend the order.

**Step #2** The police serve a copy of the order to the defendant.

**Step #3** A temporary order is valid for up to 10 days. A 10 day hearing date will be set by the court. At the hearing, the person seeking the order may appear in court to extend the order.

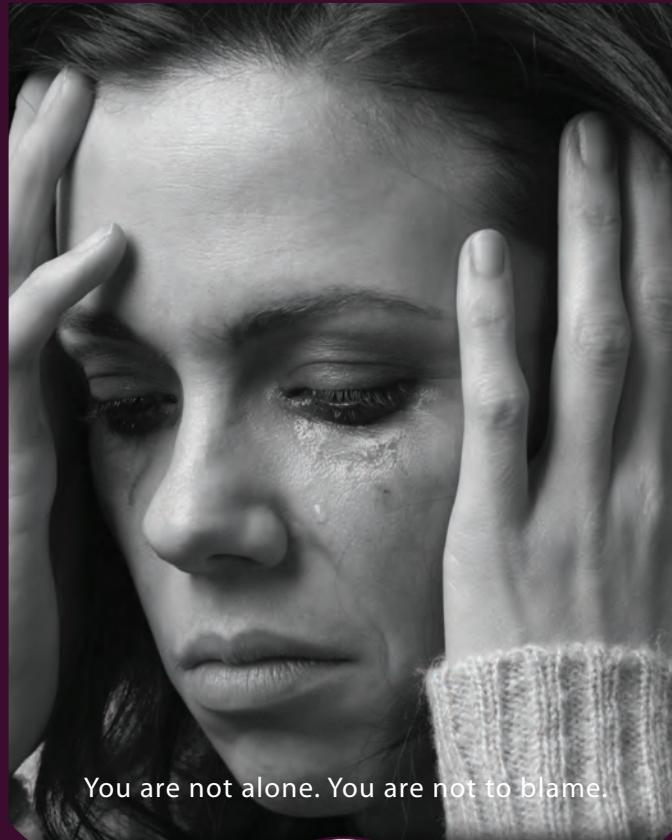
The defendant may appear at the hearing to request that the order be dismissed.

If the order is granted, the defendant will receive a copy of the order from the court. If the defendant fails to appear for the 10 day hearing, the police will serve the defendant with the order.

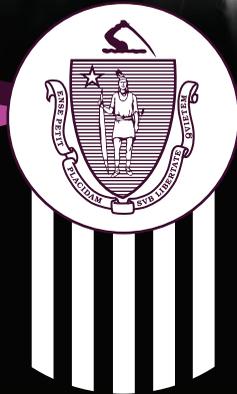
**Step #4** The restraining order may be extended for up to one year.

# DOMESTIC VIOLENCE

## ABUSIVE RELATIONSHIPS



You are not alone. You are not to blame.



**MICHAEL W. MORRISSEY**  
NORFOLK DISTRICT ATTORNEY

[norfolkda.com](http://norfolkda.com)

# Are You in an Abusive Relationship?

## Does your partner...

### Use emotional & psychological control?

- Call you names, yell, put you down?
- Frequently criticize or undermine you & your abilities as a partner or parent?
- Monitor e-mails, phone calls & texts?
- Behave in an overprotective or jealous manner?
- Make racial or other slurs?
- Prevent you from going where and when you want and with whomever you choose as a companion?
- Humiliate or embarrass you in front of other people?

### Use economic control?

- Deny you access to family assets like bank accounts, credit cards, or a car?
- Control all the finances, force you to account for what you spend, or take your money?
- Prevent or try to prevent you from getting or keeping a job or from going to school?
- Limit your access to health, prescription or dental insurance?

### Make threats and use intimidation?

- Threaten to report you to the authorities (the police or child protective services) for something you did or didn't do?
- Threaten to harm or kidnap the children?
- Display weapons as a way of making you afraid or directly threaten you with weapons?
- Use anger or threats to manipulate you?
- Use physical size in a scary way, make angry or threatening gestures, drive recklessly when you're in the car?

### Commit acts of physical violence?

- Hurt you, your children, pets, family members, friends, or himself/herself?
- Destroy personal property or throw things around?
- Grab, push, hit, punch, slap, kick, strangle, or bite you?
- Force or coerce you to engage in sexual acts?

# Abuse Prevention Law Restraining Order Questions

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**What is abuse?** Domestic violence is a crime. The Massachusetts Abuse Prevention Law (also known as Chapter 209A) defines abuse as: actual physical abuse or an attempt to physically harm another; placing another in fear of imminent serious physical harm; or forcing someone to have sex.

## Who is protected by the law?

You have the right to seek legal protection through an abuse prevention order, often referred to as a restraining order, if you are being abused by a:

- Spouse or ex-spouse
- Current or former boyfriend or girlfriend
- Family member of any age
- Current or former member of your household
- Person you have been dating
- Person you have a child with
- Live-in caregiver

A domestic violence victim may be male or female. A domestic violence victim can apply for a restraining order regardless of immigration status.

## What is a restraining order?

A 209A restraining order is a civil order intended to prevent future abuse. The person seeking the order can ask the court to include several kinds of protection in the order.

## When can I get a restraining order?

You can go to your local court and apply for a restraining order during regular business hours.

A Norfolk District Attorney's Office Domestic Violence Advocate is available to assist you during regular court business hours. On nights, weekends and holidays, you can obtain an order through the police, who will contact a judge to seek an emergency restraining order. On the next business day you must appear in court to extend the order.

## Will a 209A restraining order send the defendant to jail?

When the court issues a 209A restraining order, it is a civil action intended to protect you from future abuse. The restraining order is not a criminal action and will not punish someone for what they may have already done to you. Violation of a 209A restraining order is a criminal offense.

## How do I modify my restraining order?

After the restraining order is granted, you may return to court at any time to have it changed or removed. You may discuss safety options with your domestic violence advocate. If you again become concerned for your safety, you may always return to court to obtain a new order or to make changes to an existing order. The defendant may be violating the restraining order even if he/she contacts you with your permission.

## Do I have the right to file criminal charges?

You may press criminal charges with or without a 209A restraining order in effect. Criminal charges - for such offenses as assault, assault and battery, criminal harassment, violation of 209A restraining order, threats to commit a crime, stalking, etc. - can be filed with assistance of the police department or the local court.

# Help is available

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## POLICE | CALL 911

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### Norfolk District Attorney's Office

#### Domestic Violence Advocates (business hours)

- **Brookline District Court 617.738.5072**  
*(Brookline)*
- **Dedham District Court 781.251.0216**  
*(Dedham, Dover, Medfield, Needham, Norwood, Wellesley and Westwood)*
- **Quincy District Court 617.479.7454**  
*(Braintree, Cohasset, Holbrook, Milton, Quincy, Randolph and Weymouth)*
- **Stoughton District Court 781.344.9227**  
*(Avon, Canton, Sharon and Stoughton)*
- **Wrentham District Court 508.384.3788**  
*(Foxborough, Franklin, Medway, Millis, Norfolk, Plainville, Walpole and Wrentham)*

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### Domestic Violence Shelter & Support Services

- **SafeLink: Massachusetts Statewide Hotline 1.877.785.2020 (24 HOURS/multiple languages)**  
*(Makes connections to available shelters)*
- **Massachusetts Coalition Against Domestic Violence and Sexual Assault 1.877.785.2020**  
[www.janedoe.org](http://www.janedoe.org)
- **DOVE, Inc. 1.888.314.3683**
- **New Hope, Inc. 1.800.323.4673**
- **Casa Myrna Vasquez 617.521.0100**  
*(Services available in Spanish and English)*
- **Elizabeth Stone House 617.427.9801**

### GLBT Domestic Violence Services

- **Fenway Community Health**  
**Violence Recovery Program 1.800.834.3242**
- **Gay Men's Domestic Violence Project 1.800.832.1901**
- **The Network/La Red 617.742.4911**

### Multilingual Domestic Violence Services

- **Asian Task Force Against Domestic Violence 617.338.2355**  
*(Multilingual services available)*
- **A New Day 1.888.293.7273**  
*(Services available in Cape Verdean Creole, Portuguese, Spanish and English)*

### Batterer Intervention Programs

- **Billings Human Services 781-762-0060**
- **Common Purpose 617.522.6500**
- **Emerge 617-547-9879**

### Department of Children and Families

- **Domestic Violence Unit 617.748.2333**

### Visitation Centers

- **Family & Community Resources, Inc. 508.583.6498**
- **New Hope 508.753.3146**

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**TTY/TDD users dial 711 for Massachusetts Relay Service (24/7)**

**Voice: 1.800.439.0183**  
**Customer Service: 1.800.720.3479**