

Utah Civil Protective Orders

	Cohabitant Abuse Protective Order	Civil Stalking Injunction	Child Protective Order	Sexual Violence Protective Order	Dating Violence Protective Order	Workplace Violence Protective Order
Requirements	1. Must be 16+ 2. Must be a <u>cohabitant</u> ☐ Is/was spouse ☐ Is/was living as if a spouse ☐ By blood or marriage is parent, grandparent, sibling ☐ 1+ children in common ☐ Bio parent of unborn child ☐ Resides or resided in same residence ☐ Is/was in consensual sexual relationship ☐ Can't file against parent if victim is a minor ☐ Can't file against minor sibling 3. Must be a victim of <u>abuse</u> or <u>DV</u>, OR have substantial likelihood of abuse/DV DV: assault, harassment, stalking, kidnapping, mayhem, sexual offenses, violation of PO, child abuse, electronic communication harassment, threatening use of dangerous weapon, threatening violence (<i>not a complete list of qualifying offenses</i>) Abuse: physical abuse, sexual abuse, human trafficking of a child for sexual exploitation	1. 2+ incidents of <u>stalking</u> ("course of conduct") 2. Perpetrator knows or should know their actions would cause reasonable person to fear for their safety/safety of a third party or suffer emotional distress Stalking: 1) stalker follows, monitors, photographs, threatens, or communicates to/about victim, or interferes w/ victim's property directly, indirectly, or through any third party by any means —OR— 2) stalker does any of these or causes someone else to do so: ☐ approach/confront victim; ☐ appear at victim's work or contact victim's employer; ☐ appear at or enter victim's home or contact victim's neighbor; ☐ places object on victim's property or to victim's workplace w/ intent that object be delivered to victim; ☐ uses electronic means to commit an act that is a part of the course of conduct. (See full definition in Utah Code)	Child must fall into one of the falling categories: 1) Child who is (that is, currently) or is in imminent danger of being physically or sexually abused by anyone 2) Child who has been (that is, in the past) abused by someone other than their parent or guardian MUST make a referral to DCFS before filing Child Abuse: physical abuse, sexual abuse, sexual offenses, human trafficking of a child for sexual exploitation	1. Victim must be 18+ 2. <u>Sexual violence</u> must have occurred Sexual Violence: ☐ Rape ☐ Object rape ☐ Forcible sodomy ☐ Forcible sexual abuse ☐ Aggravated sexual assault ☐ Sexual exploitation of a vulnerable adult ☐ Distribution of an intimate image or unlawful distribution of counterfeit intimate image ☐ Sexual extortion ☐ Human trafficking for sexual exploitation	1. Victim must be 18+ 2. Must be in a <u>dating relationship</u> but cannot be intimate partners ☐ social relationship of a romantic or intimate nature ☐ a relationship which has romance or intimacy as a goal by one or both parties 3. Must be a victim of dating abuse or violence, or a substantial likelihood of being in danger of being a victim of dating abuse/violence Abuse: physical abuse, sexual abuse, sexual offenses, human trafficking of a child for sexual exploitation No definition exists for dating violence.	1. Victim must be employer or employee performing employee's duties as an employee 2. Workplace violence must have occurred ☐ Knowingly causing or threatening to cause bodily injury to a person OR causing or threatening significant damage to the property of a person AND ☐ Action would cause reasonable person to feel frightened/harassed OR threat would cause a reasonable person to fear that threat will be carried out and if carried out would cause a reasonable person to feel frightened/harassed
Expiration	<u>Ex Parte:</u> expires upon service of permanent PO or dismissal by court <u>PO:</u> 3 years unless dismissed by court due to petitioner no longer having reasonable fear. Can request extension if reasonable fear of future harm or respondent convicted of DV after order issued (78B-7-606)	Expires at the end of 3 years from the date of service of <i>ex parte</i> injunction on Respondent.	Issued against parent/guardian: Expires in 150 days unless 150-day extension granted by Court. Issued against someone other than parent/guardian: Expires once child turns 18.	<u>Ex Parte:</u> expires upon service of permanent PO or dismissal by court <u>PO:</u> 3 years after issued. Can request extension if substantial likelihood of being subjected to sexual violence or respondent is convicted of PO violation.	<u>Ex Parte:</u> expires upon service of permanent PO or dismissal by court <u>PO:</u> 3 years after issued. Can request extension if substantial likelihood of being subjected to dating violence or respondent is convicted of PO violation.	<u>Ex Parte:</u> expires upon service of permanent PO or dismissal by court <u>PO:</u> 18 months after order issued.

Petition can be filed in UT city where victim lives or has temporarily relocated to, where perpetrator lives, or where the abuse/stalking occurred. Abuse/stalking must have occurred in UT.
Child protective order petitions should be filed in juvenile court. All other petitions should be filed in district court.

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