

WHAT TO EXPECT WHEN FILING FOR AN ANTI-HARASSMENT ORDER

Anti-harassment packets can be picked up from the District Court office located on the 3rd floor of the Law & Justice Center. The packet may be obtained during customer service hours. The forms included in a packet are a Petition and Declaration for an Order of Protection (Unlawful Harassment) or (Stalking), a Worksheet and Law Enforcement Information Sheet. All forms must be legibly completed in ink or typed. You **must include a Name, Address and Date of Birth** or approximate age for the Respondent. This form will **not** be served on the Respondent.

Legal terms: The *Petitioner* is the party requesting the Anti-harassment Order. The *Respondent* is the party being required to stop the harassment.

***Please note:** *The person you are naming as the Respondent must be 18 years of age or older. If they are under 18 you will need to file with the Lewis County Clerk's Office located on the 2nd floor of the Law and Justice Center.*

The petition for an Anti-Harassment Order may be filed at **8:00 a.m. on a Monday or Thursday, or at 8:30 a.m. on a Friday. If you are filing on a Friday, you must have your paperwork prepared and ready to file by 8:30 a.m. when the front counter opens.** The clerk will review the forms to insure all information is complete. The clerk will give the forms a case number and create a file. You will need to show a picture ID and pay an \$83.00 filing fee, unless you are filing a Motion for Waiver of Fees. If you believe you are indigent, ask for a Motion for Waiver of Fees.

Once the petition has been filed, you will be directed to a courtroom. Your case will be called by the judge and you will be directed to sit at a table near the front of the courtroom. The judge will review the petition and make a decision. If the judge decides it is necessary, a Temporary Protection/Anti-harassment Order will be issued. If the court does not issue a temporary order, it may still schedule a hearing to determine if a long term order is appropriate.

After seeing the judge, you will then be directed to the front counter where you will receive a copy of the petition and a certified copy of the court's order. The order will include a court date, not more than 2 weeks ahead, for both parties to appear. The hearings are always scheduled on Mondays at 9:30am.

The Respondent must be served with certified copies of the *Petition* and the *Temporary Protection/Anti-harassment Order* or *Order to Show Cause*, five business days prior to the court hearing. If you are indigent, the Court will make arrangements to have a law enforcement agency serve the documents, otherwise you must make arrangements to have the *Order to Show Cause* or *Temporary Protection/Anti-harassment Order* served on the Respondent.

A *Temporary Protection/Anti-harassment Order* will only be valid until the date of the next court hearing. If there is a violation of the temporary order within that time period, law enforcement has authorization to arrest and cite the Respondent for violation of the court's order.

When both parties appear for the hearing, the judge will speak to each one of you regarding the details of the alleged harassment. If the judge finds there is cause, an Order for Protection from Unlawful Harassment will be entered. The orders are usually entered for one (1) year, although the judge may enter them for a longer period of time depending on the details of the harassment.