

TEMPORARY PROTECTIVE ORDER

TPO

❖ *What is a Family Violence Temporary Protective Order (TPO)?*

It is a legal document, granted by the Court, to help victims and their children obtain protection from persons abusing, threatening or putting them in fear for their safety.

❖ *What Acts Constitute Family Violence?*

Any act that involves violence, force, threat, restraint, bodily injury or places a person in reasonable fear of bodily injury.

❖ *Who is eligible to apply for a Family Violence TPO?*

- Past or present spouses
- Persons who are parents of the same child(ren)
- Parent or child
- Step-parent or step-child
- Foster parent or foster child
- Persons living, or formerly living, in the same household

❖ *What Can a Family Violence TPO Do?*

It can order the perpetrator to leave the residence, give you sole use of the residence, grant temporary custody of the children, order child support, give you temporary sole use of a vehicle and prohibit cancellation of marital accounts.

❖ *What is a Temporary Stalking Order?*

It is a legal document, granted by the Court, to help victims obtain protection from persons stalking them.

❖ *What Acts Constitute Stalking?*

Any pattern of harassing or intimidating behavior, which puts a person in fear for their safety. Anyone can apply for a Temporary Stalking Order, even if the relationship with the perpetrator does not fall into one of the above categories.

❖ *Where do I get a TPO or a Temporary Stalking Order?*

They must be obtained in the **county in which the perpetrator lives**. If the perpetrator is not a resident of the State of Georgia, the Order may be obtained in the County where the abuse occurred or where the victim lives.

❖ *Where can I apply for an Order in Cherokee County?*

The Cherokee Family Violence Center, 100 Hearthstone Landing Drive, Canton, GA or through most attorneys. **PLEASE NOTE THAT THE MAGISTRATE COURT AND THE SUPERIOR COURT CLERK'S OFFICE DO NOT ASSIST WITH TPO's IN CHEROKEE COUNTY.**

❖ *How do I Obtain a TPO or Stalking Order?*

- The victim completes a petition requesting that a TPO be issued.
- Once the petition is completed, the victim will go before a judge. A Cherokee Family Violence Center's legal advocate will assist you in these steps.
- If the judge grants the Order, the proper papers will be filed with the Clerk's office.
- A court date will be assigned within 30 days.
- The Sheriff's office will receive a copy of the Order, so that the perpetrator can be served with the Order.
- The victim must appear before a judge within 30 days of the original Order, to determine if the TPO should be extended for up to one year.

The perpetrator may appear if he so chooses.

❖ **How Can Cherokee Family Violence Center Help Me?**

Legal advocates are available to answer questions and assist you in applying for a TPO. This process can take from 2-4 hours. No appointment is necessary. This service is provided free of charge. To speak with a legal advocate, please call 770-479-1804, Ext. 205 or 206.

The legal advocates can also refer you to similar agencies in other counties, if necessary.

We will help you create a safety plan for you and your children, whether you obtain an Order or not. We provide on-going case management services and helpful classes in recovering from an abusive relationship.

If you need to enter a family violence shelter or have questions after business hours, please call our hotline at 770-479-1703.

❖ **What Documents Do I Need to Bring?**

Police reports and photos if available. If children are involved bring proof of income, health insurance premiums paid and child care expenses paid.

**Cherokee Family Violence Center
PO Box 489
Canton, GA 30114
office (770) 479-1804 fax (770) 720-4834
Cherokee hotline (770) 479-1703
Toll free hotline 1-800-33 HAVEN**