

## AM I ELIGIBLE FOR A RESTRAINING ORDER?

### ABUSE PREVENTION ORDERS

You may request an Abuse Prevention Order (a "209A Order") from a judge of this court if:

1. You and your abuser are or were:
  - married,
  - or residing together in the same household,
  - or in a substantive dating or engagement relationship,
  - or related by blood or marriage,
  - or you have a child in common;
2. *and* you are suffering from abuse because your abuser has:
  - harmed or attempted to harm you physically,
  - or put you in fear of imminent serious physical harm,
  - or caused you to engage in sexual relations involuntarily by using force, threat or duress;
3. *and* you:
  - currently live within the geographical area of this court,
  - or used to live within the geographical area of this court but you left to avoid abuse.

A judge may issue an Abuse Prevention Order *without prior notice* to your abuser if there is a substantial likelihood of immediate danger of abuse.

### HARASSMENT PREVENTION ORDERS

You may request a Harassment Prevention Order (a "258E Order") from a judge of this court if:

1. You are suffering from harassment because:
  - someone has committed 3 or more acts:
    - that were willful and malicious,  
*"Malicious" means characterized by cruelty, hostility or revenge.*
    - and were aimed at you,
    - and were intended to cause you fear, intimidation, abuse or damage to property,  
*"Abuse" means causing or attempting to cause physical harm, or causing fear of imminent serious physical harm.*
    - and did in fact cause you fear, intimidation, abuse or damage to property;
  - or someone has caused you at least once to engage in sexual relations involuntarily by using force, threat or duress;
  - or someone has committed against you at least once an act that violates any of the following statutes: General Laws chapter 265, §§ 13B, 13F or 13H (indecent assault and battery), 22 or 22A (rape), 23 (statutory rape), 24 or 24B (assault with intent to rape), 26C (enticing a child), 43 (criminal stalking), 43A (criminal harassment), or chapter 272, § 3 (drugging for sexual intercourse);
2. *and* you currently live within the geographical area of this court.

A judge may issue a Harassment Prevention Order *without prior notice* to your harasser if there is a substantial likelihood of immediate danger of harassment.