

Civil Order of Protection in a Domestic Violence Case

Domestic abuse is defined to include certain acts that might be committed against a minor child of the parties, or an animal owned by the parties. CRS 13-14-101

1 Papers to Complete:

- Incident Checklist [jdf 401](#)
- Verified Complaint/Motion for Protection Order [jdf 402](#)
- Affidavit Regarding Children [jdf 404](#)
- Information Sheet/Registering a Protection Order [jdf 442](#)

- ↓ Instructions [jdf-400](#)

Any TPO/PPO granted by County Court will only protect children for up to one year. A TPO may only be continued for up to one year.

This is to allow sufficient time for the parties to appear before the District Court, which has primary jurisdiction over children.

2 File the papers with the Clerk of the Court:

- You may be asked to wait to speak to the County Judge
- Be prepared to answer questions about your request
- Court will review your Request to see if it satisfies the required thresholds; **IF IT DOES:**

Court issues the Temporary Protection Order (TPO)

- the date, time and place for your Permanent Protection Order Hearing (PPO) is on the front of your TPO

Grounds for issuing a Protection Order are:

- (I) To prevent assaults and threatened bodily harm;
- (II) To prevent domestic abuse;
- (III) To prevent emotional abuse of the elderly or of an at-risk adult;
- (IV) To prevent sexual assault or abuse; and
- (V) To prevent stalking. [CRS 13-14-104.5](#)

3 Personal Service of Temporary Protection Order (TPO)

- The Order of Protection is only effective upon personal service on the Respondent
- Always carry a copy of the TPO on your person, together with a copy of the Proof of Service, once you get it back from the Sheriff.
- The TPO will automatically expire on the date and time of the Permanent Protection Order Hearing
- If the protected party fails to appear for the Permanent Protection Order Hearing, the TPO will be dismissed

Personal Service of the TPO

- Provide a "Service Package" of all the TPO papers to the Sheriff
- Advise the Sheriff this is a Domestic Violence (DV) case
 - no fee is required for personal service in a DV case
- Ask the Sheriff to mail you a copy of the Proof of Service AND to file the original with the court
- Bring your copy of Proof of Service to the PPO Hearing
- Before your PPO Hearing, check with the Sheriff to make sure:
 - 1) Personal service was accomplished, and
 - 2) "Proof of Service" filed with the court

4 Permanent Protection Order Hearing

The court may issue a Permanent Protection Order if it finds, based on a preponderance of the evidence, that:

- 1) Respondent has committed acts which are grounds for issuing the PPO
- 2) Unless restrained, Respondent will:
 - a) continue to commit such acts, or
 - b) will commit acts designed to intimidate or retaliate against the protected person
- 3) Then the PPO shall be issued.

- If the Respondent appears in court without service, the court will serve the PPO on them, (*if granted*), which makes the PPO immediately effective.
- If the Respondent does not appear in court, and there was valid personal service of the TPO, if the court grants the PPO, the PPO becomes permanent and effective without personal service of the PPO ([CRS 13-14-106 \(Procedure for Permanent Civil Protection Order\)](#))