

# What is an Order of Protection?

**An Order of Protection is a civil order granted by Family court that can protect you from an abuser that is a spouse, ex-spouse, someone that you have a child in common with, or someone of the opposite sex that you have lived with.** The abuse must meet the legal definition as explained further in this brochure. If your relationship with your abuser doesn't fall into the above categories or the way they harm you doesn't fit the legal definition, you may still be able to get a Restraining Order. Go to [les.sc.edu/restraining-order](https://les.sc.edu/restraining-order) for more information about getting a Restraining Order.



## How it can help

A **temporary** Order of Protection can order the abuser to stop threatening or abusing you, stop attempted or actual communication with you, and order them to stay away from places you request such as schools, work, or a child's daycare.

A **final** Order of Protection can do the same things, but can also:

- Award temporary custody and visitation rights of your children
- Order the abuser to pay temporary support for you and/or your child if you are married or they are the legal parent of the child
- Grant you temporary possession of shared residence
- Forbid the abuser from selling or destroying shared property or assets
- Determine who gets temporary possession of personal property

**The Division of Law Enforcement & Safety** provides reasonable, fair, and compassionate assistance to victims and witnesses of crime.

The Division is committed to the development, implementation, and maintenance of programs and activities that provide appropriate assistance to victims/witnesses.

### Law Enforcement Victim Advocate Services Include:

- Assistance with Restraining Orders and Orders of Protection (Civil)
- Housing Assistance
- Class Assistance
- Parking Assistance
- No Contact (USC Student Conduct)
- Court Preparation/Appearances (To include the Bond Hearing)
- SOVA Assistance
- Safety Plans
- Referrals

### Rave Guardian Safety App

**Download our free mobile app that turns your cell phone into a personalized protection network, connecting with University Police during an emergency and giving us important information we need instantly.**

[les.sc.edu/RaveSafetyApp](https://les.sc.edu/RaveSafetyApp)



### Victim Services Division of Law Enforcement and Safety

1415 Henderson Street  
(1600 Hampton Street Annex)  
Columbia, SC 29208

24 hour phone number: **803-777-4215**

Emergency: **911**

[les.sc.edu](https://les.sc.edu)

University of South Carolina  
**Division of Law Enforcement and Safety**

**Order of Protection:**  
Help is available.  
**If your partner or spouse is abusive.**



# Steps to Getting an Order of Protection:

**1 Fill out the forms.** Get the forms to begin the process from the Family Courthouse or online, including the Petition for an Order of Protection. You can get help from the clerk of court, an attorney, or a domestic violence advocate.

**2 File the petition.** Once the forms are complete, give them to the clerk; there should be no filing fees. Bring a valid ID. It may also help to bring information about your abuser such as a photo, current address, phone numbers, license plate number, and any known history of violence, drugs, or gun ownership.

**3 Notice and Service of Process.** From the time you file your paperwork, you will be given a court date for your hearing in about 15 days. Prior to the hearing, the local law enforcement agency must serve notice of the hearing and a temporary Order of Protection (if granted) to the abuser.

**4 The Hearing.** The hearing will take place before a judge, and you and your abuser will both testify. You must prove that the abuser has committed acts of abuse against you and/or your children, and convince the judge that you require protection. The judge will decide whether to issue a final Order of Protection or not.

**5 After.** Review your Order, if granted one; ask the judge any questions you may have before leaving the Courthouse.



**Emergency Protection:** *If you believe you are in imminent danger, request an emergency hearing when filling to go before a judge within 24 hours of filing your forms. You will have to prove that you are in immediate danger of injury or harm, and the judge may grant a temporary Order of Protection until the full hearing takes place about 15 days later.*

## Important Information:

- You must go to the hearing to ask the judge for a final Order of Protection. If you skip the hearing, any temporary order you have will expire and you will have to file new paperwork.
- If you need changes to your Order of Protection, return to court and ask the judge. Go to the clerk of court and request a motion to modify form and bring your existing Order.
- If you move within South Carolina, your Order of Protection remains unchanged. If you move out of state, call the county clerk of court where the order was issued to see how it will be affected.
- When moving out of state, call a domestic violence agency serving the area you will be moving to ask how that state treats out-of-state Orders of Protection. Also call the National Center on Full Faith and Credit at 1.800.903.0111.

## Safety First

*If your abuser violates an Order of Protection, call the police immediately and document it. In order for this to be a criminal offense, your abuser must have received notice of the Order by mail, in person, or appearance in court. However, if at any time you feel that your safety is at risk or you or your children are in danger, call 911 immediately.*

- You are the best gauge of your own safety; trust your instincts.
- Consider changing your locks and phone number.
- Always lock your car and house.
- Have a safety plan in case your abuser does not obey the Order of Protection.
- Make several copies of your Order of Protection; leave copies at your work, home, your child's school or daycare, and with people you trust. Also give a copy to your local law enforcement agency.

## Get Help!



**If your spouse or partner is abusive and you are thinking about filing for an Order of Protection, don't hesitate to reach out for help. Call the 24 hour number at 803.777.4215, or email [victimhelp@mailbox.sc.edu](mailto:victimhelp@mailbox.sc.edu).**

**Individual and group counseling services are available to all USC students. Crisis intervention and walk-in appointments are available, too. Call 803.777.5223 or visit the Close/Hipp Building, fifth floor, located at 1705 College Street.**