



# INJUNCTION FOR PROTECTION

## DOMESTIC AND REPEAT VIOLENCE

A new Domestic, Repeat, Dating, or Sexual Violence case may be filed until 3:00 p.m. to allow appropriate processing time. Emergency cases filed after this time may be referred to the Domestic Violence Shelter or to the Marion County Jail.

### WHAT IS DOMESTIC VIOLENCE?

“Domestic Violence” means any aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking or any criminal offense resulting in physical injury or death of one of the family or household member by another who is or was residing in the same single dwelling unit.

“Family or household members” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together, as a family, or who have resided together in the past, as a family, and persons who have a child in common regardless of whether they have been married or have resided together at any time.

### WHAT IS REPEAT VIOLENCE?

“Repeat Violence” means two incidents of violence or stalking committed by the respondent, one of which must have been within 6 months of filing of the petition, which are directed against the petitioner or the petitioner’s immediate family member.

“Dating Violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

- A dating relationship must have existed within the past 6 months.
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties, and
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

### WHAT IS SEXUAL VIOLENCE?

Sexual Violence means any one incident of:

- Sexual battery, as defined in Florida Statutes, Chapter 794.
- A lewd or lascivious act, as defined in Florida Statutes, Chapter 800, committed upon or in the presence of a person younger than 16 yrs old.
- Luring or enticing a child, as described in Florida Statutes, Chapter 794.
- Sexual performance by a child, as described in Florida Statutes, Chapter 827.
- Any other forcible felony wherein a sexual act is committed or attempted.

### WHAT IS STALKING VIOLENCE?

Stalking means the repeated following, harassment, or cyberstalking of one person to another. Cyberstalk means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

## WHAT IS AN INJUNCTION FOR PROTECTION?

An injunction for protection, also referred to as a restraining order, is a court order which places restrictions on a person who has committed acts of violence against another person as defined in the previous two sections. The Injunction for Protection may include, but is not limited to, provisions which restrain the abuser from further acts of violence; order the abuser to leave your household; prevent the abuser from coming to your home, school, business, or place of employment; award custody of minor children and order the abuser to pay support.

If you, your child, or someone you care about is a victim of abuse, you may apply for a Temporary Injunction for Protection from the Court.

### HOW DO I FILE FOR AN INJUNCTION FOR PROTECTION?

You must appear in person at the Family Civil Department of the Clerk’s Office to file for an Injunction for Protection. The staff will assist you in completing the necessary paperwork to petition the court.

A Temporary Injunction will be entered if the court determines you need protection until you can be brought before the court for a hearing. The purpose of this hearing is to allow the court to review your situation and determine if a Permanent Injunction is necessary.

### WHAT IS A PERMANENT INJUNCTION?

A Permanent Injunction is an order entered by the court granting the relief as determined to be necessary for the protection of the victim(s) of domestic violence.

The Permanent Injunction for Protection is ordered following a court’s review of the situation and can be valid for as long as the Judge deems necessary, even permanently.

### WHAT DO I DO IF THE INJUNCTION FOR PROTECTION IS VIOLATED?

Call law enforcement, emergency 911 or non-emergency 732-9111. The petitioner may contact the Clerk’s Office in the county in which the violation is alleged to have occurred if there is no arrest. The clerk will assist the petitioner in the preparation of an affidavit in support of the violation.

### IS THERE EMERGENCY HELP AVAILABLE FOR ME?

There is a Domestic Violence Shelter in Marion County providing emergency housing, counseling, children’s programs, transportation and other services. Locations are confidential.

You are not responsible for your abuser’s violent actions. You cannot stop the abuse, but you can protect yourself and your loved ones from further abuse. Help is available 24 hours a day. If you are in an emergency situation, call 911.

A Domestic / Repeat Violence action may be filed, or additional information obtained, at one of the locations below:

- Marion County Judicial Center ..... (352) 671-5568  
110 NW 1st Avenue ..... Monday through Friday  
Ocala, Florida 34475 ..... 8:00 am - 5:00 pm
- Domestic Violence Shelter  
Ocala 24 Hour Hotline ..... (352) 622-8495
- Statewide Hotline ..... 1-800-500-1119
- Marion County Jail..... (352) 351-8077  
700 NW 30th Avenue  
Ocala, Florida 34475

If you are a person with a disability who needs any accommodations, please contact the ADA Coordinator at the Office of the Trial Court Administrator, at (352) 401-6710. If you are hearing or voice impaired, call 711.