

Filing a Restraining Order (Milwaukee County)

A restraining order is a court order. The court can order the abuser not to hurt you physically or sexually, to stay away from you, move out of your house, have no contact with you, or stop harassing you, if, after a hearing, a court is convinced there is a legal reason for the order. An advocate at the Sojourner Family Peace Center can help you weigh your options and create a safety plan. Talk with an advocate to see if what you are experiencing fits the legal requirements for getting a restraining order (414-278-5079).

****Do not tell your abuser that you are thinking about a restraining order. Telling the abuser may be a safety issue, and he/she might avoid service (having it officially delivered to him/her).****

If you decide to file a restraining order, it is a two-step process.

Part One

Come to the Milwaukee County Courthouse: 901 N. 9th Street, Room 711

Monday – Friday, 8:30 a.m.—10:30 a.m. and 1:00p.m.—2:30p.m.

FIRST-COME, FIRST-SERVED

Bring:

- **The full name of the abuser, with the correct spelling (required)**
- **All addresses where the abuser can be found so that the papers can be served (required, call if you need help)**
- **A picture ID, if possible**
- **A picture of the abuser (optional, but helpful)**

It is a two to three hour process consisting of talking with an advocate, meeting with a court commissioner, filing with the Clerk of Courts and taking a copy to the Sheriff's Department.

Domestic Abuse Restraining Orders and Child Abuse orders are free. Fees are charged for Harassment Restraining Orders, but the court may waive the fees under certain circumstances.

When the Sheriff's Department serves the papers, the abuser will get a copy of the papers. The abuser will read all the statements written in the petition.

Part Two

You will need to come back for another court day for the final hearing (Injunction) and be prepared to testify and offer other evidence, if there is any. This hearing will be held within seven to fourteen days of filing, depending on which type of order you file.

The abuser may be at the final hearing (Injunction) and might argue that the statements in the petition are not true or that the court shouldn't issue the final order. The abuser is not required to come to the final hearing and might not show up.

Restraining orders can be powerful tools but they are not the answer for everyone.