

SAFETY PLANNING IS KEY

- Call 911 in the event of an emergency or if you feel your safety is at risk.
- Keep copies of your Protective Order paperwork with you at all times.
- Change your locks if you feel unsafe at home.
- Screen all telephone calls and conversations.
- Inform your neighbors of any reason to call 911 - for example, if they see the abuser's vehicle in your driveway.
- Inform family and friends about your current situation.
- Request that the police conduct safety checks in your neighborhood/area.
- Make sure you have a cell phone for calling 911 in an emergency - if you don't have one, Hotline may be able to help.
- Remember to file for renewal of your Protection Order two months before it expires. A Hotline Advocate can help you renew your Protection Order.
- Be alert to your surroundings at all times.
- If you are in an emergency situation and afraid to go home, contact Outer Banks Hotline Crisis Line at (252) 473-3366; we can help provide safe shelter for you and your children.

A trained Hotline Advocate is available to answer questions and assist you at any stage of the Protection Order process. You are not alone. Call our 24/7 Crisis Line at any time to speak to an advocate. (252) 473-3366

Outer Banks hotline

**24/7 CRISIS LINE
(252) 473-3366**

**BUSINESS LINE
(252) 473-5121**

**100 E DUNN STREET
NAGS HEAD, NC 27959**

**P.O. BOX 1056
NAGS HEAD, NC 27959**

**DARE COUNTY NON-
EMERGENCY POLICE DISPATCH
(252) 473-3444**

Outer Banks Hotline, Inc. is a private, non-profit human services organization, tax exempt under the IRS code. We are dedicated to providing information and referrals, crisis intervention, temporary shelter, advocacy, and prevention education services to the residents and visitors of the Outer Banks of North Carolina.

Our programs are funded by contributions, grants, special events, thrift shops, and a recycled weaving program that serves as a metaphor for the agency's commitment to rebuilding and strengthening lives.

DVPO and 50-C

**PROTECTIVE ORDERS AND
SAFETY PLANNING TIPS**



**Answers to your questions, plus
steps for getting a Protection
Order and staying safe.**

**Outer Banks
hotline**
**Crisis Intervention and
Prevention Center**

What are Protection Orders?

There are two main types of Protection Orders

- A **Domestic Violence Protection Order** (Also known as a DVPO or 50-B) provides relief to victims of domestic violence by separating the abuser from those being abused.
- A **Civil No-Contact Order** (also known as a 50-C) provides relief to victims of stalking, harassment, or sexual assault by separating the perpetrator from the victim.

There are two stages for Protection Orders:

1. The **Ex-Parte Protection Order** is an emergency order intended to defuse the situation by temporarily separating the parties involved.
2. The final **Protection Order** prohibits contact between the abuser and the victim(s) for up to 12 months.

The **Ex-Parte Protection Order** is granted by a district court judge or magistrate. This order is good for a period of 7 to 10 days beginning the day you apply for the order.

- After the protection order is signed by a judge, a district court clerk will give you a Notice of Hearing that lists the date of your next hearing (called a Merit Hearing) and the expiration date of the Ex-Parte Protection order.
- At the Merit Hearing, you will have the chance to testify and explain why you want to extend the order for the maximum 12-month period. The defendant (abuser) will also be given the chance to testify.
- You may hire your own personal attorney to assist you with this process.
- An Advocate from Hotline will assist you and accompany you to your hearings upon request.

If the Ex-Parte Protection Order is violated:

- If the defendant (the abuser) violates any part of this emergency order, report it to the police or file charges at the magistrate's office.
- If there are any violations, a court hearing will be ordered and a court date will be set.

A **Protection Order (50-B or 50-C)** can remain in effect for up to 12 months or until a date specified by a judge. The hearing for a **Protection Order** is called a **Merit Hearing**.

- The date listed on your Notice of Hearing refers to the Merit Hearing for a Protection Order. At this hearing you will have an opportunity to testify about your complaint and request that the judge extend the order for the maximum of 12 months.
- If you need to extend the Protection Order beyond the initial 12 month period you must re-file the order at least two months before the expiration date. This process requires a new court date and hearing. The defendant (abuser) must be given notice to attend the hearing.
- You may hire your own personal attorney to assist you with this process.
- An Advocate from Hotline will assist you and accompany you to your hearings upon request.
- Once granted, give copies of your Protection Order to anyone who may need to know it is in effect. This could include your child's care staff, relatives or neighbors, co-workers/supervisor, school administrators, etc.

If the Protection Order is violated:

- If the defendant (abuser) violates any terms of the order, notify the police and a Hotline Advocate. You can call Dare County Non-Emergency Police Dispatch for non-emergency violations.
- If there are any violations, a Motion and Order to Show Cause for Failure to Comply with a Court Order will need to be filed, a hearing will be ordered, and a court date will be set. You must attend court on this day.
- An Advocate from Hotline will assist with filing the paperwork and accompany you to your court date upon request.
- If a **Domestic Violence Protective Order (DVPO)** is violated, criminal charges may be pressed by an Officer or at the Magistrate's Office.
- Once charges are pressed, a criminal court hearing will be ordered and a court date will be set. You must attend court on this date to testify as a State's Witness. You will need to work closely with the District Attorney so they can help you with your case.

A **Magistrate's Order** is a temporary protection order issued when a district court judge is unavailable. This includes holidays and dates when court is closed.

- A Magistrate's Order remains in effect until a district court judge is in session - generally the next business day.
- A Magistrate's Order must be heard before a district court judge on the next available court date. The Magistrate will inform you of this court date if the order is issued.
- An Advocate from Hotline will accompany you to the Magistrate's Office upon request.
- Not every Protection Order will require a Magistrate's Order - only those filed on dates when a judge is not in session.

Criminal Court

If the defendant (abuser) has violated any part of a Protection Order, criminal charges may apply and the matter will be referred to Criminal Court.

- You must be in attendance on all Criminal Court dates. You are a State's Witness for your case. Court begins at 9:30AM in Dare County.
- An Advocate from Hotline will accompany you to your hearings upon request - we are not notified of your hearings unless you provide notification.
- Speak with the District Attorney prior to the court date so they can become familiar with your case and be better able to assist you during the court process - remember, as a witness for the State, your attorney is the District Attorney.
- Any other witnesses should also appear in court on this date ready to testify.
- The defendant (abuser) has options when they appear in court. For example, they may plead guilty, hire their own personal attorney, have a court-appointed attorney, or represent themselves. Some options may cause your case to be continued (rescheduled) until a later date.
- Document as many details of your experience as possible whenever there has been a violation of the Protection Order.
- If the case is continued, note the next court date and be there on time ready to proceed. Inform witnesses of the new date and request they are present. Notify a Hotline Advocate of the new hearing date so we may accompany you.