Legal Aid
OF NEBRASKA



PROTECTION ORDERS HANDBOOK

Legal Aid OF NEBRASKA

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CHILDREN AND FAMILIES

This Handbook was developed by Legal Aid of Nebraska, a private, non-profit law firm that provides legal services to low-income Nebraskans. If you would like more information about Legal Aid of Nebraska, or if you would like to make a donation, please visit our website at legalaidofnebraska.org.

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Table of Contents

Protection from Domestic and Sexual Violence **5**

Types of Protection Orders *6*

Domestic Abuse Protection Orders **7**

What is a domestic abuse protection order? 7
How do I get the forms to file for a domestic abuse protection order? 8
What forms do I need to file for a domestic abuse protection order? 8
Is there a cost to file a domestic abuse protection order? 9
What information do I need to fill out the domestic abuse protection order forms? 9
What do I do after I complete the forms? 10
What happens after the forms are filed? 10
How do I get to the right place for the hearing safely and on time? 11
What happens at a hearing on an ex parte domestic abuse protection order? 12
What happens at an evidentiary hearing (show cause when an ex parte order is not entered) on a domestic abuse protection order? 12
What do I do after the hearing? 13
What if the respondent violates the domestic abuse protection order? 13
Can I contact the respondent if I have a domestic abuse protection order? 13
How do I change the terms of the domestic abuse protection order? 14
When does the domestic abuse protection order expire? 14
How do I renew the domestic abuse protection order? 15
How do I dismiss the domestic abuse protection order? 15

Harassment Protection Orders **17**

What is a harassment protection order? 17
How do I get the forms to file for a harassment protection order? 17
What forms do I need to file for a harassment protection order? 18
Is there a cost to file a harassment protection order? 18
What information do I need to fill out the harassment protection order forms? 18
What do I do after I fill-out the forms? 19
What happens after the forms are filed? 19
How do I get to the right place for the hearing safely and on time? 20
What happens at a hearing on an ex parte harassment protection order? 21
What happens at an evidentiary (show cause) hearing on a harassment protection order? 21
What do I do after the hearing? 22
What happens if the respondent violates the harassment protection order? 22
Can I contact the respondent if I have a harassment protection order? 22
How do I change or modify the terms of the harassment protection order? 23
When does the harassment protection order expire? 23
Can I renew the harassment protection order? 23
How do I dismiss the harassment protection order? 23

Sexual Assault Protection Orders **25**

What is a sexual assault protection order? 25
How do I get the forms to file for a sexual assault protection order? 26
What forms are needed to file for a sexual assault protection order? 26
Is there a cost to file a sexual assault protection order? 27
What information do I need to fill out the sexual assault protection order forms? 27
What do I do after I fill-out the forms? 27
What happens after the forms are filed? 28
How do I get to the right place for the hearing safely and on time? 28
What happens at a hearing on an ex parte sexual assault protection order? 29
What happens at an evidentiary hearing on a sexual assault protection order? 30
What do I do after the hearing? 30
What happens if the respondent violates the sexual assault protection order? 31
Can I contact the respondent if I have a sexual assault protection order? 31
How do I change or modify the terms of the sexual assault protection order? 31
When does the sexual assault protection order expire? 32
Can I renew the sexual assault protection order? 32
How do I dismiss the sexual assault protection order? 33

Where to go for help if you cannot afford an Attorney **34**

Low-Income Legal Services *34*

Law School Legal Clinics *34*

Personal Safety Plan **37**

Important Disclaimer

The information contained in this Protection Order Handbook is intended for educational purposes only. Legal Aid of Nebraska does not represent you as your attorney in your legal case unless you have a specific signed a retainer on file with us. Use of this informational Protection Order Handbook is not intended to and does not create an attorney-client relationship between you and Legal Aid of Nebraska attorneys. Nothing in this Handbook should be considered legal advice or as a substitute for legal advice.

The information contained in this Handbook is based upon generally applicable Nebraska law. Some procedures may vary depending on which county in Nebraska you live and the specifics of your case. Consult an attorney if you would like specific legal advice and representation in your case.

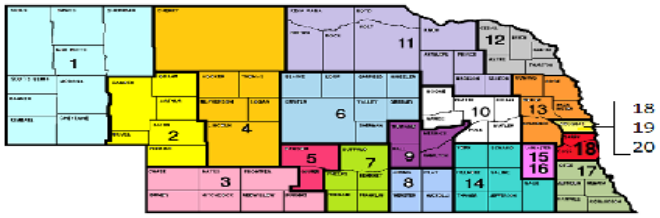
Protection from Domestic and Sexual Violence

Domestic and sexual violence advocacy agencies assist victims and survivors of domestic and sexual violence. Their number one priority is providing victims and survivors with confidential counseling, support, and information. Domestic and sexual violence advocacy agencies have advocates who may be able to help with:

- Contacting law enforcement
- Making a police report
- Going with you to medical appointments
- Filing for a protection order
- Going with you to court
- Safety planning
- Providing or locating emergency shelter and/or temporary housing
- Providing transportation
- Providing financial assistance
- Assisting with provision of and/or locating resources for basic needs
- Providing support and education
- Provision of therapeutic services
- Referrals to other community resources

Nebraska has a network of domestic and sexual violence advocacy agencies. To find out which agency serves your county, see the following map and contacts:

Nebraska's Network of Domestic and Sexual Violence Programs



	Crisis Line
1. DOVES Program (Gering)	866-95-DOVES
2. SCIP (Ogallala)	308-284-6055
3. DA/SA Services (McCook)	877-345-5534
4. R/DAP (North Platte)	888-534-3495
5. Parent-Child Center (Lexington)	800-215-3040
en español	866-351-9594
6. Healing Hearts and Families (Broken Bow)	800-942-4040
7. SAFE Center (Kearney)	877-237-2513
8. SASA Crisis Center (Hastings)	877-322-7272
9. The Crisis Center (Grand Island)	866-995-4422
10. Center for Survivors (Columbus)	800-658-4482

	Crisis Line
11. Bright Horizons (Norfolk)	877-379-3798
12. Haven House (Wayne)	800-440-4633
13. The Bridge (Fremont)	888-721-4340
14. Hope Crisis Center (Fairbury)	877-388-4673
15. Voices of Hope (Lincoln)	402-475-7273
16. Friendship Home (Lincoln)	402-437-9302
17. Project Response (Auburn)	800-456-5764
18. Heartland Family Service - Domestic Abuse Program (Papillion)	800-523-3666
19. Catholic Charities—The Shelter (Omaha)	402-558-5700
20. Women's Center for Advancement (Omaha)	402-345-7273

National Domestic Violence Hotline: 1-800-799-SAFE (7233)
National Teen Dating Abuse Helpline: 1-866-331-9474

Rape, Abuse, Incest National Network (RAINN): 1-800-656-HOPE (4673)
Strong Hearts Native Helpline: 1-844-7NATIVE (762-8483)

Nebraska Coalition to End Sexual and Domestic Violence: 402-476-6256 nebraskacoalition.org

Types of Protection Orders

A **protection order** is a special kind of court order issued by a judge. A person who asks for a protection order is called the **petitioner**. The petitioner asks the court for protection from another person called the **respondent**.

There are three kinds of protection orders in Nebraska:

- Domestic Abuse Protection Order (DAPO)
- Harassment Protection Order (HPO)
- Sexual Assault Protection Order (SAPO)

It is sometimes difficult to understand the different kinds of protection orders and/or what kind of protection order you should request. Therefore, the Petition and Affidavit for each type of Protection Order contains language that allows the Court to treat your request for one type of protection order as a request for another type of protection order.

Domestic Abuse Protection Orders

The definition of domestic violence is broad. Domestic violence is about power and control and includes physical, sexual, economic, emotional, and psychological abuse.

What is a domestic abuse protection order?

Domestic violence survivors may be eligible for a domestic abuse protection order if domestic abuse occurs.[1] For the purposes of protection orders, domestic abuse is a narrowly defined legal term.[2]

Nebraska law defines domestic abuse as abuse between family or household members.[3]

Abuse can occur with or without a weapon or other dangerous instrument. Abuse includes:

- Attempting to cause bodily injury
- Intentionally and knowingly causing bodily injury
- Using credible threats to place another person in fear of bodily injury
- Sexual contact or penetration without consent [4]

Family or households members includes adults and children and relationships such as:

- Spouses or former spouses
- Family members or relatives
- People who live together now or in the past
- People who are in a dating relationship now or in the past
- People who have a child together [5]

Domestic abuse protection orders offer a variety of protections to victims and survivors of domestic abuse, including but not limited to:

- The court ordering that the respondent not harm or threaten to harm the petitioner
- The court ordering that the respondent not have or buy a firearm
- The court ordering that the respondent not contact the petitioner
- The court ordering that the respondent stay away from the petitioner's home, workplace, children's school, or other places specified

[1] Neb. Rev. Stat. § 42-924
[2] NEB. REV. STAT. § 42-903(1)
[3] NEB. REV. STAT. § 42-903(3)
[4] NEB. REV. STAT. § 42-903(1)
[5] NEB. REV. STAT. § 42-903(3)

- The court granting the petitioner custody of children in common for a period of time (no more than 90 days)
- Orders granting other protections necessary to protect the petitioner from further domestic abuse by the respondent. [6]
- Orders regarding the possession or protection of household pets.

How do I get the forms to file for a domestic abuse protection order?

An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the forms to file for a domestic abuse protection order. Forms and instructions are also available from the District Court Clerk's offices and on the Nebraska Supreme Court Online Legal Self-Help Center, which provides informational guides and packets of forms for you to complete here: **https://supremecourt.nebraska.gov/self-help/protection-abuse/domestic-abuse-protection-order**.

Domestic abuse protection order petitions are filed in the District Court. The contact information for each Nebraska Clerk of the District Court is available at the following website: **https://supremecourt.nebraska.gov/directories/district-court-contacts**.

What forms do I need to file for a domestic abuse protection order?

There are three forms required to file for a domestic abuse protection order:

- Petition and Affidavit to Obtain Domestic Abuse Protection Order
- Praecipe
- Social Security Information Form

The Petition and Affidavit is the most important form. It is your request to the court for the Domestic Abuse Protection Order.

The Praecipe is a form instructing the Clerk of the District Court to have your Petition and Affidavit served on the respondent.

The Social Security Information Form is a confidential form for identification information.

[6] NEB. REV. STAT. § 42-924(1)(a)(i)-(viii)

Is there a cost to file a domestic abuse protection order?

There is no cost to file a protection order unless the court finds your statements in the filing are false and/or you obtained or attempted to obtain the protection order in bad faith.[7]

What information do I need to fill out the domestic abuse protection order forms?

The domestic abuse protection order forms require you to supply such identifying information as:

- The petitioner's name, address, and social security number
- The respondent's name, age, birth date, gender, social security number, address, and place of employment
- A physical description of the respondent
- The name, age, birthdate, gender, social security number, and address of any children the petitioner and respondent have in common

You can still file the forms even if you do not have all of the above information, but you should try to be as thorough as possible.

The Petition and Affidavit also requires you to include:

- A list of past or current court cases involving the petitioner and the respondent, including any present or prior protection orders, and divorce, custody, or other matters.
- The dates or approximate dates (month, day, year) and the facts of the ***most recent*** and the ***most severe*** incident(s) of domestic abuse[8]

You will need to swear to the allegations in the Petition and Affidavit to Obtain Domestic Abuse Protection Order. You (petitioner) must then sign the petition and affidavit in front of the District Court Clerk ***or*** a Notary Public. Notary services are typically available at some offices in the courthouse, domestic and sexual violence advocacy centers, law offices, banks, and other businesses. Some businesses may charge a small fee for notarization. You will have to show your photo identification, such as a driver's license or passport, to verify your identity. Do not sign the Petition and Affidavit until you are in the presence of the District Court Clerk or Notary Public.

[7] NEB. REV. STAT. § 42-924.01
[8] Neb. Rev. Stat. § 42-924.02

What do I do after I complete the forms?

After you have complete the forms, you will need to file them with the District Court Clerk's office. If possible, you should try to file in the county where the abuse took place or where the respondent lives.

The completed forms will need to be filed with the Clerk of the District Court. The contact information for the Clerks of the District Courts is available here: **https://supremecourt.nebraska.gov/directories/district-court-contacts**. During the pandemic, courts are accepting emailed filings. For instructions on email filings, please go to: **https://supremecourt.nebraska.gov/self-help/protection-order-information**.

What happens after the forms are filed?

After the forms are filed, a judge is assigned to the case. The judge reviews the filings and will enter one of the following orders:

1. ***Ex Parte* Domestic Abuse Protection Order**: An *ex parte* domestic abuse protection order is issued by the judge without a hearing to protect the petitioner from immediate danger.[9] The *ex-parte* order is in effect once the respondent has been served with it.

After service of your petition and affidavit and the *ex parte* order on the respondent, they have 10 business days to ask for a hearing on the *ex parte* order. The hearing must be scheduled within 30 days from the respondent's filing of the request for a hearing.[10] The court will send you notice of the hearing date and time by mail or email. If you do not go to the hearing, the judge may dismiss or deny the protection order.

If the respondent does not ask for a hearing after being served with an *ex parte* domestic abuse protection order, the domestic abuse protection order is in effect for one year from the date it was filed.[11]

2. **Order for Evidentiary (Show Cause) Hearing**: The second option for the court is to schedule an evidentiary hearing [12,] often called a "Show Cause" hearing. The court will send you notice of the hearing date and time by mail or email. The court will also give the respondent notice of the hearing date and time. The evidentiary hearing must be held within 14 days after

[9] Neb. Rev. Stat. § 42-925(1)
[10] *Id*.
[11] Neb. Rev. Stat. § 42-925(2)(a)
[12] Neb. Rev. Stat. § 42-925(3)

you file the petition.[13] If you do not go to the evidentiary hearing, the judge may dismiss or deny the protection order.

3. **Order Dismissing Petition without Hearing**: There are a variety of reasons why a judge might dismiss a petition without a hearing. This should only be done in cases involving a request for a Harassment Protection Order. The court will send you notice of the judge's decision by mail or email. If the Court dismisses your Petition without holding a hearing, you may wish to consult with an attorney to find out if you have further legal options.

How do I get to the right place for the hearing safely and on time?

It is hard to go to court and face someone who scares you. Contact the domestic and sexual violence advocacy agency serving your area to see if an advocate can go with you to court for non-legal support. You may also contact the Clerk of the District Court in advance and ask for a law enforcement escort into the building, a private waiting area, or other security options.

The hearing will be held in a courtroom at the courthouse. When you arrive at the courthouse, ask the Clerk of the District Court where the hearing will be held and where you should wait. You may be approached by court personnel, like the judge's bailiff, to check you in for the hearing. If it is time for the hearing and you unsure you are in the right place, ask for help from court personnel. You do not want to miss the hearing.

Expect the respondent to be at the hearing. Do not talk to the respondent while waiting for the hearing. The respondent might bring an attorney or family and friends to the hearing. You do not have talk to them while waiting for the hearing.

In the courtroom, you will likely sit at one of two tables near the front of the room. These are called counsel tables. When it is time for your case to be heard, the judge will come into the courtroom. You should stand when the judge enters. The judge will introduce the case. The judge might confirm you are the petitioner and ask whether you still want the domestic abuse protection order. You should direct your responses to the judge's questions at the judge, not the respondent.

[13] Id.

What happens at a hearing on an ex parte domestic abuse protection order?

The judge will **receive** your Petition and Affidavit to Obtain Domestic Abuse Protection Order into evidence. The judge will most likely place you under oath and ask you to confirm the truth of those events that you included in your Petition and Affidavit. The judge may also ask you to testify about the domestic abuse. If this happens, give the judge as many details as you can remember. It is important to describe how you felt when you were hurt or when the other party threatened you. The risk of future harm is also important, so be prepared to tell the judge why there is a risk that further incidents may occur in the future. Sometimes the judge does not need you to testify because what you wrote in the Petition and Affidavit is detailed enough. The respondent may have an attorney; if so, the court may allow the attorney to ask you questions.

The judge will then ask the respondent questions and/or allow the respondent's attorney to ask questions of the respondent. Stay calm while the respondent is speaking and do not interrupt. The judge may give you an opportunity to address anything the respondent says after the respondent is done speaking.

Finally, the judge will make a decision on whether to grant or deny the domestic abuse protection order. The judge might take the matter under advisement, which means a decision will come later. The judge might grant the domestic abuse protection order but change some of the terms listed on the *ex parte* domestic abuse protection order.

What happens at an evidentiary hearing (show cause when an ex parte order is not entered) on a domestic abuse protection order?

The judge will **receive** the Petition and Affidavit to Obtain Domestic Abuse Protection Order into evidence. The judge might place you under oath and ask you to confirm the truth of the events that you included in your Petition and Affidavit. You must prove that domestic abuse occurred according to the legal definition of the terms, as set forth previously (pages 5-6) in this Handbook.

You will need to use **evidence** to prove that you need a domestic abuse protection order. Evidence includes your testimony under oath and may also include things like witness testimony, print outs of photos, phone records, text messages, emails, medical records, and police records. The judge might not let you provide all the evidence you have prepared. Remember to get all evidence such as photos, texts, screenshots, etc., off of your electronic device so that you can offer it to the court.

If you testify about the domestic abuse, give the judge as many details as you can remember. It is important to describe how you felt when you were hurt or when the other party threatened you. The judge might ask you questions under oath. The judge might allow the respondent or the respondent's attorney to cross-examine you, which means to ask you follow up questions about your testimony. If this happens, stay calm and listen carefully to what is asked before answering.

The judge will also give the respondent an opportunity to provide evidence that domestic abuse did not occur and that you do not need a domestic abuse protection order. The judge might allow you to cross-examine the respondent if the respondent testifies.

After the court receives the evidence, the judge will make a decision whether to grant or deny the domestic abuse protection order. The judge might take the matter under advisement, which means a decision will come later.

What do I do after the hearing?

If the domestic abuse protection order is granted, the judge has discretion to order that it last up to two years. You may ask the judge's bailiff or the Clerk of the District Court how you can get printed copies of the final order. You have a right to receive two certified copies of the domestic abuse protection order for free.[14] The court might also mail or email you the domestic abuse protection order. Carry the order with you at all times.

Be aware of your safety at the courthouse. You can ask the Clerk of the District Court for a law enforcement escort out of the building.

What if the respondent violates the domestic abuse protection order?

Read and know the terms of your domestic abuse protection order. If the respondent violates the terms of the domestic abuse protection order, call the police. The police can arrest the respondent[12] and the respondent may be charged criminally for violating the domestic abuse protection order.[15]

Can I contact the respondent if I have a domestic abuse protection order?

The domestic abuse protection order limits what the respondent can do; it generally does not limit what a petitioner can do, and a petitioner cannot be arrested for violating the protection

[14] Neb. Rev. Stat. § 42-926(1)
[12] Neb. Rev. Stat. § 42-928
[15] Neb. Rev. Stat. § 42-924(4)

order.[16] However, it is not a good idea to contact the respondent if there is an active domestic abuse protection order. If the respondent has a criminal case related to the incidents of domestic abuse or violation of the protection order, there may also be a criminal no-contact order in place with additional penalties for violations.

How do I change the terms of the domestic abuse protection order?

The court is in charge of the domestic abuse protection order, not you. In order to change the terms of the domestic abuse protection order you will need to make an official request to the court and the court must decide whether to enter an order consistent with your request. As long as the domestic abuse protection order is in effect, law enforcement can arrest the respondent for violating it, and criminal charges may result. If a criminal no-contact bond provision is in effect, the respondent may face additional legal ramifications for violating no-contact orders.

A change to a domestic abuse protection order is called a **modification**. You can request a modification of the domestic abuse protection order by filing a form with the District Court.

The Nebraska Supreme Court's Online Legal Self-Help Center has a link to the **Request for Modification to Domestic Abuse Protection Order** form that you can complete and print: **https://supremecourt.nebraska.gov/sites/default/files/DC-19-19.pdf**. An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the form to modify; forms and instructions are also available from the District Court Clerk's office.

The Request for Modification to Domestic Abuse Protection Order form must be sworn to and signed by the petitioner in front of the Clerk of the District Court or a notary. See the section of this handbook regarding notarization for further explanation. After you have completed and signed the form and it has been notarized, you need to file it with the Clerk of the District Court.

When does the domestic abuse protection order expire?

If the judge grants the domestic abuse protection order, it is valid for up to two years. If the court entered an *ex parte* domestic abuse protection order, the order year starts from the date of that order. If the court did not grant an *ex parte* domestic abuse protection order, the order starts from the date the domestic abuse protection order was issued after the evidentiary hearing.

[16] *Id*.

How do I renew the domestic abuse protection order?

You can renew a Domestic Abuse Protection Order any time within 45 days of the expiration of the original Domestic Abuse Protection Order, including on the day the order expires[17] by filing a **Petition and Affidavit to Renew Domestic Abuse Protection Order**.

There are three forms required to file for renewal of a domestic abuse protection order:

- Petition and Affidavit to Renew Domestic Abuse Protection Order
- Praecipe (see page 7 for explanation of praecipe)
- Social Security Information Form (see page 7 for explanation of this form)

The Petition and Affidavit to Renew Domestic Abuse Protection Order allows you to tell the court why you want the Domestic Abuse Protection Order renewed and if any relevant events have occurred since the Domestic Abuse Protection Order was issued.

An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the forms to file a Petition and Affidavit to Renew Domestic Abuse Protection Order. Forms and instructions are also available from the District Court Clerk's offices and on the Nebraska Supreme Court Online Legal Self-Help Center, **https://supremecourt.nebraska.gov/self-help/protection-abuse/domestic-abuse-protection-order.**

You will need to swear to the allegations in the Petition and Affidavit to Renew Domestic Abuse Protection Order. You (petitioner) must then sign the petition and affidavit in front of the District Court Clerk ***or*** a Notary Public. After the forms are completed, signed and notarized, you will need to file them with the court.

How do I dismiss the domestic abuse protection order?

You can request dismissal of the domestic abuse protection order by filing a **Motion to Vacate and Set Aside and to Dismiss** with the District Court that issued your protection order. The Court may require a hearing regarding your request to dismiss the Protection Order. The domestic abuse protection order remains active until it expires or until it is dismissed by the court. Dismissing a domestic abuse protection order does not dismiss a no-contact order entered in a criminal case or any orders in any other court cases such as a restraining order in a divorce.

An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the form to dismiss your protection order; forms and instructions are also available from the District Court Clerk's office. The Nebraska

[17] NEB. REV. STAT. § 42-924(3)(b)(i)

Supreme Court Online Legal Self-Help Center has the form for you to complete and print: **https://supremecourt.nebraska.gov/sites/default/files/DC-19-18.pdf**.

You will need to swear to the allegations in the Motion to Vacate and Set Aside and to Dismiss. You (petitioner) must then sign the petition and affidavit in front of the District Court Clerk ***or*** a Notary Public. After you have completed the form, you will need to file it with the court. The Court may schedule a hearing on your Motion to Dismiss. If the court does schedule a hearing, you and the respondent will receive notice of the hearing date and time. You will need to attend this hearing to advise the court of the reasons you are asking for the dismissal of the domestic abuse protection order.

Harassment Protection Orders

What is a harassment protection order?

Harassment Protection Orders are meant to protect individuals from being intentionally followed, detained, stalked, or harassed. Any victim of harassment may file for a harassment protection order. [18]

Nebraska law defines harassment as:

- A pattern of conduct;
- Directed at a specific person;
- That terrifies, threatens or intimidates the person; and
- That does not serve a legitimate purpose.[19]

In entering a harassment protection order, the court can order the respondent to:

- Not harm or threaten to harm the person(s) seeking protection
- Not harass, threaten, assault, molest, attack, or otherwise disturb the peace of the person(s) seeking protection
- Not telephone, contact, or otherwise communicate with the person(s) seeking protection.[20]

How do I get the forms to file for a harassment protection order?

An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the forms to file for a harassment protection order. Forms and instructions are also available from the District Court Clerk's offices and on the Nebraska Supreme Court Online Legal Self-Help Center, which has a dedicated webpage regarding harassment protection orders: **https://supremecourt.nebraska.gov/self-help/protection-abuse/harassment-protection-order**.

Harassment protection order petitions are filed in the District Court. The contact information for each Nebraska Clerk of the District Court is available at the following website: **https://supremecourt.nebraska.gov/directories/district-court-contacts.**

[18] NEB. REV. STAT. § 28-311.09(1)
[19] NEB. REV. STAT. § 28-311.02(2(a)
[20] NEB. REV. STAT. § 28-311.09(1)

What forms do I need to file for a harassment protection order?

There are three forms required to file for a harassment protection order:

- Petition and Affidavit to Obtain Harassment Protection Order
- Praecipe
- Social Security Information Form

The Petition and Affidavit is the most important form. It is your request to the court for the Harassment Protection Order.

The Praecipe is a form instructing the Clerk of the District Court to serve your Petition and Affidavit on the respondent.

The Social Security Information Form is a confidential form for identification information.

Is there a cost to file a harassment protection order?

There is no cost to file a protection order unless the court finds your statements in the filing are false and/or your reasons for seeking the protection order are in bad faith.[21]

What information do I need to fill out the harassment protection order forms?

The harassment protection order forms requests identification information such as:

- The petitioner's name, address, and social security number
- The respondent's name, age, birth date, gender, social security number, address, and place of employment
- A physical description of the respondent

You can still file the forms even if you do not have all of the above information, but you should try to be as thorough as possible.

The Petition and Affidavit also request:

- A list of past or current court cases involving the petitioner and the respondent, including any divorce, paternity, custody, or other cases, and

[21] NEB. REV. STAT. § 28-311.09(5)(a)

- The dates or approximate dates and the facts of the most recent and the most severe incident(s) of harassment

You will need to swear to the allegations in the Petition and Affidavit to Obtain Harassment Protection Order. You (petitioner) must then sign the petition and affidavit in front of the District Court Clerk ***or*** a Notary Public. Notary services are typically available at some offices in the courthouse, domestic and sexual violence advocacy centers, law offices, banks, and other businesses. Some businesses may charge a small fee for notarization. You will have to show your photo identification, such as a driver's license or passport, to verify your identity. Do not sign the Petition and Affidavit until you are in the presence of the District Court Clerk or Notary Public.

What do I do after I fill-out the forms?

The completed forms need to be filed with the Clerk of the District Court. The contact information for the Clerks of the District Courts is available at: **https://supremecourt.nebraska.gov/directories/district-court-contacts**.

What happens after the forms are filed?

After the forms are filed, a judge is assigned to the case. The judge reviews the filings and will enter **one** of the following orders:

1. ***Ex Parte*** **Harassment Protection Order**: An *ex parte* protection order is issued by the judge without a hearing to protect the petitioner from immediate harm, loss, or damage.[22] The *ex-parte* order is in effect once the respondent has been served with it.

After being served with your petition and affidavit and the *ex parte* order, the respondent has 10 business days to ask for a hearing on the petition. The hearing must be scheduled within 30 days from the respondent's filing of the request for a hearing. [23] The court will send you notice of the hearing date and time by mail or email. If you do not go to the hearing, the judge may dismiss or deny the protection order.

If the respondent does not ask for a hearing after being served with an *ex parte* harassment protection order, the protection order remains in effect from the date the order was filed.[24]

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[22] Neb. Rev. Stat. § 28-311.09(7)
[23] *Id*.
[24] Neb. Rev. Stat. § 28-311.09(7)

2. Order for Evidentiary (Show Cause) Hearing: If the Court does not enter an order *ex parte* harassment protection order, the court may schedule an evidentiary (show cause) hearing.[25] The court will send you notice of the hearing date and time by mail or email. The court will also give the respondent notice of the hearing date and time. The evidentiary hearing must be held within 14 days after you file the petition.[26] If you do not go to the evidentiary hearing, the judge will likely dismiss or deny the harassment protection order.

3. Order Dismissing Petition without Hearing: There are a variety of reasons why a judge might dismiss a petition without a hearing. The court will send you notice of the judge's decision by mail or email. If the Court dismisses your Petition without holding a hearing, you may wish to consult with an attorney to find out if you have further legal options.

How do I get to the right place for the hearing safely and on time?

It is hard to go to court and face someone who has harassed you. You can call the Clerk of the District Court in advance and ask for a law enforcement escort into the building, a private waiting area, or other security options.

The hearing will be held in a courtroom at the courthouse. When you arrive at the courthouse, ask the Clerk of the District Court where the hearing will be held and where you should wait. You may be approached by court personnel, like the judge's bailiff, to check you in for the hearing. If it is time for the hearing and you unsure you are in the right place, ask for help from court personnel. You do not want to miss the hearing.

Expect that the respondent will be at the hearing. Do not talk to the respondent while waiting for the hearing. The respondent might bring an attorney or family and friends to the hearing. You do not have talk to them while waiting for the hearing.

In the courtroom, you will likely sit at one of two tables near the front of the room. These are called the counsel tables. The judge will come into the courtroom. You should stand when the judge enters. The judge will introduce the case. The judge might confirm you are the petitioner and ask whether you still want the harassment protection order. You should direct your responses to the judge's questions at the judge, not the respondent.

[25] *Id*.
[26] *Id*.

What happens at a hearing on an ex parte harassment protection order?

The judge will **receive** your Petition and Affidavit into evidence. The judge might place you under oath and ask you to confirm what you wrote in the Petition and Affidavit is true.

Next, the judge might ask you to testify about the harassment. If this happens, give the judge as many details as you can remember. It is important to describe how you felt when you were harassed. Sometimes the judge does not need you to testify because what you wrote in the Petition and Affidavit is detailed enough. If the respondent is represented by counsel at the hearing, that attorney may ask you questions, as well.

Then, the judge will then ask the respondent questions. Stay calm while the respondent is speaking and do not interrupt. The judge may give you an opportunity to address anything the respondent says after the respondent is done speaking.

Finally, the judge will make a decision on whether to grant or deny the harassment protection order. The judge might take the matter under advisement, which means a decision will come later. The judge might grant the harassment protection order but change some of the protections listed on the ex parte harassment protection order.

What happens at an evidentiary (show cause) hearing on a harassment protection order?

The judge will **receive** your Petition and Affidavit into evidence. The judge might place you under oath and ask you to confirm the allegations that you included in the Petition and Affidavit are true.

At the hearing you must prove that harassment occurred according to the legal definition of the terms as set forth in this Handbook.

You will need to use **evidence** to prove that you need a harassment protection order. Evidence includes your testimony under oath and may also include things like witness testimony, print outs of photos, phone records, text messages, emails, medical records, and police records. The judge might not let you provide all the evidence you have prepared. Remember to get all evidence such as photos, texts, screenshots, etc., off of your electronic device so that you can offer it to the court.

If you testify about the harassment, give the judge as many details as you can remember. It is important to describe how you felt when you were harassed. The judge might ask you questions

under oath. The judge might allow the respondent or the respondent's attorney to cross-examine you, which means to ask you follow up questions about your testimony. If this happens, stay calm and listen carefully to what is asked before answering.

The judge will also give the respondent an opportunity to provide evidence that harassment did not occur and that you do not need a harassment protection order. The judge might allow you to cross-examine the respondent if the respondent testifies.

After all the evidence is received, the judge will make a decision on whether to grant or deny the harassment protection order. The judge might take the matter under advisement, which means a decision will come later.

What do I do after the hearing?

If the harassment protection order is granted, ask the judge's bailiff or the Clerk of the District Court how you can get printed copies of the final order. You have a right to receive two certified copies of the harassment protection order for free.[27] The court might also mail or email you the harassment protection order. Carry the order with you at all times.

Be aware of your safety at the courthouse. You can ask the Clerk of the District Court for a law enforcement escort out of the building.

What happens if the respondent violates the harassment protection order?

Read and know the terms of your harassment protection order. If the respondent violates the terms of the harassment protection order, call the police. The police can arrest the respondent, and the respondent may be criminally charged for violation of the harassment protection order.[28]

Can I contact the respondent if I have a harassment protection order?

The harassment protection order limits what the respondent can do. It does not limit what you can do. However, it is not a good idea to contact the respondent if there is an active harassment protection order. If the respondent has a criminal case related to the incidents of harassment or violation of the protection order, there may also be a criminal no-contact order in place with additional penalties for violation.

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[27] NEB. REV. STAT. § 28-311.09(9)(a)
[28] NEB. REV. STAT. § 28-311.09(10)

How do I change or modify the terms of the harassment protection order?

The court is in charge of the harassment protection order; you cannot change the terms of the protection order without making an official request to the court. Law enforcement is in charge of enforcing the harassment protection order. As long as the protection order is in effect, the respondent may be arrested and/or criminally charged for violating it.

A change to a harassment protection order is called a **modification**. You can ask for a modification of the harassment protection order by filing a **Request for Modification to Harassment Protection Order** with the District Court. The Nebraska Supreme Court's Online Legal Self-Help Center has a link to the form for you to complete and print: **https://supremecourt.nebraska.gov/sites/default/files/DC-19-23.pdf.** The form is also available from your local domestic and sexual violence advocacy center, from Victim Witness units of law enforcement or county attorney offices, and at the Clerk of the District Court.

The Request for Modification to Harassment Protection Order form must be sworn to and signed by the petitioner in front of the Clerk of the District Court or a notary. See page 15 of this Protection Order Handbook for further explanation regarding notarization.

After you have completed and signed the form and it has been notarized, you need to file it with the Clerk of the District Court.

When does the harassment protection order expire?

If the judge grants the harassment protection order, it is valid for up to two years. If the court entered an *ex parte* harassment protection order, the term of the protection order starts from the date of that order. If the court did not grant an *ex parte* harassment protection order, the term of the protection order starts from the date of the harassment protection order issued after the evidentiary hearing.

Can I renew the harassment protection order?

Yes. You can renew a Harassment Protection Order for a period of one, just like the other two types of Protection Orders.

How do I dismiss the harassment protection order?

You can request that the court dismiss your harassment protection order by filing a **Motion to Vacate and Set Aside and to Dismiss** with the District Court. The harassment protection order remains active unless and until it is dismissed by the court. Dismissing a harassment protection

order does not dismiss a no-contact order entered in a criminal case or any other orders in other cases.

The Nebraska Supreme Court's Online Legal Self-Help Center has a form for you to complete, print, and file: **https://supremecourt.nebraska.gov/sites/default/files/DC-19-18.pdf**.

The form is also available from domestic and sexual violence advocacy agencies and Victim Witness Coordinators, and from the Clerk of the District Court.
After you have completed the Motion to Vacate and Set Aside and to Dismiss, you need to have it notarized (see page 15). After the form is signed and notarized, you need to file it with the Clerk of the District Court. For instructions on email filings, please go to: **https://supremecourt.nebraska.gov/self-help/protection-order-information**.

Sexual Assault Protection Orders

Nebraska has a network of sexual assault agencies. To find out which sexual assault agency serves your county, please review the referral section of this handbook or contact:

Nebraska Domestic Violence Sexual Assault Coalition
1-877-215-0167
http://ndvsac.org/get-help/

National Sexual Assault Hotline
1-800-656-4673
https://www.rainn.org/about-national-sexual-assault-telephone-hotline

What is a sexual assault protection order?

Sexual assault protection orders are meant to protect individuals who are victims and survivors of sexual assault. Any victim of sexual assault may file for a sexual assault protection order.[29]

Sexual assault includes:

- Subjecting or attempting to subject a person to sexual contact or sexual penetration without consent
- Any conduct as defined by the criminal offenses of:
    - Sexual assault, first and second degree
    - Sexual abuse by a school employee
    - Sexual assault of a child
    - Attempt of the above offenses.[30]

Sexual contact includes only such conduct which can be reasonably construed as being for the purpose of sexual arousal or gratification of either party and includes but is not limited to:

- intentional touching of the victim's sexual or intimate parts
- intentional touching of the victim's clothing covering the immediate area of the victim's sexual or intimate parts
- touching by the victim of the actor's sexual or intimate parts or the clothing covering the immediate area of the actor's sexual or intimate parts when such touching is intentionally caused by the actor.[31]

[29] Neb. Rev. Stat. §28-311.11(1)
[30] NEB. REV. STAT. §28-311.11(14)(a)-(b)
[31] Neb. Rev. Stat. §28-318(5)

Sexual penetration includes any intrusion, however slight, of any part of the actor's or victim's body or any object manipulated by the actor into the genital or anal openings of the victim's body which can be reasonably construed as being for nonmedical, non-health, or non-law enforcement purposes. [32]

Through a sexual assault protection order, the court can order the respondent to:

- Not harm or threaten to harm the person(s) seeking protection
- Not harass, threaten, assault, molest, attack, or otherwise disturb the peace of the person(s) seeking protection
- Not telephone, contact, or otherwise communicate with the person(s) seeking protection.[33]

How do I get the forms to file for a sexual assault protection order?

An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the forms to file for a sexual assault protection order. Forms and instruction packets are also available from the District Court Clerk's offices and on the Nebraska Supreme Court Online Legal Self-Help Center, which provides informational guides and forms here: **https://supremecourt.nebraska.gov/self-help/protection-abuse/sexual-assault-protection-order**.

Sexual assault protection order petitions are filed in the District Court. The contact information for each Nebraska Clerk of the District Court is available at the following website: **https://supremecourt.nebraska.gov/directories/district-court-contacts**.

What forms are needed to file for a sexual assault protection order?

There are three forms required to file for a sexual assault protection order:

- Petition and Affidavit to Obtain Sexual Assault Protection Order
- Praecipe - a form instructing the Clerk of the District Court to serve your Petition and Affidavit on the respondent.
- Social Security Information Form - confidential form for identification information

The **Petition and Affidavit to Obtain Sexual Assault Protection Order** is the most important form. It is your request to the court for the Sexual Assault Protection Order.

[32] NEB. REV. STAT. §28-318(6)
[33] NEB. REV. STAT. §28-311.11(1)

Is there a cost to file a sexual assault protection order?

There is no cost to file a Petition and Affidavit to Obtain Sexual Assault Protection unless the Court finds that your statements in the filing are false and/ or your request was in bad faith.[34]

What information do I need to fill out the sexual assault protection order forms?

The protection order forms require identification information such as:

- The petitioner's name, address, and social security number
- The respondent's name, age, birth date, gender, social security number, address, and place of employment
- A physical description of the respondent
- A list of past or current court cases involving the petitioner and the respondent
- The dates or approximate dates and the facts of the most recent and the most severe incident(s) of sexual assault.[35]

You can still file your Petition and Affidavit to Obtain Sexual Assault Protection Order even if you do not have all of the above information, but you should try to be as thorough as possible.

You will need to swear to the allegations in the Petition and Affidavit to Obtain Sexual Assault Protection Order. You (petitioner) must then sign the petition and affidavit in front of the District Court Clerk ***or*** a Notary Public. Notary services are typically available at some offices in the courthouse, domestic violence centers, law offices, banks, and other businesses. Some businesses may charge a small fee for notarization. You will have to show your photo identification, such as a driver's license or passport, to verify your identity. Do not sign the Petition and Affidavit until you are in the presence of the District Court Clerk or Notary Public.

What do I do after I fill-out the forms?

After you have filled out the forms, you need to file them with the Clerk of the District Court. The contact information for the Clerk of the District Court serving your county is available at: **https://supremecourt.nebraska.gov/directories/district-court-contacts**.
For instructions on email filings, please go to: **https://supremecourt.nebraska.gov/self-help/protection-order-information**.

[34] NEB. REV. STAT. §28-311.11(5)(a)
[35] NEB. REV. STAT. §28-311.11(2)

What happens after the forms are filed?

After the forms are filed, a judge is assigned to the case. The judge reviews the filings and will do enter **one** of the following orders:

1. *Ex Parte* Sexual Assault Protection Order: An *ex parte* sexual assault protection order is issued by the judge without a hearing to protect the petitioner from immediate risk of harm, loss, or damage.[36] The *ex parte* order is in effect once the respondent has been served with it. After the respondent is served with a copy of your Petition and Affidavit and the *ex parte* Order, the respondent has 10 business days to ask for a hearing on the *ex parte* order. The hearing must be scheduled within 30 days from the respondent's filing of the request for a hearing.[37] The court will send you notice of the hearing date and time by mail or email. If you do not go to the hearing, the judge will likely dismiss or deny the protection order.

If the respondent does not ask for a hearing after being served with an *ex parte* sexual assault protection order, the sexual assault protection order is granted automatically. The protection order is effective for one year from the date it was filed. [38]

2. Evidentiary ("Show Cause") Hearing: The court does not issue an *ex parte* order, but will set the matter for hearing. The evidentiary hearing must be held within 14 days after you file the petition. [39] The court will send notice of the hearing to you and to the Respondent. If you do not go to the evidentiary hearing, the judge may dismiss the petition and/or deny the protection order.

3. Dismissal without hearing: There are a variety of reasons why a judge might dismiss a petition without a hearing. This should only occur in cases involving Harassment Protection Orders. The court will send you notice of the judge's decision by mail or email. If you receive an order dismissing your petition without hearing, you may wish to contact an attorney as soon as possible to discuss any options you may have.

How do I get to the right place for the hearing safely and on time?

It is hard to go to court and face someone who has sexually assaulted you. Contact the domestic and sexual assault advocacy agency serving your county to see if an advocate can accompany you to court for non-legal support. You can call the Clerk of the District Court in advance and

[36] NEB. REV. STAT. §28-311.11(7)
[37] NEB. REV. STAT. §28-311.11(7)
[38] *Id.*
[39] *Id.*

ask for a law enforcement escort into the building, a private waiting area, or other security options.

The hearing will be held in a courtroom at the courthouse. When you arrive at the courthouse, ask the Clerk of the District Court where the hearing will be held and where you should wait. You may be approached by court personnel, like the judge's bailiff, to check you in for the hearing. If it is time for the hearing and you unsure you are in the right place, ask for help from court personnel. You do not want to miss the hearing.

Expect that the respondent will be at the hearing. Do not talk to the respondent while waiting for the hearing. The respondent might bring an attorney or family and friends to the hearing. You do not have talk to them while waiting for the hearing.

In the courtroom, you will likely sit at one of two tables near the front of the room. These are called the counsel tables. The judge will come into the courtroom. You should stand when the judge enters. The judge will introduce the case. The judge might confirm you are the petitioner and ask whether you still want the sexual assault protection order. You should direct your responses to the judge's questions at the judge, not the respondent.

What happens at a hearing on an ex parte sexual assault protection order?

The judge will receive your Petition and Affidavit into evidence. The judge might place you under oath and ask you to confirm the truth of the statements that you included in your Petition and Affidavit to Obtain Sexual Assault Protection Order.

Next, the judge might ask you to testify about the sexual assault. If this happens, give the judge as many details as you can remember. It is important to describe how you felt when you were assaulted. Sometimes the judge does not need you to testify because what you wrote in the Petition and Affidavit is detailed enough. If the respondent has retained counsel for the hearing, that attorney may ask you questions, as well.

Then, the judge will then ask the respondent questions. Stay calm while the respondent is speaking and do not interrupt. The judge may give you an opportunity to address anything the respondent says after the respondent is done speaking.

Finally, the judge will make a decision on whether to grant or deny the sexual assault protection order. The judge might take the matter under advisement, which means a decision will come

later. The judge might grant the sexual assault protection order but change some of the protections listed on the *ex parte* sexual assault protection order.

What happens at an evidentiary hearing on a sexual assault protection order?

The judge will **receive** your Petition and Affidavit into **evidence**. The judge might place you under oath and ask you to confirm the truth of the statements that you included in your Petition and Affidavit to Obtain Sexual Assault Protection Order.

When you attend the hearing, you must prove that sexual assault occurred according to the legal definition of the terms as described in this Protection Order Handbook.

You will need to use **evidence** to prove that you need a sexual assault protection order. Evidence includes your testimony under oath and may also include things like witness testimony, print outs of photos, phone records, text messages, emails, medical records, and police records. The judge might not let you provide all the evidence you have prepared. Remember to get all evidence, such as photos, texts, screenshots, etc., off of your electronic devices so that you can offer it to the court. The Judge may also want to know why there is a risk of future harm if an Order is not issued.

If you testify about the sexual assault, give the judge as many details as you can remember. The judge might ask you questions under oath. The judge might allow the respondent or the respondent's attorney to **cross-examine** you, which means to ask you follow up questions about your testimony. If this happens, stay calm and listen carefully to what is asked before answering.

The judge will also give the respondent an opportunity to provide evidence that sexual assault did not occur and that you do not need a sexual assault protection order. The judge might allow you to cross-examine the respondent if the respondent testifies.

After all the evidence is received, the judge will make a decision about whether to grant or deny the sexual assault protection order. The judge might take the matter under advisement, which means a decision will come later.

What do I do after the hearing?

If the sexual assault protection order is granted, ask the judge's bailiff or the Clerk of the District Court how you can get printed copies of the final order. You have a right to receive two certified

copies of the sexual assault protection order for free.[40] The court might also mail or email you the sexual assault protection order. Carry the order with you at all times.

Be aware of your safety at the courthouse. You can ask the Clerk of the District Court for a law enforcement escort out of the building.

What happens if the respondent violates the sexual assault protection order?

Read and know the terms of your sexual assault protection order. If the respondent violates the terms of the sexual assault protection order, call the police. The respondent can be arrested[41] and charged criminally[42] for violation of the sexual assault protection order.

Can I contact the respondent if I have a sexual assault protection order?

The sexual assault protection order limits what the respondent can do. It does not limit what you can do. However, it is not a good idea to contact the respondent if there is an active sexual assault protection order. If the respondent has a criminal case related to the incidents of sexual assault or violation of the protection order, there may also by a criminal no-contact order in place with additional penalties for violation.

How do I change or modify the terms of the sexual assault protection order?

A change to a sexual assault protection order is called a **modification.** You ask for a modification by filing a **Request for Modification to Sexual Assault Protection Order.** The Nebraska Supreme Court's Online Legal Self-Help Center has a link to the form for you to complete and print: **https://supremecourt.nebraska.gov/sites/default/files/DC-19-38.pdf**. The form is also available from your local domestic and sexual violence advocacy agency, or the District Court Clerk's offices.

You (petitioner) will need to complete the Request for Modification to Sexual Assault Protection Order and include the reasons you want the protection order modified. You will need to sign the Request for Modification in front of the District Court Clerk ***or*** a Notary Public. Notary services are typically available at some offices in the courthouse, domestic and sexual violence advocacy centers, law offices, banks, and other businesses. Some businesses may charge a small fee for

[40] NEB. REV. STAT. §28-311.11(9)(a)
[41] NEB. REV. STAT. §28-311.11(10)
[42] NEB. REV. STAT. §28-311.11(4)

notarization. You will have to show your photo identification, such as a driver's license or passport, to verify your identity. Do not sign the Request for Modification until you are in the presence of the District Court Clerk or Notary Public.

After you have filled out the form, you need to file it with the District Court Clerk.

When does the sexual assault protection order expire?

If the judge grants the sexual assault protection order, it is valid for up to two years. If the court entered an *ex parte* sexual assault protection order, the term of the protection order starts from the date of that order. If the court did not grant an *ex parte* sexual assault protection order, the term of the protection order starts from the date of the sexual assault protection order issued after the evidentiary hearing.

Can I renew the sexual assault protection order?

You can renew a Sexual Assault Protection Order any time within 45 days before the original Sexual Assault Protection Order expires, including the day the order expires.[43]

There are three forms required to file for renewal of a sexual assault protection order:

- Petition and Affidavit to Renew Sexual Assault Protection Order
- Praecipe
- Social Security Information Form

The Petition and Affidavit to Renew Sexual Assault Protection Order allows you to tell the court why you want the Sexual Assault Protection Order renewed and if any new relevant events have occurred since the Sexual Assault Protection Order was issued.
An advocate at the domestic violence agency or a Victim/Witness Advocate serving your area may be able to provide you with the instructions and forms to renew your protection order. Forms and instructions are also available from the District Court Clerk's offices and on the Nebraska Supreme Court Online Legal Self-Help Center**:**
https://supremecourt.nebraska.gov/self-help/protection-abuse/sexual-assault-protection-order.

You (petitioner) will need to complete the Petition and Affidavit to Renew Sexual Assault Protection Order and include the reasons you want the protection order renewed, and you may,

[43] NEB. REV. STAT. §28-311.11(7)

although it is not required, include any additional events that occurred since the original Sexual Assault Protection Order was entered.

After you have completed the Petition and Affidavit to Renew Sexual Assault Protection Order, it will need to be sworn to and signed in front of the District Court Clerk ***or*** a Notary Public. You will have to show your photo identification, such as a driver's license or passport, to verify your identity. Do not sign the Petition until you are in the presence of the District Court Clerk or Notary Public.

After you have filled out the form, you need to file it with the District Court.

How do I dismiss the sexual assault protection order?

You can request that the Court dismiss your sexual assault protection order by filing a **Motion to Vacate and to Set Aside and to Dismiss** with the District Court. The sexual assault protection order remains active unless and until it is dismissed by the court. Dismissing a sexual assault protection order does not dismiss a no-contact order entered in a criminal case or any other provisions in any other court orders, such as a restraining order in a divorce.

An advocate at the domestic and sexual violence advocacy agency or a Victim/Witness Advocate serving your area may be able to provide you with the instructions and form to dismiss your protection order. Forms and instructions are also available from the District Court Clerk's offices and on the Nebraska Supreme Court Online Legal Self-Help Center. The Motion to Vacate form is here: **https://supremecourt.nebraska.gov/sites/default/files/DC-19-18.pdf**.

After you have completed the form, you will need to sign in front of the Clerk of the District Court or a Notary Public. You will have to show your photo identification, such as a driver's license or passport, to verify your identity. Do not sign the Motion until you are in the presence of the District Court Clerk or Notary Public.

You will then need to file the Motion with the Clerk of the District Court.

The court may order a hearing regarding your motion to dismiss. You will need to attend the hearing and tell the court why you would like the protection order dismissed.

Where to go for help if you cannot afford an Attorney

If you are not able to afford an attorney to represent you in your civil legal matter, you may be able to get free help or you may be able to represent yourself. Some resources follow:

Low-Income Legal Services
Legal Aid of Nebraska
www.legalaidofnebraska.org.
If you cannot afford an attorney you can call any one of Legal Aid of Nebraska's AccessLines® on page 3 of this Protection Order Handbook to see if you qualify for services. You can also apply on line at www.legalaidofnebraska.org.

Nebraska State Bar Association Volunteer Lawyer Project (VLP)
nevlp.org
VLP is a statewide pro bono program of the Nebraska State Bar Association utilizing volunteer attorneys to provide legal services on a reduced fee and/or pro bono basis to allow for improved access to justice for low-income Nebraskans. You can find informational brochures regarding a variety of legal issues https://nevlp.org/public-2/.

Nebraska Free Legal Answers
www.NE.FreeLegalAnswers.org
If you qualify for this income-based service, you can ask a Nebraska volunteer lawyer to answer your civil legal question.

Law School Legal Clinics
UNL College of Law Civil Clinical Law Program
http://liferaydemo.unl.edu/web/law/academics/curriculum/clinics
A limited number of cases are accepted by the UNL Civil Clinical Law Program. Clients are represented by students under the supervision of College of Law faculty. The telephone number is 402-472-3271.

Creighton University School of Law Legal Clinic
http://www.creighton.edu/law/clinics/civillawclinic/index.php
For Douglas County residents only. A limited number of cases are accepted by the Creighton Legal Clinic. Clients are represented by lawyers assisted by third-year law students under the supervision of a licensed attorney. To complete an application for assistance call the Clinic at 402-280-3068 between 9:00 a.m. and 4:00 p.m. Monday through Friday.

Self-Help Resources

Nebraska Supreme Court's Online Legal Self-Help Center
https://supremecourt.nebraska.gov/self-help
Information and links to legal resources to help you represent yourself in Nebraska Courts, including forms and information provided by the Nebraska Supreme Court Committee on Self-Represented Litigation.

Law Help Nebraska
https://lawhelpne.legalaidofnebraska.org/
This is an interactive website offering information and forms for self-represented litigants in Nebraska.

Courthouse Self-Help Centers
A Self Help Center is a walk-in legal information and resource center for low-income self-represented litigants in Nebraska located in several courthouses across Nebraska. Volunteer lawyers staff the Self-Help Centers and answer general questions and provide information regarding civil court processes and procedures. Self Help Centers are open when volunteers are available and when the court is open. Due to COVID-19, all Self-Help Centers are currently closed. When the Self-Help Centers are re-opened, this Protection Order Handbook will be updated accordingly.

Legal Aid of Nebraska's Do-It-Yourself (Pro Se) Divorce Clinic
Allows low income litigants who are seeking a divorce with no disagreements between spouses regarding property, debt, or child custody/parenting time to meet virtually with an attorney to assist with forms, answer questions, and provide information regarding self-representation in court. The clinics are held once per month for residents of Buffalo, Dawson, Dodge, Gage, Hall, Jefferson, Madison, and Saline counties. Find out more at legalaidofnebraska.org/divorceclinic.

Libraries
Nebraska State Library
http://www.supremecourt.ne.gov/state-library/index.shtml
You can go to the State Library if you need access to legal resources including using the internet for legal research. The State Library is located in room 325 at the State Capitol Building in Lincoln. The telephone number is 402-471-3189.

Public Libraries

Your local public library may have some resources and public access to computers and the internet. To find your local library you can visit http://www.publiclibraries.com/nebraska.htm.

University of Nebraska College of Law Library
http://law.unl.edu/library/
The UNL College of Law Library is located on the east campus of UNL. The Law Library has one public access computer for members of the public to conduct legal research. The general telephone number to the law school is 402-472-2161.

Creighton University Law School Library
http://www.creighton.edu/law/library/
The Creighton Law School Library has public access computers available for legal research. Reference assistance is also available. The general library telephone number is 402-280-2875. The Law Library is open to the general public with legal research needs from 7:00 a.m. to 7:00 p.m. Monday through Friday while school is in session. Hours may vary during breaks and over the summer. It is located in Omaha on the corner of 21st and Cass Streets on the second floor of the Ahmanson Law Center.

Referral Services
Referrals to private attorneys are available. Private attorneys may charge for their services: Nebraska Find-A-Lawyer, a statewide referral service which allows you to find an attorney by city, county, and/or practice area. Find out more at www.Nefindalawyer.com.

Omaha Bar Association Lawyer Referral
The service refers callers to private practicing attorneys in Douglas and Sarpy counties. For more information call 402-280-3603 or visit their website at:
http://omahabarassociation.com/lawyerreferral.asp.

Personal Safety Plan

A Checklist for Living Free of Domestic Violence

If you are home and an argument becomes dangerous:

- Leave your home;
- Take your children with you;
    - Go to a friend or family member's house, or
    - Go to a shelter;
- If you have been hurt:
    - Go to a doctor or hospital;
    - Take pictures of your injuries;
- If you cannot leave;
    - Do what the abuser wants;
    - Allow the abuser to calm down;
    - Stay close to a room with a door to the outside; and
    - Avoid bedrooms, bathrooms or kitchens.

Safety When Preparing to Leave…

- Open a savings account in your own name;
- Get a safe address, such as a P.O. Box;
- Pack a bag with:
    - money,
    - an extra set of car and house keys,
    - important documents, and
    - clothes;
- Leave the bag with someone you trust;
- Have a place to go; and
- Figure out who can loan you money if you need it.

Safety at Home…

- Change your locks or add new locks;
    - If you rent, tell your landlord about this;
- Talk with your children about a safety plan for when you are not with them;
- Tell your neighbors and landlord your partner does not live with you anymore;
- Do not put outgoing mail in your mailbox;
- If you have a locked mailbox, change the lock;
- Keep your protection order with you at all times;

- If the protection order covers the children, leave a copy of the order at their school or day care;
    - Tell the school and day care who can pick the children up;
- Change your phone number;
- Do not call your abuser from your new number;
- Keep a diary of all contact with your abuser; and
- Call the police if the abuser breaks the protection order and contacts you.

Safety While Using Technology…

- Create a new e-mail account;
- Save and print out any messages your abuser sends you;
- Use a public computer;
    - Your home computer has a history of your searches. Public libraries have computers for the public to use.
- Protect or change your e-mail and voice mail passwords;
- Protect or change your PIN numbers;
- Check with your service provider to see if the location service is activated on your phone;
    - Have the location feature turned "off;" and
- Do not give anyone your social security number unless it is necessary.

Safety outside the home…

- Change your travel routes often;
- Shop in different locations;
- Cancel all joint credit cards;
    - Open an account in your name only;
- Close joint bank accounts;
    - Open an account in your name only;
- Keep your protection order with you at all times;
- Tell your co-workers, your boss and security at your place of work about your situation;
- Let your calls at work go to voice mail or get caller ID for your work phone; and
- Walk with a co-worker to your car or the bus stop after work.

Safety for your Pets…

- Keep emergency provisions for your pet;
- Keep a phone number for the nearest emergency veterinary clinic;
- Establish ownership of your pet;
    - Get a pet license;

  - Have a vet put your pet's medical records in your name;
  - Keep a copy of your pet's records;
- Pack a bag for your pet and include;
  - Food;
  - Medicine;
  - Toys; and
  - Bedding;
- Find the name of a shelter for your pet;
- Keep your pet indoors as much as possible;
- Do not leave your pet outdoors alone;
- Pick safe routes and times to walk your pet;
- Do not walk your pet alone; and
- Tell your vet or kennel that you want to keep the location of you and your pet confidential.