

# INFORMATION SHEET

## Order for Protection (*OFP*) v. Harassment Restraining Order (*HRO*)

P = Petitioner R = Respondent

	<b>OFP</b>	<b>HRO</b>
<b>Relationship of Petitioner (person in need of protection) to Respondent (person from whom protection is needed)</b>	<ul style="list-style-type: none"> <li>• blood relative</li> <li>• live together now or have lived together in the past</li> <li>• have a child together or are pregnant with</li> <li>• are or were involved in a romantic or sexual relationship</li> </ul>	<ul style="list-style-type: none"> <li>• No relationship requirements</li> </ul>
<b>Requirements</b>	<ul style="list-style-type: none"> <li>• actual physical harm</li> <li>• threat of physical harm</li> <li>• interference w/ 911 call</li> <li>• forced sexual contact</li> <li>• any sexual contact if the person needing protection is a minor</li> </ul>	<ul style="list-style-type: none"> <li>• physical assault</li> <li>• sexual assault</li> <li>• <u>more than 1 incident</u> of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another</li> </ul>
<b>Relief</b>	<ul style="list-style-type: none"> <li>• R may be excluded from home &amp; sheriff will remove R from home</li> <li>• P may ask for guns to be removed from home</li> <li>• Temporary custody / parenting time may be granted</li> </ul>	<ul style="list-style-type: none"> <li>• Sheriff will not remove R, but may restrict R from returning to home</li> <li>• No provisions for removal of guns</li> <li>• No provisions for any family law matters</li> </ul>
<b>Hearings</b>	<ul style="list-style-type: none"> <li>• May be granted without a hearing</li> <li>• P or R may request a hearing</li> <li>• Hearings are held in Family Court - @ the FJC</li> </ul>	<ul style="list-style-type: none"> <li>• May be granted without a hearing</li> <li>• P or R may request a hearing</li> <li>• Hearings are held @ HCGC – 3rd floor</li> </ul>
<b>Fees</b>	<ul style="list-style-type: none"> <li>• P: None</li> <li>• R: None</li> </ul>	<ul style="list-style-type: none"> <li>• P: none if the alleged actions would constitute criminal harassment or if person is indigent (IFP), otherwise \$322</li> <li>• R: \$322</li> </ul>
<b>Violations</b>	<ul style="list-style-type: none"> <li>• Entered into the “OFP State System”, which means that the police have access to the order when a 911 call is made</li> <li>• Violation of OFP is a crime &amp; contempt of court= Minn. Stat. §260C.405</li> </ul>	<ul style="list-style-type: none"> <li>• Police do not have record of the HRO. P must keep copy of HRO and show it to the police if there is a violation.</li> <li>• Violation of an HRO is a crime = Minn. Stat. §609.749</li> </ul>