

Information for Respondent in a Domestic Abuse Case

If you are served with these papers, someone is asking for or has received an Order for Protection (OFP) against you.

A. An OFP may be brought by [Minn. Stat. § 518B.01, subd. 4(a)]:

- a family or household member on their own behalf;
- a family or household member, a guardian, or a reputable adult age 25 or older on behalf of a minor, or
- a minor age 16 or 17 against a spouse, former spouse, or person with whom the minor has a child, if allowed by the court.

B. Definitions (Minn. Stat. § 518B.01, subd. 2)

Domestic Abuse is defined as any of the following conduct between family or household members:

1. Actual physical harm, bodily injury, assault (such as hitting, kicking, slapping, pushing, stabbing), or fear of imminent physical harm, bodily injury or assault (such as verbal threats, threatening gestures); or
2. Terroristic threats (such as a threat to commit a crime of violence, bomb threats, or threatening someone when holding a gun); or
3. Criminal sexual conduct (such as forced sex or forced sexual contact with an adult or any form of sexual contact with a child); or
4. Interference with an emergency call (intentionally interrupts, disrupts, impedes or interferes with an emergency call or intentionally prevents or hinders another from placing an emergency call.)

Family or household members are defined as:

1. Married persons;
2. Persons who were married but are now divorced;
3. Parents, children;
4. Persons related by blood (such as brothers, sisters, uncles, aunts, or grandparents);
5. Persons who live together now or who lived together in the past;
6. Persons who have a child together, even if they have not been married or lived together;
7. Persons who have an unborn child together;

8. Persons involved in a significant romantic or sexual relationship.

C. You have a right to a hearing. If no hearing is scheduled and you want a hearing, you must request one within 5 calendar days of when you received these documents. To ask for a hearing, fill out and file the “Request for Hearing” form (OFP202, available online at <http://mncourts.gov/GetForms.aspx?c=17&f=321>) with court administration in the county where this case was filed.

Court administration’s address is found on the “Notice of Filing of Order.” You can also find it online starting at <http://mncourts.gov/Find-Courts.aspx>.

D. If you move, you must let court administration know your new address.

NOTE: If a hearing is scheduled and an emergency arises and you are unable to attend the hearing, you must contact the court and ask for a new court date. A judge will decide whether to grant your request. If you do not attend a scheduled hearing, the court may grant the Order for Protection (OFP) against you.

Do you have a question about court forms or instructions?

- Visit www.MNCourts.gov/SelfHelp
- Call the Statewide Self Help Center at (651) 435-6535
- Domestic Abuse and OFP Help Topic: <http://mncourts.gov/Help-Topics/Domestic-Abuse-and-Harassment.aspx>

Not sure what to do about a legal issue or need advice?

- Talk with a lawyer
- Visit www.MNCourts.gov/Find-a-Lawyer.aspx

Helpful materials may be found at your public county law library. For a directory, see http://mn.gov/law-library/research-links/county-law-libraries.jsp . For more information, contact your court administrator or call the Minnesota State Law Library at 651-297-7651.
--