



FACT SHEET: LGBTQ PEOPLE & ORDERS OF PROTECTION IN NEW YORK STATE FAMILY COURT

What is a Family Court Order of Protection?

An Order of Protection is a court order signed by a Judge that requires your partner or ex-partner (whether it's your boyfriend, girlfriend, husband, wife, partner, buddy or any other way you define your intimate relationships) to stop threatening, harassing, assaulting, stalking, repeatedly contacting, or menacing you.

Who can get a Family Court Order of Protection?

As of July 22, 2008, Family Court is open to many more victims of domestic violence seeking Orders of Protection, including people who are in or have had an "intimate relationship," even if you have never had sex with your partner.

This includes people who are:

- dating or used to date
- living together or used to live together
- lesbian, gay, bisexual, transgender & queer (LGBTQ)
- youth

People who are married or divorced, related by blood or marriage or who have a child in common can also get an Order of Protection.

You do not have to live together to get an order of protection.

**I'm anti
violence
and pro
community.**



How will the Court decide if my relationship is an "intimate relationship"?

The court will consider several factors in deciding if your relationship is an "intimate relationship," including:

- The nature or type of relationship you have
- How often you saw or spoke to each other (including texting and email)
- The length of the relationship

You do not have to have had sex with your partner to be in an intimate relationship.

The court will NOT consider a "casual acquaintance" (for example, friends or people who work together who are not dating).

What should I know about filing for a Family Court Order of Protection?

All people in an intimate relationship needing an Order of Protection can file in Family Court and ask a judge to decide if they are eligible for an Order.

You have the right to bring an advocate or friend to court with you. You do not need an attorney, although the court may provide you with one if you qualify.

You do not have to call the police or have your partner arrested to go to Family Court to get an order of protection. However, you can go to Family Court even if you have contacted the police and even if you have gone to Criminal Court.

If you would like to talk more about your options or need to talk about your relationship, you can contact:

**New York City Anti-Violence Project
24-hour bilingual hotline: 212.714.1141**