

WHAT TO DO IF YOUR FULL ORDER OF PROTECTION HAS BEEN VIOLATED

- 1. IF YOU ARE IN DANGER, CALL “911” IMMEDIATELY.**
- 2. CALL THE POLICE IF THE RESPONDENT (THE PERSON YOU FILED AGAINST) HAS DONE ANY OF THE FOLLOWING:**

- Physically harmed (hit, kicked, choked, sexually assaulted, etc...) you;
- Threatened to harm you;
- Stalked you (for example, followed you, watched your house, waited for you at school/work, harassed you);
- Communicated with you (in person, by phone, by letter, by e-mail/social media, by text message, through another person, etc.);
- Entered your residence or onto your property;
- Possessed firearms and/or ammunition when prohibited from doing so.

Tell the police that you have a Full Order of Protection. Tell them the details (including dates, times, locations) of the violation(s). Give the police as much information as possible (including the Order of Protection case number and places where the Respondent lives and works).

- 3. GO TO THE COURTHOUSE TO FILE A “MOTION FOR CONTEMPT”**

- **WHAT IS A MOTION FOR CONTEMPT?** A Motion for Contempt is a request for the court to address a person’s alleged violation(s) of the Full Order of Protection. By filing such a motion, you are asking the judge to hold the other person “in contempt of court” for violating a court order. If the judge makes such a finding, the judge has the ability to fine the Respondent and/or send him/her to jail.
- **FOR WHAT VIOLATIONS CAN I FILE A MOTION FOR CONTEMPT?** You can ask the court to hold the other person in contempt of court for violating terms of a Full Order of Protection, including the violations listed above.

For the above violations, you have the option to both call the police **and** file a Motion for Contempt. For these types of violations, you will be filing a **MOTION for INDIRECT CRIMINAL CONTEMPT**.

You may also file a Motion for Contempt if the Respondent violates other terms of the Full Order of Protection, such as: failure to return property, failure to pay maintenance, child support, rent and/or other financial orders and/or failure to adhere to a court-ordered Parenting Plan. For these types of violations, you will be filing a **MOTION for CIVIL CONTEMPT**.

- **WHERE DO I GO TO FILE?** The Adult Abuse Office is located on the street level of the St. Louis County Courthouse. The Courthouse address is 105 S. Central Ave. in Clayton, MO 63105. The Adult Abuse Office phone number is (314) 615-4725.

- **WHEN CAN I FILE?** The Adult Abuse Office is open for Motion for Contempt filings Monday through Friday from 8:00 a.m. to 5:00 p.m.
- **DO I NEED TO PAY ANYTHING TO FILE?** No, there is no cost for filing a Motion for Contempt.
- **WHAT SHOULD I BRING?** You are not required to bring anything; however, if you can support your claims with photographs, video tapes, police reports, medical records or other documents, you should bring copies of those documents with you.

Since the Respondent must be served with a copy of your Motion for Contempt, you should try to have his/her current address (home and/or work, preferably both) when you arrive at the Adult Abuse Office.

- **WHAT WILL I HAVE TO DO?** You will be given a “Motion for Contempt” form that you will need to complete. On this form, you will need to write down the details of what happened and why you are asking that the other person be held in contempt of court. The staff at the Adult Abuse Office will be able to help you if you have any questions. If you have access to a computer, you can also get the forms online at: www.stlouisco.com/circuitcourt (Select the *Domestic Violence Court* link and then click on the *Motions for Contempt* link.) Select the *Court Forms* link. You should select the Motion for Contempt form that is appropriate for the violation(s) that has occurred.
- **HOW DO I DETERMINE WHAT OTHER STEPS TO TAKE?** The Adult Abuse Office has a document entitled *Questions (and Answers) about Filing a Motion for Contempt*. There is also a form entitled *Questions (and Answers) about Responding to a Motion for Contempt*. Both of these forms are also available online at the above website. Advocates will often be available for advice and assistance in the Adult Abuse Office during most of the hours that the office is open.
- **DO I NEED A LAWYER?** You may represent yourself. The forms are not difficult to complete. You should, however, consider talking with a lawyer or getting legal representation, especially because the Respondent may also hire a lawyer. In many circumstances, advocates at the Adult Abuse Office may arrange for you to receive legal services for free. In some instances, the judge may appoint an attorney to prosecute your case.
- **WHAT CAN THE JUDGE DO IF HE/SHE FINDS THAT THE RESPONDENT VIOLATED THE ORDER OF PROTECTION?** The judge may order that the Respondent pay a fine, go to jail or both. Under certain circumstances, the judge can consider other options.