

Information Concerning Domestic, Repeat, Sexual and Dating Violence Injunctions:

Currently there are no filing fees when applying for any of these injunctions.

Domestic Violence Injunctions: A Domestic Violence Injunction (sometimes called a restraining order) can be filed by anyone who is the victim of any act of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming the victim of any act of domestic violence. You do not need to be represented by an attorney in order to file a petition for an injunction.

To file a domestic violence injunction you should go to one of the clerk of court offices located throughout the county. When seeking an injunction be sure to your driver's license or other type of identification.

PINELLAS COUNTY

CRIMINAL JUSTICE CENTER

14250 49th Street North
Clearwater, Fl. 33772
Telephone:(727) 453-7254

CIVIL COURT RECORDS

315 Court Street, Room 170
Clearwater, FL 33756
Telephone: (727) 464-3267

NORTH COUNTY BRANCH OFFICE

29582 U.S. 19 North
Clearwater, FL 33761
Telephone: (727) 464-8710

SOUTH COUNTY BRANCH OFFICE

1800 66th Street North
St. Petersburg, Florida 33710
Telephone: (727) 582-7681

ST. PETERSBURG BRANCH OFFICE

545 First Avenue North, Room 101
St. Petersburg, FL 33701
Telephone: (727) 582-7771

PASCO COUNTY

NEW PORT RICHEY OFFICE

7530 Little Road
New Port Richey, FL 34654-5598
Telephone: (727)847-8176

DADE CITY OFFICE

38053 Live Oak Avenue
Dade City, FL 33523-3805
(352)521-4517

Repeat, Dating, or Sexual Violence Injunctions: Can be filed by anyone regardless of whether they ever resided together. In a repeat violence injunction there must have been at least two incidents of violence, one of which occurred within the previous six month time period. For either dating or sexual violence, there are several specific criteria for filing. The Clerk of Court should have information about this.

As with the domestic violence injunction, take your driver's license or other identification to one of the Clerk's offices located throughout the county (addresses listed above).

The process:

1. **Filing:** After you file your paperwork it will be forwarded to a judge for review.
2. **The temporary injunction:** The judge will review the petition and decide whether or not to grant a **temporary injunction on an emergency basis**. The temporary injunction shall be in effect for 15 days unless extended by court order. The temporary injunction is valid and

enforceable in all courts of the State of Florida. The temporary injunction will address matters of contact between the parties, temporary use and possession of the home and temporary custody of the minor child(ren). A “return” hearing will be scheduled with notice given to the other side at which time the court will decide whether to extend the injunction.

Note: If your temporary injunction is denied, the court may still set a hearing at which the judge will consider entering a permanent(non-emergency) injunction.

3. **The return hearing:** At the return hearing the judge will hear the facts of case and decide whether a final judgment of injunction will be granted. **A final judgment of injunction can be granted for any length of time, or can be permanent.**

4. **Final Judgment of injunction:** A final injunction may, depending on the type of action you file, address provisions for contact, temporary exclusive use and possession of the home, temporary support, temporary custody and visitation with the parties’ minor child(ren) and payment of temporary child support. The custody, support, and visitation issues may be heard on the day of the hearing or referred to a general master to be heard at another time. The final judgment of injunction is valid and enforceable in all courts in the state of Florida. Under the injunction, the Judge may order that a respondent enter and successfully complete an anger management course, mental health evaluation, drug screening or certified batterer’s intervention program.

5. **Violations:** If you feel that the other party has violated the contact provisions of the temporary or final judgment of injunction by contacting you, you may go to the clerk’s office domestic violence desk and file an affidavit of violation. Your affidavit will be reviewed by a judge and may either be set for a civil court hearing or referred to the state attorney’s office to be pursued as a criminal violation of the injunction. You may also report violations to law enforcement.

6. **Enforcement:** If the final judgment of injunction for domestic violence awards child support, custody or visitation and the other party is not complying with those provisions you may contact the clerk of court, domestic violence desk, regarding a motion to enforce.

7. **Modifications:** The motion for modification of an injunction form is available at the clerk’s office. Either party may file a motion for modification at the domestic violence desk at the clerk’s office if they feel there is some portion of the restraining order that needs to be modified. Modifications can be requested because of a change in circumstances, work place, etc. A hearing may or may not be set on a motion for modification.

8. **Requests for Dismissal:** Either party may file a motion to dismiss the injunction. The section judge will review the motion. If necessary, a hearing may be set on the request for dismissal.

9. **Other court proceedings:** Although a final injunction may be entered on a permanent basis, provisions for child support and visitation are considered to be temporary only. Those issues are better disposed of in a dissolution of marriage case (for married parties) or paternity case (for unmarried parties). The injunction should not be used as a substitute for those legal actions.