

# Court Service Center

## New Hampshire Superior Court

### CIVIL RESTRAINING ORDERS

#### What is a restraining order?

- ☐ A Civil Restraining Order is a Court Order telling someone to stay away from you or to stop doing something that affects you, such as phoning you when you've asked them to stop calling. It can also be an order to a person to stop doing something involving your property, like parking their car on your land.
- ☐ Police departments often recommend people get civil restraining orders when no criminal laws have been broken or when you do not want to "press charges".
- ☐ You may qualify to request another type of restraining order which gives you more protections. If so, you would file a different form. Click here for more information on **Domestic Violence and Stalking Petitions**.

#### What will I need to file and what will it cost?

- ☐ Superior Court cases **must** be filed electronically. You will need to register with TurboCourt. Click here for the Electronic Services page.
- ☐ TurboCourt has a guided interview and you will be asked information about your case including the name and address of the person you are filing against. You should explain why you want the restraining order and tell the Judge in detail what happened and when it happened. Your answers will be used to complete the Complaint.
- ☐ There is a fee to file a lawsuit in Superior Court
- ☐ If you are experiencing a financial hardship, a Motion to Waive Filing Fee can be completed at the end of the TurboCourt program. You will receive an email letting you know if the Motion has been granted or denied.
  - Once the Motion has been reviewed, you may have to pay all or a portion of the filing fee. If you are required to pay a filing fee, you will receive a "Notice of Filing Fee to be Paid" with payment instructions. Please note: your Complaint will not be reviewed by a judge until payment has been made. If payment is not made within 10 days, the court will dismiss your case.

#### What happens next?

- ☐ If you requested *Ex Parte* orders, your complaint will be sent to a judge for review and they will make a decision about whether to make an *Ex Parte* order. The court will send you paperwork via email.
- ☐ If you did not request *Ex Parte* orders, the court will schedule a hearing and will send you paperwork via email.
- ☐ You will receive all documents from the court via email with detailed instructions on how to serve the opposing party.
- ☐ The Sheriff will charge a fee for service.

#### What will I need to bring with me to a hearing?

- ☐ It is up to you to prove your case to the judge at the hearing. Bring paperwork you would like the judge to see. You may bring witnesses. Click here for information on how to subpoena a witness.
- ☐ You should make copies of any paperwork for the other side and for the judge.

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### **What happens if the person disobeys the order?**

- ☐ You should keep a copy of your Order with you at all times. You may call the police immediately to determine if what the person did was a crime. If so, they may be able to make an arrest. You may need to show them the Order.
- ☐ You can also file a Motion for Contempt through TurboCourt.

**Forms and Instructions are available from any NH Superior Court**

**Additional Information can be found at:**

**[www.courts.state.nh.us/superior](http://www.courts.state.nh.us/superior)**