



Workplace Protection Order Statutes

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This document was updated with the assistance of legal intern, Hunter Dorwart
If you have corrections or updates please contact NCPOFFC at ncffc@bwjp.org.

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<p>ARIZONA</p> <p>Injunction against workplace harassment</p>	<p>Ariz. Rev. Stat. Ann § 12-1810</p> <p>12-1810. Injunction against workplace harassment; definitions</p> <p>A. An employer or an authorized agent of an employer may file a written verified petition with a magistrate, justice of the peace or superior court judge for an injunction prohibiting workplace harassment.</p> <p>B. The court shall not grant an injunction against workplace harassment against either:</p> <ol style="list-style-type: none"> 1. A person who is under twelve years of age unless the injunction is granted by the juvenile division of the superior court. 2. More than one defendant. <p>C. The petition shall state all of the following:</p> <ol style="list-style-type: none"> 1. The name of the employer. 2. The name and address, if known, of the defendant. 3. A specific statement showing the events and dates of the acts that constitute harassment toward the employer or any person who enters the employer's property or who is performing official work duties. <p>D. The filing fee for a petition that is filed pursuant to this section is established pursuant to <i>sections 12-284, 22-281 and 22-404</i>.</p> <p>E. The court shall review the petition and any evidence offered by the employer to determine whether to issue the injunction without further hearing. Rules 65(a)(1) and 65(e) of the Arizona rules of civil procedure do not apply to injunctions requested pursuant to this section. If the court finds reasonable evidence of workplace harassment by the defendant or that good cause exists to believe that great or irreparable harm would result to the employer or any other person who enters the employer's property or who is</p>	<p>An employer or an authorized agent of the employer can file for an injunction preventing workplace harassment. Ariz. Rev. Stat. Ann § 12-1810(A).</p> <p>But a court will not grant an injunction against 1) a person under 12 unless the juvenile division of the superior court grants the injunction; OR 2) more than one defendant. Ariz. Rev. Stat. Ann § 12-1810(B).</p>	<p>The employer must make a good faith effort to notify the target of abuse that they plan to file for an injunction. Rev. Stat. Ann § 12-1810(M).</p>	<p>[Statute is silent.]</p>	<p>The injunction can prevent the respondent from entering the employer's property, contacting the employer or their employees, and any other relief the court deems necessary. Ariz. Rev. Stat. Ann § 12-1810(F)(1)</p>

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	<p>performing official work duties or if the injunction is not granted before the defendant or the defendant's attorney can be heard in opposition and the court finds specific facts that attest to the employer's efforts to give notice to the defendant or reasons supporting the employer's claim that notice should not be given, the court shall issue an injunction pursuant to subsection F of this section. If the court denies the requested relief, the court may schedule a further hearing within ten days with reasonable notice to the defendant.</p> <p>F. If the court grants an injunction against workplace harassment, the court may do any of the following:</p> <ol style="list-style-type: none"> 1. Restrain the defendant from coming near the employer's property or place of business and restrain the defendant from contacting the employer or other person while that person is on or at the employer's property or place of business or is performing official work duties. 2. Grant any other relief necessary for the protection of the employer, the workplace, the employer's employees or any other person who is on or at the employer's property or place of business or who is performing official work duties. <p>G. If the court issues an ex parte injunction pursuant to this section, the injunction shall state on its face that the defendant is entitled to a hearing on written request and shall include the name and address of the judicial office in which the request may be filed. At any time during the period that the injunction is in effect, the defendant may request a hearing. The court shall hold the hearing within ten days after the date of the written request unless the court finds compelling reasons to continue the hearing. The hearing shall be held at the earliest possible time. After the hearing, the court may modify, quash or continue the injunction.</p> <p>H. An injunction against workplace harassment that is issued pursuant to this section shall include the following statement:</p> <p style="padding-left: 40px;">Warning</p> <p style="padding-left: 40px;">This is an official court order. If you disobey this order, you may be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime you may have committed in disobeying this order.</p> <p>I. A copy of the petition and the injunction shall be served on the defendant within one year from the date the injunction is signed. An injunction that is not served on the defendant within one year expires. The</p>				

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	<p>injunction is effective on the defendant on service of a copy of the injunction and petition and expires one year after service on the defendant. A modified injunction is effective on service and expires one year after service of the initial injunction and petition.</p> <p>J. A supplemental information form that is utilized by the court or a law enforcement agency solely for the purposes of service of process on the defendant and that contains information provided by the plaintiff is confidential.</p> <p>K. Each affidavit, acceptance or return of service shall be filed promptly with the clerk of the issuing court. The filing shall be completed in person, made by fax or postmarked, if sent by mail, no later than the end of the seventh court business day after the date of service. If the filing is made by fax, the original affidavit, acceptance or return of service shall be filed promptly with the court. Within twenty-four hours after the affidavit, acceptance or return of service has been filed, excluding weekends and holidays, the court that issued the injunction shall register a copy of the injunction and a copy of the affidavit of service of process or acceptance of service with the sheriff's office of the county in which the employer is located. A copy of an injunction is presumed to be a valid existing order of the court for one year after the date on which the defendant was served. Any changes or modifications to the injunction are effective on entry by the court and shall be registered with the sheriff within twenty-four hours after the entry, excluding weekends and holidays.</p> <p>L. This section does not:</p> <ol style="list-style-type: none"> 1. Expand, diminish, alter or modify the duty of an employer to provide a safe workplace for its employees and other persons. 2. Permit a court to issue a temporary restraining order or injunction that prohibits speech or other activities that are constitutionally protected or otherwise protected by law, including actions involving organized labor disputes that do not involve unlawful picketing, trespassory assembly, unlawful mass assembly, concerted interference with lawful exercise of business activity and engaging in a secondary boycott as defined in <i>section 23-1321</i>, defamation in violation of <i>section 23-1325</i> or any actual or threatened misrepresentation, fraud, duress, violence or breach of the peace. 3. Preclude either party from being represented by private counsel or appearing on the party's own behalf. 				

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	<p>M. When the employer has knowledge that a specific person or persons are the target of harassment as defined by this section, the employer shall make a good faith effort to provide notice to the person or persons that the employer intends to petition the court for an injunction against workplace harassment.</p> <p>N. Whether or not a violation occurs in the presence of a peace officer, a peace officer, with or without a warrant, may arrest a person if the peace officer has probable cause to believe that the person has violated <i>section 13-2810</i> by disobeying or resisting an injunction that was issued pursuant to this section. The release provisions under <i>section 13-3903</i> do not apply to an arrest made pursuant to this subsection. A person who is arrested pursuant to this subsection may be released from custody pursuant to the Arizona rules of criminal procedure or any applicable statute. The court shall include in an order for release any pretrial release conditions that the court deems appropriate.</p> <p>O. The remedies under this section for the enforcement of protection orders are in addition to any other civil and criminal remedies that are available. The municipal court and the justice court may hear and decide all matters arising pursuant to this section. On notice to the affected party and after a hearing, the court may enter an order that requires any party to pay the costs of the action, including reasonable attorney fees. A party may appeal an order entered by a justice court or municipal court pursuant to <i>section 22-261</i> or <i>22-425</i> and the superior court rules of civil appellate procedure without regard to an amount in controversy.</p> <p>P. A peace officer who makes an arrest pursuant to this section is immune from civil or criminal liability if the officer acts on probable cause.</p> <p>Q. An employer is immune from civil liability for seeking or failing to seek an injunction under this section unless the employer is seeking an injunction primarily to accomplish a purpose for which the injunction was not designed. Any action or statement by an employer under this section shall not be deemed an admission by the employer of any fact. An action or statement by an employer under this section may be used for impeachment purposes.</p> <p>R. In addition to the persons who are authorized to serve process pursuant to rule 4(d), Arizona rules of civil procedure, a peace officer may serve an injunction against workplace harassment pursuant to this section.</p>				

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	<p>S. For the purposes of this section:</p> <p>1. "Employer" means an individual, partnership, association or corporation or a person or group of persons who act, directly or indirectly, on behalf of or in the interest of an employer and with the consent of the employer. Employer includes this state, a political subdivision of this state and any school district or other special district.</p> <p>2. "Harassment" means a single threat or act of physical harm or damage or a series of acts over any period of time that would cause a reasonable person to be seriously alarmed or annoyed and includes unlawful picketing, trespassory assembly, unlawful mass assembly, concerted interference with lawful exercise of business activity and engaging in a secondary boycott as defined in <i>section 23-1321</i> and defamation in violation of <i>section 23-1325</i>.</p>				
<p>ARKANSAS Temporary restraining order</p>	<p>Ark. Code Ann. § 11-5-115</p> <p>11-5-115. Prevention of workplace violence.</p> <p>(a) If an employer or an employer's employee or invitee has:</p> <p>(1) Suffered unlawful violence by an individual as defined by § 5-13-310, terroristic act; § 5-14-103, rape; §§ 5-13-201 -- 5-13-203, battery; §§ 5-26-301 -- 5-26-309, domestic battering and assault on a family or household member; or a crime of violence as defined by § 5-73-202(1);</p> <p>(2) Received a threat of violence by an individual which can reasonably be construed as a threat which may be carried out at the work site as defined by § 5-13-301, terroristic threatening; § 5-38-202, threatening a catastrophe; §§ 5-13-204 -- 5-13-207, assault; or §§ 5-26-304 -- 5-26-306, domestic battering; or</p> <p>(3) Been stalked or harassed at the work site as defined by § 5-71-213, loitering; § 5-39-203, criminal trespass; § 5-71-208, harassment; or § 5-71-229, stalking, the employer may, in addition to, or instead of, filing criminal charges against the individual, seek a temporary restraining order, a preliminary injunction, or an injunction under Arkansas Rule of Civil Procedure 65 prohibiting further unlawful acts by that individual at the work site, which shall include any place at which work is being performed on behalf of the employer.</p>	<p>The employer can file for a temporary restraining order, a preliminary injunction, or an injunction. Ark. Code Ann. § 11-5-115(a)(3).</p>	<p>The statute does not require notification.</p>	<p>[Statute is silent].</p>	<p>The order can 1) prevent the defendant from visiting the employer's property, 2) harassing or molesting the employer or their employees, 3) stalking the employer or their employees, 4) contacting the employer or employees, 5) abusing the employer or employer's property or any other relief the court deems necessary. Ark. Code Ann. § 11-5-</p>

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	<p>(b) (1) Proof by a preponderance of the evidence of any action described in subsection (a) of this section shall constitute irreparable harm or damage to the employer or employer's employee or invitee.</p> <p>(2) Upon the granting of any restraining order, preliminary injunction, or injunction, the court may, among other appropriate orders:</p> <p>(A) Order the defendant not to visit, assault, molest, or otherwise interfere with the employer or the employer's operations or the employer's employee or invitee at the employer's work site;</p> <p>(B) Order the defendant to cease stalking the employer's employee or invitee at the employer's work site;</p> <p>(C) Order the defendant to cease harassment of the employer or the employer's employee or invitee at the employer's work site;</p> <p>(D) Order the defendant not to abuse or injure the employer, including the employer's property, or the employer's employee or invitee at the employer's work site;</p> <p>(E) Order the defendant not to telephone the employer or the employer's employee or invitee at the employer's work site; or</p> <p>(F) Such other necessary and appropriate relief as is deemed appropriate in the discretion of the court.</p> <p>(c) When necessary to protect the employer or the employer's employee, invitee, or property, and when authorized by the court, temporary restraining orders, preliminary injunctions, and injunctions granted under this section may be served upon the defendant by a peace officer, sheriff, constable, police officer, other law enforcement officer whose duty it is to preserve the peace, or by any other person authorized by law to serve process, with appropriate orders to the officials to enforce the court's order.</p> <p>(d) Unless specifically modified or terminated by the issuing judge, all orders and injunctions issued under this section shall have statewide validity and may be enforced by the issuing court for any violation anywhere in the state and by any court of competent jurisdiction within the state for violations which may occur within that court's jurisdiction.</p> <p>(e) All orders and injunctions issued under this section shall contain language directing appropriate law enforcement agencies to enforce the court's orders.</p>				115(b).

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	<p>(f) Unless lack of good faith is shown by clear and convincing evidence, an employer and an employer's agents who act in accord with this section shall be presumed to be acting in good faith and are immune from civil liability for actions taken under this section.</p> <p>(g) Any employer, or its employee or invitee, which does not utilize the procedures of this section shall not be liable for negligence, nor shall evidence of the same be admissible as evidence of negligence.</p> <p>(h) (1) This section is not applicable in circumstances where an employee or the employee's representative is engaged in union organizing, union activity, a labor dispute, or any activity or action arguably protected by the National Labor Relations Act.</p> <p>(2) Nothing in this section is intended to change the act's preemptive regulation of legally protected activities nor to change the right of the State of Arkansas and its courts to regulate activities not protected by the act.</p>				
<p>CALIFORNIA Temporary restraining order</p>	<p>Cal Civ. Proc. Code § 527.8</p> <p>§ 527.8. Workplace violence and threats; Right of employer to seek temporary restraining order and order after hearing; Service, notice and hearing; Possession of firearm by person subject to protective order</p> <p>(a) Any employer, whose employee has suffered unlawful violence or a credible threat of violence from any individual, that can reasonably be construed to be carried out or to have been carried out at the workplace, may seek a temporary restraining order and an order after hearing on behalf of the employee and, at the discretion of the court, any number of other employees at the workplace, and, if appropriate, other employees at other workplaces of the employer.</p> <p>(b) For purposes of this section:</p> <p>(1) "Course of conduct" is a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an employee to or from the place of work; entering the workplace; following an employee during hours of employment; making telephone calls to an employee; or sending correspondence to an</p>	<p>An employer can file for a temporary restraining order or an order after hearing on behalf of the employees. Cal. Civ. Proc. Code § 528.8(a).</p>	<p>The statute does not require victim notice for emergency protection orders but does require for an "order after hearing." Cal. Civ. Proc. Code § 528.8(b).</p>	<p>The temporary order is in effect for 21 days. Cal Civ. Proc. Code. § 527.8(b)(6)(B)(h). The "order after hearing" is in effect for a duration not more than three years. Cal Civ. Proc. Code. § 527.8(k)(1)</p>	<p>The order can prohibit the respondent from harassing, intimidating, molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, abusing, telephoning, including, but not limited to, making annoying telephone calls as described in <i>Section 653m of the Penal Code</i>, destroying personal property, contacting, either</p>

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	<p>employee by any means, including, but not limited to, the use of the public or private mails, interoffice mail, facsimile, or computer email.</p> <p>(2) "Credible threat of violence" is a knowing and willful statement or course of conduct that would place a reasonable person in fear for his or her safety, or the safety of his or her immediate family, and that serves no legitimate purpose.</p> <p>(3) "Employer" and "employee" mean persons defined in <i>Section 350 of the Labor Code</i>. "Employer" also includes a federal agency, the state, a state agency, a city, county, or district, and a private, public, or quasi-public corporation, or any public agency thereof or therein. "Employee" also includes the members of boards of directors of private, public, and quasi-public corporations and elected and appointed public officers. For purposes of this section only, "employee" also includes a volunteer or independent contractor who performs services for the employer at the employer's worksite.</p> <p>(4) "Petitioner" means the employer that petitions under subdivision (a) for a temporary restraining order and order after hearing.</p> <p>(5) "Respondent" means the person against whom the temporary restraining order and order after hearing are sought and, if the petition is granted, the restrained person.</p> <p>(6) "Temporary restraining order" and "order after hearing" mean orders that include any of the following restraining orders, whether issued ex parte or after notice and hearing:</p> <p>(A) An order enjoining a party from harassing, intimidating, molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, abusing, telephoning, including, but not limited to, making annoying telephone calls as described in <i>Section 653m of the Penal Code</i>, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, or coming within a specified distance of, or disturbing the peace of, the employee.</p> <p>(B) An order enjoining a party from specified behavior that the court determines is necessary to effectuate orders described in subparagraph (A).</p> <p>(7) "Unlawful violence" is any assault or battery, or stalking as prohibited in <i>Section 646.9 of the Penal Code</i>, but shall not include lawful acts of self-defense or defense of others.</p>				<p>directly or indirectly, by mail or otherwise, or coming within a specified distance of, or disturbing the peace of, the employee. Cal Civ. Proc. Code § 527.8(b)(6)(A). OR, specified behavior the court determines is necessary to effectuate orders described in the subsection above. Cal Civ. Proc. Code § 527.8(b)(6)(B)</p>

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	<p>(c) This section does not permit a court to issue a temporary restraining order or order after hearing prohibiting speech or other activities that are constitutionally protected, or otherwise protected by Section 527.3 or any other provision of law.</p> <p>(d) In the discretion of the court, on a showing of good cause, a temporary restraining order or order after hearing issued under this section may include other named family or household members, or other persons employed at the employee's workplace or workplaces.</p> <p>(e) Upon filing a petition under this section, the petitioner may obtain a temporary restraining order in accordance with subdivision (a) of Section 527, if the petitioner also files a declaration that, to the satisfaction of the court, shows reasonable proof that an employee has suffered unlawful violence or a credible threat of violence by the respondent, and that great or irreparable harm would result to an employee. The temporary restraining order may include any of the protective orders described in paragraph (6) of subdivision (b).</p> <p>(f) A request for the issuance of a temporary restraining order without notice under this section shall be granted or denied on the same day that the petition is submitted to the court, unless the petition is filed too late in the day to permit effective review, in which case the order shall be granted or denied on the next day of judicial business in sufficient time for the order to be filed that day with the clerk of the court.</p> <p>(g) A temporary restraining order granted under this section shall remain in effect, at the court's discretion, for a period not to exceed 21 days, or if the court extends the time for hearing under subdivision (h), not to exceed 25 days, unless otherwise modified or terminated by the court.</p> <p>(h) Within 21 days, or if good cause appears to the court, 25 days from the date that a petition for a temporary order is granted or denied, a hearing shall be held on the petition. If no request for temporary orders is made, the hearing shall be held within 21 days, or, if good cause appears to the court, 25 days, from the date that the petition is filed.</p> <p>(i) The respondent may file a response that explains, excuses, justifies, or denies the alleged unlawful violence or credible threats of violence.</p> <p>(j) At the hearing, the judge shall receive any testimony that is relevant and may make an independent inquiry. Moreover, if the respondent is a current employee of the entity requesting the order, the judge shall receive</p>				

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	<p>evidence concerning the employer's decision to retain, terminate, or otherwise discipline the respondent. If the judge finds by clear and convincing evidence that the respondent engaged in unlawful violence or made a credible threat of violence, an order shall issue prohibiting further unlawful violence or threats of violence.</p> <p>(k)</p> <p>(1) In the discretion of the court, an order issued after notice and hearing under this section may have a duration of not more than three years, subject to termination or modification by further order of the court either on written stipulation filed with the court or on the motion of a party. These orders may be renewed, upon the request of a party, for a duration of not more than three years, without a showing of any further violence or threats of violence since the issuance of the original order, subject to termination or modification by further order of the court either on written stipulation filed with the court or on the motion of a party. The request for renewal may be brought at any time within the three months before the expiration of the order.</p> <p>(2) The failure to state the expiration date on the face of the form creates an order with a duration of three years from the date of issuance.</p> <p>(3) If an action is filed for the purpose of terminating or modifying a protective order prior to the expiration date specified in the order by a party other than the protected party, the party who is protected by the order shall be given notice, pursuant to subdivision (b) of Section 1005, of the proceeding by personal service or, if the protected party has satisfied the requirements of Chapter 3.1 (commencing with <i>Section 6205</i>) of <i>Division 7 of Title 1 of the Government Code</i>, by service on the Secretary of State. If the party who is protected by the order cannot be notified prior to the hearing for modification or termination of the protective order, the court shall deny the motion to modify or terminate the order without prejudice or continue the hearing until the party who is protected can be properly noticed and may, upon a showing of good cause, specify another method for service of process that is reasonably designed to afford actual notice to the protected party. The protected party may waive his or her right to notice if he or she is physically present in court and does not challenge the sufficiency of the notice.</p> <p>(l) This section does not preclude either party from representation by private counsel or from appearing on his or her own behalf.</p> <p>(m) Upon filing of a petition under this section, the respondent shall be personally served with a copy of the petition, temporary restraining order, if</p>				

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	<p>any, and notice of hearing of the petition. Service shall be made at least five days before the hearing. The court may, for good cause, on motion of the petitioner or on its own motion, shorten the time for service on the respondent.</p> <p>(n) A notice of hearing under this section shall notify the respondent that, if he or she does not attend the hearing, the court may make orders against him or her that could last up to three years.</p> <p>(o) The respondent shall be entitled, as a matter of course, to one continuance, for a reasonable period, to respond to the petition.</p> <p>(p)</p> <p>(1) Either party may request a continuance of the hearing, which the court shall grant on a showing of good cause. The request may be made in writing before or at the hearing or orally at the hearing. The court may also grant a continuance on its own motion.</p> <p>(2) If the court grants a continuance, any temporary restraining order that has been granted shall remain in effect until the end of the continued hearing, unless otherwise ordered by the court. In granting a continuance, the court may modify or terminate a temporary restraining order.</p> <p>(q)</p> <p>(1) If a respondent, named in a restraining order issued under this section after a hearing, has not been served personally with the order but has received actual notice of the existence and substance of the order through personal appearance in court to hear the terms of the order from the court, no additional proof of service is required for enforcement of the order.</p> <p>(2) If the respondent named in a temporary restraining order is personally served with the order and notice of hearing with respect to a restraining order or protective order based on the temporary restraining order, but the person does not appear at the hearing, either personally or by an attorney, and the terms and conditions of the restraining order or protective order issued at the hearing are identical to the temporary restraining order, except for the duration of the order, then the restraining order or protective order issued at the hearing may be served on the person by first-class mail sent to that person at the most current address for the person available to the court.</p>				

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	<p>(3) The Judicial Council form for temporary orders issued pursuant to this subdivision shall contain a statement in substantially the following form:</p> <p>“If you have been personally served with this temporary restraining order and notice of hearing, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this temporary restraining order except for the expiration date is issued at the hearing, a copy of the restraining order will be served on you by mail at the following address: _____.</p> <p>If that address is not correct or you wish to verify that the temporary restraining order was converted to a restraining order at the hearing without substantive change and to find out the duration of that order, contact the clerk of the court.”</p> <p>(r)</p> <p>(1) Information on a temporary restraining order or order after hearing relating to workplace violence issued by a court pursuant to this section shall be transmitted to the Department of Justice in accordance with either paragraph (2) or (3).</p> <p>(2) The court shall order the petitioner or the attorney for the petitioner to deliver a copy of any order issued under this section, or a reissuance, extension, modification, or termination of the order, and any subsequent proof of service, by the close of the business day on which the order, reissuance, extension, modification, or termination was made, to each law enforcement agency having jurisdiction over the residence of the petitioner and to any additional law enforcement agencies within the court's discretion as are requested by the petitioner.</p> <p>(3) Alternatively, the court or its designee shall transmit, within one business day, to law enforcement personnel all information required under subdivision (b) of <i>Section 6380 of the Family Code</i> regarding any order issued under this section, or a reissuance, extension, modification, or termination of the order, and any subsequent proof of service, by either one of the following methods:</p> <p>(A) Transmitting a physical copy of the order or proof of service to a local law enforcement agency authorized by the Department of Justice to enter orders into the California Law Enforcement Telecommunications System (CLETS).</p>				

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	<p>(B) With the approval of the Department of Justice, entering the order or proof of service into CLETS directly.</p> <p>(4) Each appropriate law enforcement agency shall make available information as to the existence and current status of these orders to law enforcement officers responding to the scene of reported unlawful violence or a credible threat of violence.</p> <p>(5) At the request of the petitioner, an order issued under this section shall be served on the respondent, regardless of whether the respondent has been taken into custody, by any law enforcement officer who is present at the scene of reported unlawful violence or a credible threat of violence involving the parties to the proceedings. The petitioner shall provide the officer with an endorsed copy of the order and proof of service that the officer shall complete and send to the issuing court.</p> <p>(6) Upon receiving information at the scene of an incident of unlawful violence or a credible threat of violence that a protective order has been issued under this section, or that a person who has been taken into custody is the subject of an order, if the petitioner or the protected person cannot produce an endorsed copy of the order, a law enforcement officer shall immediately attempt to verify the existence of the order.</p> <p>(7) If the law enforcement officer determines that a protective order has been issued but not served, the officer shall immediately notify the respondent of the terms of the order and obtain the respondent's address. The law enforcement officer shall at that time also enforce the order, but may not arrest or take the respondent into custody for acts in violation of the order that were committed prior to the verbal notice of the terms and conditions of the order. The law enforcement officer's verbal notice of the terms of the order shall constitute service of the order and constitutes sufficient notice for the purposes of this section and for the purposes of <i>Section 29825 of the Penal Code</i>. The petitioner shall mail an endorsed copy of the order to the respondent's mailing address provided to the law enforcement officer within one business day of the reported incident of unlawful violence or a credible threat of violence at which a verbal notice of the terms of the order was provided by a law enforcement officer.</p> <p>(s)</p>				

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	<p>(1) A person subject to a protective order issued under this section shall not own, possess, purchase, receive, or attempt to purchase or receive a firearm or ammunition while the protective order is in effect.</p> <p>(2) The court shall order a person subject to a protective order issued under this section to relinquish any firearms he or she owns or possesses pursuant to Section 527.9.</p> <p>(3) Every person who owns, possesses, purchases or receives, or attempts to purchase or receive a firearm or ammunition while the protective order is in effect is punishable pursuant to <i>Section 29825 of the Penal Code</i>.</p> <p>(t) Any intentional disobedience of any temporary restraining order or order after hearing granted under this section is punishable pursuant to <i>Section 273.6 of the Penal Code</i>.</p> <p>(u) This section shall not be construed as expanding, diminishing, altering, or modifying the duty, if any, of an employer to provide a safe workplace for employees and other persons.</p> <p>(v)</p> <p>(1) The Judicial Council shall develop forms, instructions, and rules for relating to matters governed by this section. The forms for the petition and response shall be simple and concise, and their use by parties in actions brought pursuant to this section shall be mandatory.</p> <p>(2) A temporary restraining order or order after hearing relating to unlawful violence or a credible threat of violence issued by a court pursuant to this section shall be issued on forms adopted by the Judicial Council of California and that have been approved by the Department of Justice pursuant to subdivision (i) of <i>Section 6380 of the Family Code</i>. However, the fact that an order issued by a court pursuant to this section was not issued on forms adopted by the Judicial Council and approved by the Department of Justice shall not, in and of itself, make the order unenforceable.</p> <p>(w) There is no filing fee for a petition that alleges that a person has inflicted or threatened violence against an employee of the petitioner, or stalked the employee, or acted or spoken in any other manner that has placed the employee in reasonable fear of violence, and that seeks a protective or restraining order restraining stalking or future violence or threats of violence, in any action brought pursuant to this section. No fee shall be paid for a</p>				

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	<p>subpoena filed in connection with a petition alleging these acts. No fee shall be paid for filing a response to a petition alleging these acts.</p> <p>(x)</p> <p>(1) Subject to paragraph (4) of subdivision (b) of <i>Section 6103.2 of the Government Code</i>, there shall be no fee for the service of process by a sheriff or marshal of a temporary restraining order or order after hearing to be issued pursuant to this section if either of the following conditions applies:</p> <p>(A) The temporary restraining order or order after hearing issued pursuant to this section is based upon stalking, as prohibited by <i>Section 646.9 of the Penal Code</i>.</p> <p>(B) The temporary restraining order or order after hearing issued pursuant to this section is based on unlawful violence or a credible threat of violence.</p> <p>(2) The Judicial Council shall prepare and develop forms for persons who wish to avail themselves of the services described in this subdivision.</p>				
<p>COLORADO Temporary civil protection order</p> <p>Note: In Colorado employers may file for a civil protection order to protect an employer or their employees</p>	<p>C.R.S. 13-14-104.5(7)(b)</p> <p>13-14-104.5. Procedure for temporary civil protection order</p> <p>(1) (a) Any municipal court of record, if authorized by the municipal governing body; any county court; and any district, probate, or juvenile court shall have original concurrent jurisdiction to issue a temporary or permanent civil protection order against an adult or against a juvenile who is ten years of age or older for any of the following purposes:</p> <p>(I) To prevent assaults and threatened bodily harm;</p> <p>(II) To prevent domestic abuse;</p> <p>(III) To prevent emotional abuse of the elderly or of an at-risk adult;</p> <p>(IV) To prevent sexual assault or abuse; and</p>	<p>A judge or magistrate who finds that there is imminent danger to an employer or their employees can issue a temporary civil protection order in their name. C.R.S. 13-14-104.5(1)(a)(V)(b).</p>	<p>The statute does not require notification to the target of abuse for emergency protection orders, but does require notification for permanent protection orders, plus specified duties for the party's attorney. C.R.S. 13-14-104.5(7)(b)(6).</p>	<p>The statute does not indicate the length or a renewal process. But it does define temporary protection order within the scope of other statutes. C.R.S. 13-14-104.5(7)(b)(7)(a)</p>	<p>The order can prohibit assault, threats of bodily harm, emotional abuse, sexual assault/abuse, or stalking. C.R.S. 13-14-104.5(1)(a). The order can be issued in the name of an employer or business to prevent workplace violence. C.R.S. 13-14-104.5(7)(b). Eligibility for the protection order does not require petitioner to show that he or she has</p>

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	<p>(V) To prevent stalking.</p> <p>(b) To be eligible for a protection order, the petitioner does not need to show that he or she has reported the act that is the subject of the complaint to law enforcement, that charges have been filed, or that the petitioner is participating in the prosecution of a criminal matter.</p> <p>(2) Any civil protection order issued pursuant to this section shall be issued using the standardized set of forms developed by the state court administrator pursuant to <u>section 13-1-136</u>.</p> <p>(3) Venue for filing a motion or complaint pursuant to this section is proper in any county where the acts that are the subject of the motion or complaint occur, in any county where one of the parties resides, or in any county where one of the parties is employed. This requirement for venue does not prohibit the change of venue to any other county appropriate under applicable law.</p> <p>(4) A motion for a temporary civil protection order shall be set for hearing at the earliest possible time, which hearing may be ex parte, and shall take precedence over all matters, except those matters of the same character that have been on the court docket for a longer period of time. The court shall hear all such motions as expeditiously as possible.</p> <p>(5) Any district court, in an action commenced under the "Uniform Dissolution of Marriage Act", article 10 of title 14, C.R.S., shall have authority to issue temporary and permanent protection orders pursuant to the provisions of subsection (1) of this section. Such protection order may be as a part of a motion for a protection order accompanied by an affidavit filed in an action brought under article 10 of title 14, C.R.S. Either party may request the court to issue a protection order consistent with any other provision of this article.</p> <p>(6) At the time a protection order is requested pursuant to this section, the court shall inquire about, and the requesting party and such party's</p>				<p>reported the act to law enforcement, that charges have been filed, or that petitioner is participating in prosecution. C.R.S. 13-14-104.5(7)(b)(1)(a)(5)(b).</p>

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	<p>attorney shall have an independent duty to disclose, knowledge such party and such party's attorney may have concerning the existence of any prior protection or restraining order of any court addressing in whole or in part the subject matter of the requested protection order. In the event there are conflicting restraining or protection orders, the court shall consider, as its first priority, issues of public safety. An order that prevents assaults, threats of assault, or other harm shall be given precedence over an order that deals with the disposition of property or other tangible assets. Every effort shall be made by judicial officers to clarify conflicting orders.</p> <p>(7) (a) A temporary civil protection order may be issued if the issuing judge or magistrate finds that an imminent danger exists to the person or persons seeking protection under the civil protection order. In determining whether an imminent danger exists to the life or health of one or more persons, the court shall consider all relevant evidence concerning the safety and protection of the persons seeking the protection order. The court shall not deny a petitioner the relief requested because of the length of time between an act of abuse or threat of harm and the filing of the petition for a protection order.</p> <p>(b) If the judge or magistrate finds that an imminent danger exists to the employees of a business entity, he or she may issue a civil protection order in the name of the business for the protection of the employees. An employer is not be liable for failing to obtain a civil protection order in the name of the business for the protection of the employees and patrons.</p> <p>(8) Upon the filing of a complaint duly verified, alleging that the respondent has committed acts that would constitute grounds for a civil protection order, any judge or magistrate, after hearing the evidence and being fully satisfied therein that sufficient cause exists, may issue a temporary civil protection order to prevent the actions complained of and a citation directed to the respondent commanding the respondent to appear before the court at a specific time and date and to show cause, if</p>				

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	<p>any, why said temporary civil protection order should not be made permanent. In addition, the court may order any other relief that the court deems appropriate. Complaints may be filed by persons seeking protection for themselves or for others as provided in section 26-3.1-102 (1)(b) and (1)(c), C.R.S.</p> <p>(9) A copy of the complaint, a copy of the temporary civil protection order, and a copy of the citation must be served upon the respondent and upon the person to be protected, if the complaint was filed by another person, in accordance with the rules for service of process as provided in rule 304 of the rules of county court civil procedure or rule 4 of the Colorado rules of civil procedure. The citation must inform the respondent that, if the respondent fails to appear in court in accordance with the terms of the citation, a bench warrant may be issued for the arrest of the respondent, and the temporary protection order previously entered by the court made permanent without further notice or service upon the respondent.</p> <p>(10) The return date of the citation must be set not more than fourteen days after the issuance of the temporary civil protection order and citation. If the petitioner is unable to serve the respondent in that period, the court shall extend the temporary protection order previously issued, continue the show of cause hearing, and issue an alias citation stating the date and time to which the hearing is continued. The petitioner may thereafter request, and the court may grant, additional continuances as needed if the petitioner has still been unable to serve the respondent.</p> <p>(11) (a) Any person against whom a temporary protection order is issued pursuant to this section, which temporary protection order excludes the person from a shared residence, is permitted to return to the shared residence one time to obtain sufficient undisputed personal effects as are necessary for the person to maintain a normal standard of living during any period prior to a hearing concerning the order. The person against whom a temporary protection order is issued is</p>				

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	<p>permitted to return to the shared residence only if the person is accompanied at all times by a peace officer while the person is at or in the shared residence.</p> <p>(b) When any person is served with a temporary protection order issued against the person excluding the person from a shared residence, the temporary protection order must contain a notification in writing to the person of the person's ability to return to the shared residence pursuant to paragraph (a) of this subsection (11). The written notification shall be in bold print and conspicuously placed in the temporary protection order. A judge, magistrate, or other judicial officer shall not issue a temporary protection order that does not comply with this section.</p>				
<p>GEORGIA Temporary restraining order/injunction by employer</p>	<p>Ga. Code Ann. § 34-1-7</p> <p>§ 34-1-7. Temporary restraining order and injunction by employer to prohibit further violence at employee's workplace</p> <p>(a) As used in this Code section, the term:</p> <p>(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose including following or stalking an employee to or from the place of work; entering the workplace of an employee; following an employee during hours of employment; telephone calls to an employee; and correspondence with an employee including, but not limited to, the use of the public or private mails, interoffice mail, facsimile, or computer e-mail.</p> <p>(2) "Credible threat of violence" means a knowing and willful statement or course of conduct which would cause a reasonable person to believe that he or she is under threat of death or serious bodily injury, and which is intended to, and which actually causes, a person to believe that he or she is under threat of death or serious bodily injury, and which serves no legitimate purpose.</p> <p>(3) "Employer" means any person or entity that employs one or more employees and shall include the State of Georgia and its political subdivisions and instrumentalities.</p>	<p>An employer can file for a temporary restraining order on behalf of employees. Ga. Code Ann. § 34-1-7(b).</p>	<p>The statute does not require notification to the target of abuse. But it does require the employer submit an affidavit showing why the order is necessary. Ga. Code Ann. § 34-1-7(d).</p>	<p>The temporary order is in effect for 15 days. Ga. Code Ann. § 34-1-7(d). After the hearing, the court can extend the order for up to three years. Ga. Code Ann. § 34-1-7(e). Within three months before the order expires, the petitioner can file for renewal. Ga. Code Ann. § 34-1-7(e).</p>	<p>The temporary restraining order can prevent the respondent from further acts of violence at the employer's worksite and against the employee in their capacity as an employee; from stalking an employee to or from the place of work; entering the workplace as an employee, telephone calls and correspondence between the employee. Ga. Code Ann. § 34-1-7(a)(1) & (e).</p>

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	<p>(4) "Unlawful violence" means assault, battery, or stalking, as prohibited by <i>Code Section 16-5-20</i>, 16-5-21, 16-5-23, 16-5-23.1, 16-5-24, 16-5-90, or 16-5-91, but shall not include lawful acts of self-defense or defense of others.</p> <p>(b) Any employer whose employee has suffered unlawful violence or a credible threat of violence from any individual, which can reasonably be construed to have been carried out at the employee's workplace, may seek a temporary restraining order and an injunction on behalf of the employer prohibiting further unlawful violence or threats of violence by that individual at the employee's workplace or while the employee is acting within the course and scope of employment with the employer. Nothing in this Code section shall be construed as authorizing a court to issue a temporary restraining order or injunction prohibiting speech or other activities that are protected by the Constitution of this state or the United States.</p> <p>(c) (1) Except for proceedings involving a nonresident respondent, the superior court of the county where the respondent resides shall have jurisdiction over all proceedings under this Code section.</p> <p>(2) For proceedings under this Code section involving a nonresident respondent, the superior court where the petitioner's workplace is located shall have jurisdiction, where the act involving unlawful violence or a credible threat of unlawful violence meets the elements for personal jurisdiction provided for under paragraph (2) or (3) of <i>Code Section 9-10-91</i>.</p> <p>(d) Upon filing a petition with the court for an injunction pursuant to this Code section, the petitioner may obtain a temporary restraining order if the petitioner also files an affidavit which, to the satisfaction of the court, shows reasonable proof that an employee has suffered unlawful violence or a credible threat of violence by the respondent and that great or irreparable harm shall result to an employee if such an injunction is not granted. The affidavit shall further show that the petitioner has conducted a reasonable investigation into the underlying facts which are the subject of the petition. A temporary restraining order granted under this Code section shall remain in effect, at the court's discretion, for a period not to exceed 15 days, unless otherwise modified or terminated by the court.</p> <p>(e) Within ten days of filing of the petition under this Code section or as soon as practical thereafter, but in no case later than 30 days after the filing of the petition, a hearing shall be held on the petition for the injunction. In the event a hearing cannot be scheduled within the county where the case is</p>				

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	<p>pending within the 30 day period, the same shall be scheduled and heard within any other county of the circuit. The respondent may file a response which explains, excuses, justifies, or denies the alleged unlawful violence or credible threat of violence or may file a cross-complaint under this Code section. At the hearing, the judge shall receive any testimony that is relevant and may make an independent inquiry. If the judge finds by clear and convincing evidence that the respondent engaged in unlawful violence or made a credible threat of violence, an injunction shall issue prohibiting further unlawful violence or threats of violence at the employee's workplace or while the employee is acting within the course and scope of employment with the employer. An injunction issued pursuant to this Code section shall have a duration of not more than three years. At any time within the three months before the expiration of the injunction, the petitioner may apply for a renewal of the injunction by filing a new petition for an injunction pursuant to this Code section.</p> <p>(f) Upon the filing of a petition for an injunction pursuant to this Code section, the respondent shall be personally served with a copy of the petition, temporary restraining order, if any, and notice of hearing on the petition.</p> <p>(g) The court shall order the petitioner or the attorney for the petitioner to deliver a copy of each temporary restraining order or injunction, or modification or termination thereof, granted under this Code section, by the close of the business day on which the order was granted, to the law enforcement agencies within the court's discretion as are requested by the petitioner. Each appropriate law enforcement agency shall make available information as to the existence and current status of these orders to law enforcement officers responding to the scene of reported unlawful violence or a credible threat of violence.</p> <p>(h) Nothing in this Code section shall be construed as expanding, diminishing, altering, or modifying the duty, if any, of an employer to provide a safe workplace for employees and other persons.</p>				
ILLINOIS Workplace protection restraining order	<p align="center">820 Ill. Comp. Stat. Ann. 275/15</p> <p>275/15. Employer's right to a workplace protection restraining order</p> <p>§ 15. Employer's right to a workplace protection restraining order. An employer may seek a workplace protection restraining order to prohibit further violence or threats of violence by the respondent if:</p>	An employer can file for a workplace protection restraining order. 820 Ill. Comp. Stat. Ann. 275/15	The employer must notify the target of abuse in writing of their intention to file for a protection order. 820 Ill.	The initial order is in effect between 14 and 21 days. 820 ILCS 275/85(a). It can be extended for up	The protection order can prohibit the respondent from returning to the workplace, and prohibit them from continuing any

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	<p>(1) an employee has suffered unlawful violence and the respondent has made a credible threat of violence to be carried out at the employee's workplace;</p> <p>(2) an employee believes that the respondent has made a credible threat of violence to be carried out at the employee's workplace; or</p> <p>(3) an unlawful act of violence has been carried out at the workplace or the respondent has made a credible threat of violence at the workplace.</p> <p>820 Ill. Comp. Stat. Ann. 275/21*</p> <p>275/21. Employee notification</p> <p>§ 21. Employee notification.</p> <p>(a) In cases in which an employer is seeking a workplace protection restraining order involving an employee who is a victim of unlawful violence by a family or household member as defined by item (6) of Section 103 of the Illinois Domestic Violence Act of 1986 or is an employee who is a victim of unlawful violence as proscribed in Article 11 or Sections 12-7.3, 12-7.4, and 12-7.5 of the Criminal Code of 2012, the employer shall:</p> <p>(1) prior to the filing of the petition, notify the employee in writing of the employer's intent to seek a workplace protection restraining order; and</p> <p>(2) conduct a direct verbal consultation in conversation with the employee prior to seeking a workplace protection restraining order under this Act to determine whether any safety or well-being concerns exist in relation to the employer's pursuit of the order or whether seeking the order may interfere with the employee's own legal actions.</p> <p>If, after direct verbal consultation in conversation with the employee, the employee does not give the employer full and voluntary consent to seek a workplace protection restraining order, the employer shall not file for that order until a 4-day waiting period has elapsed following the date of the direct consultation. The 4-day waiting period does not apply if there is an immediate threat of imminent physical harm to the work site and the petitioner is seeking an emergency order.</p> <p>(b) Employers subject to the Victims' Economic Security and Safety Act shall additionally include in the written notice to the employee in subsection (a) the following: "As your employer, we are subject to the Victims' Economic Security and Safety Act, which includes provisions for leave, accommodations, and prohibitions against discrimination, and we are notifying you of your rights under this Act. A summary of your rights under</p>		<p>Comp. Stat. Ann. 275/21(a)(1).</p> <p>The employer must also conduct a direct verbal investigation with the employee prior to filing. 820 Ill. Comp. Stat. Ann. 275/21(a)(2).</p> <p>If the employee does not give consent after the verbal investigation to seek a workplace protection order, the employer must wait 4 days to file the order unless there is an immediate threat of physical harm to the worksite. 820 Ill. Comp. Stat. Ann. 275/21(a)(2).</p>	<p>to one year. 820 ILCS 275/85(b).</p>	<p>activities that result in violence. 820 ILCS 275/25(a)(1).</p> <p>Statute also authorizes courts to order respondents to pay for any damage to employee or employer's property. 820 ILCS 275/25(a)(2)</p>

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	<p>the Victims' Economic Security and Safety Act is provided on the workplace poster we are required under law to post in your workplace.</p> <p>820 ILCS 275/85 Duration and extension of orders</p> <p>(a) Unless reopened or extended or voided by entry of an order of greater duration, an emergency order is effective for not less than 14 nor more than 21 days.</p> <p>(b) A plenary workplace protection restraining order is effective for a fixed period of time not to exceed one year.</p> <p>820 ILCS 275/25 Remedies</p> <p>Employer remedies under this Act are limited to a workplace protection restraining order. Nothing in this Act, however, waives, reduces, or diminishes any other civil or criminal remedy available to an employer. A workplace protection restraining order issued by the court may:</p> <p>(1) Prohibit the respondent's unlawful violence in the workplace, including ordering the respondent to stay away from the workplace. When the respondent is employed at the workplace location, the court, when issuing a workplace protection restraining order, shall consider the severity of the act and any continuing physical danger or emotional distress to any employee in the workplace.</p> <p>(2) Upon notice to the respondent, order the respondent to pay the petitioner for property losses suffered as a direct result of the actions of the respondent. Such losses include, but are not limited to, repair or replacement of property damaged or taken, reasonable attorney's fees, and court costs to recover the property losses.</p> <p>The remedies provided in this Section are in addition to other civil or criminal remedies available to the employer.</p>				
<p>INDIANA Temporary restraining order</p>	<p>Ind. Code Ann. §34-26-6-6</p> <p>34-26-6-6 Authority of employer to seek temporary restraining order or injunction</p> <p>Sec. 6. An employer may seek a temporary restraining order or injunction on</p>	<p>An employer can file for a temporary restraining order/injunction. Ind. Code Ann. §34-26-6-6.</p>	<p>The statute requires full notice for all parties involved including the chief public officers charged with</p>	<p>The temporary order is in effect for five days. Ind. Code Ann. §34-22-6-1-6(5)(c).</p>	<p>The order may prohibit further violence or threats of violence. Ind. Code Ann. §34-26-6-6 (1).</p>

	<p>behalf of an employee to prohibit further violence or threats of violence by a person if:</p> <p>(1) the employee has suffered unlawful violence or a credible threat of violence from the person; and</p> <p>(2) the unlawful violence has been carried out at the employee's place of work or the credible threat of violence can reasonably be construed to be carried out at the employee's place of work by the person.</p> <p style="text-align: center;">Ind. Code Ann. §22-6-1-6</p> <p>22-6-1-6 Hearings; threatened unlawful acts; limitations; security</p> <p>(a) No court of the state of Indiana shall have jurisdiction to issue a temporary or permanent injunction in any case involving or growing out of a labor dispute, as defined in 22-6-1-12, except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath, and testimony in opposition thereto, if offered, and except after findings of fact by the court, to the effect:</p> <p>(1) that unlawful acts have been threatened and will be committed unless restrained or have been committed and will be continued unless restrained, but no injunction or temporary restraining order shall be issued on account of any threat or unlawful act excepting against the person or persons, association, or organization making the threat or committing the unlawful act or actually authorizing or ratifying the same after actual knowledge thereof;</p> <p>(2) that substantial and irreparable injury to complainant's property will follow;</p> <p>(3) that as to each item of relief granted injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief;</p> <p>(4) that complainant has no adequate remedy at law; and</p> <p>(5) that the public officer charged with the duty to protect complainant's property is unable or unwilling to furnish adequate protection.</p> <p>(b) Such hearings shall be held after due and personal notice thereof has been given, in such manner as the court shall direct, to all known persons against whom relief is sought, and also to the chief of those public officers of the county and city within which the unlawful acts have been threatened or committed charged with the duty to protect complainant's property. However, if a complainant shall also allege that, unless a temporary restraining order shall be issued without notice, a substantial and irreparable injury to complainant's property will be unavoidable, such a temporary restraining order may be issued upon testimony under oath, sufficient, if sustained, to justify the court in issuing a temporary injunction upon a hearing after notice.</p>		<p>overseeing the matter. Ind. Code Ann. §22-6-1-6 (b).</p>		
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	<p>(c) Such a temporary restraining order shall be effective for no longer than five (5) days and shall become void at the expiration of said five (5) days.</p> <p>(d) No temporary restraining order or temporary injunction shall be issued except on conditions that complainant shall first file an undertaking with adequate security in an amount to be fixed by the court sufficient to recompense those enjoined for any loss, expense, or damage caused by the improvident or erroneous issuance of such order or injunction, including all reasonable cost (together with a reasonable attorney's fee) and expense of defense against the order or against the granting of any injunctive relief sought in the same proceedings and subsequently denied by the court.</p> <p>(e) The undertaking mentioned in subsection (d) shall be understood to signify an agreement entered into by the complainant and the surety upon which the decree may be rendered in the same suit or proceeding against said complainant and surety, upon a hearing to assess damages of which hearing complainant and surety shall have reasonable notice, the said complainant and surety submitting themselves to the jurisdiction of the court for that purpose. But nothing herein contained shall deprive any party having a claim or cause of action under or upon such undertaking from electing to pursue his ordinary remedy by suit at law or in equity.</p>				
<p>MAINE Protection Order</p> <p>Note: Under the statute a business may file harassment protection order</p>	<p>5 M.R.S. § 4651(4)</p> <p>§ 4651 Definitions</p> <p>As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.</p> <ol style="list-style-type: none"> 1. Court. "Court" means any District Court and, with regard to section 4659, the tribal court of the Passamaquoddy Tribe or the Penobscot Nation. 2. Harassment. "Harassment" means: <ol style="list-style-type: none"> A. Three or more acts of intimidation, confrontation, physical force or the threat of physical force directed against any person, family or business that are made with the intention of causing fear, intimidation or damage to personal property and that do in fact cause fear, intimidation or damage to personal property; or B. [2011, c. 559, Pt. C, §2 (RP).] C. A single act or course of conduct constituting a violation of section 4681; Title 17, section 2931; or Title 17-A, section 201, 	<p>Anyone who has been a victim of harassment can file for a protection order. 5 M.R.S. § 4653.</p>	<p>The state does not require notification to the target of abuse but does require a formal hearing unless petitioner requests temporary order. 5 M.R.S. § 4653.</p>	<p>The statute does not indicate the length of the order. The order can be modified or extended with permission from the court. 5 M.R.S. § 4654(6).</p>	<p>The order can enjoin the defendant from contacting, threatening, stalking, harassing, or assaulting the plaintiff. It can also prevent the defendant from visiting the plaintiff's place of employment and residence. 5 M.R.S. § 4654(4).</p>

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	<p>202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 301, 302, 303, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853.</p> <p>This definition does not include any act protected by law.</p> <p>3. Law enforcement agency. “Law enforcement agency” means the State Police, a sheriff’s department or a municipal police department.</p> <p>4. Business. “Business” means any corporation, partnership, limited liability corporation, professional corporation or any other legal business entity recognized under the laws of the State.</p> <p>5 MRS § 4652</p> <p>§ 4652. Filing of complaint; jurisdiction</p> <p>Proceedings under this chapter must be filed, heard and determined in the District Court of the division in which either the plaintiff or the defendant resides. If the plaintiff has left the plaintiff’s residence to avoid harassment, the plaintiff may bring an action in the division of the plaintiff’s previous residence or new residence.</p> <p>The District Court has jurisdiction over protection from harassment complaints. If a District Court judge is not available in the division in which a complaint requesting a temporary order is to be filed, the complaint may be presented to any other District Court judge or to any Superior Court justice who has the same authority as a District Court judge to grant or deny the temporary order.</p> <p>A juvenile may be a party to an action under this chapter only when the juvenile has a representative through whom the action is brought or defended pursuant to the Maine Rules of Civil Procedure, Rule 17(b). The Department of Health and Human Services may act as a representative of the juvenile. If any notice or service is required by this chapter, the notice or service must be provided to both the juvenile and the juvenile’s representative.</p> <p>5 MRS § 4653 (1)</p> <p>§ 4653. Commencement of proceedings</p>				

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	<p>1. Filing. A person who has been a victim of harassment, including a business, may seek relief by filing in an appropriate court:</p> <p>A. A sworn complaint alleging harassment; and</p> <p>B. If the alleged harassment does not meet the definition in section 4651, subsection 2, paragraph C or is not related to an allegation of domestic violence, violence against a dating partner, sexual assault or stalking, a copy of a notice to stop harassing the plaintiff issued to the defendant pursuant to Title 17-A, section 506-A, subsection 1, paragraph A, subparagraph (1), division (a) or a statement of good cause why such a notice was not sought or obtained.</p> <p>2. Assistance. The court shall provide separate forms with a summons and clerical assistance to assist either party to proceed under this chapter in completing and filing a complaint or other necessary documents. This assistance may not include legal advice or assistance in drafting legal documents.</p> <p>3. Fees. No fee may be charged for forms. A plaintiff may apply for the right to proceed in forma pauperis.</p> <p>5 M.R.S. § 4654 (2)(A)(1)</p> <p>§ 4654. Hearings</p> <p>1. Full hearing. A hearing must be held at which the plaintiff shall prove the allegation of harassment by a preponderance of the evidence.</p> <p>2. Temporary orders. The court may enter any temporary orders, authorized under subsection 4, without written or oral notice to the defendant or the defendant’s attorney if:</p> <p>A. It appears clearly from a verified complaint or an affidavit accompanying the complaint that:</p>				

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	<p>(1) Before the defendant or the defendant’s attorney can be heard, the plaintiff or the plaintiff’s employees may be in immediate and present danger of physical abuse from the defendant or in immediate and present danger of suffering extreme emotional distress as a result of the defendant’s conduct, or the plaintiff’s business property is in immediate and present danger of suffering substantial damage as a result of the defendant’s actions;</p> <p>(2-A) If the alleged harassment does not meet the definition in section 4651, subsection 2, paragraph C or is not related to an allegation of domestic violence, violence against a dating partner, sexual assault or stalking, the plaintiff has obtained a copy of a notification issued against the other person as described in <i>Title 17-A, section 506-A</i>, subsection 1, paragraph A, subparagraph (1), division (a) or the plaintiff has filed a statement of good cause why such relief was not sought or why such a notice was not issued; and</p> <p>(3) The plaintiff has provided sufficient information to substantiate the alleged harassment; and</p> <p>B. [2011, c. 559, Pt. C, §5 (RP).]</p> <p>C. The court provides written reasons for entering a temporary order.</p> <p>3. Emergency relief. Emergency relief is available as follows.</p> <p>A. When there is no judge available in the District Court having venue or the District Court courthouse is closed and no other provision can be made for protection of a victim of harassment, a complaint may be presented to any judge of the District Court or Justice of the Superior Court. Upon a meeting of the requirements of subsection 2, the court may enter any temporary orders,</p>				

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	<p>authorized under subsection 4, as the court considers necessary to protect the plaintiff from harassment.</p> <p>B. If a complaint is presented under this subsection, the complaint and any order issued pursuant to the complaint must be immediately certified to the clerk of the District Court having venue for filing. This certification to the court has the effect of commencing proceedings and invoking the other provisions of this chapter.</p> <p>C. An order remains in effect pending a hearing pursuant to subsection 1.</p> <p>4. Interim relief. The court, in an ex parte proceeding, may enjoin the defendant from engaging in any of the following:</p> <p>A. Imposing any restraint upon the person or liberty of the plaintiff or the plaintiff's employees;</p> <p>B. Threatening, assaulting, molesting, harassing or otherwise disturbing the peace of the plaintiff or the plaintiff's employees;</p> <p>C. Entering the plaintiff's residence or property, provided that the court may not use this subsection to evict a defendant from the rental premises in an action brought by a plaintiff;</p> <p>D. Taking, converting or damaging property in which the plaintiff may have a legal interest;</p> <p>E. [1995, c. 650, §5 (RP).]</p> <p>F. Repeatedly and without reasonable cause:</p> <p>(1) Following the plaintiff; or</p> <p>(2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment;</p> <p>G. Having any direct or indirect contact with the plaintiff;</p>				

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	<p>H. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; or</p> <p>I. Destroying, transferring or tampering with the plaintiff’s passport or other immigration document in the defendant’s possession.</p> <p>5. Service of order. If the court issues a temporary order or orders emergency or interim relief, the court shall order a law enforcement agency or, if the defendant is present in the courthouse, a court security officer qualified pursuant to Title 4, section 17, subsection 15 or, if the defendant is in the custody of the Department of Corrections, the Department of Corrections to serve the defendant personally with the order, the complaint and the summons. The court shall cause the order to be delivered to the law enforcement agency, the court security officer or the correctional facility in which the defendant is incarcerated as soon as practicable following the issuance of the order, and the law enforcement agency, court security officer or chief administrative officer of the correctional facility or the chief administrative officer’s designee shall make a good faith effort to serve process expeditiously.</p> <p>6. Dissolution or modification. Notwithstanding any statutory provision to the contrary, on 2 days’ notice to the plaintiff or on such shorter notice as the court may order, a person who is subject to any order may appear and move the dissolution or modification of the order and in that event the court shall proceed to hear and determine the motion. The hearing on the motion may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require. At that hearing, the plaintiff has the burden of justifying any finding in the ex parte order that the defendant has challenged by affidavit. Nothing in this section may be construed to abolish or limit any means, otherwise available by law, for obtaining dissolution, modification or discharge of an order.</p>				

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	<p>7. Extension. If a hearing under subsection 1 is continued, the court may make or extend such temporary orders as it deems necessary.</p> <p>8. Service of order; use of electronic copies. Notwithstanding any other provision of law, service of an order may be made pursuant to this section through the use of electronically transmitted printed copies of orders that have been transmitted directly from the court to the law enforcement agency or correctional facility making service. Return of proof of service may be made by electronic transmission of the proof of service directly to the court from the law enforcement officer making service or the chief administrative officer, or the chief administrative officer's designee, of the correctional facility making service.</p> <p>In any subsequent criminal prosecution for violation of this section when the service of an order was made through the use of an electronically transmitted printed copy of the order, with 10 days' advance written notice to the prosecution, the defendant may request that the prosecution call as a witness the law enforcement officer who served the order or the chief administrative officer, or the chief administrative officer's designee, of the correctional facility that served the order.</p>				
<p>NEVADA Order for protection against harassment in the workplace</p>	<p style="text-align: center;">Nev. Rev. Stat. Ann. § 33.200</p> <p>33.200. Definitions.</p> <p>As used in NRS 33.200 to 33.360, inclusive, unless the context otherwise requires, the words and terms defined in NRS 33.210, 33.220 and 33.230 have the meanings ascribed to them in those sections.</p> <p>33.210. "Employee" defined.</p> <p>"Employee" means a person who is employed by an employer, including, without limitation, an independent contractor.</p>	<p>An employer or an authorized agent of the employer can file for a temporary order. Nev. Rev. Stat. Ann. § 33.250(1).</p>	<p>The employer has to make a good faith effort to notify the target of abuse of their intention to apply for a temporary order. Nev. Rev. Stat. Ann. § 33.260.</p>	<p>The temporary order is in effect for no more than 15 days. Nev. Rev. Stat. Ann. § 33.270(5). The court can extend the order for up to one year. Nev. Rev. Stat. Ann. § 33.270(8). A temporary order may be granted only if accompanied by</p>	<p>The order can prohibit the defendant from contacting the employer or their employees, from returning to the employer's workplace, and any other relief the court deems necessary. Nev. Rev. Stat. Ann. § 33.280(1).</p>

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	<p>33.220. “Employer” defined</p> <p>“Employer” means a public or private employer in this state, including, without limitation, the State of Nevada, an agency of this state and a political subdivision of this state.</p> <p>33.230. “Order for protection against harassment in the workplace” defined.</p> <p>“Order for protection against harassment in the workplace” means an order issued pursuant to NRS 33.270.</p> <p>33.240. Acts that constitute harassment in workplace.</p> <p>Harassment in the workplace occurs when:</p> <ol style="list-style-type: none"> 1. A person knowingly threatens to cause or commits an act that causes: <ol style="list-style-type: none"> (a) Bodily injury to the person or another person; (b) Damage to the property of another person; or (c) Substantial harm to the physical or mental health or safety of a person; 2. The threat is made or the act is committed against an employer, an employee of the employer while the employee performs the employee’s duties of employment or a person present at the workplace of the employer; and 3. The threat would cause a reasonable person to fear that the threat will be carried out or the act would cause a reasonable person to feel terrorized, frightened, intimidated or harassed. 			<p>an affidavit that sets forth the facts that show that if respondent is present at the hearing it would cause loss.</p>	

	<p>33.250. Verified application for temporary order; contents of application.</p> <p>1. An employer or an authorized agent of an employer who reasonably believes that harassment in the workplace has occurred may file a verified application for a temporary order for protection against harassment in the workplace against the person who allegedly committed the harassment.</p> <p>2. The verified application must include, without limitation:</p> <p>(a) The name of the employer seeking the order;</p> <p style="padding-left: 40px;">(b) The name and address, if known, of the person who allegedly committed the harassment in the workplace; and</p> <p style="padding-left: 40px;">(c) A detailed description of the events that allegedly constituted harassment in the workplace and the dates on which these events occurred.</p> <p>33.260. Notice of intent to seek order to be provided to known target of harassment.</p> <p>If an employer has knowledge that a specific person is the target of harassment in the workplace and the employer intends to seek a temporary or extended order for protection against such harassment, the employer shall make a good faith effort to notify the person who is the target of the harassment that the employer intends to seek such an order.</p> <p>33.270. Requirements for issuance of temporary or extended order; expiration; right to challenge temporary order, award of costs and attorney's fees to prevailing party; interlocutory appeal of extended order.</p> <p>1. The court may issue a temporary order for protection against harassment in the workplace if it appears to the satisfaction of the court from specific facts shown by a verified application filed pursuant to NRS 33.250 that harassment in the workplace has occurred.</p>				
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	<p>2. Except as otherwise provided in subsection 4, a temporary order for protection against harassment in the workplace must not be issued without notice to the person who allegedly committed the harassment. A temporary order for protection against harassment in the workplace must not be issued without the giving of security by the employer in an amount determined by the court to be sufficient to pay for such costs and damages as may be incurred or suffered by the person who allegedly committed the harassment if the person who allegedly committed the harassment is found to have been wrongfully enjoined or restrained.</p> <p>3. The court may require the employer or the person who allegedly committed the harassment, or both, to appear before the court before determining whether to issue the temporary order for protection against harassment in the workplace.</p> <p>4. A court may issue a temporary order for protection against harassment in the workplace without written or oral notice to the person who allegedly committed the harassment or the person’s attorney only if:</p> <p style="padding-left: 40px;">(a) A verified application is accompanied by an affidavit that contains specific facts which clearly show that immediate and irreparable injury, loss or damage will result to the employer, an employee of the employer while the employee performs the duties of the employee’s employment or a person who is present at the workplace of the employer before the person who allegedly committed the harassment or the person’s attorney can be heard in opposition; and</p> <p style="padding-left: 40px;">(b) The employer and the employer's attorney, if any, set forth in the affidavit:</p> <p style="padding-left: 80px;">(1) The efforts, if any, that have been made to give notice to the person who allegedly committed the harassment; and</p> <p style="padding-left: 80px;">(2) The facts supporting waiver of notice requirements.</p>				

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	<p>5. A temporary order for protection against harassment in the workplace that is granted, with or without notice, must expire not later than 15 days after the date on which the order is issued, unless extended pursuant to subsections 6 and 7.</p> <p>6. If a temporary order for protection against harassment in the workplace is granted, with or without notice, the employer or the employer’s authorized agent may apply for an extended order for protection against harassment in the workplace by filing a verified application for an extended order for protection against harassment in the workplace. If such an application is filed, the temporary order remains in effect until the hearing on the application for an extended order is held. The application must:</p> <ul style="list-style-type: none"> (a) In addition to the information required by subsection 2 of NRS 33.250, set forth the facts that provide the basis for granting an extended order for protection against harassment in the workplace; (b) Be filed before the expiration of the temporary order for protection against harassment in the workplace; (c) Be heard as soon as reasonably possible and not later than 10 days after the date on which the application is filed with the court unless the court determines that there are compelling reasons to hold the hearing at a later date; and (d) Be dismissed if the court finds that the temporary order for protection against harassment in the workplace which is the basis of the application has been dissolved or has expired. <p>7. At the hearing on an application filed pursuant to subsection 6, the employer must present evidence sufficient to support the granting of the application for an extended order for protection against harassment in the workplace. At the hearing, the court may:</p> <ul style="list-style-type: none"> (a) Dissolve or modify the temporary order for protection against harassment in the workplace; or 				

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	<p>(b) Grant an extended order for protection against harassment in the workplace.</p> <p>8. If granted, an extended order for protection against harassment in the workplace expires within such time, not to exceed 1 year, as the court fixes.</p> <p>9. Upon 2 days' notice to an employer who obtained a temporary order for protection against harassment in the workplace without notice or on such shorter notice to the employer as the court may prescribe, the person who allegedly committed the harassment may appear and move the dissolution or modification of the temporary order for protection against harassment in the workplace. Upon the filing of such a motion, the court shall proceed to hear and determine the motion as expeditiously as the ends of justice require. At the hearing, the court may dissolve, modify or extend the order.</p> <p>10. The court may award costs and reasonable attorney's fees to the prevailing party in a matter brought pursuant to this section.</p> <p>11. If a court issues an extended order for protection against harassment in the workplace, an interlocutory appeal lies to the district court, which may affirm, modify or vacate the order in question. The appeal may be taken without bond, but its taking does not stay the effect or enforcement of the order.</p> <p>33.280. Effect of temporary or extended order; court may not issue order against more than one person; contents of order.</p> <p>1. A temporary or extended order for protection against harassment in the workplace may:</p> <p>(a) Enjoin the person who allegedly committed the harassment from contacting the employer, an employee of the employer while the employee is performing the employee's duties of employment and any person while the person is present at the workplace of the employer;</p>				

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	<p>(b) Order the person who allegedly committed the harassment to stay away from the workplace of the employer; and</p> <p>(c) Order such other relief as the court deems necessary to protect the employer, the workplace of the employer, the employees of the employer while performing their duties of employment and any other persons who are present at the workplace.</p> <p>2. A court may not issue a temporary or extended order for protection against harassment in the workplace that is against more than one person.</p> <p>3. A temporary or extended order for protection against harassment in the workplace must:</p> <p>(a) Specify, as applicable, the county and city, if any, in which the workplace of the employer is located and in which the employees of the employer perform their duties of employment;</p> <p>(b) Include a provision ordering any law enforcement officer to arrest the person who allegedly committed the harassment, with or without a warrant, if the officer has probable cause to believe that the person has been served with a copy of the order and has violated a provision of the order;</p> <p>(c) State the reasons for granting the order; and</p> <p>(d) Include the following statement:</p> <p style="text-align: center;">WARNING</p> <p>This is an official court order. If you disobey this order, you may be arrested and prosecuted for the crime of violating an order for protection against harassment in the workplace and any other crime that you may have committed in disobeying this order.</p>				

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	<p>4. In addition to the requirements of subsection 3, if the court granted a temporary order for protection against harassment in the workplace without notice, the order must:</p> <ul style="list-style-type: none"> (a) Include a statement that the person who allegedly committed the harassment is entitled to a hearing on the order pursuant to NRS 33.270; (b) Include the name and address of the court in which the petition for a hearing may be filed; (c) Contain the date and hour of issuance; (d) Be immediately filed with the clerk of the court; (e) Define the irreparable injury, loss or damage resulting from the harassment and state why it is irreparable; and (f) Set forth the reasons for granting the order without notice. <p>33.290. Order does not preclude other action.</p> <p>A temporary or extended order for protection against harassment in the workplace is in addition to and not in lieu of any other available civil or criminal action. An employer is not barred from seeking an order because of other pending proceedings.</p> <p>33.300. Transmittal of copy of order to law enforcement agency; service and enforcement of order; issuance of copies of order.</p> <ul style="list-style-type: none"> 1. A court shall transmit, by the end of the next business day after a temporary or extended order for protection against harassment in the workplace is issued, a copy of the order to the appropriate law enforcement agency that has jurisdiction over the workplace of the employer or the areas in which the employees of the employer perform their duties of employment. 				

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	<p>2. The court may order the appropriate law enforcement agency to serve the person who allegedly committed the harassment personally with the order if it finds that such service is necessary to avoid an act of violence and to file with or mail to the clerk of the court proof of service by the end of the next business day after service is made. Service of an application for an order, the notice of hearing thereon and the order must be served upon the person who allegedly committed the harassment pursuant to the Nevada Rules of Civil Procedure.</p> <p>3. A law enforcement agency shall enforce a temporary or extended order for protection against harassment in the workplace without regard to the county in which the order was issued.</p> <p>4. The clerk of the court that issued a temporary or extended order for protection against harassment in the workplace shall issue a copy of the order to the employer who requested the order and the person who allegedly committed the harassment.</p> <p>33.310. Registration of order; effect of registration; duty of court clerk to maintain record of registered order.</p> <p>1. An employer or an authorized agent of an employer may register a temporary or extended order for protection against harassment in the workplace issued by the court of another state by presenting a certified copy of the order to the clerk of the court in a judicial district in which the employer believes that enforcement may be necessary.</p> <p>2. A temporary or extended order for protection against harassment in the workplace that is registered has the same effect and must be enforced in like manner as such an order issued by a court of this state.</p> <p>3. The clerk of the court shall maintain a record of each order registered pursuant to this section.</p>				

	<p>33.320. Arrest of person who violates order; service of order; duty to note date and time of service on copy of order issued to employer.</p> <p>1. Whether or not a violation occurs in the presence of a law enforcement officer, the officer may, with or without a warrant, arrest and take into custody a person if the officer has probable cause to believe that:</p> <ul style="list-style-type: none"> (a) An order has been issued pursuant to NRS 33.270 against the person; (b) The person has been served with a copy of the order; and (c) The person is acting in violation of the order. <p>2. If a law enforcement officer cannot verify that the person was served with a copy of the order and the officer is at the workplace of the employer, the officer shall serve the person with a copy of the order if a copy is available.</p> <p>3. A law enforcement officer who serves a person with a copy of an order pursuant to subsection 2 shall note the date and time of such service on the copy of the order that was issued to the employer.</p> <p>33.330. Immunity for certain persons who enforce or refuse to enforce order.</p> <p>1. A court, a law enforcement officer or any other person who enforces a temporary or extended order for protection against harassment in the workplace based upon a reasonable belief that the order is valid is immune from civil and criminal liability for any action taken based upon that belief.</p> <p>2. A court, a law enforcement officer or any other person who refuses to enforce a temporary or extended order for protection against harassment in the workplace based upon a reasonable belief that the order is not valid is immune from civil and criminal liability for any action taken or not taken based upon that belief.</p>				
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	<p>3. The employer of a law enforcement officer who enforces a temporary or extended order for protection against harassment in the workplace based upon a reasonable belief that the order is valid or who refuses to enforce such an order based upon a reasonable belief that the order is not valid is immune from civil and criminal liability for any action taken or not taken by the law enforcement officer based upon that belief.</p> <p>33.340. Employer immune from civil liability under certain circumstances; use of actions taken and statements made by employer.</p> <p>1. An employer is immune from civil liability for:</p> <p>(a) Seeking a temporary or extended order for protection against harassment in the workplace, if the employer acts in good faith in seeking the order; or</p> <p>(b) Failing to seek a temporary or extended order for protection against harassment in the workplace.</p> <p>2. An action taken or a statement made by an employer pursuant to NRS 33.200 to 33.360, inclusive:</p> <p>(a) Shall not be deemed an admission by the employer of any fact; and</p> <p>(b) May be used for the purposes of impeachment.</p> <p>33.350. Penalties for intentional violation of order.</p> <p>A person who intentionally violates a temporary or extended order for protection against harassment in the workplace is guilty of a misdemeanor, unless a more severe penalty is prescribed by law for the act that constitutes the violation of the order.</p>				

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	<p>33.360. Limitations on effect of provisions.</p> <p>The provisions of NRS 33.200 to 33.360, inclusive, do not:</p> <ol style="list-style-type: none"> 1. Modify the duty of an employer to provide a safe workplace for the employees of the employer and other persons present at the workplace of the employer; 2. Prohibit a person from engaging in any constitutionally protected exercise of free speech, including, without limitation, speech involving labor disputes concerning organized labor; or 3. Prohibit a person from engaging in any activity which is part of a labor dispute. 				
<p>NORTH CAROLINA Civil no-contact order</p>	<p style="text-align: center;">N.C. Gen. Stat. § 95-260</p> <p>§ 95-260. Definitions</p> <p>The following definitions apply in this Article:</p> <p>(1) Civil no-contact order. -- An order granted under this Article, which includes a remedy authorized by G.S. 95-264.</p> <p>(2) Employer. -- Any person or entity that employs one or more employees. Employer also includes the State of North Carolina and its political subdivisions.</p> <p>(3) Unlawful conduct. -- Unlawful conduct means the commission of one or more of the following acts upon an employee, but does not include acts of self-defense or defense of others:</p> <ol style="list-style-type: none"> a. Attempting to cause bodily injury or intentionally causing bodily injury. b. Willfully, and on more than one occasion, following, being in the presence of, or otherwise harassing, as defined in G.S. 14-277.3A, without legal purpose and with the intent to place the employee in reasonable fear for the employee's safety. c. Willfully threatening, orally, in writing, or by any other means, to physically injure the employee in a manner and under circumstances that 	<p>The employer can file for an order N.C. Gen. Stat. § 95-261.</p>	<p>The employer must consult with the target of abuse before filing. N.C. Gen. Stat. § 95-261.</p>	<p>A temporary no-contact order is in effect for up to 10 days. N.C. Gen. Stat. § 95-267(a). The employer must move for a permanent no-contact order, which can be in effect for up to one year. N.C. Gen. Stat. § 95-267(b).</p>	<p>The order can prevent the defendant from visiting, abusing, harassing, stalking, injuring or contacting the employer, his or her employees, and his or her property. It can also include any other relief the court deems necessary. N.C. Gen. Stat. § 95-264(b).</p>

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	<p>would cause a reasonable person to believe that the threat is likely to be carried out and that actually causes the employee to believe that the threat will be carried out.</p> <p>N.C. Gen. Stat. § 95-261</p> <p>§ 95-261. Civil no-contact orders; persons protected</p> <p>An action for a civil no-contact order may be filed as a civil action in district court by an employer on behalf of an employee who has suffered unlawful conduct from any individual that can reasonably be construed to be carried out, or to have been carried out, at the employee's workplace. The employee that is the subject of unlawful conduct shall be consulted prior to seeking an injunction under this Article in order to determine whether any safety concerns exist in relation to the employee's participation in the process. Employees who are targets of unlawful conduct who are unwilling to participate in the process under this Article shall not face disciplinary action based on their level of participation or cooperation.</p> <p>N.C. Gen. Stat. § 95-262</p> <p>§ 95-262. Commencement of action; venue</p> <p>(a) An action for a civil no-contact order is commenced by filing a verified complaint for a civil no-contact order in any civil district court or by filing a motion in any existing civil action.</p> <p>(b) A complaint or motion for a civil no-contact order shall be filed in the county where the unlawful conduct took place.</p> <p>N.C. Gen. Stat. § 95-263</p> <p>§ 95-263. Process for action for no-contact order</p> <p>(a) Any action for a civil no-contact order requires that a separate summons be issued and served. The summons issued pursuant to this Article shall require the respondent to answer within 10 days of the date of service. Attachments to the summons shall include the verified complaint for the civil no-contact order and any temporary civil no-contact order that has been issued and the notice of hearing on the temporary civil no-contact order.</p>				

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	<p>(b) Service of the summons and attachments shall be by the sheriff by personal delivery in accordance with Rule 4 of the Rules of Civil Procedure, and if the respondent cannot with due diligence be served by the sheriff by personal delivery, the respondent may be served by publication by the complainant in accordance with Rule 4(j1) of the Rules of Civil Procedure.</p> <p>(c) The court may enter a civil no-contact order by default for the remedy sought in the complaint if the respondent has been served in accordance with this section and fails to answer as directed, or fails to appear on any subsequent appearance or hearing date agreed to by the parties or set by the court.</p> <p>N.C. Gen. Stat. § 95-264</p> <p>§ 95-264. Civil no-contact order; remedy</p> <p>(a) Upon a finding that the employee has suffered unlawful conduct committed by the respondent, the court may issue a temporary or permanent civil no-contact order. In determining whether or not to issue a civil no-contact order, the court shall not require physical injury to the employee or injury to the employer's property.</p> <p>(b) The court may grant one or more of the following forms of relief in its orders under this Article:</p> <p>(1) Order the respondent not to visit, assault, molest, or otherwise interfere with the employer or the employer's employee at the employer's workplace, or otherwise interfere with the employer's operations.</p> <p>(2) Order the respondent to cease stalking the employer's employee at the employer's workplace.</p> <p>(3) Order the respondent to cease harassment of the employer or the employer's employee at the employer's workplace.</p> <p>(4) Order the respondent not to abuse or injure the employer, including the employer's property, or the employer's employee at the employer's workplace.</p> <p>(5) Order the respondent not to contact by telephone, written communication, or electronic means the employer or the employer's employee at the employer's workplace.</p>				

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	<p>(6) Order other relief deemed necessary and appropriate by the court.</p> <p>(c) A civil no-contact order shall include the following notice, printed in conspicuous type: "A knowing violation of a civil no-contact order shall be punishable as contempt of court which may result in a fine or imprisonment."</p> <p>N.C. Gen. Stat. § 95-265</p> <p>§ 95-265. Temporary civil no-contact order; court holidays and evenings</p> <p>(a) A temporary civil no-contact order may be granted ex parte, without written or oral notice to the respondent, only if both of the following are shown:</p> <p>(1) It clearly appears from specific facts shown by a verified complaint or affidavit that immediate injury, loss, or damage will result to the complainant, or the complainant's employee before the respondent can be heard in opposition.</p> <p>(2) Either one of the following:</p> <p>a. The complainant certifies to the court in writing the efforts, if any, that have been made to give the notice and the reasons supporting the claim that notice should not be required.</p> <p>b. The complainant certified to the court that there is good cause to grant the remedy because the harm that the remedy is intended to prevent would likely occur if the respondent were given any prior notice of the complainant's efforts to obtain judicial relief.</p> <p>(b) Every temporary civil no-contact order granted without notice shall:</p> <p>(1) Be endorsed with the date and hour of issuance.</p> <p>(2) Be filed immediately in the clerk's office and entered of record.</p> <p>(3) Define the injury, state why it is irreparable and why the order was granted without notice.</p> <p>(4) Expire by its terms within such time after entry, not to exceed 10 days.</p> <p>(5) Give notice of the date of hearing on the temporary order as provided in G.S. 95-267(a).</p>				

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	<p>(c) If the respondent appears in court for the hearing for a temporary order, the respondent may elect to file a general appearance and testify. Any resulting order may be a temporary order, governed by this section. Notwithstanding the requirements of this section, if all requirements of G.S. 95-266 have been met, the court may issue a permanent order.</p> <p>(d) When the court is not in session, the complainant may file a complaint for a temporary order before any judge or magistrate designated to grant relief under this Article. If the judge or magistrate finds that there is an immediate and present danger of abuse against the complainant or employee of the complainant and that the complainant has satisfied the prerequisites set forth in subsection (a) of this section, the judge or magistrate may issue a temporary civil no-contact order. The chief district court judge may designate for each county at least one judge or magistrate to be reasonably available to issue temporary civil no-contact orders when the court is not in session.</p> <p>N.C. Gen. Stat. § 95-266</p> <p>§ 95-266. Permanent civil no-contact order</p> <p>Upon a finding that the employee has suffered unlawful conduct committed by the respondent, a permanent civil no-contact order may issue if the court additionally finds that process was properly served on the respondent, the respondent has answered the complaint and notice of hearing was given, or the respondent is in default. No permanent civil no-contact order shall be issued without notice to the respondent.</p> <p>N.C. Gen. Stat. § 95-267</p> <p>§ 95-267. Duration; extension of orders</p> <p>(a) A temporary civil no-contact order shall be effective for not more than 10 days as the court fixes, unless within the time so fixed the temporary civil no-contact order, for good cause shown, is extended for a like period or a longer period if the respondent consents. The reasons for the extension shall be stated in the temporary order. In case a temporary civil no-contact order is granted without notice and a motion for a permanent civil no-contact order is made, it shall be set down for hearing at the earliest possible time and takes precedence over all matters except older matters of the same character. When</p>				

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	<p>the motion for a permanent civil no-contact order comes on for hearing, the complainant may proceed with a motion for a permanent civil no-contact order, and, if the complainant fails to do so, the judge shall dissolve the temporary civil no-contact order. On two days' notice to the complainant or on such shorter notice to that party as the judge may prescribe, the respondent may appear and move its dissolution or modification. In that event the judge shall proceed to hear and determine such motion as expeditiously as the ends of justice require.</p> <p>(b) A permanent civil no-contact order shall be effective for a fixed period of time not to exceed one year.</p> <p>(c) Any temporary or permanent order may be extended one or more times, as required, provided that the requirements of G.S. 95-265 or G.S. 95-266, as appropriate, are satisfied. The court may renew a temporary or permanent order, including an order that previously has been renewed, upon a motion by the complainant filed before the expiration of the current order. The court may renew the order for good cause. The commission of an act of unlawful conduct by the respondent after entry of the current order is not required for an order to be renewed. If the motion for extension is uncontested and the complainant seeks no modification of the order, the order may be extended if the complainant's motion or affidavit states that there has been no material change in relevant circumstances since entry of the order and states the reason for the requested extension. Extensions may be granted only in open court and not under the provisions of G.S. 95-265(d).</p> <p>(d) Any civil no-contact order expiring on a court holiday shall expire at the close of the next court business day.</p> <p>N.C. Gen. Stat. § 95-268</p> <p>§ 95-268. Notice of orders</p> <p>(a) The clerk of court shall deliver on the same day that a civil no-contact order is issued a certified copy of that order to the sheriff.</p> <p>(b) Unless the respondent was present in court when the order was issued, the sheriff shall serve that order upon the respondent and file proof of service in the manner provided for service of process in civil proceedings. If process has not yet been served upon the respondent, it shall be served with the order.</p>				

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	<p>(c) A copy of the order shall be issued promptly to and retained by the police department of the municipality of the employer's workplace. If the employer's workplace is not located in a municipality or in a municipality with no police department, copies shall be issued promptly to and retained by the sheriff and the county police department, if any, of the county in which the employer's workplace is located.</p> <p>(d) Any order extending, modifying, or revoking any civil no-contact order shall be recorded, issued, and served in accordance with the provisions of this Article.</p> <p>N.C. Gen. Stat. § 95-269</p> <p>§ 95-269. Violation of valid order</p> <p>A violation of an order entered pursuant to this Article is punishable as contempt of court.</p> <p>N.C. Gen. Stat. § 95-270</p> <p>§ 95-270. Employment discrimination unlawful</p> <p>(a) No employer shall discharge, demote, deny a promotion, or discipline an employee because the employee took reasonable time off from work to obtain or attempt to obtain relief under Chapter 50B or Chapter 50C. An employee who is absent from the workplace shall follow the employer's usual time-off policy or procedure, including advance notice to the employer, when required by the employer's usual procedures, unless an emergency prevents the employee from doing so. An employer may require documentation of any emergency that prevented the employee from complying in advance with the employer's usual time-off policy or procedure, or any other information available to the employee which supports the employee's reason for being absent from the workplace.</p> <p>(b) The Commissioner of Labor shall enforce the provisions of this section according to Article 21 of Chapter 95 of the General Statutes, including the rules and regulations issued pursuant to the Article.</p> <p>N.C. Gen. Stat. § 95-271</p>				

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	<p>§ 95-271. Scope of Article; other remedies available</p> <p>This Article does not expand, diminish, alter, or modify any duty of any employer to provide a safe workplace for employees and other persons. This Article does not limit the ability of an employer, employee, or victim to pursue any other civil or criminal remedy provided by law. This Article does not apply in circumstances where an employee or representative of employees is engaged in union organizing, union activity, a labor dispute, or any activity or action protected by the National Labor Relations Act, 29 U.S.C. § 151, et seq. Nothing in this Article is intended to change the National Labor Relations Act's preemptive regulation of legally protected activities, nor to change the right of the State and its courts to regulate activities not protected by the National Labor Relations Act.</p>				
<p>RHODE ISLAND Workplace violence protection order</p>	<p>R.I. Gen. Laws § 28-52-1</p> <p>§ 28-52-1. Short title</p> <p>This chapter shall be known and may be cited as "The Rhode Island Workplace Violence Prevention Act."</p> <p>R.I. Gen. Laws § 28-52-2</p> <p>§ 28-52-2. Workplace violence protection</p> <p>(a) If an employer, or an employer's employee(s) or invitee(s), have: (1) Suffered unlawful violence by an individual; or (2) Received a threat of violence by an individual that can reasonably be construed as a threat that may be carried out at the worksite; or (3) Been stalked or harassed at the worksite; the employer may (in addition to, or instead of, filing criminal charges against the individual) seek a temporary restraining order, a preliminary injunction, and an injunction pursuant to Rule 65 of the Superior Court Rules of Civil Procedure, prohibiting further unlawful acts by that individual at the worksite that shall include any place at which work is being performed on behalf of the employer.</p> <p>(b) Proof (by affidavit in an ex parte hearing, or by a preponderance of the evidence in any other hearing) of any action described in subsection (a) of this section shall constitute irreparable harm or damage to the employer, or employer's employee(s) or invitee(s). Upon granting of any restraining order,</p>	<p>The employer can file for a workplace violence protection order. R.I. Gen. Laws § 28-52-2(a)(3).</p>	<p>The statute does not require notification.</p>	<p>[Statute is silent.]</p>	<p>The order can prevent the defendant from visiting the workplace, harassing, stalking, contacting, or injuring the employer and their employees. It can also provide any relief the court deems necessary and further unlawful acts. R.I. Gen. Laws § 28-52-2(b).</p>

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	<p>preliminary injunction, or injunction, the court may, among other appropriate orders:</p> <p>(1) Order the defendant not to visit, assault, molest, or otherwise interfere with the employer or the employer's operations, or the employer's employee(s) or invitee(s) at the employer's worksite;</p> <p>(2) Order the defendant to cease stalking the employer's employee(s) or invitee(s) at the employer's worksite;</p> <p>(3) Order the defendant to cease harassment of the employer or the employer's employee(s) or invitee(s) at the employer's worksite;</p> <p>(4) Order the defendant not to abuse or injure the employer, including the employer's property, or the employer's employee(s) or invitee(s) at the employer's worksite;</p> <p>(5) Order the defendant not to telephone the employer or the employer's employee(s) or invitee(s) at the employer's worksite;</p> <p>(6) Order any other necessary and appropriate relief as deemed appropriate in the discretion of the court.</p> <p>(c) When necessary to protect the employer or the employer's employee(s), invitee(s), or property, and when authorized by the court, temporary restraining orders, preliminary injunctions, and injunctions granted pursuant to the provisions of this act may be served upon the defendant by a peace officer, sheriff, certified constable, or police officer, or other officer whose duty it is to preserve the peace, with appropriate orders to these officials to enforce the court's order.</p> <p>(d) All orders and injunctions issued pursuant to the provisions of this act shall have statewide validity, unless specifically modified or terminated by the issuing judge, and may be enforced by the issuing court for any violation anywhere in the state, and by any court of competent jurisdiction within the state for violations which may occur within that court's jurisdiction.</p> <p>(e) An employer and an employer's agents who or that act in accord with the provisions of this act shall be presumed to be acting in good faith and, unless lack of good faith is shown by clear and convincing evidence, are immune from civil liability for actions taken under this chapter.</p>				

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	<p>(f) Any employer, or its employee(s) or invitee(s), who or that does not utilize the procedures authorized by this act, shall not be liable for negligence nor shall evidence of the same be admissible as evidence of negligence.</p> <p>(g) In no event shall this chapter be construed to prevent lawful picketing or lawful demonstrations including, but not limited to, those related to a labor dispute.</p> <p>R.I. Gen. Laws § 28-52-3</p> <p>§ 28-52-3. Severability</p> <p>If any provision of this chapter or its application to any person or circumstance is held to be invalid by any court of competent jurisdiction, that invalidity shall not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application; and to that end, the provisions of this chapter are declared to be severable</p>				
<p>TENNESSEE Temporary restraining order</p>	<p>Tenn. Code Ann. § 20-14-101</p> <p>20-14-101. Chapter definitions.</p> <p>As used in this chapter, unless the context otherwise requires:</p> <p>(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose, including following or stalking an employee to or from the employee's place of work, entering the workplace of an employee, following an employee during hours of employment, telephone calls to an employee, and correspondence with an employee, including, but not limited to, the use of the public or private mails, interoffice mail, facsimile or computer e-mail;</p> <p>(2) "Credible threat of violence" means a knowing and willful statement or course of conduct that would cause a reasonable person to believe that the person is under threat of death or serious bodily injury and that is intended to, and that actually causes, a person to believe that the person is under threat of death or serious bodily injury;</p> <p>(3) "Employer" means any person or entity that employs one (1) or more employees and shall include the state and its political subdivisions and instrumentalities; and</p>	<p>An employer or an employee can file for a temporary restraining order and an injunction prohibiting unlawful activity Tenn. Code Ann. § 20-14-102.</p>	<p>The statute does not require notification.</p>	<p>The temporary order is in effect for fifteen days. Tenn. Code Ann. § 20-14-104. After a hearing on the petition, the court can grant an injunction that is in effect for up to three years. Tenn. Code Ann. § 20-14-105.</p>	<p>The temporary order can prohibit future acts, threats of violence, or unlawful activity. Tenn. Code Ann. § 20-14-102.</p>

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	<p>(4) [Deleted by 2011 amendment.]</p> <p>(5) "Unlawful violence" means assault, aggravated assault, stalking, intimidation, or extortion as prohibited by §§ 39-13-101, 39-13-102, 39-17-315, 39-17-309 and 39-14-112.</p> <p>Tenn. Code Ann. § 20-14-102</p> <p>20-14-102. Temporary restraining order and injunction.</p> <p>Any employer or employee who has suffered unlawful violence or a credible threat of violence from any individual, or an organization that the individual is affiliated with, which can reasonably be construed to have been carried out at the workplace, may seek a temporary restraining order and an injunction prohibiting further unlawful violence or threats of violence by that individual, or the organization that individual is affiliated with, at the workplace. Nothing in this chapter shall be construed as authorizing a court to issue a temporary restraining order or injunction prohibiting speech or other activities that are protected by the constitutions of this state or the United States.</p> <p>Tenn. Code Ann. § 20-14-103</p> <p>20-14-103. Jurisdiction.</p> <p>(a) Except for proceedings involving a nonresident respondent, the court of competent jurisdiction of the county where the unlawful violence or credible threat of violence occurred shall have jurisdiction over all proceedings under this chapter.</p> <p>(b) For proceedings under this chapter involving a nonresident respondent, the court of competent jurisdiction where the petitioner's workplace is located shall have jurisdiction, where the act involving unlawful violence or a credible threat of unlawful violence meets the elements for personal jurisdiction provided for under § 20-2-223(a)(3) or (a)(4).</p> <p>Tenn. Code Ann. § 20-14-104</p> <p>20-14-104 Petition—Affidavit—Duration of temporary restraining order</p>				

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	<p>Upon filing a petition with the court for an injunction pursuant to this chapter, the petitioner may obtain a temporary restraining order if the petitioner also files an affidavit that, to the satisfaction of the court, shows reasonable proof that an employee or employer has suffered unlawful violence or a credible threat of violence by the respondent and that great or irreparable harm will result to an employee or an employer if the injunction is not granted. The affidavit shall further show that the petitioner has conducted a reasonable investigation into the underlying facts that are the subject of the petition. A temporary restraining order granted under this chapter shall remain in effect, at the court's discretion, for a period not to exceed fifteen (15) days, unless otherwise modified or terminated by the court.</p> <p>Tenn. Code Ann. § 20-14-105</p> <p>20-14-105. Hearing on petition -- Response -- Relevant testimony -- Duration of injunction -- Renewal of injunction.</p> <p>Within ten (10) days of the filing of the petition under this chapter or as soon as practical thereafter, but in no case later than thirty (30) days after the filing of the petition, a hearing shall be held on the petition for the injunction. In the event a hearing cannot be scheduled within the county where the case is pending within the thirty-day period, it shall be scheduled and heard as soon as possible. The respondent may file a response that explains, excuses, justifies, or denies the alleged unlawful violence or credible threat of violence or may file a cross-complaint under this chapter. At the hearing, the judge shall receive any testimony that is relevant and may make an independent inquiry. If the judge finds by clear and convincing evidence that the respondent engaged in unlawful violence or made a credible threat of violence, an injunction shall be issued prohibiting further unlawful violence or threats of violence at the workplace or while the employee or employer is acting within the course and scope of employment. An injunction issued pursuant to this chapter shall have a duration of not more than three (3) years. At any time within the three-month period before the expiration of the injunction, the petitioner may apply for a renewal of the injunction by filing a new petition for an injunction pursuant to this chapter.</p> <p>Tenn. Code Ann. § 20-14-106</p>				

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	<p>20-14-106. Service of petition, temporary restraining order, and notice of hearing.</p> <p>Upon the filing of a petition for an injunction under this chapter, the respondent shall be personally served with a copy of the petition, temporary restraining order, if any, and notice of hearing on the petition.</p> <p>Tenn. Code Ann. . §20-14-107</p> <p>20-14-107. Delivery of orders to law enforcement agencies --- Availability of information to law enforcement officers.</p> <p>The court shall order the petitioner or the attorney for the petitioner to deliver a copy of each temporary restraining order or injunction, or modification or termination of the temporary restraining order or injunction, granted under this chapter, by the close of the business day on which the order was granted, to the law enforcement agencies within the court's discretion as are requested by the petitioner. Each appropriate law enforcement agency shall make available information as to the existence and current status of these orders to law enforcement officers responding to the scene of reported unlawful violence or a credible threat of violence.</p> <p>Tenn. Code Ann. § 20-14-108</p> <p>20-14-108. Construction of chapter.</p> <p>Nothing in this chapter shall be construed as expanding, diminishing, altering or modifying the duty, if any, of an employer to provide a safe workplace for employees and other persons. Nothing in this chapter shall be construed to prohibit an employer or employee from pursuing any other civil or criminal remedy provided by law.</p> <p>Tenn. Code Ann. § 20-14-109 (2017)</p> <p>20-14-109. [Repealed.]</p>				