

A Sense of Security with Orders of Protection in Arizona

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Going through a divorce or a dispute in your personal life can be stressful, especially if you fear the safety of yourself and loved ones. Orders of protection are one way you can protect you and your family if you feel threatened. Although, a common misconception about orders of protection is that they are only available if there is physical abuse. That is simply not true. In Arizona, there are two primary conditions that must be met to obtain an order of protection.

First, there must be a special relationship between the parties. This relation includes individuals who (1) are married now or in the past; (2) live together now or in the past; (3) have a child in common; (4) one party is pregnant by the other party; (5) is a relative to the other party (i.e., brother, sister, grandparent); or (6) have a current or past sexual relationship.

Second, there must be an act of domestic violence or reasonable cause to believe an act of domestic violence will occur. Domestic violence includes many behaviors that do not involve physical abuse, and may include actions such as criminal damage to property, custodial interference, disorderly conduct, reckless display of dangerous instruments, threats, and acts of intimidation.

A parent, legal guardian, or legal custodian of a minor may obtain an order of protection on behalf of the minor who is in need of protection. In addition, an appropriate party may request an order of protection on behalf of another person if the person is temporarily or permanently unable to request an order of protection for themselves. Typically, this involves situations where a party is the victim of domestic violence but is elderly or infirmed and unable to come to the court to file for an order of protection. In such cases, an adult child, sibling or legal guardian, among others, may appropriately request an order of protection on their behalf.

Orders of protection may be obtained from judicial, municipal and superior courts. The self-service centers at the court will have the forms to file a petition for an order of protection. Although court personnel may not give legal advice, they are available to assist in answering questions on how to fill out the forms and to provide information on the procedure.

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