

HOW TO APPLY FOR A PROTECTION ORDER

Step 1



Complete the application. Go to the court nearest you and ask to apply for a protection order. The clerk of the court will give you an application form (Form 2). The application gives you space to write down your story but you can attach extra pages if you need to. If you have access to a printer, you can download the application form before you go to Court so that you can think about exactly what you want to write.

Step 2

Submit your application at the court. Try to arrive in the morning if you can, because then you might receive an interim protection order on the same day. If you arrive late and do not get the order on the same day, you can pick it up the next morning.



Step 3



Receive an interim protection order. The clerk of the court will give your application to the Magistrate who will decide whether or not to give you an interim protection order. An interim protection order is a temporary protection order that is only in place until your “return date,” which is the date you come back to court for your final hearing. The return date will be given in your interim order.

Step 4

Serve the interim protection order. Take the interim protection order to the police station nearest you. The police will take the interim order to the person who has been hurting you (i.e. the respondent). The interim order only becomes effective after the respondent has been given a copy so this is a very important step!



Step 5



Attend the final hearing. Go back to court on the return date. On this day, you and the respondent will both be given an opportunity to tell your side of the story to a Magistrate who will decide whether or not to give you a final protection order. Remember to be calm and tell the truth. You are also allowed to bring witnesses who can verify your side of the story.

Step 6

Enforcing your protection order. When you receive a final protection order, you should also receive a warrant of arrest. If the respondent ever does anything that violates the protection order, you can immediately call the police and the respondent will be arrested. If the warrant of arrest is ever lost or destroyed, you can go back to court and apply for a new one.



If you have any questions or concerns, please contact LvA at info@lva.org.za