NO CONTACT ORDER VS. PROTECTION ORDER

What is the difference between a Protection Order and a No Contact Order?

	PROTECTION ORDER (PO)	NO CONTACT ORDER (NCO)
Who requests it?	The victim of domestic violence, malicious harassment, stalking or telephone harassment.	The Prosecutor's Office
Who is eligible to be protected?	For a domestic violence protection order: Spouses, former spouses, persons related by blood, adoption, or marriage, persons who live or have lived together, persons who have had a child in common, adults who have had or are in a dating relationship, custodial parents, noncustodial parents, or guardians on behalf of minor children who have had or are in a dating relationship. A family or household member relationship is not required for stalking and/or harassment protection orders.	Crime Victims
How can I get one? How much does it cost?	You can obtain a petition or application for a protection order on the second floor of the Benewah County Courthouse in the Benewah County Court Clerk's Office. There is no cost to request a protection order.	The Prosecutor's Office requests no contact orders. You can contact the Benewah County Prosecutor's Office handling the criminal case for more information. There is no cost.
How can it be changed?	By a judge only. You may request changes, in the same manner, you requested the initial order.	By a judge only. You may request the judge to change or remove the order by filling out paperwork on the second floor of the Benewah County Courthouse in the Benewah County Court Clerk's Office. The court will set a hearing which you must appear. The judge will hear from you, the State, and the defense before deciding whether to modify or remove the order.
To whom does it apply?	The person or people the judge specifies.	The person charged with the crime. The protected party should also respect the no-contact order.

When does it expire?	As specified in the Court's Order.	When the judge specifies or the State can petition the court to extend it beyond the maximum penalty period of the case.
What happens if the offender violates the order?	A violation of the order is a misdemeanor crime. You should report any violation to the police.	A violation is a crime. You should report any violation to the police.

If there is a no-contact order in place, do I also need a protection order? You must decide for yourself. Speak with your victim coordinator or the Benewah County Prosecutor at (208) 245-2564.

What if there are both orders in place at the same time? The offender must abide by the most restrictive provisions of the order.