

## PROCEDURAL INFORMATION

### Civil **Emergency** Orders of Protection

### Civil **Emergency** Stalking/No Contact Orders

Judicial Center  
37W777 RT 38  
Room 149  
St. Charles, IL  
(630) 232 -5820

The time involved in preparation and presentation of the appropriate Petition can be affected by the number of other cases being addressed at any given time. Petitioners should expect to spend a minimum of 1 ½ -2 hours at the courthouse. Petitioners arriving in the afternoon are encouraged to arrive by 3 pm.

Generally, to present the Petition in Kane County either the Petitioner, or the Respondent must live in Kane County or the abuse is required to have occurred in Kane County. The full name and address of the Respondent are required.

For emergency Petitions (those presented without notice to the Respondent), the Petitioner must be prepared to show why an immediate order is necessary; i.e.: harassment or abuse in the last week(s), or some other changed circumstance which would require immediate relief without notice to the other side.

In addition to the above guideline, Petitions requesting a Stalking / No Contact Order must allege at least 2 separate incidents to establish a pattern.

Presentation of either of the above types of Petitions on an emergency basis is not a guarantee for relief. The Petitioner will have to appear before a Judge who may:

- (1) Grant the Petition and enter an Emergency Order for 14-21 days at which time the Respondent will be notified and a Court hearing will be held to determine if a Plenary Order of Protection (up to two years) shall issue.
- (2) Deny the Petition as an Emergency, notify the Respondent, and determine if a Plenary Order of Protection (up to two years) shall issue after a hearing.
- (3) Deny the Petition in its entirety and no relief is granted.

Prairie State Legal Services is available:

M/T 9 – 4 pm

TH 1 - 4 pm

Law Clerks are available:

M –F 8:30 – 4:30 pm

Closed for lunch 12 - 1 pm