

New York State Coalition Against Domestic Violence  
2004 Domestic Violence Handbook

Changing The Order Of Protection

If you would like to have a change made in an Order of Protection or in a custody Order, you can file a *Modification Petition* - a petition that explains that things have changed and that you would like the Order to be changed. If the abuser has been living in your home, you may now want an Order requiring that he leave. If the abuser moves out, you might need child or spousal support. You might want an Order saying the abuser may not come to your workplace or your children's school or you may want to change child visitation arrangements. If your partner was ordered out of your home, and you want to live together again, you can drop the "stay away" provision but keep the rest of the Order unchanged. To make any changes to an existing Order of Protection, you must go to the court that issued the Order (unless the Order states you may go elsewhere), file a Modification Petition and ask the court for the changes you want.

An Order of Protection cannot guarantee your safety. Some abusers will not obey them. Still, an Order of Protection can be an important step toward helping you get safe.

You may want to consider some other options, like joining a support group for victims of domestic violence or getting supportive counseling at a domestic violence program. The programs listed in the back of this Handbook can assist you in finding the services you need.