

I'm Being Followed by an Old Neighbor; Can I Get an Order of Protection?

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Getting an order of protection against someone you are not or have not been in a romantic relationship with, can be more difficult than getting an order against someone you were (or are) involved with. Individuals who did not have a relationship with the other party can only get an order of protection if there was "stalking" involved; a term that is defined by statute.

In seeking an order of protection against someone outside of your household, the term "stalking" is defined by Missouri Revised Statute § 455.010 (15) which provides in layman's terms, that there are two or more occasions where someone follows you, monitors you, or threatens you, putting you in fear of physical harm. Having evidence of the person's actions, including threatening texts or other evidence of their behavior, can assist in asking for the court to issue an order of protection.

Determining whether you have grounds for an order of protection is assessed on a case-by-case basis by a judge, so it's often a good idea to seek the advice of an attorney before applying for an Order.

For issues regarding orders of protection, please reach out to one of the family law attorneys at Sandberg Phoenix.