

TYPE OF ORDER	WHO CAN APPLY	APPLIES TOO	ISSUED BY/ PROCESS	COSTS	LENGTH OF ORDER	ENFORCEMENT	OTHER INFO
CIVIL- Domestic Violence and Stalking Act							
1. <u>Protection Orders</u>	- crt forbids Respondent (R) from contact with Applicant (A) - JJP can grant 7 conditions. (s.6(1) Provisions can include: can not communicate direct/ indirect with you or contact you, may not come to your regular attend place (ie home, work), may not follow you (or other specified person), may turn over weapons to police or police may search/ seize, R must give you temp possession of necessary personal belongings, help of police to get your personal belongings, may have help of police to remove R from home)	- family members experiencing DV (family relationship or lived with, spousal relationship, conjugal relationship or never lived together and have a child together or a Dating relationship)	- no notice required (can be immediate) - can apply in person or over the phone (with help of police or POD) - issued by Judicial Justice of the Peace (JJP) - A explains why you need order (give facts, dates, times, locations of incidents to show you why you URGENTLY need protection) - However, can be defended in QB by R (who has 20 days to file) - A, must show FEAR	No costs to apply. Can have costs to lift order.	- if granted at end of hearing effective immediately (although can be set aside by R) - R will need to be served in order to be charged criminally for any breaches (will be served by police or sheriff) - can be in place for 3 years - A may extend if JJP believes and is required (must reapply within 3 mths of expiry for new PO)	- immediate once issued - issuance (timeframe to rcv order) does not take a long period of time - some provinces have laws that recognize PO granted elsewhere. Check with Family Law Branch, MB Justice for up-to-date jurisdictional info TF 1.800.282.8069 ext 0268	- help is available to A through MB Justice Victim Services (will assist with legal q's, custody, rts of victims) - POD (Protection Order Designates) can assist. Call MB Justice TF 1.866.484.2846
2. <u>Prevention Orders</u>	- Crt Order can include above as well as other flexible remedies (s.14(1) temporary possession, monetary compensations)	- restricted to family members for DV	- QB (application to judge, give evidence before the court, file petition, affidavit, motion) - Respondent (abuser) rcv's notice of application - does not require Fear standard - QB Judge may hear evidence of both sides	Has a Filing Fee. Can have costs to lift order.	3 yrs with possibility of extension by A	- immediate upon service of order to R - crt order in effect unless set aside/ changed by the crt - order proceedings may take several mths (family docket date, proceedings process and getting paperwork, filing, serving)	- help is available through agencies funded through the Family Violence Program

TYPE OF ORDER	WHO CAN APPLY- RELIEF	APPLIES TOO	ISSUED BY/ PROCESS	COSTS	LENGTH OF ORDER-RELIEF	ENFORCEMENT	OTHER INFO
FAMILY- <i>Family Maintenance Act</i> (s.10(1)(j))							
3. <u>Prohibition OR Restriction of Contact or Communication</u>	Restricts and prohibits communications bw parties (no direct communication unless certain specified purposes)	- partners only	- QB- petition originating process	- costs of proceedings. Can be expensive as lawyer recommended for QB applications.			- advantage to use if already have legal costs (ie legal counsel for divorce/ separation matters) - can allow for specialized relief (such as no communication except for negotiation purposes or no contact unless dropping off/ picking up child(ren))
CIVIL							
4. <u>Tort of Stalking</u>	Recommended to see a lawyer re: this type of order. Not a type of order sought in MB as there are other more appropriate civil law actions identified above.						

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CRIMINAL- <i>Criminal Code of Canada</i>							
5. <u>Bail Order</u> (Recognizances or Undertaking)	- when your partner is arrested and charged with offence against you and released on bail	- when the police are charging your partner, tell them what you think they will do to harass you				- Crown Attorney or partner only can apply to change condition(s)	
6. <u>Probation Orders</u>	- person found guilty of crime against you. Probation may form part of sentence.		- conditions of behavior for certain period of time		- can last up to 3 yrs	- Crown Attorney or partner only can apply to change condition(s)	
7. <u>Peace Bond</u> (s.810)	- can be brought against anyone, including a stranger	- applies to ANYONE causing you FEAR but must have good reason to be afraid	- show cause hearing before Prov Crt Judge (who will try to get parties to settle outside crt) - partner given a summons of hearing - if partner present, they must agree, if no agreement, trial date will be set for a hearing on the matter - event(s) must have occurred within last 6mths of charges laid		- maximum of one yr - no provision for renewal but petitioner may reapply if still have reason to fear	- proceedings may take several mths	
8. <u>Non-communication Order</u>	- if partner denied bail and remains in custody until trial	- crt can order prohibiting contact while awaiting trial (for duration of time)					