

MAINE JUDICIAL BRANCH

PROTECTION FROM ABUSE OR PROTECTION FROM HARASSMENT:
WHAT KIND OF CASE SHOULD I FILE?

Protection from Abuse (PFA)	Protection from Harassment (PFH)
<p>Regardless of your age, you can file a PFA against your family or household member or your current or former dating partner who has abused you. <i>(Please note that if you are a minor child, your parent or other person responsible for you will have to file the PFA on your behalf.)</i></p>	<p>Regardless of age, you can file a PFH against anyone if you have been a victim of that person's:</p> <ul style="list-style-type: none"> • Harassment (which means three or more acts of intimidation, confrontation, actual or threatened physical force by the defendant, made with the intention of causing fear, intimidation, or damage to personal property, and that do in fact cause fear, intimidation, or damage to personal property); • A single act or course of conduct constituting a serious criminal act, such as: <ul style="list-style-type: none"> ○ assault, ○ criminal threatening, ○ sexual assault, ○ terrorizing, ○ kidnapping, ○ aggravated assault, ○ arson, ○ violation of privacy, or • Violation or interference with your constitutional or civil rights. <p><i>(Please note that if you are a minor child, your parent or other person responsible for you will have to file the PFH on your behalf.)</i></p>
<p>Regardless of your age, you can also file a PFA <u>against anyone</u> who has:</p> <ul style="list-style-type: none"> • stalked you; • sexually assaulted you; • used or threatened to use intimate private images of you or against you; • has forced you or led you into sex trafficking; or • knowingly removed or tampered with a condom, knowingly used a damaged condom, or misrepresented intentions to use a condom during a consensual sexual act. 	
<p>If you are 60 or older, or a dependent or incapacitated adult, you can file a PFA <u>against a family member or unpaid care provider</u> if that person has abused you.</p>	
<p>If you are a minor, your parent or other person responsible for you can get a PFA on your behalf <u>against anyone</u> who has:</p> <ul style="list-style-type: none"> • sexually exploited you; • shared or intends to share sexually explicit images of you (only if you are 16 or under); or • harassed you by telephone or by electronic devices. 	

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Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

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KEY DIFFERENCES: PROTECTION FROM ABUSE v. PROTECTION FROM HARASSMENT

Protection from Abuse (PFA)	Protection from Harassment (PFH)
A temporary protection order may be available without earlier notice to the defendant. If a temporary order is <u>not</u> granted, the plaintiff can decide to withdraw the complaint or go ahead, with a final hearing to be heard within 21 days.	In most cases, the plaintiff must first ask law enforcement to serve a “cease harassment” notice on the person harassing the plaintiff before filing a PFH complaint.
There are no fees to file a PFA complaint or have law enforcement serve the complaint and temporary order (if any) on the defendant.	There may be fees to file a PFH complaint and have law enforcement serve the complaint and temporary order (if any) on the defendant. There are no fees for complaints that are based on allegations of domestic or dating violence, stalking, sexual assault, sex trafficking, or unlawful dissemination of certain private images.
A business cannot file a PFA complaint.	A business can file a PFH complaint.
The court will hold a hearing on a PFA complaint within 21 days after the complaint is filed.	The court will hold hearing on the PFH complaint at the earliest available date, but it might not be held within 21 days.
An initial final PFA order can last up to two years.	An initial final PFH order can last up to one year.
A temporary or final PFA order can prohibit the defendant from having firearms, ammunition, or other dangerous weapons.	The court generally does not prohibit the defendant from having firearms, ammunition, or other dangerous weapons.

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RESOURCES

HELP FOR PEOPLE FILING A PROTECTION ORDER	
<p>If you are a victim of violence, abuse, or harassment and believe you are in immediate danger, call 9-1-1. For help locating emergency services in your area, call 2-1-1.</p>	
SEXUAL ASSAULT/HARASSMENT HELP	DOMESTIC VIOLENCE HELP
<p>Sexual Assault & Harassment Statewide 24/7 Hotline 1-800-871-7741 mecasa.org</p>	<p>Domestic Violence Statewide 24/7 Hotline 1-866-834-HELP mcedv.org</p>
More Sexual Assault and Domestic Violence Help	
<p>Tribal Sexual Assault & Domestic Violence 24/7 Hotline Numbers <i>Wabanaki Women's Coalition</i> Micmac Advocacy Center • (207) 551-3639 Maliseet Advocacy Center • (207) 532-6401 Indian Township Passamaquoddy Advocacy Center • (207) 214-1917 Passamaquoddy Peaceful Relations Advocacy Center • 1-877-853-2613 Penobscot Nation Advocacy Center • (207) 631-4886</p>	
How can an advocate help me?	
<p>An advocate is a trained person who can help a victim of violence, abuse, or harassment to:</p> <ul style="list-style-type: none">• Give you information about protection orders and help you understand what happens in court;• Help you file court paperwork and find legal help;• Go with you to your hearing and give you support and information;• Help you with other services like housing, counseling, support groups, and mental health help;• Help make sure you are safe; and• Provide information on how to file for a protection order if you are under 18.	
LEGAL HELP	
<p>Maine State Bar Association Lawyer Referral Service 1-800-860-1460 or www.mainebar.org/page/AttorneyRequest (30-minute consultation with a lawyer for \$25 administrative fee)</p>	<p>Legal Services for the Elderly 1-800-750-5353 or www.mainelse.org</p>

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