

DOMESTIC ABUSE ORDERS OF PROTECTION

SECOND JUDICIAL DISTRICT COURT

DOMESTIC VIOLENCE DIVISION

400 LOMAS BLVD NW, ROOM #274

ALBUQUERQUE, NM 87102

505-841-6737

All paperwork for filing a Domestic Violence Order of Protection is available at the Second Judicial District Court on the Second Floor in Room 274, Downtown Location, during regular business hours. The office is closed during lunchtime. Completed paperwork is accepted Monday through Friday from 8:30-10:30 a.m. and from 1-3 p.m. Forms can be picked up Monday through Friday from 8-12 p.m. and 1-5 p.m. Be prepared to wait up to four hours for your paperwork to be processed. Petitions may be also filed online by emailing it to: albd-dvfilings@nmcourts.gov. Domestic Violence staff cannot fill in the paperwork for you or give you legal advice. If you need help filling out the forms you may want to contact the Family Advocacy Center at 505-243-2333 to help you.

There are no fees for filing a Domestic Violence Case. (Copy fees may apply).

Who can you file against?

You may request a Domestic Violence Order of Protection to be issued when you file against a household member and there are acts or threatened acts of abuse. A household member does not have to be living in the same home, but does include the following people: Parent, child, spouse or former spouse, current or former girlfriend or boyfriend, grandparent, or grandchild. You may also file against someone who is not a household member if you are being stalked or were sexually assaulted.

After you fill out the paperwork, DV staff will do a brief review of the paperwork to make sure everything is complete. You will then be asked to wait until your paperwork is reviewed and processed. This can take up to four hours to complete. It is important to stay in case there are any questions about your paperwork. You will have a decision made the same day regarding your request for a DV Order of Protection. If your request is granted, you will be given a Temporary Order of Protection with instructions about your hearing date and serving the other party. You may be given an Order to Appear at a hearing so the Court can get more information about the reasons why you are requesting an Order of Protection, or the Court could dismiss your request.

Who can serve the paperwork?

Law Enforcement, Process Server, or a person who is at least 18 years of age and not a party to the case. If the party who needs to be served lives in Bernalillo County, the paperwork can be given to the Bernalillo County Sheriff's Office at 400 Roma NW to be served for no fee. *If a service address is provided, the Domestic Violence Office will automatically send paperwork to the Bernalillo County Sheriff's Office on your behalf.

What if the other party violates the Order?

Call law enforcement, as appropriate. Both parties should follow a DV Order of Protection. There are forms for you to complete if the other party is not following a DV Order of Protection. The paperwork and hours of operation are above under where to file for a DV Order of Protection.

SAFETY PLANNING FOR LEAVING AN ABUSIVE SITUATION

Keep the items in a safe place until you are able to leave safely or are ready if you need to leave quickly. You should take your children with you unless there is a court order stating you cannot take your children. If the children are in immediate danger, contact law enforcement at 911 or CYFD at 1-855-333-SAFE. Also take your pets if you are able.

Identification for yourself and your children (Originals are best, but copies are helpful)

- Birth Certificates
- Social Security Cards
- Driver's License or Other Photo Identification
- Immigration Paperwork

Personal Papers

- Marriage Certificate
- Divorce Papers
- Custody Orders
- Legal Protection or Restraining Orders
- Health Insurance Papers and Medical Cards
- Contact Information for Doctors or Other Medical Providers
- Records and Account Numbers of Checking Accounts, Savings Accounts, or Other Finances

Other Items to Have Available

- Funds like cash, credit cards, ATM card, checks, and deposit slips
- Access keys for house, car, post office box
- Contact information (phone numbers and addresses) for people like family and friends that can help you or for shelters
- Medications (at least one month's supply) for yourself, your children, and your pets
- Small items like pictures, keepsakes, children's toys or books to help you cope with your new arrangements

To find more information, please visit:

<https://seconddistrictcourt.nmcourts.gov/home/courts/family-court/domestic-violence/>