

## HARASSMENT

Who May Petition?	<ol style="list-style-type: none"> <li>1. Any person who has been harassed. A parent may wish to bring an action on behalf of his/her minor child. A guardian ad litem should be appointed if the Petitioner is a minor.</li> <li>2. Guardian ad litem in a matter involving a child found to be in need of protection or services. Sec. 48.235(4)(a)6</li> <li>3. If a proceeding is brought under Sec. 48.13 (CHIPS), any party or governmental or social agency involved in the proceeding. Sec. 48.25(6)</li> </ol> <p><b>NOTE: Form JC-1693 should be used when the child victim is involved in a CHIPS action or when the Respondent is a child.</b></p>
Against whom may the Petitioner bring an action?	<ol style="list-style-type: none"> <li>1. An adult <b>or a child</b> who engages in Harassment. Sec. 48.14(10), Sec. 757.69(1)(g) &amp; 1993 WI Act 318, Section 11</li> </ol> <p><b>NOTE: Form JC-1690 should be used if the child victim is involved in a CHIPS action or when the Respondent is a child.</b></p>
What type of abuse must be alleged in the Petition to obtain the TRO or Injunction?	<ol style="list-style-type: none"> <li>1. Striking, shoving, kicking or subjecting another to physical contact or attempting or threatening to do the same</li> <li>2. Engaging in course of conduct or repeatedly committing acts which harass or intimidate another person and which serve no legitimate purpose Sec. 813.125(1)</li> </ol>
Where can the Petition be filed (venue)?	<ol style="list-style-type: none"> <li>1. County where Petitioner resides</li> <li>2. County where Respondent resides</li> <li>3. County where cause of action arose (where incident occurred)</li> </ol>
What will it cost to file a Petition?	<p>No fee may be collected to file the Petition, to serve the Petition or for the cost of travel to serve the Petition <b>when the Petition alleges</b> conduct that is prohibited by 940.32 or conduct that is listed in 813.12(1)(am) to 6 (stalking or domestic abuse conduct).</p> <p>If the Petition does not allege stalking or domestic abuse behavior, the fee is \$164.50. An Affidavit of Indigency is attached if you feel you cannot afford to pay the fee.</p>
How long is a TRO in effect?	<p>Until a hearing is held on the issuance of an Injunction. The hearing shall be within 14 days after the TRO is issued, unless an extension is granted. Sec. 813.125(3)(c)</p>
When can the court extend a TRO?	<ol style="list-style-type: none"> <li>1. Written consent of parties or</li> <li>2. Once for 14 days upon a finding that the Respondent has not been served with a copy of the TRO although the Petitioner has exercised due diligence. Sec. 813.125(3)(c)</li> </ol>
What must the Court find in order to grant the TRO?	<ol style="list-style-type: none"> <li>1. The Petition alleges the elements set forth in Sec. 813.125(3)(c) and</li> <li>2. There are reasonable grounds to believe the Respondent violated Sec. 947.013 (This is the criminal harassment statute) Sec. 813.125(3)(a)</li> </ol>

<p>What can the Respondent be ordered to do if a TRO is issued?</p>	<ol style="list-style-type: none"> <li>1. Cease the harassment of another person. Sec. 813(3)(a)</li> <li>2. Avoid the harassment of another person. Sec. 813.125(3)(a)</li> <li>3. Avoid the Petitioner's residence or any premises temporarily occupied by the Petitioner or both. Sec. 813.125(3)(a)(intro) and (3)(am)</li> <li>4. Any combination of these remedies. Sec. 813.125(3)(a)(intro)</li> </ol>
<p>Can the Court issue a dual TRO?</p>	<p>No. A TRO may be entered only against the Respondent named in the Petition. Sec. 813.125(3)(b)</p>
<p>Are there any other laws which might assist a Petitioner?</p>	<ol style="list-style-type: none"> <li>1. Sec. 895.73-Victim Service Representative</li> <li>2. Chapter 950-Rights of victims and witnesses of crime, if Respondent is charged with a crime</li> <li>3. Chapter 949-Crime Victim Compensation, if victim has reported the crime and it is compensable</li> </ol>
<p>How does a Petitioner drop a TRO or Injunction?</p>	<p>In Dunn County, to drop a TRO, you must appear on the date set for your hearing and ask the Judge to drop the Order. To drop an Injunction, you must make a written request, a hearing will be set and you must appear at the hearing and ask the Judge to vacate the Injunction.</p>