

Anti-Stalking Orders: A Guide for the Self-Represented

Topics on this page:

- Anti-Stalking Order Generally
- Step One: Temporary Anti-Stalking Order – Getting Immediate Protection
- Step Two: Final Anti-Stalking Order Hearing – Getting Long Term Protection

Anti-Stalking Order Generally

An Anti-Stalking Order (ASO) is a court order requiring one person to stay away from and not contact another person. An ASO allows a victim of stalking to ask the court for protection, including to be left alone by another person. This handout is a step-by-step guide to help you protect yourself.

Who can get an Anti-Stalking Order?

Anyone 16 years of age or older may petition the court for an ASO against a person who has stalked them. The parent, legal guardian, or legal custodian of a minor also may petition the court for an ASO on a minor's behalf. You can only obtain an ASO if the stalking occurred in DC.

Is there a time limit to file?

Yes. At least one occasion of stalking must have occurred within the 90 days of when you file your petition for an Anti-Stalking Order.

What are examples of “stalking” that would be protected by an Anti-Stalking Order?

Stalking is a course of conduct that occurs on two or more occasions that makes ***you fear for your safety or the safety of another person; feel seriously alarmed, disturbed or frightened; or suffer emotional distress***. Some examples of conduct that could be defined as stalking are:

- Following you around or spying on you
- Sending you unwanted emails or letters, or otherwise harassing you on social media
- Calling or texting you often
- Showing up uninvited at your home, school, or work
- Leaving you unwanted gifts
- Damaging your home, car, or other property
- Threatening you, your family, or pets with violence

Step One: Temporary Anti-Stalking Order – Getting Immediate Protection

What happens when the court receives the petition?

As part of your petition, you may request that the court enter a Temporary Anti-Stalking Order (TASO). If you request a TASO, the court must hold a hearing that day to decide if it will grant or deny your request. If the petition is filed late in the day, the court may hold a hearing the next day that the court is open.

Whether you ask for a TASO, or not, the court will schedule a hearing to determine whether to issue an ASO, which will take place two weeks after you file.

How long does the Temporary Anti-Stalking Order last for?

A TASO will remain in effect for an initial period of 14 days. The court can change, end, and extend a TASO at the request of either party. The TASO can be extended until the Respondent has been served with the petition and other required paperwork and the court has held a hearing on the petition for the final ASO.

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What relief does the Temporary Anti-Stalking Order provide?

It can provide any relief that an ASO provides. A list of available relief is found below .

How does service work?

For the court to grant a Temporary Anti-Stalking Order, the Respondent must be served with the:

- Petition
- Notice of Hearing and the Order to Appear
- Temporary Anti-Stalking Order

This means that someone has to hand the papers to the Respondent, or to someone over the age of 18 who lives with the Respondent.

Who Can Serve?

- Any person who is older than 18 and is not mentioned in the petition.
- A petitioner also can request police service at the Clerk's Office. Also, if you see the Respondent, you can call the police and give the police the papers to serve the Respondent.
- Please note: You (the Petitioner) CANNOT serve the Respondent yourself

Return of Service- This form needs to be filled out and returned to the court to prove the Respondent was served.

- If you requested police service through the Clerk's Office, the police will attempt to serve the Respondent. If they are successful, the police are responsible for completing the Return of Service form and returning it to the court. If the police are unable to serve the Respondent, you will be responsible for getting the Respondent served.
- If you contact the police directly to arrange for service, then the officer should complete the Return of Service form and give it to you. You must bring the completed form to court.
- If you arrange for someone who is older than 18 to serve the Respondent, that person must complete the Return of Service form and return it to you. You must bring the completed form to court.

Step Two: Final Anti-Stalking Order Hearing

What happens at the hearing?

You will appear before a judge, where you will be able to explain the circumstances of the stalking. Bring any evidence of the stalking behavior, such as texts, voicemails, photographs, etc. You can also bring any witnesses who have first-hand knowledge of the stalking behavior. The person who stalked you will also have an opportunity to testify and respond to your allegations.

What relief may the court order?

Depending on the circumstances of your case, the court may order the Respondent to:

- Refrain from committing or threatening to commit criminal offenses against you
- Refrain from having contact with you
- Relinquish possession of your personal or shared property
- Refrain from threatening, possessing, or otherwise harming any animal you own or jointly own
- Relinquish possession of any firearms or ammunition in possession of the respondent

Order the Metropolitan Police Department to take action to enforce the orders of the court

- Combine 2 or more of the previous provisions

How long does the Anti-Stalking Order last for?

An ASO can last for an initial period of up to 2 years.

Can it be extended?

Yes, the court may extend the order. To extend an ASO, you must file a Motion to Extend before the date that the ASO expires.

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