

## Orders of Protection

If you think you might need an Order of Protection from someone, you probably do. New Mexico law gives you two (2) kinds of protection, criminal and civil. You should report an incident to the NMSU Police and speak with their Victim Services. They can ask the District Attorney's Office to prosecute if a crime has been committed.

You can also discuss an Order of Protection with them, as well as with Student Legal Aid. You can file a Petition against any person for stalking or sexual assault. You can file a Petition against a "household member" for an incident against you consisting of or resulting in:

- (a) physical harm;
- (b) severe emotional distress;
- (c) bodily injury or assault;
- (d) a threat causing imminent fear of bodily injury by any household member;
- (e) criminal trespass;
- (f) criminal damage to property;
- (g) repeatedly driving by a residence or work place;
- (h) telephone harassment;
- (i) harassment; or
- (j) harm or threatened harm to children.

Keep in mind that the statutes define a household member as "a spouse, former spouse, parent, present or former stepparent, present or former parent in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member." So to paraphrase, if you're related to someone or have had a continuing personal relationship with him or her, they cannot do any of the acts listed above.

Here in Las Cruces, a Special Commissioner will hold your hearing in a small courtroom-like hearing room at District Court on a Tuesday or Friday morning at 8:15. Here's their web site with more information:

[http://www.thirddistrictcourt.com/domestic\\_violence\\_special\\_commissioner.php](http://www.thirddistrictcourt.com/domestic_violence_special_commissioner.php)