

2010

State Law Report Card

South Dakota



A protection order is a FREE court order that can protect you from an abusive dating partner. This order can prevent your current or ex-partner from:

- Threatening or abusing you or your family
- Possessing a gun

The order may also require your current or ex-partner to:

- Move out of your home
- Agree to a custody and visitation schedule, if you have children
- Pay you child support or spousal support
- Participate in counseling or a batterer's intervention program
- Do anything else the court finds is necessary for your protection

A protection order can be changed if things in your life change (for example, if you transfer to a new school or get a new job).

You can get a protection order against someone who:

- You are/were living with or married to OR
- You have a child with OR
- You are related to by blood or marriage

The law does not allow you to get a protection order against someone you are or were dating.

The law requires you to show that your current or ex-partner:

- Threatened to, attempted to or actually physically abused you OR
- Sexually abused you OR
- Stalked or harassed you

Other types of abuse may also qualify you for a protection order.

South Dakota law does not say at what age you may file for a protection order on your own behalf, who may file for you if you are unable to file on your own behalf or whether the court has to notify your parent/guardian if you receive a protection order.

This is the law in your state only. The law is different in every state.

What other laws do you need to know about?

All teens can consent to:

- Testing and treatment for sexually transmitted infections

Some minors can consent to birth control services.

If you are a minor, your parent will be notified if you have an abortion.

What are schools doing about dating violence?

South Dakota law does not include information about dating violence in schools.

How can South Dakota improve its response to teen dating violence?

- Allow people in dating relationships to file for protection orders.
- Allow all minors to file for protection orders without parental involvement.
- Allow all minors to access health services without parental involvement.
- Require schools to include dating violence education in health classes in all middle schools and high schools.

Break the Cycle

Empowering Youth to End Domestic Violence

If you or someone you know is experiencing abuse in their relationship go to www.thesafespace.org