

# 2010

## State Law Report Card



## Montana

**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
- Contacting or coming near you or your family
- Coming to your school, home or work
- Possessing a gun

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

- Move out of your home
- Give you use of shared personal property
- 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 of the opposite sex, regardless of their age, who:**

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

**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 you

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

**If you are under 18 years old, your parent or other adult acting as your guardian may go to court with you to file for a protection order on your behalf. Montana law does not say at what age you can file for a protection order on your own behalf. If you are able to file on your own behalf, the law does not say 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:

- Birth control services\*
- Testing and treatment for HIV and sexually transmitted infections\*
- Medical care during pregnancy\*
- Medical care for their child(ren)

\*If you are a minor, a doctor may tell your parents.

If you are a minor, state law says that you must have your parent's consent to have an abortion, but judges have said that this law cannot be enforced.

### What are schools doing about dating violence?

Montana law does not include information about dating violence in schools.

### How can Montana improve its response to teen dating violence?

- Allow all minors to file for protection orders without parental involvement.
- Allow courts to issue protection orders to persons who have been harassed by a dating partner.
- Allow all minors to access health services without parental involvement.



Empowering Youth to End Domestic Violence

If you or someone you know is experiencing abuse in their relationship go to [www.thesafespace.org](http://www.thesafespace.org)