

DV/SA Victim Advocacy Centers

**Belcourt - Turtle Mountain Band of Chippewa
Hearts of Hope**
Crisis Line: 701.477.0002
Office: 701.477.0002
E-mail: gourneau@utma.com

**Beulah
Women's Action & Resource Center**
Crisis Line: 701.873.2274
Office: 701.873.2274
mercerwar.com

**Bismarck
Abused Adult Resource Center**
Crisis Line: 866.341.7009
Office: 701.222.8370
abusedadultresourcecenter.com

**Bottineau
Family Crisis Center**
Crisis Line: 800.398.1098
Office: 701.228.2028
famcrisiscenter.org

**Dickinson
Domestic Violence & Rape Crisis Center**
Crisis Line: 888.225.4506
Office: 701.225.4506
dvrcnd.com

**Ellendale
Kedish House**
Crisis Line: 877.349.5118
Office: 701.349.4729
kedish-house.com

**Fargo
Rape and Abuse Crisis Center**
Crisis Line: 800.344.7273
Office: 701.293.7273
raccfm.com

**Fort Totten - Spirit Lake Nation
Spirit Lake Victim Assistance**
Crisis Line: 701.766.1816
Office: 701.766.1816
spiritlakenation.com/programs/spirit-lake-victim-assistance/

**Grafton
Domestic Violence & Abuse Center Inc.**
Crisis Line: 866.435.7490
Office: 701.331.0466
dvaacnd.org

**Grand Forks
Community Violence Intervention Center**
Crisis Line: 866.746.8900
Office: 701.746.0405
cviconline.org

**Jamestown
Safe Shelter**
Crisis Line: 888.353.7233
Office: 701.251.2300
safeshelterjamestown.org

**Lisbon
Abuse Resource Network**
Crisis Line: 701.683.5061
Office: 701.683.5061
abuseresourcenetwork.org

**Minot
Domestic Violence Crisis Center**
Crisis Line: 701.852.2258
Office: 701.852.2258
courage4change.org

**Stanley
Domestic Violence Program NW ND**
Crisis Line: 800.273.8232
Office: 701.628.3233
dvprwnd.weebly.com

**Valley City
Abused Persons Outreach Center**
Crisis Line: 701.845.0072
Office: 701.845.0072
apocnd.org

**Wahpeton
Three Rivers Crisis Center**
Crisis Line: 701.642.2115
Office: 701.642.2115
threeriverscrisiscenter.com

**Washburn
McLean Family Resource Center**
Crisis Line: 701.462.8643
Office: 701.462.8643
mcleanfrc.weebly.com

**Williston
Family Crisis Shelter**
Crisis Line: 701.770.5180
Office: 701.572.0757
familycrisisshelter.com

Order Updates & Notifications

The North Dakota Statewide Automated Victim Information Notification (ND SAVIN) program can send you notifications by email, text message, and/or phone calls to inform you of:

- When an order has been served
- Upcoming hearings
- When your order is about to expire
- A respondent's court hearings, parole reviews, or change of address
- A change in the respondent's probation or parole status, or a status report of a respondent in custody

To sign up for this resource, you will need the case number and the exact spelling of the respondent's full name.

Sign up for SARO notifications at www.registervpo.com

Sign up for offender notifications at www.vinelink.com

Contact Us:

521 E Main Avenue, Suite 320
Bismarck, ND 58501

Phone: 701.255.6240
Toll Free: 888.255.6240

nddsvc.org
contact@nddsvc.org



NDD SVC does not provide direct services to victims and survivors. Contact a DV/SA advocacy center near you if you are looking for support. If you are in immediate danger, call 911.

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North Dakota
**Domestic & Sexual
Violence Coalition**

Sexual Assault Restraining Orders in North Dakota

North Dakota Sexual Assault Law

Sexual assault is sexual contact or behavior that happens without consent. This includes any unwanted, forced, or coerced sexual contact. According to North Dakota law, *sexual contact* means any touching, whether or not through the clothing or other covering, of the sexual or other intimate parts of the person, or the penile ejaculation or ejaculate or emission of urine or feces upon any part of the person, for the purpose of arousing or satisfying sexual or aggressive desires (N.D.C.C. § 12.1-20-02).

What is a Sexual Assault Restraining Order?

A Sexual Assault Restraining Order, or SARO, is a civil order from a North Dakota state district court. A SARO requires the respondent (the person who committed the sexual assault) to stop and leave the victim listed on the order alone.

A Sexual Assault Restraining Order prohibits the respondent from:

- Harassing, stalking, or threatening you
- Appearing at your residence, school, and place of employment
- Contacting you, including calling, writing, or having messages delivered to you

Any adult who is a victim of sexual assault, or the parent, stepparent, or guardian of a minor who reasonably believes the minor is a victim of sexual assault may seek a SARO. A minor of sufficient and competent age may also apply for a SARO on their own behalf (N.D.C.C. § 14-07.7-02). “Sufficient and competent age” is not defined in the law; a judge uses their discretion to determine if a minor meets this standard.

How to Apply for a Sexual Assault Restraining Order

1. Prepare the Sexual Assault Restraining Order Forms; File them with the Clerk of Court—To apply for a SARO, you must fill out certain forms and give them to your district court. This is also known as filing a petition. Forms for requesting a SARO can be found at your county courthouse or online at www.ndcourts.gov/legal-self-help.

A certified Domestic Violence/Sexual Assault Victim Advocate can assist you in preparing the SARO application forms. To find a certified Domestic Violence/Sexual Assault Victim Advocate, contact a domestic violence/sexual assault (DV/SA) advocacy center from the list in this brochure. All services provided by certified Domestic Violence/Sexual Assault Victim Advocates are free and confidential. A state’s attorney may also assist you in preparing your application forms, but there are limits on the amount of assistance a state’s attorney may provide. If you retain a lawyer, you are responsible for paying the lawyer’s fees.

2. Your Petition is Reviewed; The Judge or Judicial Referee May Issue a Temporary Sexual Assault Restraining Order—Once your petition is filed, the clerk of court forwards your petition to a judge or judicial referee for review.

If the judge or judicial referee finds reasonable grounds to believe the respondent committed sexual assault, the judge or judicial referee may sign a Temporary Sexual Assault Restraining Order. A Temporary SARO prohibits the respondent from contacting, harassing, stalking, or threatening you. It also prohibits them from appearing at your residence, school, and place of employment.

If your case is reviewed and dismissed, a certified Domestic Violence/Sexual Assault Victim Advocate can help you safety plan and figure out what to do next.

3. A Hearing is Scheduled; The Respondent is Served the Temporary SARO and Notified of the Hearing—If you’re granted a Temporary Sexual Assault Restraining Order, the court will schedule a hearing to determine if the court will extend the SARO for a longer period of time. The hearing should be within 14 days of when court issued the Temporary Order, but it may take longer. The respondent is notified of the date and time of the hearing and that a Temporary SARO has been put in place against them. This is sometimes referred to as being “served.” Once the respondent is served the Temporary SARO, the order goes into effect.

4. Attend the Hearing—You must attend the hearing to be granted a SARO. A certified Domestic Violence/Sexual Assault Victim Advocate can attend with you. If the respondent does not show up for the hearing, the hearing still proceeds without them. At the hearing, both you and the respondent will have the opportunity to present your case to the court. You and the respondent may also be subject to cross examination.

5. The Judge or Judicial Referee Decides Whether to Grant the Sexual Assault Restraining Order—At the end of the hearing, the judge or judicial referee determines whether a Sexual Assault Restraining Order should be granted for a set period of time. A SARO can be granted for up to two years.

If you are granted a SARO, the clerk of court sends a copy of the SARO to your local law enforcement agency, and the respondent is served the order. The respondent must also be notified of the actions or behaviors that would cause them to be in violation of the order. A Sexual Assault Restraining Order is valid and enforceable as soon as it is signed by the judge or judicial referee. Once the respondent is served the order, violations are criminal acts.

If your case is dismissed and the SARO is not granted, a certified Domestic Violence/Sexual Assault Victim Advocate can help you safety plan and figure out what to do next.

Things to Keep in Mind

- The court cannot charge you filing and service fees for a SARO.
- The court may not issue a mutual restraining order unless both you and the respondent have filed separate applications.
- If you’re married, you do not need to file for divorce or separation to get a restraining order.
- You must file a request with the court in order to have a restraining order dismissed.
- Under federal and state Full Faith & Credit laws, North Dakota state and tribal courts must honor any restraining order issued by another state or tribal court.
- Although not required for enforcement, you can register any foreign (out-of-state or tribal court) restraining orders with a North Dakota state district court.
- Even if you agree to have contact with the respondent, it’s still a violation of the SARO for them to contact or communicate with you.
- If your SARO is about to expire, a certified Domestic Violence/Sexual Assault Victim Advocate can help you understand your options and figure out what to do next.

What Happens if the Respondent Violates the Order?

Though a Sexual Assault Restraining Order is a civil order, a violation is a criminal offense. The penalties below apply to violations of both Temporary Orders and SAROs.

If the respondent knows an order has been issued:

- The first violation is a Class A misdemeanor with a maximum penalty of one year in jail, a \$3,000 fine, or both. A violation also constitutes contempt of court, meaning the respondent could face additional penalties for the act of disobeying the court order.
- Any second or additional violation is a Class C felony with a maximum penalty of five years in jail, a \$10,000 fine, or both.
- A law enforcement officer shall arrest an individual without a warrant if the individual has violated a protection order, regardless of whether the violation was committed in the presence of the officer (N.D.C.C. § 14-07.7-18).