

## NO CONTACT ORDERS

### Prior to Initial Appearance in Court:

Any person charged with a violation of Partner or Family Member Assault (PFMA) in violation of section 45-5-206 MCA, will be served with a No Contact Order by a law enforcement officer either at the scene of the incident, or at the Detention Center. This order prohibits any contact with the alleged victim(s) of this offense. No Contact includes by phone, email, in person (within 1500 feet), electronic communications, and through a third-party. **This No Contact Order shall remain in full force and effect for 72 hours OR until they make their first appearance in court.** Violation of this order is a criminal offense under section 45-5-209 MCA, and may result in arrest, even if the person protected by this order invites you or allows you to violate the prohibitions.

### Initial Appearance in Court:

Any person charged with a violation of Partner or Family Member Assault (PFMA) in violation of section 45-5-206 MCA, will be served with a No Contact Order by the Municipal Court Judge at the time of their initial appearance in court (done via video conferencing from the Detention Center at 8:00 a.m. the next business day). **This order replaces the one served by law enforcement,** and prohibits any contact with the alleged victim(s) of this offense. No Contact includes by phone, email, in person (within 1500 feet), electronic communications, and through a third-party. **This No Contact Order shall remain in full force and effect until the case is resolved (if they have pled not guilty to the offense) OR for the term of the suspended jail sentence (if they pled guilty to the offense).** Violation of this order is a criminal offense under section 45-5-209 MCA, and may result in arrest, even if the person protected by this order invites you or allows you to violate the prohibitions.

### To Lift the No Contact Order:

Any alleged victim(s) of this offense that is not wishing to have a No Contact Order in place must first contact Nicole Doyle, the Victim Services Specialist with the City Attorney's Office (457-8597). Once that is done, a recommendation will be forwarded to the Court, and the alleged victim(s) may then file a request with the Judge to lift the No Contact Order. They must fill out the attached form and **appear in person with the request** Monday/Wednesday/Friday at 10:00 a.m. The Judge will discuss the reason for the request and may have other questions regarding the circumstances surrounding the request before making a decision on whether or not the No Contact Order will be lifted at that time. **The Judge is not able to hear any facts about the case at this time (must stay unbiased should the case go to trial) nor is the Judge able to dismiss the case.** Any concerns about the charge and/or facts surrounding the case must be directed to the City Attorney's Office. \*The City of Helena is the Complainant of the case filed with the court, NOT the alleged victim(s), who is simply considered a witness for the City!