

ONE THING YOU CAN DO.

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New Jersey
Access to a
gun can be the
difference
between life
and death in a
moment of
crisis. Keep
your loved one
safe with an
extreme risk
protective
order.

What does New Jersey's extreme risk protective order do?

An extreme risk protective order is a court order that enables courts to temporarily restrict a person's access to guns when a person presents a risk to themselves or others.

Extreme risk protective orders are designed to help law enforcement and concerned family members intervene quickly in dangerous situations.

Who can request an extreme risk protective order in New Jersey?

Under New Jersey law, a law enforcement officer or person's family or household member may file a petition for an extreme risk protective order.

A family or household member is defined as:

- Current or former spouse
- Current or former domestic partner
- Current or former dating partner
- Any person who currently or has previously resided in the household with the person
- Anyone with a child-in-common with the person.

How do I request an extreme risk protective order?

To seek an extreme risk protective order, a family or household member can fill out and file the application directly with the court. Family or household members can also contact a member of law enforcement, such as a police officer or District Attorney to discuss any concerns. Law enforcement can then investigate these concerns and request the extreme risk protective order from the court.

What if I am not able to request an extreme risk protective order myself? Is there anything I can do?

Even if you don't fall into any of the categories mentioned above, you can still take action in moments of crisis. If you are worried about someone who is showing warning signs of being at risk of self-harm or harming someone else, you can contact a law enforcement officer and ask that they seek an extreme risk protective order.

What happens after the request for an extreme risk protective order has been filed?

The court will hear a request (called a "petition") for an extreme risk protective order as quickly as possible once it is filed.

If the court grants a temporary order, it will notify the person. The court will then schedule a hearing at which the court determines whether to end the order or issue a final order. The court will hold a hearing within 10 days after the petition is filed.

At the hearing, if the court finds that a person poses a significant danger of harming themselves or others by having access to guns, the judge will issue a

court order that requires the person's firearms to be held by law enforcement for as long as the order is in effect.

Also, the person will not be able to purchase new firearms while the order is in effect.

Will the person be able to access guns before the hearing?

If a court issues a temporary extreme risk protective order, the person's access to firearms will be restricted until the hearing is held. If the court does not issue a temporary order, the person's access to firearms will not be affected unless and until the court issues a final order after the hearing.

Because the person who is subject to a temporary order is entitled to a hearing no later than 10 days after a petition is filed, these orders balance the urgent need for public safety with the due process rights of all involved.

How long does an extreme risk protective order last?

A temporary extreme risk protective order lasts until a hearing, which must be held no more than 10 days after a petition is filed. A final extreme risk protective order remains in effect until the petitioner or person subject to the order asks the court to terminate the order. Before an order is terminated, the court must find that the person no longer poses a significant threat of harming themselves or others by having access to guns.

Will an extreme risk protective order go on someone's criminal record?

No. An extreme risk protective order is a civil court order. Its sole purpose is to remove firearms from a person who is at high risk of causing harm to themselves or to others. The court's decision to issue the order does not cause the person to have a criminal record.

If you have immediate safety concerns, call 911 for emergency assistance.

****NEW** Call or text 988 for emergency mental health assistance**

If you believe that a loved one is a risk to their own safety, you may wish to encourage them to seek expert help. The National Suicide Prevention Lifeline is a national network of local crisis centers that provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, seven days a week at:

**www.suicidpreventionlifeline.org
1-800-273-TALK (8255)
text HOME to 741741**