If You are the Victim of Domestic Violence

THE POLICE CAN HELP YOU:

- Get to a safe place away from the violence.
- Get information on how the court can help protect you against the violence.
- Get medical care for injuries you or your children may have.
- Get necessary belongings from your home for you and your children.
- Get copies of police reports about the violence.
- File a complaint in criminal court.
- Find where local criminal and family courts are located.

THE COURTS CAN HELP YOU:

- If the person who harmed or threatened you is a family member or someone you have had a child with, then you have the right to take your case to the criminal courts, the Family Court, or both.
- If you and the abuser are not related, were not ever married, or do not have a child in common, then your case can be heard only in the criminal court.
- The forms you need are available from the Family Court and the criminal court.
- The courts can decide to provide a temporary order of protection for:
  - You.
  - Your children.
  - Any witnesses who may request one.
- The Family Court may appoint a lawyer to help you in court if it is found that you cannot afford one.
- The Family Court may order temporary child support and temporary custody of your children.

LAWS VARY FROM STATE TO STATE. YOU WILL NEED TO CHECK THE LAWS IN YOUR STATE. COMMON GUIDELINES INCLUDE:

- You may request that the law enforcement officer assist in:
  - Providing for your safety and that of your children. This includes providing information on how to obtain a temporary order of protection.
  - Obtaining essential personal effects.
  - Locating and taking you and your children to a safe place within such officer's jurisdiction. This includes but not limited to:
    - A domestic violence program.
    - A family member's or a friend's residence.
    - A similar place of safety.
  - Obtaining medical treatment for you and your children.
- When the officer's jurisdiction is more than a single county, you may ask the officer to take you or make arrangements to take you and your children to a place of safety in the county where the incident occurred.
- You may request a copy of any incident reports at no cost from the law enforcement agency.
- You have the right to seek legal counsel of your own choosing. If you proceed in family court and if it is determined that you cannot afford an attorney one must be appointed to represent you without cost to you.
- You may ask the district attorney or a law enforcement officer to file a criminal complaint. You also have the right to have your petition and request for an order of protection filed on the same day you appear in court. Such request must be heard that same day or the next day court is in session.
- Either court may issue an order of protection from conduct constituting a family offense. This could include an order for the respondent or defendant to stay away from you and your children.
- If the family court is not in session, you may seek immediate assistance from the criminal court in obtaining an order of protection. The forms you need to obtain an order of protection are available from the family court and the local criminal court. Note that filing a criminal complaint or a family court petition containing allegations (claims) that are knowingly false is a crime.

CALL YOUR LOCAL DOMESTIC VIOLENCE PROGRAM

Document Released: 03/09/2005 Document Re-Released: 01/06/2009
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