

How to Prepare for Your Relief from Abuse Hearing

Plaintiff's Information:

If you filed the request for Relief from Abuse, you are the Plaintiff. You must appear (remotely or in person) for the hearing or your request for a Final Relief from Abuse Order will be dismissed. You must appear even if the defendant has not been served or your case will be dismissed.

An advocate from your local domestic violence agency may be contacted by you in advance. For information regarding an advocate in your area visit this website <https://vtnetwork.org/get-help/> The advocate will probably not be allowed to speak during the hearing.

Defendant's Information:

If you have been served with a Temporary Order for Relief from Abuse, or with a Notice of Hearing, you are the Defendant. You must appear (remotely or in person) no later than the time on your notice. This is your opportunity for the Court to hear information from you and your witnesses. If you do not appear, a Final Order may be granted in your absence.

Your ability to hold certain jobs, possess firearms and ammunition, or keep your immigration status may be affected if a Final Order is granted. If you have questions about the federal Gun Control Act or other laws, you may seek legal assistance.

INFORMATION FOR BOTH PARTIES

THINGS TO DO BEFORE THE HEARING:

If you need to get clothes or other personal items from the home before the hearing, and the order allows it, you must make those arrangements directly with law enforcement. Law enforcement may charge for their services.

You might want to talk to or hire a lawyer. The Court does not appoint lawyers in these types of cases but may have information about legal services. If you have a lawyer in an active Family Court case (such as a divorce, child support, or dissolution case), please contact your lawyer before the hearing.

If you wish to have witnesses testify, it is your responsibility to have them appear (remotely or in person) at the hearing.

If you would like an order about parental rights and responsibilities (custody) and parent child contact (visitation) and child support, you may need to file a separate Parentage, Divorce, Separation, or Dissolution case (unless there already is one). If you are married or have a civil union and you would like final orders about property ownership, you may need to file a Divorce, Separation, or Dissolution case. If you are not married or in a civil union and you would like a final order about property ownership, you may need to file a small claims or civil case. The forms are available for all of these case types from the Court Clerk's office or from the Judiciary website (www.vermontjudiciary.org). It would be helpful to file these forms before your hearing.

Any individual with a disability requiring assistance accessing the services, programs, and/or activities at the Courthouse should contact the Clerk's office at the address on the temporary order for further assistance.



HEARING DAY:

You should be prepared for your hearing at the time on the notice. Do not expect to talk to each other before the hearing. In most cases, you will not be allowed to do so. An online video is available to help you get ready.

It is located on our public website at <https://www.vermontjudiciary.org/family/relief-abuse>

It may take some time before your case is called. **Please have your paperwork available during the hearing.**

You may want to have paper and a pen to take notes.

OTHER SPECIAL INSTRUCTIONS ABOUT REMOTE HEARINGS:

If you object to the remote hearing or are unable to participate: At least five (5) business days *before* the date of the hearing, you must send or bring a written motion or request to the Court that includes a brief explanation for your request.

Remote Hearings are Hearings:

- You should be on time and be respectful just as if you were in the Courtroom.
- Have a clear connection and be in a quiet location.
- You must not interrupt others speaking unless you cannot hear or have legal objection. If you simply disagree with what is being said, make a note to bring up your disagreement when it is your turn.
- You must call back immediately if you are disconnected, if you do not call back the Court may dismiss your motion or issue an order without you.
- You must call in on a separate line from any other participant and you must not use a speaker phone.