

How to Prepare for your remote Relief from Abuse Hearing

Plaintiff's Information:

If you filed the request for Relief from Abuse, you are the Plaintiff. You must participate in the hearing or your request for a Final Relief from Abuse Order 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.

If you want to get child support for ninety days, please tell the Judge 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 participate 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 participate, in most cases a Final Order will be granted.

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 want to get legal help.

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 your local police or sheriff. Police and sheriffs may charge for their services.

You might want to talk to or hire a lawyer. Your local Court 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 there are adult witnesses to abuse, you may ask them to testify at the hearing. It is your responsibility to provide them with the hearing date, time and other information to join the hearing. The Judge will probably not accept written statements from people not available at the hearing, but you can ask the judge to allow them to testify by telephone or video if your hearing is being held remotely.

If you have children with the other person, be thinking about parent-child contact (visitation). You should be ready to suggest a schedule that will work for your children. Take into consideration your work schedule, the school schedule, the comfort and safety of the children, and transportation. Think about whether you want to do drop-offs and pick-ups without having to see the other person. Please take some time before the hearing to prepare a plan.

If you are going to ask for parent-child contact to be supervised, be prepared to tell the Judge why this is in your child's best interest. Some communities have programs that offer a safe place for parents to do drop-offs and pick-ups or visits. If you are going to suggest another person to supervise drop-offs and pick-ups or visits, such as a relative or friend you both trust, you will need to know before the hearing that the person agrees to do it.

To get long term orders about parental rights and responsibilities (custody) and parent child contact (visitation) and child support, you will need to file a separate Parentage, Divorce, Separation, or Dissolution case (unless there already is one). To get final orders about property ownership, you will need to file a Divorce, Separation, or Dissolution case if you are married or have a civil union. If you are not married or in a civil union, to get a final order about property ownership, you will need to file a small claims or civil case. If you plan to file any of these cases, you can get the forms 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.

If you need help with English or sign language, please contact the Court right away.

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 <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 (3) business days *before* the date of the hearing or case manager conference, 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