

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 be at Court no later than the time on your notice. If you do not come to the hearing, your request for a Final Relief from Abuse Order will be dismissed. Any Temporary Order will expire on that day.

An advocate from your local domestic violence agency may be available in Court, or 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 at 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 be at Court 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 come, in most cases a Final Order will be granted.

If you would like to attend by phone because you are in jail or live far away, you must file a written request with the Court before the hearing and the Judge will rule on your request.

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 want to bring them to testify at the hearing. The Judge will probably not accept written statements from people not in Court, or allow them to testify by telephone.

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. Worksheet forms are available at the Court and on the judiciary website (see below).

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. You can ask Court staff, before the day of hearing, whether there is a program in your community. 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 (see below). 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 in Court at the time on the notice. Courts will provide separate areas for Plaintiffs and Defendants if possible. Do not expect to talk to each other before the hearing. In most cases, you will not be allowed to do so. A class to help you get ready will be part of the hearing. It may take some time before your case is called. **Please bring your paperwork to Court with you.**

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

You may bring a support person to the hearing, but he or she may not be allowed to sit with you or speak to the Judge. That person is welcome to attend the educational class with you.

If you are bringing exhibits (papers or pictures related to your case), please be sure to have a copy for the Court and one to keep. If you are bringing a tape recording, please also bring the equipment needed to play it. The Judge may or may not allow what you bring to become part of the case.

There is no child care available at the courthouse, and children may not be allowed in the courtroom.