

# Welcome to the Domestic Violence Help Center

**We want to help you as fast as possible. The process may take 1 ½ - 3 hours.**

Please read the info below before you start the process.

Ask questions – we are here to help!

## What is an Ex Parte DVCPO?

- An emergency court order
- The order protects victims of DV
- DV = actual act of or the threat of physical violence, intimidation and/or emotional, sexual or economic abuse
- Violating a DVCPO is a crime

## Who Decides Your Case & How?

- A Magistrate
- Based on what Petitioner says at the Ex Parte hearing
- An Ex Parte hearing is an emergency hearing
- That hearing happens the same day the papers are filed
- The Respondent is not present

## Ready to start the filing process?

*Here's what you will do next . . . remember, we are here to help!*

### Step #1: Complete Forms

- ✓ Forms must be completed first
- ✓ Court staff will help you understand the forms
- ✓ Court staff help you file the forms

### Step #2: See Magistrate

- ✓ You talk to the Magistrate the day you file the forms
- ✓ What you say is under oath
- ✓ All evidence is kept by the Magistrate
- ✓ Magistrate decides if order granted or not

### Step #3: Get Copies

- ✓ Court staff gives you copies of documents
- ✓ If granted – you get a copy of the DVCPO
- ✓ If NOT granted – you do not get a DVCPO
- ✓ **All documents are sent to Respondent**

### Step #4: Next Hearing

- ✓ You have another hearing in 7-10 days
- ✓ Respondent is allowed to be at that hearing
- ✓ If Respondent does not get documents before the hearing, then it will be continued

## What Happens Next?

Ex Parte Orders can be granted or declined

**All documents are sent to the Respondent even if order is declined**

If the emergency order is granted, then:

- lasts up to 1 year
- next hearing is 7-10 days later

If the order is declined, then:

- No order issued
- Next hearing is 7-10 days later

### At the next hearing, 7-10 days later:

- Both Petitioner & Respondent present to tell their sides of the story
- Magistrate decides if a full order is granted or denied
- A full order can last up to 5 years

# Journey Center for Safety and Healing Advocacy Services

**Don't know what to do?**

Talk with an Advocate 24/7

**(216) 391-4357**

## Who are advocates?

Professionals who can help you safety plan  
(They are NOT court employees)

## Who can speak with an advocate?

Victims of violence by an intimate partner or  
adults trying to protect a child  
An intimate partner is a current or ex-partner/spouse

## When to speak with an advocate?

Before or after you complete DVCPO filing forms  
Tell the Specialist if you want to speak to an advocate

## **What happens in the hearing today?**

*You speak directly with the Magistrate.*

### **Examples of what to say to the Magistrate:**

- ✓ Who do you want protection from?
- ✓ How are you related to this person?
- ✓ What did they do to make you feel in danger?
- ✓ Describe the MOST RECENT dangerous situation first
- ✓ Examples of situations to describe:
  - Any violence by this person against you or others
  - Has this person threatened to kill you or others?
  - Does this person have access to deadly weapons?
  - Has this person:
    - Caused you physical injury
    - Strangled you
    - Sexually assaulted you
    - Entered your home without your permission
- ✓ Does this person have alcohol or drug abuse problems?
- ✓ Does this person have documented mental health issues?
- ✓ Do you feel this person stalks you?
- ✓ Do you feel this person isolates you from family or friends?
- ✓ Any other information you think the Magistrate should know to make a decision.

## Helpful Tips

- ❖ Breathe
- ❖ Try to be calm
- ❖ Start with recent dangerous incidents
- ❖ Talk slowly
- ❖ Ask questions

### **What won't happen today . . .**

- ✓ Respondent will not be in the hearing
- ✓ You are not required to present documents or recordings as evidence
- ✓ You cannot show/play texts or other communications on your phone to the Magistrate

### **What happens at the next hearing . . .**

- ✓ Respondent WILL be in the hearing
- ✓ If Respondent did not get the documents or notice of the hearing, then the case will be continued until they do
- ✓ You can present documents or recordings as evidence
- ✓ You still cannot show/play texts or other communications on your phone to the Magistrate
- ✓ The hearing will not be continued if you are not prepared