

## **DOMESTIC VIOLENCE CHECKLIST FOR LITIGANTS**

**Note: The person who files is called the Petitioner. The person you are filing against is called the Respondent.**

### **Before you file a petition for injunction:**

- Write down all current and previous acts of violence, threats and verbal abuse specifying what happened, where it happened and when it happened. If you want to tell the judge about something at the hearing, it should be written in your petition.
- Notify the court, in your injunction petition, if you believe the respondent is in possession of a gun or any other dangerous device that could harm you.
- If you have concerns for the safety of your minor children, include that in your petition.
- If you have concerns for the safety of your pet or service animal, include that in your petition.
- Find addresses where the respondent lives, works or frequents. Also, find addresses for places where you and any children frequent, including schools, parks, sport or entertainment venues, homes of close relatives or friends and places of worship.
- You will be required to file a ‘Notice of Related Cases’ form, that must be accurate and complete. To assure you have the case information, try to gather paperwork from any prior cases between you and the respondent. For example, prior injunctions, family court cases (child support order, divorce, paternity, etc.) and related criminal cases. Even if you do not have the case numbers, you will need to list any other court cases, past or present, between you and the respondent.
- If you are seeking temporary child support or alimony, a truthful financial affidavit form will be required. You may wish to bring along a recent paycheck you can refer to when completing the affidavit. Ask the clerk for this form if you do not have one in your package.
- If you and the Respondent have children together, additional forms will be required such as an affidavit of past residences and court cases involving your child(ren) (UCCCJEA).
- If you prepare the petition before bringing it to the clerk, make sure to bring an extra copy with you. (Be careful that the respondent can't find what you have written in advance.)
- Consider keeping your physical address confidential and preparing a notice of email designation instead of providing a physical mailing address. Let the clerk know if you wish to keep your address confidential.

### **When you go back to pick-up paperwork from the clerk:**

- Carefully read over the papers before you leave the clerk's office. Note the date, time and place for any hearing. Is it an in-person or remote hearing?
- Ask the clerk or advocate any questions before you leave.

### **To prepare for the hearing:**

- If you believe the respondent will dispute who legally has a right to the residence, bring documentation to show who owns or leases any shared residence, for example deeds, leases, and utility bills.
- If the hearing will be remote, practice with the video conference program and technology ahead of time. Make sure you read and understand any sign-in or other instructions for the remote hearing.
- If the hearing is via zoom or other video conferencing program, find out where you send your evidence and how you will be able to present it to the court.
- Whether the hearing is conducted remotely or in person, it is important you are prepared and conduct yourself with respect for the court. If it is a remote hearing, be in a private place without distraction or interruption.

- If your hearing is in person and you plan to have the judge look at photos and other documents, make sure you bring 4 copies of each item to the hearing. One for you, the respondent, one for the judge and one extra copy. Ask the clerk or your local advocacy center if there are any low cost copy options.
- Make a brief outline of the 4 or 5 things you want to make sure you tell the judge, so you do not forget relevant facts. Do not expect that you will be allowed to read a prepared statement at the hearing.
- Re-read what you wrote in the petition, you may be limited in court testimony to what you have written in the petition. If you forgot to put something in your petition, you must file a motion to amend your petition and state what you want to add.
- Practice what you want to say to the judge.

**At the hearing and after the hearing:**

- If after re-reading your Petition, you notice anything that needs to be corrected mention it first at the hearing.
- Speak calmly when testifying, expect that the Judge may ask you questions at any point. After you answer the judge's question, you can refer back to your outline to get back on track.
- Speak loudly enough to be heard.
- Always speak in complete sentences.
- When the testimony is done, listen carefully to the Judge's ruling, it's OK to make notes but **DO NOT INTERRUPT THE JUDGE**.
- Wait for your papers.
- When you get your papers read them carefully to make sure everything the judge said is included.
- Ask any questions of the judge, case manager, clerk or advocate before you leave.
- Scan a copy of the injunction order and email to yourself so you have access to it at any time.

**RESOURCES**

- Zoom tutorials: There are many Zoom video tutorials on line. It may be easiest to find what you need by putting "zoom tutorial" in the search bar. If you would like to see the video in a language other than English just add the name of the language to the search. For example, "zoom tutorial Spanish".
- **Domestic Violence Hotline 800-799-7233**
- Domestic violence shelter information and safety planning: <http://domesticshelters.org>
- **DIY On-line Injunction Forms:** [www.myflcourtaccess.com](http://www.myflcourtaccess.com)
- It is always best to use a certified interpreter to translate documents. If that is not possible "**Google Translate**" may be helpful but, the accuracy of any uncertified translation is not guaranteed.
- Siempre es mejor usar un intérprete certificado para traducir documentos. Si no es posible, "**Google Translate**" puede ser útil, pero no se garantiza la precisión de cualquier traducción no certificada.
- Li toujou pi bon pou w sèvi ak yon entèprèt sètifye pou tradui dokiman yo. Si sa pa posib, "**Google Translate**" ka itil men, presizyon nan nenpòt tradiksyon sètifye pa garanti.