



Connecticut Coalition Against Domestic Violence



A GUIDE TO CONNECTICUT'S FAMILY VIOLENCE LAWS



**Including information
about how to apply for
restraining orders
without an attorney**

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THIS *GUIDE* REFLECTS LAWS IN EFFECT AS OF OCTOBER 1, 2011.

The Connecticut Coalition Against Domestic Violence, Inc. (CCADV) is made up of 18 domestic violence agencies located throughout the state. All of these member agencies provide safe accommodations for victims of domestic violence and their children, and counseling and support services for non-sheltered victims.

For over 30 years, CCADV has successfully advocated for increased protection under the law for victims of family violence and for expanded funding for court-based and local domestic violence shelter and support services.

CCADV and Greater Hartford Legal Aid (GHLA) formed a collaborative project under the name "Legal Advocacy Project" to provide CCADV and its member agencies with access to legal information, research, technical assistance and training, to provide GHLA with an effective means to advocate for battered women and other victims of domestic violence on systemic issues.

The Connecticut Coalition Against Domestic Violence and the Legal Advocacy Project are committed to ensuring that family violence victims are provided clear and useful information about laws designed to protect them and about the services available to support and assist them. This *Guide* grew out of that commitment. It contains, in simple and direct question-and-answer format, important information about the state's criminal and civil court remedies for people experiencing abuse from a family or household member. It also includes a Resource Directory of state, court and community-based programs.

Because the vast majority of family violence victims are women being abused by a male partner, we have used "she" to refer to victims, and "he" to refer to batterers. The information contained in the *Guide*, however, is equally applicable to male family violence victims and to those being abused by a female family or household member.

This *Guide* is intended to help battered women and other victims of family violence to use Connecticut's laws and court system to protect themselves and their children. These laws and services can help family violence victims and their children who still live with or remain in contact with the abusive family member. This *Guide* is also intended to provide information to advocates and others responding to family violence that will enhance their ability to help family violence victims.

We welcome your comments.

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I. INTRODUCTION

If I am being hit or threatened by someone I know, how can the law help me?

If you have been hit or threatened by a family member or household member, the laws of Connecticut can give you special protection and services. Sometimes these laws are called domestic violence laws or family violence laws. These laws and services can help you even if you and the person who hurt you are going to stay together. Try to get as much information as you can about all your options before you make decisions about your relationship.

The law and the legal system include some things that can help protect you. Sometimes the legal system can make things more difficult for you. Once the police and courts get involved they may make decisions about your family or what should happen that you don't agree with. ***It is important to know that the law is not the only source of help.***

Some of the legal protections and services available to you are:

- **Calling the police**
- **Asking the court for a protective order or restraining order that will order the person who hurt you to stop hurting you and to stay away from you**
- **Asking the court to make orders that will help you protect your children**
- **Talking to a Family Violence Victim Advocate (FVVA) for information about the law, the court, and other options you may have. FVVA's are staff members of local domestic violence agencies who work at the court and are available to help you.**

This *Guide* will explain many of your legal rights and options in more detail.

Sometimes it may seem that nothing will make things better for you. Whether you're planning to leave the person hurting you or to stay with him, Connecticut's 18 domestic violence agencies can work with you to make sure you know about all the options, services, and resources that are available. You can contact them at any time (24 hours a day - seven days a week) for a safe place to stay or for support and information. They will answer your questions and listen to you. The local domestic violence agencies and the Family Violence Victim Advocates can help you understand your legal options and other options that do not involve the law, the police, or the court system.

Call: 1-888-774-2900. If using a cellular phone, call Infoline at 2-1-1.

II. HOW TO USE THIS BOOK

How do I know if the domestic violence laws apply to me?

The domestic violence laws apply to you if you have been hit, hurt or seriously threatened with violence by:

- a member of your family
- a member of your household,
- a former spouse
- a person with whom you have recently lived, or a person with whom you have had a child, even if you have never been married or lived together,
- a person with whom you are in or have recently been in a dating relationship.

Family members include a parent, child, spouse, brother or sister, aunt or uncle, or grandparent.

The laws also apply to gay, lesbian, transgender, bisexual individuals and couples.

Finally, Connecticut's domestic violence laws apply to all people regardless of their immigration status. Both documented and undocumented immigrants have the right to the protections described in this book.

In order to make this Guide easier to read and understand we have used the word “partner” to indicate the family or household member who may be hurting you.

In this *Guide*, the word “partner” means your spouse, boyfriend, girlfriend, ex-spouse, ex-girlfriend, ex-boyfriend, relative, father of your child or person you live with or used to live with.

What is in this book?

This book is divided into sections to make it easier to find the information you need. The first section is about the criminal parts of the family violence law, and the second section is about the civil parts.

Criminal:

The criminal court system is where the state prosecutes people for crimes, such as assault, and where decisions are made about whether people who have been convicted of crimes should be sent to jail or receive some other punishment. The criminal section of this *Guide* will answer many of your questions about police and arrest, what happens in court, criminal protective orders and victim services.

Civil:

The civil courts are where people take each other to court for other kinds of disputes such as divorces and requests for Restraining Orders. The civil section of this *Guide* will answer many of your questions about civil restraining orders (including detailed step-by-step instructions for obtaining a restraining order without an attorney), divorce, custody and child support.

What if I need more help or have more questions?

Every situation is unique and this book may not answer all of your questions. You may want to contact a private attorney or a legal aid office for legal help, or your local domestic violence agency for emergency shelter, support and information. Many other resources including women's centers, family counselors, and the Family Violence Victim Advocates at the court are available to help you as well. Some of these resources are listed in the back of this book.

III. CRIMINAL LAWS AND PROCEDURES

This section of the book contains information about the criminal laws related to family violence and includes discussions about police and arrest, what happens in court after someone is arrested, protective orders, and victim services. The laws and court responses are constantly changing. If you want to know what is likely to happen in court in your situation, you should call a Family Violence Victim Advocate.

Family Violence Victim Advocates are staff members of the local domestic violence agency who work in the court. Family Violence Victim Advocates are there to give you information about the court process and to answer your questions. They can help you understand what choices are available to you. If you want them to, Family Violence Victim Advocates can let the court know what you want to have happen in the case you are involved with.

Your conversations with a Family Violence Victim Advocate are confidential. This means an advocate will not tell anyone else what you told her unless you give her permission to do so or the law requires it.

You can find a brief overview of the whole criminal court process on pages 13-16.

AT THE SCENE

What happens when the police are called?

Most police departments clearly understand the importance of responding quickly to calls about domestic violence. The first thing police officers must do when they arrive is to make sure that no further injury will occur.

The police must then gather facts about what happened so that they can decide what to do. They may talk to anyone who was part of the incident, or who witnessed or heard the incident. They will look to see if there is any "physical evidence," such as bruises or blood on a person, torn clothing, or broken dishes or furniture. Based on what the officers hear or see, and the witnesses' and victims' statements, they will decide if a crime has been committed and whether anyone should be arrested.

Will the police remove my partner from my home?

If your partner has no legal right to be at your home, the police are likely to tell him to leave, whether or not he is arrested. But if your partner does have the legal right to be at your home (see page 51 about who has a right to live with you) then the police will only remove your partner if there is a

court order saying he can't be there, or if they make a custodial arrest, which is explained later on page 6.

If you are not sure whether your partner has a legal right to be at your home, you should talk to a lawyer.

When will the police make an arrest?

Sometimes the police will arrest a person when they come to the scene; sometimes they will arrest him later, and sometimes never. In almost all family violence cases, the police must arrest anyone they believe has committed a crime, based on the facts.

The facts that the police will look at may include what the people involved say happened, what any witnesses say, what injuries can be seen, or whether there is any other evidence of threats or physical fighting. An arrest can be made based simply on a reliable statement from a victim or witness, even without physical evidence or visible injuries. If, based on the facts, it is more likely than not that a person has committed a crime, then there is "probable cause" to make the arrest.

Are there different kinds of arrest?

Yes, there are several ways an arrest can be made. A **custodial arrest** occurs when the police take a person into custody, take him to the police station, and "book" him.

In a **summons arrest** or **citation arrest**, a person is not taken into custody or brought anywhere by the police. Instead, the police give the person arrested a summons or citation (like a traffic ticket) that tells him what he is charged with and when he must be in court.

If the crime is a misdemeanor, then either a summons/citation arrest, or a custodial arrest must be based on speedy information (the arrest must be made soon after the crime happened). If a number of hours have passed since the misdemeanor happened, and the police have not made an arrest, then they must get an arrest warrant to make an arrest. This kind of arrest is called a **warrant arrest**.

Misdemeanor: a crime punishable by up to one year in jail.

Examples: Assault in the third degree, disorderly conduct, breach of peace.

Felony: a crime punishable by more than one year in jail.

Examples: Assault in the first or second degree, sexual assault in the first, second or third degree, murder, manslaughter.

If the police need an arrest warrant to make the arrest, how do they get one?

To get an arrest warrant, the police officer must write an application and attach a sworn statement (from the officer, the victim, or a witness) and submit it to the prosecutor, also known as the State's Attorney. The prosecutor must approve the warrant, and then present it to a judge. The judge will sign the arrest warrant if he or she believes there is probable cause to believe that a crime has been committed. A judge's signature on an arrest warrant allows the police to find the person named and to arrest him. The process of getting an arrest warrant can take anywhere from a few days to a few weeks. A victim can also apply for a warrant. A victim can usually do this through the police department or she can ask a prosecutor or advocate for help.

With what crime will the person be charged?

The police could charge him with many different crimes for the same incident. For example, if he comes to your house when he has no right to be there, and hits you when he is there, he might be charged with criminal trespass (for being at your house without a right to be there and without your permission), or he might be charged with assault (for hitting you); he could also be charged with both. He might also be charged with breach of peace or creating a public disturbance, which are less serious offenses.

What if I don't want my partner arrested?

In most circumstances, if a police officer finds enough facts to indicate that a family violence crime has probably occurred, he or she must arrest your partner, even if you don't want him arrested. The police will not arrest if there is no obvious evidence of a crime.

If a person is arrested, will he go to jail?

There are two different times when a person who is arrested might go to jail. First, at the time a person is arrested, he might be held in jail until he meets the bond or agrees to the conditions of release set by the police, bail commissioner or judge.

Second, a person who is found guilty of a crime might be sentenced to jail by the judge. Most people convicted of crimes, however, are not put in jail. Whether a jail sentence is ordered will depend on many things, including what the prosecutor and the judge think about the case.

Will the police arrest me? If they do, what should I do?

If, during the incident, you hit, assaulted, or threatened your partner in any way, you may also be arrested. If the police believe you were partly responsible for creating a loud public scene, they might arrest you for creating a public disturbance even if you were not violent.

If you used force against your partner in self-defense, the police may decide not to arrest you, or they may arrest you and suggest that you explain that your actions were in self-defense when you get to court.

If you are arrested, it is often best to hire an attorney, or to get a friend or family member to hire an attorney for you. In deciding whether to hire an attorney, you should think about the cost of the attorney, the seriousness of the charge, and the implications of a possible criminal record. (You should not have the same attorney as your partner.) If the judge thinks you are too poor to pay for an attorney, he or she will let you apply for a free attorney called a public defender. Although many people represent themselves in court without an attorney, you will probably do better in court if you have an attorney.

What else should the police do?

The police must determine whether you need medical assistance and then help you get it if necessary. They should tell you about services available, including the nearest domestic violence agency and the Family Violence Victim Advocate. They should also explain to you, if your partner is arrested, that he will be in court the next business day, and that you can request a protective order.

Whether or not an arrest is made, the police may not leave the scene until it is clear that there will not be

further immediate violence.

What can I do if I want my partner arrested and the police won't arrest him?

If the police feel they do not have enough evidence to arrest your partner, they must inform you of your right to file a statement requesting an arrest warrant. To give a statement, you may have to go to the police station, and explain that you want to make a written complaint against your partner; after the police type it up, you must sign the statement under oath. If the police are still unwilling to ask the prosecutor for an arrest warrant, you should contact the local domestic violence agency for help.

I am an immigrant. Will the police still help me if my partner is violent towards me?

Yes. Connecticut's family violence laws apply to all people regardless of their immigration status. The police should respond in the same way that they would at the scene of any family violence crime.

Your immigration status and the status of your partner should not have any effect on whether the police decide to arrest your partner for a family violence crime.

AFTER ARREST

When will the police release my partner?

If he is taken into custody by the police, they will inform him of his rights, ask him if he wants to make a statement, and set the conditions for his release. The condition may be a "promise to appear" (also called a "PTA"), which means that he signs a statement that he promises to show up in court. Or, the condition could be a bond, which is a specific amount of money that he must pay to get out. The amount of bond will depend on the seriousness of the crime with which he is charged, and how likely it is that your partner will show up in court. If the police release your partner on a promise to appear, he could be out in as little as one-half hour. If he cannot pay the bond, then he will remain in jail until the court date.

When a defendant is unable to post the bond set by the police department, a bail commissioner will review and possibly change the bond set by the police. This might mean your partner will be released from jail immediately. In some situations, the bail commissioner can put conditions on your partner's release from jail. These conditions are rules that tell what he can or cannot do when he is released. For example, the bail commissioner could release your partner on the condition that he stays away from you.

Can the police keep my partner away from me after he is arrested?

If the police or bail commissioner set a bond and your partner doesn't have the money to pay it, then he will stay in jail until he goes to court.

If your partner has a right to be at your house after he is released, then the police cannot keep him away from your house (see page 51 about who has a right to live with you). However, if a condition of his release from jail is that he must stay away from you or your home and he goes to your home, then the police may be able to arrest him for criminal trespass or some other crime.

What do I do if I think he'll come after me when he gets out?

Whether or not your partner has a right to be at your house, it is possible that he will try to hurt you when the police release him. If you think that he will come after you, you may want to go to a place where you and your child/ren will be safer. If you do not know of a place where you will be safe, call the local domestic violence agency for help finding a safe place.

If I leave the house, what should I take with me?

If you have minor children who live with you, take your children with you. The most important thing is that you and your children get to a safe place. Do not stop to bring anything else with you unless it is safe to do so. If there is a dispute over custody of your children in the future, you will have a much better chance of ending up with the children if they stay with you.

Bail commissioner - is a person who works for the court. If a person is arrested and remains in jail, the bail commissioner may set bond or other conditions for the person's release. The bail commissioner may also be referred to as "Court Support Services Division Bail" or "CSSD Bail" for short.

Bond or bail - money or assets a person who has been arrested must deposit as a guarantee that he will show up for court dates. If the person doesn't show up, the court keeps the money. If the person appears in court when required, then at the end of the case, the money is returned.

Bail bondsman - is a business person. If a person can't pay the bond himself, he can pay around 10% of the bond to a bondsman. The bondsman guarantees the bond to the police or court, and keeps the percent the person paid (permanently) as a fee. If the person doesn't show up, the bondsman must bring him to court, or else the bondsman will have to pay the full bond.

If there is time:

- Take all checkbooks and bank books; you are likely to need money when you are out of the house. If you have a joint account (in both your name and his), remember that both of you have the ability to take all of the money out of the account immediately.
- Take all birth certificates, social security cards, marriage licenses, and other forms of identification. You will need these if you decide to apply for welfare, and they can be very important for other kinds of transactions (cashing checks, getting a new driver's license, etc.)
- Take all passports, green cards, visas, and any other immigration papers so that you can handle your own legal immigration status efforts, are able to leave the country if you want to, and make it more difficult for him to take the children out of the country.
- Take anything else which is important to you. This may be jewelry, the car (and registration, title, and

insurance), financial papers (such as stocks, bonds, or insurance), or an item of personal significance.

- If you can, take necessities (such as clothes and children's toys).
- If you can, take prescriptions, medications or necessary health care items for you and your children.

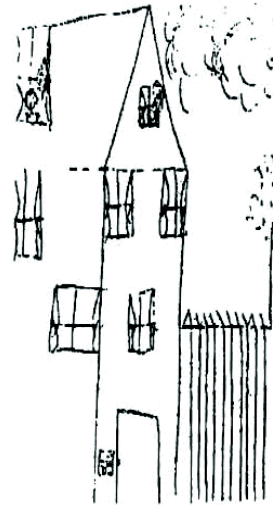
Remember that it may be awhile before it is safe for you to return to your home

My partner is an immigrant. If the police arrest him will they report him to immigration officials?

Possibly. In general, local police do not arrest people for breaking immigration laws. However, if they arrest someone for a family violence crime and then discover that the person is an immigrant, the police may call immigration officials.

It is unlikely that immigration officials would come to arrest or detain your partner unless he was deported in the past or is charged with a very serious crime.

If you or your partner have any questions it is very important to consult with an attorney who is extremely knowledgeable about immigration and criminal law.



"I like the shelter a lot because we play in the basement. We live good because it's not a dangerous place."

I am an immigrant. Will the police report me to immigration officials if I call them for help?

It is very unlikely that police will report you to immigration officials if you are the victim of a family violence crime.

In fact, some crime victims who help the police may be able to apply for a type of immigration visa called a "U-Visa." If you have questions about your situation, it is very important to consult with an attorney who is extremely knowledgeable about immigration and criminal law.

ARREST GLOSSARY

Assault: intentionally causing injury to someone, or recklessly causing serious injury.

Breach of Peace: fighting in public, hitting someone, or threatening to commit a crime against someone.

Criminal Trespass: being or staying in a place where you don't have a right to be, without the permission of someone who lives there.

Criminal Violation of a Protective Order: disobeying a protective order from a case in which you are the defendant.

Criminal Violation of a Restraining Order: when a defendant disobeys a civil restraining order in the following ways:

- Threatens or physically hurts the applicant; or
- Contacts or comes near the applicant when the order says he is not allowed to do so

Criminal Violation of a Foreign Order of Protection: when a defendant disobeys an order of protection from a court in another state in the following ways:

- Threatens or physically hurts the applicant; or
- Contacts or comes near the applicant when the order says he is not allowed to do so

Disorderly Conduct: fighting, being disruptive and interfering with someone, or making unreasonable noise.

Harassment: bothering someone intentionally in a way that causes annoyance or alarm.

Probable Cause: enough reliable information to believe that, more likely than not, the crime actually happened.

Sexual Assault in Spousal or Cohabiting Relationship: using force or threat to compel a spouse or housemate to engage in unwanted sexual acts.

Speedy Information: a short length of time (often less than 8 to 12 hours, sometimes longer) between when an incident happens, and when the police officers determine probable cause and make an arrest.

Tampering with a Witness: making or attempting to make a victim or witness testify falsely or not testify.

NOTE: The descriptions of crimes are general explanations; they are not complete legal descriptions of the crime.

COURT

FAMILY VIOLENCE VICTIM ADVOCATES

Family Violence Victim Advocates are staff members of the local domestic violence agencies who work in the court. Victim advocates are there to give you information about the court process and to answer your questions.

They can help you understand what choices are available to you and help connect you to other services. If you want them to, Family Violence Victim Advocates can let the court know what you want to have happen in the case you are involved with.

Your conversations with a Family Violence Victim Advocate are confidential. This means an advocate will not tell anyone else what you told her unless you give her permission to do so or the law requires it.

Call: 1-888-774-2900

If using a cellular phone, call
Infoline at 2-1-1
(or check Resource Directory at the back of this book for a local phone number).

If my partner is arrested, when will he have to go to court?

He will have to go to court the next day court is in session. If he is arrested early on a weekday morning, he may be in court that same day. If he is arrested on a Friday afternoon, the next court day is Monday (unless it is a State holiday).

Are people from court going to call or contact me?

Yes. The Family Violence Victim Advocate will contact you by phone or letter. In addition to the Family Violence Victim Advocate, a number of other people may call or contact you. Each of them has a particular job to do in the court involving your partner's case and they will want information from you. It is important to understand who the person is and why they are calling before you give them any information. It is also important to ask what they will do with the information you provide and whether or not your partner will know what you said. You don't have to talk to anyone, especially if you don't know who they are or understand what they want. However, if you don't talk with court staff it may be difficult for them to know what you want or need.

If you have questions about who is calling you or you want the court to know what you want or need call the Family Violence Victim Advocate.

What will happen in court?

At the first court date (the arraignment), five basic things will happen. First, the case is sent to a part of the court called Family Services- for an investigation and review. Second, in cases where your partner is still in jail, the judge will determine if there was probable cause for the arrest. Third, the judge will decide whether to raise or lower the bond set by the police or bail commissioner. Remember, anytime the person who was arrested has the money to make bail he will be released. Fourth, the judge will decide whether a protective order should be made. Finally, the judge will set the next court date. (Occasionally this is the only thing that happens at the first court date, if there is a reason to postpone the case.) There may be a number of court dates before the case is over.

Do I need to be in court?

If your partner has been arrested and you have not, you are not legally required to be in court. If you need a protective order (see page 17), then you should go to court or call a Family Violence Victim Advocate to request one. If you want to have a say in what happens to your partner, it is important that you go to court and/or call either the Family Violence Victim Advocate or a Family Relations Counselor.

Who should I talk to in court?

The first person you should look for is the Family Violence Victim Advocate. Ask a marshal or someone in the clerk's office how to find her. This person's job is to help people in your situation get through the court system. The advocate can give you information, will listen to your concerns, will help you ask the court for protection if you want her to, and will help you to understand all your options. The Family Violence Victim Advocate can also put you in touch with other agencies that might help you including the local domestic violence agency. The local domestic violence agency can offer shelter for you and your children as well as support groups and other services. If the Family Violence Victim Advocate is not there, you can talk to the Family Services Counselor.

Your conversations with a Family Violence Victim Advocate are confidential. This means the advocate will not tell anyone else what you told her unless you give her permission to do so or the law requires it. Conversations with other people who work in the court may not be confidential.

Note: The official name for Family Services is "Court Support Services Division Family", or "CSSD Family" for short. Previously they were called "Family Relations." You may still hear them referred to in court as "Intake Assessment and Referral (IAR)", "Family Relations" or "Family."

What is Family Services? Do I have to talk to them?

Family Services is a part of the court that gathers information for the court and then develops recommendations for the prosecutors and judges about what should be done in family violence cases, including whether a protective order should be issued. Family Relations Counselors, are not lawyers; they are more like investigators who talk to each of the people involved in the case and try to get a better idea of what has been happening and what the court should do.

You do not have to talk to Family Services but, if you refuse, the prosecutor and judge may not know what you want or what you need. If you have ideas about how you want the case handled, you should talk to a Family Relations Counselor or the Family Violence Victim Advocate to make sure your opinion is considered.

If I'm in court, what choices do I have about my partner's case?

Even though you are the victim, you do not have control over his case. The prosecutor and judge make the decisions. They may, however, want to know what you want to have happen. Do you want him to go to jail? Does he need counseling or drug/alcohol treatment? Do you need to keep him away from you? Keep away from your children? Do you want him to attend the Family Violence Education Program? It may be difficult to decide what is best for

you and your family. The Family Violence Victim Advocate can give you information that will help you understand all your options.

When you think about what you want the court to do, you should remember that your partner may not be "changed" by the judge's orders. If the judge tells him to stay away from you, he might come to your home anyway (you can call the police and tell the prosecutor if he does). If the judge orders him to attend counseling, he may or may not attend the sessions and he might still be violent or abusive.

Although the judge won't necessarily do what you want, you have a much better chance of getting what you want if you talk to the Family Violence Victim Advocate and a Family Relations Counselor.

If I don't go to court, how can I find out what is happening with my partner's case?

There are several ways that you can find out what is happening in court. First, you could call a Family Violence Victim Advocate to ask about the case. You could also request updates by registering with a service provided by the Connecticut Judicial Branch called Connecticut Statewide Automated Victim Information and Notification (CT SAVIN). For more information about CT SAVIN call 1.877.846.3428. In addition, you may wish to consult the webpage for The Judicial Branch at www.jud.ct.gov. Click on the link, "Case Look-up" to find information about your partner's case.

Should I get a lawyer even if I have not been arrested?

If you have the money to hire a lawyer, it might be a good idea. Although your lawyer may not be allowed to talk to the judge in the criminal case, your lawyer could help you explain to Family Services and the prosecutor what you want. Your lawyer could also help explain to you what is happening in court, and how it affects you.

If you cannot afford to hire a lawyer, you should make sure that the Family Violence Victim Advocate and the Family Services Counselor

understand what you want. Also, ask them to explain to you what is happening in the case. **Do not hesitate to ask questions.**

Will my partner get an attorney?

If your partner has been arrested and he is indigent (poor), then he may have a right to a free court-appointed lawyer (usually a public defender). If he is not poor (according to guidelines that the public defenders' office uses) he can either hire an attorney or represent himself.

You should be aware that when you obtain an order of protection from the legal system in Connecticut, the court clerks enter basic information about you, the defendant, and the order of protection in a large computer database. Court personnel will have access to this information. The police will also have access to some of this information. In addition, the computer database will automatically send to the State Police information that you provided about your partner's guns or gun permits. You should talk to a Family Violence Victim Advocate if you have any concerns about your safety or privacy.

PROTECTIVE ORDERS

What is a protective order? Can the judge tell him to stay away?

If your partner has been arrested, the judge can issue a protective order as a condition of your partner's release. This order tells your partner not to hit you, and can also tell him not to harass you, contact you, contact your children, come to your home, come to your place of employment, any combination of these, or any other protection the judge thinks is appropriate.

After your partner's first court date, the clerk of the criminal court is required to send you and your local police department a copy of any protective order made by a judge. If you do not get a copy of your order, you should go to the clerk's office and ask for a copy. If you have any difficulty, ask either the Family Violence Victim Advocate or the Family Services Counselor to help you.

Keep one copy of the protective order with you at all times and another in a safe place. You may need a copy of the order to show the police.

It is important that you understand what specific orders the protective orders include. If you are in court when the protective order is made,

ask the judge, Family Violence Victim Advocate or Family Relations Counselor to explain it to you. Ask questions if you don't understand. If you get a copy of the protective order later you can call the Family Violence Victim Advocate and she will explain it to you.

In Connecticut, ***Restraining*** orders are different from ***Protective*** orders.

Protective orders are made by a criminal court judge against a person who was arrested for stalking, harassment, or for a family violence crime.

Restraining orders are made by a civil court judge after a person files an Application for Relief from Abuse.

There are other important differences between restraining orders and protective orders.

For information about protective orders, see page 17.

For information about restraining orders, see page 30.

There are gun control laws that keep some people from having legal access to purchase or possess most types of guns. If you are worried about your partner's guns, talk to a Family Violence Victim Advocate.
1-888-774-2900.

Enforcing an Order of Protection from a Court in Another State

Police in Connecticut are required to enforce orders of protection from other states, U.S. territories or Indian tribes. This means that if you have a court order from another state that protects you from your partner's violence, your partner can be arrested if he does any of the following things in Connecticut:

- Threatens or physically hurts you; or
- Contacts you or comes near you when the order says he is not allowed to do so.

To prove that you have an order from a court in another state, it will be very important to show a copy of the order to the police. The copy does NOT have to be a certified copy. The law says that the police must enforce an order that appears authentic, even if the order is not in their computer base.

Are there situations when a protective order may not help me?

A protective order may not help you if your partner does not care about breaking the law or following a court order. It is possible that he will not care about the protective order and may continue to try to hurt you even if you have the order. If you think your partner will not obey the order then you may want to call the local domestic violence program to help you identify other ways to keep you safe.

How long does the protective order last?

The protective order generally lasts until the end of the court case, unless the judge has ended the protective order before then. The specific conditions of the protective order can be modified or changed by the judge at any time, however. Only a judge can change the order.

A judge may also order that the protective order remain in effect during a period of probation if your

partner is convicted of a family violence crime.

Will I be notified if the protective order is changed?

Probably not. There is no guarantee that you will be notified if the order is changed, so it is very important for you to call the Family Violence Victim Advocate, a Family Relations Counselor, or the prosecutor regularly to find out if there is any change in your case.

Will I be notified when the protective order ends?

Yes. The Office of Victim Services, or OVS for short, sends letters to victims when the protective order ends. OVS will send the letter to the address that appears on your original protective order. However, if your address changes during the criminal case, the letter may not reach you. Therefore, it is very important for you to call the Family Violence Victim Advocate, a Family Relations Counselor, or the prosecutor regularly to find out if there is any change in your case.

What happens if he violates the protective order?

You can do two things if he violates the protective order. First, you can call the police. If there is probable cause, the police can arrest him for violating a protective order and for any other crime he might have committed. Second, you should notify the Family Violence Victim Advocate, the Family Relations Counselor and the prosecutor. Your partner can be ordered back into court, and the judge could raise his bond, but this may take a lot of time and effort on your part and may not get you the protection you need. If the judge raises your partner's bond and your partner cannot make the new bond, he will stay in jail until his case is resolved.

If I see him or ask him to move back in, does that end the protective order?

No, but it could make it hard to use the order later to keep him away from you or to get him out of the house.

The order is part of a criminal case against your partner; it is not an order against you. If you contact him or let him in the house it does not change the order.

If you want to change the order, you should ask the prosecutor or Family Relations Counselor to recommend that the judge vacate (get rid of) or modify (change) the order, so that he won't be arrested.

Should I let him see the children?

If you are not physically in danger, and you don't think he will take the children or harm them, there is no reason not to let him visit. If you might be in danger, or you think he may take or harm the children, talk to a lawyer to help you decide what to do about visitation.

If the Department of Children and Families [DCF] is involved with your family, they may tell you whether or not your partner should see the children. If DCF is involved with your family it is important to talk with a lawyer. If DCF has started a court case involving your children it will be in juvenile court. If you are indigent (poor) then you have a right to a free attorney for that court case and you should ask the court to appoint one right away.

See the Children's Issues section of this *Guide* for more information.

I am an immigrant. Will the court still give me a protective order?

Yes. Connecticut's family violence laws apply to all people regardless of their immigration status. The court should offer to you the same protections that it would to any victim of family violence. Your immigration status should not affect the judge's decision about whether to give you a protective order.

COURT GLOSSARY

Arraignment - the first court date, when the judge sets bond, and the judge can make a protective order if necessary.

Dismissed - the case is thrown out. A protective order ends when the case is dismissed.

Family Services - a part of the court that gathers information and develops recommendations for the prosecutors and judges about what should be done in family violence cases, including whether a protective order should be issued. The official name for Family Services is "Court Support Services Division Family ," or "CSSD Family" for short. You may hear them referred to as "Family Relations" or "Family" in court.

Family Violence Education Program - a court-mandated program that provides information about family violence The purpose of the program is to reduce the likelihood that the defendant will commit acts of family violence in the future.

A defendant who is charged with a family violence crime may apply for this program if he is not charged with a serious felony, if he has never attended the program before, and if the judge agrees to let him in the program. The program runs for 6 weeks or more. If the defendant satisfactorily completes the family violence education program, the charges against him are usually dismissed. There is a fee for entering the program, which the judge can waive if the defendant is too poor to pay.

Call the Family Violence Victim Advocate in your court if you want more information about this program or other programs for people who commit family violence crimes.

Nolle - the case is removed from court, and if it isn't brought back by the prosecutor for 13 months. Nolled cases are rarely brought back to court. A protective order ends when a case is nolle.

AFTER-ARRAIGNMENT (after the first court date)

What happens next?

After the arraignment, there will probably be one or more court dates scheduled for your partner's case. At these court dates decisions may be made about the conditions your partner must meet during the case, what programs he should attend, and whether a plea bargain is possible.

Family Services may also schedule interviews with both you and your partner. Your interview and your partner's interview should not be scheduled together or one right after the other in case you do not want to have any contact with him. You will be notified of the interview time either in court while you are there or by mail after the first court date (if you need to change the appointment time, just call). It is important that you go to this interview, so that the Family Relations Counselor will know what you want to happen with the case. (If you have **not** been arrested you are not required to go to the interview.) If you miss this appointment, you should call the Family Services office right away and reschedule the appointment.

The information you provide to Family Services will be given to other people in court and your partner may find out what you said. If you have any concerns about this

you should tell the Family Relations Counselor. You can also talk to a confidential Family Violence Victim Advocate who can help you.

What is plea bargaining?

In plea bargaining, the prosecutor and your partner (or his lawyer) talk about whether your partner will agree to a deal in which he will plead guilty to a crime. This may involve pleading guilty to one charge and having others dropped, pleading guilty to a less serious charge than the original one, or pleading guilty in exchange for a lesser punishment. Your partner must agree to the plea bargain. If he does, the plea bargain eliminates the need for a trial.

If there are plea bargain discussions, the prosecutor must notify you of any court proceedings concerning the defendant's guilty plea if you requested notification and provided a current address. Even if you did not request notification, the prosecutor might want to know what you think about a possible deal, or might make the deal without letting you know.

How long will it be until the case ends?

A case can be dismissed or nolleed at anytime; this would end the case. Otherwise the case could take several months or even longer.

Will there be a trial?

If the case is not nolleed or dismissed, and your partner does not agree to plead guilty, then there will be a trial to see if he is guilty. Trials happen very infrequently because usually the defendant pleads guilty to the crime charged, or to a lesser charge, if the case hasn't been dismissed or nolleed.

What happens at a trial?

Trials can be in front of a judge or a jury. The prosecutor will present evidence to try to show that your partner is guilty, and then your partner's lawyer can present evidence to try to show that the defendant is innocent. The judge or jury will then decide his guilt or innocence.

If there is going to be a trial, ask the Family Violence Victim Advocate and the prosecutor to explain to you what will happen at the trial.

How involved do I have to be in the trial?

If the case involves an assault against you, or anything you saw or experienced, then you will probably have to testify as a witness for the prosecutor. It is unlikely that you would be required to attend any other part of the trial.

What happens if the case is thrown out?

If the case is dismissed or nolleed, or the defendant is found "not guilty" after a trial, then the protective order would end and any bond would be returned. Nolleed cases remain on file for thirteen months, and can be started again during that time if there is another offense (although they rarely are). A protective order ends when the case is thrown out.

If he pleads guilty or is found guilty what happens?

After someone pleads guilty or is found guilty after a trial, the judge will set a sentencing date. However, sentencing in a misdemeanor case usually occurs immediately after the plea. The prosecutor and your partner's lawyer will each have a chance to tell the judge what he or she thinks should happen. You, as the victim, will also be allowed to make a statement to the judge at sentencing, especially if you tell the prosecutor you want a chance to make a statement.

What will his sentence be?

There are a variety of things a judge can include in your partner's sentence. If he is placed on probation he could be ordered to obey certain conditions and required to report periodically to a probation officer. A judge may also order that the protective order remain in effect during the period of probation. Your partner

could be ordered to spend time in jail, or receive a suspended jail sentence (see Glossary, page 58). The judge may include a requirement that he participate in certain programs, such as a drug or alcohol treatment program or program for people who commit family violence crimes. When a person is convicted of certain violent crimes, the court can issue a "Standing Criminal Protective Order." The Standing Criminal Protective Order will be in effect for as long as the judge orders it to be.

Ask the Family Violence Victim Advocate for more information about sentences.

What happens if he violates probation?

If your partner's probation officer is aware that you partner violated a specific condition of the probation, or committed a crime while out on probation, the probation officer can ask the judge to bring him back into court. The judge can order him to serve time in jail instead of probation. At a court hearing, the judge will decide whether or not he has violated probation, and what, if any, changes will be made to the conditions.

Ask the Family Violence Victim Advocate for more information about violations of probation.

If he goes to jail, how long will he be there?

At sentencing, the judge will say how long the jail sentence is. This amount of time will be reduced by: 1) the amount of time already spent in jail while waiting for trial (if any); plus 2) "good time credit", which are days off the jail time as a reward for being on good behavior in jail. The defendant may also be released early to go into a halfway house or work program. As a victim of a crime you have a right to know when he will be released from prison. For more information call the Office of Victim Services with the Judicial Branch at 1-800-822-8428 or the Victim Services Unit at the Department of Corrections at 1-888-869-7057.

My partner is an immigrant. If he is convicted will he be deported?

It depends on many factors. An immigrant who is convicted of a crime may be deported depending on the type of crime and the length of the prison sentence. If you or your partner have questions it is very important to consult with an attorney who is knowledgeable about immigration and criminal law.

OVERVIEW OF THE CRIMINAL COURT PROCESS FOR FAMILY VIOLENCE CASES

Arrest: In most circumstances, if the police believe it is likely that a family violence crime has been committed, then they must arrest the person who allegedly committed the crime.

Booking: After the arrest, the person who has been arrested (the defendant) may be brought to the police station for processing **or** may be given a summons which tells him what crime he is charged with and when to go to court.

Release: If the defendant is "booked" at the police station, the conditions of his release are set by the police and may be reviewed by the bail commissioner. A defendant may be released on bail **or** a promise to appear (PTA) **or** held in jail. A defendant must come to court for a hearing the next day the court is in session.

COURT

ARRAIGNMENT (first court date)

- Victims are referred to a Family Violence Victim Advocate.
- Family Services Counselors review and investigate the case.
- The judge decides:
 - whether there was probable cause for the arrest (if the defendant is still being held in jail);
 - whether to raise or lower a bond if one was set by the police or bail commissioner;
 - whether a protective order should be issued;
 - whether other conditions of release will be placed on the defendant;
 - when the next court date or "continuance" will be.



What can victims do during this time?

You can be present at the arraignment, you can inform the court about your need for protection, and you can request a protective order. A Family Violence Victim Advocate is available to provide information and assistance to you about the court process and other options that might be available to you, even if you are planning to stay with your partner. You can also get information, shelter, and support from the local domestic violence shelter program.

PRE-TRIAL CONFERENCE AND PLEA NEGOTIATIONS

After the arraignment there may be a number of additional court dates. During this time the prosecutor and defense attorney, or the defendant if he is representing himself, will discuss the case and a possible plea bargain. The defendant will decide which offer, if any, made by the prosecutor he will accept. These may include having the charges dismissed or "nolled", pleading guilty, or going to the Family Violence Education Program or other pre-trial program. If the defendant does not agree to anything the prosecutor has offered then his case may go to trial.



What can victims do during this time?

You can speak to the prosecutor, the Family Violence Victim Advocate or Family Relations Counselor about what you want the prosecutor to offer the defendant during the pre-trial conference negotiations.

DISPOSITION OF A CASE THAT IS NOT GOING TO TRIAL

- If the charges are dismissed or nolled, the court process ends.
- If the defendant goes to the Family Violence Education Program, the case will be dismissed if he successfully completes the program and asks for the dismissal.
- If the defendant pleads guilty to a misdemeanor, he will be sentenced immediately; if he pleads guilty to a felony, he will be sentenced within one month or sooner.



What can victims do during this time?

Before the judge decides what the sentence will be, you can write to the prosecutor handling the case or make an oral statement in court.

DISPOSITION OF A CASE THAT GOES TO TRIAL

Trials can be in front of a judge or a jury. The prosecutor will present evidence to try to show that the defendant is guilty, and then the defendant's lawyer can present evidence to try to show that the defendant is innocent. The judge or jury will then decide his guilt or innocence. If the defendant is found to be not guilty, then he is free to go and the records of his arrest should be erased. If the defendant is found to be guilty, then he will be sentenced.



What can victims do during this time?

You may be a witness in the case. If the defendant is found guilty, then you can write to the prosecutor handling the case or make an oral statement in court before the judge decides what the sentence will be.

SAMPLE PROTECTIVE ORDER (Page 1 of 2)
The clerk and the Family Services Counselor will fill this in.

ORDER OF PROTECTION				STATE OF CONNECTICUT SUPERIOR COURT			
<small>JD-CV-088 Rev. 10/10 C.G.S. §§ 29-28, 29-29, 29-30, 29-31, 29-32, 29-33, 29-34, 29-35, 29-36, 29-37, 29-38, 29-39, 29-40, 29-41, 29-42, 29-43, 29-44, 29-45, 29-46, 29-47, 29-48, 29-49, 29-50, 29-51, 29-52, 29-53, 29-54, 29-55, 29-56, 29-57, 29-58, 29-59, 29-60, 29-61, 29-62, 29-63, 29-64, 29-65, 29-66, 29-67, 29-68, 29-69, 29-70, 29-71, 29-72, 29-73, 29-74, 29-75, 29-76, 29-77, 29-78, 29-79, 29-80, 29-81, 29-82, 29-83, 29-84, 29-85, 29-86, 29-87, 29-88, 29-89, 29-90, 29-91, 29-92, 29-93, 29-94, 29-95, 29-96, 29-97, 29-98, 29-99, 29-100, 29-101, 29-102, 29-103, 29-104, 29-105, 29-106, 29-107, 29-108, 29-109, 29-110, 29-111, 29-112, 29-113, 29-114, 29-115, 29-116, 29-117, 29-118, 29-119, 29-120, 29-121, 29-122, 29-123, 29-124, 29-125, 29-126, 29-127, 29-128, 29-129, 29-130, 29-131, 29-132, 29-133, 29-134, 29-135, 29-136, 29-137, 29-138, 29-139, 29-140, 29-141, 29-142, 29-143, 29-144, 29-145, 29-146, 29-147, 29-148, 29-149, 29-150, 29-151, 29-152, 29-153, 29-154, 29-155, 29-156, 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<input checked="" type="checkbox"/> Protective Order <input checked="" type="checkbox"/> Family Violence <input checked="" type="checkbox"/> Criminal Case <input type="checkbox"/> Standing Criminal Protective Order <input type="checkbox"/> Other _____ <input type="checkbox"/> Restraining Order After Hearing <input type="checkbox"/> Ex Parte Restraining Order							
<input type="checkbox"/> This order is sealed from the public <input type="checkbox"/> All information about the protected person is confidential <input checked="" type="checkbox"/> The protected person's address information is not disclosable							
Protected Person							
Last name: <u>Smith</u>		First name: <u>Mary</u>		Middle: <u>A</u>			
Date of birth: <u>5/15/1980</u>		Sex: <u>F</u>		Race: <u>Caucasian</u>			
Home address: <u>PO Box 0000</u>		City: <u>Hartford</u>		State: <u>CT</u> Zip: <u>06100</u>			
Mailing address: <input type="checkbox"/> Same as above		City: _____		State: _____ Zip: _____			
Work address: _____		City: _____		State: _____ Zip: _____			
Respondent (Defendant)			Respondent Identifiers				
Last name: <u>Smith</u>		First name: <u>Bob</u>		Middle: <u>M</u>			
Date of birth: <u>4/20/1978</u>		Sex: <u>M</u>		Race: <u>Caucasian</u>			
Address: <u>183 Lane Street</u>		Height: <u>6'1"</u>		Weight: <u>200</u>			
City: <u>Hartford</u>		State: <u>CT</u>		Zip: <u>06100</u>			
<input type="checkbox"/> Allegedly possesses one or more firearms <input type="checkbox"/> Allegedly holds a permit to carry a pistol or revolver. <input type="checkbox"/> Other: _____		Relationship to protected person (Present or former): <input checked="" type="checkbox"/> Spouse or party to a civil union <input type="checkbox"/> Protected person's parent <input type="checkbox"/> Intimate cohabitant <input type="checkbox"/> Parent of common child <input type="checkbox"/> Other: _____					
Terms and Conditions of Protection							
You, the Respondent, must follow all the orders and conditions checked or indicated by "X" below:							
<input checked="" type="checkbox"/> Surrender or transfer all firearms.							
<input checked="" type="checkbox"/> Do not assault, threaten, abuse, harass, follow, interfere with, or stalk the protected person. (CT01)							
<input checked="" type="checkbox"/> Stay away from the home of the protected person and wherever the protected person shall reside. (CT03)							
<input checked="" type="checkbox"/> Do not contact the protected person in any manner, including by written, electronic or telephone contact, and do not contact the protected person's home, workplace or others with whom the contact would be likely to cause annoyance or alarm to the protected person. (CT05)							
<input type="checkbox"/> Other: _____							
Additional terms and conditions are on the following pages: <input type="checkbox"/> General Protection Order Notifications, JD-CL-098							
<input type="checkbox"/> Additional Orders of Protection, JD-CL-100							
<input type="checkbox"/> General Restraining Order Notifications (Family), JD-CL-104							
This order remains in effect until: <input checked="" type="checkbox"/> Further order of the court. Expiration date (if applicable): <u>1/1</u>							
<input type="checkbox"/> The court had jurisdiction over the parties and the subject matter, and the respondent was provided with reasonable notice and opportunity to be heard. This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2205). Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).							
<input checked="" type="checkbox"/> State law provides penalties for possession of a firearm or electronic defense weapon (Conn. Gen. Stat. §§ 53a-217(a)(3) and 53a-217(c)(5)). Federal law also provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualifying protection order and under the circumstances specified in 18 U.S.C. § 922(g)(8).							
By the Court: <u>Judge Justice</u>		Signed (Judge, Assistant Clerk): <u>Judge will sign here</u>		Date signed: <u>9/11/2011</u>			

What the judge ordered →

How long the order will last. →

IV. CIVIL LAWS AND PROCEDURES

This part of the *Guide* contains information about restraining orders, divorce, custody and visitation, and answers some questions about who has the right to live with you. These are parts of the law that are handled by the civil courts. Most of the problems addressed in this section are handled in Family Court, which is part of the Superior Court. A directory of Superior Courts is included in the Resource Directory at the end of this *Guide*.

In Connecticut, **Restraining** Orders are different from **Protective** Orders.

Protective orders are made by a criminal court judge against a person who was arrested for stalking, harassment, or a family violence crime.

Restraining orders are made by a civil court judge after a person files an Application for Relief from Abuse.

There are other important differences between restraining orders and protective orders.

Information about protective orders:	Page 17
Information about restraining orders:	Page 30

There are gun control laws that keep some people from having legal access to purchase or possess most types of guns. If you are worried about your partner's guns, talk to a Family Violence Victim Advocate. **1-888-774-2900**.

Enforcing an Order of Protection from a Court in Another State

Police in Connecticut are required to enforce orders of protection from other states, U.S. territories or Indian tribes. This means that if you have a court order from another state that protects you from your partner's violence, your partner can be arrested if he does any of the following things in Connecticut:

- Threatens or physically hurts you; or
- Contacts you or comes near you when the order says he is not allowed to do so.

To prove that you have an order from a court in another state, it will be very important to show a copy of the order to the police. The copy does NOT have to be a certified copy. The law says that the police must enforce an order that appears authentic, even if the order is not in their computer database.

Call your local domestic violence program for more information.

RESTRAINING ORDERS

This section is about Restraining Orders. It answers the following questions:

- What is a restraining order and how can it help me? **Page 30**
- Can I get a restraining order? **Page 33**
- Do I need an attorney? Who else can help me? **Page 36**
- What do I have to do to get a restraining order by myself? **Page 37**

What is a restraining order?

A restraining order is an order made by a judge in the Family Court. In the restraining order the judge can order your partner not to hurt or harass you. The judge may also order your partner to move out of your home and order that you have temporary custody of your children. There is no fee for filing a restraining order in court and the State pays for the marshals to serve restraining orders.

If I have a protective order from criminal court do I need a restraining order from the civil court?

In some situations you may need a restraining order **AND** a protective order to get all the court ordered protection available to you. Protective orders can end at any time and usually last until the criminal case ends. However, a judge may order that the protective order continue if your partner is

convicted of a family violence crime and is sentenced to a period of probation. Protective orders do not usually include orders of temporary visitation or custody.

Therefore, if you have a protective order, you may also want a restraining order if you need a court order that will last for a definite period of time or if you need immediate, emergency orders regarding custody or visitation. If your children are at risk because of your partner and you have a protective order that includes orders that your partner stay away from the children, then you could wait to resolve visitation or custody issues in a divorce or custody action. However, the protective order may NOT last until you get orders from a judge in a custody or divorce action.

Therefore you may need a restraining order that includes temporary visitation and custody orders to fill the gap between when the protective order ends and the divorce or custody orders are made by a judge. You have a right to apply for a restraining order even if you already have a protective order. It is the judge's decision whether or not to grant your request.

How will a restraining order help me if I am being abused?

If the person abusing you is assaulting (hitting) you or committing other crimes, then he can be arrested without a restraining order. Although he may be arrested without a restraining

order, some police departments are more responsive if there is a restraining order in effect.

However, if he has a legal right to live where you live (see page 51), then you will need a restraining order to force him to leave your home. Also, if he is the legal father of your children, and there are no previous custody orders, then you and he share legal custody (joint custody) of your children. This is true even if the children actually live with you and even if you and the children's father are not married. It is possible to get temporary sole custody of your children as part of the restraining order. See the Children's Issues section of this *Guide* for more information.

Are there situations when a restraining order may not help me?

A restraining order may not help you if your partner does not care about breaking the law or following a court order. It is possible that he will not care about the restraining order and may continue to try to hurt you even if you have the order. It is good to think about this possibility before you ask the court for a restraining order. If you think your partner may not obey the order then you may want to call the local domestic violence shelter program to help you identify other ways to keep you safe.

If I'm under sixteen can I get a restraining order?

It may be possible. However, the court may require that an adult apply for a restraining order on your

behalf. If you are under 16 and you are being abused, you should tell your parents, teacher, friend, a lawyer, DCF, or someone else you trust, and ask them to help you get the protection you need.

Can I get a restraining order against someone I'm dating?

Yes, you can get a restraining order against someone if you are in or have recently been in a dating relationship with that person. If you are denied a restraining order then you must rely on the criminal law for help, or you may call the local domestic violence shelter program to help you identify other ways to keep you safe.

Can I get a restraining order if I am in a gay/lesbian relationship?

Yes, the law applies to gay and lesbian couples the same way that it applies to heterosexual couples. You can get a restraining order against your partner if: you are married, living with your partner or used to live with your partner (a current or former household member), or if you are in a dating relationship or have recently been in a dating relationship.

I am an immigrant. Can the court give me a restraining order?

Yes. Connecticut's family violence laws apply to all people regardless of their immigration status. The court should offer you the same protections that it would any victim of family violence. Your immigration

status should not affect the judge's decision about whether to give you a restraining order.

You should be aware that when you obtain an order of protection from the legal system in Connecticut, the court clerks enter basic information about you, the defendant, and the order of protection in a large computer database. Court personnel will have access to this information. The police will also have access to some of this information. In addition, the computer database will automatically send to the State Police information that you provided about your partner's guns or gun permits. You should talk to a Family Violence Victim Advocate if you have any concerns about your safety or privacy.

CAN I GET A RESTRAINING ORDER?

To determine whether or not you qualify for a restraining order you must be able to answer “yes” to the following three basic questions:

- QUESTION 1:** Are you at least 16 years old?
- QUESTION 2:** Is someone physically hurting you or threatening to physically hurt you?
- QUESTION 3:** Is the person hurting you related to you, living with you, someone with whom you used to live, the parent of your child or someone with whom you are in or have recently been in a dating relationship?

IMPORTANT

To make sure you meet the requirements for a restraining order you should read the following three questions and explanations. After you have read the explanations, answer the three questions. If you can answer **YES** to all three questions, then you have met the basic **LEGAL** requirements for a restraining order. The next steps are to do the paperwork and to ask the judge to give you a restraining order.

QUESTION 1

Are you at least sixteen years old?

If you are not at least sixteen years old, it may still be possible to get a restraining order. However, the court may require that an adult apply for the restraining order on your behalf. If you are under 16, and you are being hurt or abused, you should tell your parents, teacher, friend, a lawyer, DCF, or someone else you trust, and ask them to help you get the protection you need.

QUESTION 2

Is someone physically hurting you or threatening to physically hurt you?

In order to get a restraining order your partner must be causing or threatening to cause you **physical pain** or **physical injury, or subjecting you to stalking or to a pattern of threatening**. Verbal abuse, yelling or screaming that does not include a threat to harm you physically may not be enough cause for a judge to give you a restraining order.

What is physical injury?

Physical injury means that you have been hit, kicked, punched, slapped, pushed, raped, or forced to perform sexual acts that you do not want to (including if you are forced to do them by your husband). You may be able to get a restraining order if you

have been threatened with physical pain or physical injury, even if that threat was not carried out, or if your partner tried to physically hurt you but was unable to do so.

What is threatening?

Threatening means that someone tries to make you feel afraid for your physical safety by making a threat to cause you serious physical injury.

After you determine that you have been threatened with physical harm or injury or have actually been physically harmed or injured, then you must decide if this harm has been **continuous**.

What is continuous?

Continuous means that you have been threatened or injured on more than one occasion or over a period of time. Therefore, you may or may not be able to get a restraining order if this is the first time you have been threatened or injured. A judge will decide.

What is stalking?

Stalking means someone intentionally tried to make you feel afraid for your physical safety by repeatedly following you or by waiting for you in places where you might be in. In other words, this conduct of following you or waiting for you is considered stalking if it occurred more than once and the person intended to make you feel afraid for your personal safety.

QUESTION 3

Are you being hurt, stalked or threatened by:

- your **spouse**; your husband or wife;
- your **former spouse**; your ex-husband or ex-wife;
- your **parent or child**;
- your **relative**;
anyone who is related to you by blood or marriage, whether or not you live together (If you are being abused by a relative, you and the abusive relative must be at least 18 years old to get a restraining order);
- a **household member**;
anyone 16 years of age or older who is living with you and is not related by blood or marriage;
- a **former household member**;
anyone 16 years of age or older who used to live with you and is not related by blood or marriage;
- **your child's other parent**;
whether or not you are living together;
- **your boyfriend or girlfriend**
anyone with whom you are in or having recently been in a dating relationship.

You must fit into one of these categories to be eligible for a restraining order.

If you have answered YES to questions 1, 2, and 3, then you have met the requirements for a restraining order. Go to the next section for a step-by-step explanation of how to apply for a restraining order.

If you have answered NO to questions 1, 2, and 3, then you are not eligible under law to get a restraining order. Review any options you may have under the criminal law (described in the first part of the *Guide*) and call your local domestic violence agency for information and support. Remember, if you are under 16, and you are being hurt or abused, you should tell your parents, teacher, friend, a lawyer, DCF, or someone else you trust, and ask them to help you get the protection you need.

PROCEDURE FOR GETTING A RESTRAINING ORDER

Do I need an attorney?

It is possible to go to court and get a restraining order without an attorney. However, if you have children with your partner or if you and he own property together, then a lawyer's advice is very important. **You have the right to ask the court for a restraining order, even if you don't have an attorney. If you go to court on your own you can bring someone with you to give you support. Remember to ask questions if there are things you don't understand. Many people go to court without an attorney and get the court orders they need.**

If I want an attorney how do I find one?

If you have little or no income you may qualify for a legal aid attorney. However, not all legal aid agencies have attorneys that do restraining order cases. Call Statewide Legal Services at 1-800-453-3320 to find out if one of the legal services programs can help you.

Statewide Legal Services provides legal help by phone. Staff at Statewide Legal Services may give you legal advice over the phone, mail information to you, or refer you to one of the legal services offices.

Some domestic violence agencies can provide referrals to attorneys who have an understanding of domestic abuse and restraining orders.

How much will an attorney cost?

Legal aid charges nothing for their attorneys' work. Other attorneys' fees can range from several hundred to several thousand dollars. Some attorneys will want the money before they will help you. Other attorneys will let you pay later or make payments over time. Before you hire an attorney, make sure you know how much the attorney will charge, and when you must pay her or him.

Can I bring someone else to court with me?

Whether or not you hire an attorney, you may want a friend, relative, or advocate to go with you to court. Domestic violence shelter programs may provide an advocate to go to court with you. Advocates are not lawyers, and therefore cannot get a restraining order for you or give you legal advice. However, they may go to court with you and give you support as you go through the process.

STEP BY STEP RESTRAINING ORDER INSTRUCTIONS

Getting your own restraining order may seem complicated. Try not to be discouraged by the number of steps involved. You will be better prepared to use the court protections available to you if you have accurate and complete information. You may need to read this section more than once. Remember, if you have questions or need help, call your local domestic violence shelter program.

The following is the basic information you need to apply for a restraining order without an attorney. Procedures may vary slightly in your court.

1. GET THE FORMS AND PICK A COURT.

Go to the **clerks' office** of the Superior Court you have chosen. In most circumstances you have to pick the court that is closest to where you or your partner lives. Check the Resource Directory at the end of the *Guide* for a list of courts. Ask the person behind the desk for the forms to request a restraining order. The form is also called an "Application for Relief from Abuse." You can also get court forms from the website for the Judicial Branch at www.jud.state.ct.us.

Description of forms for restraining orders

Application for Relief from Abuse form: *You must complete this form.* In this form you will tell the judge what protection you want from the court and what orders you are asking the judge to make.

Affidavit - Relief from Abuse form: *You must complete this form.* In this form you will tell the judge why you need protection from the court. You must include information about the violence or threats of violence your partner has committed against you and/or your children.

Affidavit Concerning Children form: *You must complete this form if you are asking for temporary custody of your children.* In this form you will tell the judge where your children have lived for the past five years and whether there have ever been any other court cases concerning the custody of your children. (Note: If you are concerned that disclosing your address could put you or your children in danger, you can ask the court to protect your address. See "Sample Request for Nondisclosure of Location Information" on page 68.)

Order of Protection: *The clerk and the judge will complete this form after the judge sees your application and affidavit, and will check the proper box to indicate whether it is an ex parte order, or an order after a hearing. In the restraining order form the judge will include his or her orders to your partner. There is also a section on this form called Order and Notice of Court Hearing. The clerk will fill out this section of the form when you first apply for a restraining order. The Order and Notice of Court Hearing section tells you and your partner when and where the 14 day restraining order hearing will be. The ex parte restraining order only lasts until the date of the 14 day hearing. An order after a 14 day hearing will usually last for six months.*

NOTE: Completed samples of all the forms you will need can be found on pages 60-67.

2. FILL OUT THE "APPLICATION FOR RELIEF FROM ABUSE" FORM.

Complete the *Application for Relief from Abuse* form as shown in the sample on pages 60-61. Substitute your information for the information filled in on the sample.

It is important that the information in the form is complete and accurate. Read all the instructions you are given carefully, especially the instructions printed on the form. The form asks for a lot of information and every line is important. Make sure you understand every section of the form before you complete it. The sample includes additional information about the form.

3. WRITE A DESCRIPTION OF THE ABUSE ON THE "AFFIDAVIT" FORM.

Complete the form by printing or typing a brief statement describing the physical injuries or threats of physical injury you have suffered from your partner. Try to include the date of the injury or threat, whether or not a weapon was used, whether or not the police were involved, and what medical treatment you received for your injuries. It is important to include the worst and most recent injuries.

Describe what your partner did to you and what the result was. The statement should be brief. It does not have to include every word you said to each other, the cause of the incident, or every detail. Make sure you include descriptions of any violence or threat of violence.

Here's an example of a statement:

- On February 5, 2011 John punched me several times in the face. I got

a black eye and a split lip. I had to go to the emergency room for stitches for my lip. John said he would kill me if I called the police.

- Last week John knocked me down and tried to choke me. Our five-year-old daughter tried to stop him and he shoved her against the wall.

Your partner will get a copy of the Affidavit form, including your statement. The marshal will also give a copy of the order and possibly your affidavit to the police in the town where you and to the police in the town where your partner lives.

Remember, if you are asking for temporary custody of your children, you must complete a form called **Affidavit Concerning Children**. On this form will explain where your children have lived for the past five years and whether there have ever been any other court cases concerning the custody of your children. If another custody case is going on right now **or** if there is a case pending you need to describe what it is and explain that the restraining order you're requesting won't interfere or conflict with that case. See the sample form on pages 63-64.

Note: If you are concerned that disclosing your address could put you or your children in danger, you can ask the court to protect your address. See "Sample Request for Nondisclosure of Location Information" on page 68.)

4. MAKE THE DESCRIPTION INTO AN AFFIDAVIT.

Have your *Affidavit for Relief from Abuse form* "sworn" by a judge, clerk, notary public, or attorney. This means you will sign the statement in front of one of these people and swear that the statement is true to the best of your knowledge. After you have signed the statement, it is called an "affidavit." It is important that you make the statement as accurate as possible, because you must swear that the statement is true.

5. TAKE THE APPLICATION TO THE CLERK'S OFFICE SO THAT THEY CAN BRING THE APPLICATION TO A JUDGE.

Take the completed *Application, Affidavit, and Affidavit Concerning Children* to the clerks' office so that they can show it to the Superior Court judge who is handling family matters. The judge will usually read your papers in his or her office. The clerk will probably tell you whether you should wait for the judge to read the papers, or whether you should come back at a later time.

Do not worry if it seems like the judge is taking a long time. The judge needs to make sure that there is enough information to show that a restraining order would be legal and fair. Sometimes a judge may want you to testify about the information in your affidavit. This means that you will have to swear that what you are saying is the truth and a person from the court will record what you and the judge say. The judge may ask you questions about your partner, your children, and what your partner has done to you. Try to give clear accurate answers to the judge's questions. If you don't understand a question ask the judge to explain what she or he is asking you.

The following is a list of what the judge might order:

- The judge can order your partner:
 - Not to impose any restraint on your liberty (this means that your partner must let you come and go as you want);
 - Not to threaten, harass, assault, molest, sexually assault, or attack you;
 - Not to enter the family dwelling or your dwelling;
 - To stay away from where you work.
- The judge can order that you have temporary custody of the children you have with your partner.
- The judge can make temporary orders about visitation.
- The judge can order your partner to move out of the place where you are living. This is known as a *vacate order*.
- The judge can make other orders if she or he thinks it appropriate for your protection or the protection of your children or other person.
- The judge can make orders to protect any animals that you own or keep.

Definitions:

Defendant: Your partner will be called the defendant in court in your restraining order case. He may also be called the *respondent*.

Plaintiff: You will be called the plaintiff in court in your restraining order case. You may also be called the *applicant*.

6. THE JUDGE WILL MAKE ORDERS.

The judge will decide whether or not to give you an ex parte restraining order and what specific orders will be included. The clerk and the judge will complete the *Restraining Order-Relief from Abuse* form and check the proper box to indicate that it is an ex parte order.

Ex Parte Restraining Order (pronounced "x-partay")- is a temporary, emergency order made when only one party in a case is present to talk to the judge. At this point in your case, your partner will not be present to tell his side of the story.

The ex parte restraining order only lasts until the court hearing, which must be held within 14 days of the date the judge signed your ex parte restraining order.

An ex parte restraining order is sometimes also called a *temporary restraining order* or "TRO."

If the judge does not give you an ex parte restraining order:

The judge may decide that there is not enough evidence that you are in immediate danger, and therefore will not sign an ex parte restraining order. Even if you are not in immediate danger, you may still be able to get a restraining order. The process is the same as for ex parte restraining orders, except that you will not have any orders between the time you ask a judge for an order and the fourteen day hearing. If you have any questions about this you may want to talk with a lawyer or your local domestic violence agency.

If the judge does not sign the order and you feel that you are still in danger you may want to talk to a lawyer or to your local domestic violence shelter program.

7. GET A DATE FOR THE RESTRAINING ORDER HEARING.

There must be a hearing in court within 14 days after the judge signs your ex parte restraining order. The hearing is required so that your partner has a chance to tell his side of the story if he wants to do so.

The clerk will give you a hearing date by completing the Order and Notice of Court Hearing section of the Ex Parte Restraining Order form. The date of the hearing will be listed on that form. See sample on page 67.

8. FILE YOUR EX PARTE RESTRAINING ORDER AND OTHER FORMS.

The clerk will "file" your *Application*, *Affidavit*, and *Ex parte restraining order* forms. When these forms are "filed" the clerk's office will start a court file for your case and give your case a docket number. The clerk will give you the original of these forms to give to the marshal. The court does not charge a filing fee for an application for a restraining order.

9. GET TWO CERTIFIED COPIES OF YOUR EX PARTE RESTRAINING ORDER.

The clerk will give you two certified copies and will send copies to the following police departments:

- In the town where you live;
- In the town where you work; and
- In the town where your partner lives

In addition, you may want to make an extra copy to send to the police departments in the town where your children go to school, and where your children are in day care.

When you leave the court, you should have:

- Two certified copies of the ex parte restraining order,
- The original of your Application, Affidavit, and Ex parte Restraining Order.

Keep one of the yellow certified copies of the ex parte restraining order with you at all times - and keep the other one in a safe place!!

You may need to show your copy of the restraining order to the police if your partner tries to hurt you or bother you. You will need the original white copy of the forms to give to the marshal.

10. HAVE A MARSHAL GIVE YOUR PARTNER NOTICE OF THE RESTRAINING ORDER AND THE HEARING DATE.

The law requires that your partner (the defendant) must be notified about the restraining order and the hearing date by having an official copy of the papers given to him. Only a marshal can do this. The clerk will either direct you to the marshal's office or give you a list of marshals for you to call. The State of Connecticut pays the marshal's service fees in all restraining order cases.

The marshal "serves" your partner with a copy of your *Application, Affidavit, and Affidavit – Temporary Custody* along with the *Ex parte restraining order*. Your partner must get these papers at least 5 days before the hearing date listed by the clerk in the Order and Notice of Court Hearing section of the ex parte restraining order form. If your partner does not have 5 days notice because the marshal did not serve him in time, then the judge may not extend your restraining order beyond the hearing date.

Sometimes police will not enforce a restraining order until your partner has been "served" by the marshal.

11. GIVE THE MARSHAL THE RIGHT INFORMATION AND PAPERS.

Once you have found a marshal who will serve your partner with the court forms you will need to do the following:

- Give the marshal the original of all the forms the clerk gave you. The marshal will make an official copy of the original to give to your partner. Sometimes the marshal asks for the original and a photocopy, so it would be a good idea to bring or send an extra photocopy.
- Give the marshal a description or picture of your partner.
- Tell the marshal exactly when and where he can find your partner.
- Make sure you find out how the marshal will return the papers to you or the court before the 14-day hearing. If the papers are not in court on that day, the judge may not hold the hearing. It is also helpful to write down the marshal's name and phone number in case you need to contact him later.

Note: Since your partner must have five days notice of a hearing scheduled in 14 days, it is important to find a marshal immediately. It is also important to give the marshal accurate information about where your partner will be and when he will be there. The marshal may only make one or two attempts to give the papers to your partner.

12. GET THE PAPERS BACK FROM THE MARSHAL.

In order for the judge to continue your restraining order, the original of the *Application*, *Affidavit*, *Affidavit Temporary Custody Relief from Abuse*, and *Ex Parte Restraining Order* must be in court by the hearing date along with a statement from the marshal that he or she gave the papers to your partner.

This statement is called a *return of service*, and is found on the bottom of the ex parte restraining order form.

The best way to make sure that the forms and *return of service* are in court at the hearing is to have the marshal return the papers to you. You can then bring them with you when you go to the hearing. However, the marshal may return them directly to the court.

What if your partner is not served with the papers in time or the marshal cannot find him?

You can go to court on the date of the hearing and ask for an extension of your ex parte restraining order for another 14 days in order to have more time to serve your partner. Some judges may ask you to fill out a new form. If you get an extension make sure that you get a paper from the clerk that states that your restraining order is extended and the date of the next court hearing. If you know it will be very difficult for a marshal to give your partner a copy of the papers you may wish to talk to a lawyer for help.

13. GETTING YOUR PARTNER OUT OF THE HOUSE.

If the judge ordered your partner out of the house (vacate order), ask the marshal to help you get your partner to leave. If the marshal will not help, call the police.

14. STAY SAFE.

If you think your partner may try to hurt you when he gets the papers from the marshal, then you may want to stay with a friend or family member, or at a shelter. Ask the marshal to let you know when the papers will be served.

What should I take with me?

If you have minor children who live with you, take your children with you. The most important thing is that you and your children get to a safe place. Do not stop to bring anything else with you unless it is safe to do so.

If there is a dispute over custody of your children in the future, you will have a much better chance of ending up with the children if they stay with you.

If there is time:

- Take all checkbooks and bank books; you are likely to need money when you are out of the house. If you have a joint account (in both your name and his), remember that both of you have the ability to take all of the money out of the account immediately.
- Take all birth certificates, social security cards, marriage licenses, and other forms of identification. You will need these if you decide to apply for welfare, and they can be very important for other kinds of transactions (cashing checks, getting a new driver's license, etc.)
- Take all passports, green cards, visas, and any other immigration papers so that you can handle your own legal immigration status efforts, be able to leave the country if you want to, and make it more difficult for him to take the children out of the country.
- Take anything else which is important to you. This may be jewelry, the car (and registration, title, and insurance), financial papers (such as stocks, bonds, or insurance), or an item of personal significance.
- If you can, take other necessities (such as clothes and children's toys).
- If you can, take prescriptions, medications or necessary health care items for you and your children.

Remember, it may be awhile before it is safe for you to return to your home.

THE RESTRAINING ORDER HEARING

15. GO TO COURT ON THE DAY OF THE HEARING.

You should go to court on the day of the hearing whether or not your partner does. If you do not go to court, your restraining order will end on the date of the hearing. You should be at the courthouse 20 minutes before the time your hearing is scheduled. Go to the clerks' office and ask what the procedure is for "opening court," which means how the court starts the day. Courts in different locations may operate differently. Some courts open with a "calendar call" which means the judge reads out loud the names of all the cases scheduled. Other courts do not have a calendar call.

- **If the court opens with a calendar call** – wait in the courtroom until the judge reads the list of cases.
 - **If you and your partner do NOT agree about extending the restraining order**, say, "Ready," when you hear your name

called. You may have to meet with Family Services before you can present your case to the judge.

- **If you have an agreement**, say, “Ready with an agreement” and follow the judge’s instructions. The judge may hear cases with agreements after the calendar call.
- **If you do not hear your case called**, go to the clerk in the courtroom and show her or him your papers. **Do not** interrupt the clerk if the judge is hearing other cases.

- **If there is NO calendar call in your court**

- **If you and your partner do NOT agree about extending the restraining order**, you may need to meet with Family Services before you can present your case to the judge. Ask the clerk where you should go to meet with Family Services.
- **If you do have an agreement** let the clerk know that you are ready to present your agreement to the judge. In some courts, you do this by filling out a form called “Memo to the Clerk.”

Court procedures can be very complicated. Don’t be afraid to ask court personnel questions if you are unsure about where you need to go or what you need to do.

If your partner does NOT come to court on the day of the hearing:

Ask the judge to continue the orders in your ex parte restraining order. The judge will usually do this.

If your partner has an attorney:

If you wish to go ahead without a lawyer of your own you have a right to do so. You do not have to agree with what your partner's lawyer says or even talk to him or her.

If you want time to get a lawyer of your own, ask the judge for time to get one. Ask that all orders stay in effect while you get a lawyer. It is important to have legal advice if your partner is asking for custody of the children. **If the judge will not give you a continuance to find a lawyer, then you must go ahead with your case without a lawyer.**

If your partner threatens or harasses you in the courthouse, ask the marshals in court to help you.

16. MEET WITH FAMILY RELATIONS.

Family Relations Counselors work for the court system. Their job on the day of restraining order hearings is to meet with both parties to see if there is an agreement about the restraining order. You do not have to agree with the Family Relations Counselor if he or she suggests something that you think is unfair or will put you or your children in danger. If you and your partner still don't agree after meeting with the Family Relations Counselor, then you will have a hearing in front of the judge.

Note: If you are uncomfortable about having to meet with your partner, you may want to do the following:

- Ask for separate meetings with the Family Relations Counselor
- Ask to have a marshal present at the meeting
- Bring someone into the meeting with you for support. You may want to call your local domestic violence project to ask whether they have advocates who may be able to go with you.

Note: The official name for Family Services is “Court Support Services Division Family,” or “CSSD Family” for short. Previously they were called “Family Relations.” You may still hear them referred to as “Family Relations” or “Family” in court.

17. ASK THE JUDGE TO CONTINUE YOUR RESTRAINING ORDER:

If you have an agreement about extending the restraining order:

Write down the agreement. Both parties must sign it. In some courts you will need to fill out a “Memo to the Clerk” which says what you want the court to do. Check the proper box. When you hear your name called, say “READY,” then walk to the front of the courtroom. The judge or clerk will tell you where to stand. Give the original copy of your agreement to the clerk.

If you do not have an agreement about extending the restraining order:

Go back to the courtroom after you meet with Family Services. You may have to fill out a “Memo to the Clerk” to let the court know that you need to have a hearing in front of the judge. When you hear your name called, say “READY,” then walk to the front of the courtroom. The judge or clerk will tell you where to stand. If you have the original restraining order forms from the marshal

with you, give them to the clerk.

Talking to the Judge:

- Try to stay calm and tell the judge why you need protection.
- Talk directly to the judge and loudly enough so he or she can hear you.
- Do not talk directly to your partner in front of the judge.
- Do not interrupt your partner when he speaks. Try to remember what he said; when it is your turn to speak again, you can tell the judge your side of the story.
- Tell the judge if you have brought any witnesses, medical records, threatening notes from your partner, or other evidence with you to court.
- Try to give short, accurate answers to the judge's questions.

18. THE JUDGE DECIDES WHAT ORDERS TO MAKE.

After you and your partner have spoken, the judge will decide whether or not to continue your restraining order for up to six months. He or she will also decide whether to change any of the orders, such as the vacate or custody orders.

Listen carefully to what the judge says. If you are not sure what the judge means, you can politely ask, “Your Honor, I’m not sure I understood everything.” Tell the judge which part you did not understand.

19. BEFORE YOU LEAVE THE COURTHOUSE, MAKE SURE YOU HAVE TWO CERTIFIED COPIES OF THE ORDERS THAT THE JUDGE MADE AT THE HEARING.

The clerk will complete the form called ***Order of Protection***, and will check the box that says “Restraining Order after Hearing.” The clerk will give you two certified copies of this form and will also give one copy to your partner. In addition, the clerk will send copies of the order to the following police departments:

- In the town where you live;
- In the town where you work;
- In the town where your partner lives.

In addition, you may want to make an extra copy to send to the police department in the town where your children go to school.

If the clerk doesn't give you two certified copies, ask him or her for them. Make sure you understand what the judge ordered. If you do not, ask the clerk or a lawyer for an explanation.

Keep one of the yellow certified copies of the ex parte restraining order with you at all times - and keep the other one in a safe place!!

You may need to show your copy of the restraining order to the police if your partner tries to hurt you or bother you.

How long does the restraining order I get at the hearing last?

The restraining order can last for six months from the day the judge signed the order. However, a judge may order that the restraining order will last for a shorter period.

After my restraining order ends, can it be extended?

Yes, if the judge finds an extension is necessary for your protection. If you want an extension, you will need to ask the court for one before your restraining order expires. Another option is to request a new restraining order by starting the process at the beginning.

If I see him or ask him to move back in, does that end the restraining order?

No, but it could make it hard to use the order later to keep him away from you or to get him out of the house.

The order is part of a civil court case against your partner; it is not an order against you. If you contact him or let him in the house it does not change the order.

However, if you later need to enforce the order the police may be confused. Some police officers may believe that the order should not be enforced if you have seen him or invited him back, although legally he still can be arrested for being in violation of the order.

If you want to change the order, you would have to file a motion in court to ask the judge to vacate (get rid of) or modify (change) the order, so that he won't be arrested.

What can I do if my partner does not obey the judge's orders?

- **Call the Police**

When your partner does not obey the orders he may be committing a crime. Tell the police that you have a restraining order and be prepared to show the officer a copy. This may be the best way to make your partner obey the restraining order. It is especially important to call the police if your partner is trying to hurt you. See the criminal law section of this *Guide* for more information.

- **You can file a motion for contempt**

You will probably need a lawyer to do this. When someone disobeys an order of the court they can be held in contempt of court. Under certain circumstances the person may be fined or put in jail.

A Motion for Contempt for a violation of a restraining order will be scheduled for a hearing within 5 days of service of the motion upon your partner. Your partner must have at least 24 hours notice of the hearing. If the judge finds your partner to be in contempt, the judge can then impose whatever punishment she or he finds appropriate. This may not make you safer nor give you the help you need. Your partner may have a right to a lawyer at the contempt hearing even if you don't have a lawyer.

If the restraining order is not providing the protection you need, go to a safe place. Domestic violence shelter programs can help you explore other options.

WHO HAS THE RIGHT TO LIVE WITH YOU?

Who has the right to live with me?

Under the law, your spouse is presumed to have the right to live with you, as well as any person whose name is on the lease or title to your home. In addition, anyone who has established a residence in your home has the right to live there unless some legal action is taken to order him out.

All that is necessary to establish a residence is for a person to live in a place with the intent to stay. For example, if your relative or boyfriend is living with you and it's not just a visit, he or she has the right to continue to live with you.

One thing that the police will look for in deciding whether a person has the right to live with you is whether that person has any of his or her belongings in your home. If there is a disagreement, you cannot simply "lock out" a person who has established a residence in your home. However, you can take legal steps to have someone removed or kept away from your home, especially if the person is abusive.

You may legally lock someone out of your home if he has not established a residence there. If you are not sure whether you can legally lock someone out, call an attorney for help.

How do I get my abusive partner out of my home?

Your right to be safe in your own home is very important. If you are

being hurt or threatened by a family or household member, you may get a court to order him out of your home. Criminal protective orders and civil restraining orders are explained in this *Guide*.

In addition, if you begin a divorce, you may ask the judge to order *exclusive use of the residence* for you. This means that your spouse would have to live somewhere else while your divorce was going on in court. However, the judge is required to consider the rights of both parties in these cases and might not order him to leave the home.

Finally, if the family violence laws do not apply to your situation, and you wish to have someone you live with but are not married to removed from your home, you will have to have him legally evicted. You might need to consult a lawyer to do this.

Can my landlord evict me if my husband or boyfriend is doing damage to my apartment?

Yes. The landlord usually doesn't care who is causing the damage. However, if you are already trying to have a judge order your boyfriend or husband out of the house, the landlord might not evict you. If you have a cooperative or understanding landlord, try to work things out with him or her by explaining your situation. If that is not possible, you may need a lawyer to help you fight against being evicted.

DIVORCE AND SEPARATION

If I get a restraining order, do I have to get a divorce?

No. If you are requesting a restraining order against your spouse, you can begin a divorce at the same time, but you don't have to do that. However, if you want a divorce, it may save time and legal expense if you file or ask your attorney to file for it at the same time that you request a restraining order.

If I want a divorce, where do I get one?

Divorces are handled by Family Court, which is part of Superior Court - the same court that handles restraining orders. In order to get a divorce, you may want the assistance of a lawyer.

Can I get a divorce without an attorney?

Yes, you may file for a divorce without an attorney - representing yourself, *pro se* (*this means you are acting as your own lawyer*). Although you always have the right to choose this option, it is recommended only in simple uncontested situations where there are no child custody or support issues to work out, and no major property to divide. A "Do It Yourself Divorce Guide" and courts forms are available from the Family Court clerk. See the Civil Court listing in the Resource Directory at the end of this *Guide* for the Family Court clerk nearest you. You can also get information and court forms from the website for the Judicial Branch at www.jud.state.ct.us.

Automatic Orders

You should be aware that anytime someone files for divorce, legal separation, custody or visitation in Connecticut, both parties must obey a series of court orders called *Automatic Orders*. These orders are designed to prevent the parties from making major changes concerning their finances and their children while the court case is pending. For example, one of the *Automatic Orders* prohibits the parties from moving outside of Connecticut with their children. Another order prohibits the parties from locking each other out of their shared residence.

A judge could find you in contempt of court if you do not obey the *Automatic Orders*. However, a specific *Automatic Order* may not apply if you already have a court order, such as a restraining order, that contradicts an *Automatic Order*. It is also possible to ask the court for an exception to an *Automatic Order*. You should consult with an attorney before beginning a divorce, legal separation, custody or visitation case if you are concerned about the *Automatic Orders*.

In addition, some legal aid offices offer free booklets and classes that give you all the necessary forms and teach you how to do your own divorce. Call Statewide Legal Services at 1-800-453-3320.

I am an immigrant. Will the court give me a divorce?

Yes, as long as you meet the legal requirements that all people have to meet, such as living in Connecticut for one year. Our laws about divorce apply to all people regardless of their immigration status.

What if I only want a legal separation?

In Connecticut, a legal separation requires all of the same legal steps and expenses as an actual divorce, and takes just as long to get. Married people who are not living together are not necessarily "legally separated." Only a court order can grant you a legal separation. Even if you do not live together for months or years, you are still considered married under the law and may be held responsible for the actions or debts of your spouse.

A legal separation will establish child custody and support orders, and resolve financial and property disputes. However, at the end of the process the two spouses are still legally married and may not marry anyone else. Sometimes people choose this option for religious reasons or tax and Social Security benefits. You may want to consult an attorney.

How long does a divorce take?

A divorce takes a minimum of four months, and may take more than a year to complete. The length of time depends upon how many problems there are to solve between the parties and how willing both people are to solve them. Even though a divorce may take a long time, your attorney may request that the judge make certain temporary orders to protect you while your divorce is still pending in court (these are called *pendente lite* orders). These temporary orders may include a restraining order, temporary custody, child support or other financial payments. The judge may also decide who is entitled to live in the house or apartment until the divorce is final.

How much does a divorce cost?

If you are eligible for legal aid, you may be able to obtain your divorce at little or no cost with the assistance of a legal aid lawyer. Unfortunately, there are not enough legal aid lawyers to represent every person who needs one. Therefore, legal aid may not be able to help you, but they may be able to send you some information or give you some advice.

If you earn too much money to be eligible for legal aid services, then you may either file for your divorce *pro se* (representing yourself without an attorney), or you will have to hire a private attorney. If you represent yourself, you will probably have to pay the court fees of \$300, plus

about \$75 in marshal's fees to have court papers served on your spouse. In addition, if you and your spouse have children you will also have to take a class called "Parent Education." The fee for this class is \$125. This will probably be your total expense for a *pro se* divorce.

Private attorneys charge hourly fees that range from approximately \$150/hour to more than \$400/hour. The minimum fee for a very simple divorce is probably about \$2,000, and the fee for a divorce involving a few issues can be about \$5,000. When a divorce is more complicated because of abuse, child custody or support issues, the lawyer's fees might be higher.

I lived with my partner but we were never married. Can the police or courts still help me?

If you are in danger, you can call the

police for help. If your partner is arrested, you may request a protective order from the criminal court. You can also apply for a restraining order from the civil court.

You may also file child custody or child support actions in court. However, it may be more difficult to work out disputes about your home, furniture, property, debts and other financial matters. If you were never married, you are considered two separate individuals under the law: you each own whatever is in your own name, and owe whatever debts are in your name as well. In some cases this may not seem fair -for example, the car may be in his name, but you may have been paying for it together or with money that you earned. If you have disputes like this, you should consult a lawyer.



CHILDREN'S ISSUES

If my husband or the father of my children is arrested or ordered out of the house, who has custody of the children?

Unless there is a court order about custody that says otherwise, you and the father share custody of the children, even if he is arrested. If you do not want to share custody with the father of your children, you will need a court order giving you sole custody. A judge may order that you have sole custody of the children as part of a restraining order or divorce. If you get a protective order from the criminal court, the judge could order your partner to stay away from the children, but he or she will not usually make any decisions about custody.

If the father of my child physically takes my child, how can I get my child back?

Legally, if there are no court orders, you and the father of the child probably have joint legal custody even if the child has been living with you. You can try to take your child back, if you can do so without getting hurt or committing a crime. (You should keep in mind that it isn't good for any child to be grabbed back and forth by her/his parents.)

If you ask the police to help you get your child back, they may help you in some circumstances. The assistance you get from the police will depend on the specific facts of your situation.

Whether you are married to the father or not, the best way to resolve who has legal custody is to go to court.

Can my husband or the father of my child get custody in court?

Many times, "getting custody" is used as a threat when people are fighting. The important thing to remember is that, if the court becomes involved in determining custody, the judge must consider "the best interests of the child." If the court views you as the primary parent, and you have not been abusive to your child, then it is not likely that you will lose custody of your child. However, the father has the same right to ask for custody that you do. If your husband or the father of your child does go to court to try to gain custody against your wishes, it will be helpful to have a lawyer to represent you. The judge may appoint a lawyer to represent your child.

If I get custody of the children, will the court give the father visitation rights?

Just as with custody, you will need a court order to set up visitation. Even if the father of your children has abused you, it is very likely that he will be given the opportunity to visit his children. However, if the father has abused the children, a judge may not allow him to see them.

Even if the father has the right to visit his children, you can request

certain conditions on his visits for your own protection and safety. You may request that visits take place only at certain times, certain places, or with another person present. For example, if you don't want the father to come to your home or know where you live, you may request that visits take place at a friend's or relative's home. Or, if you are afraid that the father will hurt the children or disappear with them, you may request that visits only take place with someone else there, such as a friend or relative. This is known as supervised visitation. If the father comes to court to argue against any of these conditions, the judge will consider both sides of the story, and will try to make a decision based on the "best interests of the children," just as with custody disputes.

How do I get a court order for custody or visitation?

If you are going to court to request a restraining order, you may ask the judge to make orders concerning custody and visitation at the same time. Remember, custody and visitation orders in a restraining order are temporary and will usually only last for 6 months. If you are starting a divorce, and papers requesting temporary orders have been filed, the judge may also make orders about custody and visitation. Otherwise, you will have to start a new case for custody or visitation; you will probably need the assistance of a lawyer to do this.

I am an immigrant. Can I ask the court for custody of my children?

Yes. Connecticut's laws about child

custody apply to all people regardless of their immigration status. If your situation meets the other legal requirements that apply to all people, you can ask the court for custody of your child.

When the court makes decisions about custody it will apply the same legal standard of "best interest of the child."

If my children are being hit or neglected, am I responsible?

Yes. Connecticut has very strong laws to protect children from abuse. You have the responsibility to keep your children from being abused, as best you can. If someone in your home hurts your children, and you are not able to stop it, the Department of Children and Families (DCF) may come in and remove your children from the home in order to protect them. If they feel that it's an emergency, they will remove the children right away. You will have an opportunity later to get a lawyer and to have a court hearing in order to try to get them back.

If the situation is not an emergency, a DCF worker may talk to you and try to help you work things out at home. In these situations, you may want to consider having the person abusing your children arrested or ordered out of the house by a civil restraining order or criminal protective order.

Can I collect child support from the father?

If the father of your children has any money or income, you should be

able to collect child support from him. Both parents are responsible for the financial support of their children, even if they are not living with them or visiting them. However, child support is often hard to collect.

If I am getting state welfare, will the State try to collect child support?

Yes. The State will usually try to collect child support from the non-custodial parent. You may be able to stop the State from collecting child support if you have a good reason. If collecting child support

might put you or your child in danger call Statewide Legal Services at 1-800-453-3320 .

How can I get help collecting child support?

If you are unable or don't want to hire a lawyer, you can get help from the State child support system to establish child support orders and collect child support. For help and information about child support, call the State's hotline in Connecticut at 1-800-228-KIDS.

V. GLOSSARY

Arraignment- The first court hearing after a person has been arrested.

Arrest Warrant- An order made by a judge that gives the police the authority to arrest a person. In some cases the police must have an arrest warrant before they can make an arrest.

Continuance- A delay in a court case; the next court date is called the continuance date.

Custodial Arrest- An arrest in which the police take the person they are arresting to the police station.

Family Relations Counselor- A person who works for the court. His/her job is to investigate the facts of cases referred to them and make recommendations to the prosecutor and judge.

Family Violence Education Program- A defendant is eligible for this program if he is charged with a family violence crime, if it isn't a serious felony, and if the judge agrees to let him in the program. The program runs for 6 weeks or more and provides education about family violence. If the defendant satisfactorily completes the family violence education program, the charges against him are dismissed. There is a fee for entering the program, which the judge can waive if the defendant is too poor to pay.

Family Violence Victim Advocate- A person who will help you by listening to you and by giving you information and support. Advocates work in the criminal court and are available to you if your partner has been arrested for hurting you.

Foreign Order of Protection – A court order from another state, U.S. territory or Indian tribe, that protects someone from the violent or threatening behavior of another person.

Indigent- A person whose income is so low that a judge decides that this person cannot afford an attorney or certain court costs.

Nolled- A decision made by the prosecutor not to proceed with a criminal case. The case will be dismissed if the prosecutor does not change this decision within 13 months.

Plea Bargain- A discussion in a criminal case between the prosecutor and the defendant's attorney. The attorneys will decide if the defendant will plead guilty and therefore avoid a trial.

Promise to Appear (PTA)- A promise made by a person who has been arrested and taken into police custody that he/she will come to all the court hearings in his/her case.

Prosecutor- An attorney who represents the State of Connecticut in criminal cases by bringing charges against the person accused of committing a crime. He/she may also be called the "State's Attorney."

Protective Order- is made by a criminal court judge against a person who was arrested for stalking or a family violence crime.

Restraining Order- is made by a civil court judge after a person files an Application for Relief from Abuse.

Standing Criminal Protective Order – an order made by a judge against a person who is convicted of a violent crime.

Suspended sentence – this means that the person who is convicted does not have to go to jail as long as he stays out of trouble and follows the judge's orders. If the convicted person does not follow the orders he may actually have to serve time in jail.

VI. SAMPLE RESTRAINING ORDER FORMS

Application For Relief From Abuse (Page 1 of 2) You will complete this form.

APPLICATION FOR RELIEF FROM ABUSE <small>JD-FM-131 Rev. 2-10 C.G.S. §§ 29-28, 29-32, 29-33 602-15, 460-36(a), 460-36(c), 52-231a</small>		STATE OF CONNECTICUT SUPERIOR COURT <small>www.jud.ct.gov</small>	
Instructions To Applicant	<ol style="list-style-type: none"> 1. Use a sponsor or print clearly in ink. You must also complete an Affidavit, form JD-FM-135. Give both forms to the Clerk of Court. 2. After your Application and Affidavit are processed, the clerk will give you the proper papers to have served on the Respondent. 3. Make sure the originals are returned to court after service. 		
Instructions To Clerk	<ol style="list-style-type: none"> 1. If Ex Parte relief is ordered, prepare the following forms: Order of Protection, form JD-CL-90, and if applicable, Additional Orders of Protection, form JD-CL-150, Order and Notice of Court Hearing, form JD-FM-140, General Restraining Order Notifications (Family), form JD-CL-104. 2. If Ex Parte relief is NOT ordered, prepare Order and Notice of Court Hearing, form JD-FM-140. 3. Provide the Applicant with the original and one copy of the Application and Affidavit. Retain copies of each for court file. 4. Provide the Applicant with the Procedures For Relief From Abuse Process brochure, JD-FM-142 for further information. 		
Judicial District of: <u>Hartford</u>		Court location (number, street, town, zip code): <u>80 Washington St, Hartford, CT 06105</u> (Clerk will fill in)	
Name of applicant (Last, first, middle initial): <u>Smith, Mary A.</u>		Date of birth (mm/dd/yyyy): <u>05/05/1980</u>	Sex (M/F): <u>F</u>
Address to which mail is to be sent (number, street): <u>(+ see note)</u>		Town: <u>Hartford</u>	State (Zip Code): <u>CT 06000</u>
Home residence address: <u>183 Lane Street</u>		Town: <u>Hartford</u>	State (Zip Code): <u>CT 06000</u>
Work address: <u>10 Ramey Road</u>		Town: <u>Windsor</u>	State (Zip Code): <u>CT 06000</u>
<p>* NOTE: The home address and/or work address provided above will be included on any orders entered by the court. If you do not wish to provide your home address and/or work address, do not complete these boxes. However, failure to disclose your location information may limit the protection you can receive by the restraining order. If you believe that disclosure of location information would jeopardize you and/or your children's health, safety or liberty, you may file a Request For nondisclosure of Location information with the Clerk of Court.</p>			
Information About The Respondent			
Name of respondent (Person against whom application is filed) (Last, first, middle initial): <u>Smith, Bob M.</u>		Date of birth (mm/dd/yyyy): <u>04/20/1978</u>	Sex (M/F): <u>M</u>
Address of respondent (number, street): <u>183 Lane Street</u>		Town: <u>Hartford</u>	State (Zip Code): <u>CT 06000</u>
Respondent's telephone number: <u>860.555.0000</u>		Other identifiers (Examples include height, weight and approximate age): <u>6'01", 200 lbs, Scar on chin, 33 years old</u>	
Respondent is ("X" in the appropriate box):			
<input checked="" type="checkbox"/> My spouse or a person I have a civil union with		<input type="checkbox"/> My child	
<input type="checkbox"/> My former spouse or a person I had a civil union with		<input checked="" type="checkbox"/> A person 18 or over related to me by blood or marriage	
<input checked="" type="checkbox"/> Parent of my child		<input checked="" type="checkbox"/> A person 18 or over with whom I reside or with whom I have resided	
<input type="checkbox"/> My parent		<input type="checkbox"/> A caretaker who is providing shelter in his or her residence to a person 60 years of age or older	
		<input type="checkbox"/> A person with whom I have (or recently had) a dating relationship	
<input type="checkbox"/> "X" here if you have cohabited with the Respondent as an intimate partner (romantic, spouse, or sexual relationship while living together).			
<input type="checkbox"/> "X" here if a Protective Order/Restraining Order exists affecting any party to this Application (Enter docket number and court location)			
Docket number: _____		Court location: _____	
<input type="checkbox"/> "X" here if a dissolution of marriage (divorce), dissolution of civil union, custody or visitation action exists involving the same parties (Enter docket number and court location)			
Docket number: _____		Court location: _____	

Do not use the address where you are staying if you don't want you partner to know.

If you're not sure put a question mark "?" in the box.

Check if you or your spouse has started a divorce and he is the person you seeking protection from.

Application For Relief From Abuse (Page 2 of 2)
 You will complete this form.

Name of applicant: Smith, Mary Name of respondent: Smith, Bob Docket number: (clerk will fill in)

Application For Relief From Abuse

I have been subjected to a continuous threat of present physical pain or physical injury by the Respondent named above as stated more fully in my attached Affidavit.

1. I request that the court order the following conditions: ("X" all that apply)

CT01 The Respondent not assault, threaten, abuse, harass, follow, interfere with, or stalk me. (CT01)
 CT03 The Respondent stay away from my home or wherever I shall reside. (CT03)
 CT05 The Respondent not contact me in any manner, including by written, electronic or telephone contact, and not contact my home, workplace or others with whom the contact would be likely to cause annoyance or alarm to me. (CT05)
 CT14 The Respondent may return to the home one time with police to retrieve belongings. (CT14)
 CT16 The Respondent stay 100 yards away from me. (CT16)
 CT19 That the order protect my minor children. (CT19)

Name (Last, first, middle initial): Roberts, Jane L. Date of birth (mm/dd/yyyy): 01/29/1954 Relationship to me: Mother

CT31 That the order protect animals owned or kept by me. (CT31)

2. I request that the court make the following temporary child custody and visitation orders:

CT36 Award me temporary custody of the following minor child(ren) who is (are) also the child(ren) of the Respondent:

Name (Last, first, middle initial)	Sex (M/F)	Date of birth (mm/dd/yyyy)	Name (Last, first, middle initial)	Sex (M/F)	Date of birth (mm/dd/yyyy)
1. <u>Smith, Sally A.</u>	<u>F</u>	<u>06/13/2005</u>	4		
2			5		
3			6		

CT41 With visitation as follows:

CT42 Without visitation rights to the Respondent.

3. I request that the court order the following: (further order)

Request For Ex Parte (Immediate) Relief ("X" if applicable)

4. I request that the court order Ex Parte (immediate) relief because I believe there is an immediate and present physical danger to me and / or my minor children and / or animals owned or kept by me.

Signed (Applicant): (Sign in front of clerk) Subscribed and sworn to before me: (clerk will sign here) Signed (Clerk, Notary, Commissioner or Superior Court): _____ Date signed: _____

Optional to applicant (if you choose to answer, "X" the appropriate boxes below)

1. Does the respondent hold a permit to carry a pistol or revolver? Yes No Unknown
 2. Does the respondent possess one or more firearms? Yes No Unknown

If you think you need more security when you are in court for your relief from abuse hearing, contact the Clerk's Office or the Court Service Center in the court where your hearing is scheduled.

JD-FM-137 Rev. 3-13 Page 2 of 2

Protection for you.

Protection for your child and others.

Temporary Custody

Immediate, emergency protection

Sign here in front of a clerk, notary or lawyer.

**Affidavit-Relief From Abuse
You will complete this form.**

<p>AFFIDAVIT - RELIEF FROM ABUSE JD-FM-138, Rev. 4-11 C.G.S. §§ 46b-15, 52-201a, P.B. § 25-57</p> <p align="center">Instructions to Person Applying for Relief from Abuse (Affiant)</p> <p><small>This affidavit must be filed out completely and given to the clerk along with your filled out Application for Relief From Abuse, form JD-FM-137. Your affidavit must include a statement of the conditions you seek relief from and must be made under oath (you must swear that your statement is true and sign it in front of a court clerk, a notary public, or an attorney who will also sign and date the affidavit). The statement must be true to the best of your knowledge. State if any arrest was made related to the incidents outlined in this statement.</small></p> <p><small>Do not write on the back of this form. If you need additional room, use another Affidavit - Relief From Abuse form, JD-FM-138. You must sign and swear to all pages.</small></p> <p><small>If you are asking for temporary custody of your minor child(ren), you must also fill out an Affidavit Concerning Children, form JD-FM-164.</small></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:40%;"><small>Name of Applicant (Your name)</small> Smith, Mary</td> <td style="width:40%;"><small>Name of respondent (Person you want a restraining order against)</small> Smith, Bob</td> <td style="width:20%;"><small>Clerk number (For court use only)</small> (Clerk will fill in)</td> </tr> </table> <p>Statement Of Conditions From Which You Seek Relief</p> <p><small>I, the person signing below, duly depose and say that I am the Applicant in this matter and state as follows: (Explain for each incident: (1) what happened, (2) when it happened, (3) where it happened, and (4) who was there when it happened)</small></p> <p>On June 17, 2011 my husband, Bob Smith, punched me several times in the face. He gave me a black eye and a split lip. I had to go to the emergency room for stitches. Bob said he would kill me if I called the police.</p> <p>Vesterday Bob knocked me down and tried to choke me. Our six year old daughter came to me crying and Bob shoved her against the wall. Bob took away my cell phone and told me I would be dead if I told anyone what happened. I am very afraid for my daughter and me.</p> <p>Statement Concerning Temporary Custody Of Children</p> <p><small>"X" one of the following</small></p> <p><input type="checkbox"/> I am not asking for temporary custody of any minor child(ren) in this matter.</p> <p><input checked="" type="checkbox"/> I am asking for temporary custody of my minor child(ren) in this matter. <small>(Fill out an Affidavit Concerning Children, form JD-FM-164, and bring it to the clerk along with this form and your filled out Application For Relief From Abuse, form JD-FM-137.)</small></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;"><small>I certify that the statements above are true to the best of my knowledge and belief.</small> (Clerk will sign here)</td> <td style="width:20%;"><small>Signature</small> (Sign in front of clerk)</td> <td style="width:20%;"><small>Print name of person signing</small> Mary Smith</td> </tr> <tr> <td colspan="2"><small>Subscribed and sworn to before me (Assistant Clerk, Commissioner of Superior Court, Notary Public)</small></td> <td><small>Date signed</small></td> </tr> </table>	<small>Name of Applicant (Your name)</small> Smith, Mary	<small>Name of respondent (Person you want a restraining order against)</small> Smith, Bob	<small>Clerk number (For court use only)</small> (Clerk will fill in)	<small>I certify that the statements above are true to the best of my knowledge and belief.</small> (Clerk will sign here)	<small>Signature</small> (Sign in front of clerk)	<small>Print name of person signing</small> Mary Smith	<small>Subscribed and sworn to before me (Assistant Clerk, Commissioner of Superior Court, Notary Public)</small>		<small>Date signed</small>	<p align="center">STATE OF CONNECTICUT SUPERIOR COURT www.jud.ct.gov</p>
<small>Name of Applicant (Your name)</small> Smith, Mary	<small>Name of respondent (Person you want a restraining order against)</small> Smith, Bob	<small>Clerk number (For court use only)</small> (Clerk will fill in)								
<small>I certify that the statements above are true to the best of my knowledge and belief.</small> (Clerk will sign here)	<small>Signature</small> (Sign in front of clerk)	<small>Print name of person signing</small> Mary Smith								
<small>Subscribed and sworn to before me (Assistant Clerk, Commissioner of Superior Court, Notary Public)</small>		<small>Date signed</small>								

If there is a custody case going on, you must describe it.

Sign here in front of a clerk, notary or lawyer.

REMEMBER: your partner will get a copy of this form.

Affidavit-Concerning Children (Page 1 of 2)
You will complete this form.

AFFIDAVIT CONCERNING CHILDREN JD-FM-164 Rev. 6-03 C.G.S. § 46b-119a P.E. § 25-57		INSTRUCTIONS Complete form. You must swear that your statement is true and sign it in front of a court clerk, a notary public, or an attorney who will also sign and date the affidavit.		STATE OF CONNECTICUT SUPERIOR COURT COURT OF PROBATE <small>W/001 302 of 200</small>
		<input type="checkbox"/> Court User Only <input checked="" type="checkbox"/> AFFACUS		
Judicial District of <u>Hartford</u>	At (Town) <u>Hartford</u>	Probate District name and number	Docket number <u>(Clerk will fill in)</u>	
Plaintiff/Applicant (Last, first, middle initial) <u>Smith, Mary A.</u>		Defendant/Respondent (Last, first, middle initial) <u>Smith, Bob M.</u>		
Information about the past five years for each child affected by this case is required. Provide information below. If more space is needed, use form JD-FM-164A.				
Child's name (First, middle, last)			Date of birth (Month, day, year)	
Dates of residence	Location <small>(Town or city, and state, unless confidential by court order)</small>	Name(s) and present address(es) of person(s) child lived with <small>(unless confidential)</small>	Relationship to child	
<u>April, 2007 TO THE PRESENT</u>	<u>Hartford, CT</u>	<u>Mary Smith, 183 Lane St, Hartford</u> <u>Bob Smith, 183 Lane St, Hartford</u>	<u>Mother</u> <u>Father</u>	
<u>June, 2005 to April, 2007</u>	<u>Springfield, CO</u>	<u>Mary Smith, 183 Lane St, Hartford</u> <u>Bob Smith, 183 Lane St, Hartford</u>	<u>Mother</u> <u>Father</u>	
TO				
TO				
TO				
Child's name (First, middle, last)			Date of birth (Month, day, year) <input type="checkbox"/> Residence information is same as for child above (if not same, provide information)	
Dates of residence	Location <small>(Town or city, and state, unless confidential by court order)</small>	Name(s) and present address(es) of person(s) child lived with <small>(unless confidential)</small>	Relationship to child	
TO THE PRESENT				
TO				
TO				
TO				
TO				
<input type="checkbox"/> Check here if additional children are listed on JD-FM-164A				

If you think that disclosing your address would put you or your children in danger, just write the name of the states where your children have lived and fill out the form called "Request for Nondisclosure of Location Information."



Affidavit-Concerning Children (Page 2 of 2)
You will complete this form.

1. (Check one) I have I have not been a party or a witness or participated in any other capacity in cases in Connecticut or any other state concerning custody of or visitation with any child listed in this affidavit. If yes, identify the name of the court, the court case number and date of determination:

(Check item 2 or 3 below)

2. I do not know of other civil or criminal proceedings in Connecticut or any other state, now or in the past, that could affect the current proceeding, including enforcement proceedings and proceedings relating to family violence, protective orders, termination of parental rights and adoption.

3. I know of the following civil or criminal proceedings, in Connecticut or any other state, now or in the past, that could affect the current proceeding, including enforcement proceedings and proceedings relating to family violence, protective orders, termination of parental rights and adoption.

Case name	Docket number	Court location (including state)
Nature of proceeding		
Case name	Docket number	Court location (including state)
Nature of proceeding		

4. (Check one) No one except the plaintiff/applicant and defendant/respondent has physical custody or claims to have custody or visitation rights regarding any child listed here.

The following person(s) has physical custody or claims to have custody or visitation rights regarding any child listed here:

Name: _____

Address: _____
(unless confidential)

5. The mother of the child(ren) named in the Complaint or Application is pregnant.

Yes No Do not know

6. A child has been born to the mother named in the Complaint or Application after the filing of the Complaint or Application.

Yes No Do not know If yes, complete the following:

Child's name	Date of birth (Month, day, year)
--------------	----------------------------------

Signature <i>(Sign in front of clerk)</i>	Print name of person signing <i>Mary Smith</i>
Sworn to before me (Associate Clerk/Commissioner of Superior Court/Notary Public)	
<i>(clerk will sign here)</i>	Date signed

JD-CV-104 (Rev. 6-08)

You have an ongoing duty to tell the court about any case that could affect the current proceeding, in Connecticut or any other state, if you learn about it during this case.

Tell the court whether there have ever been any other court cases about the custody of your children.

Sign here in front of a clerk, notary or lawyer.

Sample Restraining Order (Page 1 of 3)
The clerk and judge will fill out this form.

The court will indicate whether this is an Ex Parte Order or an Order After the Hearing.

ORDER OF PROTECTION		STATE OF CONNECTICUT SUPERIOR COURT	
<small>JD-CL-098 Rev. 10-11 C.G.S. §§ 29-28, 29-32, 29-33, 29-36, 29-38, 45b-281(a), 49b-204, 53a-205, 53a-34, 53a-42, 53a-217, 53a-217c, 53a-223, 54-1a, 18 U.S.C. §§ 920(g)(7), 920(g)(8), 921(a)(4)</small>		<small>www.jud.ct.gov</small>	
<input type="checkbox"/> Protective Order <input type="checkbox"/> Standing Criminal Protective Order <input type="checkbox"/> Restraining Order After Hearing	<input checked="" type="checkbox"/> Family Violence <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> Ex Parte Restraining Order	<input type="checkbox"/> Criminal Case <input type="checkbox"/> Other _____	Superior Court Case Number _____
<input type="checkbox"/> This order is sealed from the public <input checked="" type="checkbox"/> The protected person's address information is not disclosable		<input type="checkbox"/> All information about the protected person is confidential	
Protected Person			
Last name Smith	First name Mary	Middle A	Date of birth 5/5/1980
Home address 172 Drive Street		City Hartford	State CT
Mailing address <input checked="" type="checkbox"/> Same as above		City	State
Work address		City	State
Respondent (Defendant)		Respondent Identifiers	
Last name Smith	First name Bob	Middle M	Date of birth 4/20/1978
Address 183 Lane Street		City	State
Causes/Weapons (if information is available): <input type="checkbox"/> Allegedly possesses one or more firearms <input type="checkbox"/> Allegedly holds a permit to carry a pistol or revolver. <input type="checkbox"/> Other: _____		Relationship to protected person (Present or former): <input type="checkbox"/> Spouse or party to a civil union <input type="checkbox"/> Protected person's parent <input type="checkbox"/> Intimate cohabitant <input type="checkbox"/> Parent of common child <input type="checkbox"/> Other: _____	
Terms and Conditions of Protection			
You, the Respondent, must follow all the orders and conditions checked or indicated by "X" below:			
<input checked="" type="checkbox"/> Surrender or transfer all firearms.			
<input checked="" type="checkbox"/> Do not assault, threaten, abuse, harass, follow, interfere with, or stalk the protected person. (CT03)			
<input checked="" type="checkbox"/> Stay away from the home of the protected person and wherever the protected person shall reside. (CT03)			
<input checked="" type="checkbox"/> Do not contact the protected person in any manner, including by written, electronic or telephone contact, and do not contact the protected person's home, workplace or others with whom the contact would be likely to cause annoyance or alarm to the protected person. (CT05)			
<input type="checkbox"/> Other: _____			
Additional terms and conditions are on the following pages:			
<input type="checkbox"/> General Protection Order Notifications, JD-CL-098		<input type="checkbox"/> Additional Orders of Protection, JD-CL-100	
<input type="checkbox"/> General Restraining Order Notifications (Family), JD-CL-104			
This order remains in effect until:		<input type="checkbox"/> Further order of the court.	
		Expiration date (if applicable) 9/15/2011	
<input type="checkbox"/> The court had jurisdiction over the parties and the subject matter, and the respondent was provided with reasonable notice and opportunity to be heard. This order shall be enforced, even without registration, by the courts of any state, the District of Columbia, any U.S. Territory, and may be enforced by Tribal Lands (18 U.S.C. Section 2265); Crossing state, territorial, or tribal boundaries to violate this order may result in federal imprisonment (18 U.S.C. Section 2262).			
<input checked="" type="checkbox"/> State law provides penalties for possession of a firearm or electronic defense weapon (Conn. Gen. Stat. §§ 53a-217(a)(3) and 53a-217(c)(5)). Federal law also provides penalties for possessing, transporting, shipping, or receiving any firearm or ammunition while subject to a qualifying protection order and under the circumstances specified in 18 U.S.C. § 922(g)(8).			
By the Court Judge Justice		Signed Judge, Assistant Clerk Judge will sign here	
Name of Judge		Date signed 9/11/2011	

These are orders and protections made by the judge.

Sample Restraining Order (Page 2 of 3)
The clerk and judge will fill out this form.

ADDITIONAL ORDERS OF PROTECTION
JD-CV-100 Rev. 10/18
 C.G.S. §§ 29-28, 29-32, 29-33, 29-36, 29-36a, 46b-28(c)(6),
 46b-28m, 46b-28n, 53a-26(f), 53a-34, 53a-42, 53a-217, 53a-217c,
 53a-223, 54-9, 18 U.S.C. §§ 802(g)(3), 2205, P.S. 10-144

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

Protective Order Family Violence Criminal Case
 Standing Criminal Protective Order Other Ex Parte Restraining Order

Superior Court
 Case Number

This order is sealed from the public All information about the protected person is confidential
 The protected person's address information is not disclosable

Protected Person

Last name	First name	Middle
Smith	Mary	A

Respondent (Defendant)

Last name	First name	Middle	Date of birth	Sex	Race
Smith	Bob	M	4/20/1978	M	Caucasian

Respondent Identifiers

You, the Respondent, must follow all the orders and conditions checked or indicated by "X" below:

You may return to the protected person's home one time with police to retrieve belongings. (CT14)
 Stay 100 yards away from the protected person. (CT16)
 This order also protects the protected person's minor children. (CT18)
 This order protects animals owned or kept by the protected person. (CT31)
 Other: Protection for:
 Roberts, June L 1/29/1954 (mother)

Temporary Child Custody and Visitation (Issued under Section 46b-15)

The court has jurisdiction to issue a temporary custody order regarding the children listed below under the Connecticut Uniform Child Custody Jurisdiction and Enforcement Act, Connecticut General Statutes § 46b-115 at seq., and the court awards temporary custody of the following child(ren) to the protected person. (CT20)

Name	Sex	Date of Birth
1 Smith, Sally A	F	6/13/2005
2		
3		

Name	Sex	Date of Birth
4		
5		
6		

Respondent has visitation as follows: (CT21)
 Respondent does not have visitation rights. (CT22)



Additional terms and conditions are on the following pages:

Order of Protection, JD-CL-099
 General Protection Order Notifications, JD-CL-098
 General Restraining Order Notifications (Family), JD-CL-104

These are additional orders and protections made by the judge. →

This is an order of temporary custody. →

Sample Restraining Order (Page 3 of 3)
The clerk and judge will fill out this form.

<p>ORDER AND NOTICE OF COURT HEARING RETURN OF SERVICE RELIEF FROM ABUSE <small>JD-FM-140 Rev. 2/11</small> <small>C.G.S. §§ 46b-15, 52-299</small></p>	<p>STATE OF CONNECTICUT SUPERIOR COURT <small>www.jud.ct.gov</small></p>	 <div style="border: 1px solid black; padding: 2px; width: fit-content; margin: 5px auto;"> <small>Court Use Only</small> OFHRFA </div> 
<p>Instructions To Clerk 1. Assign a hearing date of not later than 14 days from the date of this Order and Notice of Court Hearing. 2. Provide the Applicant with the original and one copy of this order. Retain one copy for the court file.</p>		
<p><small>Name of applicant (Person seeking relief from abuse):</small> <u>Smith, Mary A</u></p>		<p><small>Docket number:</small> <u>00010-000</u></p>
<p><small>Name of respondent (Person application is filed against):</small> <u>Smith, Bob M</u></p>		<p><small>Judicial district of:</small> <u>Hartford</u></p>
<p>Order And Notice Of Court Hearing</p> <p>An Application For Relief From Abuse has been presented to the court. It is ordered that a hearing be held on the Application at the Court Location shown below. The Applicant must have notice of the Date and Time of the Hearing and a true and attested copy of the Application, Affidavit(s) and any court orders issued on the ex parte application served on the Respondent not less than five (5) days before the Date of Hearing.</p>		
<p><small>Hearing date:</small> <u>9/15/2011</u></p>	<p><small>Time of hearing:</small> <u>10:00 a.m.</u></p>	<p><small>Court location (Number, street, town, zip code and courtroom, if applicable):</small> <u>90 Washington Street, Hartford, CT 06106</u></p>
<p>To Any Proper Officer: By authority of the State of Connecticut you are hereby commanded to serve a true and attested copy of the Application for Relief from Abuse, Affidavit, and of this Order and Notice upon the Respondent according to law not less than five (5) days before the Hearing Date shown above. The cost of such service upon the Respondent shall be paid for by the Judicial Branch of the State of Connecticut in accordance with Section 46b-15 of the Connecticut General Statutes.</p>		
<p>By Order of the Court</p>		<p><small>Sign (Assistant Clerk):</small> <u>Clerk will sign here</u></p> <p><small>Date signed:</small> <u>9/1/2011</u></p>
<p>Return Of Service</p> <p>To Any Officer Executing Service: Type or print legibly in the spaces below, then promptly return this and all accompanying papers to the clerk of the court at the court location above before the date of the hearing.</p>		
<p><input checked="" type="checkbox"/> Service executed <small>Date of service:</small> <u>9/1/2011</u> <small>Time of service:</small> <u>1:45</u> <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m. </p> <p><input checked="" type="checkbox"/> By leaving in the hands of or upon the respondent named above.</p> <p><input type="checkbox"/> Other (Specify in detail and attach additional documentation as needed)</p>		
<p><input type="checkbox"/> Unable to serve (Comments)</p>		
<p><small>Name of officer (Last, first):</small> <u>Officer, Joe</u></p>		<p><small>Agency or office:</small> <u>Judicial Office</u></p>
<p><small>Signature of officer:</small> <u>Joe Officer</u></p>		<p><small>Officer's telephone:</small> <u>860-550-0001</u></p>
<p><small>Under penalty of false statement:</small></p>		<p><small>Date signed:</small> <u>9/1/2011</u></p>
<p>To State Marshals within the State of Connecticut: As soon as practicable, call 1-888-856-6066 (toll-free) to electronically record the service execution, and to automatically notify the corresponding law enforcement agencies that service was executed. If you have any questions about serving this order on the Respondent, contact the Court Operations Unit at 1-877-312-7807 or order_registry@jud.ct.gov.</p>		

This is the time, date and place of the hearing picked by the clerk.

You must go to the court to have the order extended beyond the date of the hearing. Even if you and your agree, only a judge can extend this order.

Request for Nondisclosure of Location Information
You will fill out this form.

<p>REQUEST FOR NONDISCLOSURE OF LOCATION INFORMATION JD-FM-188 Rev. 10-01 PA 01-98 § 9b</p>	<p>STATE OF CONNECTICUT SUPERIOR COURT www.jud.ct.gov</p>						
<p align="center">INSTRUCTIONS TO PARTY</p> <ol style="list-style-type: none"> 1. Complete the information below if you believe that disclosure of location information would jeopardize you and/or your children's health, safety or liberty. 2. You must swear that your statement is true and sign it in front of a court clerk, a notary public or an attorney who will also sign and date it. 3. Keep a copy for your records. 4. Do not file anything further with the court containing location information other than to report a change in your mailing address. 	<p align="center">INSTRUCTIONS TO CLERK</p> <ol style="list-style-type: none"> 1. Seal any location information except disclosable mailing address. 2. Do not disclose the location information to the public, including anyone involved in the case, except by order of the court after hearing. 						
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:70%;">NAME OF CASE: <u>Mary Smith v Bob Smith</u></td> <td style="width:30%;">DOCKET NO. (if known) <u>11-1A-0000</u></td> </tr> <tr> <td>PLAINTIFF'S NAME (First, middle initial, last)</td> <td>DEFENDANT'S NAME (First, middle initial, last)</td> </tr> </table>		NAME OF CASE: <u>Mary Smith v Bob Smith</u>	DOCKET NO. (if known) <u>11-1A-0000</u>	PLAINTIFF'S NAME (First, middle initial, last)	DEFENDANT'S NAME (First, middle initial, last)		
NAME OF CASE: <u>Mary Smith v Bob Smith</u>	DOCKET NO. (if known) <u>11-1A-0000</u>						
PLAINTIFF'S NAME (First, middle initial, last)	DEFENDANT'S NAME (First, middle initial, last)						
<p>1. I, the above-named (check one) <input checked="" type="checkbox"/> plaintiff <input type="checkbox"/> defendant, believe that the health, safety or liberty of (check one or both)</p> <p><input checked="" type="checkbox"/> myself <input checked="" type="checkbox"/> my child(ren) (Specify Name(s)) <u>Sally Smith</u></p> <p>would be jeopardized by disclosure of location information. I therefore request that no location information contained in this case pertaining to (check one or both)</p> <p><input checked="" type="checkbox"/> myself <input checked="" type="checkbox"/> my child(ren) be disclosed to anyone including parties to this case and that this information be sealed.</p>							
<p>2. (check one)</p> <p><input type="checkbox"/> I have an attorney representing me in this case. My attorney is: _____ ATTORNEY'S NAME (First, middle initial, last)</p> <p><input checked="" type="checkbox"/> I do not have an attorney representing me in this case. Therefore, I am providing my mailing address below. I understand that this address will be public information.</p> <p>FULL MAILING ADDRESS (Public Information)</p> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin-left: 20px;"> <u>P.O. Box 0000</u> <u>Hartford, CT 06000</u> </div>							
<p>3. (check one)</p> <p><input checked="" type="checkbox"/> There have been no documents previously filed with the court that contain location information that poses the risk.</p> <p><input type="checkbox"/> There is location information posing the risk contained in documents previously filed with the court. The location information can be found in the following documents (Attach additional sheet if necessary). (Do not indicate what the location information is.)</p> <div style="border: 1px solid black; height: 30px; width: 100%; margin-top: 5px;"></div>							
<p>NOTICE TO APPLICANT:</p> <p>DO NOT FILE ANY PAPERWORK WITH THE COURT THAT CONTAINS ANY LOCATION INFORMATION IN ANY FURTHER PLEADINGS OTHER THAN TO REPORT A CHANGE IN YOUR MAILING ADDRESS.</p>							
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:45%;">I hereby certify that the foregoing statements are true to the best of my knowledge and belief.</td> <td style="width:30%;">SIGNATURE: <u>(Sign in front of clerk)</u></td> <td style="width:25%;">PRINT NAME OF PERSON SIGNING <u>Mary Smith</u></td> </tr> <tr> <td>SUBSCRIBED AND SWORN TO BEFORE ME (Not: Clerk, Clerk of Superior Court, Notary Public). <u>(Clerk will sign)</u></td> <td></td> <td>DATE SIGNED</td> </tr> </table>		I hereby certify that the foregoing statements are true to the best of my knowledge and belief.	SIGNATURE: <u>(Sign in front of clerk)</u>	PRINT NAME OF PERSON SIGNING <u>Mary Smith</u>	SUBSCRIBED AND SWORN TO BEFORE ME (Not: Clerk, Clerk of Superior Court, Notary Public). <u>(Clerk will sign)</u>		DATE SIGNED
I hereby certify that the foregoing statements are true to the best of my knowledge and belief.	SIGNATURE: <u>(Sign in front of clerk)</u>	PRINT NAME OF PERSON SIGNING <u>Mary Smith</u>					
SUBSCRIBED AND SWORN TO BEFORE ME (Not: Clerk, Clerk of Superior Court, Notary Public). <u>(Clerk will sign)</u>		DATE SIGNED					
<p>DISTRIBUTION: ORIGINAL - FOR THE COURT COPY - FOR YOUR RECORDS</p>							

Check these boxes if you think that disclosing your address could put you or your children in danger.

If you do not have a lawyer, you will need to provide another address at which you can receive mail. Remember that other people will be able to obtain this address.

Sign here in front of a clerk, notary or lawyer.

Sign here in front of a clerk, notary or lawyer.

VII. RESOURCE DIRECTORY

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SERVICES

DOMESTIC VIOLENCE AGENCIES provide 24-hour hotline, information, support groups, referrals and shelter to domestic violence victims. Statewide hotline **1-888-774-2900**. If using a cellular phone call Infoline at 2-1-1.

SEXUAL ASSAULT CRISIS SERVICES provide 24-hour hotline service with immediate access to certified counselors, support groups, short-term counseling for the victim/survivor and family members, and advocacy through the medical and police systems. Statewide hotline **1-888-999-5545**.

LEGAL AID AND LEGAL SERVICES provide free legal representation to people with low incomes. **Statewide Legal Services, 1-800-453-3320**, provides brief advice and/or referral for representation to the legal service program in the caller's area.

INFO LINE provides information about services, emergency shelters, counseling, child support, and other issues. Info Line can refer you to other service agencies that can help you with your specific questions and needs. Statewide toll-free number **2-1-1**.

DOMESTIC VIOLENCE SHELTER PROGRAMS
24 Hour Hotline Number 1-888-774-2900

The Umbrella

PO Box 148
Ansonia, CT 06401
(203) 736-9944 **HOTLINE**
(203) 736-2601 Office

**The Center for Women & Families
of Eastern Fairfield County, Inc.**

753 Fairfield Avenue
Bridgeport, CT 06604
(203) 384-9559 **HOTLINE**
(203) 334-6154 Office

**Women's Center of Greater
Danbury**

2 West Street
Danbury, CT 06810
(203) 731-5206 **HOTLINE**
(203) 731-5200 Office

**Domestic Violence Program
United Services**

P.O. Box 839
Dayville, CT 06241
(860) 774-8648 **HOTLINE**
(860) 774-7243 Office

Network Against Domestic Abuse

139 Hazard Avenue
Building #3-9
Enfield, CT 06082-4583
(860) 763-4542 **HOTLINE**
(860) 763-7430 Office

**Domestic Abuse Services
Greenwich YWCA**

259 E. Putnam Avenue
Greenwich, CT 06830
(203) 622-0003 **HOTLINE**
(203) 869-6501 x 171 Office

Interval House

P.O. Box 340207
Hartford, CT 06134
(860) 527-0550 **HOTLINE**
(860) 246-9149 Office

Meriden-Wallingford Chrysalis

14 West Main Street
Meriden, CT 06450
(203) 238-1501 **HOTLINE**
(203) 630-1638 Office

New Horizons

P.O. Box 1036
Middletown, CT 06457
(860) 347-3044 **HOTLINE**
(860) 344-9599 Office

Prudence Crandall Center

P.O. Box 895
New Britain, CT 06050
(860) 225-6357 **HOTLINE**
(860) 225-5187 Office

**Domestic Violence Services of
Greater New Haven**

127 Washington Avenue
North Haven, CT 06473
(203) 789-8104 **HOTLINE**
(203) 763-2601 Office

**Women's Center of Southeastern
Connecticut**

16 Jay Street
New London, CT 06320
(860) 701-6000 **HOTLINE**
(860) 447-0366 Office

Domestic Violence Crisis Center

5 Eversley Avenue, Suite 303
Norwalk, CT 06851
(203) 852-1980 **HOTLINE**
(203) 853-0418 Office

Women's Support Services

158 Gay Street
P.O. Box 341
Sharon, CT 06069
(860) 364-1900 **HOTLINE**
(860) 364-1080 Office

Domestic Violence Crisis Center

777 Summer Street, Suite 400
Stamford, CT 06901
(203) 588-9096 **HOTLINE**
(203) 588-9100 Office

Susan B. Anthony Project

179 Water Street
Torrington, CT 06790
(860) 482-7133 **HOTLINE**
(860) 489-3798 Office

Safe Haven of Greater Waterbury

P.O. Box 1503
Waterbury, CT 06721-1503
(203) 575-0036 **HOTLINE**
(203) 575-0388 Office

Domestic Violence Program

United Services
132 Mansfield Avenue
Willimantic, CT 06226
(860) 456-9476 **HOTLINE**
(860) 456-9275 Office
(860) 450-7262 Fax

***ALL DOMESTIC VIOLENCE
AGENCIES PROVIDE SAFETY
PLANNING, EMERGENCY
SHELTER, 24-HOUR HOTLINE,
CRISIS INTERVENTION, AND
INFORMATION & REFERRAL
SERVICES.***

CRIMINAL COURTS (Arrest, Protective Orders)

FIELD

BANTAM/TORRINGTON

G.A. #18 Clerk's Office
80 Doyle Road
Bantam, CT 06750
(860) 567-3942
FVVA (860) 567-4086

BRIDGEPORT

G.A. #2 Clerk's Office
172 Golden Hill Street
Bridgeport, CT 06604
(203) 579-6568
FVVA (203) 579-6750

BRISTOL

G.A. # 17 Clerk's Office
131 North Main Street
Bristol, CT 06010
(860) 582-8111
FVVA (860) 583-1835

DANBURY

G.A. #3 Clerk's Office
146 White Street
Danbury, CT 06810
(203) 207-8600
FVVA (203) 731-0166

DANIELSON

G.A. #11 Clerk's Office
120 School Street
Danielson, CT 06239
(860) 779-8480
FVVA (860) 779-8435

DERBY

G.A. #5 Clerk's Office
106 Elizabeth Street
Derby, CT 06418
(203) 735-7438
FVVA (203) 736-6860

ENFIELD

G.A. #13 Clerk's Office
111 Phoenix Avenue
Enfield, CT 06082
(860) 741-3727
FVVA (860) 763-7430

HARTFORD

G.A. #14 Clerk's Office
101 Lafayette Street
Hartford, CT 06106
(860) 566-1630
FVVA (860) 566-2457

MANCHESTER

G.A.. #12 Clerk's Office
410 Center Street
Manchester, CT 06040
(860) 647-1091
FVVA (860) 645-4034 x103

MERIDEN

G.A. # 7 Clerk's Office
54 West Main Street
Meriden, CT 06451
(203) 238-6130
FVVA (203) 238-6140 x 4054

MIDDLETOWN

G.A. #9 Clerk's Office
1 Court Street
Middletown, CT 06457-3377
(860) 343-6445
FVVA (860) 343-6470

MILFORD

G.A. #22 Clerk's Office
14 West River Street
Milford, CT 06460
(203) 874-1116
FVVA (203) 283-8238

NEW BRITAIN

G.A. #15 Clerk's Office
20 Franklin Square
New Britain, CT 06051
(860) 515-5080
FVVA (860) 515-5049

NEW HAVEN

G.A. # 23 Clerk's Office
121 Elm Street
New Haven, CT 0510
(203) 789-7461
FVVA (203) 773-6743

NEW LONDON

G.A. #10 Clerk's Office
112 Broad Street
New London, CT 06320
(860) 443-8343
FVVA (860) 443-3959 x 4051

NORWALK

G.A. #20 Clerk's Office
17 Belden Avenue
Norwalk, CT 06850
(203) 849-3580
FVVA (203) 847-5825 x4038

NORWICH

G.A. #21 Clerk's Office
1 Courthouse Square
Norwich, CT 06360
(860) 889-7338
FVVA (860) 889-2271

ROCKVILLE

G.A. #19 Clerk's Office
20 Park Street
Rockville, CT 06066
(860) 870-3200
FVVA (860) 763-7430

STAMFORD

G.A. #1 Clerk's Office
123 Hoyt Street
Stamford, CT 06905
(203) 965-5208
FVVA (203) 965-5285

WATERBURY

G.A. #4 Clerk's Office
400 Grand Street
Waterbury, CT 06702
(203) 236-8100
FVVA (203) 236-8077

CIVIL COURTS (Restraining Order, Divorce, Custody)

ANSONIA/MILFORD

Clerk's Office
14 West River Street
Milford, CT 06460
(203) 877-4293

DANBURY

Clerk's Office
146 White Street
Danbury, CT 06810
(203) 207-8600

**FAIRFIELD/
BRIDGEPORT**

Clerk's Office
1061 Main Street
Bridgeport, CT 06604
(203) 579-6527

HARTFORD

Clerk's Office
90 Washington Street
Hartford, CT 06106
(860) 548-2700

LITCHFIELD

Clerk's Office
15 West Street
Litchfield, CT 06759
(860) 567-0885

MERIDEN

Clerk's Office
54 West Main Street
Meriden, CT 06451
(203) 238-6666

MIDDLESEX

Clerk's Office
1 Court Street
Middletown, CT
06457
(860) 343-6400

NEW BRITAIN

Clerk's Office
20 Franklin Square
New Britain, CT
06051
(860) 515-5180

NEW HAVEN

Clerk's Office
235 Church Street
New Haven, CT 06510
(203) 503-6800

NEW LONDON

Clerk's Office
70 Huntington Street
New London, CT
06320
(860) 443-5363

NORWICH

Clerk's Office
1 Courthouse Square
Norwich, CT 06360
(860) 887-3515

ROCKVILLE

Clerk's Office
69 Brooklyn Street
Rockville, CT 06066
(860) 896-4920

**STAMFORD/
NORWALK**

Clerk's Office
123 Hoyt Street
Stamford, CT 06905
(203) 965-5308

WATERBURY

Clerk's Office
300 Grand Street
Waterbury, CT 06702
(203) 591-3300

WINDHAM/PUTNAM

Clerk's Office
155 Church Street
(P.O. Box 191)
Putnam, CT 06260
(860) 928-7749

STATEWIDE AGENCIES

CT Coalition Against Domestic Violence

(CCADV)
(860) 282-7899
(800) 281-1481 (CT Only)

CT Sexual Assault Crisis Services

(ConnSACS)
(860) 282-9881

CT Women's Education & Legal Fund

(CWEALF)
(860) 247-6090

Child Support Hotline

1-800-228-KIDS

Office of Protection and Advocacy for Persons with Disabilities

1-800-842-7303

Department of Social Services - Elderly Services

1-888-385-4225
(To report and/or obtain services for Connecticut residents 60 years or older who are abused, neglected, abandoned or exploited.)

Office of Victim Services

1-800-822-8428
(Provides compensation, information, support and advocacy services to crime victims.)

Statewide Legal Services

1-800-453-3320
(Provides brief advice and/or referral for representation to the legal service program in the caller's area.)



Connecticut Coalition Against Domestic Violence
90 Pitkin Street East Hartford, CT 06108
(860) 282-7899
www.ctcadv.org