

WORKING WITH AN ATTORNEY

Many attorneys offer a free consultation, but ought to be asked prior to scheduling an appointment. Victims should be comfortable discussing the situation with their attorney. The attorney should be aware of the dynamics of domestic violence and the legal options that are available. Victims can ask questions of their attorney about his/her experience handling similar cases.

Remember an attorney's time costs money. The following information is important to bring to the first appointment:

- Current address, social security number and date of birth for all involved people
- Dates of marriage or relationship
- Address(es) where children have lived for the past five years
- Last two pay stubs or welfare card
- Deed to the house
- Any documentation of the abuse, including police reports, medical records and photographs
- Names and phone numbers of two people who can take messages
- \$10.00 for the filing fee if represented by Legal Aid

If a person cannot afford an attorney, he/she may be able to receive free legal assistance by contacting Legal Aid of Lake/Geauga County at 1-888-808-2800 or Ohio Legal Services at 1-866-529-6446.

SAFETY TIPS

Keep a copy of the CPO with you at all times.

Make copies of the CPO for the workplace, children's school or daycare center.

Danger often increases when a victim decides to leave an abusive relationship. It is important to have a safety plan while filing for a CPO, CSPO or Divorce.

Community Resources

Legal Aid of Lake/Geauga County
1-888-808-2800

Geauga County Bar Association
Lawyer Referral Service
440-286-7160

Ohio Victims of Crime Compensation Program
1-877-584-2846
www.ag.state.oh.us

VINE - OHIO
Victim Information and Notification Everyday
1-800-770-0192

For more information about court advocacy, community resources or domestic violence services contact:

WOMENSAFE, INC.


P.O. Box 656
Chardon, OH 44024
Phone: 440-285-2222 ext. 5680
womensafe@netzero.net
www.womensafe.org

24-hour Support and
Crisis Management Hotline
COPEline 1-888-285-5665
TDD/TTY Use Ohio Relay 1-800-750-0750

This project was supported by Grant No. 2003-WF-VA5-8006 awarded by Office of Justice Programs through the State of Ohio, Office of Criminal Justice Services.

**Court
Advocacy**
for Victims of
Domestic Violence



WOMENSAFE, INC.


**Resources for Victims
of Domestic Violence**

Court Advocacy

WomenSafe court advocates accompany survivors of domestic violence through the court process explaining legal entitlements, proceedings and resources. Advocates provide crisis intervention and emotional support in the courtroom as victims seek assistance from the criminal justice system.

WHAT IS A CIVIL PROTECTION ORDER (CPO)?

By law in Ohio, a person may use a CPO to receive temporary relief from an abusive relationship, whether or not a criminal charge is filed against the abuser. To file for a CPO, the abuser must be a family/household member.

A family/household member is defined as:

- Someone related by blood or marriage who currently or has ever lived with the victim
- A spouse or partner (including same-sex couples) whom the victim currently or has lived with during the past five years
- Someone the victim married previously
- Someone the victim has a child with, whether or not you were ever married or lived together

(If the abuser does not fit any of the above descriptions, please refer to Civil Stalking Protection Order.)

A CPO provides the following:

- The right of the victim to reside in the home, while the abuser is ordered to leave the home
- Orders abuser to stay away from the victim's home, workplace or school
- Orders the abuser to refrain from abusing, calling or threatening the victim directly or through another individual
- Temporary custody of children or visitation agreement
- Spousal/child support
- Court ordered counseling for the abuser
- Household items apportioned
- Request to remove abuser's weapons should he/she possess them

HOW TO OBTAIN A CPO

A CPO is issued by the Domestic Relations Division of the Common Pleas Court. You can file with or without an attorney. Paperwork is obtained by the county clerk of courts at:

Geauga County Common Pleas Court
100 Short Court St. Ste 2C
Chardon, OH 44024

STEPS IN A CIVIL CASE

CPO • CSPO • Divorce

Step 1: A **petition** is filed in domestic relations court by the victim.

Step 2: An **ex-parte CPO hearing** is held. The hearing must be held the same day the petition is filed. The victim explains why he/she needs protection from the court. The abuser does not need to know about the hearing until after it has taken place. The court may grant a Temporary CPO to protect the victim, until the full hearing is scheduled.

Step 3: The **abuser is served** with a copy of the petition, the Temporary CPO and notice of the full hearing date.

Step 4: The **full hearing** is held within 7 to 10 days after the petition is filed. If the abuser fails to appear in court the hearing will proceed. *The victim must be present, otherwise the case may be dropped.*

Step 5: The CPO **may be granted** after a full hearing or by the court approving a consent agreement between the parties. The CPO can be valid for up to 5 years and is renewable by further court order.

Step 6: If the CPO is granted, the **abuser is served** with copies of CPO paperwork.

Step 7: Law enforcement officers **must** enforce the CPO.

To talk with a
court advocate
Call COPEline
1-888-285-5665

All WomenSafe services are provided
free of charge.

STALKING

Stalking is a crime. Three out of five stalking victims are stalked by a current or former intimate partner. **Stalking** is a pattern of repeated, unwanted attention, harassment and/or contact. A pattern of conduct, is defined as meaning two or more actions, and can include:

- Following the victim
- Appearing at the victim's home or work
- Making unwanted or frightening contact with the victim by phone, email or mail
- Harassing the victim through the Internet
- Sending unwanted gifts
- Intimidating the victim
- Threatening to harm the victim or the victim's children, family or friends
- Vandalizing the victim's property
- Securing personal information about the victim by accessing public records, hiring private investigators, using Internet search services or contacting family, friends, neighbors or co-employees

CIVIL STALKING PROTECTION ORDER (CSPO)

A CSPO is similar to a CPO. It protects victims who, by law, are **not** family/household members of the abuser. Whether or not criminal charges have been filed, a person can ask the court for a CSPO at the Common Pleas Court in his/her county of residence. This order can last up to five years.