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Implementation Manual: Domestic Violence Risk Factor Guide for Civil Courts Project

This Implementation Manual was designed as a guide to help courts and communities better understand their current approaches to domestic violence risk assessment and enhance their own domestic violence risk assessment capacity through the use of risk factor guides for civil courts, civil legal attorneys, and self-represented litigants. This Manual is a framework to guide assessment, planning, and implementation activities. It is appropriate for audiences with varying levels of domestic violence and court expertise. The materials in this Manual are based upon best practices identified through the Center for Court Innovation's work on risk assessment on both a national and international scale.

Goal of the Domestic Violence Risk Factor Guide for Civil Courts Project

The goal of the **Domestic Violence Risk Factor Guide for Civil Courts Project**, an initiative of the Center for Court Innovation, is to increase the capacity of civil judges and self-represented litigants to identify and respond to domestic violence risk factors in civil protective order hearings.

With funding from State Justice Institute, the Center has created **two risk factor guide templates** to address this two-fold need: the need of self-represented litigants to have a tool that outlines the domestic violence risk factors and the legal remedies available to them through the civil protective order process; and the need for judges to have clearly articulated risk factors linked to legal sanctions, conditions and mandates.

The Project is designed to assist jurisdictions through the **planning and implementation** of both guides and to equip courts and stakeholders with skills and knowledge to ensure the ongoing effectiveness of the project. The Center for Court Innovation is dedicated to offering assistance that is responsive to the needs, resources, and challenges of our clients.

With support from SJI, the Center is able to provide a variety of **technical assistance services**, including:

- Intensive on-site work with individual jurisdictions to plan and implement the Domestic Violence Risk Factor Guides.
- Model documents and evaluation tools.
- Assistance building successful, multi-disciplinary planning teams.

STEP ONE

What does planning look like?

Suggested Planning Timeline

Engaging in meaningful planning and coordination among community stakeholders is vital to the implementation of an effective risk factor guide project. It is not unusual to spend three to six months working together to implement the risk factor guides to best respond to your court and community needs.

Here is a **suggested planning time line** that you can adapt to fit your needs.

1. **Select** a point person to lead the planning process.
2. **Identify** court staff and community partners to participate in the court planning process as your core planning team.
3. **Conduct** needs assessments to understand your community's current approach to domestic violence risk assessment and identify training needs.
4. **Develop** and execute training for planning team or stakeholders on domestic violence to address training needs regarding risk factors and risk assessments.
5. **Understand** your community's current approach to domestic violence risk assessment.
6. **Discuss** risk assessment information sharing and confidentiality issues regarding domestic violence risk, including information shared between the court and stakeholder agencies.
7. **Identify** the statutory framework for risk assessment in your jurisdiction, including civil protective order petitions, civil or criminal laws, and civil proceedings.
8. **Complete** the How To Implement Domestic Violence Risk Guide for Judges Sheet.
9. **Complete** the How To Implement the Domestic Violence Risk Guide for Self-Represented Litigants Sheet.
10. **Identify** judge or judges to pilot the use of the guide.
11. **Pilot** the guides.
12. **Hold** ongoing meetings to discuss pilot and plan for larger implementation.
13. **Survey** judges and litigants on usefulness of the guides.

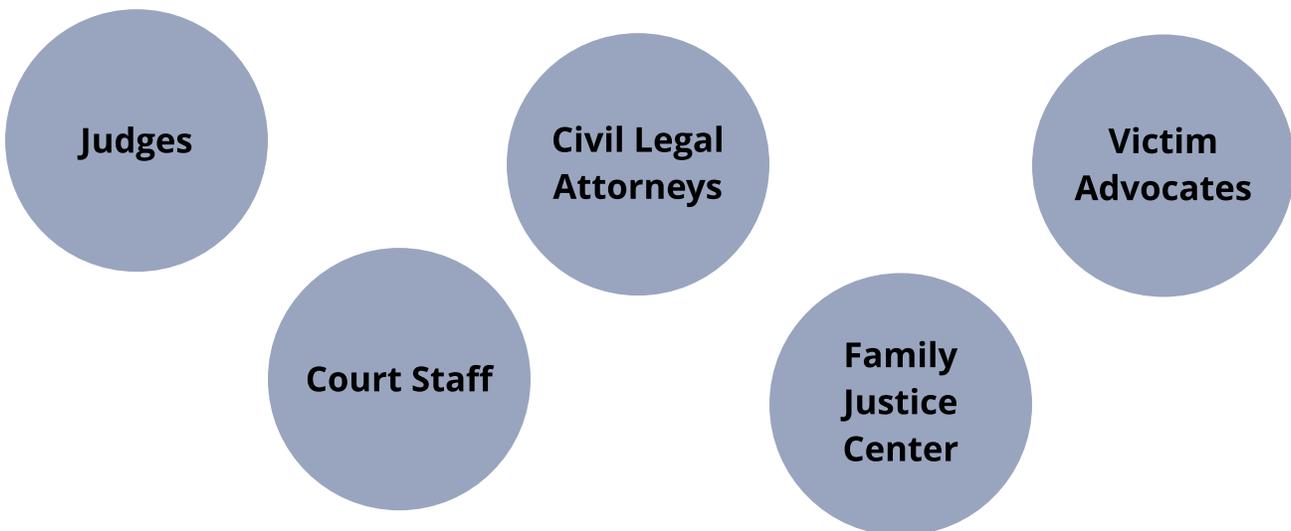
STEP TWO

Planning Team: Who is at the table?

Planning Team for the Domestic Violence Risk Factor Guide for Judges and Self-Represented Litigants

Collaboration among a diverse group of judicial and non-judicial court personnel, as well as representatives from key stakeholder agencies, is vital to the successful implementation of the guides. Involving agencies at the outset is vital to gaining early political support for the project and to building credibility.

Assembling a **formal planning team** also facilitates cooperation and effective implementation down the road.



The Center advises that the planning team, typically comprised of judges and court staff, include **representatives from across the jurisdiction**. For instance, if you are planning to implement this Guide statewide, include judges from both urban and rural courts to ensure consistent implementation statewide. Including court administration and local court staff will ensure operational issues and concerns are addressed during the planning process.

Some of your planning meetings will include **stakeholder representatives**, such as civil legal attorneys, family justice center representatives, and community based victim advocates. These agencies can assist the court in identifying current stakeholder assessment of domestic violence risk and ways in which the Self-Represented Litigant Guide can be most effectively implemented.

STEP THREE

Who is assessing risk in our community? What are the needs of Self-Represented Litigants?

Part One: Creating a System Map

Understanding which stakeholders are **currently assessing** for risk and with whom the risk assessment is **being shared** will help identify how the Risk Guides can provide additional information to the court and how current risk information can be shared with the court during the protective order process.

The Center recommends creating a system map of what risk assessments are being used by whom and to what end, as well as identifying the needs of self-represented litigants.

Developing a comprehensive flow chart or system map can be one of the **most effective** means of identifying gaps in information flow and deepening stakeholders' understanding of each agency's role. A thorough system map will allow you to clearly **define the current processes** for assessing risk in chart form, **identify problem areas** such as information flow, capacity issues, points at which self-represented litigants could get information about risk factors, and delays in information sharing or resource gaps. Once identified, this knowledge provides a solid basis from which to develop a **responsive court plan** in which the Risk Guides can facilitate information flow to the court and meet the needs of self-represented litigants.

System mapping involves diagramming all of the steps of the court processes, beginning with either a petition being filed or 911 being called and ending with the case being disposed. In addition to detailing the processing of a case, a system map should include the following pieces of important information:

- The major **steps and risk assessments** conducted on points in the system.
- The key **decision-makers** at each point of risk assessment in the system.
- The points at which **self-represented litigants receive information** about domestic violence risk.
- The points at which risk assessment information is **shared with another stakeholder**.
- The points at which risk assessment information is **shared with the court and with self-represented litigants**.
- **Confidentiality or legal issues** with sharing risk information.

STEP THREE

Who is assessing risk in our community? What are the needs of Self-Represented Litigants?

Part Two: Creating Your Map

This system map can then be used as a **planning tool** to help guide decisions regarding additional training needs and protocols or policies regarding sharing of risk information. The map can further your needs assessment project by **highlighting areas** in the civil legal process that require more information gathering, such as: the number of civil protective orders filed by self-represented litigants and outcomes of such orders; and language access needs of self-represented litigants.

1. **Identify** the first step in the case-flow process from the time of the domestic violence incident. Place this at the beginning of the map inside the appropriate shape (see key and shape definitions below). We recommend charting both the criminal and civil processes in order to best understand how risk information is being identified and shared among stakeholder agencies.
2. **Continue** discussing and drawing each subsequent step (and placing them in the appropriate shape) until the entire process is diagrammed.
3. **Draw** arrows from one step to the next.
4. **Review** each point in which risk is assessed on the system map. Identify and list the agency involved at each point on the map.
5. **Number** each step in the process to ensure clarity. This will allow you to refer to specific steps in the process at a later point.
6. **Identify** steps in which risk information currently is not or cannot be shared due to confidentiality or legal issues.
7. **Make** the charts work for you and keep them as simple as you possibly can. The primary objective is to make the chart as clear as possible, so that the process under review can be readily understood and improvements identified by almost anyone, even someone unfamiliar with the process.

STEP FOUR

What is our Statutory Framework for Risk Assessment in our jurisdiction?

Questions to Consider

Once you have a better understanding of what risk assessments are currently being used in your jurisdictions in domestic violence cases and have identified any additional gaps or needs for both the court and self-represented litigants in identifying risk, it is time to **look at your jurisdiction's protective order petition** and the laws and statutes that correspond to it.

Does your state have laws or statutes that require risk assessment or evaluation at any point in the criminal justice process?

Specifically, in your statutes relating to civil protective orders, which statutes allow the court to inquire about or respond to risk? And how does that information inform decision-making?

If so, what do those laws say about how that information is shared with the court?

In what places on the protective order petition is information about risk being captured?

Through thorough examination of your state's protective order petition and state laws, you will **identify** how the court is able to include risk information in its decision-making and how it can **inform** specific protective order conditions.

STEP FIVE

What training should we provide?

Types of Training

Crucial to ensuring the ongoing success of your project is a system wide **understanding of domestic violence issues**, such as: the dynamics of domestic violence, domestic violence lethality and risk factors, emerging research, and national best practices. Integrating training on these topics into your planning and ongoing operations is a key step.

Identifying Need

Trainings are most successful when they address the specific needs of the audience. One way to understand the training needs of judges, court staff, and stakeholder agencies is to create a training survey. This survey can ask about types of training that have already occurred, the most successful training attended, self-identified training needs, and what type of training(s) would be most effective to meet needs. The Center can assist you in creating a training survey.

Judicial Training

Providing education on domestic violence lethality and risk factors and how current state laws and statutes allow judges to respond to those risks can provide tools for handling the nuts-and-bolts legal issues of these complex cases. Once you have surveyed judges about their needs and most effective ways to do training, the Center can help you identify potential faculty and provide sample agendas.

Non-Judicial Personnel, Including Court Staff and Security

Training for court and court stakeholder staff on the unique dynamics of domestic violence and the corresponding risk factors as well as how the Risk Guides can assist judges and litigants alike is essential to successful implementation of the Guides. Court staff may be the first people that litigants encounter and their actions will impact a litigant's overall experience.

Planning teams can take a leadership role to help engage and educate court staff, court stakeholders, and the community at large about domestic violence. A useful approach is to first consult with your local domestic violence service provider(s) who may be able to provide training at no cost. Additionally, the Center for Court Innovation can provide court planning teams with assistance with planning such training opportunities.

Training on the Guides

Once you have adapted the Guides to your jurisdiction, you will need to consider how to best provide training on how to use the Guides for judges using the judicial guide and for court staff (clerks or others) who may be distributing the self-represented litigant guide. Center staff can assist you in planning such trainings.

STEP SIX

How do we implement the Guides?

Implementing the Domestic Violence Risk Factor Guide for Judges

This Guide is a template to which you and your stakeholders can add specific language that reflects court process and state laws. Each court should work, where appropriate, with victim services and other impacted stakeholder agencies, to create **specific steps for implementation**.

Additionally, courts should consider how to **disseminate** the guide and whether it should be made available electronically, laminated, three-hole punched, or color copied.

Below are areas that should be discussed and specific details that should be outlined to fit the **needs of your jurisdiction**.

Civil Protective Order and Civil Court

This Guide uses the words civil and protective order to refer to courts hearing civil protective orders. This can be changed to reflect your jurisdiction (for example, family court, domestic relations court and refrain from abuse orders, family court order of protection).

Petitioner and Respondent

The Guide uses the words Petitioner and Respondent when referring to litigants. These terms should be changed, as needed, to reflect state statutes.

General Instructions

Change any language to reflect court process, terminology, and statutes.

At Initial Hearing, Disposition, Requests for Modifications and Violation Hearings

Change language to reflect court process, terminology and statutes.

STEP SIX

How do we implement the Guides?

Implementing the Domestic Violence Risk Factor Guide for Civil Legal Attorneys

This Guide is a template to which you and your stakeholders can add specific language that reflects court process and state laws. Each court should work, where appropriate, with victim services and other impacted stakeholder agencies, to create **specific steps for implementation**.

Below are areas that should be discussed and specific details that should be outlined to fit the **needs of your jurisdiction**.

Civil Protective Order and Civil Court

This Guide uses the words civil and protective order to refer to courts hearing civil protective orders. This can be changed to reflect your jurisdiction (for example, family court, domestic relations court and refrain from abuse orders, family court order of protection).

Petitioner and Respondent

The Guide uses the words Petitioner and Respondent when referring to litigants. These terms should be changed, as needed, to reflect state statutes.

General Instructions

Change any language to reflect court process, terminology, and statutes.

Advocates and Safety Planning

Include community based advocacy contact information.

At Initial Hearing, Disposition, Requests for Modifications and Violation Hearings

Change language to reflect court process, terminology and statutes.

STEP SIX

How do we implement the Guides?

Implementing the Domestic Violence Risk Factor Guide for Self-Represented Litigants

This Guide is a template to which you and your stakeholders can add specific language that reflects court process and state laws. Each court should work, where appropriate, with victim services and other impacted stakeholder agencies, to create **specific steps for implementation**. Additionally, courts should consider how litigants will access this guide and how it will be distributed.

Below are areas that should be discussed and specific details that should be outlined to fit the **needs of your jurisdiction**.

Legal Language

This Guide uses the words civil and protective order to refer to courts hearing civil protective orders. This can be changed to reflect your jurisdiction (for example, family court, domestic relations court and refrain from abuse orders, family court order of protection).

Petitioner and Respondent

The Guide uses the words Petitioner and Respondent when referring to litigants. These terms should be changed, as needed, to reflect state statutes.

General Instructions to Petitioners

Change any language to reflect court process, terminology, and statutes. Fill in appropriate areas on how to access attorneys and interpreters to reflect your jurisdiction and court process.

Advocates: How they can help and how to speak with one

Fill in the appropriate area on how to access victim advocates to reflect your jurisdiction and court process.

At Initial Hearing, Disposition, Requests for Modifications and Violation Hearings

Change language to reflect court process, terminology and statutes. Make sure to address what can happen at each stage, who will be there (judge, respondent, etc.), whether testimony will be taken, what length of order could be issued. You may want to include information on how to file a modification or violation.

Domestic Violence Risk Factor Guide for Judges

Three-columned Risk Factor Table

1. The **first column** lists both lethality and recidivism risk factors and does not need to be adapted.
2. The **second column** lists information regarding risk that may be helpful for you in making decisions regarding the order. The third row refers to “Criminal and Family Court History”: This can be changed to reflect your jurisdiction’s court structure and terminology.
3. The **third column** includes more information about the lethality/risk factors. You should insert your state statutes (civil and criminal that apply to the corresponding risk factor).
 - a. **Frequency of Violence:** Examples of legal remedies could include reimbursement for medical costs;
 - b. **Unemployment:** Examples of remedies could include mandating GED, work readiness or workforce development;
 - c. **Drug or Alcohol Abuse:** Examples of legal remedies could include mandating drug and alcohol screening or treatment, no drinking, mental health evaluation or treatment
 - d. **Criminal and Family Court History:** If your court is not a “family” court, change language to reflect jurisdiction. Examples for legal remedies could include searching court databases for open cases, searching sex offender registry, searching protective order registry for prior protective orders. Does your state allow you to consider prior cases as a risk factor in making decisions?
 - e. **Relationship Status:** Examples for legal remedies could include payment of rent and utilities, confidentiality of new address.
 - f. **Firearms/Weapons:** Examples of legal remedies could include removal of firearm, third party transfer, restricted use of firearm for employment (law enforcement, etc.) Include federal and statutes that apply.
 - g. **Strangulation:** Examples of legal remedies could include making a finding of criminal strangulation.
 - h. **Threats to Kill/Suicide:** Examples of legal remedies could include: mental health evaluation, criminal statutes such as harassment or disorderly conduct.
 - i. **Sexual Violence:** Examples of legal remedies could include making a finding of criminal sexual assault.
 - j. **Controlling Behavior:** Would these constitute stalking in your state laws? If so, include state law. Examples of legal remedies could include court mandating respondent to batterer program to address controlling behavior.
 - k. **Stalking:** Examples of legal remedies could include state statutes for stalking and pet abuse and protection of pet in protective order.
 - l. **Petitioner Belief:** Fear or belief of harm—is this statutory basis for granting a protective order in your jurisdiction? If so, include statute.
 - m. **Children:** Examples of legal remedies could include criminal charges for child abuse, endangering the welfare of a child, issuing temporary child support, supervised visitation or parenting program.
 - n. **Safety Planning:** Do your statutes allow you to give information about attorneys or advocates? If so, include statute or information on how petitioners can access.

Domestic Violence Risk Factor Guide for Self-Represented Litigants

Three-columned Risk Factor Table

1. The **first column** lists both lethality and recidivism risk factors.
2. The **second column** lists information regarding risk that may be helpful for litigants to include in their petitions.
3. The **third column** includes possible remedies the petitioner can ask for or consider:
 - a. **Violence Against You:** Examples could include, reimbursement for medical costs, full stay away or no contact.
 - b. **Loss of Job:** Examples could include requesting GED, work readiness or workforce development.
 - c. **Drug or Alcohol Use:** Examples could include mandating drug and alcohol screening or treatment
 - d. **Criminal and Other Court History:** Examples could include asking the court to check to make sure criminal and civil orders are consistent.
 - e. **Relationship Status:** Examples could include payment of rent and utilities, confidentiality of new address.
 - f. **Weapons:** Examples could include removal of firearm, third party transfer, restricted use of firearm for employment (law enforcement, etc.)
 - g. **Choking:** Examples could include criminal charges for strangulation, reimbursement for medical bills if hospitalized.
 - h. **Threats to Kill/Suicide:** Examples could include mental health evaluation, criminal statutes such as harassment or disorderly conduct, removal of gun if threat included a gun and confidentiality of new address.
 - i. **Sexual Violence:** Examples could include information on how to file criminal charges for sexual assault, and reimbursement of medical bills if hospitalized.
 - j. **Controlling Behavior:** Would these constitute stalking in your state laws? If so, that should be made clear how to file for additional charges. Examples of remedies could be: requesting batterer program to address controlling behavior.
 - k. **Stalking:** Examples could include information on how to file criminal charges stalking and pet abuse, and requesting pet be protected in the order.
 - l. **Children:** Examples could include information on how to file criminal charges for child abuse, endangering the welfare of a child, issuing temporary child support, supervised visitation, parenting program.

STEP SEVEN

How do we evaluate our progress?

Understanding What Works

You may want to **monitor and assess** the usefulness of the Guides once they have been implemented. One way to do that is through a survey of judges and litigants who use the Guides.

The Center has developed **two short feedback forms** for you to use. One is for judges and asks questions pertaining to practicality, how the judges use the Guide, efficiency, and impact on decision-making. The other is for self-represented litigants who use the Guide. It asks similar questions regarding usefulness and impact on petition-writing.

The Center can work with you to decide how best to distribute the forms, and how to **evaluate** the information gathered.

For More Information:

For more information on training and technical assistance to plan and implement the use of the Risk Factor Guides, please contact Rebecca Thomforde Hauser at thomforr@courtinnovation.org

The Center Thanks:

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APPENDIX A

What are Domestic Violence Risk Factors?

Lethality Factors (Campbell, 1986)

Increase in Physical Violence over the past year: Increase in severity or frequency

Respondent/Defendant/Abusive Party owns a gun: Ownership of a gun is a lethality factor. Guns don't have to be registered or legally purchased. Even if gun has been taken by law enforcement, ownership is still a lethality factor.

Separation after living together within the past year: Even if the petitioner/victim has left and returned, the act of leaving within the past year is a risk factor.

Unemployment: Unemployment of the respondent/defendant/abusive party refers to those not employed at all or those working in an illegal activity (selling drugs, etc.).

Use or Threatened Use of a Lethal Weapon: This can include anything that could cause death such as gun, bat, axe, knife, etc.

Threats to Kill: Threats refer to explicit threats to kill (written or verbal) even if petitioner/victim doesn't think the threat is real.

Avoidance of Arrest: This includes a history of law enforcement response to the home that results in no arrest, defendant/respondent/abusive party's interference with 911 call, or if there is not an immediate arrest due to avoiding law enforcement.

Child that is not the biological child of respondent/defendant/abusive party: This refers to a minor child living in the home that is not the biological child of the respondent/defendant/abusive party.

Sexual Abuse: This refers to non-consensual sex through threats, physical violence or physical restraint.

Strangulation: This can include use of hands or object to apply pressure to the neck.

APPENDIX A

What are Domestic Violence Risk Factors?

Lethality Factors (Campbell, 1986)

Use of Illegal Drugs: This includes amphetamines, speed, cocaine, crack, or excessive use of steroids.

Alcohol Abuse: This refers to the respondent/defendant/abusive party's abuse of alcohol (daily heavy drinking or drunk).

Controlling Behavior: This could be any behavior that is used to control most or all of the petitioner/victim's activities. If the petitioner/victim is not afraid and doesn't change behavior, this would not be a lethality factor.

Jealousy: This includes violent or extreme jealousy, such as "If I can't have you, no one can." This jealousy is often connected with threats of physical violence.

Abuse During Pregnancy: This includes abuse if the defendant/respondent/abusive party knows that the victim/petitioner is pregnant.

Suicide: This refers to explicit threats or suicide attempts by the respondent/defendant/abusive party.

Child Abuse Threats: This refers to threats by the respondent/defendant/abusive party of physical violence (NOT emotional or verbal abuse).

Belief of Petitioner/Victim: This refers to whether the petitioner/victim believes the respondent/defendant/abusive party is capable of killing him/her.

Stalking: This refers to any action by the respondent/defendant/abusive party to monitor the petitioner/victim. It can include: following, spying on, threatening notes and messages, destruction of property and pets.

APPENDIX B

What are Domestic Violence Risk Assessments?

Domestic Violence Risk Assessment Tools

In order to better understand the risk of lethality to the victim or risk of recidivism of the defendant, many **risk assessment tools** have been developed over the past several years. There is a growing body of research that has identified those tools that are most accurate or that have been validated to measure what the tool purports to measure. For instance, if a risk assessment tool is attempting to measure risk of recidivism, it is validated if research has demonstrated that individuals classified by the tool as “high-risk” are indeed much more likely than others to re-offend and those classified as “low-risk” are indeed much less likely than others to re-offend. Or if the tool is attempting to measure lethality, it is validated if research has demonstrated that, after further in-depth clinical assessment, those individuals that the tool flags as high risk of being killed by their intimate partner are indeed much more likely than others to be killed by their intimate partner.

Below is a chart outlining **key characteristics** of several validated domestic violence risk assessments.

ODARA: The Ontario Domestic Assault Risk Assessment

DVRAG: Domestic Violence Risk Appraisal Guide (ODARA + PCL-R)¹

DA: Danger Assessment and variations

SARA: Spousal Abuse Risk Assessment

DVSI/DVSI-R: Domestic Violence Screening Instrument/Domestic Violence Screening Instrument-Revised

DV-MOSAIC: MOSAIC Threat Assessment System for Domestic Violence

¹ Psychopathy Checklist-Revised

APPENDIX B

What are Domestic Violence Risk Assessments?

Domestic Violence Risk Assessment Tools

Risk Assessment	Lethality/ Recidivism	# of Items	Sources of information	Level of professional training needed	Who is using?
ODARA	Recidivism	13	Offender interview, official records	Minimal, online, free	Court staff bailiffs, law enforcement
DVRAG	Recidivism	14	Offender interview, official records	Professional training needed for the PCL-R	
DANGER ASSESSMENT	Lethality	20+interactive calendar	Victim interview	Minimal	Victim advocates, health care, primarily in confidential setting
DVSI	Recidivism	12	Offender interview, official records,	Minimal	Probation
DVSI-R	Recidivism	11	Offender interview, official records, victim input if available	Minimal	Probation, courts
DV-MOSAIC	Severe re-offense and lethality	46	Victim interview, official records	Minimal training	Law enforcement
SARA	Recidivism	20+clinical impression	Offender interview, official records, victim input (when available)	Professional training needed	Law enforcement and probation

Things to Think About When Writing Your Petition

This Guide will help you:

- Identify things that may put you at risk of repeated injury or death
- Tell the judge about your safety concerns when you write petitions for protective orders or when you write petitions for orders affecting your children, such as custody and parenting time
- Understand what you can ask the court to do

For this Guide: If you are asking the court to protect you, you are the "petitioner" and the person you are asking the court to protect you from is the "respondent."

Things that may put you at risk	What to describe in your petition	What you might ask the court to do ⁱ
Violence Against You Sexual violence Against You Choking / Strangling	<input type="checkbox"/> Details about the physical violence including whether it has gotten worse <input type="checkbox"/> Whether and when violence has happened before, and any changes in the violence <input type="checkbox"/> The injuries, level of pain, whether you've gone to the doctor or hospital, and treatment you've needed <input type="checkbox"/> Whether the respondent forced you to have sex, or forced you to get pregnant or to have an abortion against your wishes <input type="checkbox"/> Whether the respondent tried to choke you or put his or her hands on your neck <input type="checkbox"/> Any pain or injuries and if you lost consciousness	Require respondent to: <ul style="list-style-type: none"> <input type="checkbox"/> stay away from me and my work or from me and the children and school; <input type="checkbox"/> pay for medical bills due to the injuries; <input type="checkbox"/> go to a batterer program; <input type="checkbox"/> pay for work you missed because of the violence Violence against you may be a crime; you may wish to talk with the police, in addition to filing this petition.
Loss of Job	<input type="checkbox"/> How long the respondent has not been working <input type="checkbox"/> What led to the respondent losing his or her job	<input type="checkbox"/> Require respondent to go to a job readiness, workforce development, or GED program
Drug or Alcohol Use	<input type="checkbox"/> What kind of drugs the respondent uses (such as illegal drugs such as "uppers" or amphetamines, meth, speed, angel dust, cocaine, crack, street drugs, or mixers) <input type="checkbox"/> If the respondent is an alcoholic or drinks a lot	<input type="checkbox"/> Order respondent to have drug or alcohol testing or treatment
Criminal and Other Court History	<input type="checkbox"/> Whether the respondent has been arrested or if you ever called the police or tried to call the police (you can show copies of police reports or describe to the court) <input type="checkbox"/> If you have another order or have asked for an order of protection or child support <input type="checkbox"/> If the respondent has any other court cases now (in this court or other courts)	<input type="checkbox"/> Make sure this order is the same as any other court order <input type="checkbox"/> Stop respondent from hurting me
Relationship Status	<input type="checkbox"/> When your relationship began and ended <input type="checkbox"/> Where you each live and if you ever lived together <input type="checkbox"/> Changes to your relationship	<input type="checkbox"/> Keep my new address confidential Require respondent to: <ul style="list-style-type: none"> <input type="checkbox"/> temporarily pay rent or support; <input type="checkbox"/> stay away from my home
Weapons	<input type="checkbox"/> Whether the respondent owns or can easily get a gun or other weapon <input type="checkbox"/> The types of weapons the respondent owns or has access to <input type="checkbox"/> Any threats (words or actions) to use a weapon against you	<input type="checkbox"/> Take all of respondent's guns or weapons
Threats to Kill & Threats to Commit Suicide	<input type="checkbox"/> How the respondent has threatened to kill you or tried to kill you (for example, verbal or electronic threats, physical assault, etc.) <input type="checkbox"/> Whether the respondent ever threatened or tried to commit suicide. <input type="checkbox"/> Whether the respondent has any mental health issues <input type="checkbox"/> Whether you think the respondent will kill you and why	Require respondent to: <ul style="list-style-type: none"> <input type="checkbox"/> turn in all guns or weapons; <input type="checkbox"/> stay away from me and the children; <input type="checkbox"/> have a mental health evaluation
Controlling Behavior	<input type="checkbox"/> How the respondent controls your daily activities, and if the respondent is constantly or violently jealous, threatens to embarrass you, threatens to call immigration, or forces you to do things you don't want to <input type="checkbox"/> Whether the respondent keeps you from having a bank account or driving a car <input type="checkbox"/> Whether the respondent destroys your things or harms your pets	<input type="checkbox"/> Help me get an immigration attorney <input type="checkbox"/> Prohibit respondent from harming pets Require respondent to: <ul style="list-style-type: none"> <input type="checkbox"/> stop contacting me; <input type="checkbox"/> go to a batterer program; <input type="checkbox"/> return my papers or property
Stalking	<input type="checkbox"/> Whether the respondent follows or spies on you; reads your emails, texts, social media; drives by or hangs out at your house, school, or work. <input type="checkbox"/> Whether the respondent leaves you threatening messages, or repeatedly calls, texts, or emails you <input type="checkbox"/> Whether the respondent uses technology, like cell phones, hidden cameras, or global positioning systems (GPS) to track you.	Require respondent to: <ul style="list-style-type: none"> <input type="checkbox"/> stay away from my home, school, work, place of worship, etc.; <input type="checkbox"/> have no contact or communication with me
Children	<input type="checkbox"/> Whether the respondent threatened to hurt the children <input type="checkbox"/> Whether children were home during an incident against you <input type="checkbox"/> Whether you have children that aren't the respondent's children	<input type="checkbox"/> Award temporary custody to you <input type="checkbox"/> Require supervised visitation or no visitation with respondent Require respondent to: <ul style="list-style-type: none"> <input type="checkbox"/> pay temporary child support; <input type="checkbox"/> attend parenting classes

Things to Think About When Writing Your Petition

General Information

- You may be able to have an attorney help you free of cost. If you want an attorney, please [FILL IN THE BLANK]
- You may have an interpreter if you need one. Please ask [FILL IN THE BLANK]
- Any information you share with the court may be shared with the respondent. If you are afraid to talk about these risk factors with the judge, you may want to talk with an advocate.
- You may be afraid of other things not on this guide. You can share them with the judge or ask to speak with an advocate.
- If you have pictures of injuries or bruises, or witnesses, be sure to bring them to the court hearing.

Advocates: How they can help & how to speak with one

- The most dangerous time is when you are leaving the respondent and you have told someone else about the abuse.
- Advocates may be available to help you understand the risk factors, provide safety planning, and help you with your petition.
- If you want to speak with an advocate, please ask [FILL IN THE BLANK]

What to expect during the court process

[FILL IN A SHORT EXPLANATION OF YOUR COURT PROCESS]

- **First Appearance:** [Example]
This will be the first time the judge reads your petition and can decide whether to issue you a temporary protection order
- **Second Appearance:** [Example]
The respondent may be at this court hearing and will be able to respond to the petition. If you want an attorney to help you during this hearing, please [FILL IN THE BLANK].
- **Disposition:** [Example]
The judge may make a decision to enter a final order of protection. The respondent may be here but does not need to be in court for the judge to make a decision.
- **Requests for Modifications and Violation Hearings:** [Example]
The judge may decide whether to modify or change the order or some of the conditions, especially if the respondent has violated the original court order. Changes might include contact between you and the respondent, an order to surrender weapons, support, children on the order, program attendance, or other matters.

What if the respondent doesn't obey the order?

[FILL IN A SHORT EXPLANATION OF HOW TO REPORT A VIOLATION OR CALL LAW ENFORCEMENT]

This project was supported by Award No. SJI-15-N-7. The opinions, findings, or recommendations expressed in this document are those of the authors and do not necessarily reflect the view of the State Justice Institute.

ⁱ Revise this column to reflect state statutes or rules.

FOR MORE INFORMATION:

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For more information on training and technical assistance to plan and implement the use of the Risk Factor Guides, please contact Rebecca Thomforde Hauser at thomforr@courtinnovation.org

Domestic Violence Risk Factor Guide for Civil Judges

Risk Factor	What to Look For	Legal Context ¹
Frequency of Violence	<ul style="list-style-type: none"> Was this the first time that something like this happened? If not, what happened before? How long ago? What was the worst or most serious thing that happened? Medical treatment needed? Has the physical violence increased in frequency or severity over the past year? 	Increased severity/ frequency of violence; unemployment increase lethality and recidivism. INSERT STATE STATUTES HERE
Unemployment	<ul style="list-style-type: none"> Is the respondent unemployed? 	Unemployment or illegal employment such as selling drugs increases lethality and recidivism. INSERT STATE STATUTES HERE
Drug or Alcohol Abuse	<ul style="list-style-type: none"> Is there a history of substance abuse or illegal drug use? 	Use of some illegal drugs and excessive drinking increase lethality and recidivism. INSERT STATE STATUTES HERE
Prior Criminal or Family Court History	<ul style="list-style-type: none"> Has the respondent avoided being arrested for domestic violence in the past? Are there prior criminal cases of any kind? Are there any violations of prior orders of protection? 	Prior OPs/criminal history are risk factors for recidivism. Avoiding arrest is a lethality factor. INSERT STATE STATUTES HERE. Include ability to conduct: Criminal and Family Court check, OP registry, sex offender registry for pending or prior cases/orders.
Relationship Status	<ul style="list-style-type: none"> When did the relationship begin? When did it end? Where does each party live? Did they live together, if so when? Are they recently separated? 	Separation within the past year increases risk of lethality and recidivism. INSERT STATE STATUTES HERE
Firearms/ Weapons	<ul style="list-style-type: none"> Does respondent own a firearm or weapon? Has the respondent ever used or threatened to use a weapon against the petitioner? 	Respondent ownership of firearm and use or threatened use of lethal weapon increases recidivism and lethality risk INSERT STATE STATUTES HERE
Strangulation	<ul style="list-style-type: none"> Has respondent ever attempted to strangle or “choke” the petitioner? 	Strangulation increases lethality. INSERT STATE STATUTES HERE
Threats to Kill/Suicide	<ul style="list-style-type: none"> Has respondent ever threatened to or tried to kill the petitioner? Has the respondent ever threatened to or tried to commit suicide? 	INSERT STATE STATUTES HERE
Sexual Violence	<ul style="list-style-type: none"> Has respondent forced the petitioner to have sex? 	Forced sex is a lethality factor. INSERT STATE STATUTES HERE
Controlling Behavior	<ul style="list-style-type: none"> Does respondent try to control most or all of petitioner’s daily activities? Is respondent constantly or violently jealous? Who has access to bank accounts, the car, etc.? Has the respondent destroyed any personal property or harmed pets? 	Violent jealousy and stalking behaviors are lethality factors and may constitute stalking INSERT STATE STATUTES HERE

¹ Revise this column to reflect state statutes or rules.

Domestic Violence Risk Factor Guide for Civil Judges

Stalking	<ul style="list-style-type: none"> • Does the respondent repeatedly call, text, or email the petitioner? • Send unwanted gifts or other items to the petitioner? • Monitor petitioner’s phone calls, computer use, or social media? • Use technology, like hidden cameras or global positioning systems (GPS), to track the petitioner? • Drive by or hang out at the petitioner’s home, school, or work? Follow or show up wherever the petitioner is? 	Stalking increases risk of lethality INSERT STATE STATUTES HERE
Petitioner Belief	<ul style="list-style-type: none"> • Does the petitioner believe that the respondent will re-assault or attempt to kill the petitioner? 	Petitioner belief of harm is a lethality factor. INSERT STATE STATUTES HERE
Children	<ul style="list-style-type: none"> • Has there been direct physical abuse? Threats to harm children? Child sexual abuse? • What is the biological relationship of respondent and children? • Were children present during the incident? • Have the children witnessed violence between the parties? 	Having a child who is not the responding party’s increases lethality and recidivism. Assault during pregnancy increases risk of lethality. Children present increases risk of recidivism. INSERT STATE STATUTES HERE

How To Use The Domestic Violence Risk Factor Guide for Civil Judges

Research has proved that there are several factors associated with an increased risk of homicides of women in intimate partner domestic violence relationships. This Guide is to assist Civil Court judges in identifying domestic violence risk factors and to offer legal remedies or specific conditions that may be appropriate that respond to the correlating risk. This Guide may also be valuable in assisting courts in crafting parenting plans, parental access and visitation orders in cases involving domestic violence. The

Guide is not exhaustive, is not meant to be a substitute for the court’s discretion in determining the credibility of the allegations and weight of each factor and is not meant to be filled out, scored in any way, or placed in any court file.

General Instructions

- Provide both parties with notice of right to retain counsel
- Provide the responding party with an opportunity to be heard as to any risk factors identified
- Explain the terms and conditions of the Temporary Order to all parties, with the assistance of an interpreter when needed
- If *ex parte* application for a temporary order involves exclusion from the home, the case should be scheduled with a short return date

Limitations of eliciting safety or risk information from petitioners in open court

- Safety concerns or trauma can affect the petitioner’s ability to provide accurate information in open court
- Soliciting information from petitioners in a private setting (by someone other than the judge) improves the accuracy of information and also serves as an opportunity to provide information and resources to the petitioner

At Initial Hearing: EXAMPLE LANGUAGE

- This tool can assist in determining the terms and conditions on the temporary order, whether to issue a warrant, how quickly to calendar the return hearing, and whether temporary support should be ordered

At Dispositional Hearings: EXAMPLE LANGUAGE

- This tool can assist in determining type and length of order, whether aggravating circumstances apply and which conditions are appropriate, including firearms surrender, support, children on the order, and/or program mandates

Domestic Violence Risk Factor Guide for Civil Judges

Requests for Modifications and Violation Hearings: EXAMPLE LANGUAGE

- This tool can assist in modification of type and length of order, and which conditions are appropriate, including firearms surrender, support, children on the order, and/or program mandates; or adding terms and conditions after a violation hearing

Provide petitioners information on risk assessment factors and the option of consulting with confidential advocates

- Information and access to advocates improves petitioner safety and the quality of petitioners' risk assessments and, as a result, the court's own assessment of risk

Cultural factors may impact litigants' understanding of this tool

- Information and access to language services should be made available to litigants to ensure their understanding of the risk factors and the petition
- Some of the terms on this tool may need to be explained in more detail

Note that this list of risk factors is not exclusive

- The listed factors are those most commonly present when the risk of serious harm or death exists
- Additional factors exist which assist in prediction of re-assault
- Petitioners may face and fear other risks such as homelessness, poverty, criminal charges, loss of children or family supports

Remember that the level and type of risk can change over time

- The most dangerous time is during or after the period when the petitioner:
 - is separating or has separated from the respondent
 - has disclosed or is attempting to disclose the abuse to others
- This information is then used to tailor supervision strategies and oversight.

These factors draw on the following evidence based risk and lethality assessment tools: Danger Assessment and DVSI-R. This Guide was adapted from the NYS Domestic Violence Risk Factor Guide for Family Court Judges.

This project was supported by Award No. SJ1-15-N-7. The opinions, findings, or recommendations expressed in this document are those of the authors and do not necessarily reflect the view of the State Justice Institute.

FOR MORE INFORMATION:

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For more information on training and technical assistance to plan and implement the use of the Risk Factor Guides, please contact Rebecca Thomforde Hauser at thomferr@courtinnovation.org

Domestic Violence Risk Factor Guide for Civil Legal Attorneys

Risk Factor	Suggested Discussion with Client to include in Petition	What Can the Client Request: Legal Context ¹
Frequency of Violence/ Nature of Abuse	<ul style="list-style-type: none"> • Details about the physical violence including whether it has gotten worse • What was the most recent incident? Has violence occurred before and when? What was the worst incident? Have there been any changes in the violence? • Did the victim sustain any injuries? For each one, how much did it hurt/level of pain, did the petitioner go to the doctor or hospital, and was treatment needed? 	Increased severity and/or frequency of violence; unemployment increase the risk of lethality and recidivism. INSERT STATE STATUTES HERE
Prior Criminal or Family Court History	<ul style="list-style-type: none"> • Has the respondent avoided being arrested for domestic violence in the past, ie. left the scene before police arrived? • Are there prior criminal cases of any kind? • Are there any violations of prior orders of protection? • Are there other civil cases alleging domestic violence? • How many times has the petitioner called the police? Does the petitioner have copies of police reports? 	Prior OPs/criminal history are risk factors for recidivism. Avoiding arrest is a lethality factor. INSERT STATE STATUTES HERE. Include ability to conduct: Criminal and Family Court check, OP registry, sex offender registry for pending or prior cases/orders.
Drug or Alcohol Abuse	<ul style="list-style-type: none"> • Is there a history of substance abuse or illegal drug use by the respondent? • What kind of drugs does the respondent use (such as illegal drugs including "uppers" or amphetamines, meth, speed, angel dust, cocaine, crack, street drugs, or mixers) • Is the respondent dependent on alcoholic or a frequent drinker? 	Use of some illegal drugs and excessive drinking increase the risk of lethality and recidivism. INSERT STATE STATUTES HERE
Unemployment	<ul style="list-style-type: none"> • Is the respondent purposefully unemployed or under-employed? • Did the respondent recently lose his/her job? • How long has the respondent not been working? • What led to the respondent losing his or her job? 	Unemployment or illegal employment increases the risk of lethality and recidivism. INSERT STATE STATUTES HERE
Relationship Status	<ul style="list-style-type: none"> • What is the petitioner's relationship with the respondent? • When did the relationship begin? When did it end? • Where does each party live? Did they live together, if so when? • Are they recently separated? 	Separation within the past year increases the risk of lethality and recidivism. INSERT STATE STATUTES HERE
Firearms/ Weapons	<ul style="list-style-type: none"> • Does the respondent own or have access to a firearm or weapon? Include descriptions of the types of weapons the respondent owns or can access. • Has the respondent ever used or threatened (words or actions) to use a weapon against the petitioner? 	Respondent ownership of firearm and use or threatened use of lethal weapon increases the risk of lethality and recidivism. INSERT STATE STATUTES HERE
Strangulation	<ul style="list-style-type: none"> • Has the respondent ever attempted to strangle or "choke" the petitioner? • Has the respondent put his or her hands on petitioner's neck? • Was there any resulting pain or injuries or loss of consciousness? 	Strangulation increases the risk of lethality. INSERT STATE STATUTES HERE
Threats to Kill/Suicide	<ul style="list-style-type: none"> • Has the respondent ever threatened to or tried to kill the petitioner? If yes, describe how the respondent has threatened to kill or tried to kill petitioner (such as verbal or electronic threats, physical assault, etc.) • Has the respondent ever threatened to kill other friends or family members? • Has the respondent ever threatened to or tried to commit suicide? • Does the respondent have any mental health issues? • Does the petitioner think that the respondent will kill her or him and why? 	INSERT STATE STATUTES HERE
Sexual Violence	<ul style="list-style-type: none"> • Has the respondent forced the petitioner to have sex? • Has the respondent forced the petitioner to become pregnant or to have an abortion against her wishes 	Forced sex is a lethality factor. INSERT STATE STATUTES HERE

Domestic Violence Risk Factor Guide for Civil Legal Attorneys

Controlling Behavior	<ul style="list-style-type: none"> • Does the respondent try to control most or all of the petitioner's daily activities? • Is the respondent constantly or violently jealous? • Who has access to bank accounts, the car, money, etc.? • Has the respondent destroyed any personal property or threatened to or harmed pets? 	Violent jealousy and stalking behaviors are lethality factors and may constitute stalking. INSERT STATE STATUTES HERE
Stalking	<ul style="list-style-type: none"> • Does the respondent repeatedly call, text, or email the petitioner? • Does the respondent send unwanted gifts or other items to the petitioner? • Does the respondent monitor the petitioner's phone calls, computer use, or social media? • Does the respondent use technology, like hidden cameras or global positioning systems (GPS), to track the petitioner? • Does the respondent drive by or hang out at the petitioner's home, school, or work? • Does the respondent follow or show up wherever the petitioner is? 	Stalking increases risk of lethality. INSERT STATE STATUTES HERE
Children	<ul style="list-style-type: none"> • Has there been direct physical abuse? Threats to harm children? Child sexual abuse? • What is the biological relationship of the respondent and children? • Were children present during the incident? • Have the children witnessed violence between the parties? 	Having a child who is not the responding party's increases the risk of lethality and recidivism. Assault during pregnancy increases the risk of lethality. Children present during abuse increases the risk of recidivism. INSERT STATE STATUTES HERE

How To Use The Domestic Violence Risk Factor Guide for Civil Legal Attorneys

Research has shown that there are several factors associated with an increased risk of homicide for women in intimate partner domestic violence relationships. This Guide is intended to assist attorneys in identifying domestic violence risk factors when meeting with petitioners, as well as offer legal remedies or specific conditions that may appropriately respond to the correlating risk. This Guide may also be valuable in assisting attorneys in crafting parenting plans, and parental access and visitation orders in cases involving domestic violence. **While useful in guiding conversation and indicating potential risk, this Guide is not exhaustive, is not meant to be a substitute for the petitioner's discretion in discussing these factors with the court, and is not meant to be filled out, scored in any way, or placed in any court file.**

General Instructions

- Explain why you are asking these questions to the petitioner
- Remind petitioner that this information will be shared with respondent and discuss any safety concerns with disclosure of risk information.
- Use this guide to inform your conversation regarding possible court remedies and safety planning
- Advise the petitioner that s/he can talk with a confidential victim advocate
- Advise the petitioner that s/he can talk with an immigration attorney if s/he has concerns about visas, documentation or the respondent's status.

Advocates and Safety Planning

- The most dangerous time for a petitioner is when s/he is leaving the respondent. You may want to discuss what the petitioner's safety concerns are, what s/he thinks the respondent might do once the protective order is issued and how the protective order can help in his/her safety plan.

¹ Revise this column to reflect state statutes or rules.

Domestic Violence Risk Factor Guide for Civil Legal Attorneys

- Advocates may be available to help your client understand the risk factors, provide safety planning, and provide on-going services for a petitioner and her/his children.
- If you want to connect your client with an advocate, please contact [FILL IN THE BLANK]

Limitations of eliciting safety or risk information from petitioners in interviews or in open court

- Safety concerns or trauma can affect the petitioner's ability to provide accurate information.
- Soliciting information from petitioners in a private setting improves the accuracy of information and serves as an opportunity to provide information and resources to the petitioner.
- Sexual Assault may be difficult for a victim to disclose during the first interview.
- Asking these questions should be balanced with your interest in developing a relationship of trust and confidence with the client.

At Initial Hearing: EXAMPLE LANGUAGE

This tool can assist in determining the terms and conditions on the temporary order.

At Dispositional Hearings: EXAMPLE LANGUAGE

- This tool can assist in determining type and length of order, whether aggravating circumstances apply, and which conditions are appropriate, including firearms surrender, support, children on the order, and/or program mandates

Requests for Modifications and Violation Hearings: EXAMPLE LANGUAGE

- This tool can assist in modification of type and length of order, and which conditions are appropriate, including firearms surrender, support, children on the order, and/or program mandates; or adding terms and conditions after a violation hearing

Provide petitioners with information on risk assessment factors and the option of consulting with confidential advocates

- Information and access to advocates improves petitioner safety and the quality of petitioners' risk assessments and, as a result, the court's own assessment of risk

Cultural factors may impact litigants' understanding of this tool

- Information and access to language services should be made available to litigants to ensure their understanding of the risk factors and the petition
- Some of the terms on this tool may need to be explained in more detail

Note that this list of risk factors is not exhaustive

- The listed factors are those most commonly present when the risk of serious harm or death exists
- Additional factors exist which assist in the prediction of re-assault
- Petitioners may face and fear other risks such as homelessness, poverty, criminal charges, loss of children or family supports

Remember that the level and type of risk can change over time

- The most dangerous time is during or after the period when the petitioner:
 - is separating or has separated from the respondent
 - has disclosed or is attempting to disclose the abuse to others

These factors draw on evidence based on the following risk and lethality assessment tools: Danger Assessment and DVSI-R. This Guide was adapted from the NYS Domestic Violence Risk Factor Guide for Family Court Judges.

Domestic Violence Risk Factor Guide for Civil Legal Attorneys

This project was supported by Award No. SJI-16-N-213. The opinions, findings, or recommendations expressed in this document are those of the authors and do not necessarily reflect the view of the State Justice Institute.

FOR MORE INFORMATION:



For more information on training and technical assistance to plan and implement the use of the Risk Factor Guides, please contact Rebecca Thomforde Hauser at thomferr@courtinnovation.org

Simplified Chinese Guide: Things to Think About When Writing Your Petition

This Guide will help you:

本指南将帮助您:

- Identify things that may put you at risk of repeated injury or death
找出可能让您处于重复受伤或死亡风险的事情
- Tell the judge about your safety concerns when you write petitions for protective orders or when you write petitions for orders affecting your children, such as custody and parenting time
当您在撰写保护令请愿书或者当您撰写影响您的孩子的命令请愿书，比如监护和亲子时间时，告诉裁判您的安全顾虑

Things that may put you at risk 可能让您处于危险之中的事情	What to describe in your petition 在请愿书中要说明什么	What you might ask the court to do 您可能让法庭做什么
Violence Against You 针对您的暴力 Sexual Violence Against You 针对您的性暴力	<ul style="list-style-type: none"> <input type="checkbox"/> Details about the physical violence including whether it has gotten worse 关于人身暴力攻击的细节，包括是否已经变得更糟糕 <input type="checkbox"/> Whether and when violence has happened before, and any changes in the violence 以前是否发生以及何时发生暴力，并且在该暴力中是否有任何变化 <input type="checkbox"/> The injuries, level of pain, whether you've gone to the doctor or hospital, and treatment you've needed 受伤、疼痛程度，您是否已经看过医生或去过医院，以及您需要的治疗 <input type="checkbox"/> Whether the respondent forced you to have sex, or forced you to get pregnant or to have an abortion against your wishes 该被告是否强迫您过性生活，或强迫您怀孕或违反您的意愿流产 <input type="checkbox"/> Whether the respondent tried to choke you or put his or her hands on your neck 被告是否试图使您窒息或把他或她的手放在您的脖子上 <input type="checkbox"/> Any pain or injuries and if you lost consciousness 任何疼痛或受伤以及您是否失去意识 	Require respondent to: 要求被告: <ul style="list-style-type: none"> <input type="checkbox"/> stay away from me and my work or from me and the children and school; 远离我和我的工作或远离我和孩子们和学校; <input type="checkbox"/> pay for medical bills due to the injuries; 支付受伤所造成医药费; <input type="checkbox"/> go to a batterer program; 参加虐妻者计划; <input type="checkbox"/> pay for work you missed because of the violence 支付由于暴力而对您导致的误工费 Violence against you may be a crime; you may wish to talk with the police, in addition to filing this petition. 针对您的暴力可能是犯罪；除了提交本请愿书，您可能希望与警察交谈。
Choking / 掐脖子/ Strangling 扼住	<ul style="list-style-type: none"> <input type="checkbox"/> How long the respondent has not been working 被告多长时间没有工作 <input type="checkbox"/> What led to the respondent losing his or her job 什么导致被告失去他或她的工作 	<ul style="list-style-type: none"> <input type="checkbox"/> Require respondent to go to a job readiness, workforce development, or GED program 要求被告参加就业准备、劳动力发展或一般教育发展计划
Loss of Job 失去工作	<ul style="list-style-type: none"> <input type="checkbox"/> What kind of drugs the respondent uses (such as illegal drugs such as "uppers" or amphetamines, meth, speed, angel dust, cocaine, crack, street drugs, or mixers) 被告使用哪种毒品（比如非法毒品，如“安非他命”、冰毒、急速药剂、天使粉、可卡因、裂纹毒品、街头毒品、或者混合毒品） <input type="checkbox"/> If the respondent is an alcoholic or drinks a lot 被告是否嗜酒或经常喝酒 	<ul style="list-style-type: none"> <input type="checkbox"/> Order respondent to have drug or alcohol testing or treatment 命令被告进行毒品或酒精测试或治疗
Drug or Alcohol Use 毒品或酒精的使用	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent has been arrested or if you ever called the police or tried to call the police (you can show copies of police reports or describe to the court) 被告是否已被捕或您是否曾呼叫警察或试图呼叫警察（您可以出示出警报告的副本或向法庭说明这一点） 	<ul style="list-style-type: none"> <input type="checkbox"/> Make sure this order is the same as any other court order 确保这个命令与任何其他法庭命令相同 <input type="checkbox"/> Stop respondent from hurting me 阻止被告伤害我
Criminal and Other Court History 犯罪和其他法庭历史	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent has been arrested or if you ever called the police or tried to call the police (you can show copies of police reports or describe to the court) 被告是否已被捕或您是否曾呼叫警察或试图呼叫警察（您可以出示出警报告的副本或向法庭说明这一点） 	<ul style="list-style-type: none"> <input type="checkbox"/> Make sure this order is the same as any other court order 确保这个命令与任何其他法庭命令相同 <input type="checkbox"/> Stop respondent from hurting me 阻止被告伤害我

Simplified Chinese Guide: Things to Think About When Writing Your Petition

	<ul style="list-style-type: none"> <input type="checkbox"/> If you have another order or have asked for an order of protection or child support 您是否有另一个命令或已经要求保护令或孩子赡养令 <input type="checkbox"/> If the respondent has any other court cases now (in this court or other courts) 被告现在是否有其他案件（在这个法庭或其他法庭） 	
<p style="text-align: center;">Relationship Status 关系状态</p>	<ul style="list-style-type: none"> <input type="checkbox"/> When your relationship began and ended 你们的关系何时开始和结束 <input type="checkbox"/> Where you each live and if you ever lived together 你们各自住在哪里，以及你们是否曾经住在一起 <input type="checkbox"/> Changes to your relationship 你们的关系发生的变化 	<ul style="list-style-type: none"> <input type="checkbox"/> Keep my new address confidential 对我的新地址保密 <p>Require respondent to: 要求被告:</p> <ul style="list-style-type: none"> <input type="checkbox"/> temporarily pay rent or support; 暂时支付租金或赡养费; <input type="checkbox"/> stay away from my home 远离我的家
<p style="text-align: center;">Weapons 武器</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent owns or can easily get a gun or other weapon 被告是否拥有或可以轻易地获得枪支或其他武器 <input type="checkbox"/> The types of weapons the respondent owns or has access to 被告拥有或使用的武器类型 <input type="checkbox"/> Any threats (words or actions) to use a weapon against you 对您威胁（言语或行动）使用武器 	<ul style="list-style-type: none"> <input type="checkbox"/> Take all of respondent's guns or weapons 拿走被告的所有枪支或武器
<p style="text-align: center;">Threats to Kill & Threats to Commit Suicide 威胁杀害以及威胁自杀</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How the respondent has threatened to kill you or tried to kill you (for example, verbal or electronic threats, physical assault, etc.) 被告如何威胁杀您或试图杀您（例如，口头或电子方式的威胁，人身攻击，等等） <input type="checkbox"/> Whether the respondent ever threatened or tried to commit suicide. 被告是否曾经威胁或试图自杀 <input type="checkbox"/> Whether the respondent has any mental health issues 被告是否有任何精神健康问题 <input type="checkbox"/> Whether you think the respondent will kill you and why 您是否认为被告会杀您，为什么 	<p>Require respondent to: 要求被告:</p> <ul style="list-style-type: none"> <input type="checkbox"/> turn in all guns or weapons; 交出所有枪支或武器; <input type="checkbox"/> stay away from me and the children; 远离我和孩子们; <input type="checkbox"/> have a mental health evaluation 进行精神健康评估
<p style="text-align: center;">Controlling Behavior 控制行为</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How the respondent controls your daily activities, and if the respondent is constantly or violently jealous, threatens to embarrass you, threatens to call immigration, or forces you to do things you don't want to 被告如何控制您的日常活动，如果被告持续或暴力性地猜疑，威胁使您尴尬，威胁呼叫移民官，或迫使您做您不愿意做的事情 <input type="checkbox"/> Whether the respondent keeps you from having a bank account or driving a car 被告是否阻止您办理银行账号或开车 <input type="checkbox"/> Whether the respondent destroys your things or harms your pets 被告是否损毁您的物品或伤害您的宠物 	<ul style="list-style-type: none"> <input type="checkbox"/> Help me get an immigration attorney 帮我联系移民律师 <input type="checkbox"/> Prohibit respondent from harming pets 禁止被告伤害宠物 <p>Require respondent to: 要求被告:</p> <ul style="list-style-type: none"> <input type="checkbox"/> stop contacting me; 停止与我联系; <input type="checkbox"/> go to a batterer program; 参加虐妻者计划; <input type="checkbox"/> return my papers or property 退还我的证件或财产
<p style="text-align: center;">Stalking 潜行追踪</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent follows or spies on you; reads your e-mails, texts, social media; drives by or hangs out at your home, school, or work. 被告是否跟随或暗中监视您；阅读您的邮件、文本、社交媒体；开车经过或在您的房子、学校或工作单位闲逛 <input type="checkbox"/> Whether the respondent leaves you threatening messages, or repeatedly calls, texts, or emails you 被告是否给您留威胁性的信息，或反复打电话、发短信或发电子邮件 <input type="checkbox"/> Whether the respondent uses technology, like cell phones, hidden cameras, or global positioning systems (GPS) to track you 被告是否使用技术，如手机、隐藏摄像头或全球定位系统 (GPS) 来跟踪您 	<p>Require respondent to: 要求被告:</p> <ul style="list-style-type: none"> <input type="checkbox"/> stay away from my home, school, work, place of worship, etc.; 远离我的家、学校、工作单位、做礼拜的教堂，等等; <input type="checkbox"/> have no contact or communication with me 与我不联系或沟通

Simplified Chinese Guide: Things to Think About When Writing Your Petition

Children 孩子们	<p>ou. 被告是否使用技术，比如手机、隐形相机或全球定位系统（GPS）来跟踪您。</p>	
	<p><input type="checkbox"/> Whether the respondent threatened to hurt the children 被告是否威胁伤害孩子们</p> <p><input type="checkbox"/> Whether children were home during an incident against you 在对您的伤害期间，孩子们是否在家</p> <p><input type="checkbox"/> Whether you have children that aren't the respondent's children 您是否有不是被告的孩子的孩子</p>	<p><input type="checkbox"/> Award temporary custody to you 向您授权临时监护</p> <p><input type="checkbox"/> Require supervised visitation or no visitation with respondent 要求受监督的探望或不让被告探望</p> <p>Require respondent to: 要求被告:</p> <p><input type="checkbox"/> pay temporary child support; 支付临时孩子抚养费;</p> <p><input type="checkbox"/> attend parenting classes 上亲子课</p>

General Information

一般信息

- You may be able to have an attorney help you free of cost.
您可能能够让一个律师免费帮助您。If you want an attorney, please [FILL IN THE BLANK]
如果您想要一个律师，请[FILL IN THE BLANK]
- You may have an interpreter if you need one.
您可能有一个口译人员，如果您需要的话。Please ask [FILL IN THE BLANK]
请询问[FILL IN THE BLANK]
- Any information you share with the court may be shared with the respondent.
您与法庭分享的任何信息可能会与被告分享。If you are afraid to talk about these risk factors with the judge, you may want to talk with an advocate.
如果您害怕与法官谈论这些风险因素，您可能希望与律师谈一谈。
- You may be afraid of other things not on this guide.
您可能害怕不在本指南上的其他事情。You can share them with the judge or ask to speak with an advocate.
您可以与法官分享它们或要求与律师谈话。
- If you have pictures of injuries or bruises, or witnesses, be sure to bring them to the court hearing.
如果您有伤口或青肿的照片，或见证人，一定把他们带到法庭审讯。

Advocates:

律师: How they can help & how to speak with one

他们如何可以帮助以及如何与律师谈

- The most dangerous time is when you are leaving the respondent and you have told someone else about the abuse.
最危险的时候是当您正要离开被告时，以及在您把虐待的事情告诉了别的人时。
- Advocates may be available to help you understand the risk factors, provide safety planning, and help you with your petition.
律师可能可以帮助您了解风险因素，提供安全策划，并帮助您撰写请愿书。
- If you want to speak with an advocate, please ask [FILL IN THE BLANK]
如果您想要与律师谈，请询问[FILL IN THE BLANK]

Simplified Chinese Guide:

Things to Think About When Writing Your Petition

What to expect during the court process

在庭审过程中期待发生什么

[FILL IN A SHORT EXPLANATION OF YOUR COURT PROCESS]

- **F i r s t A p p e a r a n c e :** [E x a m p l e]
第一次出庭: [Example]

This will be the first time the judge reads your petition and can decide whether to issue you a temporary protective order or order.
这将是法官第一次阅读您的请愿书, 并可能确定是否给您签发临时的保护令

- **Second Appearance:**
第二次出庭: [Example]

The respondent may be at this court hearing and will be able to respond to the petition. The respondent may be here but does not need to be in court for the judge to make a decision.
被告可能在这次审讯中, 并将能够回应请愿书。If you want an attorney to help you during this hearing, please [FILL IN THE BLANK].
如果在这次审讯中, 您想要一个律师帮助您, 请[FILL IN THE BLANK]。

- **Disposition:**
处置: [Example]

The judge may make a decision to enter a final order of protection. The respondent may be here but does not need to be in court for the judge to make a decision.
法官可能决定订立一个最终保护令。The respondent may be here but does not need to be in court for the judge to make a decision.
被告可能在这里, 但法官做决定无需被告在法庭上。

- **Requests for Modifications and Violation Hearings:**
修订申请和违反审讯: [Example]

The judge may decide whether to modify or change the order or some of the conditions, especially if the respondent has violated the original court order. Changes might include contact between you and the respondent, an order to surrender weapons, support, children on the order, program attendance, or other matters.
法官可能确定是否修改或改变该保护令或一些条件, 特别是如果被告已违反了原来的法令。Changes might include contact between you and the respondent, an order to surrender weapons, support, children on the order, program attendance, or other matters.
改变可能包括您和被告之间的联系, 交出武器的命令、赡养费、本命令上的子女、计划的参加、或其他事项。

What if the respondent doesn't obey the order?

如果被告不遵守保护令会怎样?

[FILL IN A SHORT EXPLANATION OF HOW TO REPORT A VIOLATION OR CALL LAW ENFORCEMENT]

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The opinions, findings, or recommendations expressed in this document are those of the authors and do not necessarily reflect the view of the State Justice Institute.

在本文中表达的意见、结果或建议都是作者作出的, 不一定反映美国法律学会的意见。

ⁱRevise this column to reflect state statutes or rules.
修改本栏以反映州政府的法规或规定。

Simplified Chinese Guide: Things to Think About When Writing Your Petition

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FOR MORE INFORMATION:

For more information on training and technical assistance to plan and implement the use of the Risk Factor Guides, please contact Rebecca Thomforde Hauser at thomferr@courtinnovation.org

Chinese Traditional Guide: Things To Think About When Writing Your Petition

撰寫申訴書時需要考慮之問題 撰寫申訴書時需要考慮之問題

This Guide will help you:

此指引將有助您：

- Identify things that may put you at risk of repeated injury or death
- Tell the judge about your safety concerns when you write petitions for protective orders or when you write petitions for orders affecting your children, such as custody and parenting time
- Understand what you can ask the court to do

For this Guide: If you are asking the court to protect you, you are the “petitioner” and the person you are asking the court to protect you from is the “respondent.”

- 認清那些會令您承受重複受創或死亡風險的事情
- 當您撰寫尋求人身保護令的申訴書時，或當您撰寫會對您孩子產生影響的頒令的申訴書（如：撫養與育兒時間）時，告知法官關於您對安全隱患的憂慮
- 理解您可以請求法庭執行之內容

對於此指引：假如您請求法庭保護您，則您為「申訴人」，而您請求法院保護而需遠離您之人士為「應訴人」。

Things that may put you at risk 會令您承受風險的事情	What to describe in your petition 在您的申訴書中需要陳述之內容	What you might ask the court to do ⁱ 您可能請求法庭要執行之內容 ⁱⁱ
Violence Against You 針對您的暴力行為	<ul style="list-style-type: none"> <input type="checkbox"/> Details about the physical violence including whether it has gotten worse 有關身體暴力行為的細節內容，包括情況有否惡化 <input type="checkbox"/> Whether and when violence has happened before, and any changes in the violence 暴力行為在以前是否有發生過，何時發生過，暴力行為是否有任何改變 	Require respondent to: 要求應訴人： <ul style="list-style-type: none"> <input type="checkbox"/> stay away from me and my work or from me and the children and school; 遠離我及我的工作場所，或遠離我、孩子及學校；
Sexual violence Against You 針對您的性暴力行為	<ul style="list-style-type: none"> <input type="checkbox"/> The injuries, level of pain, whether you've gone to the doctor or hospital, and treatment you've needed 受傷、疼痛程度、您是否有約見醫生或到醫院就醫、您曾需接受之治療 <input type="checkbox"/> Whether the respondent forced you to have sex, or forced you to get pregnant or to have an abortion against your wishes 應訴人是否有強迫您進行性行為、或強迫您懷孕、或強迫您違反意願地接受墮胎 	<ul style="list-style-type: none"> <input type="checkbox"/> pay for medical bills due to the injuries; 為所受傷害而帶來的醫療支付費用； <input type="checkbox"/> go to a batterer program; 參加施虐者輔導計劃； <input type="checkbox"/> pay for work you missed because of the violence 支付您因暴力行為無法參加工作而損失之工作收入
Choking / Strangling 窒息/ 勒頸	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent tried to choke you or put his or her hands on your neck 應訴人是否有嘗試讓您窒息、或將他/她的手放於您頸部 <input type="checkbox"/> Any pain or injuries and if you lost consciousness 是否有任何疼痛或受傷，您是否有失去意識 	Violence against you may be a crime; you may wish to talk with the police, in addition to filing this petition. 針對您的暴力行為有可能構成犯罪；除了呈請此申訴書外，您還可以聯絡警察以報告情況。
Loss of Job 失業	<ul style="list-style-type: none"> <input type="checkbox"/> How long the respondent has not been working 應訴人不工作已有多久 <input type="checkbox"/> What led to the respondent losing his or her job 什麼原因導致應訴人丟失工作 	<ul style="list-style-type: none"> <input type="checkbox"/> Require respondent to go to a job readiness, workforce development, or GED program 要求應訴人參加就業準備、工作能力發展、或 GED 計劃
Drug or Alcohol Use 藥物或酒精之使用	<ul style="list-style-type: none"> <input type="checkbox"/> What kind of drugs the respondent uses (such as illegal drugs such as “uppers” or amphetamines, meth, speed, angel dust, cocaine, crack, street drugs, or mixers) 應訴人服用何種藥物（如：非法藥物如興奮劑、安非他命、冰毒、麻黃鹼、天使粉、可卡因、霹靂可卡因、街頭毒品、或混合毒品） <input type="checkbox"/> If the respondent is an alcoholic or drinks a lot 應訴人是否酗酒或大量飲酒 	<ul style="list-style-type: none"> <input type="checkbox"/> Order respondent to have drug or alcohol testing or treatment 命令應訴人接受藥物或酒精測試或治療

Chinese Traditional Guide: Things To Think About When Writing Your Petition

撰寫申訴書時需要考慮之問題 撰寫申訴書時需要考慮之問題

Criminal and Other Court History 犯罪記錄及其它法庭記錄	<input type="checkbox"/> Whether the respondent has been arrested or if you ever called the police or tried to call the police (you can show copies of police reports or describe to the court) 應訴人是否曾被拘捕，或您是否曾報警或嘗試報警（您可出示報案記錄影印件或向法庭描述）	<input type="checkbox"/> Make sure this order is the same as any other court order 確認此頒令與任何其它法庭頒令相同
Relationship Status 關係狀況	<input type="checkbox"/> If you have another order or have asked for an order of protection or child support 您是否有另一頒令，或是否曾請求人身保護令、或兒童支持令	<input type="checkbox"/> Stop respondent from hurting me 禁止應訴人傷害我
Weapons 武器	<input type="checkbox"/> Whether the respondent owns or can easily get a gun or other weapon 應訴人是否擁有或能輕易取得槍械或其它武器	<input type="checkbox"/> Keep my new address confidential Require respondent to: 請保密我的新地址 要求應訴人：
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Where you each live and if you ever lived together 你們各自的住處，以及你們是否曾同居	<input type="checkbox"/> temporarily pay rent or support; 暫時支付房租或經濟支持；
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Changes to your relationship 你們關係的改變	<input type="checkbox"/> stay away from my home 遠離我的住處
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Whether the respondent owns or can easily get a gun or other weapon 應訴人是否擁有或能輕易取得槍械或其它武器	<input type="checkbox"/> Take all of respondent's guns or weapons 沒收應訴人的所有槍械或武器
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> The types of weapons the respondent owns or has access to 應訴人擁有或能取得之武器類型	
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Any threats (words or actions) to use a weapon against you 任何針對您的要使用武器的威脅（言語上或行動上）	
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> How the respondent has threatened to kill you or tried to kill you (for example, verbal or electronic threats, physical assault, etc.) 應訴人曾經如何威脅要殺害您，或曾經如何嘗試殺害您（如：口頭或網絡威脅、肢體襲擊等）	Require respondent to: 要求應訴人：
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Whether the respondent ever threatened or tried to commit suicide. 應訴人是否曾威脅或嘗試自殺。	<input type="checkbox"/> turn in all guns or weapons; 繳出所有槍械或武器；
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Whether the respondent has any mental health issues 應訴人是否有任何精神問題	<input type="checkbox"/> stay away from me and the children; 遠離我和孩子；
Threats to Kill & Threats to Commit Suicide 死亡威脅及自殺威脅	<input type="checkbox"/> Whether you think the respondent will kill you and why 您是否認為應訴人會殺害您，為什麼	<input type="checkbox"/> have a mental health evaluation 進行精神狀況評估
Controlling Behavior 控制行為	<input type="checkbox"/> How the respondent controls your daily activities, and if the respondent is constantly or violently jealous, threatens to embarrass you, threatens to call immigration, or forces you to do things you don't want to 應訴人如何控制您的日常活動，應訴人是否不斷或暴力地表示妒忌、威脅要令您難堪、威脅會聯絡移民局、或強迫您做不願意的事情	<input type="checkbox"/> Help me get an immigration attorney 協助我聯絡移民律師
Controlling Behavior 控制行為	<input type="checkbox"/> Whether the respondent keeps you from having a bank account or driving a car 應訴人是否有阻止您持有銀行賬戶或駕駛車輛	<input type="checkbox"/> Prohibit respondent from harming pets Require respondent to: 禁止應訴人傷害寵物 要求應訴人：
Controlling Behavior 控制行為	<input type="checkbox"/> Whether the respondent destroys your things or harms your pets 應訴人是否有毀壞您的物件或傷害您的寵物	<input type="checkbox"/> stop contacting me; 停止聯絡我；
Stalking 跟蹤	<input type="checkbox"/> Whether the respondent follows or spies on you; reads your emails, texts, social media; drives by or hangs out at your house, school, or work. 應訴人是否有跟蹤您或監視您；偷看您的電郵、短訊、社交賬戶；駕車途經您家或經常到您家、學校、或工作場所。	<input type="checkbox"/> go to a batterer program; 參加施虐者輔導計劃；
Stalking 跟蹤	<input type="checkbox"/> Whether the respondent leaves you threatening messages, or repeatedly calls, texts, or emails you 應訴人是否有給您恐嚇訊息、或不停致電、發短訊、或發電郵給您	<input type="checkbox"/> return my papers or property 交還我的文件或財產
Stalking 跟蹤	<input type="checkbox"/> Whether the respondent uses technology, like cell phones, hidden cameras, or global positioning systems (GPS) to track you. 應訴人是否使用科技（如手機、針孔攝影機、或全球定位系統 GPS）跟蹤您的行蹤。	Require respondent to: 要求應訴人：
Stalking 跟蹤		<input type="checkbox"/> stay away from my home, school, work, place of worship, etc.; 遠離我家、工作場所、宗教場所等；
Stalking 跟蹤		<input type="checkbox"/> have no contact or communication with me 不能聯絡我或與我有任何溝通

Chinese Traditional Guide: Things To Think About When Writing Your Petition

撰寫申訴書時需要考慮之問題 撰寫申訴書時需要考慮之問題

Children 孩子	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent threatened to hurt the children 應訴人是否曾威脅要傷害孩子 <input type="checkbox"/> Whether children were home during an incident against you 孩子是否曾於發生針對您的事件時在家 <input type="checkbox"/> Whether you have children that aren't the respondent's children 您是否有孩子為非應訴人所出 	<ul style="list-style-type: none"> <input type="checkbox"/> Award temporary custody to you 將臨時監護權判決給您 <input type="checkbox"/> Require supervised visitation or no visitation with respondent 要求於監視下與應訴人會面、或不與應訴人會面 Require respondent to: 要求應訴人: <ul style="list-style-type: none"> <input type="checkbox"/> pay temporary child support: 支付孩子的臨時經濟支持; <input type="checkbox"/> attend parenting classes 參加育兒輔導班
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General Information

一般資料

- You may be able to have an attorney help you free of cost. If you want an attorney, please [FILL IN THE BLANK]
您或可獲得免費的律師援助。如您希望律師援助，請[填寫空白位置]
- You may have an interpreter if you need one. Please ask [FILL IN THE BLANK]
如需要可為您安排翻譯員。請諮詢[填寫空白位置]
- Any information you share with the court may be shared with the respondent. If you are afraid to talk about these risk factors with the judge, you may want to talk with an advocate.
您與法庭共享的一切訊息，均有可能被共享給應訴人。如您對與法官談及這些風險因素感到恐懼，您可與律師談話。
- You may be afraid of other things not on this guide. You can share them with the judge or ask to speak with an advocate.
您可能對其它未被此指引所包含之事情感到恐懼。您可向法官提出這些事情，或要求與律師談話。
- If you have pictures of injuries or bruises, or witnesses, be sure to bring them to the court hearing.
如您持有創傷或瘀傷的照片、或有目擊證人，請確保帶上照片和請證人出席法庭聽證會。

Advocates: How they can help & how to speak with one

律師：他們能如何協助您，如何和他們談話

- The most dangerous time is when you are leaving the respondent and you have told someone else about the abuse.
當您要離開應訴人而您又已告知他人有關這些謾罵威脅時，正是最危險的時候。
- Advocates may be available to help you understand the risk factors, provide safety planning, and help you with your petition.
律師可協助您理解風險因素，提供安全計劃，並協助您申訴。
- If you want to speak with an advocate, please ask [FILL IN THE BLANK]
如果您想與律師談話，請諮詢[填寫空白位置]

What to expect during the court process

法庭審訊過程將出現什麼情況

[FILL IN A SHORT EXPLANATION OF YOUR COURT PROCESS]

[填寫您法庭審訊過程的簡短說明]

- **First Appearance:** [Example]
This will be the first time the judge reads your petition and can decide whether to issue you a temporary protection order
第一次過堂： [例子]
這將是法官首次閱讀您的申訴書，並會決定是否給您頒發臨時人身保護令
- **Second Appearance:** [Example]
The respondent may be at this court hearing and will be able to respond to the petition. If you want an attorney to help you during this hearing, please [FILL IN THE BLANK].
第二次過堂： [例子]

Chinese Traditional Guide: Things To Think About When Writing Your Petition

撰寫申訴書時需要考慮之問題 撰寫申訴書時需要考慮之問題

應訴人將可能出席此法庭聽證會，并將就申訴進行答辯。如您希望在此聽證過程中獲得律師援助，請[填寫空白位置]

- **Disposition:** [Example]

The judge may make a decision to enter a final order of protection. The respondent may be here but does not need to be in court for the judge to make a decision.

處理: [例子]

法官可能會裁定發出最終保護令。應訴人可能出席，但無需上庭以讓法官作出裁定。

- **Requests for Modifications and Violation Hearings:** [Example]

The judge may decide whether to modify or change the order or some of the conditions, especially if the respondent has violated the original court order. Changes might include contact between you and the respondent, an order to surrender weapons, support, children on the order, program attendance, or other matters.

請求進行「改判與違反裁判」聽證會: [例子]

法官可能會決定是否修改或變更頒令，尤其是如果應訴人違反了最初的法庭頒令。變更可能包括您與應訴人之間的聯絡、繳出武器的頒令、兒童頒令、參加輔導計劃、或其它事項。

如果應訴人不遵守頒令，將會如何？

如果應訴人不遵守頒令，將會如何？

[填寫如何報告違反頒令行為、或如何尋求法律強制實施的簡短說明]

[填寫如何報告違反頒令行為、或如何尋求法律強制實施的簡短說明]

此項目由編號 *SJI-15-N-7* 之判定所支持。此文件中所表達之意見、研究結果、或建議屬於作者個人觀點，并不代表州司法研究所之意見。

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修改此列，以體現州法律或規則。

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Spanish Guide: Things to Think About When Writing Your Petition

Cosas en Qué Pensar Al Escribir Su Demanda

This Guide will help you:

Esta Guía le ayudará a:

- Identify things that may put you at risk of repeated injury or death
- Identificar cosas que podrían ponerla en riesgo de heridas repetidas o de muerte
- Tell the judge about your safety concerns when you write petitions for protective orders or when you write petitions for orders affecting your children, such as custody and parenting time
- Contarle al juez sobre sus preocupaciones de seguridad cuando escribe sus demandas para órdenes de protección o cuando escribe demandas para órdenes afectando a sus hijos, como la custodia y la visita del padre
- Understand what you can ask the court to do
- Comprender qué puede pedirle a la corte que haga

For this Guide: If you are asking the court to protect you, you are the “petitioner” and the person you are asking the court to protect you from is the “respondent.”
Para esta Guía: Si le está pidiendo a la corte que la proteja, usted es la “demandante” y la persona de la cual quiere que la corte la proteja es el “demandado”.

Things that may put you at risk Cosas que podrían ponerla en riesgo	What to describe in your petition Qué describir en su demanda	What you might ask the court to do Qué podría pedirle a la corte que haga
Violence Against You Violencia Contra Usted	<input type="checkbox"/> Details about the physical violence including whether it has gotten worse <input type="checkbox"/> Detalles sobre la violencia física incluyendo si ha empeorado <input type="checkbox"/> Whether and when violence has happened before, and any changes in the violence <input type="checkbox"/> Si la violencia ha ocurrido antes y cuándo, y cualquier cambio en la violencia	Require respondent to: Exigirle al demandado a: <ul style="list-style-type: none"> <input type="checkbox"/> stay away from me and my work or from me and the children and school; <input type="checkbox"/> mantenerse alejado de mí y mi trabajo o de mí y los niños y el colegio;
Sexual violence Against You Violencia Sexual Contra Usted	<input type="checkbox"/> The injuries, level of pain, whether you've gone to the doctor or hospital, and treatment you've needed <input type="checkbox"/> Las heridas, el nivel de dolor, si ha ido al doctor u hospital, y el tratamiento que ha necesitado <input type="checkbox"/> Whether the respondent forced you to have sex, or forced you to get pregnant or to have an abortion against your wishes <input type="checkbox"/> Si el demandado la ha forzado a tener sexo, o si la ha forzado a quedar embarazada o a tener un aborto contra sus deseos	<ul style="list-style-type: none"> <input type="checkbox"/> pay for medical bills due to the injuries; <input type="checkbox"/> pagar facturas médicas debido a las heridas; <input type="checkbox"/> go to a batterer program; <input type="checkbox"/> ir a un programa de agresores; <input type="checkbox"/> pay for work you missed because of the violence <input type="checkbox"/> pagar por trabajo que perdió debido a la violencia
Choking / Strangling Asfixia / Estrangulamiento	<input type="checkbox"/> Whether the respondent tried to choke you or put his or her hands on your neck <input type="checkbox"/> Si el demandado trató de estrangularla o puso sus manos en su cuello <input type="checkbox"/> Any pain or injuries and if you lost consciousness <input type="checkbox"/> Cualquier dolor o herida y si perdió la conciencia	Violence against you may be a crime; you may wish to talk with the police, in addition to filing this petition. La violencia contra usted podría ser un crimen; es posible que desee hablar con la policía, además de llenar esta demanda.
Loss of Job Pérdida de Trabajo	<input type="checkbox"/> How long the respondent has not been working <input type="checkbox"/> Qué tiempo el demandado ha estado sin trabajar <input type="checkbox"/> What led to the respondent losing his or her job <input type="checkbox"/> Qué llevó a que el demandado perdiera su trabajo	<ul style="list-style-type: none"> <input type="checkbox"/> Require respondent to go to a job readiness, workforce development, or GED program <input type="checkbox"/> Exigirle al demandado que vaya a una preparación laboral, a un desarrollo de fuerza laboral o a un programa de GED
Drug or Alcohol Use Uso de Drogas o Alcohol	<input type="checkbox"/> What kind of drugs the respondent uses (such as illegal drugs such as “uppers” or amphetamines, meth, speed, angel dust, cocaine, crack, street drugs, or mixers) <input type="checkbox"/> Qué tipo de drogas utiliza el demandado (tales como drogas ilegales como “estimulantes” o anfetaminas, metanfetaminas, velocidad, polvo de ángel, cocaína, crack, drogas ilícitas o mezcladores) <input type="checkbox"/> If the respondent is an alcoholic or drinks a lot <input type="checkbox"/> Si el demandado es un alcohólico o toma mucho	<ul style="list-style-type: none"> <input type="checkbox"/> Order respondent to have drug or alcohol testing or treatment <input type="checkbox"/> Exigirle al demandado a tomar pruebas de drogas o alcohol o tratamiento
Criminal and Other Court History Historial Criminal y Otros de la Corte	<input type="checkbox"/> Whether the respondent has been arrested or if you ever called the police or tried to call the police (you can show copies of police reports or describe to the court) <input type="checkbox"/> Si el demandado ha sido arrestado o si alguna vez llamó a la policía o trató de llamar a la policía (puede mostrar copias de informes policiales o describirlos a la corte) <input type="checkbox"/> If you have another order or have asked for an order of protection or child support <input type="checkbox"/> Si tiene otra orden o ha pedido una orden de protección o manutención infantil	<ul style="list-style-type: none"> <input type="checkbox"/> Make sure this order is the same as any other court order <input type="checkbox"/> Asegurarse que esta orden es igual a cualquier otra orden de corte <input type="checkbox"/> Stop respondent from hurting me <input type="checkbox"/> Evitar que el demandado me hiera

Spanish Guide: Things to Think About When Writing Your Petition

Cosas en Qué Pensar Al Escribir Su Demanda

<p style="text-align: center;">Relationship Status Estado de Relación</p>	<ul style="list-style-type: none"> <input type="checkbox"/> If the respondent has any other court cases now (in this court or other courts) <input type="checkbox"/> Si el demandado tiene ahora cualquier otro caso de corte (en esta corte o en otras cortes) 	
	<ul style="list-style-type: none"> <input type="checkbox"/> When your relationship began and ended <input type="checkbox"/> Cuando empezó y terminó su relación <input type="checkbox"/> Where you each live and if you ever lived together <input type="checkbox"/> Dónde vivió cada uno y si alguna vez vivieron juntos <input type="checkbox"/> Changes to your relationship <input type="checkbox"/> Cambios a su relación 	<ul style="list-style-type: none"> <input type="checkbox"/> Keep my new address confidential <input type="checkbox"/> Mantener confidencial mi nueva dirección <p>Require respondent to: Exigirle al demandado a:</p> <ul style="list-style-type: none"> <input type="checkbox"/> temporarily pay rent or support; <input type="checkbox"/> pagar temporalmente la renta o el apoyo; <input type="checkbox"/> stay away from my home <input type="checkbox"/> mantenerse alejado de mi hogar
	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent owns or can easily get a gun or other weapon <input type="checkbox"/> Si el demandado es dueño o puede conseguir fácilmente una pistola o cualquier otra arma <input type="checkbox"/> The types of weapons the respondent owns or has access to <input type="checkbox"/> El tipo de armas que el demandado posee o a las que tiene acceso <input type="checkbox"/> Any threats (words or actions) to use a weapon against you <input type="checkbox"/> Cualquier amenaza (en palabras o acciones) de usar un arma contra usted 	<ul style="list-style-type: none"> <input type="checkbox"/> Take all of respondent's guns or weapons <input type="checkbox"/> Llevarse todas las pistolas o armas del demandado
<p style="text-align: center;">Threats to Kill & Threats to Commit Suicide Amenazas de Muerte y Amenazas de Cometer Suicidio</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How the respondent has threatened to kill you or tried to kill you (for example, verbal or electronic threats, physical assault, etc.) <input type="checkbox"/> Cómo el demandado ha amenazado con asesinarla o tratado de asesinarla (por ejemplo, amenazas verbales o electrónicas, agresión física, etc.) <input type="checkbox"/> Whether the respondent ever threatened or tried to commit suicide. <input type="checkbox"/> Si el demandado alguna vez amenazó o trató de cometer suicidio. <input type="checkbox"/> Whether the respondent has any mental health issues <input type="checkbox"/> Si el demandado tiene algún problema de salud mental <input type="checkbox"/> Whether you think the respondent will kill you and why <input type="checkbox"/> Si piensa que el demandado la asesinará y por qué 	<p>Require respondent to: Exigirle al demandado a:</p> <ul style="list-style-type: none"> <input type="checkbox"/> turn in all guns or weapons; <input type="checkbox"/> entregar todas las pistolas y armas; <input type="checkbox"/> stay away from me and the children; <input type="checkbox"/> mantenerse alejado de mí y los niños; <input type="checkbox"/> have a mental health evaluation <input type="checkbox"/> tener una evaluación de salud mental
<p style="text-align: center;">Controlling Behavior Comportamiento Controlador</p>	<ul style="list-style-type: none"> <input type="checkbox"/> How the respondent controls your daily activities, and if the respondent is constantly or violently jealous, threatens to embarrass you, threatens to call immigration, or forces you to do things you don't want to <input type="checkbox"/> Cómo el demandado controla sus actividades diarias, y si el demandado está constantemente o violentamente celoso, la amenaza con ponerla en ridículo, la amenaza con llamar a inmigración, o la fuerza a hacer cosas que usted no quiere <input type="checkbox"/> Whether the respondent keeps you from having a bank account or driving a car <input type="checkbox"/> Si el demandado evita que tenga una cuenta bancaria o que maneje un carro <input type="checkbox"/> Whether the respondent destroys your things or harms your pets <input type="checkbox"/> Si el demandado destruye sus cosas o les hace daño a sus mascotas 	<ul style="list-style-type: none"> <input type="checkbox"/> Help me get an immigration attorney <input type="checkbox"/> Ayudarme a conseguir un abogado de inmigración <input type="checkbox"/> Prohibit respondent from harming pets <input type="checkbox"/> Prohibir que el demandado haga daño a las mascotas <p>Require respondent to: Exigirle al demandado a:</p> <ul style="list-style-type: none"> <input type="checkbox"/> stop contacting me; <input type="checkbox"/> dejar de contactarme; <input type="checkbox"/> go to a batterer program; <input type="checkbox"/> ir a un programa para agresores; <input type="checkbox"/> return my papers or property <input type="checkbox"/> devolver mis papeles o propiedad
<p style="text-align: center;">Stalking Achecho</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent follows or spies on you; reads your emails, texts, social media; drives by or hangs out at your house, school, or work. <input type="checkbox"/> Si el demandado la sigue o la espía; lee sus correos electrónicos, textos, redes sociales; maneja o pasa tiempo cerca de su casa, colegio o trabajo. <input type="checkbox"/> Whether the respondent leaves you threatening messages, or repeatedly calls, texts, or emails you <input type="checkbox"/> Si el demandado le deja mensajes amenazantes, o la llama, textea o le escribe correos electrónicos repetidamente <input type="checkbox"/> Whether the respondent uses technology, like cell phones, hidden cameras, or global positioning systems (GPS) to track you. <input type="checkbox"/> Si el demandado utiliza tecnología, como celulares, cámaras escondidas o sistemas de posicionamiento global (GPS en inglés) para seguir su rastro. 	<p>Require respondent to: Exigirle al demandado a:</p> <ul style="list-style-type: none"> <input type="checkbox"/> stay away from my home, school, work, place of worship, etc.; <input type="checkbox"/> mantenerse alejado de mi casa, colegio, trabajo, lugar de oración, etc.; <input type="checkbox"/> have no contact or communication with me <input type="checkbox"/> no tener ningún contacto o comunicación conmigo
<p style="text-align: center;">Children Niños</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Whether the respondent threatened to hurt the children <input type="checkbox"/> Si el demandado amenazó con herir a los niños <input type="checkbox"/> Whether children were home during an incident against you <input type="checkbox"/> Si los niños estuvieron en casa durante un incidente contra usted <input type="checkbox"/> Whether you have children that aren't the respondent's children <input type="checkbox"/> Si tiene niños que no son niños del demandado 	<ul style="list-style-type: none"> <input type="checkbox"/> Award temporary custody to you <input type="checkbox"/> Otorgarle una custodia temporal a usted <input type="checkbox"/> Require supervised visitation or no visitation with respondent <input type="checkbox"/> Exigir visitas supervisadas o ninguna visita con el demandado

Spanish Guide: Things to Think About When Writing Your Petition

Cosas en Qué Pensar Al Escribir Su Demanda

- | | |
|--|---|
| | <p>Require respondent to:
Exigirle al demandado a:</p> <ul style="list-style-type: none"><input type="checkbox"/> pay temporary child support;<input type="checkbox"/> pagar temporalmente manutención infantil;<input type="checkbox"/> attend parenting classes<input type="checkbox"/> asistir a clases de paternidad |
|--|---|

General Information Información General

- You may be able to have an attorney help you free of cost. If you want an attorney, please [FILL IN THE BLANK]
- Podría conseguir que un abogado la ayude libre de costo. Si quiere un abogado, por favor []
- You may have an interpreter if you need one. Please ask [FILL IN THE BLANK]
- Podría conseguir un intérprete si necesita uno. Por favor pida []
- Any information you share with the court may be shared with the respondent. If you are afraid to talk about these risk factors with the judge, you may want to talk with an advocate.
- Cualquier información que comparta con la corte podría ser compartida con el demandado. Si tiene miedo de hablar sobre estos factores de riesgo con el juez, podría querer hablar con un defensor.
- You may be afraid of other things not on this guide. You can share them with the judge or ask to speak with an advocate.
- Podría tener miedo de otras cosas que no estén en esta guía. Puede compartirlas con el juez o pedir hablar con un defensor.
- If you have pictures of injuries or bruises, or witnesses, be sure to bring them to the court hearing.
- Si tiene fotografías de heridas o contusiones, o testigos, asegúrese de traerlas a la audiencia de la corte.

Advocates: How they can help & how to speak with one

Defensores: Cómo pueden ayudar y cómo hablar con uno

- The most dangerous time is when you are leaving the respondent and you have told someone else about the abuse.
- El tiempo más peligroso es cuando está abandonando al demandado y le ha contado a alguien más sobre el abuso.
- Advocates may be available to help you understand the risk factors, provide safety planning, and help you with your petition.
- Defensores podrían estar disponibles para ayudarle a entender los factores de riesgo, proporcionarle un plan de seguridad y ayudarle con su demanda.
- If you want to speak with an advocate, please ask [FILL IN THE BLANK]
- Si quiere hablar con un defensor, por favor pida []

What to expect during the court process

Qué esperar durante el proceso de la corte

[FILL IN A SHORT EXPLANATION OF YOUR COURT PROCESS]

[]

- **First Appearance:** [Example]
This will be the first time the judge reads your petition and can decide whether to issue you a temporary protection order
- **Primera Comparecencia:** []
Esta será la primera vez que el juez lea su demanda y puede decidir si emitirla una orden de protección temporal
- **Second Appearance:** [Example]
The respondent may be at this court hearing and will be able to respond to the petition. If you want an attorney to help you during this hearing, please [FILL IN THE BLANK].
- **Segunda Comparecencia:** []
El demandado podría estar en esta audiencia de corte y será capaz de responder a la demanda. Si quiere que un abogado la ayude durante esta audiencia, por favor [].
- **Disposition:** [Example]
The judge may make a decision to enter a final order of protection. The respondent may be here but does not need to be in court for the judge to make a decision.
- **Disposición:** []
El juez podría tomar una decisión de introducir una orden final de protección. El demandado podría estar aquí pero no necesita estar en la corte para que el juez tome la decisión.

Spanish Guide: Things to Think About When Writing Your Petition

Cosas en Qué Pensar Al Escribir Su Demanda

- **Requests for Modifications and Violation Hearings:** [Example]

The judge may decide whether to modify or change the order or some of the conditions, especially if the respondent has violated the original court order. Changes might include contact between you and the respondent, an order to surrender weapons, support, children on the order, program attendance, or other matters.

- **Solicitudes para Modificaciones y Audiencias de Violación:** []

El juez puede decidir si modificar o cambiar la orden o algunas de las condiciones, especialmente si el demandado ha violado la orden de corte original. Los cambios podrían incluir contacto entre usted y el demandado, una orden de entregar armas, apoyo, los niños en la orden, asistencia a programas, u otros asuntos.

What if the respondent doesn't obey the order?

¿Y qué pasa si el demandado no obedece la orden?

[FILL IN A SHORT EXPLANATION OF HOW TO REPORT A VIOLATION OR CALL LAW ENFORCEMENT]

[]

This project was supported by Award No. SJI-15-N-7. The opinions, findings, or recommendations expressed in this document are those of the authors and do not necessarily reflect the view of the State Justice Institute.

Este Proyecto fue apoyado por la Adjudicación Núm. SJI-15-N-7. Las opiniones, hallazgos o recomendaciones expresadas en este documento son aquellas de los autores y no reflejan necesariamente el punto de vista del Instituto de Justicia del Estado.

ⁱ Revise this column to reflect state statutes or rules.

Center for Court Innovation & State Justice Institute

Domestic Violence Risk Factor Guide for Civil Courts Project

Petitioner Survey

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

The court in which your request for an Emergency Protective Order was recently heard has recently started using a **Domestic Violence Risk Factor Guide** to help petitioners who appear without an attorney (i.e., self-represented petitioners) to identify their own risk for future injury, tell the judge information in their case, and understand what they can ask the court to do. This survey asks about your experience using the Risk Guide.

Your answers will help us make this tool better. You don't have to give your name and no one will know you filled this out. The survey will be viewed only by the staff at the Center for Court Innovation that is working to develop this tool. Please answer the questions in this survey as best as you can.

Name of Court: _____

Location of Court (City, State): _____

1. Have you ever had a family court case before?
 - No
 - Yes
 - i. *If yes: Do you currently have other open family court cases? (Check all that apply.)*
 - Uncertain
 - Request for **new** restraining orders
 - Request for **modifications** to restraining orders
 - Divorce case
 - Child custody or visitation case(s)
 - Child abuse or neglect case(s)
 - Other: _____
 - ii. *If yes: What type(s) of family court case(s) have you had in the past? (Check all that apply.)*
 - Uncertain
 - Previous Emergency Protective Order request
 - New restraining order request(s)
 - Modifications to restraining order(s)
 - Divorce case
 - Child custody or visitation case(s)
 - Child abuse or neglect case(s)
 - Other: _____

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- iii. *If yes:* Did you appear without an attorney in any of these previous cases (i.e., did you represent yourself)?
 - No, I always had an attorney in previous cases
 - Yes, I represented myself in at least one of my prior cases

- 2. Have you ever had a criminal domestic violence cases (for instance, an assault, harassment, or stalking case) against the respondent in your current case?
 - No
 - Yes

- 3. Do you know if you had the right to have an attorney or could get an attorney for free in your current case?
 - Uncertain
 - No
 - Yes

- 4. What factors led you to decide to represent yourself in your current case?
 - I did not know I had the right to an attorney
 - Cost
 - I believe it will be easier/more effective to represent myself
 - Other: _____

- 5. Have you been working with a victim advocate regarding your current case?
 - No
 - Yes

- 6. Would you like to get more information about working with a victim advocate?
 - No
 - Yes

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

Questions #7 and #8 ask you to rate your agreement with several statements. Some of these questions ask specifically about the judge in your case. “Judge” in this context refers to any judicial officer presiding over your case, whether it was a judge, a magistrate or a judicial hearing officer (JHO).

7. Please indicate how strongly you agree with each of the following statements about your experience using the Risk Guide.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The Risk Guide helped me to understand my risk of experiencing more violence in the future.					
The Risk Guide helped me know what to tell the judge.					
The information in the Risk Guide helped me to understand the court process better.					
The information in the Risk Guide helped the judge to understand my case better.					
Using the Risk Guide helped me to get the outcome I wanted.					
Using the Risk Guide made me feel safer.					
The Risk Guide was written in clear language.					

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

Questions #7 and #8 ask you to rate your agreement with several statements. Some of these questions ask specifically about the judge in your case. "Judge" in this context refers to any judicial officer presiding over your case, whether it was a judge, a magistrate or a judicial hearing officer (JHO).

8. Please indicate how strongly you agree with each of the following statements about your recent experience in court asking for an Emergency Protective Order.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The judge understood my request.					
The judge took my request seriously.					
I believe the court will learn of violations of the protective order.					
I believe the court will respond to violations of the protective order.					
I understand my rights as a petitioner.					
Overall, I got the outcome I wanted in court.					
I was treated with respect in court.					
I was treated fairly in court.					
I would request assistance from the court in the future if needed.					
My experience in court will make me <u>more</u> likely to request court assistance again if needed.					
My experience in court will make me <u>less</u> likely to request court assistance again if					

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

9. Which of the following risks did you mention during your request for an Emergency Order? *(Check all that apply.)*

- Frequency/history/severity of violence
 - Past attempts of strangulation
 - Past threats to kill you or him/herself
 - Past forced sex
 - Past controlling behavior
 - Past stalking
 - Respondent's access to firearms/weapons
 - Relationship status (length, cohabitation, recently separated)
 - Respondent employment status
 - Respondent drug/alcohol use
 - Past criminal or family court cases with the respondent
 - Children's exposure to violence
 - Your belief that the respondent will be violent again
 - Other: _____
-

10. Which of the following risks did the judge/magistrate/JHO ask you about? *(Check all that apply.)*

- Frequency/history/severity of violence
 - Past attempts of strangulation
 - Past threats to kill you or him/herself
 - Past forced sex
 - Past controlling behavior
 - Past stalking
 - Respondent's access to firearms/weapons
 - Relationship status (length, cohabitation, recently separated)
 - Respondent employment status
 - Respondent drug/alcohol use
 - Past criminal or family court cases with the respondent
 - Children's exposure to violence
 - Your belief that the respondent will be violent again
 - Other: _____
-

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

11. What type of order did you request?

- Uncertain
- Full stay-away order (allowing no contact)
- Non-harassing order (allowing contact but no abuse/harassment)
- Other: _____

12. What was the final outcome of your request for an Emergency Protective Order?

- The case is still pending
- I received the order I requested
- I received a different order than what I requested
- I did not receive a protective order
- Other: _____

13. Please note any additional information you would like to share about your experience using the Risk Guide or your request for an Emergency Protective Order.

14. How old are you? _____ years

15. What is your primary race/ethnicity (*Check all that apply.*)

- Black/African American
- Hispanic/Latino
- Native American/Alaska Native
- White
- Asian/Pacific Islander
- Other

16. Are you a registered member of a Native American/American Indian Tribe?

- Yes
- No

17. What is your sex?

- Female
- Male

Thank you for completing this survey!

Center for Court Innovation & State Justice Institute

Domestic Violence Risk Factor Guide for Civil Courts Project

Practitioner Survey

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

The **Center for Court Innovation** and the **State Justice Institute** created a judicial guide for assessing risk of future violence and lethality in domestic violence cases. This survey asks about your use of this Domestic Violence Risk Factor Guide.

Your responses will help us to further develop this tool and may also be used to offer additional training and technical assistance around domestic violence. Your responses will be **confidential** and will be viewed only by the staff at the Center for Court Innovation that is working to develop this tool. Any materials derived from survey responses will be reported anonymously and in the aggregate. Please answer the questions in this survey candidly and to the best of your knowledge.

Name of Court: _____

Location of Court (City, State): _____

Your Name: _____

Your Position:

- Judge
- Magistrate
- Judicial Hearing Officer
- Other: _____

Your Email: _____

1. How long have you been hearing civil court protective orders? *(Please indicate months or years.)* _____ Months Years
2. Did you have prior experience as a judge?
 - No *(skip to Question #3)*
 - Yes
 - i. *If yes: How long have you been a judge in any court? (Please indicate months or years.)* _____ Months Years
 - ii. *If yes: Was your prior judicial experience in (Check all that apply):*
 - Criminal court
 - Appellate court
 - Other: _____

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

3. Did you participate in the CCI/SJI webinar introducing the DV Risk Factor Guide? The webinar took place in March of this year.
- Yes, participated in the live webinar
 - Yes, listened to the recorded webinar
 - No
4. Prior to receiving technical assistance from CCI on the DV Risk Factor Guide, had you previously received any specialized training around the topic of domestic violence?
- No (skip to Question #5)
 - Yes
 - a. *If yes: Who provided the training (Check all that apply)*
 - Uncertain
 - National Technical Assistance Provider (e.g., NCJFCJ, NJIDV, NCSC, CCI)
 - State court system
 - Local Domestic Violence coalition or Victim Advocacy Organization
 - Prosecutor's office
 - Other: _____
 - b. *If yes: Briefly describe the training:* _____

5. Have you started using the DV Risk Factor Guide in your court?
- No (*skip to Question #14*)
 - Yes
6. When did you begin using the DV Risk Factor Guide in your court? ____/____
MM / YY
7. In approximately how many cases have you applied the DV Risk Factor Guide to date?
- None
 - 1-10 cases
 - 11-20 cases
 - 21-30 cases
 - 31-50 cases
 - 51-100 cases
 - >100 cases

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

8. Other than the initial request for an Emergency Protective Order, in what type(s) of cases have you applied the DV Risk Factor Guide? *(Check all that apply.)*
- N/A, I have never applied the guide
 - N/A, I have only applied the guide during Emergency Protective Order petitions
 - New requests for Civil Protective/Refrain from Abuse/Restraining Orders
 - Violations of existing Protective/Refrain from Abuse/Restraining Orders
 - Divorce proceedings
 - Custody/visitation petitions
 - Abuse/neglect petitions
 - Other *(Please specify):* _____
9. Since implementing the DV Risk Factor Guide, how often do you ask about (or have access to information about) the following to inform in Emergency Protective Order petitions *(Please check the appropriate box for each item)*

	Never	Rarely	Sometimes	Often	Always
Frequency/history/severity of violence					
History of strangulation					
History of threats to kill/suicide					
History of forced sex					
History of controlling behavior					
History of stalking					
Access to firearms/weapons					
Relationship status (length, cohabitation, recently separated)					
Respondent employment status					
Respondent drug/alcohol use					
Prior criminal or family court cases					
Children's exposure to violence					
Petitioner expectation of future violence					

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

10. Do you typically review Emergency Protective Order petitions specifically looking for information related to the factors listed in Question #9?

- No
- Yes, I typically look for some of these factors
- Yes, I typically look for all of these factors

11. Has the DV Risk Factor Guide informed your decision-making practices in cases where domestic violence is suspected?

- No
- Yes

12. Since implementing the DV Risk Factor Guide, how often do you implement the following practices in cases where domestic violence is indicated? *(Please check the appropriate box for each item)*

	Never	Rarely	Sometimes	Often	Always
Require regular judicial status reviews (for compliance monitoring)					
Use of batterer program mandates					
Use of drug/alcohol Tx mandates					
Use of anger management mandates					
Use of other Tx/program mandates: _____					
Use of supervised visitation					
Use of supervised custody exchange					
Use of no-contact/full stay-away orders					
Use of non-harassment orders					
Criminal or other court history check					
Request additional feedback from:					
Petitioner/Petitioner's attorney					
Victim advocate					
Children's advocate/attorney					
Program representatives					

This is a template to be adapted for your jurisdiction. Please adapt language to ensure it fits your jurisdiction's statutes. The Implementation Manual can assist you in this.

13. Please note any other changes that you have made in your practices following the implementation of the DV Risk Factor Guide. _____

14. Do you believe you received adequate training to effectively use the DV Risk Factor Guide?
 Yes
 No
 Uncertain/Other: _____

15. Do you or other court staff need additional training or technical assistance around the issue of domestic violence?
 No
 Yes
i. *If yes:* Please describe any additional training/TA needs: _____

16. Does your court serve Tribal members?
 No
 Yes, some Tribal members
 Yes, solely a Tribal court

17. Please note any additional information you would like to share about your experience using the DV Risk Factor Guide.

Thank you for completing this survey!