

ESCAPING DOMESTIC VIOLENCE: WHAT YOU NEED TO KNOW

YOU ARE NOT ALONE.

Whether you suspect a friend or family member is suffering from domestic violence, or you live in an unsafe, abusive environment, please know, you are not alone. According to the National Coalition Against Domestic Violence - "On average, nearly 20 people per minute are physically abused by an intimate partner in the United States."

No one plans to be a victim of domestic violence. No one plans to be harmed by a partner. So when you find yourself in that position, it can be very difficult to know what to do. Do you fight back? Do you tell someone? Do you leave?

When children are involved, those decisions can be even more challenging and present their own unique issues. It is not easy to remove yourself and your children from an unsafe environment, but it is possible!

If you are asking yourself, "Is there a "right" time to leave?" No. There will never be a right time, an easy time. If you do feel in danger, know that the sooner you take action, the sooner you can ensure your safety and the safety of your children.



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IT'S TIME TO MAKE A PLAN.

If you feel your life or the life of your child is in danger, it is time to seek help, make a plan, and leave.

- 1. Call 911** - If you or your child is in immediate danger, call 911, and do not hesitate to do so. Victims and survivors of domestic violence sometimes hesitate to reach out for emergency assistance for a number of reasons. Whatever your reasoning may be, it is imperative that you do not rationalize away your need for help. Remember "better to be safe than sorry." When you fear for you or your child's safety, call 911!
- 2. Seek Help and Talk to Someone you Trust** - Domestic violence and abuse can happen to anyone, regardless of gender, race, ethnicity, sexual orientation, or income. Both women and men can be victims of domestic violence. Often times those experiencing domestic violence are isolated from family and friends, but it is important for you to confide in someone you trust.

Talk about what is happening with family, friends, neighbors, and/or co-workers. If you do not feel comfortable speaking with someone you know, reach out to an organization. To get help or for more information about domestic violence, call The National Domestic Violence Hotline at 1-800-799-7233.

3. Make a Safety Plan - A safety plan is meant to keep you and your children safe. It addresses a number of issues that survivors of domestic violence face while in a relationship, planning to leave, or after leaving. Since each survivor's situation is unique, your safety plan should address your particular needs. In general, when making a safety plans ask yourself the following questions: who can I call, where can I go to be safe, and what should I include in my emergency bag (i.e. money, clothes, copies of important documents, and copies of keys).

Be sure to gather any documents or evidence you will need BEFORE attempting to get a protective order. Once that bell has been rung, it is amazing how financial statements, photos, etc. either cannot be located or have been destroyed.

Once you have a plan in place, leave. While leaving may have repercussions on your family law case, your safety and the safety of your loved ones are the first and foremost concern. If you have children in the home, take them with you.

4. File Your Complaint For DVPO Sooner Rather than Later - The longer you wait, the harder it is to preserve evidence, and it could appear to the Court that you are not actually in fear. Judges may question the severity of the situation and whether you are afraid of the abuser if there is a delay between the incident and filing.

Be thorough and organized in filling out a Complaint for a Protective Order. Magistrates and judges get hundreds of these requests each month, and they have very limited time in which to make decisions on all these cases. Provide as much detail as you can on the Complaint but do so in a manner that is detailed and organized (i.e. chronological).

Include specific dates and summaries of events in the Complaint so the other party is on notice of the actions complained about, and the Court has a basis for granting the relief requested. Attach an additional exhibit to the Complaint setting out the timeline of events if there is not enough space on the form, but keep the summaries brief and to the point so the Judge can easily review your claim.

Be diligent about collecting and keeping evidence. Take photographs, save text messages and e-mails, obtain phone logs, identify witnesses, etc. Even if the Court grants a temporary order for your protection, there will be a return hearing where you will need to present more particular evidence of the events. You and your attorney will need this evidence to best present your case.

THIS IS NOT YOUR FAULT.

No matter the situation, physical or emotional abuse is never warranted, and it is not your fault. Many times the abuser can brainwash you to believe you deserve the type of abuse that is inflicted upon you. It is not true. No one deserves to be emotionally and/or physically abused. No one. This is not your fault.

Please, make use of the resources available to you. Most counties have organizations that can assist victims of domestic violence. The level of assistance depends on the resources available, but some cities have domestic violence shelters that can provide temporary housing, pro bono programs like Legal Aid that provide an attorney to represent you in court, or counseling facilities to assist in dealing with and getting past the abuse.

For more information, please visit www.sodomalaw.com or contact us at Attorney@sodomalaw.com.

