

Frequently Asked Questions about **Domestic Violence**

Domestic violence is a serious legal issue affecting individuals across all demographics. The law provides both civil and criminal remedies to protect victims and hold offenders accountable. Below are answers to frequently asked legal questions about domestic violence.

What is domestic violence?

Domestic violence is the systematic pattern of aggressive behavior by which one person asserts power and control over another person, often by any means necessary. This can involve various forms of aggressive and controlling behavior, to include: Psychological, Mental and Emotional Abuse; Coercion, Intimidation and Threats; Physical Abuse; Financial Abuse; Isolation; Use of pawns as tools to further goals, such as children. Although the behaviors and frequency of said actions vary, the one constant is the abuser's continuous efforts to maintain power and control.

What legal remedies are available in Domestic Violence situations?

There are criminal and civil legal remedies. Criminal remedies include pursuit of criminal charges such as Communicating Threats, Simple Assault, Assault on a Female, or the Misdemeanor Crime of Domestic Violence. Civil legal remedies include: Domestic Violence Order of Protection (which creates an order that is then enforceable by the criminal statute of Violation of a "DVPO"), Child Custody, Child Support, Spousal Support (if contemporaneously with a separation/divorce), Equitable Distribution (if contemporaneously with a separation/divorce), and more.

Who can file for a DVPO?

Any person who has a qualifying personal relationship with the abuser can file. This includes current or former spouses, current or former household members, persons who share a child, dating partners, and others.

What if the only evidence I have is my testimony?

Your sworn testimony can be sufficient to obtain a protective order. While additional evidence (photos, texts, witnesses) can strengthen your case, judges may issue orders based on credible statements from the survivor.

How long does a DVPO last?

An ex parte, emergency DVPO can last up to 10 days; an initial "permanent" DVPO can last up to one year; and then a renewal DVPO can last up to two years.

Do I need a lawyer to get a DVPO?

While a lawyer is not required to file for a DVPO, legal representation is strongly recommended whether through a private attorney or via an organization such as Legal Aid.

