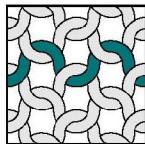


Domestic Violence Resource Guide for Mecklenburg County

Including Information about
Domestic Violence Protective Orders

Qualifications for a DV Protective Order (50B)

1. Must be a resident of Mecklenburg County, NC.
2. Must have a valid address for the person you are seeking the order against.
3. Must have one of the following relationships with the defendant:
 - Married or Divorced
 - Persons of the opposite sex who are not married but live together or have lived together in the past
 - Have a child in common
 - Parent and child or grandparent and grandchild (must be at least 16 years old)
 - Current or former household members
 - Persons of the opposite sex who are in or have been in a dating relationship
4. The person you are seeking protection from must have committed one of the following acts and it is the victim's responsibility to prove that the act occurred:
 - Caused or attempted to cause bodily injury
 - Placed you or a member of your house hold in fear of immediate physical danger
 - Continued to harass you to the point where you are suffering from emotional distress
 - Committed one or more sexual offenses against you



United
Family
Services

**Produced by United Family Services'
Domestic Violence Victim Assistance Program**

Mecklenburg County Process for Obtaining Domestic Violence Protective Order

Weekdays

Civil Clerk's Office
8:30 am—5 pm M-F

832 E. 4th Street
Room #3725
Charlotte, NC
704-686-0520

Protective Order
paperwork available.
No assistance provided.

Paperwork filing
NO FEE

Victim Assistance
8:30 am-4 pm M-Th
8:30 am-1 pm Friday

720 E. 4th Street, Room #204
Charlotte, NC
704-336-4126

Info Line: 704-336-7666

Help with Protective Order
paperwork. Court accompani-
ment provided for clients.

NO FEE

Evenings and Weekends

Magistrate's Office
6 pm-5 am M-F

Anytime on Saturdays and Sundays

801 E. 4th Street
Charlotte, NC, 704-347-7844
*An associate from Victim Assis-
tance will be available to assist
you with paperwork Monday-
Friday (6 pm-9 pm)

Magistrate's Process for an Emergency Protective Order

Step 1: Fill out required paper-
work at the Magistrate's office.
When finished, the Magistrate/
Judge will decide if you get a tem-
porary Protective Order (Exparte)
for 72 hours or 10 days.

- If granted, the Magistrate will give you a court date and time to go before a judge and tell why you need an order for one year.
- The process will take several hours so please be patient and allow yourself enough time.

Step 2: Follow steps 5-8 of the Civil Court Process listed on the next page to extend your Protec-
tive Order for one year.

Civil Court Process for a Domestic Violence Protective Order

Step 1: Get the necessary paperwork from the Civil Clerks Office or Victim Assistance.

Step 2: Fill out the "Complaint" form & other required forms

- Describe the situation that caused you to seek a Protective Order. Be very specific and use dates and times. Start with the most recent event.
- Be sure to indicate requests for custody, eviction, no contact, vehicle possession, possession of personal property, financial &/or child support, and the surrender of firearms
- Victim Assistance will be able to help you fill out these forms at their office.

Step 3: File forms in the Civil Clerk's Office to receive a court date.

Step 4: The Exparte Hearing is your chance to tell the judge why you need an emergency order for 10 days.

- Held in room# 4110 of the Meck. Co. Courthouse (832 E. 4th St, Charlotte)
- Defendant will not be present.
- Court room accompaniment available for clients of Victim Assistance
- A representative from the Sheriff's Department will be available to assist you after court.
- If granted, emergency relief will be provided until the next court date, once the defendant has been served (typically 10 days).

Step 5: Legal Aid may be contacted to offer further legal assistance for your 10-Day Hearing (704-376-1600) or you can hire your own attorney. You may also represent yourself at this hearing.

Step 6: 10-Day Hearing is your chance to ask the judge to extend the Protective Order for 1 year. Both you and the defendant will have the chance to tell your side of the story.

- Held in room# 4110 of the Meck. Co. Courthouse (832 E. 4th St, Charlotte)
- If the defendant has not been served, then the case may be continued until service has been made; you still need to appear in court.
- If the order is granted, then the protection it provides will last for a year, covering only the conditions awarded by the judge (see conditions on page 3, in the section titled "Order").
- If the defendant is not served, return to court on the hearing date given and ask the judge to continue your Ex Parte order so the sheriff's department can try to serve the defendant again. If you have addition information about where the defendant might be, bring that with you and give it to the sheriff's deputies.

Additional Protective Order Procedures

- **To change the conditions** of your Protective Order (example: changing an order that allows for verbal contact to one with no contact), you must file a motion to amend the order with the Civil Clerk's Office. You will receive a new Court date and time so a judge may hear your motion.
- **To renew your order** after one year, you need to file for a renewal 3 weeks before your current order expires. You may do this on your own through the Civil Clerk's Office or with help from Victim Assistance.

Domestic Violence Protective Order Tips

Note: The incident leading to your decision to file for a Protective Order needs to have been a RECENT event.

Tips for filling out your paperwork

- Be specific when filling out paperwork, even if it is embarrassing.
- Remember to use dates when necessary and fill out the form entirely.
- Print clearly.

Tips when getting ready for court

- Plan to be on time; plan to spend half a day there.
- Plan not to bring children to court; there are daycare facilities available at Larry King's Clubhouse (832 E. 4th St. rm# 2510, ph#704-686-0285).
- Bring any evidence you have with you to court (phone messages, pictures, clothing, etc.) because it is the plaintiff's burden to prove the case.
- Dress nicely in clean, conservative clothing. Don't wear anything too tight or revealing. Dress as if you were going to a job interview.
- If you are afraid to come to the courthouse, you may call the Sheriff's Department to have someone escort you.

Tips when in Court

- Be honest and tell the truth, retelling the incident described on your Complaint.
- Stick to the facts regarding the abuse. Do not talk about other unrelated topics (new girlfriends, new boyfriends, etc.).
- Be specific and use dates.
- Be respectful and answer the Judge's questions.
- **DO NOT ARGUE WITH THE DEFENDANT OR JUDGE.**
- Review your copy of the Protective Order to make sure the items the Judge discussed are clearly marked on it.

Important Information

- **Keep a copy of your order on you at all times.** Make multiple copies and give one to anyone that should be aware of the situation.
- **If the defendant is arrested** they will have a bond hearing on the next business day at the Courthouse (832 E. 4th Street) in courtroom# 4130 at 9:00 am. You may appear at that hearing to tell the court if you want further contact with the defendant and any other information that may be important to setting bond.

What To Do After Court

1. Create a Safety plan for you and your children. Your personal safety plan should include some of the following items. If you need help, contact Victim Assistance at 704-336-4126.
 - Create a plan to leave your home if an emergency arises. You and your children should know what the plan is and have practiced it. Be aware that if a situation arises, it is more dangerous if it happens in the kitchen, bathroom, or a room where a weapon is located. Try to move the situation into a different location if at all possible.
 - Pack a bag and hide it in your home or leave it with a friend/family member. **You should include \$50 or more in cash, extra clothes, bank and checking account information, social security numbers, partner's date of birth and workplace telephone numbers, legal documents, birth certificates, medication, extra keys to the house and cars, cell phone chargers, and anything else you would need if you had to flee from your home.**
2. Let people know what is happening and make them aware that there is a Protective Order in place. Tell your children's school, daycare, your boss, neighbors, landlords, pastors, or anyone else who may need to know.
3. If you plan to return to your home to get your belongings (personal papers, medications, clothes, toiletries), contact law enforcement so they can accompany you for your safety.

What To Do If the Defendant Violates the Protective Order

1. **Violation of a 50B is a crime.** If the defendant has assaulted, threatened, abused, followed, or harassed you in any way that puts you in immediate fear, **CALL 911 IMMEDIATELY** and tell them you have a Protective Order.
2. If the defendant has done any of the things mentioned above but you do not feel that you are in immediate danger, call the police at 704-353-1000.
3. Once the police have been contacted, if the police do not arrest the defendant, go to the Magistrates' Office and see about getting criminal charges. You will need the police report number in order for the Magistrate to help you. **Without your cooperation, the defendant may not be held responsible for violating the protective order and your safety could be put in jeopardy. It is your responsibility to follow through with government officials so the situation can be resolved.**
4. If the defendant has violated the Protective Order by not paying child support, spousal support, or returning personal property, you can file a Contempt of Court Motion in room #3725 of the Civil Clerks Office (address listed on page 2) in order to address those issues.

IF THESE VIOLATIONS DO NOT PUT YOU IN DANGER, DO NOT CALL THE POLICE. GO TO THE CIVIL CLERK'S OFFICE

Domestic Violence Resources

Criminal Justice Referrals

Victim Assistance Protective Order Information Line	704-336-7666
Sheriff Department	
<i>*Call to find out if defendant has been served, or if you have information to help service them</i>	
Daytime Hours	704-336-4728
After Hours	704-336-3671
Charlotte-Mecklenburg Police Department	704-353-1000
Domestic Violence Unit	704-336-2811
Mecklenburg County Jail	704-336-8100
Jail VINE	800-247-9658
<i>*Automated system that will tell you when a defendant is released from jail</i>	
Magistrate's Office *Automated Line	704-347-7844
District Attorney's Office	704-347-7891
<i>*Will be able to answer questions regarding criminal charges and court dates and times</i>	
Probation	704-342-6836
<i>*Can assist victims if defendant violates their probation and can answer questions for victims</i>	
Court Clubhouse	704-686-0285
Pre-Trial Services	704-336-2027
Civil Clerk's Office	704-686-0528
Criminal Clerk's Office	704-686-0600
Family Court	704-686-0200

Legal Services

McDowell Street Center for Family Law	704-331-4774
<i>*Sliding Fee Scale</i>	
Self Serve Center	704-686-0210
<i>*Located at 832 E. 4th St., Mecklenburg County Courthouse Rm#3350</i>	
<i>*Provides paperwork & instructions for filing civil motions</i>	
Legal Services of Southern Piedmont, Inc	800-247-1931
<i>*Provides assistance to immigrant victims of domestic violence</i>	
Legal Aid of North Carolina, Inc	704-376-1600
<i>*Provides legal assistance to victims of domestic violence</i>	
Lawyers Referral Service	704-375-0120
<i>*\$50 for 30-minute consultation</i>	

Services for Adults

NOVA	704-336-4344
<i>*Provides counseling and education for individuals who engage in domestic abuse</i>	
Mecklenburg County Women's Commission	704-336-3210
<i>*Provides one-on-one counseling, support, and referrals</i>	
Domestic Violence Health Care Project	704-446-3999
United Family Services	704-332-9034
<i>*Counseling for couples, individuals, and families</i>	
Victim Assistance Rape Crisis/Felony	704-332-9034
<i>*Individual counseling related to issues of child or adult sexual assault</i>	
Rape Crisis Hotline	704-375-9900

Alcoholics Anonymous	704-332-4387
Narcotics Anonymous	704-379-0440
Center for Mental Health	704-258-2810
Chemical Dependency Center of Charlotte-Mecklenburg	704-376-7447
Domestic Violence, Mooresville/Lake Norman Office	704-655-8745

Shelter

Shelter for Battered Women	704-332-2513
<i>*Emergency shelter for victims of domestic violence, 24-hour crisis line</i>	
<i>*Resident and non-resident counseling available</i>	
Salvation Army	704-348-2560
<i>*Open to women & families</i>	

Food, Clothing, Medication, and Financial Assistance

Victim's Compensation	704-336-3210
<i>*Assist victims with financial difficulties</i>	
<i>*Applicant must have reported the crime within 72 hours and have medical bills as a result of it</i>	
Department of Social Services	704-336-3150
Food Stamps, Medicaid & Work First	704-353-1500
Mecklenburg County Women's Commission	704-353-1688
<i>*Provides emergency financial assistance for domestic violence victims.</i>	
Charlotte Area Fund	704-372-3010
<i>*Provides financial assistance</i>	
Community Link	704-943-9490
<i>*Provides financial assistance</i>	
Crisis Assistance	704-371-3000
<i>*Provides financial assistance</i>	
Hispanic Community Resource Center/Mi Casa Su Casa	704-536-9845
<i>*Spanish services available</i>	
United Family Services Consumer Credit Counseling and Housing Services	704-332-9034
United Way Information and Referral Line	211
YWCA	704-525-5770
<i>*Residential, education and wellness service available</i>	

Services for Children

HERO	704-336-3790
<i>*Domestic Violence Child Observers Program</i>	
Department of Social Services	704-336-2273
<i>*Child Abuse, Dept of Youth & Family Services</i>	
Big Brothers/Big Sisters	704-377-3963
Child Support Enforcement	704-342-6325
Children's Law Center	704-331-9474
Council for Children	704-372-7961
Family Center	704-376-7180