



How to Represent Yourself at a Domestic Violence Civil Protection Order Final Hearing



Can I represent myself without an attorney?

Yes. You are allowed to represent yourself at the hearing without an attorney.



What should I do at the final hearing?

You should give your own testimony.

- You should prepare ahead of time what you are going to tell the judge. You should tell the judge about the threats or violence that you wrote about in your Petition, even if you told the same judge about them at the first hearing.
- If you think you will be nervous or forget important details, you can write them down ahead of time.
- Arrive at least 10 minutes before the hearing. Dress neatly and appropriately for court: no shorts or tank tops.
- When the judge says it is your turn to speak, you should start with some basic information about your relationship with the other party.
- Next, tell the judge about the most recent incident of violence or threat of violence. For each incident, explain as best you can when it happened, where it happened, what happened, and who witnessed the incident.
- Then, tell the judge about other earlier incidents of violence or threats of violence. Continue in this way, describing the incidents in as much detail as you can remember.
- If you are asking for protection for you children, you must tell the judge about how your abuser has hurt or threatened to hurt the children, or what effect the abuse has had on the children.
- When you are done explaining the violence and threats, tell the judge you are afraid of what will happen if you are not protected.

You should show exhibits to the judge.

- If you are using a photograph, make sure you tell the judge when the picture was taken, and that it shows what your injury looked like on that day.
- If you are using a text message, email, or letter, tell the court when the message was sent. If the letter is handwritten, tell the judge how you are familiar with your abuser's handwriting.
- After showing the photograph, text message, email, or letter to the judge, say "Your Honor, I would like to offer this exhibit into evidence."



Can I have people testify in support of my case?

Yes. Witnesses can be very helping in your court hearing. A witness can back up your version of what happened. When you are done with your testimony, you should ask the judge to hear from your witnesses. Ask your witness questions that explain who the person is and what incident they saw.

Good witnesses include people who saw an act of violence, heard a threat of violence, or saw the effects of the violence (such as a bruise or other injury).

A witness does not need a subpoena, but you may need one if the witness may not show up or needs a subpoena to take time off work. If your witness says he or she needs a subpoena, ask the Clerk of Courts for a subpoena form to fill out and serve.

Witnesses must come to court and testify in court. A witness cannot send a written note or statement.



What does my abuser get to do at the hearing?

When you are done with your testimony, the abuser or his attorney can ask you questions. You do not have to look at your abuser. You must answer the questions honestly.

Stay calm. Your abuser may try to upset you to make you look angry. Do not let him do this. The judge will let you make additional statements after these questions if you wish. This is called "rebuttal testimony."

When you are done presenting your side of the story, the abuser can tell his side of the story. Do not argue or roll your eyes at this testimony. When he is done, you can ask him questions. You do not need to ask him anything. If he has a criminal record that involves violence or being untruthful, you might ask him about that.



What happens next?

After everyone testifies, you can make a closing statement if you want. You can give a summary of why you are asking the court to protect you. The judge will then tell you about his or her decision.

If you get a Civil Protection Order, you should keep a certified copy of it with you at all times. You should always have a safety plan in case of an emergency situation. If your abuser violates the Civil Protection Order, you should call the police right away.

**The information on this flyer is not legal advice.
If you are seeking representation or legal advice, please contact SEOLS.
An attorney-client relationship does not exist between you and SEOLS.**

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