

NOTES

Domestic Violence Resource Guide for Mecklenburg County

Including Information about
Domestic Violence Protective Orders

Qualifications for a DV Protective Order (50B)

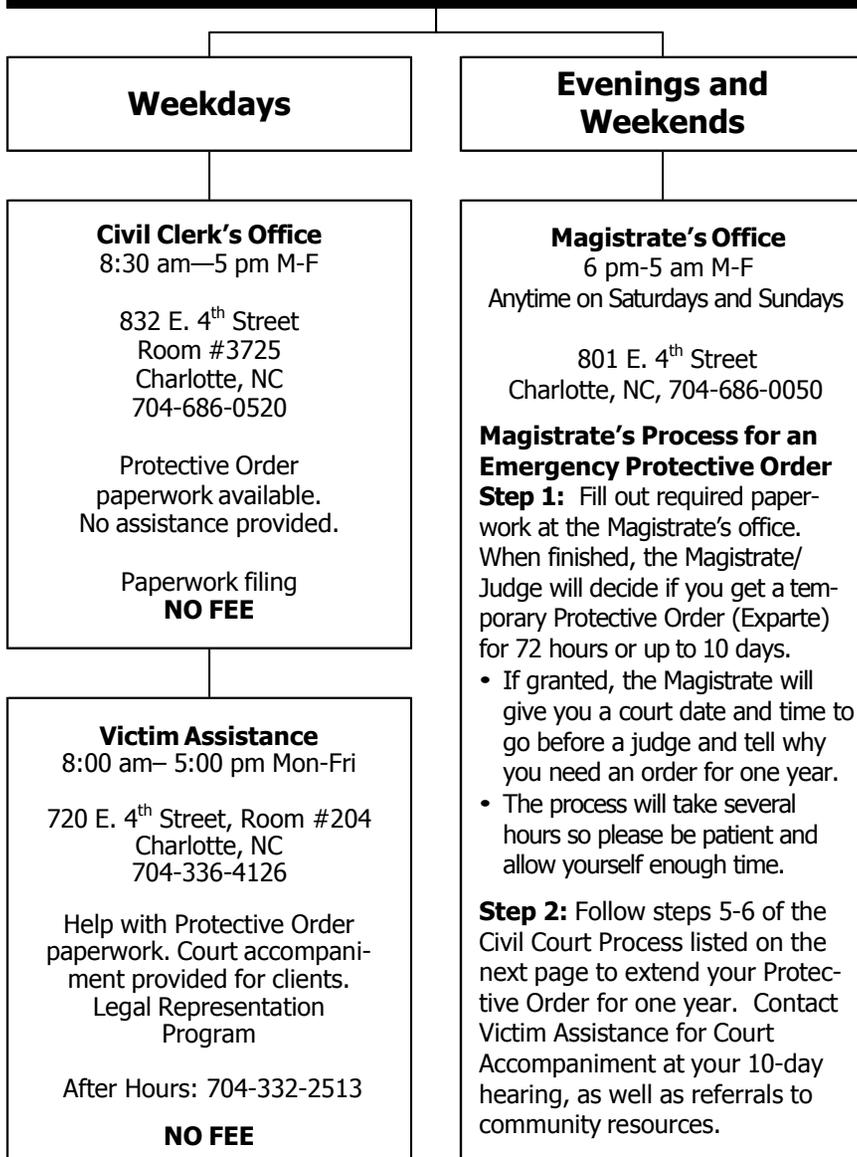
1. Plaintiff or defendant must be a resident of Mecklenburg County, NC.
2. Must have a valid address for the person you are seeking the order against.
3. Must have one of the following relationships with the defendant:
 - Married or Divorced
 - Persons of the opposite sex who are not married but live 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; 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 household 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

Produced by Safe Alliance Victim
Assistance Program



Formerly Known As United Family Services

Mecklenburg County Process for Obtaining A Domestic Violence Protective Order



Alcoholics Anonymous704-332-4387
Narcotics Anonymous980-200-9349
Center for Behavioral Health704-358-2810
Anuvia Prevention & Recovery Center (formerly CDC).....704-376-7447

Shelter

Safe Alliance DV Shelter.....Crisis Line...704-332-2513
 *Emergency shelter for victims of domestic violence, 24-hour crisis line
 *Resident and non-resident counseling available Business # 704-944-0169
Salvation Army704-348-2560
 *Open to women & families
 ***Charlotte Housing Authority**.....704-336-5183

Food, Clothing, Medication, and Financial Assistance

Victim's Compensation. . . . 800-826-6200 or locally for info.....704-332-9034
 *Assist victims with financial difficulties as a result of domestic violence incident
 *Applicant must have reported the crime within 72 hours and have medical bills as a result
Department of Social Services704-336-3150
Food Stamps, Medicaid & Work First704-353-1500
Charlotte Area Fund704-372-3010
 *Provides financial assistance
Community Link704-943-9509 or....704-943-9490
 *Provides help with relocation; consumer credit housing services
Crisis Assistance704-371-3000
 *Provides financial assistance for emergencies such as eviction, utility turnoff.
Latin American Coalition.....704-531-3848
 *Spanish services available
Catholic Social Services704-391-3732
 *Spanish services available
United Way Information and Referral Line.....211
YWCA704-525-5770
 *Residential, education and wellness service available

Services for Children

HERO (CSS Domestic Violence Unit)704-336-3210
 *Domestic Violence Child Observers Program
Department of Social Services704-336-2273
 *Child Abuse, Dept. of Youth & Family Services
Big Brothers/Big Sisters.....704-910-1301
Child Support Enforcement800-992-9457 or.....704-432-9300
Council for Children's Rights704-372-7961
Thompson Child & Family Focus704-376-7180

Domestic Violence Resources

Criminal Justice Referrals

Sheriff's Office

*Call to find out if defendant has been served, or if you have information to help serve them

Daytime Hours 704-336-2543

After Hours 980-314-5030

Charlotte-Mecklenburg Police Department 704-336-7600

Domestic Violence Unit 704-336-2811

Mecklenburg County Jail 704-336-8100

Jail VINE 800-247-9658

*Automated system that will tell you when a defendant is released from jail

Magistrate's Office *Automated Line 704-686-0050

District Attorney's Office 704-686-0700

*Will be able to answer questions regarding criminal charges, court dates and times

Probation..... 704-342-6836

*Can assist victims if defendant violates probation

Court Clubhouse..... 704-686-0285

Pre-Trial Services 704-336-2027

Civil Clerk's Office 704-686-0520

Criminal Clerk's Office 704-686-0600

Family Court 704-686-0200

SAVAN Statewide Victim Assistance & Notification 1-800-627-2826

Legal Services

McDowell Street Center for Family Law 704-331-4774

*Sliding Fee Scale

Self-Serve Center 704-686-0210

*Located at 832 E. 4th St., Mecklenburg County Courthouse Rm#3350

*Provides paperwork & instructions for filing civil motions Open 9-12

Legal Services of Southern Piedmont, Inc. 800-247-1931

*Provides assistance to immigrant victims of domestic violence

Legal Aid of North Carolina, Inc. 704-376-1600

*Provides legal assistance to victims of domestic violence for 50b's

Lawyers Referral Service 704-375-0120

*\$50 for 30-minute consultation

Services for Adults

NOVA..... 704-336-4344

IMPACT..... 980-721-7268

*Provides counseling and education for individuals who engage in domestic abuse

Safe Alliance Victim Assistance..... 704-336-4126

*Help w/50B paperwork, court accompaniment, legal program

Community Support Services Domestic Violence Unit..... 704-336-3210

*Provides one-on-one counseling, support, and referrals

Domestic Violence Healthcare Project (CMC Main)..... 704-446-3999

Safe Alliance Sexual Trauma Resource Center..... 704-332-9034

*Individual/group counseling related to issues of child or adult sexual assault

Rape Crisis Hotline 704-375-9900

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 (3725) 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 Office 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 7-10 days).

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

Step 6: The 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 opportunity 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, 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 free daycare facilities available at Larry King's Clubhouse in the Courthouse (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 into the courthouse, you may call the Sheriff's Office 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 no 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 or 311.
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 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.