

## Relief from Abuse Orders

A relief from abuse order is a court order that is designed to stop violent, harassing, threatening behavior as well as protect you if you have been sexual assaulted or are a victim of stalking by a current or former partner. This is a family court order and in order to be eligible for a RFA the relationship between the parties must be one of the following: family members, household members, sexual relationship, or a dating relationship. The types of abuse that qualifies for an RFA order MUST be one of the following: cause or attempt to cause bodily harm, place in fear of bodily harm, child abuse, stalking, sexual assault, aggravated sexual assault, or lewd and lascivious conduct with a child. Protections the order could provide may include: Do not abuse, stay away, no direct/ or indirect contact, possession of the home, custody of any children, child support and spousal maintenance, pet protection, and any other protections the court deems necessary.

### The process of obtaining an order is as follows:

You can apply for a temporary RFA order 24 hours a day 7 days a week. The order would need to be applied for at the family court house if it is during business hours, if after hours you can apply at your police or call your local domestic violence agency. If the judge grants your order, it will be in effect from the time it is served on the defendant by law enforcement. You must attend a hearing for the final order, normally within 10 days. When the order is served to the defendant they will also be notified of the final order hearing date. In order for a final RFA to be obtained, the plaintiff must attend this hearing otherwise the order will be dropped. Your local domestic and sexual violence program can sit with you at court and provide more information if desired. A final RFA order can be issued at the scheduled hearing and only after the court has either found that abuse has occurred or the defendant agrees to the order without findings. If the final order is not granted you can still work with your local domestic and sexual violence agency to create a safety plan or utilize other services they offer.

For more information go to the Vermont Judiciary website:

<https://www.vermontjudiciary.org/gtc/Family/abuse.aspx>

Your local domestic and sexual violence agency can assist you with filling out the paperwork for a Temporary Relief from Abuse order, attend the court hearing with you, and answer questions you may have about the process. You can also call your local domestic and sexual violence agency's hotline for confidential and free assistance:

**Umbrella:** (802) 748-8645

If you live in Caledonia or South Essex Counties.

**Aware:** (802) 472-6463

If you live in Hardwick, Cabot, Craftsbury, Greensboro, Stannard, Walden, and Woodbury.

**If you are in immediate danger call 911**