

INFO CURRENT AS OF OCTOBER 2003

DOMESTIC VIOLENCE RESOURCES

This column is published in conjunction with the New Hampshire Bar Association as a public service. It is not presented as specific advice, which may only be provided by an attorney based upon each individual situation. If you need a referral to an attorney, the NHBA Lawyer Referral Service is available to assist you. Call 229-0002 or visit our website at www.nhbar.org for more information.

October is recognized as domestic violence awareness month. To that end, it is fitting to respond to the following question by providing some resources that are available to persons suffering from domestic abuse.

QUESTION: I am living in an abusive relationship at home. I am afraid for my children's and for my own safety. I am not sure what to do or where to go for help. I have heard that people go to Court for help but know little of this process. I am also afraid that if I leave my abuser, I will be unable to support my children and myself. What is the best course of action for me to take?

ANSWER: It is difficult to leave any relationship. It is extraordinarily difficult to leave an abusive family relationship. Many New Hampshire residents are dealing with the debilitating problem of domestic violence. Victims of domestic violence face many obstacles to leaving and staying out of abusive relationships. Many practical issues, including personal safety, housing, transportation, child support and custody/visitation issues, must be addressed.

There are a number of confidential services available in New Hampshire to help people address safety issues, obtain protective orders through the court system, receive emotional support and plan for the future. Getting legal help is often critical to gaining self-sufficiency and independence when leaving such relationships. In New Hampshire, a victim of domestic violence should not and does not have to go it alone.

If you seek help through the legal system there are a number of things a judge can order that may help ensure your safety and help get you on your way to economic self-sufficiency. For example, a judge can order the abuser to stay away from you and your children, award you temporary custody of your children and order your abuser to pay child support. The court may order the abuser to make car payments, pay for your housing costs, and/or pay for health care. The court can set up a visitation schedule or order that there be no visitation between your abuser and your children. The abuser may also be required to attend batterer's treatment. These types of orders will not only help you to leave the relationship but may also help ensure your financial independence.

There are several opportunities in New Hampshire for victims of domestic violence to receive both the legal advocacy and emotional support in their struggle to extricate themselves from abusive relationships.

911 Emergency Police response. The police are your first defense when your safety is at stake. You should report an assault to the police. The police can arrest your abuser for any crime of domestic violence and assist you in obtaining a temporary protective order when the courts are closed. Some additional services that may be provided by the police are cellular telephones to victims, safety plans, victim rights forms, enhanced patrols, civil standbys and police reports provided free to the victim.

The NH Coalition Against Domestic & Sexual Violence, comprised of 14 programs throughout the state that provide services to survivors of sexual assault and domestic violence, may be able to assist with a variety of services to help you safely get yourself and your children out of a domestic violence situation. The services are free, confidential, and available to everyone regardless of age, race, religion, sexual preference, class or physical ability. The services include:

- **24-Hour DV Hotline (1-866-644-3574)**

- **24-Hour Sexual Assault Hotline (1-800-277-5570)**
- Emergency shelter and transportation
- Legal advocacy in obtaining restraining orders against abusers
- Hospital and court accompaniment
- Information about and help in obtaining public assistance

The Domestic Violence Emergency (DOVE) Project offered through the Pro Bono Referral Program of the NH Bar Association provides low-income victims of domestic violence with emergency legal services needed to provide them with protection from their abusers and to help break the cycle of violence. Through a unique partnership with crisis centers statewide, the DOVE Project matches eligible domestic violence victims with volunteer attorneys recruited and trained by the Project. Attorneys provide DOVE clients with expedited legal representation at final restraining order hearings. Individuals may access this program by contacting their local crisis center or the **24-hour hotline at (866) 644-3574**.

The NH Legal Assistance Domestic Violence Advocacy Project (800) 562-3174 NHLA is a nonprofit law firm that has attorneys on staff to provide legal representation to low-income survivors of domestic violence. NHLA assists victims of domestic violence at final restraining order hearings as well as in legal matters that go beyond the final restraining order hearing, such as divorce and custody matters.

The Legal Advice and Referral Center (800) 639-5290 is a private, nonprofit law firm that provides free legal services to eligible, low-income people anywhere in New Hampshire. Their attorneys and paralegals provide legal advice by telephone in the areas of domestic violence, divorce, separation, annulment, adoption, child custody, interstate custody, child support, and guardianship.

The Lawyer Referral Service of the NH Bar Association at (603) 229-0002 provides referrals statewide and is a resource for those who have the ability to pay an attorney.

The Reduced-Fee Referral Program of the NH Bar Association at (603) 715-3290 provides referrals statewide to qualified individuals who can afford to pay something for an attorney's services, but who cannot afford an attorney's regular fees.

Although leaving an abusive family relationship may be one of the most difficult things you do, there is help and support available. There are people to help you figure out what to do and how to do it. You and your children can move on to a better situation where you and they no longer need to live with the violence and control of an abusive individual.

*Answered by **Attorneys Valerie Reed and Velma McClure** of New Hampshire Legal Assistance, Manchester*