

NEXT STEPS — VTCourtForms

Asking the court for a Relief from Abuse (RFA) order

You have filled out the forms to ask the court for an RFA order in Vermont. Now learn what to do next.

Next steps

1. Keep a copy of the forms for yourself if you think it is safe to do so.
2. When you are ready, choose how to “file” your forms with the court:
 - Bring the forms to your local family courthouse, or
 - Email the forms to a family court in Vermont and follow up with a phone call, or
 - E-file the forms through the Vermont Judiciary’s Odyssey e-filing system and follow up with a phone call.

There are also other options if you can’t deliver or send the forms.

- Call your local family court if you cannot get to court, or
- Call the court’s answering service at 1-800-540-9990 if it’s **during the night, weekend or holiday**. Even during these times, you may be able to get a temporary order right away to help keep you safe.

Read more detailed instructions for each of these options on the RFA Roadmap

at: <https://vtlawhelp.org/roadmap/relief-from-abuse/step-3>.

3. **Safety plan:** This is a good time to talk to a domestic violence agency about how to stay safe while you wait for the court to decide. For example: Does the defendant own guns? Does the defendant still live with you? Will they do something dangerous when they find out you have gone to court for help? **Call 1-800-228-7395 or visit www.vtnetwork.org to find a domestic or sexual violence advocate.** They can also help you file your forms with the court.

Getting a temporary order

- Once you give the court your paperwork, a judge will review it to decide if you can get a “temporary order.” This is a court order to protect you until you attend a “final hearing.”
- If you qualify, usually the court can give you a temporary order on the same day or night you ask for it.
- If the judge decides you can get a temporary Relief from Abuse order, the court will send you a copy of the order and a notice with a hearing

date and time. Usually, the hearing is within about two weeks.

- The court will also have local police find the defendant and personally give (“serve”) the defendant a copy of the order, the hearing notice, and the Complaint and Affidavit you gave the court. The temporary order lasts until the date and time of the final hearing. The police will also take the defendant’s guns at this time, if the temporary order tells them to.
- Keep a copy of the order with you so that you can prove you have a temporary order against the defendant. Consider giving copies to others such as your workplace, children’s school or childcare providers.
- If the defendant doesn’t follow one or more terms of the temporary order, call your local police. Tell them you need help and you have a temporary order. The defendant may be charged with a crime if the order is not followed.

What if the judge denies the temporary order?

- If the judge denies the temporary order, they should explain the decision in writing. Contact a domestic or sexual violence advocate or contact us at Legal Services Vermont at <https://VTLawHelp.org> or 1-800-889-2047 to get help

understanding why it was denied. You may be able to correct the problem, refile and get a temporary order.

What happens at the hearing?

- A “final hearing” will be set. At the hearing, the court will hear from both you and the defendant to decide whether to give you a final Relief from Abuse order.
- Prepare and practice for your hearing. Learn how on our RFA Roadmap at <https://vtlawhelp.org/roadmap/relief-from-abuse/step-5>.
- In many cases, the court will decide based on testimony from you, the defendant, and sometimes other witnesses. Testimony is usually the most important evidence in RFA cases.
- Are there other witnesses to the abuse? Contact them and make sure they can come to your hearing and testify.
- Sometimes you may have other kinds of evidence (“exhibits”) like texts, photos or medical records. Bring enough copies of any exhibits for yourself, the defendant, and the judge.
- Do you have a disability that makes it hard for you to communicate with the court or understand what is

happening in your case? Ask the court about getting a Communication Support Specialist for your case.

- Be on time. When you get to court, you may find out that the defendant has a lawyer. If they do, you may ask the court to “continue” (reschedule) the hearing so you have the chance to get a lawyer. Then contact us at Legal Services Vermont.

Getting the final order

- At the end of the final hearing, if the judge agrees with you, they will give you a Relief from Abuse order. The court will also hand the defendant a copy.
- Note that the order does **not** go into effect until the defendant has a copy. If the defendant is at the hearing, the order goes into effect right away. If the defendant does not show up for the hearing, the court will ask the police to serve them. The order will not go into effect until the order is served. If a temporary order was issued, that order will remain in effect until the defendant is served with the final order.
- The RFA order lasts for a fixed amount of time. During that time, if the defendant violates the order, contact local police. Violating the order is a separate criminal charge against the defendant.

- While the order is in effect, it is good anywhere in the United States. It is good even if you and/or the defendant leave Vermont.
- Keep a copy with you so that you can prove you have a Relief from Abuse order against the defendant. Consider giving copies to others such as your workplace, children’s school or childcare providers.
- In most cases, the defendant cannot legally own or purchase firearms (guns) after the court gives you a final Relief from Abuse Order. Do you have questions or concerns about the defendant’s firearms? Contact an advocate or contact us at Legal Services Vermont.

Learn more or contact us at Legal Services Vermont

<https://vtlawhelp.org/roadmap/relief-from-abuse/step-1>
1-800-889-2047

