

There's a Domestic Violence Order for my protection - what happens at court?



FAMILY VIOLENCE LAW HELP

www.familyviolencelaw.gov.au

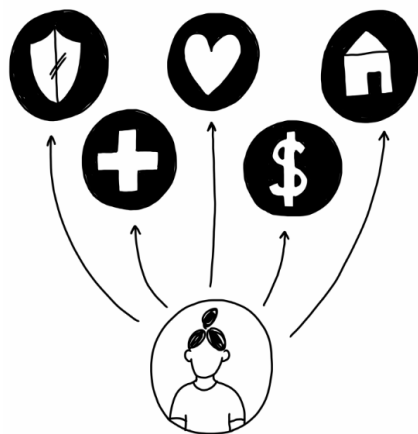
Domestic Violence Orders are also known as Intervention Orders, Family Violence Orders, Apprehended Domestic Violence Orders or Restraining Orders.



If you have to go to court for a Domestic Violence Order, you can get legal advice about what will happen in court.

You can also talk to a support service that helps people who have experienced domestic and family violence through the Domestic Violence Order process at court.

Visit www.familyviolencelaw.gov.au/get-help to find a local service that provides support at court.



These services may be able to help you:

- understand what the conditions mean on a Domestic Violence Order
- understanding what to expect at court
- plan for your safety - for example, if you're worried about seeing the other person at court
- find other local services that can help you.

Going to court can be a slow process and you may need to go to court a few times before it goes to a hearing.

A hearing is when both sides tell the court their story, and the court makes a final decision.

A case will only go to a hearing if the person the order is against disagrees to the order being made.





What will happen on the first day at court may depend on:

- if the case is urgent
- if the person who applied for the order turns up at court
- If the person the order is against:
 - turns up at court
 - has been served with (given) the application
 - agrees to it being made or disagrees
 - needs more time to get legal advice.

What happens at court is a bit different in each State and Territory. You can get legal advice about what to expect.

Do I need a lawyer?



Some courts have lawyers who can give you free legal advice on the day about your case and about parenting arrangements if you have children. They are sometimes called 'duty lawyers'. They will not take on your case as your lawyer every time you go to court. You can check with the court or court support service if they have duty lawyers.

You can get free legal advice from your local [Legal Aid office](#), [Family Advocacy and Support Service](#) or [community legal centre](#).

You can also get help and information from your local court support service. To find your local court support service, visit www.familyviolencelaw.gov.au/get-help

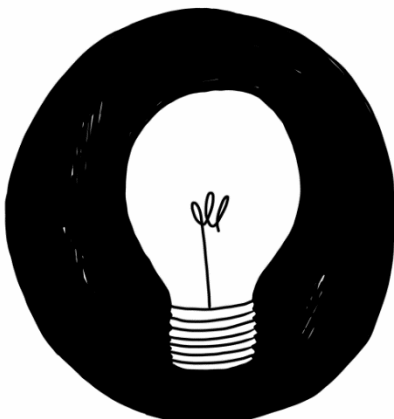
I applied for the order

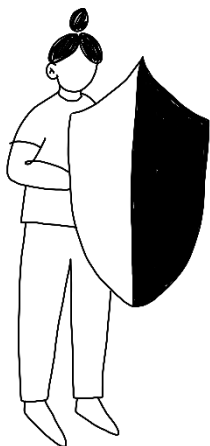
If you applied for a Domestic Violence Order without the police's help, a lawyer can represent you or you can represent yourself.

The police applied for the order

If the police applied for a Domestic Violence Order for you, the police will tell the court about why the order should be made for your protection. You can talk to the police about what will happen at court. Let them know if you have any concerns for your safety going to court.

You can get your own legal advice before, at or after court. This is important if you have children with the person the order is against, or if you don't agree with the police application.





What can I do if I'm worried about my safety at court?

If you're worried about your safety at court, you can talk to your lawyer, support person or the court so they can help you. If you're not sure who to contact, visit www.familyviolencelaw.gov.au/get-help to find your local court support service.

They may be able to help you make safety arrangements. For example, if you don't want to be in the same waiting area as someone else or if you need support from security. If you're going to court to apply for a Domestic Violence Order, and you want your address to be kept confidential, you can talk to the court staff about this.



When you go to court, you can bring a friend or family member to court as a support person if you want. You can talk to your local court support service or [1800 RESPECT](tel:1800RESPECT) to help you plan for your safety.