

DO I NEED AN ATTORNEY FIRST?

A checklist for clients before filing for domestic violence, dating violence, sexual assault, or stalking protection orders



INSTRUCTIONS

It can be very helpful to talk with an attorney before filing for a protection order. This checklist was created by attorneys to help you know if there are risks in your case that an attorney can explain and advise you about so that you can decide if a protection order is the best option.

Answering yes to any of these questions does not mean you should not seek a protection order. **Answering yes means there are potential legal issues that you should discuss with an attorney before you file.**

The word “abuser” is used to mean the person who hurt you, threatened to harm you, or who stalked you. Please place a check in the YES or NO box to answer each question that applies to your situation.

CHILDREN (If you do not have children, skip to question 6.)	YES	NO
1. Do you have any court orders or pending court cases about custody or visitation in domestic relations or juvenile court?		
2. Do you have any recent involvement with Children Services, whether or not there is a current case?		
3. Do you have children with the abuser, and you are concerned about their safety if that person asks for custody or unsupervised parenting time?		
4. Are you planning to relocate?		
5. Do you know of any reason why the other parent may believe your children should not be in your home? For example: <ul style="list-style-type: none"> a. Not currently having housing or utilities b. A recent arrest or conviction c. A recent suicide attempt, overdose, mental health hospitalization, or active drug or alcohol problem d. A recent arrest or conviction of someone else in your household e. A person in the household who is a convicted sex offender 		

CRIMINAL CHARGES	YES	NO
6. Are there criminal charges currently pending against the abuser?		
7. Are there criminal charges currently pending against you?		

OTHER ISSUES	YES	NO
8. Are you seeking a protection order due to sexual assault or stalking?		
9. Is the abuser currently in jail or prison, or about to be sentenced?		
10. Do you have concerns about facing your abuser in court or being able to testify in court?		
11. Are you an immigrant, refugee or asylee who is undocumented?		

FINDING AN ATTORNEY

Akron Bar Association	Visit https://www.akronbar.org/?pg=clientReferrals to ask for a referral
Community Legal Aid	HelpLine: 800-998-9454 or apply online at communitylegalaid.org
Immigration Law	<p>ASIA Inc.: 330-535-3263 / www.asiaohio.org</p> <p>International Institute: 330-376-5106 / www.iiakron.org</p>
Legal Access Works	<p>If you cannot get help form Legal Aid, you may be able to get help through Legal Access Works, a legal assistance project coordinated by the Ohio Domestic Violence Network (ODVN) and the Ohio Alliance to End Sexual Violence (OAESV).</p> <p>To find an attorney, ask a Victim Assistance Program advocate or call your local domestic violence program or rape crisis program to be referred. Local domestic violence programs can be found at www.odvn.org or by calling ODVN at 800-934-9840. Local rape crisis programs can be found at www.oaesv.org or by calling OAESV at 888-886-8388.</p>
Self Help Manual	Online help can never be a substitute for the advice of an attorney, but there is more information about legal options and resources in the Self Help Legal Manual for Survivors of Domestic Violence, Sexual Assault, and Stalking , which can be found at www.odvn.org .
Victim Assistance Program	To find out if you may be eligible for VAP legal services ask an advocate or call the hotline at 330-376-0040. An advocate can also provide you with information on other local agencies that provide legal services to victims.