

New York State Coalition Against Domestic Violence
2004 Domestic Violence Handbook

Planning For Your Time In Court

If you are going to Family Court, you will probably have to wait in the courthouse before your case comes up, so you should plan to spend most of the day there. Some Family Courts have childcare services. Try to find out before you go to court. If they do not have child care services, try to leave your children with someone, or arrange for someone to take them to and from school. Sitting around the courthouse for several hours will be hard for them and having them at the hearing could be stressful for all of you.

If you are going to your local criminal court, these courts do not have childcare services and they tend to be rather crowded and hectic. Whenever possible, you should try to find someone who can take care of your children while you are in court. The prosecutor may not have much time to talk to you in the courtroom. Therefore, you should try to call ahead of time and let the prosecutor know what you would like to have happen in court.

Whether you decide to use Family Court and/or criminal court, both courts can require a great deal of your time. If you are employed, New York State law requires an employer to allow time off for you to go to Family Court or criminal court hearings or to consult with the District Attorney. You must give your employer at least one day's notice of your need for time off. If your employer attempts to penalize you for taking this time off, contact your local domestic violence program or the local office of the Department of Labor.

Whichever court you use, it is understandable that you may be anxious about going to court. If you have questions about what is going to happen, contact your local domestic violence program. The more notice you give your local program, the more likely it is that they will be able to have an advocate accompany you to court.

Your physical appearance can make a difference in how a judge perceives you. You should try to dress as if you were going to work in an office.