

New York State Coalition Against Domestic Violence
2004 Domestic Violence Handbook

Talking To The Judge

Before you testify, you will be asked to swear that you will tell the truth. Everyone else who testifies, including your abuser, will also be sworn in. Everyone in the courtroom is expected to treat the judge with special respect, so always call the judge "Your Honor" and don't interrupt when the judge is talking. Speak only when the judge asks you to speak. If the judge interrupts you to ask you a question, stop speaking right away. If you don't understand a question, politely say so. If you can answer a questions with "Yes, Your Honor" or "No, Your Honor" that's all you need to say. If you have to explain something, try to give just the facts and to be brief. Speak slowly, look directly at the judge and tell what happened, but keep it simple. If you practice your testimony ahead of time, it will be easier to talk in court even if you are nervous.

A judge often has to deal with many cases in a day, so he or she may seem to be in a hurry. Sometimes, it can seem as if a judge is angry or irritated. Try not to let this bother you, remain calm and follow the suggestions above. After you have told your story, your abuser (or his lawyer, if he has one) has the right to give his side of what happened. This may include asking you questions to try to discredit what you have just told the judge. This is called cross-examination. This may be upsetting to you, but it is important to stay calm and to not get into an argument with your abuser. Do not say anything until the judge asks you to speak again or tells you to answer the questions. If your abuser lies, when it is your turn to talk, simply tell the court that what your abuser said was not truthful.

You should make sure that the judge knows about any threats your abuser has made to stop you from going to court. These may include threats to take or harm your children, to withhold money for support, or threats against your friends or family. You should also tell the judge if your abuser has been harassing you in other ways, such as calling or appearing at your workplace.