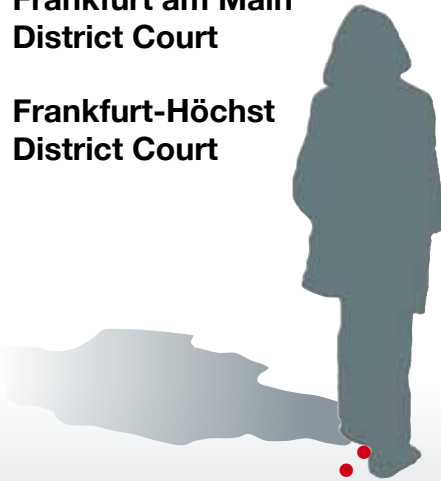


Guide to Urgent Applications under the **Protection Against Violence Act**

- Frankfurt am Main District Court
- Frankfurt-Höchst District Court



Published by:
Arbeitskreis Interventionen
bei Gewalt gegen Frauen (AK InGe)
(Working Group for Intervention
in Violence Against Women)
Frankfurt am Main 2012

The Law...



The Protection Against Violence Act (Gewaltschutzgesetz) offers civil law measures for protection against physical violence, threats and stalking by a former spouse or partner, acquaintances or strangers.

Protection Orders...

Which orders can you apply for?

● Prohibition of contact and communication

You can apply for an order that prohibits the violent person from approaching you or entering places that you regularly frequent, and from attempting to communicate with you. This includes contact by telephone, fax, SMS, and digital media.



● Sole occupancy of the shared home

You can apply for an order that grants you sole occupation of the shared home. Also apply for an order that bans the violent person from approaching or communicating with you. If this person is also a party to the lease, you can initially be granted sole occupancy for a maximum of six months. This gives you time to consider your next steps in peace and security.

Costs...

Court proceedings involve costs.

Fees may also be incurred for:

- Services of the court bailiff
- Your lawyer
- The violent person's lawyer

Tip

It is possible to obtain **legal aid** if you have difficulty in meeting the cost of the proceedings.

To **apply for legal aid**, you require:

- Proof of income:
Pay slip, written confirmation of pension or benefits, etc.
- Documents that verify your expenses:
Rent, insurance costs, debts or loans, maintenance payments, etc.

If you have no personal income, you must make a statutory declaration to that effect.

District Courts...

**Where can you lodge your application?
Which court is responsible?**

For Frankfurt:

**The Family Court of the
Frankfurt am Main
Regional Court**



Gerichtsstr. 2

Court Building B

60313 Frankfurt am Main

Tel. 069 / 13 67 – 01

Monday – Thursday 8.00 am – 4.00 pm

Friday 8.00 am – 3.00 pm

(Ask at reception for the
Legal Application Office
(Rechtantragsstelle))

**The Family Court of the
Frankfurt Höchst
Regional Court**



Zuckschwerdtstr. 56

65929 Frankfurt am Main

Tel.: 069 / 13 67 – 01

Monday – Friday 8.00 am – 12.00 noon

Family Court Offices:

Room 120 on the ground floor

Documents...

How do I lodge an application?

You don't need a lawyer to lodge an application under the Protection from Violence Act. You can do this yourself. You should lodge your application as quickly as possible.

Your application is submitted to a Judicial Officer in the family court offices and presented to a Family Court Judge.

You should prepare yourself before lodging your application. It is important to describe exactly what has happened. Note down the places that you frequent regularly. You can apply for a Protection Order prohibiting the person from communicating with you and ordering them to stay away from you.

What documents should you bring when applying for protection orders?

- Personal identification documents
- Police confirmation that a complaint has been made
- Police confirmation that the person has been banned from the home
- Doctor's certification of injuries
- If possible, addresses and sworn statements from witnesses
- Residential lease if a ban from the shared home has been issued
- The current address of the violent person

Legal Practice...

What happens after an application has been made?

The Family Court Judge has three options:

- 1.** The Family Court Judge makes a decision on your application immediately. You receive the decision the same day or it is delivered within a few days per post. The District Court informs the violent person of the decision.
- 2.** The Family Court Judge first takes a statement from the violent person in writing per post and makes a decision several days later.
- 3.** The Family Court sets a date for a hearing within 2-4 weeks. Both you and the violent person, and possibly witnesses, will be invited to attend. You will receive the invitation by post.



If you are invited to appear in court together with the violent person, it is advisable to have a lawyer.

Judgements...

It is possible that when you receive an order for the sole possession of the shared home, the violent person is still on the premises.

A Bailiff can remove this person from the home.

Ask for the Bailiff Coordination Office (Gerichtsvollzieherverteilerstelle) at the District Court reception desk. This office will provide you with the contact details of the Bailiff responsible for your local area.

Important If you have not received a decision from the Court by the time the Police Removal Order has expired, this order can be extended by the police on request.

What can you do if the person responsible for the violence does not comply with the orders?

If the violent person does not comply with the order prohibiting communication or contact with you, they are committing a punishable offence and are liable to prosecution.

You can call the police or lodge a complaint at any time of the day or night. Also inform the Court that issued the order under the Protection from Violence Act.

Children...

What about your children?

Measures under the Protection from Violence Act do not regulate the right to child custody or access.

The experience of violence in the family puts a great strain on children. This is true even if children are not the direct recipients of violence but witness violence against one of their parents.



Therefore, please seek advice and support for yourself and your children early.

You can obtain assistance from any of the 15 Education and Family Support Centres in Frankfurt (www.ebfffm.de) or from the Child and Youth Social Services at your council Social Welfare Office.

The addresses and further information are available from the Frankfurt Child and Youth Protection Hotline till 11.00 pm each day under the following toll-free number:

**Telephone 0800 - 2 01 01 11 or under
www.kinderschutz-frankfurt.de**

Advice and Support...

Where can you find advice and support?

The support centres provide:

- Information and assistance with applications for protection orders
- Information on other legal issues (reporting an offence, the right to access and custody, etc.)
- Lawyer addresses

The counsellors help you to cope better with what you have experienced and to develop new perspectives.

We help you to identify what can be done to protect you from further violence.

The support is free of charge for you and if you wish, anonymous

An interpreter can be provided if required.

Contacts...

Counselling and Intervention Centre “Women helping Women”

(Beratungs- und Interventionsstelle “Frauen helfen Frauen”)

Berger Str. 31-33
60316 Frankfurt am Main
Tel. 069 / 48 98 65 51
www.frauen-helfen-frauen-ffm.de

Counselling and Intervention Centre for Women (Beratungs- und Interventionsstelle für Frauen)

Sophienstr. 32
(Enter via courtyard)
60487 Frankfurt am Main
Tel. 069 / 43 05 47 66
www.frauenhaus-frankfurt.de

Broken Rainbow e.V.

Kasseler Str. 1a
60486 Frankfurt am Main
Tel. 069 / 70 79 43 00
www.broken-rainbow.de

Women’s Helpline (Beratungsstelle Frauennotruf)

Kasseler Str. 1a
60486 Frankfurt am Main
Tel. 069 / 70 94 94
www.frauennotruf-frankfurt.de

Trauma and Victims Centre for Men and Women (Trauma- und Opferzentrum für Männer und Frauen)

Zeil 81 (Entry via Holzgraben)
60313 Frankfurt am Main
Tel. 069 / 21 65 58 28
www.trauma-undopferzentrum.de

You require additional support in Court?

The Witness and Childrens Support Centre
(Zeugen- und Kinderbetreuungsstelle) can provide support or accompany you free of charge. Please arrange an appointment.
Court Building E
(Frankfurt Regional Court) 1st Floor
Tel.: 069 / 1367 - 26 36
www.lg-frankfurt.justiz.hessen.de

Order this Brochure...

Order Address:

Beratungsstelle "Frauen helfen Frauen"

Postfach: 560235

60407 Frankfurt am Main

Tel. 069 / 48 98 65 51

Email: info@frauenhaus-ffm.de

Supported by:



DIE DEZERNENTIN FÜR
SOZIALES, SENIOREN, JUGEND
UND SPORT

STADT  FRANKFURT AM MAIN

 Hessisches Ministerium
der Justiz, für Integration
und Europa

 Hessisches
Sozialministerium

Design: vd-design, Hanau

Translation: Yvonne Silber

Printed: First Edition 5.000 copies