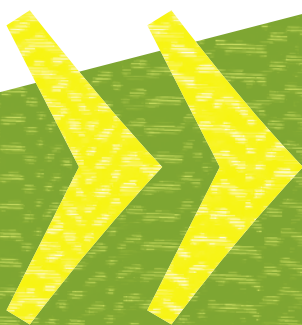


GUIDE

to emergency motions under the

PROTECTION AGAINST VIOLENCE ACT



- Local Court of Frankfurt am Main
- Local Court of Frankfurt-Höchst

Issued by
the Working Group on Interventions in
Violence Against Women (AK InGe)
Frankfurt am Main

THE PROTECTION AGAINST VIOLENCE ACT

offers various options under civil law for protection against physical violence, intimidation, and stalking by current and former partners or spouses, acquaintances, and strangers.

WHAT KINDS OF MOTIONS CAN YOU SUBMIT?

A motion prohibiting contact and communication

You file a motion to have the violent person prohibited from coming within a certain distance of you, from entering areas you typically frequent, or from contacting you. This relates to contact via phone, text message, fax, and digital media.

A motion to leave a shared residence

You can file a motion to live alone in your home or apartment. You can also file to prohibit contact and communication to your home. If the violent person is on the lease contract, you can initially live in the home alone for a max. of 6 months. This gives you time to decide what to do next in a calm and safe environment.

COSTS

COSTS FOR COURT PROCEEDINGS

You may incur costs:

- for the court bailiff
- or your attorney
- for the violent person's attorney

TIP

You may be eligible for **legal aid** if you are low income.

To apply for **legal aid**, you will need:

- Proof of your income: payroll statement, unemployment payments, etc.
- Proof of your expenses: rent, insurance costs, any debts, child support, etc.

If you do not have your own income, you must submit a sworn affidavit stating your situation.

LOCAL COURTS

WHERE CAN YOU FILE YOUR MOTIONS? WHICH COURT IS RESPONSIBLE?

For zip codes 60 ...

Local Court
Frankfurt am Main
Family Court

Gerichtsstraße 2
Court building B
60313 Frankfurt am Main
Phone 069 / 13 67-01
Monday through Thursday 8 AM to 4 PM
Friday 8 AM to 3 PM

For zip codes 65 ...

Local Court
Frankfurt-Höchst
Family Court

Zuckschwerdtstraße 56
65925 Frankfurt am Main
Phone 069 / 13 67-01
Monday through Friday 8 AM to 12 AM

DOCUMENTS

HOW CAN YOU FILE YOUR MOTIONS?

You can file motions under the Protection Against Violence Act yourself. You don't need an attorney to do so. You should file any motions as quickly as possible.

Your motions will be received by a judicial officer at the office and submitted to a family judge.

You should prepare to file your motion. It is important to describe exactly what happened. Write down where you typically spend time during the day. You can apply for a motion prohibiting contact and communication in these places.

What should you bring along to file motions for protection against violence?

- ID documents
- police record of reports filed
- police confirmation if an individual has been thrown out of a home or apartment
- doctor's note regarding injuries
- if possible, addresses and sworn affidavits of witnesses
- a lease agreement for housing allocation
- the address where the violent person is staying

COURT PROCEEDINGS

WHAT HAPPENS AFTER I FILE A MOTION?

The family judge can decide your case in three ways.

1. The family judge makes an immediate decision on your motion. You receive the decision on the same day or it arrives within the next few days via mail. The violent person is informed of the decision by the Local Court.
2. The family judge hears the violent person in writing by mail first, then decides a few days later.
3. The family judge sets a court date in 2–4 weeks. You and the violent person, as well as any witnesses, are invited to the court date. You will receive the invitation via mail.

If you do have a joint appearance before the court with the violent person, it is a good idea to have a lawyer.

DECISION

The court bailiff can remove the violent person from the home.

Ask where to find the court bailiff information office at the Local Court reception desk. You can obtain contact information for the bailiff responsible for your area there.

IMPORTANT NOTE

If no court decision has been issued by the time your police order removing the violent person from the home expires, you can ask the police to extend it.

What can you do if the violent person does not respect the decision? The violent person may be prosecuted if they do not observe the contact and communication prohibition. You can call the police anytime of day or night or submit a criminal complaint. You should also inform the court that issued the decision under the Protection Against Violence Act. You can apply to the family court to have the violent person pay fines or be imprisoned.

THE CHILDREN

WHAT ABOUT YOUR CHILDREN?

The Protection Against Violence Act does not regulate child custody or contact rights.

Experiencing family violence can have a serious impact on children. This is true even if the children aren't hit themselves, but instead witness violence against one of their parents. Please seek out advice and support for you and your children early on.

You can contact one of the 14 child guidance offices in Frankfurt (www.ebffm.de) or Children's and Youth Social Services at a "Sozialrathaus".

Advice, support, addresses, and further information are also available from the Frankfurt Children and Youth Phone Hotline, available Monday through Friday from 8 AM to 11 PM, Saturdays, Sundays, and holidays from 10 AM to 11 PM.

Phone 0800 / 2 01 01 11 (toll free)

www.kinderschutz-frankfurt.de

ADVICE

WHERE CAN YOU FIND ADVICE AND SUPPORT?

At the counseling centers, you can receive

- information and help applying for protection against violence
- information on other legal questions (criminal charges, custody law and contact rights, etc.)
- addresses of attorneys

Advisors will support you in better handling what you've experienced and developing new perspectives. We will work with you to decide what you can do to protect yourself from further violence. This counseling is free of charge to you and anonymous upon request. An interpreter is available if necessary.



CONTACTS

Women's hotline counseling center

Kasseler Straße 1a | 60486 Frankfurt am Main

Phone 069 / 70 94 94 | info@frauennotruf-frankfurt.de

www.frauennotruf-frankfurt.de

Women helping women counseling center

Berger Straße 40-42 | 60316 Frankfurt am Main

Phone 069 / 48 98 65 51 | info@frauenhau-ffm.de

www.frauen-helfen-frauen-ffm.de

Frankfurt Association Counseling Center am Frauenhof

Schwanheimer Straße 7 | 60528 Frankfurt am Main

Phone 069 / 430 547 66 | beratung@frauenhaus-frankfurt.de

www.frauenhaus-frankfurt.de

Broken Rainbow "Violence-free living"

Lesbian and Trans* counseling center

Kasseler Straße 1a | 60486 Frankfurt am Main

Phone 069 / 43 00 52 33 | beratung@broken-rainbow.de

www.gewaltfreileben.org

Trauma and Victim's Center for Men and Women

Zeil 81 (entrance on Holzgraben) | 60313 Frankfurt am Main

Phone 069 / 21 65 58 28

www.trauma-undopferzentrum.de

Do you need additional support at court?

The **witness and childcare facility** can support and advise you free of charge. Please make an appointment.

Court building E (District Court) 1st floor

Phone 069 / 1367 26 36

www.landgericht.frankfurt-main.de

ORDER ADDRESS

Stadt Frankfurt am Main Frauenreferat
Hasengasse 4 | 60311 Frankfurt am Main
Phone 069 / 212 353 19
info.frauenreferat@stadt-frankfurt.de
www.frauenreferat.frankfurt.de

FRAUEN

REFERAT

With friendly support
of Frauenreferat der Stadt
Frankfurt am Main