**Protective Orders: Tips on Testifying:**

**Resources**

A protective order is an order issued by a judge or magistrate for the purpose of prohibiting acts of violence, force or threat or criminal offenses resulting in injury to person or property. Also, a protective order can limit contact between the petitioner and respondent.

Please have the respondent’s name, address, date of birth and/or social security number, and other identifying information available. Protective orders are in effect once the respondent has been personally served.

**Emergency Protective Orders:** (72-hour protective orders) should be requested at the Magistrate’s Office:

1701 Fairfield Way

Richmond, VA 23223

**Family Abuse Protective Orders:** Protective orders against **family or household members** (to include cohabitants, individuals who have a child in common, and cohabitants that resided together in the last 12 months) should be requested at the Oliver Hill Courts Building.

**Protective Orders:** Protective Orders against **non-family or household members** can be requested at both Richmond General District courthouses unless a warrant has been served or there is a criminal proceeding scheduled. In those cases, the protective order should be requested at the courthouse where the criminal charges are pending.

**1. Be prepared.** Try to recall what happened and picture the scene, the objects there, the distances and what happened so you are able to recall the events accurately. If your answer is an estimate and you are not sure, be sure to state so.

**2. Tell the truth.** Answer each question truthfully and to the best of your knowledge. Do not try and figure out if your answer will hurt or help the case.

**3. Be courteous.** Try to remain calm, and give the Court the respect to which it is entitled.

**4. Listen carefully.** Make sure you understand each question and answer them to the best of your ability. If you do not understand the question, please ask for clarification.

**5. Speak clearly and loudly.** It is important that the attorneys, judge, and court reporter (in Circuit Court) hear your testimony.

**6. Answer only the questions asked of you.** Answer directly and only the questions asked of you. If an attorney objects to a question, do not answer, or continue your testimony, until the judge or attorney instructs you to continue.

**7. Be prepared to wait.** Our courts handle many cases, your patience is appreciated

**John Marshall Courts Building**

Commonwealth’s Attorney Office 646-3500

Clerk’s Office- Circuit Court 646-6505

Clerk’s Office- General District 646-6431

**Marsh Manchester Courts Building**

Commonwealth’s Attorney Office 646-8704

Clerk’s Office 646-6677

**Oliver Hill Courts Building**

Commonwealth’s Attorney Office 646-2950

Clerk’s Office 646-2900

**Magistrate’s Office**

646-6689

**Richmond Police Department**

Non-Emergency 646-5100

Detective Division 646-6741

Emergency 911

**Legal Aid**

648-1012

**Richmond Probation Services**

District 1 786-0251

Dept. of Justice Services 646-8955

13th District Court Services 686-8820

**Dept. of Social Services**

646-7212

**YWCA Women’s Advocacy Program**

612-6126

**Richmond Justice Center**

646-4463

**Richmond Behavioral Health Authority**

Office 819-4000

Crisis Line 819-4100

**Virginia Victims Fund**

1-800-552-4007

**Office of the Commonwealth’s Attorney**

**Victim/Witness Services Program**

***Information on Court Procedures***



The Honorable Colette Wallace McEachin

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Richmond, Virginia 23219

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Se Habla Español

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**A Message**

**Richmond City Courthouses: The Criminal Justice Process: Services Provided:**

**from your Commonwealth’s Attorney**

**Colette Wallace McEachin**

All of us at the Richmond Commonwealth Attorney’s Office understand that being a victim of a crime, or witnessing a crime profoundly affects one’s life. We strive to help minimize the negative impact of crime on residents of the Richmond metropolitan area.

The Victim/Witness Services Program, as a part of the Commonwealth Attorney’s Office, serves crime victims and witnesses in the City of Richmond. Victim/ Witness Specialists are available to advise you of your rights, inform you of assistance that may be available to you, keep you up to date on the status of your case, and guide you through the criminal justice process.

This brochure provides some general information about the criminal justice process, as well as an overview of services provided by our Victim/Witness Services Program. If you have any questions about the information presented here, or would like to request our services, Victim/Witness Specialists are available to assist you.

Your involvement in the investigation, prevention, and prosecution of crime is important to us and we know it is important to you. We make every effort to put you at ease during this process. With your support and cooperation, we will do our best to see that justice is served in your case.

Sincerely,



Colette Wallace McEachin Commonwealth’s Attorney City of Richmond

**Juvenile & Domestic**

**Relations District Court**

This Court handles family abuse protective order petitions, all criminal cases committed by a

juvenile and crimes against juveniles. If a crime occurs between a married couple, family members, individuals who a have a child in common, or two people living together, that is considered a domestic case. Those cases are handled in Juvenile and Domestic Relations Court.

**Oliver Hill Courts Building**

1600 Oliver Hill Way

Richmond, VA 23219

(804) 646-2900

**General District Court**

This Court handles non-family or non-household protective order petitions, all misdemeanor cases, and preliminary hearings for felonies. This is the beginning phase of most cases before they are heard before the Grand Jury or heard in Circuit Court.

**Marsh Manchester Courthouse**

920 Hull Street

Richmond, VA 23224

(804) 646-6677

**John Marshall Courts Building**

400 North 9th Street

Suite 209 (2nd Floor)

Richmond, VA 23219

(804) 646-6431

**Circuit Court**

This court handles all felony charges and appeals from misdemeanor convictions. In this Court, the defendant has the option of having a jury or bench trial.

**John Marshall Courts Building**

400 North 9th Street Richmond, VA 23219

(804) 646-6505

The criminal justice process starts when a crime is reported to the Police Department or to the Magistrate’s Office.

**WHAT HAPPENS WHEN THE CASE GOES TO TRIAL?**

Before your actual hearing, you will meet with the

Prosecutor. In the State of Virginia, the prosecutor is the Commonwealth’s Attorney or one of his assistants. This person is the lawyer for the state and represents you as the victim in the case.

**There are two types of criminal charges:**

**• Misdemeanors** are crimes that may be punished by a maximum of twelve months in jail. Examples: simple assault or trespassing

**• Felonies** are major crimes that may be punished by a minimum of one year in prison. Examples: rape, robbery, aggravated assault & murder

**Misdemeanor Cases:**

The defendant in a misdemeanor case is either tried in General District or Juvenile and Domestic Relations Court. The judge will listen to the evidence presented and will decide whether the defendant is guilty or innocent. If the defendant is found guilty, the judge will determine his/her sentence at the conclusion of the hearing.

**Felony Cases:**

The defendant in a felony case has a preliminary hearing in the General District Court or Juvenile and Domestic Relations Court. If the judge finds there is probable cause to support that the defendant may have committed the crime, the case is then certified to the Grand Jury.

The Grand Jury determines if there is “probable cause” for a case to go forward to trial. A victim’s testimony is not required at the Grand Jury hearing.

The trial will be heard in Circuit Court either before a judge or jury. If the defendant is found guilty, a sentencing hearing could be requested to determine the defendant’s sentence.

**Information**

We provide answers to questions about your role as a witness, upcoming court dates, police investigations, and updates on the case.

**Explanation**

We provide explanations concerning court procedures, testifying in court, and tours of the courtroom.

**Reimbursement**

We assist subpoenaed witnesses with reimbursement for travel to and from court with proper documentation.

**Employer Intercession**

We provide a letter to your employer verifying your appearance in court.

**Crisis Intervention**

We assist with counseling, emotional support, and guidance when a victim is in crisis. Referrals to social services and counseling agencies also provided.

**Assistance**

We will assist you with filing for the following benefits with the Virginia Victims Fund:

**• Medical Expenses ($100 minimum)**

**• Lost Wages Due to Injury**

**• Funeral Expenses (Up to $10,000)**

**• Loss of Support**

**• Survivor Counseling**

**• Moving Expenses (Up to $2,000)**

**• Crime Scene Clean-Up**

**• Mental Health Expenses**

**Court Support**

We provide support accompaniment as needed.

**Victim Notification –** A victim of a crime has the right to be notified of an inmate’s release from jail or a correctional facility. We assist you with registration for notification regarding inmate status.