

CHECKLIST #1: "PREPARE FOR COURT" OVERVIEW CHECKLIST (VIDEO 1):	NOTES:
Get The Official Court <i>Forms</i> Online Or From Your Courthouse.	
Plan The Evidence You Need, Using The Legal Elements Of What You Are Trying To Prove And The Factual Checklists In This Video Series!	
<i>California: File The Appropriate Paperwork At Court With Preliminary Proof -- Obtain Temporary Restraining Orders The Same Day.</i>	
<i>All States: Lawyers (And Self-Represented Persons) Need To Follow Instructions In The Forms Packet Carefully.</i>	
Serve The Accused With A Copy Of The Temporary Orders, The Notice To Appear, And Other Local Forms Received at Court.	
Preparing For The Full Evidentiary Hearing For Permanent Orders: Bring All Evidence & Any Criminal Protective Orders To Court & Decide Whether To Put On Witness, Officer Testimony, Police Reports, And 911 Or Emergency Operator Recordings.	
Go Back To Court On The Day Of The Full Evidentiary Hearing. That Date Will Be Written On The Temporary Orders.	

- Checklist #2: Victim's Abuse Checklist (Video #2)	Notes Page 1
- Describe What Happened in Detail:	-
- using the rest of this CHECKLIST, Carefully Describe the Details of each Incident of Abuse, and include such details as	-
o Whether the victim was taken away by Ambulance, and	o
o What Lead UP to the Abuse.	o
- If Available, what is the Witness Contact Information for Each Incident?	-
- How did the victim feel? Describing a victim's fear or extreme anxiety is one of the legal elements when no actual physical abuse has occurred, but it's often ignored!	-
- Has the Abuse happened Before?	-
- Describe & get photographs to prove ANY AND ALL of the following:	-
- a. BODILY Injuries?	-
- a cut, bruise, break, black eye, a cast or wrapped joint?	-
o Have someone in your office take photos before the evidence heals!	o
- b. DESTRUCTION to the LOCATION?	-
o A broken door, a smashed window, a hole in the wall?	o
o Photos, repair estimates, receipts.	o
- c. WEAPONS?	-
o - A GUN, a Knife, a Stick, a Bat, a Hanger?	o
o Threat with a weapon?	o
o Evidence, e.g., a photo or a purchase receipt, if possible.	o
o Firearms orders possible?	o
- d. Damaged, Bloody, or Torn Clothing, Bedding or Furniture?	-
- Does the victim have Digital Evidence?	-
- Texts, Emails, & Social Media?	-
- Party admissions are exceptions to the hearsay rules.	-
- Is there WRITTEN or PHOTOGRAPHIC evidence?	-
- Notes, Letters, Bills, Doctor's Reports, X-rays, Phone Call Logs, or?	-
Checklist #2: Victim's Abuse Checklist (Video #2), continued...	- - - Notes Page 2

- Eye-witnesses of PAST abuse?	-
-	-
- Evidence of PAST abuse?	-
- Are there PAST Criminal or Other Restraining Orders?	-
- Court Orders are Admissible.	-
- Unsafe or Unsanitary Living Conditions?	-
- "Mess Causes Stress!"	-
- Evidence of Insects or Rodents; Un-repaired plumbing; Un-repaired windows, AC, heating, appliances. Excessive Trash, Hoarding, Pet Feces, etc.	-
- Drug or Alcohol Abuse Problems?	-
- Abuser	-
-	-
- Victim	-
-	-
- Mitigation when needed	-
-	-
- Mental health Conditions Leading to Severe Emotions?	-
- Depression, ADHD, Bi-Polar, or?	-
- Mitigation and relief for Victim	-
- Recent Extra Stress?	-
- COVID-19 Stay-at-Home Restrictions?	-
- Loss of a Family member?	-
- Loss of a job?	-
- Loss of money or possessions?	-
- Recent illness?	-
- Has a Breakup been Discussed?	-
- New Dating Relationship?	-
- Evidence of Mental Abuse, Harassment, Stalking, Disturbing the Peace?	-
- a. Is the Victim Consulting about Stress with a Therapist, a Coach, Religious Leader, Teacher, other Community Leader? Do you have proof of those meetings, and do you have a witness?	-
- b. Have Friends or Family expressed Worry about the Victim? Will any of them TESTIFY?	-
	-
- c. Does the Victim feel Isolated or Monitored - Not Able to see Friends or Family?	-
Checklist #2: Victim's Abuse Checklist (Video #2), continued...	- Notes Page 3

- d. Was the Victim Forced to Comply to Avoid Harm to Family, Co-Workers, Children or Pets?	-
- e. Has the Victim shown physical signs of Stress? Gaining or losing lots of weight? Other physical signs of Stress or Abuse? Such as: Cutting, Hair-pulling, Severe nail-biting, Vomiting, other signs of stress that you can prove? (With or without doctor's evidence.)	-
- Analyze the Need for Stay Away Orders: What locations should the accused be barred from entering?	-
- Is your client working?	-
- A student?	-
- Will victim be living at the previous residence or another vulnerable place, such as with a parent or sibling while seeking new shelter?	-
- Does your client need the car protected?	-
- Children's school?	-
- Does the client have another specific location they must go to but to which the accused might also go?	-
- Always tell the court when there is No Safe Place for the Victim to Go!	-

Checklist #3: Children's Abuse Checklist (Video #3)	- Notes:
<ul style="list-style-type: none"> - Is there any actual Proof that the children were PHYSICALLY HURT — Now or in the Past? 	<ul style="list-style-type: none"> -
<ul style="list-style-type: none"> o Look for Photos of present or past injuries, 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o texts of communications with the abuser, and any communications with third parties for PAST abuse. 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o Also, Medical Reports or doctor's appointments? 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o Provable Calls from the school, coaches, other parents? 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> - Did the Children WITNESS Anger, or the Victim being Hurt? 	<ul style="list-style-type: none"> -
<ul style="list-style-type: none"> o See Video #3 for a full explanation of getting children's evidence into family court when the child will not actually be testifying. 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o In California, OTHER courts have children testifying all the time, but Here, it only occurs in Family Law a small percentage of the time — and in a high percentage of Those cases the child has its own Minor's Counsel which is beyond our scope in this article. 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o Determine whether the proof is a Statement by the child. If it IS, Children's out-of-court statements reported to prove the truth of a matter ARE hearsay, and should be objected to in court. 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o Legitimate Hearsay exceptions in every jurisdiction: 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o For example, Excited Utterance Exception, which is in CA Evidence Code §1240, or in other states' enacted version of FRE Rule 803. (June 2020) 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o However, non-statement evidence comes in differently — Example: 	<ul style="list-style-type: none"> o
<ul style="list-style-type: none"> o Demonstrative things or involuntary things to be introduced by the Victim or another Witness in Court, "I heard little Corey cry in his sleep," or "Wince in pain." Use offers of proof as discussed in video #1. 	<ul style="list-style-type: none"> o
	<ul style="list-style-type: none"> o

Checklist #3: Children's Abuse Checklist (Video #3), Continued	o Notes Page 2
o Look for adult witness testimony that can show the children were Crying, Acting Afraid, Flinching, Trembling, Mumbling or Hiding, either spontaneously or whenever the abuser comes near, etc.	o
o	o
o Also look for previously-made drawings or written stories of abuse, or other demonstrations, such as Holding a bruised or hurt body part, that may be authenticated through an adult witness.	o
- Did the children HEAR what was going on?	-
o This is one step removed from being an Eye-Witness, but an Aural Witness is Allowable.	o
o Of course, you'll have the same Proof issues as with #2 above.	o
- Testimonial v Non-Testimonial Proof Determinations.	-
- Did the children talk to an Officer or Social Worker?	-
o Proof problems and remedies for both types of witness are discussed in video #3.	o
- Other, Previous Custody Orders?	-
- List and even ATTACH any previous custody orders made in ANY court, including Criminal, Dependency, Juvenile, Probate, and Family Law.	-
- IF Victim now wants to modify custody to protect the children, the court MUST know about all Previous orders.	-

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Checklist #4: Vital & Financial Records Checklist (Video #4)	Notes
- Photos, Baby Books and Journals.	-
- Other Difficult-To-Replace Items.	-
- Personally-drafted Will. Also, proofs of Trusts or Wills that are paying or will be in payout status.	-
- Receipts or Estimates for Repairs to Property Damage.	-
- Receipts for shelters, hotels, extra transportation, etc.	-
- Insurance Cards e.g., Health & Auto	-
- Tax returns, W-2s, Paystubs & Self-Employment, Other Proofs of Income.	-
- Support and Other financial relief will NOT be granted without proof of both parties' income.	-
- Income and Expense Declaration.	-
- Bank Account #s & Credit Card #s, Other proofs of ability to pay	-
- Vehicle Registration, Real Estate Deeds.	-
- Birth Certificates of Children	-
- Passports, Visas, Green Card, Work Permits.	-
- Certificates & Licenses.	-
- A Marriage License, a Professional License.	-
- Proof that a person has taken qualifying classes, etc.	-
- Proof of attendance at AA, Anger Management, etc.	-
- Proofs of Attorney Fees, e.g., family law, criminal, dependency, etc.	-
- Proofs of costs of producing evidence, obtaining records.	-
- Bills of Sale & Personal IOUs. Other proofs of income or debt.	-
- Leases or Rental Agreements to prove ownership rights, ability to move, etc.	-