

**TITLE 8: FAMILY LAW AND PROBATE
DIVISION 1: DOMESTIC RELATIONS**

§ 1944. Notice of Rights of Victims and Remedies and Services Available; Required Information.

(a) The Department of Public Health shall make available to practitioners and health care facilities a written notice of the right of victims and remedies and services available to victims of domestic or family violence in accordance with subsection (c).

(b) A practitioner who becomes aware that a patient is a victim of domestic or family violence shall provide to the patient the notice provided pursuant to subsection (a).

(c) The notice to victims of domestic or family violence must be substantially as follows:

“If you are the victim of domestic or family violence and you believe that law enforcement protection is needed for your physical safety, you have the right to request that an officer assist in providing for your safety, including asking for an emergency order for protection. You may also request that the officer assist you in obtaining your essential personal effects and locating and taking you to a place of safety. If you are in need of medical treatment, you have the right to request that the officer assist you in obtaining medical treatment. You may request a copy of the complaint report at no cost from the Department of Public Safety within three calendar days.

You may ask the prosecuting attorney to file a criminal information. You also have the right to file a petition in the Superior Court requesting an order of protection for domestic or family violence which could include any of the following orders:

(1) An order enjoining your abuser from threatening to commit or committing further acts of domestic or family violence;

(2) An order prohibiting your abuser from harassing, annoying, telephoning, contacting or otherwise communicating with you, directly or indirectly;

(3) An order removing your abuse from your residence;

(4) An order directing your abuser to stay away from your residence, school, place of employment, or any other specified place frequented by you and another family or household member;

(5) An order prohibiting your abuser from using or possessing any firearm or other weapon specified by the court;

(6) An order granting you possession and use of the automobile and the essential effects;

(7) An order denying your abuse visitation;

(8) An order specifying arrangements for visitation, including required supervised visitation; and

(9) An order requiring your abuser to pay certain costs and fees, such as rent or mortgage payments, child support payments, medical expenses for shelter, court costs, and attorney’s fees.

The forms you need to obtain an order for protection are available from the Clerk of Superior Court and designated agencies. The resources available in this community for information relating to domestic or family violence, treatment of injuries, and places of safety and shelter are: Karidat and the Department of Community and Cultural Affairs, Division of Youth Services. You also have the right to seek reimbursement for losses suffered as a result of the abuse, including medical and moving expenses, loss of earning or support, and other expenses for injuries sustained and damage to your property. This can be done with or without any attorney in small claims court if the total amount is less than \$1,000.00”

(d) The written notice:

(1) Shall include identified services available but must not include the addresses of shelters, unless the location is public knowledge; and

(2) Must be provided in the native language of the victim, whenever practicable.

Source: PL 12-19, § 2 (404), modified.

Commission Comment: It appears that the words “abuse” in subsections (c)(3) and (7) should have been “abuser.” Moreover, the phrase “. . . medical expenses for shelter” in subsection (c)(9) is nonsensical.