



Family Division Court Data, Relief from Abuse Orders, FY2016

(from 2017 Domestic Violence Fatality Review Commission Report, Office of Attorney General)

There were 3,809 total petitions for Relief from Abuse filed in the Family Division of Vermont District Court in FY 2016. The Court Administrator's office has noted that this number has been gradually declining for the past five years.¹ It is not known how many of these petitions were filed after hours.

Of the 3,386 petitions disposed in FY 2016, 2,500 temporary orders were granted (74%) and of those, 1,150 resulted in final orders (46%). Of the total 3,386 disposed, 870 were denied a temporary order.²

The 1,150 final orders were obtained in one of three ways: through a contested judgment (384 or 33%), through a consent judgment (436 or 38%) or through a default judgment (330 or 29%). In 1,350 cases, the temporary order was either dismissed (953 or 71%) or withdrawn (397 or 29%).³

¹ Vermont Judiciary Annual Statistical Report for FY16 p.14.

² There are 16 cases in the 3,386 petitions are noted as change of venue or invalid/missing, thus the discrepancy in the total when adding the 2,500 granted to the 870 denied petitions.

³ **Contested Judgment:** The judge decides the order after hearing testimony from both parties and any witnesses provided by the parties.

Consent Judgment: Parties agree to an order without findings by the judge. The judge asks what the parties want included in the order (for example, contact restrictions, exchange of children for parent/child contact) and the judge issues an order of protection based on the agreement.

Default Judgment: Defendant did not appear for the hearing. The final order of protection is a public record since the defendant had the opportunity for a hearing before the court and failed to appear. The judge issues the protection order by default.

Dismissed by Court: After a contested hearing where both parties have an opportunity to enter testimony on the record, judge does not find that there is enough evidence to issue a protection order. The temporary protection order is vacated or expires, and no final order is issued. The case is dismissed by the court.

Withdrawn: Plaintiff withdraws their petition and case is closed. If the petition was not served on the defendant, the case remains confidential. If the petition was served on the defendant with a temporary order of protection, the holding station is contacted to withdraw the temporary order from their system. Only the temporary order is public, not the complaint and affidavit since there was no opportunity for a hearing.



The following table breaks down the disposed petitions for Relief from Abuse by county:

Temporary and Final Relief from Abuse Orders by County, FY2016

County	Total RFAs Requested	TROs Granted*	FROs Granted**
Addison	188	140 (74%)	72 (51%)
Bennington	281	221 (79%)	102 (46%)
Caledonia	177	102 (58%)	42 (41%)
Chittenden	558	471 (84%)	202 (43%)
Essex	32	31 (97%)	9 (29%)
Franklin	311	241 (77%)	105 (44%)
Grand Isle	48	29 (60%)	13 (45%)
Lamoille	130	91 (70%)	45 (49%)
Orange	151	116 (77%)	64 (55%)
Orleans	187	177 (95%)	57 (32%)
Rutland	529	370 (70%)	214 (58%)
Washington	322	213 (66%)	69 (32%)
Windham	252	144 (57%)	77 (51%)
Windsor	220	154 (70%)	79 (51%)
Statewide total:	3,386	2,500 (74%)	1,150 (46%)

Note – RFA: Relief from Abuse Order; TRO: Temporary Relief Order; FRO: Final Relief Order

*Percentage indicates percent of total RFAs resulting in a TRO for a given county

**Percentage indicates percent of all TROs resulting in an FRO for a given county