



Domestic Violence Fact Sheet

Introduction

Domestic violence is a pattern of abusive behavior that is used by one person to gain or maintain power and control over another family member, household member, or someone the abuser has dated or is currently dating.

It means physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members. If someone makes you afraid that you are going to be assaulted, that too may be domestic violence.

It can also mean sexual conduct between family or household members—whether minors or adults—that constitutes a crime under the laws of this state. For example, rape or sexual contact with a minor is illegal.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender.

Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Types

- **physical:** hitting, slapping, shoving, grabbing, pinching, biting, hair-pulling, biting, etc.; denying a partner medical care; or forcing alcohol or drug use
- **sexual:** coercing or attempting to coerce any sexual contact or behavior, including, but not limited to, rape, marital rape, attacks on sexual body parts, or sexually demeaning treatment
- **emotional:** undermining someone’s sense of self-worth or self-esteem, including, but not limited to, constant criticism, name-calling, or damaging your relationship with your children
- **economic:** making or trying to make someone financially dependent by keeping total control over financial resources, withholding their access to money, or forbidding their attendance at school or work

- **psychological:** causing fear by intimidation; threatening physical harm to self, partner, children, or partner’s family or friends; destruction of pets and property; and forcing isolation from family, friends, or school or work

Responding

Immediately remove yourself and your children to a safe place—such as the home of a friend or family member or a shelter. You can call the Arkansas Coalition Against Domestic Violence at 1-800-269-4668 for help finding a shelter.

You can file a Petition with the Circuit Clerk for an Order of Protection if you have standing. This means that if you are a family or household member, you can file. “Family or household member” is defined as spouses, former spouses, parents and children, persons related by blood within the fourth degree, any children residing in the household, persons who presently or in the past have resided or cohabitated together, persons who have had a child in common, and persons who are or have been in a dating relationship together. There is no fee for filing the petition. The Judge will review your Petition, which should allege incidents of domestic violence by the Respondent. The Judge can either enter a temporary order of protection and set a final hearing date, or simply enter an order setting a final hearing date. An order can address the issue of custody and could also possibly order the removal of the abuser from the home.

The Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc., also have provided a free interactive form, available at the following link:

arlegalservices.org/orderofprotection.

After completing the interactive interview, you will have all the forms that you need to file with the court.

After the opposing party is served with the order for hearing, the Court will decide at the hearing whether to enter a final order. You must attend the hearing. At the hearing, you must present evidence of the domestic violence that you suffered, be it fear due to a threat or actual physical harm.



The Order of Protection should order the abuser to stay away from your residence, school, place of business, and possibly your children's or your school. If the abuser violates the order of protection, then he or she can be arrested and possibly charged with a misdemeanor or a felony for a second offense.

Safety Planning

When to be safe:

- during an explosive incident
- when preparing to leave
- at home
- in public or at work
- with an order of protection

A safety plan can help prepare you and reduce the risk of physical harm if you plan to leave your relationship. It helps you to know the options that are available to you and to know what to do in case of an emergency.

Having a plan can also help to avoid or reduce the impact of the violence even if you decide to remain in the home.

Steps You Can Take

Memorize or make a list of telephone numbers—friends, relatives, colleagues, or of a local program that can help.

Prepare a bag with clothes, important documents, and things you and your children may need. Leave it with someone you trust—a neighbor, a friend, or a relative. If the children are still young, don't forget to include toys.

Talk about your safety plan with your children. You should have a signal that only you and your children know. They must understand that once the signal is given they must leave the house quickly and they must call the police or ask a neighbor to call the police.

You can ask a trusted neighbor to call the police when they see or hear the signal. For example: When you turn the lights off and on several times or when you say a specific word out loud.

Keep copies of important documents that you may need. These should be kept in another safe place, not in your home.

Resources

There are many places that offer help, 24-hour support, emergency shelters, legal services, and information about safe options for you or your friends.

Arkansas Coalition Against Domestic Violence

If you need assistance with finding a shelter in your area, you may want to call 1-800-269-4668.

Arkansas Legal HelpLine

If you or your children have been the victims of recent domestic violence and you are a low-income resident of Arkansas, then you can apply for free legal services by calling our HelpLine at 1-800-952-9243 Monday through Thursday.

Catholic Charities Immigration Services

Little Rock (501) 664-0340
Springdale (479) 927-1996

For more information and assistance, please call the National Domestic Violence Hotline: 1-800-799-7233 and TTY 1-800-3224.

You are not alone.

This fact sheet is a collaboration of the Center for Arkansas Legal Services and Legal Aid of Arkansas, Inc. These nonprofit organizations provide free legal assistance to eligible Arkansans who meet income, asset, and other guidelines. Legal assistance may also include advice and counsel, brief services, or full representation depending on the situation. For more information about civil legal aid in Arkansas, please visit arlegalservices.org. For information specific to Legal Aid of Arkansas, Inc., visit arlegalaid.org. Apply for services online or by calling 1-800-9-LAW-AID (1-800-952-9243).

The information and statements of law in this fact sheet should not be considered legal advice. This fact sheet is provided as a broad guide to help you understand how certain legal matters are handled in general. Courts may interpret the law differently. Before you take action, talk to an attorney and follow his or her advice. Always do what the court tells you to do.

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