

LEGAL GUIDELINES

Questions to Ask Before You Hire an Attorney

Questions about cases involving domestic violence

- How much experience have you had with cases involving domestic violence? Which party did you represent (the victim, the abuser, or the children)?
- Do you generally believe women who tell you that they have been battered?
- Do you go to court with women wanting to obtain orders of protection against their abusers?
- How sympathetic to battered women are the judges who will hear my case?
- What are the laws of this state regarding which parent should be given custody when one parent has abused the other parent? Does the judge(s) who will probably hear my case follow these laws? What do they usually recommend?
- What do you think about joint custody awards in cases involving domestic violence?
- What do you think about mediation in cases where there has been domestic violence?
- Do the expert witnesses likely to be involved understand the need to protect battered women and children?
- What kind of custody and visitation arrangements do they usually recommend in cases involving domestic violence?
- Do the judges usually follow their recommendations?
- Do you have a working relationship with the local battered women's program? With whom have you worked?
- Do you have a working relationship with any batterer intervention programs? Which one(s)?
- How helpful is the local prosecutor in handling domestic violence cases? Questions about contested custody cases?
- Do you usually believe mothers who tell you that their child(ren)'s father has physically or sexually abused them?
- How do you handle cases where parental alienation syndrome is alleged? (This is a popular theory which blames mothers for turning their children's affection against the father, most often in cases where the father has abused the mother or the children. The American Psychiatric

Association says there is no scientific basis for this theory.)

- How do the custody evaluators that you work with feel about cases where the father has abused the child(ren)? Do they usually believe a mother's statements about the abuse? What kind of custody and visitation recommendations do they usually make?
- How does the judge(s) who will probably decide my case feel about cases where the child's father has abused the child(ren)? Do they believe mothers who have made reports about the father's physical abuse of the child? About the father's sexual abuse of the child?
- Will someone be appointed for the children, and how will that person feel about the father's physical abuse of the child? About the father's sexual abuse of the child?
- Will it matter if the child protective service agency has substantiated the abuse? If the father was convicted or pled guilty to the abuse in a criminal case? What do you do to protect children in cases when you know that their father is abusing them? Are you willing to stand up for my case, even if it angers the judge?
- If none of the abuse allegations have been made public yet, what do you recommend about whether to raise them and how, and how to keep my children safe?