

STATE OF NEW HAMPSHIRE

**JUDICIAL BRANCH FAMILY DIVISION
AND DISTRICT COURT**

DOMESTIC VIOLENCE PROTOCOLS



Revised 2008

INTRODUCTION AND ACKNOWLEDGMENTS

This is the third iteration of the Domestic Violence Protocols. In 1994, the District Court first issued a comprehensive and far reaching protocol for handling domestic violence cases throughout New Hampshire. Spawned by the growing caseload and need for consistency in handling these cases, the protocol became the first comprehensive, multi-disciplinary set of guidelines for addressing domestic violence in New Hampshire. The protocols were revised again in 2002 and have been reprinted and distributed to hundreds upon hundreds of professionals throughout the State.

In the fourteen years that have transpired, RSA 173-B (our Protection of Persons from Domestic Violence statute) has changed significantly, as have federal laws regarding such issues as the interstate enforcement of protection orders. The New Hampshire Supreme Court has also begun to develop a body of case law on domestic violence and stalking. Annually, the District Courts and Family Division are now hearing approximately 8,000 requests for domestic violence protective orders and stalking cases.

Producing a manual such as this cannot happen without administrative assistance. We greatly appreciate the assistance of Judge Kelly's Office in Concord, and Marge Therrien of that office in particular.

Throughout this process we have sought to maintain the delicate balance of constitutional safeguards so fundamental to our system of justice, for in the end, it is this proper balance which is the hallmark of our system of government. These protocols, we hope, will be viewed and used by judicial officers and court personnel as a "best practices" manual. Any time the word judge is used, it may refer to a judge or marital master; we have used the term judge to refer to any judicial officer. We recognize that not every scenario could be contemplated, and that the facts of each individual case must guide the court through the decision making process. We hope the protocols will be helpful in understanding and applying the law. As always, the reader's comments and suggestions are most welcome.



Hon. Edwin W. Kelly



Hon. Susan B. Carbon



Attorney Elizabeth Paine

Effective: May 2008

**NEW HAMPSHIRE JUDICIAL BRANCH FAMILY DIVISION AND DISTRICT
COURT DOMESTIC VIOLENCE PROTOCOLS**

2008 ADVISORY COMMITTEE LIST

Honorable Edwin W. Kelly – Chair

Administrative Judge – New Hampshire District Courts and Family Division

Honorable Susan B. Carbon, Co-Chair

Family Division Supervisory Judge

Attorney Elizabeth Paine, Co-Chair

Domestic Violence Specialist
New Hampshire District Court

Gina B. Apicelli

Family Division Administrator

Pamela G. Kozlowski

District Court Administrator

Nancy J. Miller

Family Division Administrator

Honorable Thomas A. Rappa, Jr.

Plymouth Family Division

Honorable Michael J. Ryan

Derry Family Division

Patrick W. Ryan

District Court Administrator

Brigette Siff-Holmes

Family Division Administrator

Honorable John J. Yazinski

Claremont Family Division