

Guide to Hamilton County Protective Order (PO) Hearings

Where to go:

- Address: Hamilton County Courthouse - 1 Hamilton County Square, Noblesville, IN 46060
- The cause number assigned to your PO will tell you which court you are going to, either Superior Court 2, 3, or another court. For example, if your cause number begins with 29D03 then the hearing will be in Court 3. Call Prevail (317-773-6942), Superior Court 2 (317-776-9647) or Superior Court 3 (317-776-9709) if you are not sure where to go or what the cause number is.
- The day before court: Call Prevail or the court to confirm the date/time of the hearing. This saves you a trip should the hearing be continued (rescheduled).
- The day of court: Plan to arrive 15 minutes early. You will need to allow time to go through security, find the court office, **check in at the office**, and then go wait in the courtroom for your case to be called unless told otherwise by court staff. *The offices of Superior Courts 2 and 3 are on the 3rd floor. Office staff will direct you where to go for the hearing.*

What to bring:

- A copy of your PO petition to review before the hearing, including the confidential form listing your contact information and the respondent's (person you are seeking protection from). It can be helpful to refer to it during the hearing itself for dates and details of each incident.
- Any pictures, videos, or other recordings that corroborate what you wrote in the incidents that were included in your petition. Any material proof you wish to introduce to the court should be directly related to a written incident in your petition, and must be left with the court. Print any pictures and make copies of any recordings on a separate flash drive to give to the court. For any printed evidence, make three copies—one for the judge, the respondent, and yourself.
- Note on police reports: these documents are considered hearsay, and are not admissible evidence in court. You are welcome to ask the responding officer to come testify on what they saw/heard.

Who to bring (all of the following are optional and not required by the court):

- **Attorney: it is your right to bring legal representation or seek legal advice prior to the hearing. You are also free to represent yourself (*pro se*).**
- Support system: PO hearings are held in open court and you can ask anyone to accompany you. A Prevail Advocate may be available to accompany you for emotional support if requested with advance notice. Please call to ask for availability. *Note: we cannot provide legal representation or advice.*
- Any adult witnesses who personally saw or heard any part of an incident you included in your petition (preferably someone you have listed as a witness in your petition).

This guide is for informational purposes only and not to be used as legal advice or in lieu of legal advice from an attorney.

- Please note that if you must bring a minor child that requires care, bring someone else with you who can provide care for them outside the courtroom while you participate in the hearing.

During the hearing:

- Be respectful. Do not interrupt the judge or the respondent/opposing attorney. When you wish to speak, ask the judge at the appropriate time if you may do so. There are certain procedures the judge follows during a hearing and they will let you know when it's the right time to speak.
- Be honest, including when you do not know the answer or did not do something the judge is questioning you about. Keep in mind the judge does not expect you to be perfect and they are aware you are not an attorney, and so may be unfamiliar with certain legal processes.
- Be confident. If something is said during the hearing (either by the judge, respondent, or respondent's attorney) that is inaccurate, respectfully clarify and state what is true.
- Listen carefully to the judge's questions, and do not get defensive or argumentative with the judge, as that can negatively effect their perception of you and your case. If you did not understand the question, politely ask for clarification.
- Answer yes or no questions with yes or no answers.
- Do not forget to breathe, to help you work through any anxiety/fear/etc. you may be feeling. Being as relaxed as possible will allow you to be mentally present during the hearing and pay attention to what the judge is saying and asking you.
- There will be a time for questions. If you or the respondent has legal representation, the attorney will ask the questions on your/their behalf. If either of you are pro se (self represented), this will be the time when you/they will ask questions of the other. The judge facilitates this time of questioning and does not allow bullying or misconduct in the courtroom.
- If you have requested additional relief from the PO, such as supervised parenting time for example, come prepared with a realistic plan to propose to the judge on how to implement this request and its logistics.

Safety considerations:

- Talk to a Prevail advocate to create a safety plan specifically for the day of the hearing.
- If you are concerned that the respondent may try to make contact with you in/outside the courthouse, notify a Sheriff's deputy at security on the first floor and they can have someone be with you in the courtroom or accompany you to your vehicle.
- If the respondent does not know where you are currently living, and that address was made a confidential address on your PO petition, let the judge know this at the beginning of the hearing.

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