

Domestic Violence

**Ex Parte' Protective Orders
Permanent Protective Order
Child Protective Orders
Stalking Injunctions
Domestic Violence Is A Crime!**

Does the person you love...

- ◆ Threaten to hurt you or your children?
- ◆ Say it's your fault if he/she hits you and promises it won't happen again (but it does)?
- ◆ Put you down in public or keeps you from contacting family or friends?
- ◆ Throw you down, push, hit, choke, kick, or slap you?
- ◆ Force you to have sex when you don't want to?

Just one answer "yes" means you're involved in an abusive relationship. If so, you are not alone and you have choices!

No One Deserves To Be Abused!

DOMESTIC VIOLENCE ADVOCATE PROGRAM

Some of the services our advocates provide include document support, referrals and direct services such as attending court with the victim. You can reach an advocate at 743-5860 or Spanish speaking, 743-5861.

What Is The Difference Between "Civil" & "Criminal?"

Unlike the criminal trial in which a case is brought by the government against a person, a civil case focuses on the damage done to the victim with regards to compensating him/her for physical, emotional, and financial loss.

A civil action can obtain compensation to pay for medical expenses, counseling, lost earnings and earning capacity, and pain and suffering.

Sometimes civil actions can be an option when a case is not viable for criminal prosecution because a civil case requires a less rigorous standard of proof.

Only civil cases can be pursued against third parties whose actions or initiations may have contributed to a crime. And only civil cases can be undertaken for family members of crime victims.



**Unified Police Department
Civil Division
3365 South 900 West
Salt Lake City, Utah 84119
(801) 743-5779 – Fax: (801) 743-5325
Monday-Friday 8:00am-5:00pm**

Civil Problems



A Helping Guide To Civil Problems

- ◆ Divorce
- ◆ Small Claims
- ◆ Domestic Violence Protective Orders & Ex-Parte' Orders
- ◆ Landlord/Tenant Issues
- ◆ Child Custody/Visitation
- ◆ Property Settlement Issues



**UNIFIED POLICE DEPARTMENT
Sheriff James M. Winder**

www.updsl.org
743-7000

Unified Police Department Court Services Division

When you are faced with a question or concern, and it's not a criminal matter but a civil problem, you may become frustrated in understanding the legal issues or in getting help to understand the legal system.

Most civil cases require court intervention which is a long and slow process. These cases usually require legal assistance from a lawyer and can be costly. When citizens need help with these matters, they often call on law enforcement agencies but are told the case is a civil matter and they are then referred to a lawyer.

The Unified Police Department is committed to being a problem solving, service oriented office. This pamphlet is designed to guide you through your civil matters, complaints, and questions.

We do not offer legal advice, but do want to inform you of the options available to you within Salt Lake County.

Civil Case Procedure

1. **Plaintiff's Complaint:** A lawsuit begins when the plaintiff files a complaint with the proper court. The complaint identifies all parties involved in the case, and describes, in short and plain sentences, the nature of the grievance and the remedy which is sought.

2. **Complaint and Summons, served on the defendant:** A copy of the complaint is served on each of the defendants along with the summons. The summons states the defendant must respond to the complaint, generally within 20 days.

3. **Defendant's Answer:** The defendant responds to the complaint by filing an answer in the same court, within the required time period. The defendant must either admit or deny the allegations in the complaint, or state that he/she has insufficient knowledge to admit or deny them. If no answer or other responsive pleading is filed within the time allowed by law, the court may enter a default judgment in favor of the plaintiff.

4. **Discovery:** Discovery means discovery of facts. The purpose of discovery is to allow all parties to fully inform themselves of the relevant facts of the lawsuit. Typical discovery includes asking questions of party and non-party witnesses through written or oral questions under oath, and reviewing documents obtained by subpoena or by official request.

5. **Interrogatories:** Written questions served upon one party by another. They must be answered by the opposing party, under oath, within 30 days. Interrogatories are used to get information about the theories of the opponent's claims and/or defense, and to discover potential witnesses.

6. **Depositions:** Depositions are essential oral interrogatories- questions asked in person of individuals who may know something about the subject matter of the lawsuit. Most depositions are usually taken under oath before a certified court reporter. It is sworn testimony of the deponent and may be used in court.

7. **Pre-Trial Motions:** After the plaintiff files a complaint, the defendant may, instead of filing an answer, file motions which are responses to the complaint, but do not constitute an answer. Many of these responsive motions must either be filed before the answer, or included within the answer-or they are waived.

Settlement Conference: The plaintiff and defendant may reach a settlement without going to trial. Approximately 95% of civil, cases do not go to trial. If all issues within the lawsuit have not been resolved by settlement or motion, the remaining issues must be decided by trial.

Helpful Websites

*Unified Police Department website: www.updsl.org

*Utah State Courts: www.utcourts.gov

*Utah State Code: www.le.state.ut.us

*Utah State Bar Referral Service:
www.utahbar.org/public/

You can also obtain legal assistance at:

Utah Legal Services

205 North 400 West

Salt Lake City, Utah 84103

328-8891- Fax: 328-8898