

Guide to urgent applications pursuant to the Protection Against Violence Act

- Groß-Gerau local court
- Rüsselsheim local court



Herausgegeben vom Büro für Frauen
und Chancengleichheit Groß-Gerau

LAW

The Protection Against Violence Act

The Protection Against Violence Act offers civil law options for protection against all intentional and unlawful physical injuries, damage to health or violations of the freedom of another person, regardless of whether the acts occur within or outside domestic cohabitation. Psychological violence is also covered by the Protection Against Violence Act: expressly when it comes to threats and unreasonable harassment, indirectly when it has resulted in damage to mental or physical health.

APPLICATIONS

What applications can you submit?

For example a contact ban and restraining order

You can apply for the violent person to be prohibited from approaching you, visiting places in which you regularly spend time or contacting you. This also relates to phone, SMS, fax and digital media.

Or allocation of a shared home

You can apply for sole occupancy of the dwelling. You should also apply for a contact ban and restraining order for your dwelling. If the violent person is also on the rental contract, then you can initially be granted sole use of the dwelling for up to max. 6 months in the event of physical injury. You thus have time to clarify how to proceed in peace and safety.

COSTS

Costs may be incurred for legal proceedings.

- For the execution of a judgement
- For your legal representation
- For the violent person's legal representation

TIP

There are options for receiving help with the cost of legal advice and/or legal aid if you have little money.

To apply for legal aid, you need:

- Proof of income: statement of earnings, ALG II, etc.
- Proof of your expenses: rent, insurance costs, any debts, child support, etc.

If you do not have your own income, then you must submit a sworn statement of this.



LOCAL COURTS

Where can you submit applications? Which is the competent court?

FOR GROSS-GERAU:

Amtsgericht
Familiengericht
Groß-Gerau

Europaring 11-13, 64521 Groß-Gerau
06152 170-02
Monday to Friday, 9 AM to 12 PM

FOR RÜSSELSHEIM:

Amtsgericht
Familiengericht
Rüsselsheim

Johann-Sebastian-Bach-Straße 45, 65428 Rüsselsheim
06142 -203-199
Monday to Friday, 8:30 AM to 12 PM

You can submit your application to the court of your choice in whose jurisdiction:

- The offence was committed,
 - The shared home of the parties to the proceedings is located, or
- The defendant has their place of residence.

DOCUMENTS

How do you submit your applications?

You can submit applications pursuant to the Protection Against Violence Act yourself. You do not need a legal representative to do so, but their involvement may be useful. You should submit your applications as quickly as possible.

Your applications will be recorded by a judicial officer in the administrative office and presented to a family court judge.

You should prepare yourself for the application. It is important to describe exactly what happened and, where possible, to provide proof (such as photos, medical certificate). Make note of where you spend time during day-to-day life. You can apply for a contact ban and restraining order for these locations.

What should you bring with you for applications for protection against violence?

- Identity documents
- Police confirmation of submission of a report, where available
- Police confirmation of a barring order
- Medical certificate for injuries
- Where possible, addresses and sworn statements from witnesses
- The rental contract for allocation of a dwelling
- The address where the violent person resides

DISPENSATION OF JUSTICE

What happens after the application is submitted?

The family court judge decides between three options:

- The family court judge makes an immediate ruling on your application. You receive the ruling on the same day or it arrives by post within the next few days. The violent person is informed of the ruling by the local court.
- The family court judge first requests a statement from the violent person by post and makes a ruling a few days later.
- The family court judge schedules an appointment 2-4 weeks later. You and the violent person, as well as any witnesses, are invited to this. You will receive the invitation by post.

If there is a joint appointment at the court with the violent person, then it is advisable to have legal representation.

RULING

A bailiff may remove the violent person from the dwelling in accordance with the appropriate court ruling.

Ask for the bailiff distribution centre at the gates of the local court. You can get the contact details of the bailiff for your place of residence there.

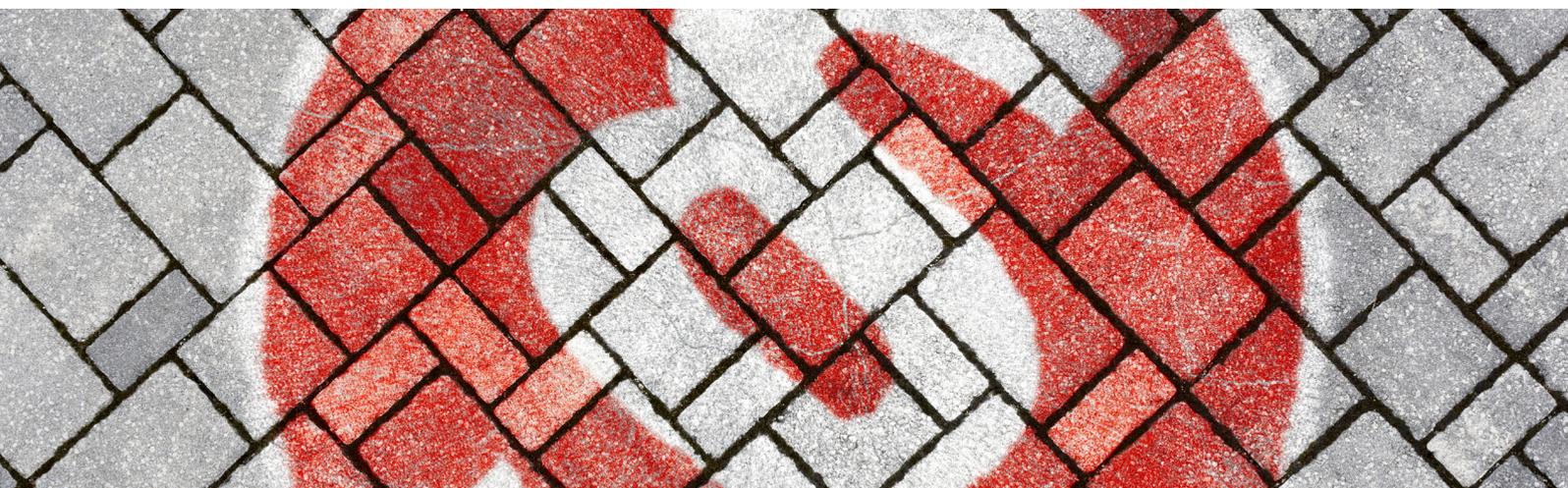
IMPORTANT

If you have submitted an application to the court and there is not yet a court ruling, the police can extend your existing removal order by a further 14 days.

What can you do if the perpetrator does not abide by the rulings?

Failure by the violent person to abide by a decreed contact ban or restraining order is punishable by law.

You can call the police and/or file a charge at any time of day and night. You should also inform the court which issued the ruling pursuant to the Protection Against Violence Act. You can apply to the family court for a fine or imprisonment.



CHILDREN

What happens to your children?

Measures in accordance with the Protection Against Violence Act do not govern rights of custody or rights of access. Experiencing violence in the family has a significant impact on children. This applies even if they are not hit themselves but rather are witnesses to violence against a parent. We therefore urge you to seek advice and support for yourself and your children at an early stage.

Educational and couple counselling
Caritaszentrum Kelsterbach
Walldorfer Str. 2 B (1. Stock), 65451 Kelsterbach
069 20 000 445
erziehungsberatung-kelsterbach@cv-offenbach.de

Caritaszentrum Rüsselsheim
Virchowstr. 23, 65428 Rüsselsheim
06142 409670
caritaszentrum-dicker-busch@cv-offenbach.de

Deutscher Kinderschutzbund
Kreisverband Groß-Gerau e.V.
64521 Groß-Gerau
06152 9793050
beratungsstelle@ksbogg.de / www.ksbogg.de

Counselling centre for parents, children and young people des Kreises Groß-Gerau
Darmstädter Straße 88, 64521 Groß-Gerau
06152 7898 / erziehungsberatung@kreisgg.de

Educational, youth and drug counselling des Kreises Groß-Gerau – Südkreisberatungsstelle
Stahlbaustraße 4, 64560 Riedstadt-Goddelau
06158 915766 / erziehungsberatung@kreisgg.de

Allgemeiner Sozialer Dienst Kreis Groß-Gerau
Wilhelm-Seipp-Str. 4, 64521 Groß-Gerau
06152 989-552, -502 / asd@kreisgg.de

Allgemeiner Sozialer Dienst Stadt Rüsselsheim
Mainstraße 7, 65428 Rüsselsheim am Main
06142 832143 / soziale.dienste@ruesselsheim.de

ADVICE

Where can you get advice and support?

At the advice centres, you can get:

- Information and help regarding violence protection applications
- Information about other legal issues (charges, rights of custody and rights of access, right of residence, etc.)
- Addresses for legal representatives

The advisers support you in coping better with what you have experienced and developing new perspectives. We work with you to consider what you can do to protect yourself against further violence. The advice is free and, upon request, anonymous.

An interpreter can be called in as required.

CONTACT

Names, addresses, phone numbers and email addresses for advice centres for women and men who are affected by violence or who use violence.

Proactive Beratung Groß-Gerau und Rüsselsheim
Frauen helfen Frauen e.V. -
Women's advice centre / women's shelter
Gernsheimerstr. 56a, 64502 Groß-Gerau
06152 80000
info@frauenberatung-gg.de

Diakonisches Werk
Men's counselling centre
Schulstrasse 17, 64521 Groß-Gerau
06152 1726810

Violence against women helpline
08000 116 016
Email and chat advice: www.hilfetelefon.de



Ordering address:

Der Kreisausschuss des Kreises Groß-Gerau
Büro für Frauen und Chancengleichheit
Wilhelm-Seipp-Straße 4 | 64521 Groß-Gerau
Telefon 06152 989 563
bfc@kreisgg.de
www.kreisgg.de

With the kind support
of the Frauenreferat der Stadt Frankfurt am Main