

INTRODUCTION AND ACKNOWLEDGMENTS

This is the fifth 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 1994 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 2008. In 2013, after the formation of the Circuit Court, the Domestic Violence Protocols were updated again under the leadership of Administrative Judge Edwin W. Kelly. Most recently, chapters one through five have been revised.

Over the last thirty years, New Hampshire’s Protection of Persons from Domestic Violence statute RSA 173-B has changed significantly and the New Hampshire Supreme Court continues to develop a body of case law interpreting that and related statutes. In addition, federal laws regarding such issues as the interstate enforcement of protection orders and firearm relinquishment have evolved. This edition of the Domestic Violence Protocols incorporates those changes along with feedback that the Circuit Court has received over the last decade.

Substantial revision to existing protocols cannot happen without the assistance of experienced and dedicated judges and court staff. A special thank you to all of the named and unnamed individuals who have contributed their time and expertise including members of the New Hampshire Judicial Branch’s Internal Domestic Violence Committee.

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 referee; 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.

Members of the public are advised that the Judicial Branch website contains a wealth of information about domestic violence and stalking, including explanations of the different kinds of orders of protection available and how to obtain them, instructional videos about filing or answering a petition for an order of protection and what to expect at a hearing, legal forms, and how to obtain legal help.



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NEW HAMPSHIRE CIRCUIT COURT
DOMESTIC VIOLENCE PROTOCOLS
2023 CONTRIBUTORS

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