## **Index**

#### ABSENCE OR PRESENCE

Family Court (this index)

#### ABUSE OF PROCESS

Orders of protection, 8:51

#### **ADDRESSES**

Orders of Protection (this index)
State address confidentiality
program, certification, 8:44,
8:45

#### **ADJOURNMENT**

Orders of protection, condition of adjournment in contemplation of dismissal, **3:13** 

## ADJUSTMENT SERVICES

Family court, 4:17

#### ADMISSIBILITY OF EVIDENCE

Evidence (this index)

#### ADOPTION

Custody and visitation proceedings, **5:2** 

## **AFFIDAVITS**

**Orders of Protection** (this index)

#### AFFINITY

Family court, subject-matter jurisdiction, **4:4** 

# AGGRAVATED CRIMINAL CONTEMPT

Orders of protection, 7:55

#### AGGRAVATED HARASSMENT

Family Offenses (this index)

#### AGGRAVATING FACTORS

Orders of protection, 2:77, 7:64

#### **AGREEMENTS**

**Contracts and Agreements** (this index)

#### ALIENATION

Custody and visitation proceedings, allegations of alienation and interference in relationship with child, **5:19** 

#### AMOUNT OF AWARD

Crime victims compensation, 8:60

#### **ANIMALS**

Pets, orders of protection, 7:11

## ANNOYING CONDUCT WITH NO LEGITIMATE PURPOSE

Family offenses, 2:40

#### **APPEALS**

Crime victims compensation, judicial review of compensation board's findings, **8:58** Family court, **4:78**, **7:71 Orders of Protection** (this index)

## APPEARANCE

Family Court (this index)

#### ARREST

Family court, **4:19**Mandatory arrest, **3:5**, **7:43**Orders of protection, **7:43** 

#### **ARTICLE 8**

Family Court (this index)

## **ARTICLE 10**

Custody and visitation proceedings, **5:35** 

#### ASSAULT AND BATTERY

Attempted assault, 2:27

Battered-person syndrome. **Evi- dence** (this index)

Battered spouse, immigration, waiver, **8:64** 

Batterer's education program, Article 8 provisions, **4:56** 

Disfigurement or disabling, intentional, **2:68** 

Domestic partners, 8:6

Drug, substance, or preparation, administration of, **2:55** 

Family offenses, generally, 2:25, 2:26

Felony assaults, 2:56, 2:70

Firearms. Weapons and firearms, below

First degree, 2:66-2:70

Intentional assault, **2:48**, **2:50**-2:56

Intentional disfigurement or disabling, **2:68** 

Intentional physical injury with weapon or dangerous instrument, 2:52

Intentional serious injury inflicted with weapon or dangerous instrument, **2:67** 

Negligent assault with weapon, **2:50** 

Physical injury

Felony assault causing, 2:56 Intentional physical injury with weapon or dangerous instrument, 2:52

Serious physical injury, below

Reckless assault, 2:49

Reckless serious physical injury with weapon, **2:54** 

Second degree, **2:50-2:56** 

Senior citizens, 2:53

Serious physical injury

Depraved indifference, **2:69** Felony assault causing, **2:70** 

## ASSAULT AND BATTERY

#### —Cont'd

Serious physical injury—Cont'd Reckless serious physical injury with weapon, 2:54

Third degree, 2:48-2:50

Weapons and firearms

Intentional physical injury with weapon or dangerous instrument, 2:52

Intentional serious injury inflicted with weapon or dangerous instrument, **2:67** 

Negligent assault with weapon, **2:50** 

Reckless serious physical injury with weapon, 2:54

#### ATTEMPTED ASSAULT

Generally, 2:27

#### ATTORNEY FOR THE CHILD

Custody and visitation proceedings, **5:16** 

#### **ATTORNEYS**

Custody and visitation proceedings, **5:15** 

Fees. **Attorney's Fees** (this index) **Right to Counsel** (this index)

#### ATTORNEY'S FEES

Assessment of counsel fees, **4:76**, **7:59** 

Family Court (this index) Matrimonial actions, 6:21

#### AUTOMATIC ORDERS

Matrimonial actions, violations and pendente lite relief, **6:23** 

### AVAILABILITY OR UNAVAILABILITY

Witnesses (this index)

#### **AWARDS**

Crime victims compensation, amount of award, **8:60** 

#### AWARDS-Cont'd

Emergency awards, crime victims compensation, **8:59** 

### BATTERED-PERSON SYNDROME

**Evidence** (this index)

#### **BATTERED SPOUSE**

Immigration, waiver, 8:64

# BATTERER'S EDUCATION PROGRAM

Family court, Article 8 provisions, **4:56** 

#### **BATTERY**

**Assault and Battery** (this index)

#### **BELONGINGS**

Orders of protection, removal of belongings, 7:7

## BEST INTERESTS OF THE CHILD

Custody and visitation proceedings, **5:11**, **5:12** 

#### **BIOLOGY**

Custody and visitation proceedings, **5:2** 

### BLOOD

Family offenses, criminal obstruction of breathing or blood circulation, 2:22

### **BOARDS AND COMMISSIONS**

Crime victims compensation board's findings, **8:57**, **8:58** 

#### **BREATHING**

Family offenses, criminal obstruction of breathing or blood circulation, **2:22-2:24** 

#### **BURDEN OF PROOF**

Contempt proceedings, orders of protection, **7:48** 

Family court, hearing upon alleged violation, **4:72** 

#### BURDEN OF PROOF—Cont'd

Family offenses, 2:4

#### **BURGLARY**

Orders of protection, 2:79

#### CAUSES OF ACTIONS

Torts (this index)

#### **CHANGE OF NAME**

Safety and confidentiality, 8:41

## CHANGE OR MODIFICATION

Custody and Visitation Proceedings (this index)

Family Court (this index)
Orders of Protection (this index)

#### **CHILD IN COMMON**

Family court, subject-matter jurisdiction, **4:7** 

#### CHILD NEGLECT

Custody and Visitation Proceedings (this index)

#### CHILDREN AND MINORS

**Endangering Welfare of Child** (this index)

#### CHILD SUPPORT

Pendente lite relief, **6:20**Temporary child support order, **4:27** 

#### CITY OR STATE

**Orders of Protection** (this index)

#### **CIVIL ACTIONS**

Orders of protection, misuse, **8:50-8:53** 

#### CIVIL CONTEMPT

Orders of protection, 7:63

#### **CIVIL PROCEEDINGS**

**Orders of Protection** (this index)

#### COERCION OR DURESS

Family offenses, 2:33, 2:34

## COERCION OR DURESS

—Cont'd

Prenuptial, postnuptial and separation agreements, **6:30** 

#### **COLLATERAL ESTOPPEL**

Family Court (this index)

### COMMUNICATION IN MANNER LIKELY TO CAUSE ANNOYANCE

Family offenses, aggravated harassment, **2:41** 

## **COMPENSATION**

## Crime Victims Compensation (this index)

Workers' compensation, 8:38

#### COMPETENCY OF ACCUSED

Family court, concurrent family and criminal court proceedings, **4:88** 

### CONCURRENT JURISDICTION

Family court, **4:1-4:98** 

## CONCURRENT PROCEEDINGS

Family Court (this index)

## CONDITIONAL EXAMINATION

Evidence, reluctant complainant, 3:35

### CONDITIONS

**Orders of Protection** (this index)

### CONFIDENTIALITY

**Safety and Confidentiality** (this index)

### **CONFRONTATION**

Evidence, right of confrontation, 3:44

## CONSANGUINITY OR AFFINITY

Family court, subject-matter jurisdiction, **4:4** 

#### **CONSTITUTIONAL LAW**

Custody and visitation proceedings, domestic violence against a parent as child neglect, **5:34** 

Prosecutions of domestic violence, **3:4** 

#### **CONTEMPT**

**Orders of Protection** (this index)

### CONTRACTS AND AGREEMENTS

Lease or Rental Agreements (this index)

Prenuptial, Postnuptial and Separation Agreements (this index)

## **CONVICTIONS**

Murder conviction, **5:12 Orders of Protection** (this index) **Torts** (this index)

## **COUNSEL FEES**

**Attorney's Fees** (this index)

## **COUNTERCLAIMS**

Family court, orders of protection, 4:35

## COURSE OF CONDUCT CAUSING EMOTIONAL DISTRESS

Statutes of limitations, 8:20

## CRIME VICTIMS COMPENSATION

Generally, 8:55-8:61

Amount of award, 8:60

Compensation board's findings, **8:57, 8:58** 

Eligibility for compensation, 8:56

Emergency awards, 8:59

Judicial review of compensation board's findings, **8:58** 

Relocation expenses, 8:61

#### CRIMINAL CONTEMPT

Orders of protection, **3:16, 3:19, 7:51** 

#### CRIMINAL COURT

**Orders of Protection** (this index)

## CRIMINAL OBSTRUCTION OF BREATHING OR BLOOD CIRCULATION

Family offenses, 2:22

### CRIMINAL PROCEDURE LAW

Appeals, orders of protection, 7:73

#### CRIMINAL PROCEEDINGS

Family Court (this index)
Orders of Protection (this index)
Prosecutions of domestic violence,
3:2, 3:3

# CRIMINAL TERM OF SUPERIOR COURT

Family court, **4:14** 

#### **CROSS-ORDERS**

Family court, orders of protection, 4:35

## CRUEL AND INHUMAN TREATMENT

Divorce, 6:9

#### **CUSTODY AND SUPPORT**

**Child Support** (this index)

Matrimonial actions, overlapping jurisdictions, **6:13** 

Temporary order of support, Article 8 provision, **4:59** 

## CUSTODY AND VISITATION PROCEEDINGS

Generally, 5:1-5:45

Adoption, 5:2

Allegations of alienation and interference in relationship with child, **5:19** 

## CUSTODY AND VISITATION PROCEEDINGS—Cont'd

Article 10 proceedings, child protective investigations and, 5:35

Assistance of counsel, right to, 5:15

Attorneys for children, **5:16**Best interests of the child, **5:11**, **5:12** 

Biology, 5:2

Change. Modification of custody orders and stipulations, below

Child neglect, domestic violence against a parent as

Generally, 5:34-5:45

Article 10 proceedings, child protective investigations and, 5:35

Disposition, **5:38**, **5:43** 

Fact-finding, 5:38

Failure to protect, 5:41

Federal constitutional issues, 5:34

Impairment, 5:40

Isolated incident, 5:42

Non-respondent parents, 5:36

Permanency hearings, 5:38

Permanent neglect, 5:44

Removal, 5:37

Severe abuse, 5:45

Termination of parental rights Permanent neglect, **5:44** 

Severe abuse, 5:45

Children's participation in, 5:20

Components of visitation, final orders, **5:29** 

Constitutional law, domestic violence against a parent as child neglect, **5:34** 

Custody evaluations, 5:18

Defenses, removal under Hague Convention, **5:9** 

Determinations, 5:10-5:14

#### CUSTODY AND VISITATION CUSTODY AND VISITATION PROCEEDINGS—Cont'd PROCEEDINGS—Cont'd Disposition, domestic violence Joint custody, final orders, 5:25 against a parent as child Jurisdiction and standing neglect, **5:38**, **5:43** Generally, **5:1-5:45** Duration of orders of protection, Adoption, 5:2 5:22 Biology, 5:2 Emergency jurisdiction, Equitable estoppel, 5:3 temporary, 5:7 Grandparent visitation, 5:5 Equitable estoppel, 5:3 Hague Convention, above Evaluation of custody, 5:18 Interstate judicial issues, **5:6** Fact-finding, domestic violence Jurisdiction, generally, **5:1** against a parent as child Marriage, 5:2 neglect, 5:38 Nonparent, 5:4 Failure to protect, domestic Parentage, **5:2-5:5** violence against a parent as Shared intent, 5:3 child neglect, 5:41 Standing, generally, 5:2-5:5 Federal constitutional issues, Temporary emergency jurisdicdomestic violence against a tion, 5:7 parent as child neglect, 5:34 Uniform Child Custody Juris-Final orders diction and Enforcement Generally, 5:25-5:30 Act (UCCJEA), 5:6, 5:7 Components of visitation, 5:29 Marriage, 5:2 Impermissible delegation, Modification of custody orders visitation, 5:30 and stipulations Joint custody, 5:25 Generally, **5:31-5:33** Sole custody, 5:26 Change of custody or visitation, Supervised visitation, **5:28** 5:32 Visitation, **5:27-5:30** Relocation, 5:33 Grandparent visitation, 5:5 Substantial change of circum-**Hague Convention** stances, 5:31 Murder conviction, 5:12 Generally, 5:8 Nonparent, 5:4 Defenses, removal under, 5:9 Hearings, right to, 5:14 Non-respondent parents, domestic violence against a parent as Impairment, domestic violence child neglect, 5:36 against a parent as child Orders neglect, 5:40 Impermissible delegation, visita-Custody orders. Modification of custody orders and stipulation, **5:30** tions, below International jurisdiction issues, Protective orders. Orders of 5:8 protection, below Interstate judicial issues, 5:6 Orders of protection Isolated incident, domestic Generally, 5:21-5:24 violence against a parent as child neglect, 5:42 Duration, 5:22

# CUSTODY AND VISITATION PROCEEDINGS—Cont'd

Orders of protection—Cont'd Procedure, **5:21** 

Terms, 5:23

Violations, 5:24

Parentage, 5:2-5:5

Participation of children in, 5:20

Permanency hearings, domestic violence against a parent as child neglect, **5:38** 

Permanent neglect, domestic violence against a parent as child neglect, **5:44** 

Procedure, orders of protection, **5:21** 

Proceedings, generally, **5:15-5:20** Relocation, **5:33** 

Removal, domestic violence against a parent as child neglect, **5:37** 

Right to assistance of counsel, **5:15** 

Right to hearing, 5:14

Severe abuse, domestic violence against a parent as child neglect, **5:45** 

Sex offense, child conceived as result of, **5:13** 

Shared intent, 5:3

Sole custody, final orders, 5:26

Standing. Jurisdiction and standing, above

Stipulations. Modification of custody orders and stipulations, above

Substantial change of circumstances, **5:31** 

Supervised visitation, final orders, 5:28

Temporary emergency jurisdiction, **5:7** 

Temporary orders of custody and visitation, **5:17** 

Termination of parental rights. Child neglect, domestic

## CUSTODY AND VISITATION PROCEEDINGS—Cont'd

violence against a parent as, above

Terms of orders of protection, 5:23

Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), **5:6**, **5:7** 

Violations of orders of protection, 5:24

#### **DAMAGES**

Torts (this index)

# **DEATH AND DEATH ACTIONS Wrongful Death** (this index)

## **DEFAULT**

Family court, securing respondent's appearance, **4:33** 

#### **DEFENDANT**

Sentencing, victim as defendant, 3:55

#### **DEFENSES**

Custody and visitation proceedings, removal under Hague Convention, **5:9** 

Family Court (this index)

#### **DEFINITIONS**

Family offenses, 2:1 Legal definitions, 1:2

#### **DEMAND FOR RELIEF**

Family court, drafting pleadings, **4:25** 

#### **DETERMINATIONS**

Custody and visitation proceedings, **5:10-5:14** 

#### DISCOVERY

Family court, **4:38**, **4:39** 

## DISCRIMINATION

Housing discrimination, prohibition of, 8:31

### DISCRIMINATION—Cont'd

Insurance coverage and inheritance, prohibition against discrimination against victim, 8:23

## DISFIGUREMENT OR DISABLING

Assault, intentional, 2:68

#### **DISORDERLY CONDUCT**

Family offenses, 2:5

#### DISPOSITION

Child neglect, domestic violence against a parent as, **5:38**, **5:43** 

#### **DISPOSITIONAL HEARING**

Family Court (this index)

#### **DIVORCE**

Cruel and inhuman treatment, **6:9** Grounds, **6:7-6:10** Irretrievable breakdown of relationship, **6:8** 

### **DOMESTIC PARTNERS**

**Torts** (this index)

#### DOMESTIC VIOLENCE CALLS

Orders of protection, firearms, New York State, 7:34

## **DOUBLE JEOPARDY**

**Family Court** (this index) Orders of protection, **7:65** 

### DRAFTING PLEADINGS

Family Court (this index)

## DRUGS AND OTHER SUBSTANCES

Assault, administration of drug, substance, or preparation, 2:55

#### **DURATION**

Custody and visitation proceedings, orders of protection, **5:22** 

#### **DURESS**

Coercion or Duress (this index)

#### **DYING DECLARATIONS**

Evidence, 3:47

#### **ELECTION LAW**

Confidentiality of voter registration records, **8:48** Special ballots, **8:47** 

### **EMERGENCY AWARDS**

Crime victims compensation, 8:59

#### **EMERGENCY JURISDICTION**

Custody and visitation proceedings, **5:7** 

#### **EMERGENCY MODIFICATION**

Family court orders, 4:85

#### **EMOTIONAL DISTRESS**

**Statutes of Limitations** (this index)

Torts (this index)

#### **EMPLOYMENT**

Labor Law (this index)

## EMPLOYMENT DISCRIMINATION

Victims of domestic violence, **8:37** 

## ENDANGERING WELFARE OF CHILD

Generally, 2:75

Injunction against endangering children, family or household members, terms, **7:10** 

Violence against parent as endangering the child, **2:76** 

### **ENFORCEMENT**

**Orders of Protection** (this index)

### **EQUITABLE DISTRIBUTION**

**Matrimonial Actions** (this index)

Index-8

#### **EQUITABLE ESTOPPEL**

Custody and visitation proceedings, **5:3** 

#### **ESTOPPEL**

Collateral estoppel. **Family Court** (this index)

Custody and visitation proceedings, equitable estoppel, **5:3** 

#### **EVALUATIONS**

Custody and visitation proceedings, **5:18** 

#### **EVIDENCE**

Admissibility of victim's out-ofcourt statements

Generally, 3:43-3:50

Dying declarations, 3:47

Excited utterances, 3:45

Medical records, 3:49

Physician-patient privilege, **3:50** 

Present sense impression, **3:46** Right of confrontation, **3:44** 

Statements to obtain medical

care, **3:48-3:50** 

Battered-person syndrome

Generally, 3:21

Relevance to sentencing, 3:23

Reluctant complainant, 3:38

**Burden of Proof** (this index)

Challenges in prosecuting domestic violence crimes, **3:25- 3:51** 

Conditional examination, reluctant complainant, **3:35** 

Confrontation right, 3:44

Dying declarations, 3:47

Excited utterances, 3:45

Extreme emotional disturbance, 3:24

Family Court (this index)

Intimidated witness. **Witnesses** (this index)

#### EVIDENCE—Cont'd

Judicial intervention, reluctant complainant, **3:34, 3:35** 

Justification, 3:22

Medical evidence, proof of physical injury, **3:28** 

Medical records, 3:49

Out-of-court statements. Admissibility of victim's out-of-court statements, above

Photographs, proof of physical injury, **3:29** 

Physical injury, proof of

Generally, **3:26-3:30** 

Common problems, 3:28-3:30

Medical evidence, 3:28

Photographs, 3:29

Serious physical injury, 3:27

Witness accounts, 3:30

Physician-patient privilege, 3:50

Present sense impression, **3:46** 

Presumptions. **Burden of Proof** (this index)

Prior testimony, unavailable or intimated witness, **3:41** 

Procedural problems, reluctant complainant, 3:33-3:41

Prosecuting domestic violence crimes, challenges, **3:25-3:51** 

Psychological or psychiatric evidence, **3:20** 

Quashal, victim's motion to quash subpoena and/or for protective order, **3:25** 

Reluctant complainant

Generally, **3:32-3:41** 

Battered-person syndrome, 3:38

Conditional examination, 3:35

Judicial intervention, 3:34, 3:35

Procedural problems, 3:33-3:41

Witnesses (this index)

Right of confrontation, 3:44

Self-defense, 3:22

Sentencing, relevance of batteredperson syndrome to, **3:23** 

#### EVIDENCE—Cont'd

Serious physical injury, **3:27** Spousal privilege, **3:51** Statements to obtain medical care, **3:48-3:50** 

Subpoenas, victim's motion to quash subpoena and/or for protective order, **3:25** 

Uncharged but similar acts, **3:31** Use of, generally, **3:20-3:24** 

Victim's motion to quash subpoena and/or for protective order, **3:25** 

Witnesses (this index)

#### **EXCITED UTTERANCES**

Evidence, 3:45

### **EXCLUSIONARY RULE**

Family court, concurrent family and criminal court proceedings, **4:89** 

#### **EXISTING ORDERS**

**Orders of Protection** (this index)

#### **EX PARTE ORDERS**

Orders of protection, **3:11**, **7:17**, **7:21** 

## EXTREME EMOTIONAL DISTURBANCE

Evidence, 3:24

### **FACT-FINDING**

Child neglect, domestic violence against a parent as, **5:38** Family Court (this index)

## FAILURE TO APPEAR

Family court, 4:68

### FALSE ARREST AND IMPRISONMENT

Orders of protection, 8:53

## FALSE COMPLAINTS

**Orders of Protection** (this index)

#### **FAMILY COURT**

Generally, 4:1-4:98

Absence or presence

Appearance, below

Enforcement of orders, below

Securing respondent's appearance, below

Adjustment services, 4:17

Affinity, subject-matter jurisdiction, **4:4** 

Allegations of conduct constituting a family offense, subjectmatter jurisdiction, **4:9** 

Appeal, 4:78, 7:71

Appearance

Enforcement of orders, below Securing respondent's appearance, below

Arrest, 4:19

Article 8

Batterer's education program, **4:56** 

Custody or visitation order, **4:58** 

Medical reparation for injuries, 4:57

Orders of protection, 4:56-4:59

Scope, 4:1-4:15

Temporary order of support, **4:59** 

#### **Assault and Battery** (this index)

Attorney's fees. Counsel fees, below

Batterer's education program, Article 8 provisions, **4:56** 

Burden of proof, hearing upon alleged violation, **4:72** 

Change or modification

Emergency modification of family court's orders, **4:85** 

Final orders of protection, **4:52** 

Remedies for violation of dispositional orders, modification of existing order, **4:75**  FAMILY COURT—Cont'd

#### Change or modification—Cont'd Concurrent family and criminal Temporary orders of protection, court proceedings-Cont'd 4:29 Simultaneous proceedings, 4:80, 4:81 Child in common, subject-matter jurisdiction, 4:7 Statute of limitations and speedy trial, 4:86 Collateral estoppel Testimony from family court, Generally, 4:94-4:96 use in criminal prosecu-Criminal prosecution, effect on tions, 4:98 family offense proceed-Transfer from family to crimiings, **4:95** nal court, **4:83** Family court proceeding, effect Concurrent jurisdiction, 4:1-4:98 on criminal prosecution, Consanguinity or affinity, subject-4:96 matter jurisdiction, 4:4 Competency of accused, concur-Counsel fees rent family and criminal court Final orders, 4:51 proceedings, 4:88 Orders of protection, 4:51, 4:55 Concurrent family and criminal Remedies for violation of court proceedings dispositional orders, **4:76** Generally, 4:79-4:85 Counterclaims and cross-orders of Collateral estoppel, above protection, 4:35 Compared, **4:79** Criminal Court and Criminal Term Competency of accused, 4:88 of Superior Court, 4:14 Double jeopardy, below Cross-orders of protection, 4:35 Emergency modification of Custody or visitation order as profamily court's orders, 4:85 vision of Article 8 final order Enforcement of family court of protection, **4:58** orders of protection in Defenses criminal court, 4:82 Fact-finding hearing, 4:42 Exclusionary rule, 4:89 Hearing upon alleged violation, Issues created by simultaneous 4:73 proceedings, 4:86-4:98 Demand for relief, drafting plead-Judiciary law, prosecutions ings, 4:25 under, **4:91** Discovery, 4:38, 4:39 No offense provision, crimes Dispositional hearing that violate, 4:92 Generally, 4:45 Penal law, prosecutions under, Dispositional order, 4:46 4:91 Orders. Remedies for violation Presence of accused, 4:87 of dispositional orders, Record sharing between family below and criminal court, 4:84 Remedies for violation of Rules of procedure, 4:88 dispositional orders, below Double jeopardy Self-incrimination privilege, 4:97 Generally, **4:90-4:93**

FAMILY COURT—Cont'd

FAMILY COURT—Cont'd	FAMILY COURT—Cont'd
Double jeopardy—Cont'd	Enforcement of orders—Cont'd
Family Court Act § 846, <b>4:93</b>	Mandatory arrest, 4:62
Judiciary law, prosecutions under, <b>4:91</b>	Obtaining respondent's presence
No offense provision, prosecu-	By summons, <b>4:64-4:66</b>
tion of crimes that violate,	By warrant, <b>4:67</b>
4:92	Failure to appear, effect of
Penal law, prosecutions under,	respondent's, 4:68
4:91	Mandatory notice, <b>4:65</b>
Drafting pleadings	Service, <b>4:66</b>
Generally, <b>4:23-4:25</b>	Petition, <b>4:60</b>
Demand for relief, 4:25	Summons, obtaining respon-
Facts in support of jurisdiction, 4:23	dent's presence by, <b>4:64</b> -
4:25 Elements	4:66
	Warrant, obtaining respondent's
Hearing upon alleged violation, elements of proof, <b>4:71</b>	presence by, <b>4:67</b>
Specified family offense, draft-	Estoppel. Collateral estoppel, above
ing pleadings, <b>4:24</b>	Evidence
Emergency modification of family	Burden of proof, hearing upon
court's orders, 4:85	alleged violation, 4:72
Enforcement of orders	Fact-finding hearing, <b>4:41</b>
Generally, <b>4:60-4:73</b>	Exclusionary rule, concurrent fam-
Absence or presence. Obtaining	ily and criminal court
respondent's presence,	proceedings, 4:89
below in this group	Extending orders of protection,
Appearance	4:53
Failure to appear, effect of	Fact-finding hearing
respondent's, 4:68	Generally, <b>4:40-4:44</b>
Initial appearance, <b>4:70</b>	Defenses, 4:42
Obtaining respondent's pres-	Evidence, 4:41
ence, below in this	Motion for new trial, 4:43
group	Ruling after fact-finding, 4:44
Family court orders of protec-	Facts in support of jurisdiction,
tion enforced in criminal	drafting pleadings, <b>4:23</b>
court, <b>4:82</b>	Failure to appear, effect of respon-
Hearing upon alleged violation	dent's, <b>4:68</b>
Generally, <b>4:69-4:73</b>	Family Court Act § 846, double
Burden of proof, 4:72	jeopardy, 4:93
Defenses, 4:73	Filing, procedure upon, initiating
Elements of proof, 4:71	the action, <b>4:22</b>
Initial appearance, <b>4:70</b>	Final orders
Statutory standard of proof,	Generally, <b>4:47-4:53</b>
4:71, 4:72	Article 8, above

FAMILY COURT—Cont'd	FAMILY COURT—Cont'd
Final orders—Cont'd	Jurisdiction—Cont'd
Counsel fees, <b>4:51</b>	Subject-matter jurisdiction,
Extending orders of protection,	below
4:53	Mandatory notice, obtaining
Final order of protection, <b>4:50</b>	respondent's presence, <b>4:65</b>
Modifying final orders of	Medical reparation for injuries as
protection, 4:52	provision of Article 8 final
Probation, <b>4:49</b>	order of protection, <b>4:57</b>
Restitution, 4:51	Minors, subject-matter jurisdic-
Suspended judgment, 4:48	tion, 4:5
Formerly married, subject-matter	Modification. Change or modifica tion, above
jurisdiction, <b>4:6</b>	New trial motion, fact-finding
Geographic jurisdiction and venue, <b>4:11</b>	hearing, <b>4:43</b>
Hearings	No offense provision violations,
Dispositional hearing, above	double jeopardy, <b>4:92</b>
Enforcement of orders, above	Notice Notice
Fact-finding hearing, above	Generally, <b>4:36</b>
Incarceration, remedies for viola-	Admit, notice to, <b>4:39</b>
tion of dispositional orders,	Petitioner, notice to, <b>4:16</b>
4:77	Offenses. <b>Family Offenses</b> (this
Initial appearance	index)
Generally, <b>4:36</b>	Orders of protection
Hearing upon alleged violation,	Generally, <b>4:54-4:59</b>
4:70	Appeals, 7:71
Initiating the action	Available provisions, <b>4:54</b>
Generally, <b>4:18-4:22</b>	Contempt proceedings, Family
Arrest, <b>4:19</b>	Court Act § 156, <b>7:50</b>
Petition, 4:20-4:22	Counsel fees, <b>4:55</b>
Procedure upon filing, <b>4:22</b>	Family Court Act § 1072, <b>7:62</b>
Who may file, <b>4:20-4:22</b>	Final orders, above
Inquiry, <b>4:36</b>	Form GF-5a, <b>7:77</b>
Interstate custody considerations,	Remedies for violation of
subject-matter jurisdiction, 4:10	dispositional orders, <b>4:75</b>
Intimate relationship, subject-mat-	Temporary orders of protection
ter jurisdiction, <b>4:8</b>	below
Judiciary law, double jeopardy,	Out-of-state, acts committed, 4:12
4:91	Penal law, prosecutions under,
Jurisdiction	4:91
Generally, <b>4:1-4:98</b>	Personal jurisdiction, 4:13
Facts in support of, drafting	Petition
pleadings, <b>4:23</b>	Enforcement of orders, <b>4:60</b>
Personal jurisdiction, <b>4:13</b>	Initiating the action, <b>4:20-4:22</b>
• · · · · · · · · · · · · · · · · · · ·	÷

AMILY COURT—Cont'd	FAMILY COURT—Cont'd
Petition—Cont'd	Service of process—Cont'd
Securing respondent's appearance, <b>4:32</b>	Temporary orders of protection. <b>4:28</b>
Petitioner's election, enforcement of orders, <b>4:61</b>	Simultaneous proceedings, <b>4:80</b> , <b>4:81</b>
Pleadings. Drafting pleadings,	Speedy trial, 4:86
above	Statute of limitations, <b>4:86</b>
Pre-petition procedures, <b>4:16</b> , <b>4:17</b>	Statutory standard of proof, hearing upon alleged violation,
Presence of accused, <b>4:87</b>	4:71, 4:72
Probation, <b>4:49</b>	Subject-matter jurisdiction
Process. Service of process, below	Generally, <b>4:2-4:6</b>
Record sharing between family	Allegations of conduct
and criminal court, 4:84	constituting a family
Relationship, subject-matter juris-	offense, <b>4:9</b>
diction, <b>4:3-4:6, 4:7</b>	Child in common, 4:7
Remedies for violation of	Consanguinity or affinity, <b>4:4</b>
dispositional orders	Formerly married, <b>4:6</b>
Generally, <b>4:74-4:77</b>	Interstate custody
Counsel fees assessment, <b>4:76</b>	considerations, <b>4:10</b>
Incarceration, 4:77	Intimate relationship, <b>4:8</b>
Order of protection or modifica-	Minors, <b>4:5</b>
tion of existing order, <b>4:75</b>	Relationship, <b>4:3-4:6</b> , <b>4:7</b>
Restitution, 4:51	Substitute service and default,
Right to counsel, 4:36	securing respondent's appear
Rules of procedure, concurrent	ance, <b>4:33</b>
family and criminal court	Summons
proceedings, 4:88	Obtaining respondent's pres-
Securing respondent's appearance	ence by, <b>4:64-4:66</b>
Generally, <b>4:31-4:34</b>	Securing respondent's appear-
Service out of state, <b>4:34</b>	ance, <b>4:32</b>
Substitute service and default, 4:33	Supreme Court Matrimonial Term 4:15
Summons and petition, <b>4:32</b>	Suspended judgment, <b>4:48</b>
Warrant, <b>4:31</b>	Temporary order of support,
Self-incrimination privilege, <b>4:97</b>	Article 8 provision, <b>4:59</b>
Service of process	Temporary orders of protection
Obtaining respondent's pres-	Generally, <b>4:26</b>
ence, <b>4:66</b>	Form G-5, <b>7:75</b>
Out-of-state, securing respon-	Motion to vacate or modify
dent's appearance, 4:34	temporary order of protec-
Substitute service and default,	tion, <b>4:29</b>
securing respondent's	Service of temporary order,
appearance, 4:33	4:28

#### FAMILY COURT—Cont'd FAMILY OFFENSES—Cont'd Temporary orders of protection Communication in manner likely to cause annoyance, -Cont'd aggravated harassment, 2:41 Temporary child support order, 4:27 Crimes as, generally, 2:5-2:80 Violations, 4:30 Crimes of domestic violence, 2:2 Testimony from family court, use Criminal mischief, 2:18 in criminal prosecutions, 4:98 Criminal obstruction of breathing Transfers to criminal court, 4:37, or blood circulation, 2:22 4:83 Definition, 2:1 Warrants Disorderly conduct, 2:5 Obtaining respondent's pres-Display of deadly weapon or ence by, **4:67** dangerous instrument, Securing respondent's appearmenacing in second degree, ance, **4:31** 2:45 Who may file, **4:20-4:22** Forcible touching, 2:11 Grand larceny, 2:31, 2:32 **FAMILY OFFENSES** Harassment Generally, 2:1-2:80 Generally, 2:6, 2:7, 2:37-2:40 Aggravated harassment Aggravated harassment, above Communication in manner Homicide likely to cause annoyance, Generally, 2:57-2:59 Murder, below Repeatedly commits harassment Identity theft, 2:28-2:30 in first degree, 2:44 Intent Second degree, 2:8 Harassment, 2:37 Subjecting person to physical conduct causing physical Homicide, intentional murder, injury, 2:43 2:59 Intimate image, unlawful dis-Telephone call with no purpose of legitimate communicasemination or publication of, tion, 2:42 2:9 Jurisdiction, 2:3 Annoying conduct with no legitimate purpose, 2:40 Menacing in second degree Display of deadly weapon or Assault, generally, 2:25, 2:26 dangerous instrument, 2:45 Blood circulation, criminal Order of protection, violation, obstruction of breathing or, 2:47 Stalking and other repeated Breathing or blood circulation, conduct, 2:46 criminal obstruction of, 2:22-2:24 Menacing in the third degree, 2:19 Burden of proof, 2:4 Murder First degree, 2:58 Civil and criminal proceedings, distinctions, 2:1-2:4 Intentional murder, 2:59 Coercion, 2:33, 2:34 Second degree, 2:59

ment, Form GF-38, 8:67

#### FAMILY OFFENSES—Cont'd FAMILY OFFENSES—Cont'd Orders of protection Weapons, display of deadly weapon or dangerous instru-Generally, 3:17 ment, menacing in second Criminal court, Form CRIM-1, degree, 2:45 7:79 Family offense petition, Form FEDERAL CLAIMS 8-2, **7:74** Orders of protection, enforcement Menacing in first degree, 2:78 actions against city or state Menacing in second degree, actors, 8:35 2:47, 2:77 **FELONIES** Physical contact and threats, 2:38 Assaults, 2:56, 2:70 Publication or unlawful dis-Homicide, felony murder, 2:61 semination of intimate image, 2:8 **FILING** Reckless endangerment, 2:20, Family court, procedure upon fil-2:21 ing, initiating the action, 4:22 Repeatedly commits harassment in first degree, aggravated FINAL ORDERS harassment, 2:44 **Orders of Protection** (this index) Second degree aggravated harass-FINANCIAL ISSUES ment, 2:8 Generally, 8:40 Sex offenses, 2:36 Sexual abuse, 2:12, 2:13 **FIREARMS** Sexual misconduct, 2:10 Weapons and Firearms (this Stalking index) Generally, 2:35 FIRST DEGREE ASSAULT First degree, 2:14 Generally, 2:66-2:70 Fourth degree, 2:17 Harassment, 2:39 FORCIBLE TOUCHING Menacing in second degree, Family offenses, 2:11 2:46 FORMERLY MARRIED Second degree, 2:15 Family court, subject-matter juris-Third degree, 2:16 diction, 4:6 Strangulation, 2:22-2:24 Subjecting person to physical **FORMS** conduct causing physical Order on petition pursuant to RPL injury, aggravated harass-§ 227-c for termination or ment, **2:43** severance of lease or rental Telephone call with no purpose of agreement, Form GF-39, legitimate communication, 8:68 aggravated harassment, 2:42 Orders of protection, 7:74-7:85 Threats, physical contact and, 2:38 Petition for order terminating or Unlawful dissemination or publisevering lease or rental agree-

cation of intimate image, 2:8

#### **FULL FAITH AND CREDIT**

Orders of protection, 7:13

#### **GENDER**

Victims of Gender-Motivated Violence Protection Act, 8:18

# GEOGRAPHIC JURISDICTION AND VENUE

Family court, 4:11

#### **GOVERNMENTAL IMMUNITY**

Orders of protection, ministerial versus discretionary acts, 8:34

## GOVERNMENT BENEFITS AND SERVICES

Generally, 8:40

#### **GRAND LARCENY**

Family offenses, **2:31**, **2:32** 

## GRANDPARENT VISITATION

Custody and visitation proceedings, **5:5** 

### **GUN-RELATED OFFENSES**

Generally, 2:80

## **HAGUE CONVENTION**

Custody and visitation proceedings, **5:8**, **5:9** 

Defenses, removal under, 5:9

#### **HARASSMENT**

Family Offenses (this index)

#### **HEALTH CARE**

Medical Care (this index)

#### **HEARINGS**

Custody and visitation proceedings, right to hearing, **5:14 Family Court** (this index)

**Orders of Protection** (this index)

### **HOMICIDE**

Criminally negligent homicide, **2:65** 

Family Offenses (this index)

#### HOMICIDE—Cont'd

Manslaughter (this index) Murder (this index)

#### HOUSING

Generally, 8:28-8:31

Discrimination, prohibition of, **8:31** 

Lease or rental agreements, domestic violence and, **8:28** 

Marital residence. **Matrimonial Actions** (this index)

Public and federally subsidized housing, protection for domestic violence victims in, 8:30

Shared occupancy, 8:29

#### **IDENTITY THEFT**

Family offenses, 2:28-2:30

#### **IMMIGRATION**

Generally, 8:62-8:66

Battered spouse waiver, **8:64**Domestic violence and immigra-

tion benefits, 8:63

Family-based immigration issues, **8:62** 

"U" nonimmigrant status, **8:66** VAWA self-petition, **8:65** 

#### **IMPAIRMENT**

Child neglect, domestic violence against a parent as, **5:40** 

### IMPEACHMENT OF WITNESSES

Own witness, rules of impeaching one's, **3:39** 

## IMPERMISSIBLE DELEGATION

Custody and visitation proceedings, **5:30** 

### **INCAPACITY**

Prenuptial, postnuptial and separation agreements, **6:29** 

#### **INCARCERATION**

Family court, remedies for violation of dispositional orders, **4:77** 

Orders of protection, violations and proceedings to enforce, 7:60

## INFLICTION OF EMOTIONAL DISTRESS

Torts (this index)

#### **INHERITANCE**

Insurance Coverage and Inheritance (this index)

#### **INITIAL APPEARANCE**

Family Court (this index)

### INITIATION OF ACTION

Family Court (this index)

#### **INJUNCTIONS**

**Orders of Protection** (this index)

## INSURANCE COVERAGE AND INHERITANCE

Generally, 8:23-8:27

Discrimination against victim, prohibition against, **8:23** 

Intentional acts, liability insurance and, 8:25

Liability insurance, 8:25, 8:26

Life insurance, 8:24

Negligent acts, liability insurance and, **8:26** 

Probate, 8:27

## INTEGRATED DOMESTIC VIOLENCE PARTS

Prosecutions, 3:3

### **INTENTIONAL ACTS**

Liability insurance and, 8:25

#### INTENTIONAL ASSAULT

Generally, 2:48, 2:50-2:56

## INTENTIONAL PHYSICAL INJURY

Assault with weapon or dangerous instrument, 2:52

#### INTENT OR MOTIVE

**Assault and Battery** (this index)

Causes of action in tort by domestic violence victim against abuser, intentional infliction of emotional distress, **8:7** 

Custody and visitation proceedings, standing, shared intent, 5:3

Family Offenses (this index)

Liability insurance and intentional acts, 8:25

#### INTEREST OF JUSTICE

Prosecutions of domestic violence, **3:9** 

### INTERNATIONAL JURISDICTION

Custody and visitation proceedings, **5:8** 

#### INTERSTATE CUSTODY

Custody and visitation proceedings, **5:6** 

Family court, subject-matter jurisdiction, **4:10** 

#### INTERSTATE ENFORCEMENT

Orders of protection, 7:13

#### **INTIMATE IMAGE**

Family offenses, unlawful dissemination or publication of intimate image, **2:9** 

Torts, unlawful dissemination or publication of an, **8:12**, **8:13** 

## INTIMATE RELATIONSHIP

Family court, subject-matter jurisdiction, **4:8** 

#### INTIMIDATION

Witnesses (this index)

## INTRAFAMILIAL STANDING TO SUE FOR ACTS OF DOMESTIC VIOLENCE

Generally, **8:1, 8:2** 

## IRRETRIEVABLE BREAKDOWN OF RELATIONSHIP

Divorce, 6:8

#### ISOLATED INCIDENT

Child neglect, domestic violence against a parent as, **5:42** 

#### **JOINDER**

Matrimonial actions, 6:32

#### JOINT CUSTODY

Custody and visitation proceedings, final orders, **5:25**Final orders of protection, **5:25** 

#### JUDICIAL INTERVENTION

Evidence, reluctant complainant, 3:34, 3:35

#### JUDICIAL REVIEW

Appeals (this index)

#### **JUDICIARY LAW**

Family court, double jeopardy, **4:91** 

#### **JURISDICTION**

Custody and Visitation Proceedings (this index)

Family Court (this index)

Family offenses, 2:3

Matrimonial Actions (this index)
Personal Jurisdiction (this index)

**Subject Matter Jurisdiction** (this index)

Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), **5:6** 

#### **JUSTIFICATION**

Evidence, 3:22

#### LABOR LAW

Generally, 8:36-8:39

Employment discrimination against victims of domestic violence, **8:37** 

Unemployment insurance, **8:39** Workers' compensation, **8:38** 

#### LANDLORD AND TENANT

Lease or Rental Agreements (this index)

#### LAW ENFORCEMENT OFFICERS

Orders of Protection (this index)

### LEASE OR RENTAL AGREEMENTS

Housing, domestic violence and, **8:28** 

Order on petition pursuant to RPL § 227-c for termination or severance of lease or rental agreement, Form GF-39, 8:68

Petition for order terminating or severing lease or rental agreement, Form GF-38, **8:67** 

#### Severance

Order on petition pursuant to RPL § 227-c for termination or severance of lease or rental agreement, Form GF-39, **8:68** 

Petition for order terminating or severing lease or rental agreement, Form GF-38, 8:67

#### LIABILITY

Orders of protection, notice of liability for contempt, **7:28** 

### LIABILITY INSURANCE

Generally, **8:25**Negligent acts and, **8:26** 

#### LICENSES AND PERMITS

**Orders of Protection** (this index)

#### LIFE INSURANCE

Generally, 8:24

#### LITIGATION ABUSE

Orders of protection, 8:49

#### **MAINTENANCE**

Matrimonial actions, pendente lite relief, **6:19** 

## MALICIOUS PROSECUTION

Orders of protection, 8:52

#### MANDATORY ARREST

Orders of protection, 3:5, 7:43

#### MANDATORY NOTICE

Family court, obtaining respondent's presence, **4:65** 

#### **MANSLAUGHTER**

Extreme emotional disturbance, manslaughter in first degree, 2:63

Reckless homicide, manslaughter in second degree, 2:64

#### **MARITAL RAPE**

Sex crimes in context of marriage and dating, 2:73

#### MARITAL RESIDENCE

Matrimonial Actions (this index)

#### **MARRIAGE**

Actions. **Matrimonial Actions** (this index)

Custody and visitation proceedings, **5:2** 

**Divorce** (this index)

Family court, formerly married, subject-matter jurisdiction, **4:6** 

Marital rape and sex crimes in context of marriage and dating, 2:73

#### MARRIAGE—Cont'd

Marital residence. **Matrimonial Actions** (this index)

Prenuptial, Postnuptial and Separation Agreements (this index)

#### MATERIAL WITNESS ORDERS

Reluctant complainant, 3:34

#### **MATRIMONIAL ACTIONS**

Generally, **6:1-6:33** 

Attorneys

Counsel fees, interim and post, **6:21** 

Right to counsel, 6:6

Automatic orders, violations and pendente lite relief, **6:23** 

Child support, pendente lite relief, **6:20** 

Counsel fees, interim and post, **6:21** 

Custody and support, overlapping jurisdictions, **6:13** 

**Divorce** (this index)

Domestic violence, equitable distribution, **6:25** 

Equitable distribution

Generally, 6:24-6:27

Domestic violence, 6:25

Post-judgment exclusive occupancy of marital residence, **6:27** 

Final orders of protection, 6:17

Interim and post-trial counsel fees, pendente lite relief, **6:21** 

Joinder, **6:32** 

Jurisdiction

Overlapping jurisdictions, below

Subject matter jurisdiction, **6:1** 

Maintenance, pendente lite relief, **6:19** 

Marital residence

Equitable distribution, postjudgment exclusive **MATRIMONIAL ACTIONS** 

#### -Cont'd —Cont'd Marital residence—Cont'd Procedural components of action, occupancy of marital resi-6:5 dence, 6:27 Removal and consolidation in Temporary exclusive occupancy Supreme Court, overlapping of marital residence, jurisdictions, 6:14 pendente lite relief, 6:22 Residence. Marital residence, Orders of protection above Residency, 6:3 Generally, 6:15-6:17 Right to counsel, 6:6 Final orders of protection, **6:17** Severance, 6:33 Overlapping jurisdictions, 6:12 Subject matter jurisdiction, 6:1 Temporary orders of protection, Supreme Court 6:16 Family Court, compared, 6:11 Overlapping jurisdictions Overlapping jurisdictions, 6:14 Generally, 6:10-6:14 Temporary and automatic orders, Custody and support, 6:13 violations and pendente lite Orders of protection, 6:12 relief, **6:23** Removal and consolidation in Temporary exclusive occupancy Supreme Court, 6:14 of marital residence, Supreme Court and Family pendente lite relief, 6:22 Court, compared, 6:11 Temporary orders of protection, Pendente lite relief 6:16 Tort claims Generally, 6:18-6:23 Generally, 6:31 Child support, 6:20 Joinder, **6:32** Interim and post-trial counsel Valid marriage, 6:2 fees. **6:21** Maintenance, 6:19 MEDICAL CARE Temporary exclusive occupancy Evidence, statements to obtain of marital residence, **6:22** medical care, 3:48-3:50 Violation of temporary and Physician-patient privilege, eviautomatic orders, 6:23 dence, 3:50 Personal jurisdiction, 6:4 MEDICAL EVIDENCE Post-judgment exclusive Physical injury, proof of, 3:28 occupancy of marital residence, equitable distribution, MEDICAL RECORDS 6:27 Evidence, 3:49 Post-judgment maintenance, equitable distribution, **6:26** MEDICAL REPARATION Post-trial counsel fees, pendente Family court, Article 8 provision, lite relief, 6:21 4:57 Prenuptial, Postnuptial and **MENACING Separation Agreements** (this index) Family Offenses (this index)

MATRIMONIAL ACTIONS

## MENACING—Cont'd

First degree, 2:71

## MISSING WITNESS INSTRUCTION

Generally, 3:42

#### **MISUSE**

**Orders of Protection** (this index)

#### **MODIFICATION**

**Change or Modification** (this index)

#### MOTION FOR NEW TRIAL

Family court, fact-finding hearing, 4:43

## MOTION TO VACATE OR MODIFY

Orders of protection, 3:18, 7:69

#### **MURDER**

Custody and visitation proceedings, murder conviction, **5:12**Deprayed indifference murder, **2:60** 

Family Offenses (this index) Felony murder, 2:61 Second degree, 2:60, 2:61

#### NAME CHANGE

Safety and confidentiality, 8:41

### **NEGLIGENT ACTS**

Liability insurance and, 8:26

# NEGLIGENT ASSAULT WITH WEAPON

Generally, 2:50

## NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

Torts, 8:9, 8:10

#### **NEW TRIAL MOTION**

Family court, fact-finding hearing, **4:43** 

#### **NEW YORK LAWS**

Generally, 1:4-1:7

#### NEW YORK LAWS—Cont'd

Cross-discipline training, **1:7** Federal law, **1:5** Integrated domestic violence court, **1:6** 

#### NONFAMILY OFFENSE

Orders of protection, (Criminal Court), Form CRIM-2, 7:80

#### **NONPARENTS**

Custody and visitation proceedings, **5:4** 

## NON-RESPONDENT PARENTS

Child neglect, domestic violence against a parent as, **5:36** 

#### NO OFFENSE PROVISION

Family court, double jeopardy, **4:92** 

#### **NOTICE**

Family Court (this index)
Orders of Protection (this index)
Release from custody, 8:46

#### NUMBERS AND NUMBERING

Social security number, change of, 8:42

Telephone number, 8:43

## ORDERS OF PROTECTION

Generally, 7:1-7:85

Abuse of process, 8:51

Address confidentiality

Affidavit, 7:83

Order, Form GF-21a, 7:84

Adjournment in contemplation of dismissal, condition of, **3:13** 

Affidavits

Address confidentiality affidavit, **7:83** 

Affidavit in support of modification of family court over temporary order of protection or order of protection, Form GF-5d/SC-3/CRIM-6, 7:82

Index-22

ORDERS OF PROTECTION	ORDERS OF PROTECTION
—Cont'd	—Cont'd
Affidavits—Cont'd	Conditions—Cont'd
Entry of out-of-state order of	Recognizance, 3:12
protection or temporary	Confidentiality. Address
order of protection onto	confidentiality, above
statewide registry of orders	Contempt
of protection, Form GF-5e,	Civil contempt, 7:63
7:85	Criminal contempt, 3:16, 3:19,
Aggravated criminal contempt,	7:51
7:55	First degree, 7:54
Aggravating factor in other	Hearings on alleged violations,
crimes, <b>2:77</b> , <b>7:64</b>	below
Appeals	Notice of liability, 7:28
Generally, <b>7:70-7:73</b>	Second degree, 7:53
Criminal procedure law, 7:73	Conviction
Domestic relations law, 7:72	New York State, domestic
Family Court Act, 7:71	violence related crimes,
Assessment of counsel fees, 7:59	7:40
Belongings, removal of, 7:7	Orders of protection upon plea
Burden of proof, contempt	or, <b>3:15</b>
proceedings, 7:48	Counsel fees, assessment of, 7:59
Burglary, 2:79	Courts and proceedings in which
Change or modification	issued, 7:1
Affidavit in support of	Criminal contempt, 3:16, 3:19,
modification of family	7:51
court over temporary order of protection or order of	Criminal court
protection, Form GF-5d/	Generally, <b>3:10-3:19</b>
SC-3/CRIM-6, <b>7:82</b>	Condition of adjournment in
Existing orders of protection,	contemplation of dis-
modification of, below	missal, <b>3:13</b>
Motion to vacate or modify,	Condition of recognizance, 3:12
3:18, 7:69	Criminal contempt, violation as,
City or state actors, actions	3:16, 3:19
against. Enforcement, below	Ex parte orders of protection,
Civil actions for misuse, <b>8:50-</b>	3:11
8:53	Family offenses, <b>3:17</b>
Civil contempt, 7:63	Motion to vacate or to modify,
Civil proceedings	3:18
Final orders of protection, 7:23	Pendency of proceeding, viola-
Temporary orders of protection,	tion during, 3:14
7:16, 7:20	Plea or conviction, orders of
Conditions	protection upon, 3:15
Adjournment in contemplation	Subsequent charges of criminal
of dismissal, 3:13	contempt, 3:19

ORDERS OF PROTECTION	ORDERS OF PROTECTION
—Cont'd	—Cont'd
Criminal penalty for false claims	Evidence, burden of proof,
of domestic violence or child	contempt proceedings, 7:48
abuse, <b>8:54</b>	Existing orders of protection,
Criminal procedure law, appeals,	modification of
7:73	Generally, <b>7:68</b>
Criminal proceedings	Motion to modify or vacate
Final orders of protection, 7:24	order, 7:69
Temporary orders of protection,	Ex parte orders, <b>3:11</b> , <b>7:17</b> , <b>7:21</b> False arrest and imprisonment,
7:18, 7:22	8:53
Custody and Visitation Proceed- ings (this index)	False complaints. Misuse and false
Domestic relations law, appeals,	complaints, below
7:72	Family Court (this index)
Domestic violence calls, firearms,	Family Offenses (this index)
New York State, 7:34	Federal claims, enforcement
Double jeopardy, <b>7:65</b>	actions against city or state
Duties of police, 7:43	actors, <b>8:35</b>
Enforcement	Final orders of protection
	Civil proceedings, 7:23
Actions against city or state actors	Criminal proceedings, 7:24
Generally, <b>8:32-8:35</b>	<b>Custody and Visitation</b>
Federal claims, 8:35	<b>Proceedings</b> (this index)
· · · · · · · · · · · · · · · · · · ·	Family Court (this index)
Governmental immunity, ministerial versus	Firearms, New York State, 7:37,
discretionary acts, 8:34	7:38
Police and individual, special	Joint custody, 5:25
relationship between,	Legislation applicable to temporary and final orders,
8:33	7:38
Family Court (this index)	Matrimonial actions, <b>6:17</b>
Proceedings	Sentencing, <b>3:53</b>
Aggravated criminal	Sole custody, <b>5:26</b>
contempt, 7:55	Firearms
Contempt in first degree,	Generally, <b>7:30-7:35</b>
7:54	Challenges to firearms provi-
Contempt in second degree,	sions, <b>7:32</b>
7:53	Federal statutory restrictions,
Criminal contempt, 7:51	7:31
Family Court Act § 846-a,	New York State
7:56	Case law interpretation, 7:41
Penal law, <b>7:52</b>	Conviction of domestic
Violations and proceedings, 7:43-7:67	violence related crimes, <b>7:40</b>

ORDERS OF PROTECTION	ORDERS OF PROTECTION
—Cont'd	—Cont'd
Firearms—Cont'd	Issuance of order of protection,
New York State—Cont'd	7:58
Domestic violence calls, <b>7:34</b> Final orders of protection,	Joint custody, final orders of protection, <b>5:25</b>
7:37, 7:38 Legislation applicable to	Law enforcement officers. Police, below
temporary and final orders, 7:38	Liability for contempt, notice, 7:28
Orders of protection, generally, <b>7:35</b>	Licenses. Suspension or revoca- tion of licenses, below
Restrictions, 7:33	Litigation abuse, <b>8:49</b>
Temporary orders of protec-	Malicious prosecution, 8:52
tion, <b>7:36</b>	Mandatory arrest, 7:43
Violations of orders of	Matrimonial Actions (this index)
protection, 7:39	Misuse and false complaints
Revocation of firearms licenses,	Generally, <b>8:49-8:54</b>
7:61, 7:66	Abuse of process, <b>8:51</b>
Forms, generally, <b>7:74-7:85</b>	Civil actions for misuse, <b>8:50</b> -
Full faith and credit, 7:13	8:53
Governmental immunity, ministe-	Criminal penalty for false
rial versus discretionary acts,	claims of domestic violence or child abuse,
8:34	8:54
Guns. Firearms, above	False arrest and imprisonment,
Hearings on alleged violations	8:53
Generally, <b>7:44-7:50</b>	Litigation abuse, <b>8:49</b>
Contempt proceedings	Malicious prosecution, 8:52
Burden of proof, 7:48	Motion to vacate or modify, 3:18,
Family Court Act § 156, <b>7:50</b>	7:69
Pleading and proof, <b>7:47</b> - <b>7:49</b>	Nonfamily offense (Criminal Court), Form CRIM-2, <b>7:80</b>
Venue, <b>7:46</b>	Notice
Revocation of bail or	Law enforcement, 7:29
conditional release, 7:45	Liability for contempt, 7:28
Incarceration, 7:60	Person enjoined, 7:26
Injunctions	Person protected, 7:25
Criminal offenses and threats,	Terms, <b>7:27</b>
7:9	Other states, courts of, 7:13
Endangering children, family or	Penal law, <b>7:52</b>
household members, 7:10	Pendency of proceeding, violation
Person enjoined, 7:26	during, <b>3:14</b>
Interstate enforcement of orders of	Permitting visitation, 7:8
protection, 7:13	Person enjoined, notice to, 7:26

#### ORDERS OF PROTECTION ORDERS OF PROTECTION -Cont'd —Cont'd Suspension or revocation of licen-Person protected, notice, 7:25 ses Petition for violation of, Form Firearms, **7:61, 7:66** GF-8, 7:81 Professional, 7:67 Pets, protection of, 7:11 Temporary orders of protection Pleading and proof, contempt Civil proceedings, 7:16, 7:20 proceedings, 7:47-7:49 Criminal proceedings, 7:18, Plea or conviction, orders of 7:22 protection upon, 3:15 Ex parte orders, 7:17, 7:21 Police Family Court (this index) Duties, 7:43 Firearms, New York State, 7:36 Notice, 7:29 Matrimonial actions, 6:16, 6:23 Special relationship between New York State, firearms, 7:36 individual and, 8:33 Procedure, 7:20-7:22 Protection of pets, 7:11 Standards, 7:15-7:18 Recognizance, condition of, 3:12 Supreme Court, form SC-1, Refrain from communication, 7:6 7:76 Remedies Terms, 7:4-7:12, 7:27 Generally, 7:57-7:61 Threats, injunction against criminal offenses and, 7:9 Assess counsel fees, 7:59 Trespass, 2:79 Incarceration, 7:60 Uniform order of protection Issuance of order of protection, Generally, 7:2-7:13 7:58 Full faith and credit, 7:13 Revocation of firearms licenses, Injunction against criminal 7:61 offenses and threats, 7:9 Removal of belongings, 7:7 Injunction against endangering Revocation. Suspension or revocachildren, family or tion of licenses, below household members, 7:10 Sentencing, final orders of protec-Interstate enforcement of orders tion, 3:53 of protection, 7:13 Sole custody, final orders of Other states, courts of, 7:13 protection, 5:26 Permitting visitation, 7:8 Standards and procedural require-Protection of pets, 7:11 ments, 7:14-7:42 Refrain from communication. Statewide computer registry, 7:3 Stay away, 7:5 Removal of belongings, 7:7 Subsequent charges of criminal Statewide computer registry, contempt, 3:19 7:3 Supreme Court Stay away, 7:5 Form SC-2, 7:78 Terms, 7:4-7:12 Temporary orders of protection, Vacate or to modify, motion to,

3:18, 7:69

form SC-1, 7:76

#### ORDERS OF PROTECTION

—Cont'd

Venue, contempt proceedings, **7:46** 

Weapons. Firearms, above

#### **OTHER STATES**

Orders of protection, 7:13

## **OUT-OF-COURT STATEMENTS**

**Evidence** (this index)

#### **OUT-OF-STATE**

Family court, acts committed out of state, **4:12** 

### OVERLAPPING JURISDICTIONS

**Matrimonial Actions** (this index)

#### OVERREACHING

Prenuptial, postnuptial and separation agreements, **6:30** 

#### **PARENTAGE**

Custody and visitation proceedings, **5:2-5:5** 

#### **PARTICIPATION**

Custody and visitation proceedings, children's participation in. **5:20** 

#### PENAL LAW

Family court, **4:91** Orders of protection, **7:52** 

#### PENDENCY OF PROCEEDING

Violations during, orders of protection, **3:14** 

#### PENDENTE LITE RELIEF

Matrimonial Actions (this index)

### PERMANENCY HEARINGS

Child neglect, domestic violence against a parent as, **5:38** 

## PERMANENT NEGLECT

Child neglect, domestic violence against a parent as, **5:44** 

#### PERSONAL JURISDICTION

Family court, **4:13** Matrimonial actions, **6:4** 

#### **PETITIONS**

Family Court (this index)

#### **PETS**

Orders of protection, 7:11

#### **PHOTOGRAPHS**

Physical injury, proof of, 3:29

# PHYSICAL CONTACT AND THREATS

Family offenses, 2:38

#### PHYSICAL INJURY

Aggravated harassment, subjecting person to physical conduct causing physical injury, 2:43

### Assault and Battery (this index)

**Evidence** (this index)

Witness accounts, 3:30

### PHYSICIAN-PATIENT PRIVILEGE

Evidence, 3:50

### **PLEADINGS**

Family Court (this index)

#### **POLICE**

**Orders of Protection** (this index)

## **POSTNUPTIAL AGREEMENTS**

Prenuptial, Postnuptial and Separation Agreements (this index)

## PRENUPTIAL, POSTNUPTIAL AND SEPARATION AGREEMENTS

Generally, **6:28-6:30** 

Coercion, 6:30

Duress, **6:29** 

Incapacity, 6:29

Overreaching, 6:30

## PRE-PETITION PROCEDURES

Family court, **4:16, 4:17** 

#### PRESENCE OF ACCUSED

Family court, 4:87

## PRESENT SENSE IMPRESSION

Evidence, 3:46

## **PRESUMPTIONS**

**Burden of Proof** (this index)

### PRIOR TESTIMONY

Evidence, unavailable or intimated witness, **3:41** 

Unavailable or intimated witness, **3:41** 

#### **PROBATE**

Generally, 8:27

#### **PROBATION**

Family court, 4:49

## PROCESS AND SERVICE OF PROCESS

Family Court (this index)

## PROSECUTIONS OF DOMESTIC VIOLENCE

Generally, **3:1-3:9** 

Constitutional criminal procedure laws, **3:4** 

Criminal proceedings, 3:2, 3:3

Integrated domestic violence parts, 3:3

Interest of justice, 3:9

Mandatory arrest, 3:5

Practical considerations, 3:8

Procedural considerations, 3:7

Purpose, 3:1

Specific considerations, 3:7-3:9

Victim's right to know and right to be heard, **3:6** 

## PSYCHOLOGICAL OR PSYCHIATRIC EVIDENCE

Generally, 3:20

## PUBLIC AND FEDERALLY SUBSIDIZED HOUSING

Protection for domestic violence victims in, **8:30** 

### **PUBLICATION**

Family offenses, publication or unlawful dissemination of intimate image, 2:8

#### QUASHAL

Evidence, victim's motion to quash subpoena and/or for protective order, **3:25** 

#### RECKLESS ASSAULT

Generally, 2:49

#### RECKLESS ENDANGERMENT

Family offenses, 2:20, 2:21

#### RECKLESS HOMICIDE

Manslaughter in second degree, **2:64** 

## RECKLESS SERIOUS

PHYSICAL INJURY WITH WEAPON

Generally, 2:54

## RECOGNIZANCE

Orders of protection, condition of recognizance, 3:12

#### RECOLLECTION

Witness without, 3:37

## RECORDS AND RECORDINGS

Election law, confidentiality of voter registration records, 8:48

1 .

Family court, record sharing between family and criminal court, **4:84** 

Medical records, 3:49

### REFUSAL TO TESTIFY

Witnesses, 3:36

## REGISTRATION AND REGISTRIES

Orders of protection. **Statewide Registry** (this index)

Voter registration, election law, confidentiality of voter registration records, **8:48** 

#### RELOCATION

Crime victims compensation, **8:61** Custody and visitation proceedings, **5:33** 

#### RELUCTANT COMPLAINANT

Evidence (this index)
Witnesses (this index)

#### REMEDIES

Damages (this index)

Family Court (this index)

Legal remedies, 1:3

**Orders of Protection** (this index) Statutory remedies, evolution of,

## REMOVAL

1:4

Child neglect, domestic violence against a parent as, **5:37** 

Matrimonial actions, removal and consolidation in Supreme Court, **6:14** 

Orders of protection, removal of belongings, 7:7

#### **RENTAL AGREEMENTS**

Lease or Rental Agreements (this index)

### RESIDENCE OR DOMICILE

**Matrimonial Actions** (this index)

#### RESIDENCY

Matrimonial actions, 6:3

### RESTITUTION

Family court, 4:51

#### REVOCATION

**Suspension or Revocation** (this index)

### RIGHT OF CONFRONTATION

Evidence, 3:44

#### RIGHT TO COUNSEL

Custody and visitation proceedings, **5:15** 

Family court, **4:36** 

Matrimonial actions, 6:6

#### RIGHT TO HEARING

Custody and visitation proceedings, **5:14** 

#### RULES OF PROCEDURE

Family court, concurrent family and criminal court proceedings, **4:88** 

## SAFETY AND CONFIDENTIALITY

Generally, 8:41-8:46

Certification, state address confidentiality program, **8:44**, **8:45** 

Election law, confidentiality of voter registration records, 8:48

Name change, 8:41

Notice of release from custody, **8:46** 

#### **Orders of Protection** (this index)

Renewal or cancellation of certification, state address confidentiality program, **8:45** 

Social security number, change of, **8:42** 

State address confidentiality program, certification, **8:44**, **8:45** 

Telephone number, 8:43

### **SELF-DEFENSE**

Evidence, 3:22

## SELF-INCRIMINATION PRIVILEGE

Family court, 4:97

#### SENIOR CITIZENS

Assault, 2:53

#### SENTENCING

Generally, 3:52-3:55

Consideration of victim impact, **3:54** 

Defendant, victim as, 3:55

Evidence, relevance of batteredperson syndrome to sentencing, **3:23** 

Final order of protection in addition to other disposition, **3:53** 

#### **SEPARATION AGREEMENTS**

Prenuptial, Postnuptial and Separation Agreements (this index)

#### SERIOUS PHYSICAL INJURY

**Assault and Battery** (this index)

Evidence, 3:27

Reckless serious physical injury with weapon, **2:54** 

#### SERVICE OF PROCESS

Family Court (this index)

#### **SEVERANCE**

**Lease or Rental Agreement** (this index)

Matrimonial actions, 6:33

#### SEVERE ABUSE

Child neglect, domestic violence against a parent as, **5:45** 

#### SEX OFFENSES

Custody and visitation proceedings, child conceived as result of sex offense, **5:13** Family offenses, **2:36** 

#### **SEXUAL ABUSE**

Family offenses, 2:12, 2:13

#### SEXUAL MISCONDUCT

Family offenses, 2:10

#### **SHARED INTENT**

Custody and visitation proceedings, **5:3** 

#### SHARED OCCUPANCY

Housing, **8:29** 

## SIMULTANEOUS PROCEEDINGS

Family court, **4:80, 4:81** 

#### SOCIAL SECURITY NUMBER

Change of, 8:42

#### **SOLE CUSTODY**

Orders of protection, final orders of protection, **5:26** 

## SPECIAL BALLOTS

Election law, 8:47

#### SPEEDY TRIAL

Family court, 4:86

## SPOUSAL PRIVILEGE

Evidence, 3:51

## SPOUSE V. SPOUSE

Standing to sue, 8:1

#### **STALKING**

Family Offenses (this index)

#### **STANDING**

Child v. parent torts, 8:2

Custody and Visitation Proceedings (this index)

## STATEMENTS TO OBTAIN MEDICAL CARE

Evidence, 3:48-3:50

## STATEWIDE REGISTRY

Affidavits, entry of out-of-state order of protection or temporary order of protection onto statewide registry of

#### STATEWIDE REGISTRY

-Cont'd

orders of protection, Form GF-5e, **7:85** 

Orders of protection, 7:3, 7:85

### STATUTE OF LIMITATIONS

Family court, 4:86

Torts (this index)

#### **STAY AWAY**

Orders of protection, 7:5

#### **STIPULATIONS**

Custody and Visitation Proceedings (this index)

#### **STRANGULATION**

Family offenses, 2:22-2:24

### SUBJECT MATTER JURISDICTION

**Family Court** (this index) Matrimonial actions, **6:1** 

#### **SUBPOENAS**

Evidence, victim's motion to quash subpoena and/or for protective order, **3:25** 

### SUBSEQUENT CHARGES

Criminal contempt, orders of protection, **3:19** 

## SUBSTANTIAL CHANGE OF CIRCUMSTANCES

Custody and visitation proceedings, **5:31** 

#### SUBSTITUTE SERVICE

Family court, securing respondent's appearance, **4:33** 

#### **SUMMONS**

Family Court (this index)

#### **SUPPORT**

Custody and Support (this index)

#### SUPREME COURT

**Constitutional Law** (this index)

#### SUPREME COURT—Cont'd

Matrimonial Actions (this index)
Orders of Protection (this index)

## SUPREME COURT MATRIMONIAL TERM

Family court, 4:15

#### SUSPENDED JUDGMENT

Family court, 4:48

## SUSPENSION OR REVOCATION

Family court, suspended judgment, **4:48** 

**Orders of Protection** (this index)

#### TELEPHONE CALLS

Family offenses, telephone call with no purpose of legitimate communication, aggravated harassment, 2:42

#### TELEPHONE NUMBER

Safety and confidentiality, 8:43

## TEMPORARY EMERGENCY JURISDICTION

Custody and visitation proceedings, **5:7** 

## TEMPORARY EXCLUSIVE OCCUPANCY OF MARITAL RESIDENCE

Matrimonial actions, pendente lite relief, **6:22** 

## TEMPORARY ORDER OF SUPPORT

Family court, Article 8 provision, **4:59** 

## TEMPORARY ORDERS OF PROTECTION

**Orders of Protection** (this index)

### **TERMS**

Orders of protection, **7:4-7:12**, **7:27** 

#### **THREATS**

Family offenses, physical contact and threats, 2:38

Orders of protection, injunction against threats, 7:9

Witnesses, unavailable or intimated, **3:40** 

#### TOLLING

Statutes of limitations, 8:21

#### **TORTS**

Generally, 8:1-8:68

**Assault and Battery** (this index)

Causes of action, generally, **8:3-8:18** 

Child v. parent, standing to sue, **8:2** 

Convictions. Criminal convictions, below

Course of conduct causing emotional distress, statutes of limitations. **8:20** 

Criminal convictions

Domestic partners, torts between, **8:5** 

Statutes of limitations, 8:22

Damages

Assault and battery between domestic partners, **8:6** 

Infliction of emotional distress, **8:11** 

Unlawful dissemination or publication of an intimate image, 8:13

Wrongful death, 8:16

Domestic partners, torts between

Generally, 8:4

Assault and battery, 8:6

Criminal conviction, 8:5

Damages, 8:6

Infliction of emotional distress

Damages, 8:11

Domestic context, 8:8

#### TORTS—Cont'd

Infliction of emotional distress
—Cont'd

Intentional infliction of emotional distress, **8:7**, **8:8**, **8:20** 

Statutes of limitations, **8:20**Intimate image, unlawful dissemination or publication of an, **8:12** 

Intrafamilial standing to sue for acts of domestic violence, 8:1, 8:2

Limitation on tort actions, Violence Against Women Act, 8:17

Matrimonial Actions (this index) Negligent infliction of emotional distress, 8:9, 8:10

Spouse v. spouse, standing to sue, **8:1** 

Statutes of limitations

Generally, 8:19-8:22

Course of conduct causing emotional distress, **8:20** 

Criminal convictions, 8:22

Effect of domestic violence upon, **8:19-8:22** 

Infliction of emotional distress, **8:20** 

Tolling of, 8:21

Wrongful death, 8:15

Tolling of statutes of limitations, **8:21** 

Tort by domestic violence victim against abuser, generally, 8:3-8:18

Unlawful dissemination or publication of an intimate image, 8:12, 8:13

Victims of Gender-Motivated Violence Protection Act, **8:18** 

Wrongful Death (this index)

#### **TOUCHING, FORCIBLE**

Family offenses, 2:11

#### **TRANSFERS**

Family court, transfers to criminal court, **4:37**, **4:83** 

#### TRESPASS

Orders of protection, 2:79

#### UNCHARGED BUT SIMILAR ACTS

Evidence, 3:31

## UNEMPLOYMENT INSURANCE

Labor law, 8:39

## UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)

Custody and visitation proceedings, **5:6**, **5:7** 

## UNIFORM ORDERS OF PROTECTION

**Orders of Protection** (this index)

## UNLAWFUL DISSEMINATION OR PUBLICATION

Intimate image, 2:8, 2:9, 8:12, 8:13

## UNLAWFUL IMPRISONMENT

Generally, 2:72

## "U" NONIMMIGRANT STATUS Generally, 8:66

Orders of protection, **3:18, 7:69** Temporary orders of protection, **4:29** 

VACATING OR SETTING ASIDE

#### **VENUE**

Family court, **4:11**Orders of protection, contempt proceedings, **7:46** 

### VICTIM IMPACT

Sentencing, consideration in, 3:54

#### VICTIMS OF

GENDER-MOTIVATED VIOLENCE PROTECTION ACT

Generally, 8:18

## VICTIM'S RIGHT TO KNOW AND RIGHT TO BE HEARD

Prosecutions of domestic violence, 3.6

## VIOLENCE AGAINST WOMEN ACT (VAWA)

Immigration, VAWA self-petition, **8:65** 

Limitation on tort actions, 8:17

#### VOTER REGISTRATION

Election law, confidentiality of voter registration records, 8:48

#### WARRANTS

Family Court (this index)

### WEAPONS AND FIREARMS

**Assault and Battery** (this index)

Family offenses, display of deadly weapon or dangerous instrument, menacing in second degree, 2:45

Gun-related offenses, 2:80 Negligent assault with weapon, 2:50

**Orders of Protection** (this index)

## WITNESSES

Impeaching one's own witness, rules of, **3:39** 

Intimated witness. Reluctant complainant, below

Material witness orders, reluctant complainant, **3:34** 

Missing witness instruction, **3:42** Physical injury, witness accounts, **3:30** 

Prior testimony, unavailable or intimated witness, **3:41** 

#### NEW YORK LAW OF DOMESTIC VIOLENCE

## WITNESSES—Cont'd

Recollection, witness without, 3:37

Refusal to testify, 3:36

Reluctant complainant

Material witness orders, 3:34

Rules of impeaching one's own

witness, **3:39** 

Unavailable or intimated witness, below

Witness' refusal to testify, 3:36

Witness without recollection, 3:37

Rules of impeaching one's own witness, **3:39** 

Threats, unavailable or intimidated witness, **3:40** 

## WITNESSES—Cont'd

Unavailable or intimidated witness

Generally, 2:74

Prior testimony, 3:41

Threats, **3:40** 

Witness accounts, 3:30

#### WORDS AND PHRASES

**Definitions** (this index)

## WORKERS' COMPENSATION

Generally, 8:38

## WRONGFUL DEATH

Generally, 8:14

Damages, **8:16** 

Statute of limitations, 8:15