



Preparing Your Child to Testify in Court (Victim)

You are not alone. Many children and families have to go to court at some point. Remember there are people who will support you and your child throughout the court process.

Introduction (00:20 – 01:00)

- Children who have to go to court may feel anxious or nervous about it. Parents and guardians can have an important role in helping children feel more comfortable and understand the court process.
- If your child saw or experienced something that requires them to testify as a witness, you may receive a subpoena to bring your child to court.
 - The subpoena will state the time, date, and location that your child will need to appear in court.

Learning About the Court and Legal Process (01:00 – 02:04)

- Before your child goes to court, talk to them about how court works and give them a chance to ask questions.
 - Your child may not understand how court works or what to do, and they may feel overwhelmed.
 - Your child may understand that what happens in court can affect their family; they may want to testify in court about what happened, but they may also be scared that people may be mad at them if the case doesn't go a certain way.
- When talking to your child about court, do not discuss what they saw or heard in the past that caused them to be a witness. Instead, focus on the process and how court works.
- Knowing who they will see in the courtroom, what to expect, and their role may help your child feel more comfortable when called to testify.
 - The prosecutor or lawyer in a protective order case can help explain the process and answer their questions.
 - A victim advocate or therapist can also provide support for your child before, during, and/or after the court hearing.

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Who They Will See in Court (02:04 – 03:52)

- In the courtroom, your child will see several people who all play important roles. If your child is testifying in a criminal case, they will see the defendant, the defense attorney, and the prosecutor. If your child is testifying in a protective order case, they will see the respondent, the respondent's lawyer, and your lawyer.
 - The defendant or respondent is the person accused of the crime or committing the abuse.
 - The defense attorney or respondent's lawyer's job is to represent the defendant or respondent.
 - The prosecutor or petitioner's lawyer is responsible for trying to prove that the defendant or respondent committed a crime or was abusive.
- Both sides call witnesses to testify; witnesses are people who come to court to describe what they saw or heard.
 - If your child received a subpoena to come to court, they are a witness in the case.
 - All witnesses take an oath or promise to tell the truth.
- The judge's job is to make sure everyone follows the rules and sometimes decide the issues being argued. In most courts, the judge sits in the front of the courtroom at a desk called the bench.
 - The judge may ask your child questions directly in a child friendly way.
- In some criminal cases, a jury, a group of twelve people from the community, decide whether the defendant is guilty or not guilty.
- The bailiff or sheriff's job is to make sure that people in the courtroom obey the rules and that everyone stays safe. The bailiff or sheriff usually wears what looks like a police officer's uniform.
- The court clerk keeps and organizes all papers about the case. They also keep track of the decisions that the judge makes.



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Visiting the Courtroom Before Testifying (03:52 – 05:04)

- Visiting the courtroom before the hearing can help your child feel more comfortable about going to court to testify.
 - The prosecutor, your lawyer, or a victim advocate can show your child where they will sit in the hearing and describe who will be in the room.
 - Before the hearing, your child should know where the defendant or respondent will sit. Your child will not have to look at the defendant or respondent unless they are asked to identify that person during the hearing.
 - The prosecutor or your lawyer in a protective order case should show your child where they will wait to testify.
 - On your visit, your child can sit on the witness chair and practice answering simple questions.
- Your child can be accompanied to court by a support person who is not a witness in the case; this person can sit in the front row and your child can look at them during the hearing.
- On the actual court date, there may also be other people in the room watching the case.

Testifying in Court (05:04 – 06:00)

- When your child is called to testify, they take an oath to tell the truth. The most important thing for your child to remember is to tell the truth no matter what. A truthful answer is never a wrong answer.
 - Both the prosecutor and defense attorney may ask questions.
 - If your child does not know the answer, they can say, “I don’t know.”
 - If your child does not understand the question, they can say, “I don’t understand.”
 - If your child does not remember the answer, they can say, “I don’t remember.”
- If your child prefers to speak a language other than English, tell the prosecutor or your lawyer so they can request an interpreter.
- When your child testifies, they may be able to bring a comfort item with them such as a blanket, stuffed animal, or stress ball.



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Supporting Your Child After Testifying (06:00 – 06:20)

- It is important to have a plan to support your child before, during, and after the hearing.
 - Make sure your child has the support they need from you, another parent, family member, or guardian, therapist, or victim advocate.
 - You can find more information about victim services at:
<https://www.mdcrimevictims.org/victim-services/>

House of Ruth Maryland Hotline: 410-889-RUTH (7884) | www.hruth.org
National Domestic Violence Hotline: 1-800-799-7233 | www.thehotline.org