

What is an EPO and what is the purpose of an EPO Review?

An EPO provides for protection of victims of family violence and abuse. Since it can be granted by the court without notifying the Respondent, a review hearing allows the Respondent to be present and to tell their side of the story to the judge, who would then decide whether the EPO should be extended. The Respondent will be notified of the Review when he/she is served the Order by police, and may decide to attend the hearing.

Where and when will it be?

A review hearing will be held in Court of Queen's Bench within 9 working days after EPO has been granted. The Claimants are required to attend court at 10 am to speak to Duty Counsel. Mark down Term 7 of the EPO that will provide date, time and courtroom number for your review hearing. You will be contacted 24 hours prior to the review by the EPO Program regarding your wishes to uphold or vacate the Order and to provide you with more details. If you do not hear from them until 1 day before your review, you can contact the program at 403-297-5260.

Would the judge know my story?

The judge will have the application and the transcript of what you said when you first applied for the EPO. The judge would have read that information and would know why you applied for this EPO.

How can I prepare for the hearing?

1. As the Claimant for the EPO, you are entitled to a free lawyer through Legal Aid. Call Legal Aid at 403-297-5260 and speak to the lawyer that will represent you at the review hearing. (It could be a roster lawyer if Legal Aid is at capacity which is also free of cost to the Claimants). See Q&A Nos. 1 to 3.
2. If the respondent violates the EPO, whether directly or indirectly, call the police (see Q&A No. 4). Keep a record of the date, time, location, police report number, witnesses, injuries you suffer and the impact on children of the incident.
3. Generally the court only considers information on the application and on the transcript. No new additional information is accepted by the court but if you have additional information, including breach of the EPO, speak to your lawyer.

4. Before the hearing, you may receive the Respondent's affidavit which states their version of the story (it will not be delivered by the Respondent in person). Read the affidavit and discuss with your lawyer.

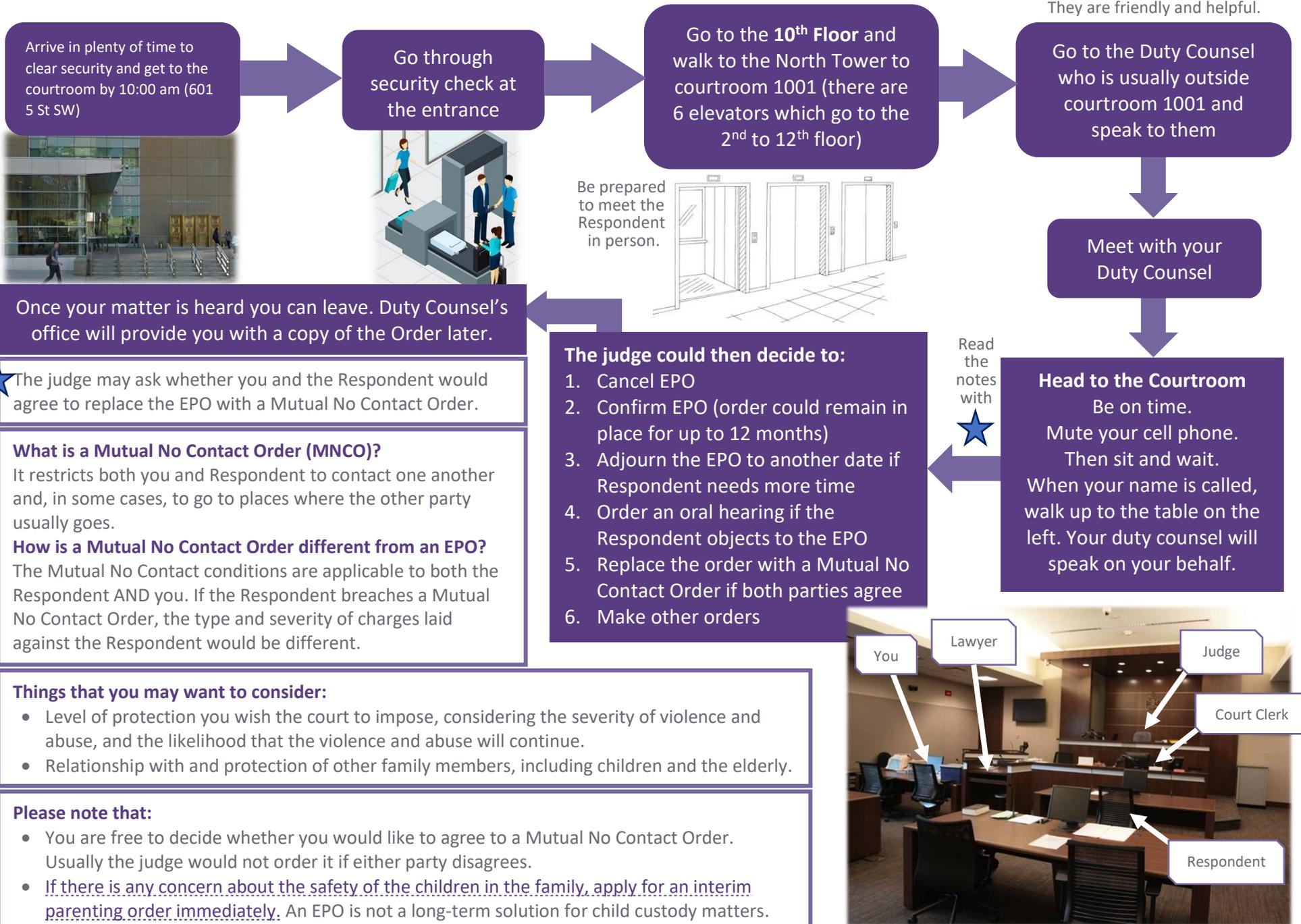
On the day of hearing

5. Bring a pen and paper, a copy of your court documents including the EPO, your affidavit if you submitted one (see No.3), and the Respondent's affidavit if you received one (see No.4).
6. You may see the Respondent in person. If you do not feel safe, bring a support person – it could be your friend, family member or support worker (Calgary Women's Emergency Shelter and Strathmore Shelter have Court Programs that can attend court with clients).

7. There is security check at the building entrance. Do not bring scissors, alcohol, and any sharp or dangerous objects.
8. Arrive at 9:45 – 10:00 am to discuss with the duty counsel! your goals in court. The duty counsel lawyer will also discuss with the Respondent on your behalf and then advise you on the available options.
9. Be prepared to hear the Respondent's version of the incident in court.

Affidavit: a written statement confirmed by oath
Claimant: the person who applies for the EPO
Duty counsel: lawyers who provide free legal advice and represent you in EPO hearings if you do not have a private lawyer
EPO application forms: the Originating Application form you submitted to the court when you applied for an EPO
Respondent: the person against who you have this EPO
Court Clerk: manages clerical functions in the courts

On the Day of Review Hearing



Disclaimer: This map is for general information purposes and professional consultation is recommended.

