

Legal Advocate Checklist



This checklist may be used by rape crisis center staff legal advocates when providing accompaniment for survivors.

- Accompaniment.** Assure the survivor that they are not alone and that a legal advocate can accompany them through all legal processes.
- Statute of Limitations.** Explain that there is a time limit for filing suits. If the survivor has questions or concerns about when they should file, refer them to the local District Attorney's office or the Attorney General's office for help.
- Counseling.** If the survivor has not received counseling yet, discuss the option of calling a counselor. Explain that rape crisis centers offer free and confidential counseling 24 hours a day. Provide the center hotline number.

Criminal Cases

- Police Report.** The survivor has the option to file a police report and begin the criminal justice process. Explain the pros and cons to help the survivor make a decision. If the survivor chooses to make a report, explain that the District Attorney's office will consider the amount of evidence, which charges can be filed, and if guilt can be proved "beyond a reasonable doubt" to decide if charges should be filed.
- Court Process.** Explain the court process to the survivor and what will happen at each step, including: the preliminary hearing, arraignment, pre-trial conferences, trial, and sentencing hearing. All hearings are open to the public and the survivor is considered a witness for the Commonwealth of Pennsylvania.
- Victim Impact Statement.** Discuss the option to give a victim impact statement with the survivor. The statement allows the survivor and/or family to tell the judge how the crime has affected them and is read at the sentencing hearing.
- Victims Compensation Assistance Program (VCAP).** Discuss the VCAP with the survivor. The survivor may be eligible for reimbursement for expenses resulting from the assault. Explain that the survivor must submit a claim form to VCAP to receive help and a counselor can assist with this process.

- Office of the Victim Advocate (OVA).** The OVA provides information on the location of offenders, parole and release dates, and victim/offender mediation. The survivor must register with OVA to receive this information.

Civil Cases

- Protection Order.** Explain the different types of protection orders. A Protection from Abuse Order (PFA) is available when the survivor is related to or has lived with the perpetrator. A Sexual Violence Protection Order (SVPO) is available when the survivor and the perpetrator are not related and have not had an intimate relationship. A Protection from Intimidation Order (PFI) is available in cases of harassment or stalking involving a survivor who is a minor and a perpetrator who is over the age of 18. Attorneys are available to assist the survivor at every step of the protection order process. Attempt to refer the survivor to an attorney in their county. If the survivor cannot access an attorney in their county, PCAR can provide legal help. The survivor can call PCAR's Sexual Violence Legal Assistance Project (SVLAP) at 717-901-6784, Monday – Friday from 9:30 a.m. – 4 p.m.
- Civil Suit for Damages.** In some cases, the survivor may file a civil suit to collect damages caused by the assault. If so, the survivor may be referred to a trauma-informed private attorney who practices in this area.
- Other Civil Issues.** Explain that you can also help the survivor find legal services for a variety of civil issues. Determine if there is an available attorney in the survivor's county. If not, the survivor may call PCAR for legal help.

Assistance & Resources

Pennsylvania Coalition Against Rape
1-800-692-7445 | www.pcar.org

PCAR's Sexual Violence Legal Assistance Project
Monday-Friday 9:30 a.m.– 4 p.m.
1-717-901-6784

National Sexual Violence Resource Center
1-877-739-3895 | www.nsvrc.org

National Crime Victim Bar Association
1-202-467-8753 | www.victimbar.org

Office of the Victim Advocate
1-202-467-8753 | www.ova.state.pa.us

Victims Compensation Assistance Program: Pennsylvania Commission on Crime and Delinquency
1-800-233-2339 | www.pccd.pa.gov

Local Resource Numbers: