

Domestic Violence Restraining Order (DVRO) Writing Guide & Self-Assessment

Purpose

Domestic Violence Restraining Order (DVRO) declarations are often a judge's first impression of a client's case. Clear, concise, factual writing helps the court understand what happened and strengthens the client's credibility.

This guide is designed to assess and improve the writing skills needed to draft effective restraining order declarations. Complete the self-assessment exercises, then review any areas that need improvement using the accompanying guidance and resources.

Part I. Grammar Fundamentals

Strong grammar creates clear, professional writing. While grammar alone will not determine the outcome of a case, grammatical errors can distract the reader and sometimes change the meaning of a sentence.

A. Capitalization

What is capitalization?

Capitalization is the correct use of uppercase letters for proper nouns, titles, geographic locations, days, months, and the beginning of sentences.

Why does it matter?

Correct capitalization improves readability and professionalism. It also helps readers quickly identify names, places, organizations, and other important information in a declaration.

Instructions

Correct the capitalization errors in the following sentences.

1. she served belgian waffles and canadian bacon for breakfast.

2. on tuesday we will be studying roman numerals in our math class.

3. north dakota weather is brutal in the wintertime

B. Homophones

What are homophones?

Homophones are words that sound alike but have different spellings and meanings (for example, **their**, **there**, and **they're**).

Learn more about when to use “their”, “there”, and “they’re” [here](#).

Why does it matter?

Using the correct homophone helps ensure your writing is clear, accurate, and professional. Because homophones sound the same, they are easy to confuse. Using the wrong word can distract the reader or change the meaning of a sentence.

Instructions

Circle the correct word to complete each sentence.

1. Dad doesn't think (its or it's) a good idea to play outside today.
2. (There, Their or They're) always late.
3. James said, "I ate (to, too, or two) much ice cream."
4. The football team won (its or it's) final game.
5. Can you help me fix (there, their or they're) computer?
6. "I watered all the house plants, (except or accept) the cactus," boasted Hannah.
7. Zachary doesn't know (whose or who's) on his soccer team this season.
8. May I borrow (your or you're) baseball mitt?
9. Reagan helped her mom bake muffins (than or then) they each ate one.
10. A large body of water will (affect or effect) the weather patterns on nearby land.
11. Dr. Arias gave his patient (advice or advise) on how to take care of himself.
12. Grandma does not like to (except or accept) help from anyone.
13. This cherry pie is delicious!" Karina exclaimed. "(Whose or Who's recipe is this?"
14. My teacher will not (except or accept) any late homework assignments.
15. The rescheduling of band practice might (affect or effect) Kayleigh's study time.
16. The young actress hired a stylist to (advice or advise) her on the latest fashions.
17. The mother cat and (its or it's) kittens are taking a long nap.
18. A side (affect or effect) of the medicine is drowsiness.
19. You have (to, too or two) many toys in your bedroom.
20. (Your or You're) going with (your or you're) father to pick up (your or you're) friends at the park.

C. Pronouns

What are pronouns?

Pronouns are words that replace nouns or refer back to people, places, or things. Common pronouns include I, me, myself, he, she, they, we, us, and them.

Pronouns change form depending on how they are used in a sentence. For example:

- **Subject pronouns** identify who *performs* an action: I, he, she, we, they
 - She called the police.
- **Object pronouns** identify who *receives* an action: me, him, her, us, them
 - The officer spoke with me.
- **Reflexive pronouns** refer back to the person who performed the action: myself, himself, herself, ourselves, themselves
 - I prepared the declaration myself.

Learn more about when to use “me”, “myself”, and “I” [here](#).

Why does it matter?

Using the correct pronoun form makes writing grammatically correct and helps the reader understand who is performing an action and who is affected by it.

This is especially important in legal writing, including restraining order declarations, where unclear or incorrect pronoun use can make it difficult to understand who did what, who experienced an event, and whose actions are being described.

Instructions

Circle the correct pronoun to complete each sentence.

1. Dad said he would pay my brother and (I, me, or myself) ten dollars to clean the garage.
2. Alexis had grapes, but (I, me or myself) had apple slices
3. Paul awarded first place to (I, me or myself).
4. If you ask (I, me or myself), (I, me, or myself) would say that, for (I, me or myself), I would prefer to go to a Mexican restaurant.

Part II. Sentence Clarity

Even grammatically correct sentences can confuse readers if they are poorly constructed. Clear sentences help judges quickly understand the facts and reduce the possibility of misunderstanding.

Misplaced and Dangling Modifiers

What are misplaced and dangling modifiers?

Modifiers are words or phrases that describe another word in a sentence.

A **misplaced modifier** is too far away from the word it describes, making the sentence confusing.

A **dangling modifier** describes a word that is missing from the sentence altogether.

Learn more about misplaced and dangling modifiers [here](#), [here](#), and [here](#).

Why does it matter?

Poor sentence structure can unintentionally change the meaning of a sentence or make it unclear who performed an action. Clear sentence construction helps communicate your client's story accurately.

Instructions

Rewrite the following sentences to eliminate misplaced or dangling modifiers while preserving its original meaning. Refer to [this page](#) for more information on how to correct misplaced or dangling modifiers.

1. The students watched the bears looking through binoculars.

2. She saw a roach opening the refrigerator door.

3. Tickets have gone on sale for the play in the college box office.

4. He brought a doughnut filled with jelly from the bakery.

5. Soaked in sweat, Sam was hot and thirsty.

6. Hanging on the wall, I read his diploma.

7. Hot and sizzling, the hamburgers tasted great.

8. After sleeping on the open ground, a cot was a welcome change.

9. Though very happy, the wedding ring didn't fit her finger.

10. Waiting for the bus, a storm blew in. while?

11. She found a spider cleaning the bathroom. while?

12. While cleaning the bathroom, a spider ran under the door. (she was?)

13. Smiling, the refund was handed to her by the clerk.

14. The clerk handed her the refund with a smile.

15. We ordered delicious pizza after watching the movie.

16. After saving \$600, a car was purchased.

17. She greeted the plumber at the door in a nightgown.

18. She greeted the plumber in a nightgown at the door.

19. While waiting for her ride, Sarah got soaked when it began to rain.

20. Having eaten too much pie, my stomach didn't feel well.

For more practice with modifiers, go [here](#).

Part III. Legal Writing Style

Legal writing should be clear, concise, factual, and easy to understand. Judges often read many declarations in a short period of time. Good writing helps them quickly identify the important facts.

A. Be Concise

What is concise writing?

Concise writing communicates the intended message using only the words necessary.

Learn more about writing concisely [here](#) and [here](#).

Why does it matter?

Unnecessary words make important facts harder to find. Concise writing keeps the reader focused on the client's story instead of the writing itself.

Instructions

Delete at least four consecutive words in the following sentences, replace the words with just one word. You may rephrase ideas and rearrange sentences, but don't change the meaning.

1. The court examined a number of cases and stated that there appeared to be only a limited number of instances in which there would exist a duty to disclose the illegal conduct of persons who, through political campaigns, seek election to a public office.

2. Beale has wholly failed to allege facts that, if true, would establish that competition among the nation's law schools would be reduced or that the public has been in any way injured and this failure to allege facts that would establish an injury to competition warrants the dismissal of her restraint-of-trade claim.

3. Even assuming that the fog caused injury to Roelke, Amskills had no duty to prevent that injury because it was idiosyncratic and Amskills could not have been expected to foresee such injury.

B. Be Precise

What is precise writing?

Precise writing uses specific words instead of vague or general ones.

Learn more about writing precisely [here](#) and [here](#).

Why does it matter?

Specific details make declarations stronger, easier to understand, and more credible.

Instructions

In the following exercises, select the listed word or phrase that is the most specific.

1. Fruit juice, drink, lemonade, juice, liquid
2. Laborer, carpenter, employee, human being, woman
3. Seat, desk chair, chair, furniture, swivel chair

Now find more specific words in lieu of the following general words

1) Educational institution _____

2) Food _____

3) Punishment _____

C. Use Active Voice

What is active voice?

In active voice, the subject *performs* the action. The opposite of active voice is passive voice, in which the subject *receives* the action. In both of the following examples, “he” is the subject.

Active voice:

He pushed me.

Passive voice:

I was pushed by him.

Learn more about active and passive voice [here](#) and [here](#).

Why does it matter?

Active voice is clearer, more direct, and easier to understand. It also clearly identifies who performed each action.

Instructions

Rewrite each sentence using active voice.

1. Testimony was heard from the Plaintiff and from three witnesses on behalf of the corporation.

2. The coffee was still boiling after it was served.

3. The wind was making the tree sway.

4. The three days were being walked.

5. We were driven to the beach by Caleb in his minivan.

D. Sentence Length

Why sentence length matters

Long or overly complicated sentences can confuse readers and bury important information.

Learn more about sentence length [here](#) and [here](#).

Why does it matter?

Shorter, well-organized sentences improve readability and help judges quickly understand the facts. A good rule is to keep sentences under 25 words.

Instructions

Rewrite the following passages, keeping sentences under 25 words. You might correct punctuation and/or divide ideas into shorter sentences.

1. I moved to the United States when I was young it was easy to learn English, my parents were already here, they knew English already.

2. Juan and David recognized each other they had been in the first grade together.

3. Up the stairs trudged two reluctant six year olds they were being made to go to bed.

4. Due to the fact that Jim liked chocolate, he was very upset when the candy company cancelled production of his favorite chocolate bar.

5. Look at your fingertips and you will see small ridges in the skin the pattern of those ridges is different from anyone else's fingerprints never change if the skin were burned off your fingertips time and again your fingerprints would be the same as they were once the skin heals

Part IV. Tips for Writing for Restraining Order Declarations

Good declarations do more than demonstrate proper grammar - they tell the client's story clearly, accurately, and credibly.

Write in the Client's Voice

Why does it matter?

A declaration should reflect the client's own experiences and way of speaking. Use language that is natural for the client while maintaining clarity and professionalism.

Guidelines

- Write in the first person.
 - EXAMPLE: Write "He pushed me", rather than "He pushed the client".
- Avoid unnecessarily sophisticated vocabulary.
 - EXAMPLE: A woman with a 3rd grade education would not say that she "extricated" the toy from under the couch, but more likely that she "got" or "removed" it.
- Preserve the client's voice whenever possible
 - NOTE: You are not prohibited from using curse words when you are recounting what was said to the client. If the client says "He called me a 'dumb whore'", it is more important to preserve their words with precision than to soften the tone by refining the batter's words.
- Translate or explain slang if necessary.
 - NOTE: If the client uses slang terms or jargon, be sure to define these terms as readers of the declaration may not understand the terms.

Be Accurate and Specific

Why does it matter?

Credibility is essential. Even small exaggerations or inaccurate statements can undermine the client's reliability.

Guidelines

- State only facts the client can truthfully testify to.
 - EXAMPLE: If you ask the client a question and they reply with “I guess” or “I’m not sure”, they don’t know those facts. Do not include them.
- Avoid exaggeration.
 - EXAMPLE: If a client occasionally communicated with the opposing party to de-escalate a situation, do not write, “*I avoided all contact with the opposing party.*” Instead, write, “*I minimized contact with the opposing party.*” Accurate language strengthens credibility.
- Avoid unnecessary adjectives and adverbs.
 - EXAMPLE: Adjectives like “crazy” or “horrible” and adverbs like “extremely” or “really” do not add to the facts of the declaration, and lessen its precision and conciseness.
- Use qualifying words like *usually* or *almost always* when they more accurately reflect the facts.
 - EXAMPLE: If you write, “I went to my sister’s place everyday,” the other party will offer proof that one day your client was in the ER, and your client will be found to be dishonest. Instead write, “I *usually* went to my sister’s place after work” or “I went to my sister’s place *almost* everyday,” to avoid trapping the client in a lie.
- Describe what happened rather than offering conclusions or assumptions.
 - EXAMPLE: If all the client says is, “I was walking my dog when he pushed me off the sidewalk”, do not replace that sentence with “I was walking my dog when he pushed me off the sidewalk *probably because he got mad at the dog barking.*”

Part V: Interviewing Tips

Why does it matter?

Strong declarations begin with effective interviewing. Asking open-ended questions allows clients to describe events in their own words and often produces more complete and accurate information.

Guidelines

- Ask open-ended questions.
- Allow the client to tell their story without interruption.
- Organize events chronologically.
- Edit the declaration into a clear, logical narrative that is generally no longer than three double-spaced pages.

Learn more interviewing tips [here](#).