

Domestic Violence

SAN DIEGO COURT-CLERGY
CONFERENCE 2022

Domestic ~~Violence~~ Abuse

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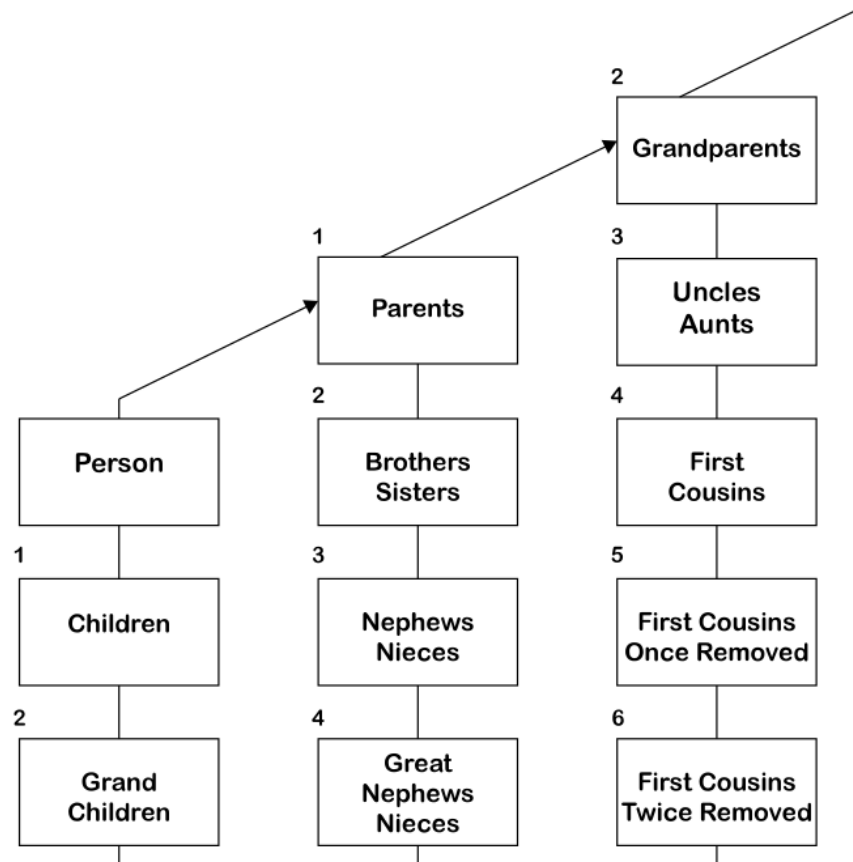


Who can obtain a restraining order

Relationship with the abuser is:

1. Are, or were, married;
2. Are, or were, dating;
3. Are, or were, co-habituating;
4. Had a child with;
5. Are a child of; or
6. Are related by blood or marriage within two degrees

2nd degree?



Who else can be protected

1. Relatives
2. Co-habitants

What conduct does it cover?

1. intentionally or recklessly causing bodily injury

2. sexually assault

3. placing in fear of serious bodily injury

4. molesting

5. attacking

6. striking

7. stalking

8. threatening

9. battering

10. credibly/false impersonating

11. harassing

12. destroying property

13. disturbing the peace of the other party

What can be ordered

1. No communication
2. Stay a certain distance away
3. No firearms or ammunition
4. Moveout of residence
5. Child Custody
6. Child Support
7. Spousal Support

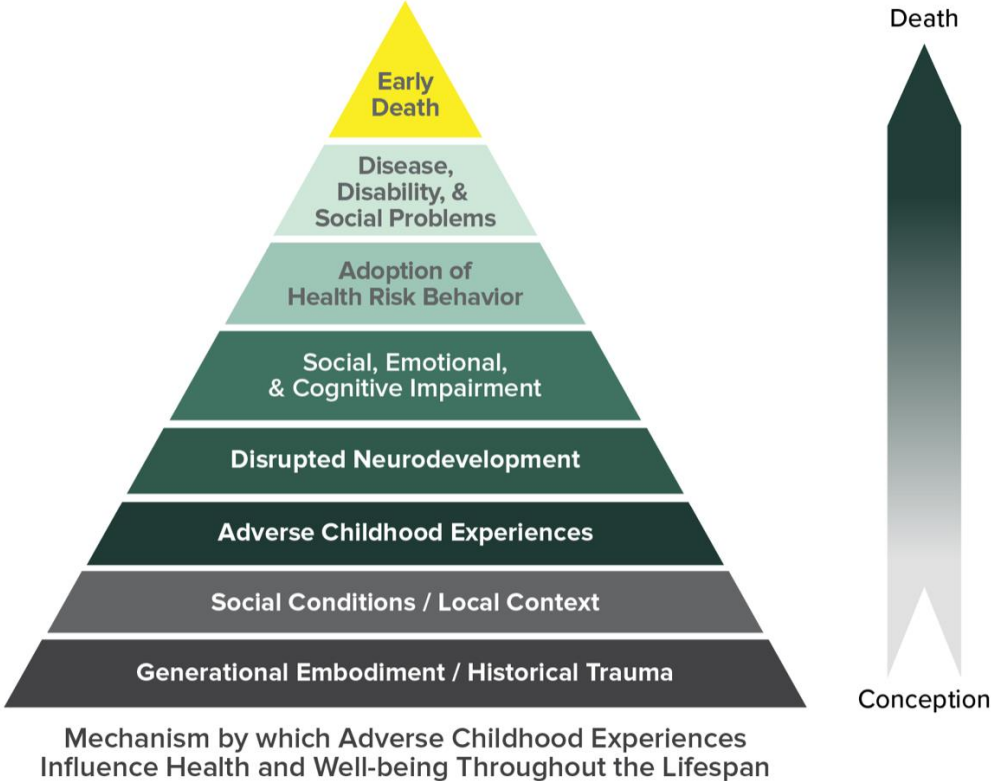
Family Code, § 3020

The Legislature finds and declares that it is the public policy of this state to ensure that the health, safety, and welfare of children shall be the court's primary concern in determining the best interests of children when making any orders regarding the physical or legal custody or visitation of children.

Family Code, § 3020

The Legislature further finds and declares that children have the right to be safe and free from abuse, and that the perpetration of child abuse or domestic violence in a household where a child resides is detrimental to the health, safety, and welfare of the child.

Kaiser ACE study



Kaiser ACE

- **Emotional abuse:** A parent, stepparent, or adult living in your home swore at you, insulted you, put you down, or acted in a way that made you afraid that you might be physically hurt.
- **Physical abuse:** A parent, stepparent, or adult living in your home pushed, grabbed, slapped, threw something at you, or hit you so hard that you had marks or were injured.
- **Sexual abuse:** An adult, relative, family friend, or stranger who was at least 5 years older than you ever touched or fondled your body in a sexual way, made you touch his/her body in a sexual way, attempted to have any type of sexual intercourse with you.

Kaiser ACE

- **Mother treated violently:** Your mother or stepmother was pushed, grabbed, slapped, had something thrown at her, kicked, bitten, hit with a fist, hit with something hard, repeatedly hit for over at least a few minutes, or ever threatened or hurt by a knife or gun by your father (or stepfather) or mother's boyfriend.
- **Substance abuse in the household:** A household member was a problem drinker or alcoholic or a household member used street drugs.
- **Mental illness in the household:** A household member was depressed or mentally ill or a household member attempted suicide.
- **Parental separation or divorce:** Your parents were ever separated or divorced.
- **Incarcerated household member:** A household member went to prison.

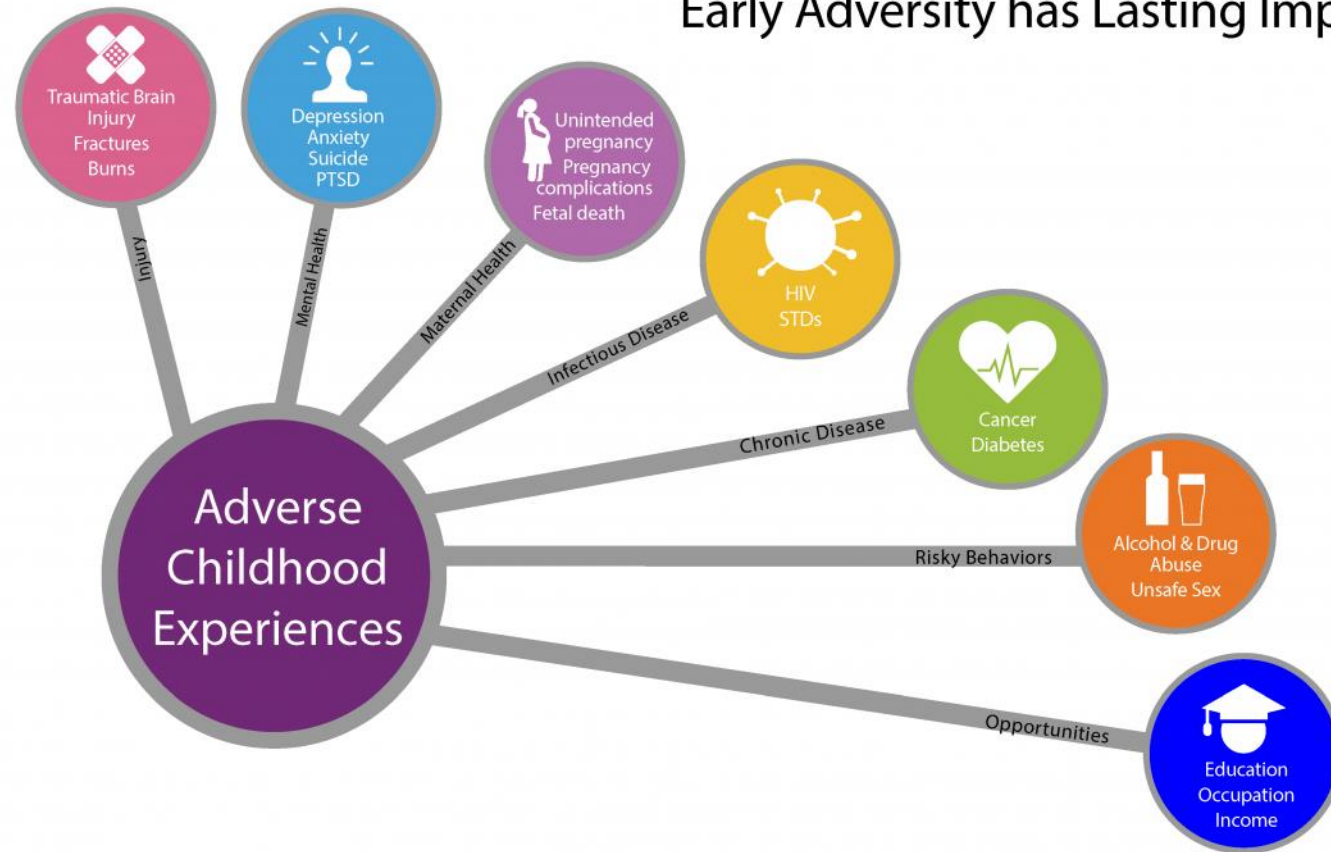
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Emotional neglect: Someone in your family never or rarely helped you feel important or special, you never or rarely felt loved, people in your family never or rarely looked out for each other and felt close to each other, or your family was never or rarely a source of strength and support.

Physical neglect: There was never or rarely someone to take care of you, protect you, or take you to the doctor if you needed it, you didn't have enough to eat, your parents were too drunk or too high to take care of you, or you had to wear dirty clothes.

Kaiser ACE study

Early Adversity has Lasting Impacts



Things that can help Courts

1. Photos, Audio, Video, Documents
2. If using Audio/Video, have a transcript
3. Translations if documents are not in English
4. If asking for financial orders, documents

Best ways to help congregants

1. Ensure they follow any restraining orders
2. Point the towards resources
3. Be a support person