SCHOOLS AND DOMESTIC VIOLENCE RESTRAINING ORDERS

| Domestic Violence and Minors |
| How a Student and School might be affected |
| Resources |

1

ELIGIBLE RELATIONSHIPS UNDER DVPA (FC § 6211) (FAMILY COURT):

| Present or former spouse | Present or former Cohabitant | Person with whom have a child |
| Child of Parties | Present or past dating relationship | 2 Degrees consanguinity or affinity |

2

MINOR CHILD'S DVRO (FAMILY COURT)

Child over 12 may seek own DVRO
(CCP 372(b)(1)(C))

Minor may appear by GAL or guardian

3

ABUSE (FC § 6203)

Intentionally or recklessly cause/attempt bodily injury

Sexual assault

Create reasonable apprehension of imminent serious bodily injury to self or another

4

ABUSE, CONT –
ENGAGE IN BEHAVIOR ENJOINED BY FC § 6320

- Molest, attack, strike, stalk, threaten, batter, harass
- Credibly impersonate, falsely personate
- Destroy property
- Contacting – calls, letters etc
- Disturbing the peace of (self or fam/hh member)
- Stalking

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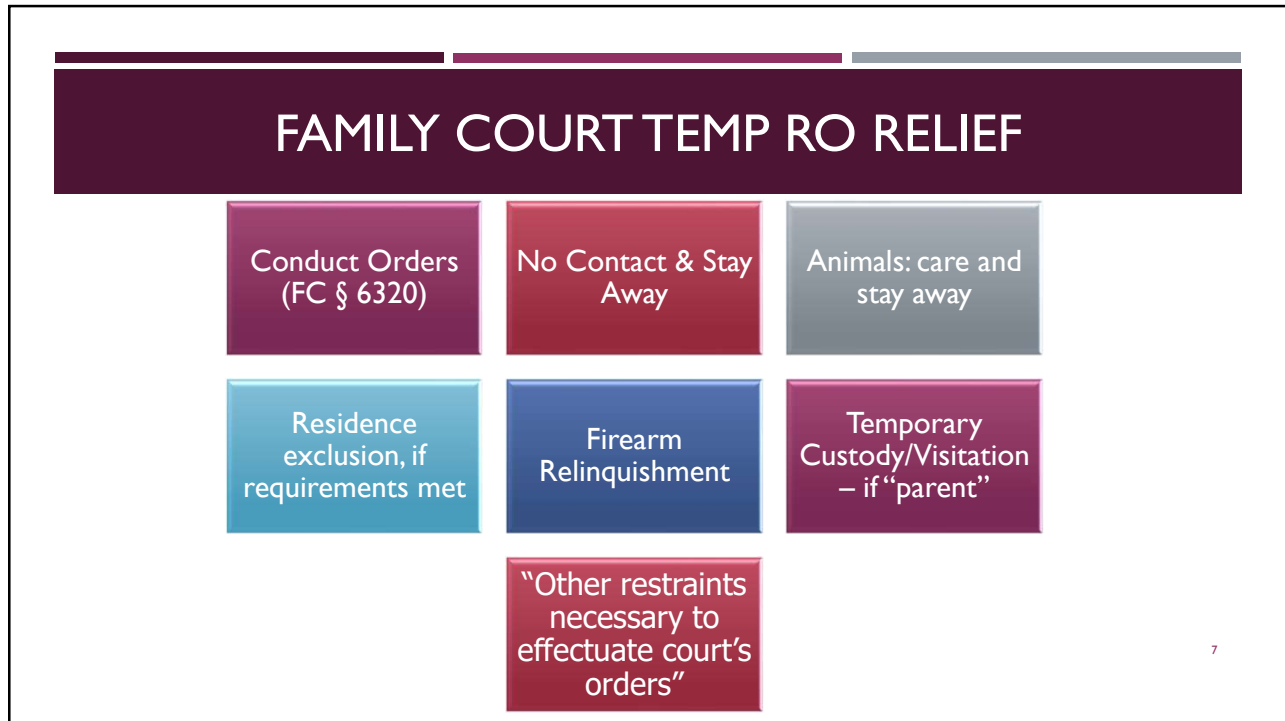
DISTURBING THE PEACE
(FC § 6320)

Destroys mental or emotional calm

Directly or Indirectly, including through third party

By any means: phone, online accounts, text msgs, internet-connected devices, or other electronic technologies

6

6

FAMILY COURT TEMP RO RELIEF

Conduct Orders (FC § 6320)	No Contact & Stay Away	Animals: care and stay away
Residence exclusion, if requirements met	Firearm Relinquishment	Temporary Custody/Visitation – if "parent"
	"Other restraints necessary to effectuate court's orders"	

7

7

FAMILY COURT ROAH AVAILABLE RELIEF

All ex parte orders (FC § 6320) plus:	Child/spousal support	Batterer's Treatment Program
Attorney's Fees to Prevailing Party*	Firearm Relinquishment	Custody/Visitation – if "parent" - FC § 3011 - FC § 6323
Cell phone company to transfer account	Victim Restitution*	Enjoin party from specified behavior court deems necessary

8

8

TECH-ENABLED ABUSE

How to Impersonate a User

Remote Access

9

MINOR'S AND RO'S

Juvenile Justice

- Family member
- Dating, etc. relationship

Family Court
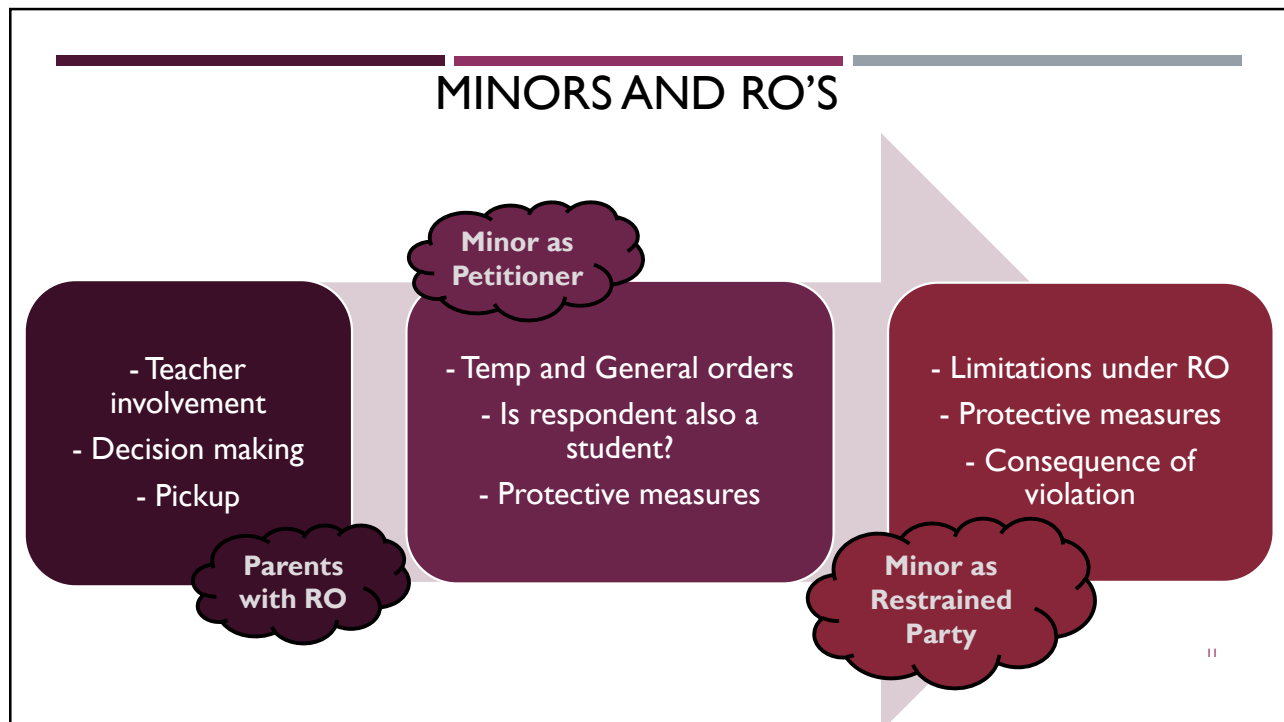
- Family member
- Dating, etc. Relationship
- Any person at risk or with whom association is detrimental

- Family Member
- Dating, etc. Relationship

Juvenile Dependency

10

10

MINORS AND RO'S

Minor as Petitioner

- Teacher involvement
- Decision making
- Pickup

Parents with RO

- Temp and General orders
  - Is respondent also a student?
- Protective measures

- Limitations under RO
- Protective measures
  - Consequence of violation

Minor as Restrained Party

11

RESOURCES

- Restraining Order Help Center (Family Court)

- Legal Advocates for Children and Youth (Dependency Court and sometimes Family Court)

- Probation Officer (Juvenile Justice Court), Social Worker (Dependency Court)

12

THANK YOU!

13