

Domestic Violence Overview

“Families coming before the dependency court are likely to present with a number of problems, and domestic violence co-occurs with substance abuse and mental health with some frequency.”

- Leigh Goodmark, JD: National Center of Juvenile and Family Court Judges Family Violence Department

Domestic violence is found in every culture, in every race, in every socio-economic group. As such, the likelihood of this issue entering dependency proceedings is significant.

Children’s exposure to violence, whether directed at them or another person within the family, is a complex issue that can have significant impact. Judges overseeing dependency court proceedings are likely to encounter situations in which domestic violence has a profound impact on the child’s safety and the family’s well-being.

Judges overseeing dependency proceedings have a core responsibility for child safety. This focus on safety begins at the Shelter Care Hearing or earlier (i.e. emergency custody order) and is revisited at every subsequent judicial review. It is the cornerstone issue for dependency proceedings. The Dependency Benchbook introduces the concept of “safety” at the very first contact. Domestic Violence can and often does impact child safety.

This section provides general information regarding domestic violence, a one page chart depicting the impact of violence exposure at various developmental stages, and how judges might respond. Understanding possible signs and symptoms of domestic violence can help judges and others recognize the issue and appropriately intervene.

The primary resource for this section is a technical assistance brief and checklist created by the National Council of Juvenile and Family Court Judges. Read together and in conjunction with the Dependency Benchbook, the documents provide a foundational understanding of the issue and several helpful tools.

