

# **Domestic Violence**

## **What is domestic violence?**

Domestic violence is referred to as "family abuse" in Virginia law. "Family abuse" means any act involving violence, force, or threat including any forceful detention, which results in physical injury or places one in reasonable apprehension of serious bodily injury and which is committed by a person against such a person's family or household member.

## **Who is considered a "family or household member"?**

A "family or household member" is not limited to just spouses or those sharing a home. It includes:

- Spouse, regardless of residence,
- Ex-spouse, regardless of residence,
- Parents, stepparents, children, stepchildren, brothers sisters, half-brothers, half-sisters, grandparents, and grandchildren, regardless of residence,
- In-laws who live in the same home,
- Persons who have a child in common regardless of residence,
- Co-habitants, and
- Those who have cohabited in the past year and their children.

## **Is family abuse or domestic violence a civil or criminal matter?**

Cases of family abuse or domestic violence may be in court for a civil matter or criminal matter.

- Civil cases include those when a party is seeking a [Protective Order](#) ordering another person to stop certain actions.
- Criminal family abuse includes cases of domestic assault and battery when the perpetrator of the violence may be jailed or ordered to comply with various conditions if the defendant is found guilty.

## **What is a "protective order"?**

Protective orders are legal documents issued by a judge or magistrate to protect the health and safety of a person who is alleged to be a victim of any act involving violence, force or threat that results in bodily injury or places that person in fear of death, sexual assault or bodily injury. More information can be found on the [Protective Orders](#) page of the Self-Help website.

## **Domestic Violence Programs and Services**

See the Virginia Judiciary webpage on [Domestic Violence Programs and Services](#) for additional resources and information about programs. Programs include the I-CAN Virginia Program (Assistance with Protective Orders) and the Hope Card Program.

A Hope Card is a laminated card, similar in size and shape to a credit card, that contains all the essential information about a civil protective order in a durable, easy-to-read format. It does NOT replace the existing protective order. Hope Cards are available only to holders of a final civil protective order issued in participating Virginia localities. As of July 1, 2022, all district and circuit courts in the Commonwealth of Virginia.

[I-CAN! Virginia](#) is a free online program that provides assistance with the preparation of court forms required to file for a protective order. I-CAN! Virginia is also available in Spanish. I-CAN! Virginia brochures, posters, and business cards are available by

calling the Department of Judicial Services at (804) 786-6455.

Last updated on October 29, 2024.

#### Links

[Address Confidentiality Program - Office of Attorney General](#)

[Help for Victims of Domestic Violence - Va. Dept. of Soc. Servs.](#)

[Domestic and Sexual Violence - Va. Legal Aid](#)

[Domestic Violence and Protective Orders - Va. Legal Aid](#)

[Juvenile and Domestic Relations District Courts Informational Pamphlet - Va. Co...](#)

[Protective Orders in Virginia: A Guide for Victims - Va. Dept. of Crim. Just. S...](#)

[Understanding Your Domestic Relations Rights in Virginia - Metro. Richmond Wome...](#)

[Las Relaciones Domésticas: Conozca Sus Derechos En Virginia - Metro. Richmond W...](#)

[Understanding Protective Orders in Richmond, VA - I-CAN! Accessibility Project ...](#)

[Entendiendo Las Órdenes de Protección en Richmond, VA - I-CAN! Accessibility Pr...](#)

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