

# Q&A

## How the Philadelphia Courts Handle Domestic Violence

**Q.** What courts in Philadelphia handle domestic violence cases?

**A.** Several courts may be involved in domestic violence cases, depending on whether a crime was charged, whether a child is a victim, and whether the adult victim chooses to seek relief in civil court.

An adult victim may choose to obtain a civil Protection From Abuse (PFA) Order from the Domestic Relations Branch of Family Court at 34 South 11th Street. The adult victim may also get a PFA on behalf of a child.

Domestic violence may also be charged as the crime of assault, unlawful restraint, or others. All criminal cases where a minor (a child under the age of 18) is a victim begin in the Juvenile Branch of Family Court, at 1801 Vine street, and will eventually be heard at the Criminal Justice Center at 1301 Filbert Street, if a full felony trial is needed.

Domestic violence may also result in a Dependent Petition being filed, if the child was the victim and the non-abusive parent has not done everything possible to protect the child from further abuse. The Juvenile Branch of the Family Court at 1801 Vine Street handles Dependency cases.

**Q.** How do cases get referred to the Families Without Violence Project?

**A.** Made possible with a grant from The Pew Charitable Trusts, the Families Without Violence Project is a collaborative approach to advocacy for women and children endangered by domestic violence. *Child Advocates* has partnered with Women in Transition and the Women Against Abuse Legal Center in this unique program that provides services to both women and children.

A referral to the Project begins when *Child Advocates* is appointed to represent child victims or witnesses in a criminal domestic violence case. The Assistant District Attorney assigned to prosecute the case might request appointment of a Child Advocate to offer victim services or the court might itself decide that the child victim needs her own Advocate. *Child Advocates'* representation of the children may extend to Protection From Abuse and custody matters as well as criminal prosecution.

The adult victim may choose to accept services from Women In Transition, such as individual or group counseling, and may choose to be represented by the Women Against Abuse Legal Center in the civil matters.

**Q.** How does the project work to create violence-free families?

**A.** The desire of the adult victim caring for the child to live violence-free is critical to success in each case. The adult victim must understand that violence is not acceptable within the family, and be willing to work towards creating a violence-free family for her benefit as well as that of the children.

However, in many cases the adult victim needs time to acknowledge that she has the right to live without violence. Knowing how and when to offer services and support to the adult victim caring for the child increases the chances of a successful outcome. *Child Advocates'* partner agencies, Women in Transition and the Women Against Abuse Legal Center, work to empower the adult victim to provide a safe, violence-free family for the children.

*Do you have questions about children's law, practice or services? Call Child Advocates for consultation with a Staff Attorney or Social Worker, or drop us a line. We'll be happy to answer your question and feature the issue in a future edition of ADVOKIDS. Thanks!*

### Child Advocates in the Domestic Relations Branch of Family Court

The Domestic Relations Branch of the Family Court is located at 34 South 11th Street in Philadelphia. Cases handled there include custody, child support, divorce, and Protection From Abuse. While the appointment of legal representation of children is not mandated by statute, in some cases a Child Advocate may be called upon to represent a child in a Domestic Relations case. *Child Advocates* has two programs that include representing children in the Domestic Relations Branch: Families Without Violence Project, where we represent children who are victims of or witnesses to domestic violence; and the Kids 'N' Kin Project, where we represent children living with relatives or other caregivers.