

# DETERMINING WHAT PACKET TO COMPLETE

The following is the definition of each type of violence as described in Florida Statutes:

## Domestic Violence with/without Minor Children

Means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death of one family or household member by another family or household member.

If you have minor children with the other party, please choose the Domestic Violence **with** Minor Children.

If you are filing “On Behalf Of” a minor child against their parent, please choose the Domestic Violence **without** Minor Children.

## Repeat Violence

Means that **two** incidents of violence have been committed against you or a member of your immediate family by another person, **one of which must have been within 6 months of filing this petition.**

Repeat Violence includes assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death.

## **Repeat Dating Violence**

Means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. **The dating relationship must have existed within the past six months,** the nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties, and the frequency and type of interaction must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. Dating violence does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context. Dating violence includes assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death.

## **Repeat Sexual Violence**

Means any one incident of sexual battery, as defined in Chapter 794, Florida Statutes; a lewd or lascivious act, as defined in Chapter 800, Florida Statutes, committed upon or in the presence of a person younger than 16 years of age; luring or enticing a child, as described in Chapter 787, Florida Statutes; sexual performance by a child, as described in Chapter 827, Florida Statutes; or any other forcible felony wherein a sexual act is committed or attempted. In order to get an injunction you must have reported the sexual violence to a law enforcement agency.

## **Stalking**

Means the repeated following, harassment, or cyberstalking of one person by another. Cyberstalk means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

- **Please note: If you are filing “On Behalf Of” (or OBO) a minor child, you must file as the parent or guardian of the minor child.**

**Likewise, if you are filing against a minor child, you must file on a parent or guardian of that minor child “On Behalf Of” (or OBO) the minor child.**

**(example)**

**John Doe OBO Sue Doe, a minor child**

**vs**

**Mark Doe OBO Jill Doe, a minor child**