

**Beyond the Bench 24 – Educational & Reference Resources, and Caselaw**  
**Domestic Violence in Dependency Court: What Judges and Attorneys Should Know**

**Multimedia**

- 1) *Juvenile Dependency Hearing Video Simulation #1: Reasonable Efforts to Prevent Removal*, Hon. Leonard Edwards (Ret.), available upon request
- 2) *First Impressions: Exposure to Violence and a Child's Developing Brain*, California Attorney General's Office: <https://www.youtube.com/watch?v=brVOYtNMmKk>

**Articles, News Stories and Reports**

- 1) Judge Leonard Edwards, *Domestic Violence and Reasonable Efforts at the Detention Hearing*, Winter 2013, The Bench -- <https://judgeedwards.wordpress.com/category/publications/>
- 2) Judge Leonard Edwards, *Should Judges Ask Questions? The Enquiring Magistrate*, Fall 2016, The Bench -- <https://judgeedwards.wordpress.com/category/publications/>
- 3) Judge Leonard Edwards, *Questions Judges and Attorneys Should Be Asking Social Workers at a Detention Hearing in a Case Involving Domestic Violence* -- <https://judgeedwards.wordpress.com/category/publications/>
- 4) Judge Leonard Edwards, *Reasonable Efforts to Prevent Removal: An Important New Case*, Summer 2014, The Bench -- <https://judgeedwards.wordpress.com/category/publications/>
- 5) Judge Leonard Edwards, *Placement with a Non-Custodial Parent*, Fall 2015, The Bench -- <https://judgeedwards.wordpress.com/category/publications/>
- 6) Judge Leonard Edwards, *How to Tackle the Problems Involved When the Case Moves from Juvenile to Family Court*, Spring 2012, The Bench -- <https://judgeedwards.wordpress.com/category/publications/>
- 7) Stephanie Clifford and Jessica Silver-Greenberg, *Foster Care as Punishment: The New Reality of 'Jane Crow'*, The New York Times, July 21, 2017, <https://www.nytimes.com/2017/07/21/nyregion/foster-care-nyc-jane-crow.html>

**Legal Resources**

- 1) "The Greenbook" -- *Effective Intervention in Domestic Violence and Child Maltreatment: Guidelines for Policy and Practice*, National Council of Juvenile and Family Court Judges. Best practices for dealing with child abuse and neglect cases when issues of domestic violence are present (esp. pp. 90-112). <https://www.rcdvcpc.org/the-greenbook.html>

- 2) *Technical Assistance Bulletin: Reasonable Efforts in Child Abuse and Neglect Cases that Involve Domestic Violence*, National Council of Juvenile and Family Court Judges (2014)  
[https://www.ncjfcj.org/sites/default/files/NCJFCJ\\_Reasonable\\_Efforts\\_in\\_Abuse\\_Cases\\_Final.pdf](https://www.ncjfcj.org/sites/default/files/NCJFCJ_Reasonable_Efforts_in_Abuse_Cases_Final.pdf)
- 3) *Checklist to Promote Perpetrator Accountability in Dependency Cases Involving Domestic Violence*, National Council of Juvenile and Family Court Judges (2011)  
<http://fcadv.org/sites/default/files/12Checklist%20to%20Promote%20Perpetrator%20Accountability.pdf>
- 4) Family Violence Appellate Project website & training materials: [www.fvaplaw.org](http://www.fvaplaw.org) (some materials password protected; contact FVAP)
- 5) Santa Clara County, Superior Court, Local Rules, Rule 2(c)(7).  
[http://www.scscourt.org/general\\_info/rules/pdfs/Family.pdf](http://www.scscourt.org/general_info/rules/pdfs/Family.pdf)

### **Dependency Caselaw**

*In re Alysha S.* (1996) 51 Cal.App.4th 393 (sufficiency of petition)

*In re Anthony Q.* (2016) 5 Cal.App.5th 336 (removal)

*In re Armando L.* (2016) 1 Cal.App.5th 606 (exit orders)

*In re Ashley F.* (2014) 225 Cal.App.4th 803 (reasonable efforts)

*In re B.S.* (2009) 172 Cal.App.4th 183 (WIC 213.5)

*In re Brittany K.* (2005) 127 Cal.App.4th 1497 (WIC 213.5)

*In re C.M.* (2014) 232 Cal.App.4th 1394 (361.2 placement)

*In re C.Q.* (2013) 219 Cal.App.4th 355 (WIC 213.5)

*In re Cassandra B.* (2004) 125 Cal.App.4th 199 (WIC 213.5)

*In re Chantal S.* (1996) 13 Cal.4th 196 (exit orders)

*In re Cole Y.* (2015) 233 Cal.App.4th 1444 (exit orders)

*In re Daisy H.* (2011) 192 Cal.App.4th 713 (jurisdiction)

*In re E.B.* (2010) 184 Cal.App.4th 568 (jurisdiction)

*In re Giovanni F.* (4th Dist., 2010) 184 Cal.App.4th 594 (jurisdiction)

*In re Heather A.* (1996) 52 Cal.App.4th 183 (jurisdiction)

*In re Henry V.* (2004) 119 Cal.App.4th 522 (purpose of dependency)

*In re J.S.* (2014) 228 Cal.App.4th 1483 (removal)

*In re John W.* (1996) 41 Cal.App.4th 961 (exit orders)

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*In re Jonathan B.* (2015) 235 Cal.App.4th 115 (jurisdiction)  
*In re Luke M.* (2003) 107 Cal.App.4th 1412 (361.2 placement)  
*In re M.M.* (2015) 240 Cal.App.4th 703 (jurisdiction)  
*In re M.W.* (2015) 238 Cal.App.4th 1444 (supp. juris)  
*In re Michael S.* (2016) 3 Cal.App.5th 977 (removal of offending parent)  
*In re N.L.* (2015) 236 Cal.App.4th 1460 (213.5)  
*In re T.V.* (2013) 217 Cal.App.4th 126 (jurisdiction)

### **Family Caselaw**

*Altafulla v. Ervin* (2015) 238 Cal.App.4th 571 (DVPA)  
*Burquet v. Brumbaugh* (2014) 223 Cal.App.4th 1140 (DVPA)  
*De la Luz Perez v. Torres-Hernandez* (2016) 1 Cal.App.5th 389 (DVPA)  
*Gou v. Xiao* (2014) 228 Cal.App.4th 812 (DVPA)  
*Heidi S. v. David H.* (2016) 1 Cal.App.5th 115 (exit orders)  
*Hernandez v. Ashcroft* (9th Cir. 2003) 345 F.3d 824 (immigration; cycle of violence)  
*Hogue v. Hogue* (3d Dist., Sept. 29, 2017) \_\_ Cal.App.5th\_\_ (DVPA)  
*IRMO David & Martha M.* (2006) 140 Cal.App.4th 96 (exit orders)  
*IRMO Evilsizor and Sweeney* (2015) 237 Cal.App.4th 1416 (DVPA)  
*IRMO Fregoso and Hernandez* (2016) 5 Cal.App.5th 698 (DVPA)  
*IRMO Minkey* (Cal. Ct. App., Dec. 15, 2015, No. A143625) 2015 WL 8811829 (DVPA; bench admonishments)  
*Isidora M. v. Silvino M.* (2015) 239 Cal.App.4th 11 (DVPA; mutual DVROs)  
*J.J. v. M.F.* (2014) 223 Cal.App.4th 968 (DVPA; mutual DVROs)  
*Nevarez v. Tonna* (2014) 227 Cal.App.4th 774 (DVPA)  
*Rodriguez v. Menjivar* (2015) 243 Cal.App.4th 816 (DVPA)  
*Sabato v. Brooks* (2015) 242 Cal.App.4th 715 (DVPA)

Pending FVAP cases:

*M.G. v. G.E.*, No. B279530 (2d Dist.)  
*Priscilla N. v. Leonardo G.*, No. B279584 (2d Dist.)  
*Jessica V. v. Douglas M.*, No. C083120 (3d Dist.)

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