



**Superior Court of California
County of Trinity**

**SUPERIOR COURT – FAMILY COURT SERVICES
DOMESTIC VIOLENCE PROCEDURES**

**PLEASE READ THE FOLLOWING AND SIGN ONLY IF YOU ARE STATING
THAT YOU ARE OR HAVE BEEN A VICTIM OF DOMESTIC VIOLENCE**

FAMILY LAW CODE section 3034 is a special law that may affect who gets custody of the child(ren) if in the last 5 years a parent in this case committed domestic violence that resulted in:

- (1) A conviction in criminal court for domestic violence against one of the following people:
- The other parent in the custody case,
 - Any of your children or your children’s siblings,
 - Current spouse, someone they are currently dating, engaged to or currently lives with, or
 - Their parents

OR

- (2) “Finding” of domestic violence by a Judge against any of the people listed above (example: a judge granted a restraining order for 1 or more years)?

If you answered “Yes” to (1) or (2), Family Law Code section 3034 applies to your case. Under this special law the judge must go through a 7-factor test even if a court professional makes a recommendation in your case. To learn more about the court process in family court, visit <http://www.courts.ca.gov/selfhelp-custody.htm>.

FAMILY LAW CODE section 3181 states that where there has been a history of domestic violence between the parties, or where one party is protected by a domestic violence restraining order, the party alleging domestic violence has the right to request separate mediation.

FAMILY LAW CODE section 6303 states that the person who alleges that he or she is a victim of domestic violence also has the right to select an individual to act as a support person during the mediation session. Family Court Services states that this may not be a current spouse, boyfriend/girlfriend, a child relating to today’s appointment, or any other individual that the Child Custody Recommending Counselor (Mediator) feel would be inappropriate.

I DECLARE UNDER PENALTY OF PERJURY THAT THERE HAS BEEN DOMESTIC VIOLENCE BETWEEN THE OTHER PARENT AND MYSELF, AND THAT I HAVE BEEN THE VICTIM.

SIGNATURE _____ DATE _____

I REQUEST: () Separate mediation () Mediation to be together () A support person