

Access to Protection Orders

In the District of Columbia, minors can obtain Protection Orders (POs),¹ and courts can issue POs against minor abusers.² DC also allows people in dating relationships to seek POs against their abusers.³

Procedure

State law allows minors to petition for a PO on their own behalf at age twelve. Minors under the age of twelve must have a parent, guardian or custodian, among others, apply for a PO on their behalf.⁴ If the parent, guardian or custodian does not file the petition on the minor's behalf and the minor is residing with a parent, guardian or custodian, District of Columbia law requires the court to notify that parent, guardian or custodian of the PO unless doing so would not be in the minor's best interests. If the parent, guardian or custodian residing with the minor is not notified, the court may in its discretion notify any other parent, guardian, custodian or appropriate adult.⁵

Definition of Abuse

A judge may issue a PO when the respondent has physically abused, sexually abused, threatened to physically abuse or stalked the petitioner; or damaged the petitioner's property.⁶ The statute fails to explicitly recognize harassment as a form of abuse that qualifies for relief. The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁷ the respondent to:

- stay away from the petitioner;
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- comply with a custody/visitation schedule;
- participate in a counseling or batterers' intervention program;
- not possess a gun;
- pay attorneys' fees; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not listed here and may cover individuals other than the petitioner. The PO is modifiable.⁸

Minors' Access to Sensitive Services⁹

All minors can consent to:

- Contraceptive services
- STI testing and treatment
- Prenatal care
- Adoption
- Abortion services
- Medical care for minor child(ren)

School Response to Dating Violence

District of Columbia law does not provide for a school response to dating violence.

Recommendations for Immediate Policy Change

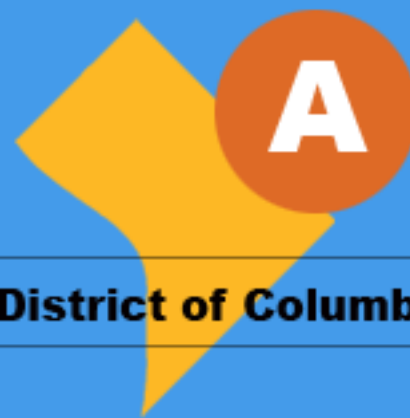
In order to improve the District of Columbia's response to teen dating violence, the following changes are recommended:

- Remove the parental notification requirement and allow minors to petition for POs without parental involvement.
- Allow minors to access HIV services without parental involvement.
- Allow victims of intimate partner harassment to access POs.
- Mandate dating violence education, implement school policies, and provide training for school personnel in all middle schools and high schools.

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State Law Report Card

District of Columbia



References

¹ D.C. CODE § 16-1003(a) (2009).

² *Id.* § 16-1001(13).

³ *Id.* § 16-1001(7).

⁴ *Id.* § 16-1003(a); § 16-1003(c).

⁵ *Id.* § 16-1004(e).

⁶ *Id.* § 16-1001(12); §§ 16-1001(6)-(9).

⁷ *Id.* § 16-1005(c).

⁸ *Id.* § 16-1005(d).

⁹ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

Break the Cycle

Empowering Youth to End
Domestic Violence

For more information about state law
and policy, visit www.breakthecycle.org
or email policy@breakthecycle.org.