

INJUNCTIONS

TYPE:	DOMESTIC 741.30 Family(blood or marriage), or household member(current or former), or child in common.	DATING 784.046(1)(d) Continuing and significant dating relationship (expectation of affection or sex) w/in last 6 months.	REPEAT 784.046(1)(b) Non-family, not dating, usually neighbors, co-workers, school kids.	SEXUAL 784.046(1)(c) Any person who is a victim of sexual violence.
DEFINITION	Victim of domestic violence OR has reasonable cause to believe he/she is in imminent danger of becoming a victim of domestic violence.	Victim of dating violence and has reasonable cause to believe he/she is in imminent danger of becoming V of another such act OR imminent danger of becoming V.	<u>Two</u> instances of violence or stalking directed against pet. or pet. & immediate family-1 w/in last 6 mo (Note: imminent danger not an issue).	One incident of Sexual Battery (794), L & L (800) on person < 16, Luring or enticing a child (787), sexual perf. by a child (827) or any other forcible sex or att.
STANDARD östrong and clearö for temporary injunction	Competent substantial evidence BRD for Violation & Criminal Contempt, Preponderance for Civil Contempt	Competent substantial evidence BRD for Violation & Criminal Contempt, Preponderance for Civil Contempt	Competent substantial evidence BRD for Violation & Criminal Contempt, Preponderance for Civil	Competent substantial evidence BRD for Violation & Criminal Contempt, Preponderance for Civil
RECORDED	YES	NO	NO	NO

DOMESTIC VIOLENCE includes: 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 to one family or household member by another family or household member. Section 741.28(2), Florida Statutes.

STALKING: Section 784.048(2), Florida Statutes: Any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person.

CYBERSTALKING: 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. Section 784.048, Florida Statutes.

HARASS: To engage in conduct directed at a specific person that causes substantial emotional distress to such person and serves no legitimate purpose. Section 784.048(1)(a), Florida Statutes.

AGGRAVATED STALKING: (1) Willfully, maliciously, and repeatedly following, harassing, or cyberstalking another person, and making a credible threat with the intent to place that person in reasonable fear of death or bodily injury of the person, or the person's child, sibling, spouse, parent, or dependent.

ASSAULT: An intentional, unlawful threat by word or act to do violence to the person of another, coupled with the apparent ability to do so (appear to have the ability to carry out the threat), and the act creates a well-founded fear in such other person that such violence is about to take place (is imminent). Section 748.011(1), Florida Statutes.

BATTERY: (1) actually and intentionally touching or striking another person against the will of the other, OR (2) intentionally causing bodily harm to another.

EXTENSION OF FINAL: Petitioner must present evidence from which the court can determine that a continuing fear exists and the fear is reasonable under the circumstances. Sheehan v. Sheehan, 853 So. 2d 523 (5th DCA 2003).

