# Domestic Violence Case Law

## *Florida Supreme Court*

In re Amendments to Florida Supreme Court Approved Family Law Forms, --- So.3d ----, 2014 WL 3555973 (Fla., 2014) FORMS AMENDED The court amended Florida Supreme Court Approved Family Law Form 12.980(b)(1) to better explain the findings that the trial court should make when it denies an ex parte temporary injunction and sets a hearing on the petition for an injunction. The court also amended Form 12.980(u) by deleting the provision that required a respondent to participate in treatment, intervention or counseling services at the respondent's expense. July 03, 2014 http://www.floridasupremecourt.org/decisions/2014/SC13-305.pdf

## *First District Court of Appeals*

Pryor v. Pryor, --- So.3d ----, 2014 WL 3594209 (Fla. 1st DCA 2014) ORDER VACATED The respondent appealed an order that extended a temporary injunction for protection against domestic violence which, even as extended, had expired by the time of the court's review. The court vacated the original order and the temporary injunction and dismissed the appeal due to the collateral consequences that occur through the injunction process. The court noted that while the statute does allow the court to issue a continuance for good cause, the court may not issue a series of temporary injunctions in lieu of a permanent injunction. July 22, 2014. NOT AVAILABLE.

## *Second District Court of Appeals*

Branson v. Rodriguez-Linares, --- So.3d ----, 2014 WL 3673881 (Fla. 2d DCA 2014) INJUNCTION PROTECTING AGAINST CYBERSTALKING AFFIRMED The respondent appealed a final judgment of injunction for protection against domestic violence that was issued to protect the petitioner from cyberstalking. Although the respondent did not verbally threaten the petitioner, the trial court found that he did stalk her with about 300 emails during a 1.5 month period. The respondent claimed that his actions did not constitute violence under the statute, however, the court found that "the statute plainly permits the entry of an injunction for a person who is the victim of "stalking." Thus, the court held that proof of recent stalking can be sufficient to establish the act of "violence" required for the issuance of a section 741.30(1)(a) domestic violence injunction." If such an act of violence is sufficiently established and if it is between "family or household member[s]" as defined in section 741.28(3), the petitioner is not also required to demonstrate reasonable cause to believe that he or she is in imminent danger of becoming the victim of any future act of domestic violence. The court also noted that "some of the offenses described in the statute, such as assault, battery, kidnapping, false imprisonment, aggravated stalking, and stalking, do not need to result in physical injury or death to qualify as acts of domestic violence." July 25, 2014.
http://www.2dca.org/opinions/Opinion_Pages/Opinion_Pages_2014/July/July%2025,%202014/2D12-3827.pdf

### *Third District Court of Appeals*

No new cases reported.

### *Fourth District Court of Appeals*

No new cases reported.

### *Fifth District Court of Appeals*

No new cases reported.