

The Best Kept Secret: I'm a Victim of Domestic Violence

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Q&A with [Kaine Fisher](#), Director of Rose Law Group [Family Law Department](#)

"I'm a prominent member of the community and desperately want out of my marriage. My husband has been abusing me behind closed doors for years. I'm terrified about what will happen for me and our children when I actually follow through and leave. Where do I turn?"



Approximately 1.3 million women and 835,000 men are physically assaulted by an intimate partner annually in the United States. Additionally, in recent years, an intimate partner killed approximately 33% of female murder victims and 4% of male murder victims. Even more frightening, 50% of offenders in state prison for spousal abuse killed their victims. Facts taken from http://www.americanbar.org/groups/domestic_violence/resources/statistics.html

Sadly, domestic violence is not an uncommon occurrence. It spans across all walks of life. For many complicated reasons, victims go to extreme lengths to cover up the abuse and protect their abuser and to cover up the oftentimes devastating abuse that has been inflicted upon them and their children under their own roof. I see this all the time in my practice and the impact on everyone involved can be heartbreaking. It sometimes takes months to work through the cycle of abuse with my clients and it takes much encouragement from me, their families and others close to them before they begin to recognize their self-worth.

The first priority is safety for the abused and their children. Victims of domestic violence need to be protected as they transition out of their dangerous situation. A victim needs to develop a safety plan which may include filing a police report, obtaining a restraining order, making arrangements to stay with family or friends, and perhaps, in some extreme circumstances, reaching out to a domestic violence shelter, such as the Sojourner's Center. These places provide food, shelter, clothing and safety. It takes a tremendous amount of courage to leave, but in some cases, it means the difference between life and death and the health, safety and welfare of their children.

Almost immediately, a victim should start thinking about how they're going to rebuild what has been torn apart. They need to re-establish self-confidence. Some victims cannot even remember what clothes they like, what's it's like to eat dinner in peace or even how to socialize because they have been oppressed and abused for so long. Many victims have lost touch with their children for fear of upsetting their abuser. Many have neglected such basic things as personal hygiene. I always recommend counseling for the victim and the children. Although I do my part, I'm certainly not an expert in fixing the emotional damage that has been done. Each situation is different so if there are unique circumstances involved in your case, such as drug abuse, alcohol abuse, or sexual abuse, it is important you find a counselor that is capable of addressing these issues as well. The wounds can be deep and I'm not just referring to those that are superficial. The bright side is that the hard part is over – you left!

Once the dust settles a bit, a victim should strongly consider contacting a seasoned family law attorney who is experienced in dealing with domestic violence cases. This attorney can assist in obtaining an Order of Protection, if one has not already been obtained, and can walk a victim through the process of filing for divorce. In most instances, an emergency temporary order for sole legal decision-making and supervised parenting time for the abuser (especially if the children have also been abused) is appropriate. This process can be tricky, and there are many pitfalls for the unwary, so be careful who you choose to represent your interests. The bright side here is that the law is on your side. What do I mean by that? Well, there exists a presumption in the law here in Arizona, in accordance with A.R.S. § 25-403.03, that joint legal decision-making is not in the best interest of your children when significant domestic violence exists or when there has been a history of significant domestic violence. There are protections in the law regarding limitations of an abuser's contact with the children as well.

The public's awareness of domestic violence is vastly expanding and victims seem to be more inclined to come forward. This is definitely a step in the right direction. Unfortunately, however, some still view domestic as an unimportant issue, are hesitant to talk about it, or feel the issue should be swept under the rug. As a family law attorney, who often represents domestic violence victims, I feel privileged to serve as a mouthpiece for victims and play an integral part in their recovery.

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