

Background

- 1 in 3 women and 1 in 4 men report experiencing intimate partner violence (IPV) through rape, stalking, or physical assault (“Domestic Violence Statistics,” n.d.)
- Civil Protection Orders (CPOs) seek to prevent violence and unwanted contact from intimate partners, relatives, or roommates without imposing criminal charges (US Department of Justice, 2013)



Cross-Filing

- Occurs when the respondent (second-filer) files a petition against the original petitioner (first-filer)
 - 2009: 9% of cases filed in DC were cross-filed (Durfee & Goodmark, 2021)

Key Concepts

Legal Abuse

- The misuse of the court system to control or harass former partners (Durfee & Goodmark, 2021)

Bi-directional Violence

- IPV is not always unidirectional
- Studies suggest women may use violence to a similar degree as men (Bates, 2016)

Objectives

Examine reported violence, relationship types, outcomes, and filing order in cross-filed cases to identify areas of the CPO filing process that complicate safety and access to justice

Methods

Cross Petition: CPOs filed by both parties within the same calendar year

Data: 168 cases (84 pairs) from a dataset of 2,755 CPOs from 2019, 2020, 2022)

Coding: CAS, CAS-SF, and lab-generated measures captured physical, emotional, legal, and sexual abuse, alongside controlling behaviors and property issues

Type of Violence Described		
First Filer	Count	Percent
Physical	69	82.14
Property	34	40.48
Harassment	27	32.14
Emotional	11	13.10
Controlling	9	10.71
Alleged Legal/Procedural Abuse	8	9.52
Sexual	1	1.19

Table 1 & 2: Frequency (%) of alleged violence reported by the first and second filers

Type of Violence Described		
Second Filer	Count	Percent
Physical	58	69.05
Property	32	38.10
Harassment	39	46.43
Emotional	9	10.71
Controlling	13	15.48
Alleged Legal/Procedural Abuse	16	19.05
Sexual	2	2.38

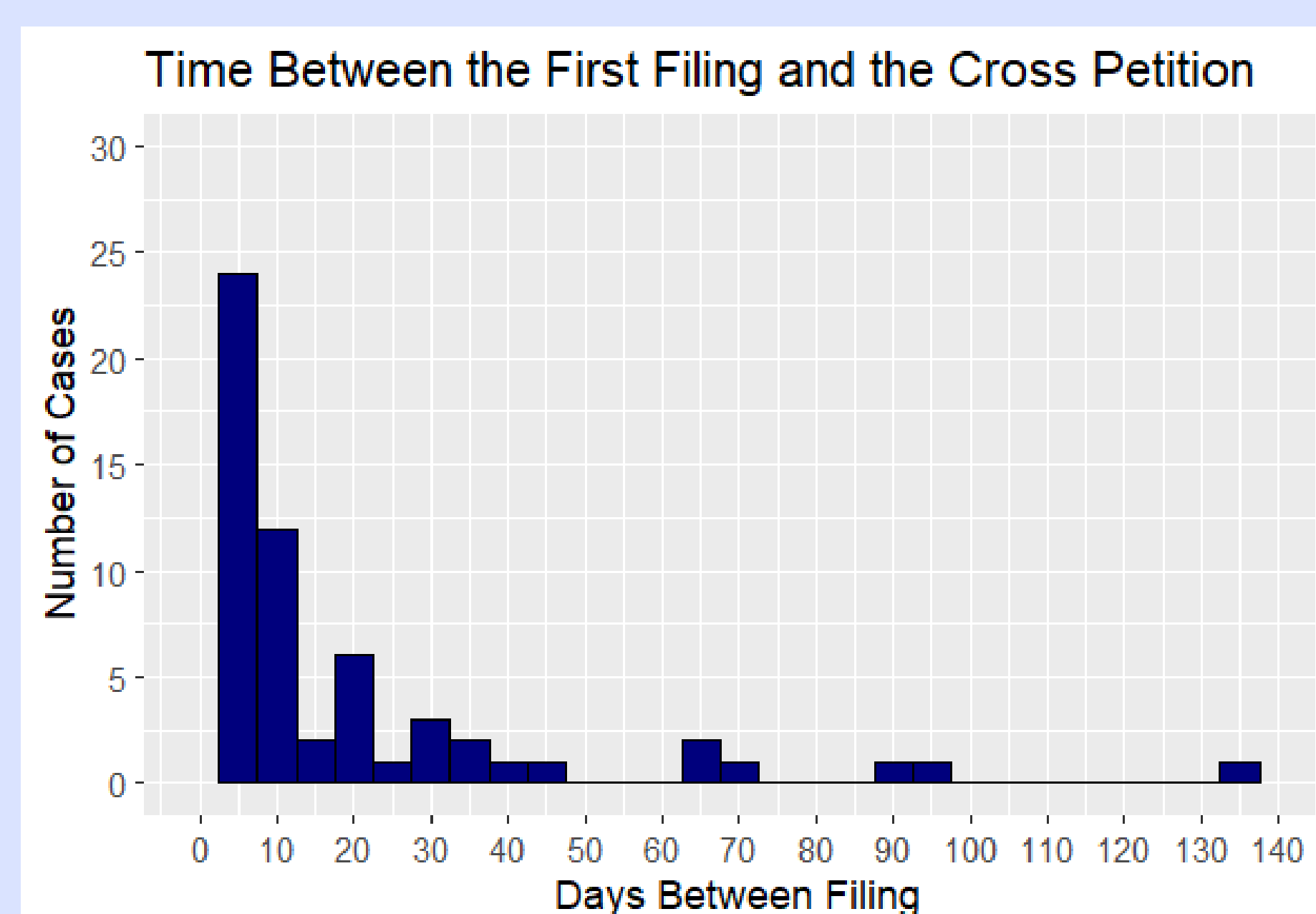


Figure 1: $\bar{x} = 14$, $SD = 23.4$, Median = 6, Range = 0-133

Results

- Physical violence most common: 82% first-filers, 69% second-filers
 - Bi-directional violence in 57.7% of pairs
- Men were more often second-filers (50%) than first-filers (36%)
- Common Relationships: having a child in common (22%), shared residence (22%), and marriage (18%)

Discussion

Implications

- Over half of paired filings involved mutual violence by both parties
 - Some petitioners admitted to using force against other party
- 24 cases indicated potential legal manipulation
 - Cross-petitions may serve as an extension of interpersonal conflicts
- Custody-related petitions highlight the need for legal clarity

Limitations

- Descriptive study; no significance testing
- Data only includes parts of 2019, 2020, and 2022; some cases may be missing

Conclusion

- **Future research should:**
 - Compare cross-filed vs single-filed cases
 - Examine other jurisdictions outside DC
- Instances of bi-directional violence and legal abuse demonstrate the need for nuanced legal responses and support

References

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