

In Virginia, domestic violence is referred to as “family abuse”. Family abuse is when a family or household member commits any act involving violence, force, or threat that results in serious injury or places you in reasonable fear of death, sexual assault, or bodily injury. Such acts include, but are not limited to, any forceful detention, stalking, criminal sexual assault, or any criminal offense that results in bodily injury or places you in reasonable fear of death, sexual assault, or bodily injury. *

Va. Code § 16.1-228

“Family or household member” means

- i. The person’s spouse, whether or not he or she resides in the same home with the person
- ii. The person’s former spouse, whether or not he or she resides in the same home with the person
- iii. The person’s parents, step-parents, children, step-children, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person
- iv. The person’s mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who *reside in the same home* with the person
- v. Any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time
- vi. Any individual who cohabits or who, within the previous 12 months, cohabitated with the person, and any of the children of either of them then residing in the same home with the person.

In which county can I file for a protective order?

You can file a petition in the county where you live, in the county where the abuser lives, or in the county where the abuse took place. If there is already another protective order in effect that protects you or your family or household member(s), you have the option of filing you petition in that county.

*Va. Code § 16.1-243(A)(3)