

# BEST INTEREST DETERMINATIONS IN DOMESTIC VIOLENCE CASES

## Child Dependency Courts

Determining a child's best interests in dependency cases involving domestic violence requires careful, informed consideration of both the child's safety and the complex family dynamics at play. Judicial officers must balance protecting the child from harm with supporting non-offending parents and promoting stability, healing, and long-term well-being.



## Key Considerations for the Court

### Safety First

- Prioritize physical and emotional safety of the child and non-offending parent.
- Promoting safety for the non-offending parent supports child safety.
- Avoid decisions that expose them to continued harm or coercive control.

### Understanding Impact

- Recognize how exposure to violence affects children's development, attachment, and trust.
- Consider trauma-informed approaches when evaluating behaviors.

### Supporting the Non-Offending Parent

- Assess capacity to protect within the context of coercive control and abuse.
- Avoid blaming the survivor.

### Accountability and Responsibility

- Hold the abusive parent accountable for creating unsafe conditions.
- Evaluate abusive parent's participation in services and behavioral change —not just program completion.

### Maintaining Stability and Connection

- Promote continuity in schooling, relationships, and routines.
- When safe, support meaningful family connections that nurture belonging and recovery.

## Practice Tip

Ask: *"What decision best supports this child's safety, healing, and long-term stability?"*

Not just: *"What is easiest to arrange today?"*

## Resources

[NCJFCJ Reasonable Efforts Checklist for Dependency Cases Involving Domestic Violence](#)

[Determining the Best Interests of the Child \(Child Welfare Information Gateway\)](#)