

# AUGUST 2025 APPELLATE UPDATE

## **Family law; domestic abuse**

In this appeal from the Sonoma County Superior Court, X.K. sought review of the denial of her request for a domestic violence restraining order (DVRO) against M.C., her former husband and the father of her daughter, under California's Domestic Violence Prevention Act. X.K. presented evidence of longtime physical abuse during the parties' relationship in China and financial and more recent emotional abuse in California. The trial judge held that the recent abuse in California occurred during the context of a custody dispute and therefore could not be considered for a DVRO. He also held that he had no jurisdiction over the abuse which occurred in China. The Court of Appeal reversed, holding that the trial court's conclusion that the abuse occurred during a custody dispute did not make it irrelevant to deny a DVRO. A DVRO may issue in a marital dissolution proceeding. The trial court further erred by refusing to consider evidence of abuse in China.

X.K. v. M.C.

June 25, 2025

First Appellate District case no. A170020