

Ada County

Domestic Violence Court



DVC Written Criteria

The Ada County Domestic Violence Court (DVC) is a dedicated docket for misdemeanor criminal cases involving allegations of intimate partner abuse and stalking. Specific charges may include:

- Domestic Assault – Idaho Code § 18-918(3)(a);
- Domestic Battery – Idaho Code § 18-918(3)(b);
- Assault – Idaho Code § 18-901;
- Battery – Idaho Code § 18-903;
- Sexual Battery – Idaho Code § 18-924;
- Stalking – Idaho Code § 18-7906;
- Telephone Harassment – Idaho Code §§ 18-6710 to 6711;
- False Imprisonment – Idaho Code § 18-2901;
- Malicious Injury to Property – Idaho Code § 18-7001;
- Disturbing the Peace – Idaho Code § 18-6409;
- Intentional Interference with Telecommunication Line – Idaho Code § 18-6810;
- Unlawful Entry – Idaho Code § 18-7034; and
- Violations of a No Contact Order or Civil Protection Order – Idaho Code §§ 18-920, 18-7907(8) and 39-6312.

The term “intimate partner” includes “household members” and persons who have had or are having a “dating relationship,” as further defined by law. *See* Idaho Code §§ 18-918 and 39-6303.

A “household member” is defined by Idaho Code § 18-918(a) as a person who is a spouse, former spouse, or a person who has a child in common regardless of whether they have been married or a person with whom a person is cohabiting, whether or not they have married or have held themselves out to be husband or wife.

“Dating relationship” is defined in Idaho Code § 39-6303(2) as a social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- (a) The nature of the relationship;
- (b) The length of time the relationship has existed;
- (c) The frequency of interaction between the parties; and
- (d) The time since termination of the relationship, if applicable.

If a party feels that the case has been assigned erroneously to the DVC, then the party may file a motion to remove the case from the DVC. If disputed, the motion will be set for hearing before a DVC judge to determine eligibility in the DVC consistent with these written criteria and other applicable law.