February 22, 2016


© Nancy Levit*

This bibliography covers law review articles published, for the most part, after 2012. Articles for which the title is self-explanatory or that concern only a single case, state, or statute are cited, but not annotated.

Alternative Dispute Resolution/Mediation 606 R
Children 607 R
Custody and Visitation 608 R
Criminal Enforcement 610 R
Gun Control 610 R
Holds 611 R
Mandatory Arrests 611 R
Economic Abuse and Insecurity 611 R
Ethics 612 R
Immigration/Asylum 613 R
International Protections 616 R
Legal Representation 616 R
Miscellaneous 617 R
Particular Populations 618 R
African Americans 618 R
Asians 619 R
Elderly 619 R

* Interim Associate Dean and Curators’ and Edward D. Ellison Professor of Law, University of Missouri-Kansas City School of Law.
606 *Journal of the American Academy of Matrimonial Lawyers*

Latinas .................................................... 620
LGBT Children and Partners ............................. 620
Male Victims .............................................. 621
Military and Veterans ..................................... 621
Native Americans ......................................... 622
Police Officers ............................................. 622
Religious Communities .................................... 623
Teenagers and College Students......................... 623

**Protective Orders** .......................................... 623

**Resources and Remedies** ............................ 625

**Victims Who Kill Their Abusers** ...................... 627

**Workplace** .................................................. 628

**Alternative Dispute Resolution/Mediation**


Dafna Lavi, *Divorce Involving Domestic Violence: Is Med-Arb Likely to Be the Solution?*, 14 PEP. DISP. RESOL. L.J. 91 (2014) (exploring the prospect of mediation-arbitration in divorce cases where intimate abuse is present, with the powers of the mediator-arbitrator used to balance some of the dangers to and power imbalances experienced by abuse victims).

Kelly Browe Olson, *Screening for Intimate Partner Violence in Mediation*, 20 DISP. RESOL. MAG. 25 (Fall 2013) (explaining how screening for domestic abuse in mediation can be accomplished, with new screening tools, who should be doing this screening, and when in the process it should occur).


**Children**


*Custody and Visitation*

Margaret F. Brinig at al., *Perspectives on Joint Custody Presumptions as Applied to Domestic Violence Cases*, 52 Fam. Ct. Rev. 271 (2014) (examining presumptions against joint custody for perpetrators of intimate abuse, as well as presumptions in favor of joint custody irrespective of abuse, and urging instead fact-based determinations).


610 Journal of the American Academy of Matrimonial Lawyers

Criminal Enforcement


Gun Control


Claire McNamara, Student Scholarship, Finally, Actually Saying “No”: A Call for Reform of Gun Rights Legislation and Policies
Vol. 28, 2016 Intimate Partner Violence Bibliography 611


Holds


Mandatory Arrests

Amy M. Zelcer, Note, Battling Domestic Violence: Replacing Mandatory Arrest Laws with a Trifecta of Preferential Arrest, Officer Education, and Batterer Treatment Programs, 51 AM. CRIM. L. REV. 541 (2014).

Economic Abuse and Insecurity

Dana Harrington Conner, Financial Freedom: Women, Money, and Domestic Abuse, 20 WM. & MARY J. WOMEN & L. 339 (2014) (exploring various forms of resource-deprivation as abusive behavior and considering the limits of civil protection orders in remedying these actions).

Jamie Haar, Women’s Work: Economic Security in the Domestic Violence Context, 31 Hofstra Lab. & Emp. L.J. 471 (2014) (tracing the phenomenon of economic abuse and also considering several legal mechanisms to combat the ways victims of intimate partner violence are economically trapped, from innocent
spouse protection in tax law to state antidiscrimination statutes to property law to unemployment insurance).

Margaret E. Johnson, *Changing Course in the Anti-Domestic Violence Legal Movement: From Safety to Security*, 60 VILL. L. REV. 145 (2015) (arguing that intimate partner anti-violence efforts should address initial safety concerns but also emphasize longer term financial security).


**Ethics (See also Legal Representation)**


Jasmine Green McNamara, Note, Confidentiality Conflicts: A Practical Solution to a Persistent Problem, 40 J. LEGAL PROF. 105 (2015).


**Immigration/Asylum**


Joline Doedens, The Politics of Domestic Violence-Based Asylum Claims, 22 DUKE J. GENDER L. & POL’Y 111 (2014) (covering cases of the last quarter century regarding domestic violence-based claims for asylum and noting pragmatic difficulties with establishing facts, because the aggressor is usually not present for any hearings related to the matter).


Kenneth Ludlum, Note, *Defining Membership in a Particular Social Group: The Search for a Uniform Approach to Adjudicating Asylum Applications in the United States*, 77 U. PITT. L. REV. 115 (2015) (comparing the Board of Immigration Appeals’ test for a particular social group in asylum law—“(1) composed of members who share a common immutable characteristic, (2) defined with particularity, and (3) socially distinct within the society in question”—with the case law of various circuits).


International Protections


Legal Representation *(See also Ethics; Resources and Remedies)*


**Miscellaneous**


618 *Journal of the American Academy of Matrimonial Lawyers*


**Particular Populations (See also Immigration)**


*African Americans*

Asians

Donna H. Lee, Intimate Partner Violence Against Asian American Women: Moving from Theory to Strategy, 28 COLUM. J. GEN-DER & L. 315 (2015) (outlining reforms to address the particular population of Asian victims of domestic violence, including frameworks to support victims who choose to stay in abusive relationships and strategies to assist victims who leave in obtaining protection orders).


Elderly


**Latinas**


**LGBT Children and Partners**


Orly Rachmilovitz, Family Assimilation Demands and Sexual Minority Youth, 98 Minn. L. Rev. 1374 (2014) (covering various types of family pressures on LGBT children, ranging from coercive to abusive and neglectful behaviors).

and institutional barriers to the responsiveness to LGBT domestic violence).


**Male Victims**


**Military and Veterans**


**Native Americans**


**Police Officers**

ECON. DEV. 347 (2014) (addressing the silencing and failure to protect that can occur from perpetrators’ fellow officers).

**Religious Communities**


**Teenagers and College Students**


**Protective Orders**

Dana Harrington Conner, *Civil Protection Order Duration: Proof, Procedural Issues, and Policy Considerations*, 24 TEMP.
Journal of the American Academy of Matrimonial Lawyers

POL. & CIV. RTS. L. REV. 343 (2015) (covering different states’ models, from permanent to discretionary to fixed duration protective orders, and urging more flexibility to adapt to individual circumstances).


Jessica Miles, We Are Never Ever Getting Back Together: Domestic Violence Victims, Defendants, and Due Process, 35 Cardozo L. Rev. 141 (2013) (addressing enforcement of civil protection orders across state lines against nonresident defendants).

Jane K. Stoever, Enjoining Abuse: The Case for Indefinite Domestic Violence Protection Orders, 67 Vand. L. Rev. 1015 (2014) (criticizing the short term nature of domestic violence protective orders, particularly when compared to permanent injunctions in various other areas of law, and arguing for indefinite orders of protection in domestic abuse cases).


Resources and Remedies


Maggie Jo Buchanan, Fighting Domestic Violence Through Insurance: What the Affordable Care Act Does and Can Do for Survivors, 23 Tex. J. Women & L. 77 (2013) (explaining the provisions of the Affordable Care Act that can provide health insurance for intimate abuse survivors).


Jaime Kay Dahlstedt, Notification and Risk Management for Victims of Domestic Violence, 28 Wis. J.L. Gender & Soc’y 1 (2013) (addressing the reluctance of courts to impose conditions of GPS monitoring on domestic violence perpetrators and discussing the promising features of this technology).

violence is one of the leading causes of homelessness, and making the argument that civil protection orders could do more to help abuse victims remain in the home).


Victims Who Kill Their Abusers

Kit Kinports, *The Myth of Battered Woman Syndrome*, 24 TEMP. POL. & CIV. RTS. L. REV. 313, 314 (2015) (explaining that there is no battered woman syndrome defense, but that the syndrome is evidence used to expand the time frame of the imminence element in self-defense).


Workplace


Njeri Mathis Rutledge, *Employers Know Best? The Application of Workplace Restraining Orders to Domestic Violence Cases*, 48 LOY. L.A. L. REV. 175 (2014) (evaluating current workplace restraining order laws and arguing that employers themselves should be able to seek such orders even if victims do not want to do so).


