

BY ATTORNEY
Adam Rossen

Florida Domestic Violence

The Heat of
the Moment:
How Split-Second
Decisions Can
Have Lasting Legal
Consequences



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A LEGAL GUIDE

HOW FLORIDA LAW
DEFINES DOMESTIC
VIOLENCE

HOW TO CHOOSE
A DOMESTIC
VIOLENCE LAWYER.

AND MORE...

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Criminal



DUI



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White Collar



Sex & Child Abuse



Domestic Violence

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What is Domestic Violence?

When emotions run high, sometimes we say or do things we don't mean. Situations escalate. Things get out of control. All of a sudden something that happens in the heat of the moment is now staring you in the face, and threatening to ruin your life.



Being arrested or charged with Domestic Violence in Florida can have a devastating impact on your freedom, your job, your family and your future. Regardless of what led to your charge, you need and deserve to have your legal rights protected. And that's why our firm is here. To help you protect your legal rights and get through this difficult situation.

How Does Florida's Law Define Domestic Violence?

Florida law defines domestic violence as any criminal offense resulting in the physical injury or death of one family or household member by another family or household member. Domestic Violence cases can vary from misdemeanors like battery, stalking, and violation of an injunction to serious felonies such as Aggravated Battery, Kidnapping, or Aggravated Stalking.



- Assault
- Battery
- Sexual Assault or Battery
- Dating Violence
- Stalking
- Injunction Violations
- Kidnapping
- False Imprisonment

Being Charged With Domestic Violence

In order for the charge to become domestic violence related, the prosecutors must have proof of the specific crime such as the ones on the previous page **PLUS**, the crime must be between either:

Family or Household Member Means:

1. Husband or Wife
2. Ex Husband or Ex-Wife
3. Persons related by blood or marriage
4. Persons living together as a family unit
5. Persons who have a child in common



In a “Dating Relationship” Means:

1. A continuing and significant relationship of a romantic or intimate nature



Domestic violence charges can have life-altering consequences for you and your loved ones.

The penalties depend on how severe the charges are.

For misdemeanor offenses, jail sentences can range from sixty days to up to one year, while felony charges can put you in prison for, five, ten, fifteen or more years.

You could also lose custody of your children, face possible job loss, and have a criminal charge on your record that cannot be sealed.

The Story of Bob and Maria

Sometimes the best way to understand the law, and the course that it can take, is through an actual case. That's why I want to take you through the case of **Bob and Maria**.

Bob and Maria have been married for 8 years now. They have two children, Alex who's seven years old, and Ana who's four years old. They live in a nice neighborhood in plantation in a one-story, three-bedroom house with a big grassy backyard where Alex can practice his soccer skills.

Maria is originally from Venezuela and has lived in South Florida for the past 18 years.

Bob was born and raised in Fort Lauderdale. Maria works part-time as an assistant at a title company, and Bob is a full-time electrician.

Recently Bob and Maria **have been fighting...**



They've got a lot of bills to pay, and money is tight. Maria has been a stay-at-home mom since Alex was born and wanted to continue to stay home with the kids at least until Ana started elementary school. But unfortunately she had to go back to work part-time to help with the bills.

Maria's been back at work for 6 months now and is fed up. She still has to do the same amount of cooking and cleaning, take care of the kids, and manage 25 hours in the office every week. Plus her 2007 Toyota Camry needs repairing. Everytime she takes the kids somewhere in the car she's afraid something will happen. She wants new breaks put in, but her and Bob have to save up for that.

The Story of Bob and Maria

Bob and Maria have also been drifting apart since Ana was born. Bob has been unable to handle the stress of having two children and a lot of bills and has been spending more time at the bar than at home. Almost everyday after work he says he's going for a couple of drinks with his buddies and then rolls into the house around 10 smelling like Budweiser.

This is a **MAJOR** point of contention with Maria.



She's constantly working, cooking, cleaning, and taking the kids to school, daycare, and soccer practice. **She's exhausted.**

Things in the bedroom are just as bad. When Bob gets in from the bar, he pretty much passes out. **They haven't had sex in at least 5 months.**

The Story of Bob and Maria

When stress builds up over time
someone is bound to snap...

One night Maria has had enough.

She had a stressful day at work. Her boss even threatened to fire her.

Alex got into a fight with another boy at soccer practice. Ana drew all over her bedroom wall with her Crayola markers while Maria was making dinner.

It's 9:30pm and Bob is nowhere to be seen. She called him on his cell 4 times but he didn't answer. She's officially reached her breaking point.

Finally, at 9:52pm Maria hears his old Ford pick-up truck pull into the driveway. As soon as she hears the car door close she runs out to confront him. As soon as Bob opens his mouth she can smell the Budweiser on his breath.



The Story of Bob and Maria

Maria gets right in Bob's face and starts yelling at him about how he's never home, he's a lousy father, a sad excuse for a husband, and a drunk. She's waving her hands aggressively, but she never actually touches him.

What she doesn't know is that both Alex and Ana are watching from the living room window. Bob is drunk and doesn't want to hear it. He just wants to be left alone so he can go to bed. He brushes Maria aside to get her out of his face.

Now, Bob is 6'2" and 234 pounds, while Maria is only 5'2" and 128 pounds. Even though he's just brushing her aside, Bob is also drunk and not in complete control of his actions.



The force of his hand makes Maria stumble. She falls back, hitting her arm on the truck on her way down. Maria lands on the ground clutching her left arm. There's a scared yelp from the window as Alex and Ana see their mother on the ground in pain.

Bob is dumbfounded. He stands there with a look of shock on his face. He tries to help Maria up but she shoves him away with her right arm screaming, "Get away from me! You did this to me! Stay away!" The kids try to come out to help their mom but Bob yells at them to get back inside the house.

The Story of Bob and Maria

Now this is when what happens in the heat of the moment can cause **big trouble for you...**

Nosy neighbor Ned was at his window just in time to see Maria fall down and automatically decides to call the police. Maria gets up holding her arm tenderly and goes to the kitchen to put some ice on it. She refuses to speak to Bob. The kids follow Maria into the kitchen concerned that she's okay. Bob stays in the living room.

Ten minutes later the doorbell rings. Bob looks up confused as to who would be ringing their doorbell that late on a weeknight. When Bob answers the door he's shocked to see two cops standing on the other side of it.



Bob asks the officers what they're doing at his house. The cops smell the alcohol on his breath and immediately bull rush into the house and start accusing Bob of hurting his wife. Bob is dumbfounded and keeps denying that he would ever hurt his wife. Maria hears the commotion from the kitchen and walks into the living room still holding the bag of ice on her arm. The two cops look at Bob even more accusingly.

The Story of Bob and Maria



They decide to separate Bob and Maria. Officer Evans stays in the living room with Bob and Officer Grant takes Maria into the kitchen with him. Maria is still very angry with Bob because he's always at the bar and their marriage is in bad shape.

“Split em’ up!”

So she takes the conversation with Officer Grant **as an opportunity to vent...**



She tells the cop what happened from her perspective—that she went outside to confront Bob about his irresponsible, stupid behavior and he didn't want to hear it so he pushed her aside and she fell, hitting her arm on the truck.

When she finishes telling her side of the story Officer Grant asks her if the kids witnessed the event. Maria admits they were watching from the window. Officer Grant then thanks her for her time and heads straight back into the living room. Maria follows. **Officer Grant gives his partner the nod, and Bob is handcuffed and arrested in front of Maria and the kids.**

Maria starts freaking out...

The Story of Bob and Maria

She wasn't expecting Bob to be arrested and is trying to protest. Officer Grant waves her off and tells Maria that she can expect a visit from the **Florida Department of Children and Families (DCF)** tomorrow.



Bob is taken down to the main jail. He has to see a judge before he can bond out of jail. This process can take up to 24-36 hours.

Until then he just has to sit there.

The next day Maria is getting the kids ready for school when the doorbell rings. She answers the door to find Darlene from DCF. Darlene has a no-nonsense attitude and tells Maria they need to have a serious discussion regarding the events of the previous night.

Maria is stressed She needs to get the kids to school. Then she needs to head to the office. And on top of that Bob's boss already called asking why he didn't show up this morning. All of this stress and it's not even 9am yet! Maria was afraid of getting Bob fired because they desperately need the money, so instead of telling him that Bob had been arrested, she told his boss that Bob was very ill and wouldn't be coming in.

Maria sits down at the kitchen table with Darlene and starts telling her what happened last night. **Darlene keeps interrupting Maria telling her what to do. She warns her that if she doesn't file a civil restraining order against Bob then DCF will take the kids away from her.**

Now Maria is even more scared.

She doesn't want to file for a restraining order against Bob, but she also doesn't want to lose her children. She has no idea what to do.

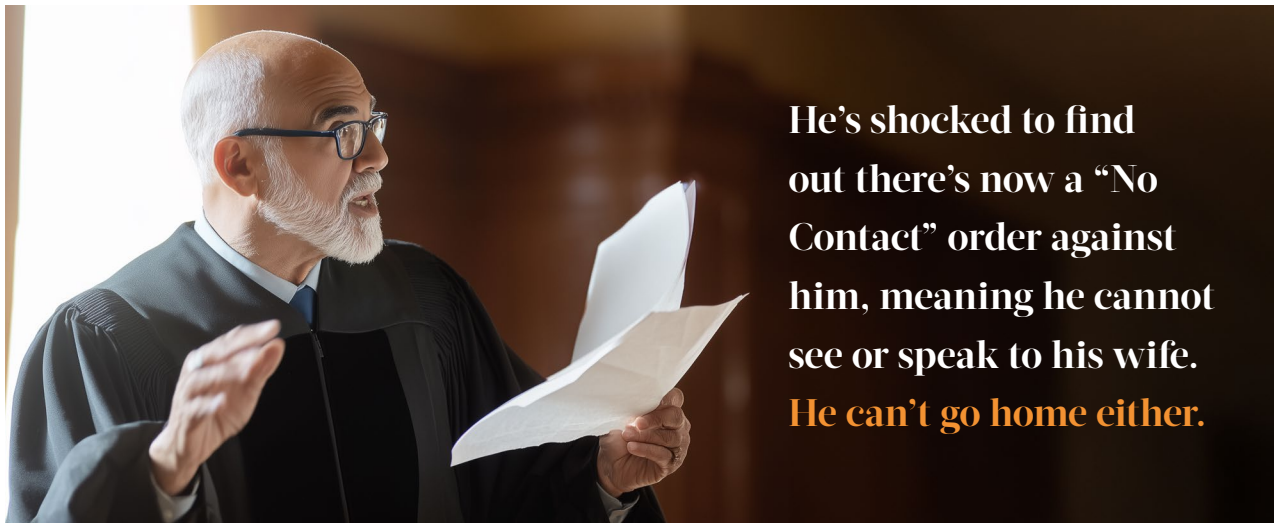
The Story of Bob and Maria

Meanwhile at the courthouse...



...after a rough night in jail, Bob is finally brought before Judge Brady.

Because Bob has no priors, and has ties to the community (his family and his job are all here) Judge Brady sets his bail low, at only \$1,000. However, there's still bad news for Bob.



The No Contact order will remain in place until either the court modifies it, or the case gets thrown out.

Bob has to call his brother Jack to bail him out. Jack bails Bob out of jail and takes him back to his place.

In order to get his belongings from his house, Bob will have to call the police so they can escort him. He cannot go by himself or he would be in violation of the No Contact order.

The Story of Bob and Maria

Once she got rid of Darlene, Maria managed to get the kids to school and then went to work. Unable to focus because of her concerns, Maria spends the morning on Google searching for a criminal attorney.

She finds attorney Adam who has a lot of good reviews online, and decides to schedule a free consultation with him during her lunch hour.

Maria shows up scared and stressed and is greeted with a soothing cup of hot, frothy coffee by Adam's faithful assistant, Walter.

A few minutes later she sits down with attorney Adam and explains what happened. She tells him that the whole incident was one big mistake, and she just wants it to go away.



Adam explains to Maria that Bob will have a No Contact order against him pursuant to the pending criminal case, meaning he won't be able to have any form of contact with her.

Maria is very upset and tells Adam that she wants contact with her husband. She gives Adam Bob's cell phone number and asks him to talk to Bob. Adam calls Bob and tells him that Maria would like him to come to his office as soon as possible. Bob goes in that afternoon.

Adam explains to Bob the conversation he had with Maria, and that she wants contact with him. **In order to do that, they will need to file a motion to get him contact. Unfortunately the court system is slow, so it will take one to two weeks to get in front of a judge on the motion. Until then Bob still cannot have any contact with Maria.**

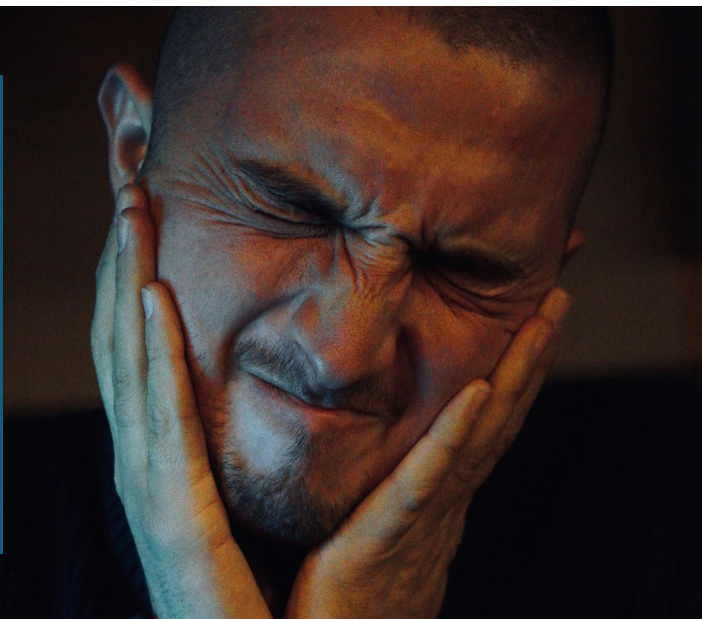
The Story of Bob and Maria

The situation with the kids is more complicated because DCF will be involved. Adam explains to Bob that hopefully with Maria's help (since she feels this is all a big misunderstanding) he will be able to get the prosecution to drop the case.

However he still warns Bob of the possible penalties and complications if that isn't possible:

- **Anger management courses, and possibly Batter's Intervention Program, which takes 6 months to complete**
- **Up to 1 year of probation**
- **Up to 1 year in jail**
- **Having the No Contact order in place for the duration of probation**
- **Potential job loss**
- **Having a mug shot out there (which is virtually impossible to get rid of)**
- **Dealing with DCF and a possible Civil Restraining Order**

Also, if Bob were to take a plea this is a non-sealable offense, meaning it will stay on his record forever.



The Story of Bob and Maria

Next Attorney Adam delves into a **plan of action**.

He tells Bob that they will pull the 911 tapes in order to hear the call between Nosy Neighbor Ned and the police. **The tape should prove that he didn't really see anything, or know what was going on before deciding to call.**



Adam will also secure Maria's testimony at the hearing so that she can explain to the court how this is all a big misunderstanding. Adam is planning on being aggressive and trying to get the prosecution to drop the case altogether.

Bob decides to hire Adam and asks him what he should do in the meantime. Adam advises him to get back to his normal life as best as possible. **Go back to work, and consider seeing a therapist to deal with both his alcoholism and the stress of the situation.**



Domestic Violence Cases Are All Different

When it comes to domestic violence there are many different types of cases and situations. The above was just an example of one of them.

And in case you're wondering, Adam was able to get Bob's charges dismissed. He is now seeing a therapist to work through both his alcoholism and marital issues. He and Maria are still together, but their relationship still needs a lot of work.

Now, this case had a somewhat happy ending. But it doesn't always work that way.

Sometimes there are long trials where cases take months of work, depositions, witnesses, and multiple court appearances, not to mention expensive legal bills.

Sometimes it's not a simple misunderstanding. There may be ulterior motives between the parties. This is especially common when money, divorce, and children are involved. Parties try to manipulate the legal system to screw each other over.



In other cases there really is serious violence perpetrated against one or both parties, in which case there needs to be legal intervention.

No matter what your situation is, once there are criminal charges against you, you're going to need a good attorney. **Domestic Violence charges can have life-altering consequences, so you need to have an experienced lawyer on your side protecting your rights and helping you get the best result possible.**



HOW TO Choose the right Domestic Violence Attorney

When searching for the right Domestic Violence Attorney for you, there are **4 key factors** that you want to look for:

1 Awards and Reviews

The experiences of former clients will give you a good idea of how well the firm handles their cases, so Google Reviews are a great place to start. Awards and certifications are also great indicators of attorney excellence. Look to see if there are Board Certified attorneys on their team, as a Florida Bar Board Certification is the highest evaluation of experience in criminal law. Additional accolades you might want to look at are Martindale-Hubbell awards, SuperLawyers, National Criminal Defense College, and National Association of Criminal Defense Lawyers.

2 Local Experience

A local law firm is the way to go. Attorneys who have experience in the county where your case occurred will have built relationships with prosecutors, judges, Law Enforcement Officers, DMV hearing officers, and other key players in the system. This means they can get you a home-court advantage.

3 Domestic Violence Experts

You want an attorney who is a master of domestic violence cases. Since domestic violence cases are unlike any other, a domestic violence lawyer will have a level of expertise that will serve you well. They know the system inside and out and they know the law down to the letter. The best domestic violence lawyers in the game know that an “unbeatable” charge is never truly unbeatable.

4 Power of the Team

When hiring a firm, there are so many more people working on your case than just one lawyer. Multiple attorneys will combine strengths and work the same cases. Legal assistants handle the delicate behind-the-scenes paperwork and preparation. Even the front desk is going to be your access point to the whole defense team. Think of it this way: Would you rather have a lone wolf? Or the entire wolf pack?

10 Essential Questions to ask yourself before hiring a Domestic Violence Attorney

Hint: If you can't answer **YES** to all these questions: **DON'T HIRE!**

- Was it easy to get in touch with the firm?
- Was the meeting all about me and not the attorney?
- Did the attorney pay attention to the details of my case?
- Did the attorney lay out a plan of action?
- Did the attorney welcome and answer any questions I had?
- Is this attorney an expert in criminal law?
- Was the staff and attorney attentive to my needs?
- Did the attorney explain how they can beat my case?
- Did the attorney explain how a Motion to Suppress works?
- Is this attorney willing to fight for me?





What Former Clients Say



Rossen law firm will now ALWAYS be our first call if ever in need. I would not refer a soul anywhere else for help. In a time where nerves and fear are at an all time high. They not only resolved our problems but they made us feel at ease and SECURE! They were ALWAYS on point with everything and had the experience that was needed. Thank you Rossen law truly from my family to yours.

Ray M.



When a family member was arrested and jailed we were panicked. We had no experience dealing with criminal cases and had no idea what to do. We called a close family friend who highly recommended the Rossen Law Firm. We called and they went to work on the case immediately. They calmly talked us through what we had to do and had our relative released on bond within 24 hours. While this was an extremely traumatic experience for our family, the Rossen Law Firm was with us every step of the way.

Judith Z.



We hired Rossen Law Firm to represent my son cases and I must say, Susan, Scott, Shanee and the Whole Rossen Law Firm did an Amazing job representing and having all the charges dismissed and acquitted. I highly recommend anyone looking for criminal lawyers Rossen is the firm to Hire. They mean BUSINESS! I'm forever Thankful and so is my entire Family!

Bare B.



I can't put it into words my amazing experience with the Rossen law firm. I call them to take over my criminal case giving them limited time to work with, but still took on my case with high optimism of the challenge. I was very paranoid, skeptical on going to trial but as I got more closer to my attorneys in communication I felt more relax that I had hire the right team to represent me.

Jose C.



I am very happy to have chosen the Rossen team for my case, they understood my main concerns and explained the whole process so I completely understood everything. I greatly appreciate the team for being able to get the best possible outcome for my case, leaving me not worried at all about my future and career being affected.

Nicholas



In one of the most stressful times in my life, Rossen Law Firm was there for me. Leaving no stone unturned they provided patience and knowledge in every detail of my case. I'm very thankful and proud of this law firm family.

Kevin T.





Meet Attorney Adam

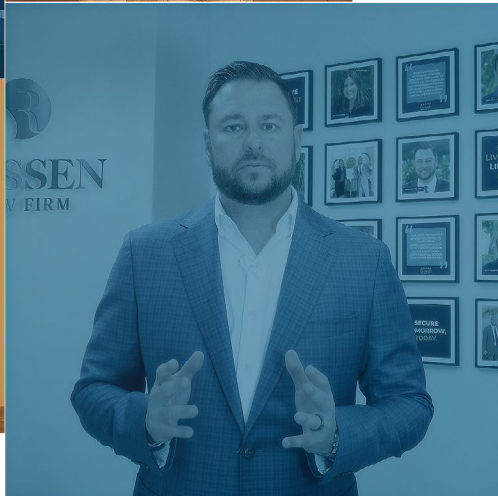
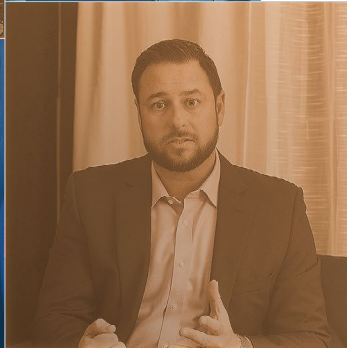
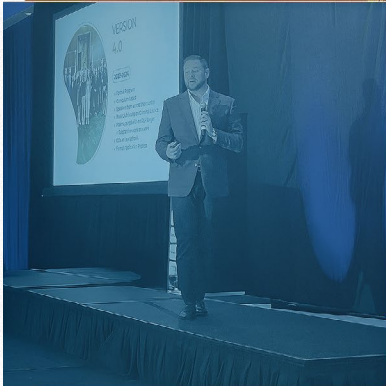
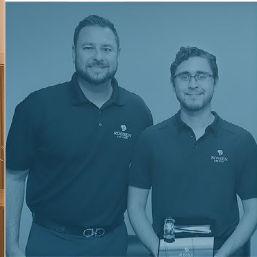
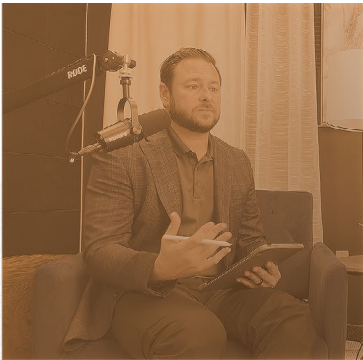
Adam Rossen

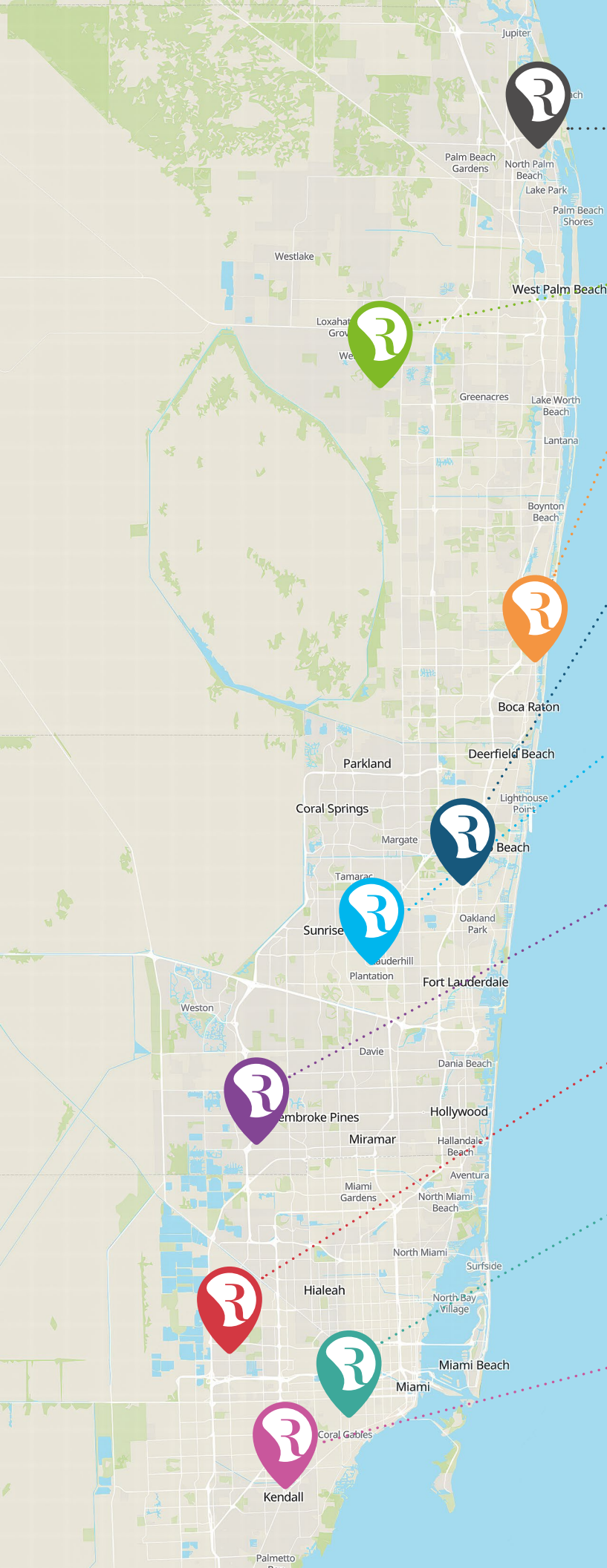
CEO & Founding Attorney | **Rossen Law Firm**

Adam Rossen is the CEO and Founding Attorney of Rossen Law Firm, the largest criminal defense firm in Broward County. With nearly two decades of experience and a background as a former prosecutor, Adam has built a powerhouse legal team dedicated to defending good people facing challenging situations. Under his leadership, Rossen Law Firm has grown from a solo practice to a six-attorney firm with over 20 employees, earning recognition as one of the fastest-growing law firms in the U.S.

Adam's practice focuses on criminal defense, including DUI defense, domestic violence, drug offenses, sex crimes, and violent crimes. He leverages his insider knowledge of the prosecution to craft aggressive and strategic defenses for his clients. As a criminal defense expert, he is known for his relentless advocacy and ability to secure life-changing results for those he defends.

As the CEO and visionary behind Rossen Law Firm, Adam leads the firm's growth, innovation, and strategic direction, ensuring that every client receives top-tier legal representation with a personal approach.





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