



# After the 911 Call

Your Guide to  
Domestic  
Violence  
Arrests  
in Florida

ATTORNEY  
**Adam Rossen**



# → 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?

**After the 911 Call:  
Your Guide to Domestic  
Violence Arrests in Florida**

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Jacobs & Whitehall  
9600 Escarpment Blvd  
Suite 745-282  
Austin, TX 78749  
[www.jacobsandwhitehall.com](http://www.jacobsandwhitehall.com)

Ordering Information:

Quantity sales. Special discounts are available on quantity purchases by corporations, associations, and others. For details, contact the publisher at the address above.

Orders by U.S. trade bookstores and wholesalers. Please contact Jacobs & Whitehall: Tel: (888) 991-2766 or visit [www.jacobsandwhitehall.com](http://www.jacobsandwhitehall.com).

Printed in the United States of America

Published in 2025

**ISBN:** 978-1-963063-29-5

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## TESTIMONIALS

*"I had a great experience working with Danielle and Adam. They were incredibly responsive, helpful, and knowledgeable throughout the entire process. Every question I had was answered in a way that made sense to me, and I always felt like I was in capable hands. Their professionalism and clear communication made a really stressful situation much more manageable. I highly recommend them to anyone in need of legal support. They will have your back."*

**– Shamile Louis**

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*I have known Adam Rossen for a while and he is amazing attorney! Our clients are very happy with him, and he is a well-respected member of the local business and legal communities. A+!!!*

**– Marc Hurwitz**

\*\*\*\*\*

*“Was chatting with a neighbor the other day who had a case handled by this firm in Fort Lauderdale, and the way she described her experience honestly stuck with me. She felt heard, respected, and genuinely supported from start to finish. It’s rare to hear someone talk about a law firm with that much appreciation. Between her feedback and what I’ve seen on social media (looked them up and was amazed), it’s clear they’ve built something special, smart, compassionate, and really client focused.”*

**– Luisa Lopez**

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*“I would highly recommend Rossen Law Firm to anyone in need. And I’m not just saying it. Everyone in the office treated me like I was family. They were very helpful and walked me through the process and were with me every step of the way. I even had to call “after hours” and they took care of me and my concerns.”*

**– Jennifer Njenga**

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*"I had a fantastic experience with this firm. They were incredibly informative, ensuring I understood every step of the process. Their thoroughness gave me confidence that nothing was overlooked, and they resolved my issue swiftly and efficiently. I truly appreciate their professionalism and dedication. Highly recommended!"*

**– Ratna Suthar**

\*\*\*\*\*

*"Rossen Law Firm is reliable, professional, and truly dedicated to their clients. They handle cases with care and expertise. Definitely a team you can trust when you need legal support."*

**– Gabriel Carmona**

\*\*\*\*\*

*"If you're in Fort Lauderdale and dealing with anything like a DUI or battery case, Rossen Law is the name that always comes up. They're just solid. No drama, no weird vibes, just people who know what they're doing."*

**– Cornelio Rodriguez**

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## INTRODUCTION



### *My Journey To Becoming A Criminal Defense Attorney*

My journey into criminal defense began on the other side of the courtroom. I started my career as a

prosecutor in the Broward County State Attorney's Office in Fort Lauderdale. At that time, I envisioned a lifelong career in such a role, where I could help people while developing my skills as a trial lawyer.

However, after a few years, I came to the stark realization that the political environment in the office wouldn't support my goals or aspirations. I felt that remaining in it would significantly limit my ability to genuinely help people.

So, at just 26 years old, I made a dramatic decision. I started my firm, Rossen Law Firm. With it was a fresh sense of determination to make a greater difference from the *other* side of the courtroom.

Nearly two decades later, we've represented hundreds, if not thousands, of clients in domestic violence cases. Having done so, my understanding of the justice system and its intersection with these sensitive, deeply personal cases has been profoundly shaped and molded over the years by this real-life experience.

One of the most surprising lessons I've learned is that public perception of domestic violence cases rarely, if ever, matches reality. People frequently assume these cases are always severe and clear-cut. The truth of the situation is that the vast majority—perhaps upwards of 70-90% of them—involve situations that never should have led to an arrest. The other 10-20% of cases are indeed serious.

Many cases are rooted in misunderstandings, miscommunications, or police responses to actions that are aggressive yet manageable. What drives me is the opportunity to help individuals and families navigate these challenging situations. Our firm's mission—*helping good people when bad things happen so they can achieve their best future*—is at the core of everything we do.

Through our work, we're able to restore peace of mind, mend fractured relationships, and ensure that one moment doesn't define someone's future. That journey, from prosecutor to defense attorney, has not only shaped my approach to the law but truly reinforced my belief in

the importance of compassion, understanding, and fighting for justice in its truest sense.

### *My Key Focus In Helping Clients*

Helping clients navigate domestic violence cases is deeply tied to our mission at Rossen Law Firm: strengthening our community and supporting individuals through challenging times.

At the heart of what we do is a commitment to helping good people when bad things happen, ensuring they have the opportunity to achieve their best future despite the legal obstacles in their way. In many ways, our firm views itself as both a legal advocate and a builder of relationships and community.

Domestic violence cases make up a significant portion of our work, and we approach them with both passion and care. One of the most rewarding aspects of this practice area is addressing situations where false accusations are used as leverage in family law disputes, whether it's during a divorce or a child custody battle.

Seeing the justice system manipulated in this way is something we're fundamentally opposed to, and we take great pride in protecting the rights of those who find themselves unfairly targeted. The number of truly innocent people we've been able to help is amazing, and standing up for them is a responsibility we take seriously.

On the other hand, we also work with clients who may have made mistakes or are dealing with personal challenges, such as anger management issues or emotional struggles. These clients are often good people who need guidance and support to navigate difficult periods in their lives. Collaborating with therapists, mental health professionals, and substance abuse counselors, we help these clients address underlying issues and build healthier futures.

There's a unique reward in being able to assist clients on both sides of the spectrum—whether it's defending the falsely accused or helping someone take steps toward personal growth.

Every case is an opportunity to make a meaningful difference, not just for our clients but for the community as a whole, and that's precisely the perspective we bring to the table when handling them.

### *Why I Wrote This Book*

I wrote this book because there is an overabundance of misinformation and surface-level advice, especially when it comes to domestic violence cases. People need sound, accurate, and actionable information, particularly in a situation as potentially life-altering as a domestic violence case.

At Rossen Law Firm, we believe in empowering people by providing them with real options and helping them make informed decisions. This guide is rooted in that deeply held philosophy – offering clarity and support to those who need it most.

This book is for anyone affected by a domestic violence case. Whether you're the defendant, the alleged victim who never wanted the situation to

escalate, or a concerned friend or family member of someone involved, this guide is here to help you.

A domestic violence case can turn your world upside down overnight, so we want to ensure you have a dependable, skilled foundation to navigate your case effectively. Even misdemeanor domestic violence charges come with serious consequences, and the stakes are incredibly high for everyone involved.

My goal with this guide is to provide a resource that not only informs but also empowers people to handle these cases with confidence and care.

### *The Importance Of Access To Accurate Information*

Knowledge is power, and access to accurate information is powerful for anyone involved in a domestic violence-related arrest. Even if you've been through the process before, there's a good chance you don't fully understand the intricacies of the law. Without the right information, you risk being taken advantage of, whether by the justice system or by

hiring an attorney not equipped to handle your case effectively.

At Rossen Law Firm, we see it as part of our mission to ensure people have the knowledge they need to protect themselves and make informed decisions. The system can feel overwhelming, and without proper guidance, it's easy to feel beaten down. That's why we're committed to providing real information and experienced representation to help people navigate these situations.

We also recognize that there are many less experienced lawyers out there, and hiring one can exacerbate an already challenging situation. As we specialize in domestic violence cases and consider ourselves experts in this area, we feel a responsibility to represent as many people as possible.

We want to do everything we can to ensure that people aren't left at the mercy of poor representation or misinformation, because everyone deserves a fair chance to defend themselves and move forward.

**PART 1:**  
**DOMESTIC VIOLENCE 101**

## Chapter 1:

# WHAT IS DOMESTIC VIOLENCE, REALLY?



In Florida, the law (Florida Statutes §741.28) specifically defines domestic violence as:

“Any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death committed by one family or household member against another.”

Put simply, domestic violence is any violent crime, such as assault or battery, that happens between people who are family, live together, have children in common, or are romantically involved.

It's important to understand that, by this definition, yelling, harsh words, or emotional arguments on their own don't meet the legal definition of domestic violence. Why? Because there must be an underlying criminal act, not just verbal tension.

For example:

- Battery happens when someone hits or touches another person against their will.
- Assault, on the other hand, doesn't require physical contact. It can involve making a threat or trying to hurt someone and failing to do so.

Here's what that looks like in real life: Let's say you pull out a knife and tell someone, *"I'm going to cut you"*. Even if you don't follow through, that combination of a threat and a physical gesture (brandishing the weapon) could still lead to an assault

charge. And if that interaction is between people who are romantically involved or live together, it can be charged as domestic assault.

Sexual offenses are also considered domestic violence if they occur between qualifying parties under the law.

However, behavior that is purely emotional, verbal, or financial (no matter how toxic or manipulative) does not meet the legal threshold for domestic violence charges in Florida.

### ***Who Can Be Involved In Domestic Violence Charges?***

When most people hear the term “domestic violence,” they think of spouses or romantic partners living under the same roof. Under Florida law, however, the definition goes far beyond this.

The truth is, you don’t have to live together for a situation to qualify as domestic violence. In fact, even a dispute with your cousin (someone you’re related to

but don't live with) can be considered domestic violence simply because of the family connection.

Florida Statute §741.28 lays out exactly who qualifies as a family or household member, and it includes:

- Current or former spouses
- People related by blood or marriage (like siblings, cousins, in-laws)
- Individuals who currently or previously lived together as a family
- Parents who share a child, regardless of whether they were ever married or lived together

Suppose there are any such relationships between the parties, and an accusation of a violent act arises. In that case, the law might categorize the situation as domestic violence, regardless of whether it meets your everyday understanding of "domestic."

## *Why Domestic Violence Is A Separate Category*

Domestic violence is treated as a separate type of charge because of the relationship between the people involved, not where the incident happens.

Let's break it down with a real-world example:

If you're at Publix and a stranger says something rude or you get into a fight over a parking spot, and you try to punch them but miss, that's considered simple assault. It's a criminal charge, but since you and the other person are strangers, it's not domestic.

Now, imagine you're at Publix with your spouse. You're in the middle of an argument, emotions are high, and you try to punch your partner but miss. Even though it happened in public, not at home, that situation becomes domestic assault simply because of the relationship between the two of you.

It's also much easier to be arrested for domestic violence than for a regular assault charge. This is because law enforcement policies often require officers

to make an arrest if there's probable cause in a domestic situation, even if no one wants to press charges.

Probable cause is a low legal threshold, and in domestic incidents, officers are trained to act quickly and cautiously. This leads to more domestic violence arrests, even in cases where the facts may not fully support the charge.

### *The Difference Between Abuse and Domestic Violence*

"Abuse" is a broad term, but legally, it's not always a crime. Abuse can be physical, emotional, psychological, or sexual, and while all forms can be deeply harmful, not all abuse is considered domestic violence under the law.

Domestic violence, by definition, is tied to criminal acts like assault, battery, or sexual offenses that are committed between people with a certain type of relationship, such as family members, romantic partners, or those who live together.

Abuse crosses into criminal territory when there's an underlying offense, including:

- Battery (unwanted physical contact)
- Assault (threatening or attempting to cause harm)
- Aggravated battery
- Aggravated assault
- Stalking
- False imprisonment
- Sexual violence

There are also more serious, relationship-specific charges, such as:

- Domestic battery by strangulation
- Aggravated battery on a pregnant woman

Ultimately, understanding the legal definitions behind these charges can help you make sense of how domestic violence cases are handled and why certain behaviors are treated differently in court. If you're facing allegations, the key is to obtain legal guidance early, before the situation escalates further.

## Chapter 2:

# WHEN A 911 CALL CHANGES EVERYTHING



Many different factors can lead to a 911 call that ultimately escalates into an arrest. A surprising number of 911 calls start with a misunderstanding or an attempt to manage conflicts without considering the potential consequences.

Have you ever been involved in a heated argument with your spouse or partner? Non-physical, emotionally charged disputes about everyday issues,

such as money, the kids, or other relationship stresses, can quickly escalate.

It's not unheard of for one side to call the police, not necessarily because they feel in danger, but as a way to de-escalate the situation or even to intimidate the other person into leaving.

When law enforcement arrives, the situation often changes drastically. Police officers are not trained therapists — they bring a set of policies and procedures, including the expectation that someone might need to be removed or arrested. Once they're involved, things can escalate quickly, even if the intention behind the 911 call was simply to de-escalate the situation.

Other situations involve third parties, such as neighbors or bystanders, who hear yelling or arguments and assume the worst. In an apartment complex, condo, or even a house, loud disputes — whether due to shouting or throwing objects — can lead concerned neighbors to call the police out of fear that someone might be in danger. Without witnessing the full context, these well-

intentioned calls can also result in arrests, and officers often err on the side of caution.

Domestic violence cases are far from cut-and-dry, and these situations make that abundantly clear. What might begin as a call for help or mediation can spiral into a legal matter, driving home the importance of understanding how these incidents unfold and some potential unintended consequences of involving law enforcement.

### *A Case Study: How Quickly Things Can Spiral*

The world of domestic violence is riddled with misconceptions and challenges. We've served countless clients over the years and handled just as many unique cases. Still, one, in particular, illustrates the vital importance of quick action by an experienced lawyer and the significant difference it can make.

It involves a dentist in her 40s, educated at an Ivy League school, who has never had trouble with the law before. She and her husband are having a disagreement.

If you've been married for more than a week, you know these happen occasionally!

During the argument over dinner at a restaurant, she picked up her fork, pointed it at him, and told him to stop. When he responded, "*What are you going to do, throw your fork at me?*", she did just that. It ended up hitting him but caused no injury. Angry and wanting to make a point, he called the police, expecting to ultimately diffuse the situation.

When the police arrived, both of them truthfully explained what had happened, thinking honesty would clear things up. Instead, the dentist was arrested for domestic violence, misdemeanor battery, and taken to jail. Her husband, shocked and remorseful, was the one who ended up hiring us within an hour of her arrest. He never intended for her to face legal consequences—he simply wanted to de-escalate the situation.

As quickly as we got the call, we were on our way to securing her release and working aggressively on her case. Within three weeks, we got the charges dropped

entirely, and later, we had her record expunged to ensure her professional reputation remained fully intact.

This case shatters many stereotypes about domestic violence. Most people assume domestic violence charges always involve physical harm, imminent danger, or a pattern of abuse. Few expect that a professional, highly educated woman – especially one without a criminal history – could end up in such a situation over a minor argument. It also challenges the assumption that domestic violence charges only apply to men as aggressors.

The truth is that domestic violence laws are broad, and even seemingly trivial actions, like tossing a fork, can lead to arrest if someone calls the police. This case highlights how easily anyone can find themselves accused, regardless of their background or intentions. For this client, her entire life's work and career were at risk because of a split-second decision during a heated moment.

Our firm's swift action and understanding of the nuances of these cases not only cleared her name but also helped her and her husband move past the situation without lasting legal or professional consequences. It's a powerful reminder of the importance of experienced representation and how domestic violence cases often involve far more than what most people realize.

## Chapter 3:

# WHAT TO EXPECT WHEN LAW ENFORCEMENT RESPONDS



When law enforcement responds to a domestic dispute, they typically arrive at the scene prepared for potential danger, bringing with them weapons, authority, and strict procedures into what is typically already a volatile situation.

The very first thing they're going to do is separate the parties, make sure there are no weapons or guns in reach, and check whether any children are

present and if they're safe. After everyone at the scene is secure, they will turn on their body cameras, question each person separately, and attempt to piece together what happened.

### *Protecting Your Miranda Rights At The Scene*

With body cameras now widely used, it's easier than ever to catch when Miranda rights are skipped. Even so, officers often fail to read people their rights at the scene of a domestic violence call, and failing to do so is one of the most common violations of people's rights that we see in these cases. It happens all the time.

Miranda rights take effect and must be read to you by police officers when two conditions are met:

1. You're not free to leave.
2. You're being asked questions that're likely to elicit an incriminating response.

This is where many people (including police officers) get it wrong: being in custody doesn't always involve handcuffs. In domestic violence investigations,

when officers arrive and separate the parties, you are not free to leave. You can't just say, "I don't want to deal with this," and walk away. In that moment, you're considered to be in custody for Miranda purposes.

Then comes interrogation. This doesn't only include direct questions such as, "*Did you hit her?*" Interrogation also includes anything officers say that is likely to prompt an incriminating response, such as:

- "Just tell me what happened."
- "Be honest with me."
- "Why were you arguing?"
- "Help me understand your side."

If you're not free to leave, and officers are asking these kinds of questions without first reading you your rights, that's a clear violation of the Fifth Amendment.

And yet, we see it happen all the time. Officers often treat Miranda warnings as optional in domestic violence cases, as their focus is on controlling a potentially volatile situation, not protecting your

constitutional rights. But this misplaced focus doesn't make skipping a Miranda warning right or justified.

Miranda rights are incredibly important and exist to protect you from self-incrimination. If those rights are violated, any statements you made may be suppressed, and that can significantly weaken the prosecution's case later down the road.

This is why having an experienced defense attorney matters. We don't just fight the charges; we examine how the entire investigation was handled from the moment the police arrived.

### ***Remember To Exercise Your Right To Remain Silent***

Remaining silent is criminal defense 101. If the police are questioning you in any capacity, ***do not say anything***. The best thing you can do is politely tell them, "I want to speak to my lawyer."

Remaining silent in the moment can be difficult, as it's natural to want to share your perspective. We

know it's easier said than done; as humans, we instinctively seek to rationalize our way out of a situation, but that can lead to bigger problems. While your intentions may be good, the outcome is likely to be negative, especially during heightened emotions when your brain struggles to process everything that is happening quickly.

As it happens, anything you say can and will be used against you. The police can misinterpret statements or misunderstand your words, so it's always safer to wait for a lawyer before speaking. This is the exact advice a police officer would follow if they were in the same situation.

### ***What Is Law Enforcement Doing During A DV Investigation?***

During a domestic violence investigation, law enforcement's primary goal is to identify the "primary aggressor" and determine whether there's enough evidence to make an arrest. However, how they go about it can create even more confusion and injustice.

Officers generally approach these calls with caution. However, in practice, that “caution” often translates to taking control quickly and forcefully. The intention is to de-escalate by demanding compliance; however, this approach can backfire, especially in already tense or emotionally charged situations. When both parties are upset, this kind of response can exacerbate the issue instead of calming it down. Police officers are not therapists; that is not their role.

One of the biggest problems is that police often operate with very limited information. They usually haven’t heard the full 911 call and may not be aware of the full context of what’s been happening in the home or relationship. Consequently, their decisions are largely influenced by their immediate observations, which may not accurately represent the reality of what occurred due to this limited perspective.

This is why strong legal representation matters. We know how to identify flaws in these snap judgments and push back to uncover the truth about what really happened.

## *When There Are Children Involved*

Typically, when minors are present in a household and someone is arrested, the Department of Children and Families (DCF) becomes involved. When DCF engages in a domestic violence case, it can have devastating consequences. Even without criminal charges, a DCF investigation can lead to severe restrictions on your parental rights, including supervised visitation or even the removal of your children.

We play a crucial role in protecting your rights from the start, ensuring you don't unintentionally incriminate yourself or make statements that could be used against you in court or with DCF. We coordinate your defense across both criminal and dependency matters, challenge unfounded accusations, and advocate for less restrictive safety plans. We help you understand and comply with any DCF-imposed conditions while pushing for the fastest possible resolution.

In these complex and emotionally charged cases, having a skilled advocate can make the difference

between keeping your family together and facing long-term consequences for your family and reputation.

### *Issuing No-Contact Orders At The Scene*

Officers cannot issue legally enforceable no-contact orders on the spot. The only valid no-contact orders are those issued by a judge: a civil restraining order (filed at the courthouse by the alleged victim) or a criminal no-contact order issued at a court hearing following an arrest.

If a police officer asks you to stay apart for the night or tells you to leave, that's just advice, not a legal order.<sup>1</sup>

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<sup>1</sup> To learn more about no-contact orders in more detail, please see Chapter 13, page 78 of this book.

## Chapter 4:

# DETERMINING WHO TO ARREST



When police respond to a domestic incident, their goal is to determine the *primary aggressor*, but this process is often flawed and inconsistent.

Police may have preconceived notions about what a primary aggressor looks like. This can lead to bias that clouds decision-making. They might overlook key dynamics, such as self-defense or manipulation by one party, especially if they don't dig deeper into the situation.

## *Visible Injuries*

Police officers also generally look for visible injuries such as bruises, cuts, or scrapes. Understandable as this may seem, injuries alone don't always tell the full story.

Having visible injuries doesn't necessarily mean a person was the victim, nor does the absence of injuries on another person confirm guilt. This misinterpretation can also lead to errors in identifying the primary aggressor.

## *Do Police Officers Need Proof Of Visible Injuries?*

Under Florida law, a person can be arrested for domestic violence even if there are no physical marks or visible injuries. That's because certain crimes like battery (one of the most common domestic violence charges) only require unwanted physical contact, not actual harm or bruising.

That said, if an officer does see scratches, bruises, or marks, the likelihood of an arrest is almost certain.

### *Speaking With Witnesses*

Officers may speak with independent witnesses, such as neighbors or other third parties, to gather information about what they observed. If there are children on the scene, they may or may not be interviewed by the police – it often depends on their age and the details of the case. Witness statements can be helpful, but their reliability varies, especially when the witness only hears or sees part of the incident.

### *Collecting Evidence*

Ideally, police *should* collect corroborating evidence, such as surveillance footage, photographs, or recordings. However, they generally fail to gather comprehensive evidence at the scene. This omission can lead to incomplete or inaccurate assessments.

## *Questioning The Parties Involved*

When officers separate the individuals involved and question them, their objective is to uncover the truth through these interviews. However, they often prioritize gathering enough information to establish probable cause (the amount of evidence needed to arrest someone for any crime, which can be as low as 40% guilty) for an arrest, rather than conducting a thorough investigation.

### *Probable Cause*

Probable cause is a legal standard used by law enforcement to justify an arrest, search, or seizure of evidence. In the context of domestic violence arrests, it plays a central role in determining whether someone is taken into custody.

Probable cause is one of the lowest thresholds of evidence in the legal system. It requires law enforcement to merely have a *reasonable belief*, based on facts and circumstances, that a crime has been committed and the person in question was involved.

It's often described as being around 40% certain that the individual committed the offense. This standard is significantly lower than the "*beyond a reasonable doubt*" standard, which is required for a conviction, or even the "*clear and convincing evidence*" standard, which may apply in other legal contexts.

In domestic violence situations, probable cause governs whether an officer makes an arrest. When police respond to a domestic dispute, their primary objective is to quickly assess the situation and determine if there is sufficient evidence to establish probable cause. This can include:

- Witness statements from the parties involved or bystanders.
- Visible injuries, such as bruises, scratches, or other physical evidence.
- The demeanor of those involved, such as signs of fear, anger, or intoxication.
- Any corroborating evidence, like damaged property or surveillance footage.

If an officer believes there is probable cause to believe someone was the primary aggressor, they are likely to make an arrest, even if the evidence is incomplete or conflicting.

### *Case Study: When the Wrong Person Gets Arrested*

In many domestic violence calls, police rely on what they see, not the context of your relationship history or past abuse.

Case in point, in Plantation, Florida, a 65-year-old woman tried to take steps to protect herself after discovering her husband's infidelity. She called a locksmith to change the locks, hoping to put distance between herself and her controlling, abusive spouse. But when he came home unexpectedly and refused to leave, the situation became tense. The woman, shaken and afraid, had the locksmith call 911.

When the police arrived, despite the woman's clear distress and report that her husband had slapped her, they noticed only minor injuries on him. He

claimed she grabbed his arm during the argument. The officers, relying on visible marks rather than context, arrested her as the primary aggressor.

She was charged with domestic battery on a person over 65—a felony—and placed on no-contact orders. But after reviewing the facts, the State dropped the charges. This case is a painful example of how easily victims can be misidentified, and how crucial it is to have legal support that can cut through the noise and present the real story.

## Chapter 5:

# WHY ARE DOMESTIC VIOLENCE ARRESTS SO COMMON?



Systemic policies and a focus on minimizing liability for law enforcement stem from reforms introduced in the mid-1990s, particularly after high-profile cases such as O.J. Simpson's. This led to the implementation of mandatory arrest policies nationwide. Once the police are called to a domestic disturbance, they're often in a position where they feel they have no choice but to arrest someone. This isn't

necessarily because the situation warrants it, but because the system demands it.

A significant part of this comes down to politics and self-protection. Police officers understand that if they fail to make an arrest and something later goes wrong, they may be held accountable. Arresting someone, even if not entirely warranted, transfers responsibility to the courts or prosecutors and greatly reduces the risk of potential backlash. It's a method of protecting themselves, ensuring the blame doesn't fall on them if the case escalates.

Often, this means arrests are based on probable cause, a very low standard of evidence—roughly 40% certainty. Police don't need to be *sure* of guilt; they only need to be sure that it's *plausible*.

This approach, combined with a general lack of thorough investigation in many cases, leads to arrests that are arbitrary or unjust. Even when the alleged victim doesn't want to press charges, policies in many

places require that the case move forward, removing their ability to stop the process.

As it happens, the system prioritizes quick action over accuracy, leading to a situation where arrests are made not because they're always warranted but because it's the easiest way to avoid future liability. It's a flawed process that can have lasting consequences for everyone involved.

### ***What If The Alleged Victim Changes Their Story?***

If the alleged victim tells the police they don't want the aggressor arrested, or even tries to take back what they originally said, it usually doesn't change the outcome.

Ninety-nine percent of the time, the police will arrest the person they've identified as the primary aggressor, even if the victim is asking them not to or says they no longer want to press charges.

Now, if a victim goes a step further and tells police they lied or made up their story, they could be

arrested for perjury or making a false statement to law enforcement. However, there are important policy reasons why police are *still* hesitant to arrest someone, even in those situations.

To put it simply, it's challenging for police officers to know whether the alleged victim is truly recanting or if they're just scared or being pressured to change their story. Someone might say they lied simply because they fear retaliation or further violence by the primary aggressor.

Because of these concerns, the party who is identified as the primary aggressor is still going to be arrested, regardless of what the victim says at the scene.

## Chapter 6:

# ANYONE CAN BE ARRESTED FOR DOMESTIC VIOLENCE



When you call 911, the officers who respond typically receive only basic details from dispatch. They don't hear your actual call or the emotion and urgency in your voice. By the time they arrive, they're focused on one main thing: figuring out who the primary aggressor is and making an arrest if they have probable cause.

Sometimes, both people are at fault, or both could have been aggressive. Officers aren't there to act

as therapists or try to help everyone make peace and move on. Their job is to separate everyone, look for signs of injury or physical evidence, and determine who should be sent to jail.

Let's consider the different parties involved in the incident and examine the circumstances under which they may find themselves arrested, even if they've done nothing wrong.

### ***The Person Who Calls 911***

Despite what you may think, it's not at all uncommon for the person who called 911 in the first place to be arrested at the end of a police investigation.

The police make a call based on what they see in the moment, not on a complete investigation of the truth, and sometimes they get it wrong. Because the police didn't hear the 911 call firsthand and only got bits and pieces from dispatch, it's not unusual for the person who made the call to end up getting arrested themselves.

## *The Victim Of Domestic Violence*

Even true victims can be arrested. We've seen it happen more times than people would expect.

Once you're taken into custody, the system no longer sees you as the victim. You'll be treated as the defendant, no matter what took place. You'll be required to post bond, hire a lawyer, and fight the charges in court, just like anyone else accused of a crime.

This typically occurs because officers are working with limited information and must make quick decisions under pressure. Sometimes, they get it wrong. They might misread the situation or rely too heavily on who appears more "calm" or "credible" in the moment, without understanding the full context.

That's why having a strong legal defense matters, especially if you're the one who was trying to get help in the first place. We've helped many clients in this exact position by pushing back firmly, exposing the mistakes made, and getting the case dismissed, allowing them to move forward and clear their name.

## *The Role Of Accusations In Domestic Violence Arrests*

Unfortunately, people are arrested for domestic violence based entirely on verbal accusations, without any physical evidence, every single day. Many of these cases come down to one person's word against another's, and the police will often make a quick decision based on little else.

They're not required to prove guilt beyond a reasonable doubt at the moment. They're simply looking for probable cause, which is a low legal standard of around 40% certainty. This is why the presumption of innocence is so important, and why having a skilled defense attorney on your side from the outset is critical.

### *When The Actual Aggressor Plays The Victim*

Over the years, we have also seen cases where someone will scratch or even hit themselves to create injuries and appear to be the victim. This can be

especially common because bruising often occurs quickly, particularly in women.

At the end of the day, police officers aren't medical experts. They aren't trained to spot fake injuries or know who started what in a heated situation. If they see someone with visible injuries, they may simply assume that person is the victim and arrest the other party.

### ***When Both Parties Have Conflicting Stories***

In many domestic violence cases, both sides have completely different versions of what happened. That's not unusual, and it doesn't necessarily mean one person is lying. Emotions run high, memories clash, and perceptions can be clouded by stress or fear.

When officers arrive and hear conflicting stories, their job is to determine who they believe is the primary aggressor, again based only on probable cause. The law discourages arresting both parties unless it's necessary, but in rare cases, it does happen.

Most of the time, only one person is arrested, even if both parties were involved and their accounts contradict each other.

### *When A Family's Worst Night Leads To An Arrest*

One case our firm handled highlighted how easily the wrong person can be arrested, how events can be misunderstood, and how a family in crisis needs quality legal help.

It was the day after Christmas, a time that should have been filled with peace and family connection. Instead, a South Florida father found himself at the center of a legal storm. After a heated argument with his wife, where emotions ran high and a bag was pushed to the ground, their teenage son intervened. Startled and upset, the boy yelled at his father and swung his arm. The father, overwhelmed by the tension and heartbreak in the room, broke a few small household items before retreating to another part of the house.

In a moment of despair, he retrieved a bag that contained his firearm, not to harm anyone, but to express the depth of his anguish. He voiced thoughts of ending his life to spare his family further pain. The son, frightened by his father's words, called 911.

Though the father never displayed the firearm or threatened anyone with it, he was arrested when law enforcement arrived, charged with domestic battery, and subjected to an involuntary mental health evaluation. He was barred from returning home or speaking to his family and placed on ankle monitoring.

With legal help and the family's united support, the case was resolved swiftly. The prosecution dismissed the charges after recognizing that no one wanted to move forward with the case. This situation is a powerful reminder that moments of emotional crisis can be deeply misunderstood, and how important it is to have an advocate who can help untangle the truth.

## Chapter 7:

# DOMESTIC VIOLENCE & DIVORCE



Police have strict protocols when it comes to domestic violence, and there's a saying among law enforcement that drives a lot of their decision-making: *"Today's domestic is tomorrow's murder case."*

Because of that mindset, they are trained to take every domestic-related call seriously and to act quickly. That often means making an arrest if there's even a hint that something physical occurred.

## *Understanding The Legal Threshold*

It's important to understand that the legal threshold for a domestic violence arrest is extremely low. This means that officers don't need solid proof of violence; they just need a reasonable belief that violence has occurred. So, if there's any indication that a domestic crime has happened, police are typically directed to arrest someone and let the criminal justice system sort out who is guilty later.

The unfortunate part? Even if there is no conviction, the consequences of being arrested can be devastating. Jobs, reputations, housing, and family relationships can all be put at risk over a single moment during a stressful situation.

## *Domestic Violence Arrests And Divorce*

Nowhere are the consequences of an arrest more damaging than with divorcing or divorced couples, especially when children are involved. Many such arrests stem from custody exchanges or disputes over parenting schedules.

Tensions run high, and when emotions flare up, it's not unusual for one person to call the police in the heat of the moment. Other times, someone may call just to document something or "make a point," but once law enforcement arrives, things often escalate beyond what either person intended.

Sadly, we've also seen situations where one party intentionally uses the criminal system to gain an advantage in family court. Whether it's about getting primary custody, gaining leverage in a divorce negotiation, or trying to paint the other parent in a negative light, the criminal justice system can easily be weaponized, and domestic violence laws make it easier to do so.

This is why hiring a strong criminal defense team is essential. One arrest, even without a conviction, can dramatically alter the outcome of your divorce or custody case. We've seen it happen, and we've helped clients prevent it from ruining their future.

Chapter 8:

## “PRESSING CHARGES” & THE ROLE OF THE STATE



One of the biggest misconceptions about pressing charges in domestic violence cases is that it's a simple matter of the alleged victim deciding whether or not to pursue the case. Many people believe that if the alleged victim no longer wants to press charges, the case will simply be dropped.

In reality, the law doesn't work that way. Domestic violence cases are prosecuted as *the State*

*versus the defendant*, not the alleged victim versus the defendant. This distinction means the state takes control of the case once an arrest is made.

Even if the alleged victim tells authorities they don't want to press charges, the prosecution doesn't have to listen. It's common for prosecutors to proceed with the case regardless. The reason for this lies in policies designed to prevent alleged abusers from coercing victims into recanting their claims.

While this intention is rooted in protecting victims, it can lead to situations where someone who genuinely doesn't want to move forward with the case has no real say in the matter.

By extension, another misconception is the notion that cases can be resolved quickly or easily. Many assume that if the alleged victim doesn't cooperate, the case will be over soon. That's often not true. Prosecutors can rely on other evidence, such as 911 recordings, police reports, or witness testimony, to build their case. This process can drag on, causing significant stress and complications for everyone involved.

The alleged victim's wishes don't have the decisive impact people might think. Once the state takes over, the case becomes much more complicated and less about the individual relationships involved. Understanding this reality is vital if you're already navigating this sort of situation or are about to.

### *Proceeding With Charges Against An Alleged Victim's Wishes*

The state often moves forward with charges in domestic violence cases even if the alleged victim doesn't want this. This is due to several systemic and political factors, but one primary reason is *the risk of public backlash*.

Suppose prosecutors drop charges and a future incident occurs, particularly one with severe consequences. In that case, they risk criticism from the media and the public, who may claim that the justice system failed to act when it could – and *should* have – done so.

On top of this, domestic violence cases often involve political motivations. Prosecutors benefit from high conviction rates, which are tied to government grants allocated for specialized units, namely those that focus on domestic violence. More charges and convictions can lead to increased funding for these units, which, in turn, supports their operations and *expansion*.

As you probably well know, elected prosecutors often highlight their domestic violence records as evidence of their commitment to public safety during re-election campaigns. Pursuing charges, even without the victim's cooperation, becomes a way to boost their records and maintain or enhance their political standing.

### ***How The State Builds Its Case***

The state can build its case using evidence such as 911 recordings, text messages, and photos—even if the victim does not cooperate. Prosecutors focus on what they can prove in court, often relying on evidence admissible under the rules of evidence to establish their case.

Police call recordings, for example, are frequently admissible and can provide compelling proof of the alleged victim's fear or statements made during the incident. Even if the victim later recants or refuses to testify, the recording can demonstrate their emotional state at the time of the incident. Similarly, text messages exchanged before, during, or after the incident can reveal key details, such as admissions of guilt, threats, or context that supports the prosecution's case.

Any photos that show injuries or property damage are also powerful evidence. They can be used to corroborate claims of physical harm or non-consensual contact. Prosecutors may argue that these pieces of evidence independently demonstrate the occurrence of a crime, even without direct testimony from the victim.

Defense strategies often focus on challenging the interpretation or admissibility of such evidence, especially in cases where prosecutors aggressively pursue charges to *protect* victims who may feel they don't need or want protection.

## Chapter 9:

# I DIDN'T WANT THIS TO HAPPEN – WHAT CAN I DO?



Individuals who are alleged victims and wish to clarify or modify their initial statements to the police have several options available to them. They often seek to address inaccuracies, provide additional context, or recant parts of their statement due to emotional distress or external pressures at the time of the incident.

The best course of action is to meet with a defense attorney as soon as possible. Attorneys can help prepare a waiver of prosecution or draft a sworn statement that clarifies or contextualizes their initial report. These documents can then be submitted to the prosecutor's office to formally express the victim's current position on the matter.

Victims may also contact the prosecutor's victim advocate unit directly to explain their perspective or provide clarification. However, it's wise to exercise caution here, as prosecutors might discourage changes to the original narrative, focusing on securing convictions rather than reconsidering evidence.

### ***Steps To Resolution***

Once charges are filed, the accuser or alleged victim still holds significant power to influence the outcome of the case. By actively engaging with a defense attorney, they can sign critical documents, such as a waiver of prosecution, or provide a clarifying sworn statement, even after formal charges are filed. These

documents offer crucial context and clearly articulate the accuser's true stance, providing powerful evidence to share directly with the prosecutor.

Additionally, the accuser can appear in court personally to strongly convey their position to the prosecutor or judge. Alternatively, scheduling a deposition allows them to provide a formal, sworn, and recorded statement, giving them a voice directly within the legal process.

While these actions do not guarantee a dismissal, they can dramatically impact the trajectory of the case, often leading to reduced charges or favorable resolutions without the need for a trial.

### ***Representing Victims In Domestic Violence Cases***

Domestic violence cases present unique challenges when an alleged victim wishes to retract or modify their initial statements. For defense attorneys, the major hurdle is *maintaining ethical boundaries*.

Attorneys represent defendants, but alleged victims often seek guidance or reassurance about the consequences of their decisions. However, defense attorneys cannot provide legal advice to alleged victims due to a conflict of interest.

As a result, defense attorneys must clearly explain their role and refer the alleged victim to independent counsel if they require advice. This ensures that the alleged victim's rights are upheld while the attorney focuses on securing the best outcome for the defendant.

Another challenge lies in dealing with prosecutors, who often resist dismissing cases despite the alleged victim's wishes. Prosecutors may prioritize securing convictions to align with institutional objectives, which can complicate efforts to resolve cases amicably or quickly. This requires attorneys to aggressively advocate while presenting compelling evidence, such as waivers of prosecution or mitigating circumstances, to achieve dismissals.

## *Legal Risks For Victims Who Retract Or Modify Their Statements*

There are numerous potential legal risks that victims face when retracting or modifying their statements, including *perjury charges*. In Florida, perjury is a third-degree felony punishable by up to five years in prison. However, perjury requires the statement to be knowingly false, made under oath, and demonstrably untruthful in an unequivocal manner.

Most situations involving altered or clarified statements stem from emotional moments where the initial context may have been misunderstood, which typically does not meet the legal definition of perjury.

Nonetheless, to avoid legal complications, alleged victims need to act transparently and seek independent legal representation if they have concerns about altering their statements.

Defense attorneys cannot advise alleged victims directly on potential perjury risks since their primary duty is to their clients. However, they can explain the process

and recommend that the accuser consult their attorney to ensure their rights and intentions are protected.

### *Assisting Victims In Taking Back Their Story*

Attorneys can help victims navigate the web of the legal system, especially when their wishes diverge from the prosecution's goals. That's precisely what we aim to do at Rossen Law Firm.

Under Marsy's Law, victims have the right to be heard and considered in criminal proceedings. If a victim feels pressured or bullied by the prosecution to maintain charges they wish to drop, an attorney can advocate for their voice to be respected.

For example, if the defendant is represented by another attorney and the victim seeks to retract their statements or drop charges, the victim can hire an attorney of their own to ensure their rights and desires are upheld.

*We offer limited victim representation in these sorts of situations, ensuring that the victims we serve have the*

*legal support they need and that their intentions are presented effectively within the bounds of the law.*

## ***Understanding Marsy's Law***

Enacted in 2018 as part of the Florida Constitution Amendment 6, Marsy's Law aims to provide victims with specific constitutional protections that "level the playing field" during legal proceedings.

In our view, Marsy's Law is one of the most problematic pieces of legislation in the criminal justice system. Even prosecutors often dislike it, as while it's packaged as a law that protects victims, it frequently allows people to manipulate the system in ways that work against justice.

## ***What's Wrong With Marsy's Law?***

Marsy's Law grants alleged victims additional rights during a criminal case, including:

- The right to be treated with fairness, dignity, and respect.

- The right to be informed about their case, including any hearings or proceedings involving the accused.
- The right to protection from intimidation and harassment.
- The right to have their safety and welfare considered during bail or release conditions.
- The right to speak and be heard during legal proceedings, such as bond hearings, plea agreements, and sentencing.
- The right to be notified of any changes in the defendant's custody or release status.
- The right to privacy protects them from unnecessary disclosure of personal information.

This may sound fair on the surface, but in practice, it often forces prosecutors to run nearly every decision by the alleged victim and their Marsy's Law attorney, including how to proceed with the case, what offers can be made, and whether a dismissal can even be considered.

This opens the door to abuse of the system, especially in contentious domestic cases involving divorce, custody battles, or financial disputes.

### ***What Marsy's Law Looks Like In Real Terms***

Let's consider an example we see far too often: a couple is going through a terrible divorce. Emotions are heightened, substantial assets are involved, there are children in the mix, and both sides are becoming entrenched.

The husband is arrested on domestic violence charges (often in a situation where the facts are murky at best), and we are hired to defend him. Right away, we know this won't be an easy dismissal. This is going to be a battle, and it's clear the other side is trying to weaponize the legal system.

Then, a criminal defense attorney appears representing the *alleged victim* under Marsy's Law. Instead of focusing on justice or fairness, this lawyer acts like a second prosecutor. They're not there to protect the victim's rights; they're there to "stick it" to our client.

In our opinion, this is one of the most unethical moves in criminal defense. You're either fighting to protect people from the government, or you're helping the government prosecute people more harshly. You can't be both.

### ***Our Policy On Marsy's Law Cases***

At Rossen Law Firm, we have a strict policy regarding Marsy's Law and victim representation. We *only* represent victims in one very specific circumstance: when the alleged victim wishes to have the charges dropped and is experiencing pressure or resistance from prosecutors.

In those cases, we'll step in to help them reclaim their power and ensure their voice is heard - because sometimes, the system tries to force a prosecution even when the person involved doesn't want it.

That being said, we do not represent victims who want to escalate charges or pursue someone more aggressively. That's not who we are. We're not here to

be mercenaries for the highest bidder; we're here to help people rebuild their lives and move forward.

If you're reading this, ask your attorney if they represent victims under Marsy's Law. If the answer is yes, determine the context. If it's to advocate for dismissing charges because the victim doesn't want to prosecute, that's excellent. If it's to help a victim pursue someone more aggressively in a criminal case, that's a red flag. That attorney is not a defender; they're a hired gun.

At Rossen Law Firm, our mission is clear: we fight for the accused, we fight for fairness, and we fight for integrity in a system that too often gets it wrong. We'll only step in on the victim's side when it's to stop a prosecution, not to fuel one.

### ***Case Study: A One-Time Dispute That Almost Tore a Family Apart***

We handle complex domestic violence cases regularly and have ample experience helping perceived victims navigate the law and protect their family's future.

In one such case, a young married woman in Palm Beach found herself in handcuffs after what she and her husband both described as an isolated, emotional argument. The couple had been together for six years, raising a child in a loving home. But on this particular night, words escalated, and in the heat of the moment, her husband called the police, hoping to defuse the situation. Instead, officers arrived, assessed the scene, and arrested her for domestic battery.

There was no history of violence, no prior incidents, and no desire from either party to see the other prosecuted. Both wanted to move past the night's events and focus on their child and their future together. Fortunately, with guidance, the husband was able to formally express his wish not to pursue charges. The prosecution agreed to dismiss the case.

This case highlights how easily communication breakdowns can spiral into criminal charges, and how critical it is to have experienced legal help to restore balance and protect a family's future.

## Chapter 10:

# FIRST STEPS FOR THE ACCUSED



### *Your Rights When Accused Of Domestic Violence*

If you've been accused of domestic violence, you retain your full constitutional rights, particularly those outlined in the Fourth, Fifth, and Sixth Amendments. These rights include protection against illegal searches and seizures, the right to remain silent and avoid self-incrimination, and the right to legal counsel.

In many cases, these rights are often overlooked by law enforcement in domestic violence cases. Officers may bypass Miranda rights during questioning to quickly de-escalate the situation, conducting investigations without informing the accused of their rights.

### ***Common Mistakes To Avoid***

Common mistakes defendants make include attempting to talk their way out of the situation or making phone calls from jail, where conversations are recorded. Statements made on these calls, whether disparaging the alleged victim or discussing the case, can significantly harm your defense.

*What should you do instead?* Remain silent, request an attorney, and avoid discussing the case on recorded calls. Let legal counsel guide you on the next steps to take as you protect your rights and build your defense.

### ***Immediate Steps To Take After Being Arrested***

In line with that, it's fair to say that the first and most important step you can take if you've been arrested

for domestic violence is to hire a qualified attorney immediately. Domestic violence cases, even misdemeanor charges, carry serious consequences that require professional legal acumen to avoid. Attempting to navigate the legal system without it is a sure way to fail.

A skilled attorney will guide you through the process, protect your rights, and develop a strategy tailored to your situation. They will ensure that procedural requirements are met, advocate on your behalf, and address any potential missteps by law enforcement.

Hiring an attorney immediately after being accused of domestic violence is vital for achieving the best possible outcome you can. Early intervention will allow your attorney to secure evidence, such as 911 call recordings or surveillance footage, which are often deleted after a short period, typically 30 days in Florida. Waiting too long can mean losing evidence that could have a significant impact on the case.

Attorneys can also help collect witness statements that law enforcement may overlook or dismiss and assess the scene to reconstruct events. Partnering with an attorney early also ensures proper handling of motions related to no-contact orders, living arrangements, and child custody issues, helping to restore stability in your life. They also assist alleged victims who wish to sign waivers of prosecution or provide clarifying statements.

*The sooner an attorney is involved in your case, the better the chances you'll have of securing a favorable resolution.*

## Chapter 11:

# THE IMPORTANCE OF HIRING AN EXPERT



Domestic violence charges carry serious consequences, and defending them takes specific criminal defense knowledge, experience, and courtroom skill. While some attorneys advertise that they handle family law, personal injury, and criminal defense, that “jack of all trades” approach often means they are not deeply focused on any one area.

At Rossen Law Firm, we do things differently. We don't handle divorce, personal injury, or estate planning. We focus on criminal defense – period. In fact, we are so dedicated to this area of the law that we regularly teach other lawyers how to properly defend domestic violence cases.

You wouldn't go to a primary care doctor for brain surgery, and you should not trust a family lawyer with your criminal defense case. These areas of law are distinct from one another. When you're facing domestic violence charges with your future on the line, you need someone who knows exactly how to handle every detail of the criminal process and what it takes to protect you.

There are countless mistakes that an inexperienced attorney who isn't an expert in domestic violence can make that jeopardize your life and your future. In this section, we will begin by discussing some of the most common (and most damaging) missteps that we encounter all too frequently.

## *Waiting To Take Action*

One of the biggest mistakes is a shockingly simple one: waiting too long to take action. Too many lawyers sit back and wait for the prosecution to file charges. That's one of the worst things you can do in a domestic violence case. The reason? If you're not aggressive and proactive from the start, key evidence can disappear forever.

For example, 911 calls are only required to be preserved for 30 days. If your attorney doesn't request that recording right away, a piece of evidence that might have helped get the case dropped may be lost forever.

What's more, if the call doesn't prove to benefit your case, we're not required to turn it over. But you won't even have the option if your lawyer didn't act fast enough to get it in the first place.

## *Failing To Explain The No-Contact Order*

Over and over, we've seen clients who aren't properly advised by their attorneys about what a no-

contact order means. They may assume it only applies to in-person contact, not phone calls. Or they might respond to a text because the alleged victim reached out first.

Frankly, it just doesn't matter. If you respond or make *any contact* with the other party, you could be arrested again, and that can seriously complicate your case.

A good attorney will take the time to walk you through these details, especially if you've never been through the criminal justice system before. That level of communication is not optional. It's essential.

### ***Not Reaching Out To Prosecutors Early On***

Some attorneys simply avoid starting a dialogue with the prosecution, but this is a major missed opportunity. The earlier we open the conversation and begin shaping the narrative of the case, the better it is for you. We want the prosecutor to start seeing you as a human being, not just a name on a file.

## *Mismanagement Of Evidence*

A skilled criminal defense team should gather every possible piece of information (including witness statements, surveillance footage, and physical evidence) and do so promptly.

This often means bringing in private investigators or subject-matter experts to examine the scene, conduct interviews, or analyze evidence that the police may have overlooked. Many attorneys either lack access to these resources or fail to utilize them.

## *Forgetting That The Client Is A Real Person*

Your case isn't just another scenario in law school. This isn't a mock trial or a hypothetical case. This is your life. This is about your career, your family, your reputation, and your future. It's all on the line. What's more, two people could be facing the same charge, but their cases will be completely different depending on who they are, what they have to lose, and what's at stake.

Too many attorneys lose sight of this vital principle. They treat every case like a technical legal exercise, rather than a high-stakes, human situation. We don't. At Rossen Law Firm, we make it a point to understand our clients as people, not just cases, and that makes a massive difference in how we defend them.

These are just a few examples. But the truth is, there are countless mistakes attorneys make when they don't truly understand the complexities of domestic violence defense. And when your future is on the line, hiring the wrong lawyer can be one of the most expensive mistakes you'll ever make.

### *How To Hire The Right Attorney*

The first and most important thing to look for is a reputable law firm. Whether you're referred by someone you trust or you find a lawyer online, take the time to really dig into their reviews and client feedback. Don't just look at the star rating, read the stories behind the reviews. Do they sound authentic, like real clients talking about their experiences? Or do they sound generic, as if a friend or family member wrote them?

When you meet with a law firm, pay attention to whether it's a solo lawyer or a larger, established team. There are major advantages to working with a well-staffed law firm. Lawyers should focus on their legal work, rather than being distracted by tasks such as billing, answering phones, or handling paperwork.

If your attorney is trying to juggle all those tasks, they're spending less time on your case and more time on things that aren't the best use of their skills. This can leave them disorganized, overworked, and ultimately unable to give your case the attention it deserves.

At Rossen Law Firm, for example, we have dedicated professionals handling billing, intake, reception, and legal assistance. This means your attorney can devote their time and expertise to you and your defense, focusing on strategy, advocacy, and communication.

When a law firm operates efficiently, you receive better service and more personalized attention.

Think of it like the difference between a budget hotel and a five-star resort: at a true law firm, everyone knows their role and works together to give you the absolute best experience.

When interviewing lawyers, ask smart questions:

- *How is your business run?*
- *Who will I be communicating with throughout my case?*
- *What do you spend most of your time on?*
- *Why do you do this work?*

The answers should give you confidence. Ideally, you want an attorney who isn't just passionate about criminal defense but who truly cares about helping people through difficult times.

Another benefit of a strong law firm? Backup. If your solo attorney is tied up in a long trial, their whole practice can come to a standstill, and you may be left in the dark. With a firm, there's a whole team behind you, ready to communicate, answer questions, and keep your case moving, no matter what.

In short, look for reputation, organization, and genuine care. Trust your instincts and choose a team that prioritizes your needs and genuinely has the resources to support you at every step.



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### *The First Sign You've Made The Right Choice*

The priority your attorney should have is getting to know you, not just as a client but as a person. They should listen to your side of the story, ask about your background, and learn what matters most to you.

Next, they should carefully review the initial police report (also known as the A-form or probable cause affidavit) with you. This helps you understand exactly what you've been accused of and what the allegations are.

Comparing your account to what's written in the report is the starting point for building a strong defense, and these first steps ensure that your attorney understands both you and your case right from the start.

# **PART II: NAVIGATING THE LEGAL SYSTEM**

## Chapter 12:

# WHAT HAPPENS AFTER YOU'RE ARRESTED



After an arrest, you'll be taken to jail and booked. This means being fingerprinted, having your mugshot taken, and your information entered into the system.

For domestic violence cases, you cannot just post bond and leave right away. You're held until you appear before a first appearance judge, which could

take up to two or three days, especially if you're arrested on a weekend.

This is very different from other lower-level charges, where you can post a standard bond and leave within a few hours. With domestic violence charges, you have to wait to see the judge before you can be released.

### *The First Court Appearance*

The first time you will appear in court after an arrest is called the first appearance. (This is not an arraignment, which follows later in the case.) At first appearance, you go before a magistrate judge who will decide the terms of your release.

The judge will consider your criminal history, immigration status, the facts of your case, your ties to the community, and whether there's any risk you won't return to court. The court's job here is to balance your rights with the protection of the alleged victim and the public.

This hearing is critical. Suppose you don't have a criminal defense attorney with you. In that case, it's almost guaranteed that the judge will issue a no-contact order, meaning you may not be allowed to return home, see your children, or even go to work if your job involves the alleged victim.

As a result, many people end up couch-surfing or paying for hotels, all while trying to figure out how to manage parenting and life. That's why having an attorney present from the very start can make a huge difference.

If the alleged victim doesn't want to prosecute, we can sometimes arrange for them to come to court and testify, although we're always careful to keep their statement focused and helpful. Over the years, we've helped hundreds, if not thousands, of clients avoid unnecessary hardship by working out solutions at this stage, allowing them to maintain contact with children, return home, or avoid expensive and stressful living situations.

First appearance also gives us the earliest possible opportunity to speak with prosecutors, work to get the case dismissed, or negotiate a lower bond. Prosecutors may request a high bond (sometimes \$5,000 or even \$10,000), but with skilled advocacy, we can often significantly reduce that amount, sometimes even securing a pretrial release with no monetary conditions.



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### *After An Arrest, It's In The Hands Of The State*

Once an arrest occurs, the case is transferred to the prosecutor's office, which determines whether to file formal charges. In Florida, this decision typically appears at the prefile stage, during which prosecutors review evidence, including police reports, body

camera footage, and witness statements. This is what it means for a case to be *in the hands of the state*. Prosecutors do not contact the accused directly to gather information. Instead, they rely on the evidence provided by law enforcement.

### *The Prefile Stage*

The prefile stage encompasses the 21 to 40 days that typically elapse before the prosecution reviews evidence and decides whether to file formal charges. This is not a period of downtime. In fact, this window of time is critical to the outcome of your case, and with the right lawyer, there will be a lot going on behind the scenes.

If the alleged victim doesn't want to prosecute, one of the first things we'll do is bring them into our office to sign a waiver of prosecution. This is an important document, and unfortunately, many prosecutors and their victim-witness coordinators will push back hard against it.

In some cases, they try to scare or pressure the victim into sticking with their original story. Why?

Because it's a numbers game. Prosecutor's offices often rely on government funding for domestic violence divisions, and the more cases they file, the better their stats look and the better funding they receive.

While that's happening, we're also taking fast and aggressive action on our side. We immediately request 911 recordings and body camera footage. While we can't always obtain body cam footage in a timely manner, we move quickly to ensure we request it promptly, as waiting too long risks critical evidence being lost or deleted.

We also deploy our private investigators. Their job is to gather evidence that the police may have missed or ignored by examining the scene, tracking down witnesses, and even reviewing the alleged victim's social media accounts to see if anything contradicts their claims. Periodically, some witnesses were never interviewed by law enforcement. Other times, people come forward with valuable information about biases, motivations, or inconsistencies in the alleged victim's story.

While all of this is happening, we're also opening the door for communication with the prosecutor. We strive to ensure that they provide us with the opportunity to present the results of our investigation before they make a final decision on whether to file charges.

The bottom line is this: we don't sit around and wait. During this phase, we are actively building your defense, gathering evidence, and laying the groundwork to attempt to have your case dismissed before charges are ever filed. That's always the goal - and the earlier we get involved, the better your chances of avoiding a long, drawn-out legal battle.

### *The Consequences Of Waiting To Hire An Attorney*

One of the most common and damaging mistakes a person can make is to get arrested and decide to wait a while before contacting an attorney. They think, *"I'll just see what happens at my first court*

*date,*” or “*Things might settle down on their own.*” But this approach can seriously hurt your case.

The reality is that the period between your arrest and your arraignment is one of the most critical phases in your entire case. Prosecutors are already reviewing the evidence and deciding whether to file formal charges. If you don’t have a defense attorney in your corner during this window, that entire decision is happening without your side of the story and without anyone fighting for you.

Think of it this way: imagine two kids getting into a fight. One runs to the parent first and tells their version of what happened. Without hearing both sides, the parent makes a judgment and punishes the other. This is exactly what can happen when prosecutors only hear from the police report, and no one is there to represent *you*.

The other major issue with waiting is that key evidence can disappear very quickly.

Our firm has seen cases where 911 calls were never preserved, surveillance video was overwritten, or important text messages were lost, all because no one acted quickly enough to secure that evidence. Legally, 911 recordings are only required to be retained for 30 days. So if your legal team isn't on it right away, the evidence that could make or break your case could be gone forever.

The same goes for witnesses. People who might have been cooperative early on can suddenly go silent, become difficult to find, or forget crucial details. We've also seen victim witness coordinators try to influence how the narrative unfolds. That can make it harder to clarify the truth, especially if the alleged victim wants to retract their statement or admits that things were exaggerated or misunderstood.

The bottom line is that doing nothing can cost you the best chance of getting your case dismissed – and doing so before it ever reaches the courtroom. At Rossen Law Firm, we've helped countless clients avoid court altogether by getting involved early and taking

strategic, fast action during this exact stage. Of course, we can only do this if we're brought in right away. Waiting is a risk you don't want to take.

### *Arraignment*

An arraignment is different from your first appearance. This hearing only happens after the State has filed formal charges against you. At the arraignment, the judge reads the charges and officially tells you what you've been accused of. In nearly all cases, we waive our clients' appearance at arraignment because it's not usually necessary for them to attend in person, especially if we're already working to resolve the case.

## Chapter 13:

# NO-CONTACT ORDERS



A no-contact order issued in a domestic violence case is a criminal directive imposed by the court to protect an alleged victim after an arrest. It's important to understand how it differs from a civil restraining order, as they serve distinct purposes and follow separate legal processes.

A judge typically issues a no-contact order during the first appearance hearing after someone is arrested for a domestic violence offense. This order

prohibits the accused from any form of contact with the alleged victim, including:

- Direct contact
- Indirect contact
- And even electronic contact, such as phone calls, texts, social media communication, or email

Additionally, these orders often require the accused to stay a specific distance away from the victim's home, workplace, or other designated locations.

### ***Violating A No-Contact Order***

If you violate a criminal no-contact order, this can lead to serious consequences, including being re-arrested for violating the conditions of release or facing additional criminal charges for the violation itself.

If you're on probation, violating a no-contact order may result in a probation violation, which is a separate criminal case. And if you're on pretrial release while your case is pending, violating the order could result in a violation of release conditions, a bench warrant,

and jail time. You could also face new charges like misdemeanor violation of an injunction or even felony stalking, depending on what occurred.

### ***The Duration Of No-Contact Orders***

No-contact orders remain in effect for the duration of the criminal case unless modified or removed by the judge. If the case results in probation or incarceration, the order may continue as part of the sentence.

For example, in misdemeanor cases, the maximum probation term is typically one year. If probation is imposed, the no-contact order may remain in effect throughout that period. Once probation ends or the charges are dismissed, the no-contact order automatically expires.

### ***Navigating No-Contact Orders When You're Married***

Having no-contact orders imposed when you're married can be incredibly difficult, but it's far from uncommon in domestic violence cases.

If you're married, living together, and the court imposes a no-contact order as part of a criminal case or probation, you are legally prohibited from returning to your own home, even if you're the one who owns it or pays the rent.

If children are involved, the challenges become even more complex. Being removed from your home may affect your parenting time, your ability to maintain stability, and your day-to-day involvement in your children's lives.

This is because courts prioritize the protection of the alleged victim, often without fully considering the practical consequences this creates for families. Nonetheless, it's a frustrating and emotionally charged position to be in, and one that calls for the help of an attorney as soon as you can get it.

Understanding your options early can make a significant difference in how you navigate this period and protect your rights moving forward.

## *Housing*

If a no-contact order prevents someone from living at home, the court typically doesn't see that as its problem.

In some cases, if you're the sole homeowner or leaseholder, you might have legal options (such as initiating an eviction), but that process takes time and rarely provides immediate relief. In the meantime, you could find yourself paying for a home you can't enter *and* for temporary housing elsewhere.

## *Parenting*

Parenting issues during a no-contact order can be complex, but with the right strategy and effective communication, we can often find workable solutions.

When children are involved, long-term parenting arrangements are usually addressed through a family law case later in the process. In the meantime, we focus on negotiating practical short-term arrangements that

maintain parent-child contact while complying with the court order.

If the children are older and have cell phones, direct communication may still be possible. In other situations, one of the most common approaches is to use a third party as a buffer between the parents. This could be a grandparent, family friend, or another trusted individual who facilitates pick-ups, drop-offs, and communication between the parties.

### ***Modifying Or Removing No-Contact Orders***

Only the criminal court judge handling the case can modify or lift a no-contact order. This process usually involves a request from the alleged victim and a hearing where both parties present their arguments. In it, the judge evaluates the circumstances, including safety concerns, before making a decision. Even if the alleged victim no longer wants the order in place, the court may still uphold it to ensure safety or protect the integrity of the case.

The most effective way to stay ahead of these complications is to engage a trusted criminal defense attorney early, allowing us to move quickly to challenge no-contact orders when possible. And if one is put in place, we focus on minimizing the disruption it causes, whether that involves your living situation, parenting responsibilities, or everyday routine.

## Chapter 14:

# CIVIL RESTRAINING ORDERS



A civil restraining order is completely separate from any criminal no-contact order that may be issued as part of a criminal case, even if the facts involved are identical. This is not a criminal punishment, so it doesn't result in jail time or a criminal record by itself. Instead, it's a civil court process, handled by a civil judge.

## *What A Civil Restraining Order Requires*

A civil restraining order typically requires the other person to stay away from you. Typically, within a set distance, such as 500 feet from your home, workplace, your child's school, or other necessary locations.

It also prohibits both direct and indirect contact. That means no phone calls, texts, emails, voicemails, or direct messages (DMs), no communication through social media, and no passing messages through mutual friends. Cyberstalking is prohibited as well. The goal is to cut off all forms of communication to prevent further escalation or harassment.

## *Obtaining A Civil Restraining Order*

To obtain a civil restraining order, a person must go to the courthouse and file a petition under civil law. In that petition, the individual (referred to as the petitioner) must allege specific acts, such as domestic violence, stalking, or harassment. This typically involves completing detailed paperwork and including

any supporting evidence, such as police reports, photographs, text messages, or other documentation.

Once the petition is filed, the court schedules a hearing where both sides have the opportunity to present their case before a judge.

### *What A Hearing Involves*

The hearing process begins when the alleged victim submits a formal petition to the court, outlining the allegations in writing. Any supporting evidence (such as police reports or photos) can be included with the petition. The case is then set for a hearing before a civil judge, not a criminal judge. At the hearing, both sides have a chance to present their arguments and any additional evidence.

The judge can grant a civil restraining order for various lengths of time: six months, a year, five years, or even permanently. If the order is granted, violating it can lead to criminal charges such as violation of injunction, stalking, aggravated stalking, or even contempt of the court.

In many domestic violence situations, the alleged victim may pursue both a criminal no-contact order and a civil restraining order at the same time. That said, success in one court does not automatically guarantee the same outcome in the other. Because of this, it's important to have a criminal defense attorney who understands both processes and can protect your rights on all fronts.

### *The Burden Of Proof For Civil Restraining Orders*

Since it's a civil matter, the burden of proof for a civil restraining order is much lower than in criminal court. To get one approved, an alleged victim only needs to prove their case by a preponderance of the evidence. This means tipping the scale slightly in their favor. Think 50.1% versus 49.9%.

By comparison, in a criminal domestic violence case, the burden is much higher. That standard is "beyond a reasonable doubt," which means proving the case to a 90-95% certainty level. That's why it's

often easier to get a civil restraining order than to secure a criminal conviction.

### ***Penalties For Violating A Civil Restraining Order***

Violating a civil restraining order doesn't always result in immediate criminal charges, but it can. You could be held in contempt of court, which may still result in jail or fines. And if your behavior falls under specific legal definitions, you may also face criminal charges, including stalking or violation of an injunction. While civil restraining orders may seem less serious on the surface, violating one can still result in significant legal consequences.

### ***The Benefits Of A Civil Restraining Order***

From a defense standpoint, our goal is to prevent restraining orders from being granted against our clients. However, if you're a victim of domestic violence and you are truly in fear for your safety, a civil restraining order can be a necessary protection.

While a civil restraining order isn't a foolproof shield, it can act as a deterrent. People often violate them, but many don't want to risk the consequences. If the order is broken, the violator can face criminal charges, jail time, contempt of court, or other penalties. It's not magic, but it is a legal layer of protection, and for many people, that's far better than having no protection at all.

At Rossen Law Firm, we handle civil restraining order cases that fall outside of the realm of domestic violence, too, including neighbor disputes or situations involving stalking. If someone is repeatedly contacting or harassing you in a way that causes fear, even if it doesn't rise to the level of a crime, it may still justify a civil restraining order.

### ***When Should You Agree To A Civil Restraining Order?***

This isn't common, but there are strategic situations where agreeing to a civil restraining order makes sense.

For example, some alleged victims don't want criminal charges pursued; they just want space or peace. In those cases, we've successfully negotiated civil restraining orders as a condition to have the criminal case dismissed. Why? Because a criminal domestic violence charge can seriously impact a person's ability to find housing or employment. A civil restraining order doesn't carry the same long-term damage to someone's record.

If both sides agree, we might negotiate a civil injunction lasting six months or a year in exchange for the State dropping the criminal case. It's a practical solution when the goal is to avoid jail time and a criminal record, while still respecting the other party's wishes.

### ***Case Study: A Forgotten Restraining Order Leads to an Unexpected Arrest***

In some cases, old restraining orders can cause complications, legal challenges, and roadblocks to a genuinely just outcome for a client.

Case in point, Dawn and her partner had a history of an on-again, off-again relationship. Years earlier, in a moment of separation, her partner obtained a restraining order—something they both agreed to at the time. However, when they reconciled and resumed their relationship, Dawn was informed that the order had been dismissed. For years, they lived as a couple again, sharing their lives openly.

One day, during a disagreement with a neighbor at her partner's home, the police were called. To Dawn's shock, the restraining order was still active, and she was arrested on the spot for violating it.

With our legal help, the truth came to light: the couple had been together for years, and the restraining order no longer served any purpose. The case was dismissed. This situation shows how easily a legal technicality can catch someone off guard and underscores the importance of understanding the complete status of any restraining orders.

## *Case Study: When A Restraining Order Is Used As A Weapon*

Rossen Law Firm has also helped many clients navigate a restraining order that had been unjustly weaponized.

One such client was a single mother doing her best to provide for her young son. After defending herself against a violent, intoxicated partner during an argument, she was shocked when, upon his release from jail, he turned the tables by filing a restraining order against her. Unfamiliar with the process, she went to the hearing without a lawyer, believing the truth would prevail.

Instead, she was overwhelmed by the opposing attorney and nearly lost the case. Fortunately, she asked for time to find legal counsel. With proper representation, she was able to present evidence of self-defense and protect both her job and her ability to care for her son. The restraining order was denied.

This case serves as a potent reminder: restraining orders can be misused, and having an attorney by your side can be the difference between justice and injustice.

## Chapter 15:

# DON'T EVER PLEAD GUILTY



People are often inclined to plead guilty for all the wrong reasons, even when they're innocent. This can manifest in various ways for different individuals. A person accused of domestic violence may want to plead guilty because:

- They're scared of the legal system.
- They don't trust their lawyer.
- They think that if they just "get it over with" and plead guilty, the pain will go away.

- They have a guilty conscience and feel like they made a mistake.
- The alleged victim is manipulating them.
- They are emotionally exhausted from the conflict and just want it to end.

It's understandable. Getting arrested is overwhelming, embarrassing, and intimidating – but pleading guilty to domestic violence charges just to “get it over with quickly” won't make the situation go away. It can make things much worse. Once you have a conviction, you're stuck with the consequences for life.

This means that what might *feel* like a quick fix can drag out the situation for years, as you deal with everything that comes with being labeled a convicted criminal offender. That's why it's so important to hire a lawyer you trust and let them represent you.

Of course, we aim to resolve cases as quickly as possible, especially early on, before charges are even filed – but never at the expense of your future. Some cases move fast. Others require a slower, more strategic

approach. We don't believe in a one-size-fits-all approach; our strategy is always tailored to what's best for the client.

### *Our Approach Is Rooted In Your Long-Term Future*

When we defend anyone accused of a crime at Rossen Law Firm, our first step is always to file a written plea of not guilty, especially when that crime is domestic violence. We do this for every client, regardless of the circumstances.

This is critical because once you plead guilty, the case is over. You don't get to fight. You don't get to negotiate. You go straight to the punishment phase. We don't do that to our clients, not without first exhausting every possible way to protect their future.

Even if we're aiming for a quick resolution or a potential plea deal, entering a not guilty plea keeps the door open for further action. It allows us to:

- Investigate the facts

- Negotiate for diversion or dismissal
- File motions to suppress evidence
- Challenge the legality of the arrest or the strength of the allegations
- Prepare for trial if needed

Most importantly, entering a not guilty plea gives us time to prepare. Time to build leverage. Time to work behind the scenes. Time to put pressure on the prosecution. And remember, we can always change the plea later to “no contest” or “guilty” if we determine that’s the best strategic move after doing extensive research.

### *The Truth About The Timeline Of Your Case*

Many people are concerned that defending against a criminal case means they’ll be required to appear in court every few weeks for months. Fortunately, that’s not how we operate. At Rossen Law Firm, our role is to protect your time, your energy, and your peace of mind.

- We handle the day-to-day court dates, motions, and filings so you can focus on your life.
- We educate you every step of the way, so you always know what's happening and why.
- You won't have to appear in court constantly. You may only have to appear once throughout a six-month case.
  - Judges aren't expecting you to be there every time. In fact, they really don't want the courtroom overcrowded, so your presence isn't necessary unless it's a key hearing or milestone.

The bottom line is that we don't rush to close cases. We fight to close them right. So clients don't have to plead guilty just to make the stress go away. Let us do the work. Let us negotiate, challenge, and fight to get you the best possible outcome, whether that's diversion, dismissal, or a resolution that truly serves your long-term best interests.

## *Worried That You Are Guilty?*

Many factors contribute to how we approach a case, and whether someone is “100% innocent” isn’t the only thing that matters. That’s not how we measure our role – our job is to help people, period.

When someone is arrested, posts bond, and spends their hard-earned money to hire a law firm like ours, they’ve already faced a form of punishment. The stress, the fear, and the disruption to life are real consequences.

Our goal is to help clients learn from the experience, move forward in a positive direction, and ideally, never have to face the criminal justice system again. The vast majority of people don’t need to be punished further. That growth and change should be the end of it, not a lifelong criminal record that follows them around like a scarlet letter.

That’s why we fight so hard against unnecessary guilty pleas. We don’t believe in rushing someone into a plea deal just to close a case.

## *What Does It Really Mean to Be Guilty?*

There's a big difference between being guilty in real life and being legally guilty in a courtroom, and that distinction matters more than most people realize.

At Rossen Law Firm, we focus on what the law can prove, not what may have happened in a heated moment. The truth is, most cases are more complicated than black and white. Many facts never even reach the courtroom. They're filtered through legal rules, including those governing admissibility, relevance, hearsay, and constitutional protections.

So while someone might feel like they're guilty because of what happened, or because they regret something, or because they're beating themselves up emotionally, that doesn't necessarily mean the State can prove guilt beyond a reasonable doubt.

## *Legal Representation, Your Case, And Trusting Your Attorney*

It's important to remember that trials are not simply about what happened; they're about what can be proven under the law. The rules of evidence, the quality of the investigation, and the reliability of witnesses all shape what the jury sees and hears. Our role is to scrutinize every aspect of the case to determine whether the state can meet its burden of proof beyond a reasonable doubt. More than anything, though, this process requires trust.

If you're reading this book or sitting down with our team at Rossen Law Firm, I want you to know how much trust matters to us. You *need* to trust your lawyer completely. If you currently have a lawyer and don't trust them, that's a problem. You deserve better, and you have every right to find someone you can rely on.

On the other hand, if you do trust your lawyer, that trust is worth nurturing and protecting. It's the foundation of a strong, effective defense.

In any attorney-client relationship, trust is everything. Without it, there's no true partnership, and without partnership, there's no real defense.

### *What Happens When You Plead Guilty*

Pleading guilty to a domestic violence charge means taking on a scarlet letter: the "C" for criminal. This "scarlet letter" is even more damaging in these types of cases, where the label of domestic abuser or wife-beater can impact every part of your life, from where you live, to how you work, to how people perceive you, and beyond.

When you consider the effects this can have on your earning potential and opportunities you might miss, it becomes easy to see how this type of charge can follow you and your family for generations to come. We do everything in our power to prevent that from happening.

At Rossen Law Firm, we don't just walk you in and plead you out. Sadly, that's how many lawyers handle these cases, and it's become the norm in

criminal defense. Something our firm is wholeheartedly against. When I created Rossen Law Firm, I knew this was a critical part of our DNA. We were founded on this exception. We work hard, utilize fundamental skills, employ strategic tactics, and foster strong relationships to achieve successful outcomes. That's the standard we hold ourselves to.

That said, there are times after we've done all the work, investigated every angle, and fully advised our client, when a plea may be the best strategic decision. Sometimes that means a reduction in charges, a more favorable outcome, or even a resolution that can later be sealed or expunged. However, those decisions are only made after a thorough and honest conversation with the client, and only when it truly serves their best interest.

### ***The Time To Invest In Your Future Is Now***

When you're facing a domestic violence charge, cutting corners on legal representation can cost you far more in the long run. Hiring a bargain lawyer or relying

on an overworked public defender often means limited time, little communication, and a lack of strategy. Not only can this put you in a more challenging legal position, but the entire experience can also feel frustrating and overwhelming.

At Rossen Law Firm, we believe your defense should never feel like an afterthought. Working with us is like flying first class. You won't feel like you're stuck in the back row of a budget airline, next to the bathroom, wondering if anyone even remembers you're there. With our team, you'll be respected, supported, and heard every step of the way. You'll see the difference not just in how you're treated, but in the results we fight to achieve for you.

## Chapter 16:

# THE STAGES OF A DOMESTIC VIOLENCE CASE



When facing any type of criminal charge, the legal process is daunting. Domestic violence cases involve several stages where decisions and actions can significantly impact the trajectory and outcome of your case. In this chapter, we'll provide an overview of the various stages of the domestic violence legal process, including arraignment, pretrial motions, and discovery.

## *Arraignment*

The arraignment is often the defendant's first court appearance following an arrest, where the charges are formally presented. At this stage, the defendant enters a plea, either *guilty*, *not guilty*, or *no contest*.

Defense attorneys typically advise pleading *not guilty* to allow time for a full case evaluation and defense preparation. Pleading *guilty* ends the case at this stage, which isn't very common in well-prepared defenses. Many defense attorneys waive their clients' appearance at arraignment, allowing them to enter a plea verbally or through a written submission, as these proceedings tend to be brief and procedural.

## *Bond And Pretrial Release*

Bond amounts in domestic violence cases vary widely based on the specific charges and the facts of the case. At first appearance, the court considers two main questions:

1. How much money will ensure the accused appears in court?

2. What conditions are necessary to protect the alleged victim and the community?

For misdemeanor domestic violence, bonds may begin at \$1,000 or be based on “release on your own recognizance” (ROR). For more serious charges (like felony domestic battery, aggravated assault, or attempted murder), bonds can be set at \$10,000, \$50,000, or even \$100,000. In the most serious cases, such as domestic-related murder charges, the court may initially set no bond at all.

In addition to a monetary bond, some individuals may be placed on pretrial release, which can be similar to being on probation while their case is still pending.

Release conditions can vary depending on the nature of the case and whether you're placed on pretrial release. Some common conditions include:

- No contact with the alleged victim
- An ankle monitor or GPS tracking device
- Mandatory check-ins (weekly, monthly, etc.)
- Mental health evaluations and follow-up treatment
- Anger management classes

- Drug and alcohol testing or treatment
- Surrendering a passport in more serious or flight-risk cases

These conditions are often broad and can significantly impact your ability to live at home, attend work, or spend time with your children. As a result, we strongly advocate against them when possible because it places added restrictions and stress on our clients before they've had a chance to defend themselves.

If you violate any condition of your bond or pretrial release, immediate and serious consequences will follow, including:

- A warrant for your arrest
- Being taken back into custody
- A revoked bond, which could mean staying in jail until the case is resolved

Sometimes, we're able to intervene quickly and prevent a client from going back to jail, but it makes the entire case much harder to resolve favorably. It can also impact how the court views you going forward.

It's critical to follow your release conditions precisely and to contact your attorney immediately if something goes wrong.

### *Negotiating Bond And Release Conditions*

If you hire a criminal defense attorney before your first appearance, they play a major role in shaping your release terms. At Rossen Law Firm, we appear in court with you and bring in family or friends when appropriate to testify to your good character, community ties, employment, and family responsibilities. This helps show the court that you're not a flight risk and deserve a fair bond.

We may also coordinate with trusted bail bondsmen we've worked with for years – people who provide excellent service and help our clients get out of jail faster and with less hassle.

When you're arrested, there may be over 100 other people waiting for bond decisions. Having an attorney coordinate things behind the scenes can get you out much faster and with better conditions, which

is critical when you're in jail and you feel like your world is crashing down.

With this in mind, it's important to hire an attorney before your first appearance, or as soon as possible afterward. What happens at first appearance can shape your entire case, so having someone in your corner from the very beginning makes a huge difference.

If the bond or release conditions are unreasonable or if you didn't have legal representation at first appearance, we can file a motion to modify. This allows us to go before the division judge and ask for changes to:

- Lower your bond amount
- Remove or ease no-contact orders
- Modify pretrial release conditions

At Rossen Law Firm, we view this part of the process as essential, not optional. It can drastically affect your quality of life while the case is pending and your ability to mount an effective defense.

## *Status Hearings*

After arraignment, the case may proceed through a series of status hearings. These serve to:

- Update the court on case progress, including plea negotiations, evidence review, and potential scheduling issues.
- Address administrative matters, such as setting deadlines for motions or clarifying unresolved discovery issues.

These hearings often last only a few minutes, and attorneys typically waive their clients' presence in these as well to avoid unnecessary disruptions. Clients are always welcome to attend if they wish to do so.

## *Discovery*

Discovery is the process where the prosecution shares all evidence with the defense, regardless of its perceived impact on the case. This includes items such as police reports, witness statements, and body-worn or surveillance camera footage. It also encompasses any

evidence the prosecution intends to use at trial, as well as information that might support the defense's case.

When defense attorneys review discovery, they examine every detail for inconsistencies, procedural violations, or evidence that could support their client's innocence. At times, this process requires reviewing large amounts of material, especially in cases with extensive video footage or numerous witnesses. Attorneys also provide their clients with access to discovery materials and discuss their implications in depth.

In Florida, depositions of witnesses are permitted in felony cases as a part of discovery and, with special approval, in misdemeanor cases. Depositions allow the defense to question arresting officers, witnesses, or alleged victims under oath, identifying inconsistencies or ulterior motives, such as manipulation in custody disputes or financial gain in divorce proceedings.

## *Depositions*

In cases that progress to serious litigation, depositions are one of the most powerful tools we have

for defending our clients. A deposition is a formal, recorded interview where witnesses are placed under oath and asked questions by the attorneys involved in the case. These sessions can be critical in revealing inconsistencies, uncovering motives, and laying the groundwork for the trial.

When we depose police officers, the focus is typically on the quality of the investigation or the lack thereof. Most of the time, we're not accusing officers of planting evidence or lying (unless we have reason to believe we can prove it, which is rare). Rather, what we often see is that officers make quick decisions based on very limited information. Probable cause is a low standard, and when that's all the officer needs to make an arrest, it's not uncommon for mistakes to be made or corners to be cut. Our job is to bring those mistakes to light.

When it comes to deposing alleged victims or key civilian witnesses, the process becomes much more detailed and often more intense. These depositions can last several hours or even span multiple days.

This is because domestic violence cases typically involve long, emotionally complex relationships, with years of context that may be relevant, especially when there are issues like jealousy, cheating, divorce, or custody battles.

If infidelity played a role in the argument, for example, we have a duty to explore it. Not to be invasive or combative, but because it may reveal a motive to lie or exaggerate. If someone has lied in the past about a relationship, it raises fair questions about whether they're being truthful now. These uncomfortable questions matter, and during a deposition, the alleged victim must answer them under oath.

This is why depositions are one of the great equalizers in criminal defense. They force accountability. They give us a chance to challenge credibility, uncover hidden truths, and prepare for trial with clarity and strategy.

## *What A Criminal Defense Attorney Tries to Accomplish During A Deposition*

### **1. Uncover new information.**

While we go into depositions thoroughly prepared, there are always things we can't know until the witness is questioned under oath.

### **2. Lock in testimony.**

If a witness says one thing during a deposition and something else at trial, we can use the transcript to call them out in front of the jury. These inconsistencies can severely damage their credibility.

### **3. Highlight investigative mistakes.**

If an officer admits to making errors or failing to follow procedure, this can be valuable for challenging the state's case.

#### 4. **Set the tone for the trial.**

Sometimes our questions are designed to get a witness committed to a version of events we can later challenge, or to expose weak spots that will be easy to exploit during cross-examination.

Even if a witness doesn't outright lie, if we can demonstrate that their memory is inconsistent, unclear, or influenced by emotion or bias, that helps us achieve our primary goal: undermining their credibility.

### *Why The Deposition Process Is So Critical*

Deposition statements are given under oath and can be used later to impeach a witness. In other words, if they contradict themselves at trial, we can confront them with what they said during the deposition. One of the jury instructions in every criminal trial explains that jurors should evaluate credibility, and one factor they must consider is whether a witness has previously given inconsistent sworn testimony.

Depositions also provide us with the opportunity to highlight the weaknesses in the prosecution's case. Having the prosecutor in the room as the witness testifies (especially when that witness stumbles, contradicts themselves, or appears emotionally unstable) can be eye-opening. It provides prosecutors with a preview of how badly things could go for them at trial, often leading to better plea offers or even dismissals.

This process isn't just about gathering evidence; it's about strategy, pressure, and positioning. More than anything, it's about setting the stage to win.

### ***Pretrial Motions***

Pretrial motions play a significant role in shaping the case before trial begins. Common goals include:

- **Suppressing Evidence**

These motions are filed when constitutional rights are violated, such as when Miranda warnings are not provided. Success here can result in key evidence being excluded from the trial.

- **Dismissing Charges**

These motions challenge the sufficiency of evidence or argue that no law was broken.

Pretrial motions often require extensive preparation and in-court arguments. These hearings can last hours and are usually conducted with fewer participants present, providing a focused forum for legal arguments.

### ***Your Fourth And Fifth Amendment Rights***

Domestic violence cases often involve serious constitutional violations, especially when emotions are running high and officers are making quick decisions under pressure. Two of the most commonly overlooked or violated rights are your Fourth Amendment and Fifth Amendment protections.

### ***Fourth Amendment Search And Seizure Violations***

The Fourth Amendment protects individuals from unreasonable searches and seizures. In most domestic violence cases, the search issues don't

typically involve pat-downs or traffic stops (which we see more in general criminal cases), but rather entry into a home without a warrant.

In fact, in nearly all domestic violence calls, officers enter a residence without a warrant. To justify this, police must rely on a legally recognized exception to the warrant requirement, most commonly consent or exigent circumstances.

### **Consent**

Officers may persuade or pressure someone to “let them take a look around.” Unfortunately, that so-called consent is rarely given freely. In reality, it’s often a response to authority and fear rather than a voluntary agreement. This is known as *acquiescence to authority*, and it may not constitute lawful consent under constitutional standards.

### **Exigent Circumstances**

Police often claim there were emergency circumstances, such as fear someone inside was injured or at risk of violence, that made it necessary for them to

enter the home without a warrant. However, simply stating that it was an “emergency” doesn’t automatically render it legally valid. If the situation doesn’t truly meet the legal threshold for exigency, the entry and any evidence obtained inside the home may be unconstitutional.

### **Fifth Amendment Self-Incrimination Violations**

The Fifth Amendment protects you from being forced to testify or make statements that could be used against you in a criminal case. In domestic violence investigations, violations of this right are extremely common. (We estimate it happens in roughly 75% of the cases we see.)

Miranda warnings are a key part of this. Police are required to inform you of your rights (to remain silent, to have an attorney, etc.) when two conditions are met:

1. **Custody:** You are not free to leave.
2. **Interrogation:** You are being asked questions (or spoken to in a manner) that is likely to elicit incriminating responses.

Many people think “custody” only begins when you're handcuffed or taken to jail. In reality, if officers arrive at a domestic scene, separate you from the other person, and you are not free to leave, you're already in custody for Miranda purposes.

Likewise, “interrogation” isn't limited to direct questions. Imagine that an officer says, “Those were some concerning bruises on your wife.” Although this is a statement, not a question, it's clearly meant to provoke a response and is therefore treated as an interrogation under the law.

The problem lies in the fact that officers rarely read Miranda rights before making statements or asking questions in these moments. They're focused on gaining control of the situation and identifying who to arrest, not on what might be admissible in court six months later. As a result, any statements you make, especially when emotionally charged, are often taken without proper advisement of your rights.

## **What Happens If Your Rights Are Violated**

If your Fourth Amendment or Fifth Amendment rights are violated, it doesn't automatically mean your entire case gets thrown out. However, your attorney can file a motion to suppress key evidence, such as statements made during an unlawful interrogation or evidence found during an illegal search.

If the judge grants that motion, those statements or pieces of evidence cannot be used against you at trial. In some cases, that suppression can severely weaken the prosecution's case, potentially leading to a dismissal or a much more favorable outcome.

As it happens, many criminal defense lawyers lack the necessary skills to effectively analyze Fourth and Fifth Amendment violations or file motions to suppress evidence. At Rossen Law Firm, that's one of the areas where we stand out, because we know that many cases are won not just on the facts, but on the law.

We put a strong emphasis on constitutional protections because we've seen time and time again

that when law enforcement cuts corners or oversteps, a door opens to a successful defense. It's about knowing where to look, what to challenge, and how to chip away at the prosecution's case.

I often describe it like this: your case may start out looking heavy, rough, and unrefined – like an ugly block of ice. Then, through our process of examining the evidence, challenging the law, and conducting the actual legal work, we begin to sculpt the case and craft a polished defense.

By the end, our goal is to turn that rough block into something like a beautiful ice sculpture. Of course, we don't expect perfection at the start. We expect to work *and win* by shaping the case into its strongest form.

## **Trial**

If a case cannot be resolved through dismissal, a diversion program, or a plea deal, it proceeds to a trial. Trials are inherently high-stakes and involve:

- Jury selection. In Florida, six jurors are required for non-death penalty cases.

- Presenting evidence, witness testimony, and cross-examination.
- Deliberations, where the jury determines guilt or innocence beyond a reasonable doubt.

Trials are intensive and stressful, particularly for defendants. Yet, at the same time, they are also a fundamental constitutional right. Defense attorneys prepare clients thoroughly, including whether they should testify. This decision is made carefully and always remains the client's choice.

## Chapter 17:

# PLEA BARGAINS AND DIVERSION PROGRAMS



Plea bargains and diversion programs play a significant role in resolving domestic violence cases without the need for a trial. They provide defendants with ways to address charges while aiming to minimize the long-term consequences of a conviction.

Both options have distinct processes and benefits, but they share a common goal: *to find a*

*resolution that satisfies the legal system without the risks and uncertainties of a trial.*

## ***Plea Bargains***

A plea bargain involves the defendant agreeing to plead guilty or no contest in exchange for reduced charges or lighter penalties. These agreements are usually reached when diversion isn't an option or when the evidence strongly supports the prosecution's case.

Penalties can vary but often include probation or fines rather than jail time, particularly when the defense attorney has effectively negotiated the terms. The plea bargain process requires careful strategy, as the goal is to secure an outcome that minimizes the impact on the defendant's future.

## ***Diversion Programs***

Diversion programs are often one of the most appealing options for clients because they offer a real opportunity to avoid a conviction altogether. These programs typically require participants to complete

certain conditions. This can include community service, anger management classes, or, in some cases, a more intensive batterers' intervention program that can last up to 26 weeks and may include evaluations, regular check-ins, and supervision.

If all conditions are completed, the charges are dismissed. For record purposes, this is equivalent to being found not guilty, which can bring tremendous relief compared to the uncertainty of going to trial.

Another advantage is that the diversion process often moves more quickly than preparing a court case, allowing clients to resolve the matter and move forward sooner. However, eligibility isn't guaranteed. Factors such as prior criminal history, the seriousness of the offense, and even a prosecutor's stance on the case can all impact whether diversion is an option.

When diversion isn't an option, plea negotiations often take center stage, and we shift our focus to securing the best possible outcome through other means.

## *Fighting For Diversion*

Diversion isn't something prosecutors hand out automatically; it takes strong, strategic negotiation and a clear, persuasive argument about why someone deserves a second chance. You have to fight for it.

At Rossen Law Firm, we work hard to open the door to diversion and set our clients up for success, whether it's a first-time offense, a low-level charge, or a situation where someone simply made a mistake.

In fact, securing diversion is often a vital part of our role as defense attorneys when it's the right fit for a client. It's something we take seriously, and in many situations, we're not just fighting *for* diversion, but also negotiating the *terms* of the program.

This is because some diversion programs are rigid with strict conditions, while others are more flexible. In each case, our goal is always to secure the least restrictive and most manageable terms possible, so our clients can complete the program successfully and move on with their lives without unnecessary burdens.

The reason we are so steadfast on this front is that diversion is the only guaranteed path to a case dismissal. If you're accepted and complete the program requirements, the case will be dropped with no conviction and no criminal charge on your record. That level of certainty alone can make all the difference.

### ***Your Partner From Start To Finish***

When we say we're with our clients every step of the way, we mean it. Too often, once someone is accepted into a diversion program, their lawyer disappears. They step back and tell the client to take it from there: "*If you have questions, ask the program.*" That's not how we operate at Rossen Law Firm.

We understand the importance of our clients' success in these programs, and we take that responsibility seriously. That's why we stay involved and guide our clients through the entire process, acting as their legal concierge to make sure nothing falls through the cracks.

Throughout the stages of a diversion program, individuals often encounter challenges along the way,

such as travel restrictions, program conditions, or simply not knowing what to expect. Typically, these are individuals navigating the system for the first time, and they deserve clear answers, support, and someone to guide them through the process.

If our client requires permission to travel, we coordinate with the judge and prosecutor to facilitate the process. If questions arise about requirements, deadlines, or how to handle an issue, we're here to provide guidance and support.

We do all of this because we want our clients to succeed. We don't want them to risk violating the program or getting tripped up by technicalities. Our goal is to make the process easier so they can complete the program successfully and walk away without a conviction on their record.

We don't disappear. *That's what it means to be involved in every step of the process.*

## Chapter 18:

# A CLOSER LOOK AT THE TRIAL PROCESS



For many people, the idea of going to trial is filled with uncertainty, anxiety, and a lot of questions. *What happens in the courtroom? What does the jury hear? How do we challenge the prosecution's case?*

This chapter breaks down each phase of a criminal trial. From jury selection to closing arguments, and from cross-examination to verdict, we'll walk you

through the process and show you how we fight for your future every step of the way.

## *Voir Dire*

Jury selection, formally known as *voir dire*, is one of the most important parts of a trial. While it's called "jury selection," it's often more accurately described as "jury de-selection." Both sides are working to remove jurors who may not be favorable to their case.

The reality is, we're not just looking for jurors who are neutral. We're looking for individuals who are truly open to the defense, who will apply the law fairly, and who can uphold the principle that a person is presumed innocent unless proven guilty. Prosecutors typically seek jurors who may be inclined to trust law enforcement or favor the government. It becomes a strategic process, with each side trying to shape the jury in a way that gives them the best chance of success.

A key part of this process involves exploring whether jurors can understand and apply certain legal rights. For instance, many people naturally expect a

defendant to testify. That's a common instinct because we're used to hearing both sides of a story. But in a criminal trial, the defendant has a constitutional right to remain silent, and that decision cannot be held against them.

During voir dire, we ask questions to uncover whether a juror might, consciously or not, hold it against our client if they choose not to testify. If someone indicates they would struggle with that, we do everything we can to remove them from the jury, and there are two main ways to accomplish this:

### *Challenges For Cause*

During jury selection, one important tool we have is what's called a *challenge for cause*. This applies when a potential juror demonstrates that they cannot be fair or impartial, regardless of their efforts.

There are clear examples of this. For instance, someone who doesn't speak or understand English well enough to follow the proceedings can't serve fairly. Someone who expresses racist beliefs, or who

says they will always believe law enforcement over any other witness, would also be disqualified. These are people who simply can't approach the case with an open mind, which is exactly what the law requires.

Finally, if a juror admits they would have a hard time respecting our client's right not to testify, we advocate for their removal.

### *Peremptory Challenges*

In addition to challenges for cause, each side in a trial also has what's called *peremptory challenges*. These allow us to remove a potential juror without needing to prove they're biased. In misdemeanor cases, each side typically gets three peremptory challenges. In felony cases, each side gets six.

But there are important limits. You can't use a peremptory challenge to remove someone for a constitutionally protected reason such as their race, gender, or age. For example, you can't say, "I don't want this juror because she's a woman," or "I'm striking him because he's Hispanic." That's not allowed.

Instead, the reason must be neutral and unrelated to any protected class. For instance, if a potential juror has multiple close family members in law enforcement, and even though they say they can be fair, you feel uncomfortable with their responses, that can be a valid reason for a peremptory challenge. It's not based on race, gender, or age, so it's allowed.

However, if a pattern starts to emerge (say, you've used four peremptory challenges in a row to strike four Black male jurors), the judge or the opposing party may challenge that pattern. The court could find that the strikes appear discriminatory, even if race wasn't explicitly stated, and might deny further peremptory challenges on that basis.

So while peremptory challenges are a powerful tool, they must be used carefully and lawfully. A significant amount of strategy is involved, and how we handle jury selection can have a substantial impact on the trial's outcome.

## *Opening Statements*

Once jury selection is complete, the trial moves into opening statements. The prosecutor goes first, followed by the defense. This is each side's opportunity to present an outline of the case: what the evidence will show and what they believe the jury should expect. It's not an argument, and it's not evidence; it's just a roadmap.

### *Prosecution's Case In Chief*

After opening statements, the prosecution begins what is called their *case in chief*. This is when they start presenting evidence by calling their witnesses to testify. They'll conduct direct examinations, asking their witnesses open-ended questions designed to support their version of events.

Once the prosecution finishes questioning a witness, the defense gets the opportunity to cross-examine.

## *Cross-Examination*

Cross-examination is one of the most powerful tools in any defense strategy. It's our chance to challenge the prosecution's story, question the reliability of their witnesses, and expose weaknesses in the investigation.

To do this, we may point out bias, mistakes, or inconsistencies. For example, suppose a police officer made assumptions early on and zeroed in on a suspect without conducting a thorough investigation. In that case, we'll highlight what they missed, such as failing to collect key evidence or neglecting to consider alternative explanations. If a witness claims to have seen or heard something, we may question whether they truly had the opportunity to do so.

We do this with each and every one of the prosecution's witnesses, shining a light on what was overlooked or ignored. The overarching goal is to raise reasonable doubt by showing that their evidence isn't as solid as it first appears.

After this, once the prosecution has presented all its witnesses and evidence, it will “rest” its case, meaning it is done presenting its side, and the next stage begins.

### *The Defense Presents Its Case*

After the prosecution rests, the defense has the opportunity to present its case. Sometimes we choose to call independent witnesses (people other than our client) who can offer helpful or clarifying testimony. In other situations, we may decide not to call any witnesses, depending on how the case has unfolded.

Occasionally, our client may choose to testify. However, in the majority of cases, our clients do not. This is never a decision taken lightly. We have detailed discussions with our clients well before trial and even revisit the conversation during trial if the case dynamics change.

Deciding whether or not to testify is a deeply personal and strategic decision. No matter the case, it is not the attorney’s choice; it is 100% the client’s

constitutional right to decide. Our role is to offer clear, experienced advice and help the client make the decision that serves their best interest. Ultimately, we respect and support whatever choice they make.

Once we've presented any witnesses (or if we decide not to call any), the defense formally rests its case.

### ***Motions Filed During Trial***

At various points during the trial, including after the prosecution and defense have rested, we may file specific legal motions. One common example is a motion to dismiss the case for lack of sufficient evidence. While it's an important legal step, it's worth noting that judges deny these motions the vast majority of the time. Still, filing them preserves the record and can be relevant if an appeal is filed later on.

### ***Charge Conference***

After both sides have rested and motions are addressed, the court proceeds to what is called the *charge conference*. This is where the judge, along with

the attorneys, goes over the jury instructions. These instructions outline the law the jury must follow when deciding the case. Once finalized, the jury will take these instructions into the deliberation room and use them as a legal guide when evaluating the evidence and reaching a verdict.

### *Closing Arguments*

After all the evidence has been presented, we move into closing arguments. The prosecutor goes first, followed by the defense, and then the prosecutor gets the final word through a rebuttal.

Closing arguments can range in length (from a few minutes to several hours) depending on the complexity of the case, the volume of evidence, and the amount of time the judge allows. Regardless of length, the closing argument is one of the most important moments in the trial.

This is our final chance to address the jury directly. We summarize the evidence, highlight the weaknesses in the prosecution's case, explain the law,

and passionately advocate for a verdict of not guilty. It's our chance to tie everything together and make a compelling case for why justice requires an acquittal.

### ***The Jury Deliberates & Returns A Verdict***

Once closing arguments are complete, the jury begins deliberation. Their job is to decide the case based solely on the evidence and the law as instructed by the judge. The verdict must be unanimous: either all jurors agree on a verdict of guilty or all agree on a verdict of not guilty. Of course, our goal is always a unanimous *not guilty* verdict.

Deliberations can be brief or lengthy. We've had juries return not guilty verdicts in as little as five minutes, while others have taken up to five hours to reach a verdict. It all depends on the case and the jury.

During this time, the attorneys and the client wait outside the jury room. We have no role in the deliberation process.

If the jury returns a verdict of *guilty*, the case proceeds to the sentencing phase, where we continue to advocate for the best possible outcome. If the jury returns a verdict of *not guilty*, the case is over. Our client is free to go home, and that's a moment we always celebrate.

## Chapter 19:

# COMMON CHALLENGES DURING THE LEGAL PROCESS



The criminal process can be overwhelming, especially in domestic violence cases where it's the person's first experience with the law. So often, the challenges extend far beyond the courtroom. One of the most significant hurdles the clients I've served over the years have faced is the disruption to their daily lives.

Many find themselves suddenly displaced from their homes due to no-contact orders, losing access to

their families and support systems. Others face job loss or financial strain, which can make it difficult to cover legal fees or maintain stability during an already turbulent time.

This upheaval often feels like taking a step—or *several* steps—back in life. I’ve found that most of my clients want the situation resolved quickly so they can move forward. While this is understandable, the reality is that the legal process simply requires patience.

Achieving the best long-term outcome often means allowing the case to progress at its own pace. This can undoubtedly be frustrating for someone dealing with the immediate fallout, but it is nonetheless necessary. Balancing short-term struggles with the patience needed for a proper legal defense is one of the most difficult challenges clients face.

There is also an intense emotional burden that many experience. Many grapple with deep and pressing questions: *Am I going to jail? Will I be labeled a domestic abuser? How will this impact my children, my family, and my career?* These fears are valid and deeply

personal, and they weigh heavily throughout the process. The uncertainty of what lies ahead can add significant stress, compounding the emotional toll.

From a legal perspective, these challenges intersect with the work of building a robust defense. For attorneys, the focus is on navigating your case, from analyzing evidence and negotiating with prosecutors to preparing for trial if necessary.

While your legal team works to resolve the charges, it's all too easy to feel the weight of waiting and the consequences playing out in real-time. Attorneys who understand this dynamic take care to address not only the legal aspects of the case but also the human impact their clients are experiencing, helping them manage the practical and emotional challenges they face.

### *Seeking Out An Experienced Attorney*

Working with an attorney experienced in domestic violence cases is crucial, as these cases present unique challenges and carry high stakes. Domestic violence charges are far more difficult to go through than they might initially appear.

The legal, personal, and procedural dynamics will likely leave you confused and unable to navigate the end of your case successfully. Partnering with an attorney who specializes in this area ensures that every aspect of your case is handled with the experience and care it requires.

Think of it this way: you wouldn't trust a general handyman to fix a serious plumbing issue or repair a damaged roof. Instead, you'd hire a licensed expert who specializes in that kind of work. The stakes in a domestic violence case are even higher than home repairs—your freedom, reputation, and, in essence, your entire future are all on the line.

Hiring a general practitioner who dabbles in multiple areas of law, such as family law or personal injury, might leave your case vulnerable to mistakes or oversights. This is not the time to work with someone who is a jack of all trades and master of none.

An experienced domestic violence attorney brings deep knowledge of the specific laws, defenses,

and court procedures related to these cases. They understand the nuances, such as how to challenge evidence, negotiate effectively with prosecutors, and anticipate potential pitfalls.

They also know how to navigate related issues, such as restraining orders, child custody complications, and collateral consequences, including impacts on your immigration status and career. Their knowledge and experience can mean the difference between a dismissal, reduced charges, or a conviction with severe penalties.

Once mistakes are made in these cases—whether due to inexperience or a lack of attention—they can be incredibly difficult, if not impossible, to correct. That’s why it’s essential to get it right the first time with a lawyer or firm that has a proven track record in domestic violence defense. You’re putting your future in their hands, and it’s worth investing in someone who knows how to protect it.

## Chapter 20:

# THE LEGAL STRATEGIES A GOOD ATTORNEY BRINGS TO THE TABLE



At Rossen Law Firm, we've found that most domestic violence cases fall into one of two categories, and each one requires a very different strategy.

### **Category One: The Fast Track to Dismissal**

In some cases, we can move aggressively in the early stages to have the charges dropped before

they're formally filed. This is known as the prefile stage, which typically falls within the 21- to 40-day window after an arrest.

If the alleged victim doesn't want to prosecute, we move quickly to have them sign a waiver of prosecution and gather any supporting materials that show the case doesn't belong in court. We also look for major inconsistencies in the report or signs of an overreaction by law enforcement. The goal in these situations is to have the case dropped as quickly as possible so our client can return to their normal life as soon as possible.

### **Category Two: The Long-Term Legal Battle**

Other cases are more complex. There may be an ongoing divorce, a child custody dispute, or clear signs that one party is manipulating the criminal justice system for personal gain. These are the cases that can drag out for 6 to 12 months or more, and we treat them like the serious legal battles they are.

In such situations, we dig deep. We investigate the alleged victim's motivation to lie, especially in cases involving:

- Immigration benefits, like VAWA or U-Visas
- Custody or spousal support leverage in a divorce
- Housing manipulation, where a client is removed from their own home, even though the other party has no ownership or lease interest
  - Yes, we've seen situations where our client pays the rent or mortgage, and yet can't even live in the home, while the alleged victim stays rent-free.

We also examine the supposed victim's criminal history or reputation. Do they have a track record of violence, dishonesty, or manipulation? All of that can be relevant. We pull the 911 call, review the tone of voice, and compare it to the reported urgency. Tone can reveal a lot – sometimes more than the words themselves.

## *Case Study: The 911 Call That Held The Answer*

In one case, our client was arrested for attempted murder. The accusation? That he was swinging two knives at his ex-girlfriend, trying to kill her.

But when we listened to the 911 recording, the tone didn't match the claim. The alleged victim calmly told dispatch that he was trying to kill her, but she sounded angry, not afraid. Then, when asked about her 5-year-old child's whereabouts during the alleged attack, she casually responded, "I don't know."

You have to ask yourself: if someone were attacking you with knives and your 5-year-old child was missing, would you respond with calm anger, or with fear and urgency?

The police never pulled that recording. The prosecutors didn't either. We did - and it helped us get the charges dismissed. Without that, our client could have faced life-altering consequences.

## *Using Depositions Strategically*

Depositions are another powerful tool in contested cases. These are sworn, recorded statements given under oath, usually during the discovery phase.

When we depose police officers, we focus on flaws in their investigation, like rushing to judgment or cutting corners. When we depose the alleged victim, we dive deeper.

We explore topics that may be uncomfortable, but necessary. If infidelity played a role in the argument, we ask about it. If they've lied before, we shine a light on that pattern. We're not being aggressive for sport. We're exposing bias, motivation, and credibility issues.

Depositions can be intimidating for someone who thought they could manipulate the system without pushback. When they realize they'll be asked direct, personal questions (on the record, and under oath) it changes things.

It's one of the many reasons we say: You don't want to face Rossen Law Firm if your story doesn't hold up under pressure.

### *How A Good Lawyer Negotiates With The Prosecution*

In this line of work, like attracts like. People who are serious about protecting their future, good people with a lot to lose, tend to hire skilled, professional attorneys. On the other hand, people who don't take things seriously often hire lawyers who are cheap, disorganized, or unmotivated. Prosecutors and judges know this. They see the difference.

At Rossen Law Firm, we've built a reputation for being professional, honest, prepared, and results-driven. We have great clients, and when we walk into a negotiation and say we've uncovered problems in the case (like evidence of dishonesty or manipulation from the alleged victim) we are taken seriously. That's because they know we don't bluff, we don't exaggerate, and we're not trying to play games.

If you lie or overreach in one case, prosecutors remember that and it can ruin your credibility for years to come. That's why we value integrity. It's the foundation of our negotiations.

Another key piece of negotiation strategy is doing the work. Many defense attorneys charge low fees because they're not confident in their abilities or they simply don't intend to put in the time. But that shortcut comes at a cost to the client. These lawyers don't build strong cases, they don't push back hard enough, and they don't earn respect from the prosecution.

We're the opposite. At Rossen Law Firm, we build every case with the intention of winning and negotiate from a position of strength. What's more, we don't just focus on one angle. We address both the facts and the circumstances simultaneously.

We're constantly doing two things:

1. **Attacking the legal case.**

Challenging evidence, pointing out inconsistencies, looking for rights violations, and holding the state to its burden.

2. **Working on mitigation.**

Showing that our client is a good person who made a mistake and is actively working to better themselves and avoid future problems.

This dual approach gives us flexibility. If the facts don't support a dismissal, we've already laid the groundwork to negotiate a resolution that protects our client's future. If the case is strong for us, we push hard and aim to get it dropped entirely.

Either way, we're proactive, strategic, and relentless in achieving the best outcomes for our clients.

## Understanding Mitigation

Mitigation is all about showing that our client understands a mistake was made and is willing to take responsibility by taking meaningful steps to improve themselves.

Whether it's pursuing personal growth, learning how to better manage conflict, or enrolling in a course like anger management, mitigation is about owning the moment and demonstrating a willingness to improve.

This matters because it can lead to lesser punishment or even entry into a diversion program, which could ultimately result in the charges being dismissed altogether. It's a major part of how we approach defense strategy at Rossen Law Firm.

We work on mitigation and legal defense simultaneously. That's important because when we're first hired, we might believe we can win the case outright, but we don't know for sure until we thoroughly investigate the facts, gather evidence, and assess how everything aligns.

Think of it like going to a doctor: a doctor doesn't just jump into surgery after talking to you for five minutes. They listen, run tests, order X-rays or an MRI, and explore every non-invasive option first. That's the level of care and diligence we bring to every case.

If that means having our client take an anger management class or start counseling, it's not an admission of guilt. Some people worry that doing those things makes them look guilty. It doesn't. Smart, professional individuals take initiative because they recognize the long-term benefits of addressing an issue early.

And it's our job to make sure the court sees it that way. We don't say, "The court told our client to do this." We say, "Look at what our client did on their own. They care. They want to improve. They took this seriously before anyone made them do it." That kind of narrative is powerful.

By taking control of the story early, we demonstrate that our client is someone who is

remorseful, responsible, and committed to moving forward healthily and constructively. That helps us avoid the long-term consequences of a criminal conviction, which we refer to as the scarlet C for “criminal”. Because this label can remain visible for years, even decades, we work hard to prevent our clients from wearing it.

Now, mitigation isn’t the right approach for every case. If the facts don’t support it, or if we believe the best outcome requires us to go full force with a more aggressive strategy, that’s exactly what we’ll do. Sometimes we come out swinging from day one. Other times, we take a slower, more methodical approach. It all depends on the case, the facts, and the client.

There is no such thing as a one-size-fits-all defense. If a lawyer ever tells you otherwise, that’s a major red flag.

### ***How An Attorney Assists With Diversion***

Having a great attorney can make all the difference when it comes to being eligible for a

diversion program. It ultimately comes down to negotiation skills, reputation, and understanding how to effectively work with prosecutors.

Prosecutors are people, too, and while they're supposed to be impartial, the reality is that they pay attention to who they're dealing with. If your attorney is honest, prepared, and respected, prosecutors are much more likely to consider a diversion or a favorable outcome for your case.

On the other hand, if your attorney has a reputation for being difficult, dishonest, or just doesn't put in the work, prosecutors have little incentive to offer any breaks.

At our firm, if we sense that a prosecutor is hesitant about offering a diversion, we make it clear that we're fully prepared to fight the case and that we'll do everything necessary to defend our client. Such a commitment can encourage prosecutors to resolve cases early through diversion rather than face a lengthy, drawn-out legal battle.

Diversion can be a game-changer in a domestic violence case. With a successful diversion program, charges may be dismissed entirely once all conditions are met, allowing clients to move forward without a permanent record.

### *The Evidence A Criminal Defense Attorney Looks For*

At Rossen Law Firm, we look at everything, starting with body-worn camera footage from the police. Police reports often fail to capture all the details, contain incorrect facts, or fail to convey the full story. Seeing the actual video and hearing what's said on scene helps us spot discrepancies and understand what really happened.

We also investigate any potential violations of your constitutional rights, such as Fourth Amendment (unlawful search and seizure) or Fifth Amendment (self-incrimination) issues. If we find these, we can use them to try to suppress evidence or challenge the case.

The 911 call is another key piece of evidence that we'll examine. Sometimes, the tone of voice or background sounds can alter the way a case is perceived. We also look closely at the full history of the relationship, because domestic violence situations are rarely about just one isolated moment. There are often months or years of context that matter.

Texts, voicemails, and surveillance videos (such as Ring doorbell footage) can also make a significant difference. These pieces of evidence often reveal what happened or expose the tone and intent behind someone's words. We've won cases because we uncovered text messages, voicemails, or security camera footage that police never bothered to collect. Sometimes, these details are exactly what's needed to prove what took place.

That's why we work closely with clients from the very start to gather every possible piece of evidence. Because, sometimes, those little details are the key to winning a case or getting charges dismissed.

## *Does A Criminal Defense Attorney Make a Trial Less Likely?*

Having a good criminal defense attorney doesn't necessarily make it more or less likely that your case will end up at trial. What it does do is make it much more likely you'll get the best possible outcome, whether that's a dismissal, a diversion, or a favorable plea deal.

At Rossen Law Firm, we're always ready to go to trial, and we take great pride in our trial skills - but most clients are understandably nervous about that option. For most people, a trial is a last resort.

Still, we prepare for the trial from day one. Our experience has shown that being ready and willing to take a case all the way gives us leverage in negotiations. Prosecutors are more likely to offer a fair deal, or even consider dismissal or diversion, when they know your defense team is prepared and confident in the courtroom.

## *The Chances Of Success At Trial*

The truth is that trials are unpredictable, and any attorney who claims they've never lost a case is either not being honest or hasn't taken on real trial work. With dozens (or even hundreds) of jury trials under our belts, we know that you sometimes win cases you thought were impossible and lose cases you thought were slam dunks. There are simply too many variables, ranging from the facts and evidence to the composition of the jury and the judge's decisions.

The decision to go to trial really comes down to the client's risk tolerance. We're always upfront. We can guarantee you'll get our full effort, our best preparation, and our unwavering support. We'll assign at least two attorneys to your case, who will be utterly dedicated to your defense. But only you, the client, can decide if you want to take the case all the way. It's important that you're able to look yourself in the mirror and feel confident about the path you chose, whether that's a trial or a negotiated outcome.

Ultimately, success at trial depends on the trust between you and your lawyer, careful preparation, and an understanding of the risks involved. We'll provide you with our honest advice and stand by your side every step of the way, but the final decision is always yours.

# **PART III: DEALING WITH THE FALLOUT**

## Chapter 21:

# THE IMMEDIATE CONSEQUENCES OF A CONVICTION



A conviction for domestic violence carries significant consequences that can ripple through every aspect of your life, both immediately and long-term.

Penalties vary depending on whether the charge is a misdemeanor or a felony. Convictions can result in jail or prison time, probation, or a combination of these. In severe cases—such as those involving

fatalities or repeat offenses—prison sentences can stretch up to 30 years or even life.

Beyond incarceration, a single domestic violence conviction can set the stage for harsher penalties in the future, as prior convictions often lead to enhanced charges. For instance, what might otherwise be a misdemeanor could be elevated to a felony due to a history of domestic violence.

The impact on your career can also be devastating. Employers are often reluctant to hire someone with a criminal record, particularly for roles that involve working with vulnerable people or in sensitive environments.

As such, a domestic violence conviction can tarnish your reputation and make it exceptionally challenging to secure meaningful and fulfilling employment. This stigma can follow you for years, even after serving your sentence or completing probation.

The combination of legal, professional, and personal consequences effectively underscores the

severity of these charges. The immediate penalties are by no means the only concern, but how a conviction can shape the rest of your life is just as worrisome. That's why mounting a robust defense is essential – to protect you not just from the legal ramifications but also the long-term fallout that can destroy the rest of your life.

### *What Consequences Look Like In Real Life*

The real-life consequences of a domestic violence conviction are steep and long-lasting.

The reality is, most people don't want to rent their home to someone with a violent criminal record. Landlords see a domestic violence charge and immediately picture broken doors, damaged walls, police calls, and ongoing drama. They'll pass over your application in favor of someone who looks "safe and stable."

The same goes for employers. Background checks are routine, and a domestic violence conviction can be a dealbreaker, especially in professional or licensed industries.

## *If You're Not a U.S. Citizen*

When your immigration status is on the line, the consequences of a conviction are even more serious. Immigration laws are particularly harsh when it comes to domestic violence. Even a misdemeanor conviction can lead to deportation. This includes lawful permanent residents (people who have green cards) who can lose everything they've worked for.

While we aren't immigration attorneys, we work closely with trusted immigration lawyers to protect our clients from these severe outcomes. But make no mistake: if you're a non-citizen, you need a skilled criminal defense team. These cases become significantly more complex, and you do not want an immigration attorney trying to handle your criminal case.



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## *If You're a Licensed Professional*

Certain professions have a zero-tolerance policy. For example, if you're an attorney and you're convicted of a felony, you're automatically disbarred. While a misdemeanor won't necessarily trigger disbarment, you'll still be required to report it, and it could lead to a suspension or other disciplinary action.

The same is true for teachers, nurses, and healthcare workers, especially those regulated by Florida's Agency for Health Care Administration (AHCA). The moment you're arrested, not convicted, just arrested, AHCA is notified. You'll receive a certified letter in the mail suspending your license and your ability to work. We've represented nurses and doctors who were suddenly unable to earn a living because of a pending domestic violence charge. In those cases, we immediately go into overdrive to get the case dismissed as quickly as possible.

All of this is more than frustrating – it can be maddening. What happened to innocent until proven guilty? That doesn't apply when you hold a professional license.



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## Chapter 22:

# THE LONG-TERM EFFECTS OF A DOMESTIC VIOLENCE CHARGE OR CONVICTION



The long-term effects of a domestic violence charge or conviction can be devastating, touching every aspect of your life. Even years later, a domestic violence charge on your record can resurface, affecting opportunities for housing, employment, and career advancement.

For example, if you have a decade-old charge, you might find yourself denied housing after a landlord does a background check. You may also be passed over for promotions or new job opportunities. In some cases, you may secure a position at a lower level, but when you are considered for a higher-paying role, the background check required for that promotion can reveal your history. Not only might this result in losing the new opportunity, but it could also lead to termination from your current role if the information becomes known in your workplace.

Even dismissed charges can leave a stain on your record. In Florida, an arrest record—regardless of the outcome—remains publicly accessible unless it is sealed or expunged. On background checks, an arrest for domestic violence will appear, and most people won't investigate further to see if the charges were dropped. Instead, they often make snap judgments, thinking, *I don't want to take the risk*, and move on. This kind of prejudice can be hard to combat, creating ongoing challenges for someone trying to rebuild their life.

The most effective way to mitigate these consequences is to act promptly and work with an experienced attorney. From the outset, the attorney's goal is to secure a dismissal or reduction of charges and protect their client's record. Beyond resolving the case, a skilled attorney will guide the client through the process of sealing or expunging records, ensuring that the incident doesn't haunt them on public databases.

More than this, these cases are so frequently intertwined in criminal and family law, where allegations of domestic violence can be used strategically in custody disputes. In some cases, this motivates individuals to make false claims or exaggerated accusations in an attempt to influence family court outcomes. Additionally, family court judges tend to err on the side of caution, which can result in restrictions such as supervised visitation, reduced custody, or denial of primary custody to one parent.

### ***Should You Work Together With An Alleged Victim?***

In some cases, alleged victims and the accused may collaborate to resolve issues independently, but

this depends on whether the court allows contact. Generally, the default is *no contact*, but this can be changed through motions filed by attorneys. If contact is permitted, the parties can work together. It's strongly recommended to do so under legal guidance to prevent complications or unintended consequences.

In some cases, collaboration extends beyond legal matters to address deeper personal or family issues. This may involve seeking therapy together, addressing underlying challenges such as substance abuse, or working on long-term resolutions through counseling or treatment programs.

Working together can undoubtedly foster mutual understanding and potentially improve outcomes, but it also brings significant risks, especially if emotions are still heightened or court-imposed restrictions are unclear.

### ***Lessons To Take Away***

*Only involve law enforcement if there is a genuine threat to someone's safety.* Calling the police out of anger, frustration, or as a way to resolve non-life-threatening

disputes can escalate situations unnecessarily, as demonstrated in the case I alluded to earlier in this book. As was the case for them, there's a strong chance doing so will lead to consequences that you could have entirely avoided.

*Realize the opportunity for growth and healing that your case can present.* Domestic violence cases can serve as a wake-up call to the underlying issues that cause them. Whether these issues include mental health struggles, substance abuse, or communication problems, address them as soon as you can. Seeking therapy, both individually and as a family, can lead to improved relationships, healthier dynamics, and long-term stability.

*Hire an experienced attorney as soon as you can.* This is vital to minimizing the potential impact of your case and ensuring it doesn't define you and your family's entire future. Taking initiative and being proactive can help restore balance and guide your family toward constructive solutions.

**PART IV:**  
**CLOSING THOUGHTS**

## Chapter 23:

# OUR PEOPLE-FIRST ETHOS



### *Building A Strong Defense*

At Rossen Law Firm, we take a proactive and thorough approach to laying the foundation for your case. From our very first meeting, we are intentional about how to incorporate building a strong defense into what may feel like a very organic meeting.

We take basic yet vital steps to develop a strong relationship with you, fully understanding your

circumstances and motivations. This is twofold, as it helps lay the groundwork for a solid defense while also revealing critical insights about your case. We also work to carefully examine the apparent motives of the alleged victim and identify any inconsistencies or ulterior motives in their claims.

We don't stop here, though. We hold all the parties we interact with going forward to account, however we can. We scrutinize police and the procedures they take at every step along the way, exposing potential constitutional violations or outcome-altering errors. We also assertively and aggressively negotiate with prosecutors, seeking early dismissals where possible. Most of all? We stand prepared to litigate fiercely when necessary to protect your rights, no matter where it takes us.

### *What Sets Us Apart Is You*

At Rossen Law Firm, we take a collaborative team approach. More importantly, we are purposeful in maintaining our commitment to delivering as

personalized a service as possible to each and every one of our clients.

We don't just strive for legal excellence, though. We're driven by a sincere desire to help you navigate what may be the most difficult time of your life. Trust is central to our philosophy, so building a relationship where you feel supported and confident that your legal team has your best interests at heart is at the heart of what we do.

## Chapter 24:

# THE ROSSEN LAW FIRM

## DIFFERENCE



Some of our clients have asked this question before they decided to partner with us: “What makes you different from any other criminal defense firm?” It’s a great question, and one that we’re happy to answer every time.

## *Here's What Makes Us Different*

A lot of criminal defense lawyers operate like *Better Call Saul* or *The Lincoln Lawyer* – a solo attorney, maybe with one assistant, trying to juggle every aspect of the case. That's not how we do things.

At Rossen Law Firm, we've built something different. Something stronger. We have a team of experienced attorneys, over 25 full-time team members, and a collaborative structure designed to give every client a meaningful advantage.

## *That Means You Get The A-Team*

When you hire us, you're not just getting one lawyer; you're getting a team. You'll get the full lineup, each of us bringing our unique strengths to the fight. Some situations call for precision, others for strength, and others for strong leadership. With our diverse and dynamic team, you get the right person for the right moment *every time*.

Much like doctors in an emergency room who consult, collaborate, and round on cases together, our attorneys regularly meet to brainstorm and problem-solve. That means multiple legal minds reviewing your case, discussing strategies, and making sure no detail is overlooked.

### *Laser-Focused On Your Dignity And Success*

Unlike many solo attorneys, our lawyers aren't acting as their bookkeeper, sales team, assistant, or marketing team. We've built a firm that allows them to focus entirely on what matters most: your case.

We also have highly trained case managers and support staff, each playing a vital role in providing seamless service. Everyone on our team is committed, capable, and passionate about helping people, so you're not just working with professionals; you're working with people who care.

The result? We deliver not only strong legal representation but also exceptional client service. This is bigger than running a business or resolving cases;

it's about helping people reclaim their futures. As of this writing, we've proudly helped more than 3,000 individuals move forward after some of the most difficult moments in their lives. We track every case we close, not just for the numbers, but because each one represents someone whose future has gotten brighter. And we're proud of that impact.

We also take mental health and substance abuse issues seriously, because real advocacy means understanding the full story behind each case.

At Rossen Law Firm, your dignity, future, and freedom matter deeply to us. And at the end of the day, we're not just here to win; we're here to serve with heart, purpose, and a relentless commitment to justice.

# NOTES





# 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!

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- 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?



# After the 911 Call

Your Guide to  
Domestic Violence  
Arrests in Florida



ATTORNEY  
**Adam Rossen**

Adam Rossen is the CEO and Founding Attorney of Rossen Law Firm, a renowned criminal defense practice serving Miami-Dade, Broward, and Palm Beach counties. 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.



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