

Family Violence Legal Help and Resources

In the state of Georgia, assault and battery are very common offenses and if these behaviors take place between members of a household -- or between family members that share some sort of kinship either by blood or marriage (except siblings) -- then these acts are classified under the category family violence.

Such crimes should be taken seriously, and those facing family violence charges are advised to contact an experienced [Atlanta Domestic Violence or Family Law Attorney](#). Crimes that are considered family violence crimes are:

Family violence simple assault: A simple assault occurs when a person either attempts to commit a violent injury to another person, or does something which places another person in reasonable fear of immediately receiving a violent injury. It is a misdemeanor carrying a maximum sentence of twelve (12) months in jail.

Family violence aggravated assault: An assault as described above becomes aggravated when certain additional factors are present. If a person commits an assault with the intent to either murder, rape, or rob, or commits an assault with a deadly weapon, or by discharging a firearm from a vehicle, the offense is then one of Aggravated Assault, which is a felony punishable, by a minimum of three (3) and a maximum of twenty (20) years in prison.

Family Violence Simple Battery: A simple battery occurs when there is some kind of physical contact of an insulting or provoking nature, or when there is actual physical harm caused. Often, police officers will arrest for simple battery on the basis of nothing more than a push, shove, or grab. This is a misdemeanor carrying a maximum sentence of twelve months in jail.

Family Violence Battery: The offense of Battery is also generally a misdemeanor (there are exceptions for repeat offenders), but contain the added component of either substantial physical harm to another person, or visible bodily injury, such as a black eye, swollen lip, bruising, cuts or scratches. While family violence battery is a misdemeanor for a first conviction, a second conviction of this offense, even if against a different victim, is a felony punishable by one to five years in prison.

Family Violence Aggravated Battery: Sometimes the injury from a battery is so serious that the offense becomes one of aggravated battery. Aggravated Battery involves bodily harm that either deprives the victim of a member of his or her body, renders a member of the body useless, or results in serious disfigurement. This is a felony, and is punishable by a minimum of three to twenty years in prison.

Be advised that if police officers are called out to a scene simply to serve as a mediator, generally the officer will arrest who they deem as the aggressor, and if children are present, the aggressor may receive an additional cruelty to children charge. This is when a child under the age of eighteen is forced to witness an incident of family violence.

It should be also be noted that charges cannot be dropped because you no longer want to go through with the case; you will have to secure the counsel of an [Atlanta Domestic Violence attorney](#).

To contact an [Atlanta Domestic Violence Lawyer](#), visit www.margolislegalgroup.com.
