

Wiley and DC KinCare Alliance Advance Domestic Violence Protections for DC Kinship Caregivers

September 29, 2025

Wiley, representing DC KinCare Alliance, has filed an *amicus* brief in *Allen v. Whitehead* pending before the D.C. Court of Appeals. Ms. Allen, a paternal grandmother with legal custody of her grandchildren, filed a petition for a civil protection order (CPO) against threats of violence by the children’s mother under the D.C. Intrafamily Offenses Act (IFOA). The D.C. Superior Court dismissed her CPO petition because she is not related to the children’s mother. As noted in the brief, this matter is important for D.C.’s kinship caregivers because it impacts the “safety of grandparents and other kinship caregivers who are integral to the well-being of D.C. children and the sustaining of strong family units.”

Submitted on September 22, the brief argues that the lower court interpreted the IFOA too narrowly, incorrectly determining it lacked jurisdiction to issue a CPO because the appellant, a paternal grandmother, did not share an intrafamily relationship with the respondent. The brief explains that, by expanding the definition of “family member” multiple times, the D.C. Council intended the IFOA to apply beyond just spouses, children, parents, and roommates to include persons “[t]o whom the offender is related by blood, adoption, legal custody, marriage, or domestic partnership” If the Court of Appeals fails to reverse the lower court’s ruling, it would undermine the purpose of the statute to provide “legal protection and justice for all family members who are victims of domestic violence, regardless of how their familial bonds were formed.”

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Practice Areas

Issues and Appeals

Theodore A. Howard, Wiley Pro Bono Partner, serves as counsel of record for the brief. He is joined by Litigation Practice attorney Victoria N. Lynch-Draper and Telecom, Media & Technology associate Stephanie Rigizadeh.