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## FVAP Launches On-Demand Training Video Platform

Today marks the launch of FVAP's new on-demand [training platform](#), which features online training videos for attorneys and domestic violence advocates statewide. We created this training platform in response to a large number of requests for FVAP's guidance in family law and appellate issues. **MCLE credit is available for California attorneys.**

Currently available videos include:

- **“What Evidence Supports a Domestic Violence Restraining Order Renewal? Lessons from *Cueto v. Dozier*”;**
- **“Post-Trial Motion and Writ Remedies Available in Domestic Violence Cases”;**
- **“California’s Statutes Protecting Domestic Violence Survivors and Their Children in Family Court, and the Science Behind Them”;**
- and others.



The platform will feature additional training videos by Jan. 16 for those attorneys who need to fulfill CLE requirements before February 1.

The training platform is password protected. You can request the password by filling out the form at [this link](#). Members of the **California Partnership to End Domestic Violence (CPEDV)**, and the **Legal Aid Association of California (LAAC)** will receive the password by email this week.

FVAP training videos are **free for nonprofit and legal aid employees**, as well as members of CPEDV and LAAC, and private attorneys currently representing a survivor of domestic violence pro bono. A cost of **\$35 per video** applies for all others. These funds will directly support FVAP's efforts to help survivors

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## FVAP's 2016 Accomplishments

### A Year in Review

In 2016, FVAP focused on **expanding protections for California survivors of abuse** through its legal, advocacy, and training programs. Here's what we were able to accomplish with your support:

1. FVAP conducted and published the results of a [landmark statewide survey](#) of 100+ domestic violence service providers, the first of its kind. The results reveal the **top problems abuse survivors face in courtrooms throughout California**, as well as the top legal problems they face in different regions of the state. [Read it here.](#)



2. 2016 saw the launch of FVAP's **Central Valley Project**, a comprehensive outreach program to support the Central Valley's shelters and other domestic violence organizations, with legal training and support.

See below for two upcoming trainings in Fresno as part of this project.

3. **Groundbreaking cases advance protections for California survivors.** ([Full list here.](#))
  - *In re Marriage of Fregoso and Hernandez* was the first case to clarify that a restraining order may be properly issued even if there is a brief period of reconciliation between the two parties following a temporary restraining order. This case also confirms that the testimony of one witness, even if it is the person requesting a restraining order, is sufficient evidence to support issuing a Domestic Violence Restraining Order.
  - *In Celia S. v. Hugo H.*, the trial court wrongfully awarded joint child custody to the abuser by calling the arrangement "sole custody" to our client, with "visitation" to the abuser. The Court of Appeal declared this an abuse of discretion, holding that a 50/50 timeshare order is necessarily a joint custody order subject to the rebuttable presumption against awarding custody to an abuser. This case also clarifies that the rebuttable presumption remains in effect for 5 years, even if the domestic violence restraining order has expired.

- *Ellis v. Lyons* was the first case to clarify that an out-of-state court's finding of domestic violence triggers California's presumption against granting child custody to an abuser. This case also clarifies that custody should not be granted to an abusive parent because the court thinks both parents should have "frequent and continuing contact" with their children. The safety and well-being of children is more important.
- *Phillips v. Campbell* is the first case in decades to discuss the definition of a "dating relationship" under the Domestic Violence Protection Act. This case is particularly important because modern relationships often involve technology that does not fit traditional definitions of dating, yet that should not keep survivors from being able to seek the protection of Domestic Violence Restraining Orders.
- *De la Luz Perez v. Torres-Hernandez* is the first California appellate decision to clarify that evidence of abuse against the protected party's children is relevant and should be considered when deciding whether to renew a Domestic Violence Restraining Order. The case affirms that abuse against their children disturbs the protected party's peace and causes fear of future abuse to both the children and the protected party. The decision importantly also confirms that fear of future physical abuse is not necessary to renew a DVRO.

#### 4. Leading the campaign for access to justice

FVAP worked on two important access-to-justice issues in 2016, both related to low-income Californians' ability to have a record of their court hearings.

FVAP worked in broad coalition with legal aid and domestic violence organizations, law professors, appellate lawyers, and others to challenge San Diego County's practice of not providing court reporters in civil cases. We submitted a letter encouraging the California Supreme Court to review this practice, and when it unanimously agreed to do so, we submitted a friend-of-the-court brief signed by **30 other legal aid**



**and domestic violence organizations** explaining the **serious due process and access-to-justice issues presented for low-income survivors of domestic violence when court reporters are not provided in trial courts** – which they are not in a majority of California's 58 counties. The Court is expected to decide the case this year.

Also, in collaboration with nonprofit and legal aid organizations statewide, FVAP strongly advocated for a renewal of California's **Transcript Reimbursement Fund**, which is a necessary and vital resource for both low-income domestic violence survivors representing themselves in court, and for legal aid organizations who must cover the cost of court transcripts for their low-income clients. Court transcripts are not affordable to many abuse survivors, and without California's reimbursement fund, low- to moderate-income survivors throughout the state face **insurmountable obstacles to justice that could**



put them and their children in danger.

These are **critical access-to-justice issues** that FVAP will continue to focus on in 2017.

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For additional information about FVAP's work over the past year, see the [Recent News & Success](#) section of our website. Thank you as always for your support!

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## Upcoming Trainings



1. "Key California Family Law, Juvenile, Criminal, and U.S. Supreme Court Decisions Involving Domestic Violence in 2016"

Webinar, **Tomorrow**, Jan. 10, 1:00 – 2:30 p.m.

1.5 hours of general **MCLE credit** available to attendees

Presented by FVAP Legal Director Nancy Lemon

Join us for a live webinar hosted by **CPEDV**. This popular annual webinar will review the most important domestic violence cases from 2016. [Register here](#).

If you can't attend live, a recording of this training will be available on FVAP's new [training platform](#) by Jan. 20.

2. **Free** Training in Fresno for **Non-Attorneys** and Advocates: "How To Assist Clients in Laying a Record for Appeal"

Jan. 25, 1:00 – 3:00 p.m.

Majaree Mason Center, Fresno

Presented by FVAP Director of Programs Jennafer Wagner, and FVAP Legal Fellow Eliza Duggan

We will train non-attorney domestic violence advocates on how to help clients who are representing themselves in family court to preserve their issues in case they need to appeal. We will specifically be discussing matters involving domestic violence, including restraining orders, custody and visitation, child support, and spousal support. Advocates will learn how to assist their clients in "laying a record" for appeal, which helps to protect their ability to appeal their case if they receive an unfavorable outcome in

trial court. Because this is a training for non-attorneys, we will spend a lot of time discussing the boundaries of permissible legal assistance by non-lawyers and what activities constitute the unauthorized practice of law. [Register here](#).

3. Training in Fresno for **Attorneys**: How to Lay a Record for Appeal & Statements of Decision

Jan. 27, Time TBA

Tulare County Bar Association Family Law Symposium, Vintage Press Restaurante

**MCLE credit available**

Presented by FVAP Director of Programs Jennafer Wagner, and FVAP Legal Fellow Eliza Duggan

Registration info forthcoming [here](#).

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