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### *A Note About Recent National Events*

So far in 2017, national headlines have left most members of the FVAP community feeling devastated and infuriated. The actions and statements of the current federal administration have caused and threatened harm to our loved ones, our communities, and the people FVAP serves. The national rise of public white supremacy and neo-nazi terrorism, along with **President Trump's sanctioning of racism and hate, threatens every value FVAP holds dear.**

In the past few weeks alone, the White House has announced plans to rescind DACA, has threatened Title IX, and has revealed intended cuts to the Legal Services Corporation, which funds many legal aid nonprofits. These are all **direct attacks on the people FVAP is devoted to serving**, or on our ally organizations who work hard every day to provide life-saving services to domestic violence survivors and their families.

As the only legal aid nonprofit in California dedicated to helping domestic violence survivors on a statewide scale, FVAP aims to address issues relevant to California survivors of domestic abuse and their advocates whenever possible, especially when legal issues are also involved. But we cannot and will not ignore other current events that threaten the people we serve -- even if those events are not directly related to domestic abuse. Because domestic violence is, and has always been, a form of oppression that spreads and worsens when bolstered by other forms of oppression and hate.

FVAP will continue doing everything we can to best support the equal rights and well-being of each member of our diverse community. **Please keep an eye on our social media pages**, where we often post about these issues and share statements from other organizations who are

issue-area experts. Follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#).

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## Tomorrow: FVAP Webinar, "Family Law Appeals Involving Domestic Violence"

Join us tomorrow, Weds. Sept. 20, **12:00 - 1:00 p.m.**, for our webinar "[Family Law Appeals Involving Domestic Violence Issues](#)," hosted by the **State Bar of California**.

Presented by [Erin Smith](#) (FVAP Executive Director), [Catherine Ongiri](#) (FVAP Staff Attorney), and Michelene Insalaco (Partner at **Sucherman Insalaco LLP**), this webinar will cover the following:

- How to identify domestic violence issues in family law cases
- What orders are appealable?
- What orders must be reviewed by writ?
- What is the difference between discretionary and statutory writs?
- What standards of review apply to family law orders?
- What legal issues arise in domestic violence cases, and how do they appear in appeals?

**Credits available** from the State Bar: 1 Participatory **MCLE** Credits; 1 Legal Specialization in Family Law

Register here: <http://bit.ly/2vKCQSk>

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## Pro Bono Spotlight: Jenner & Block



For the past 13 months, attorneys at the **Los Angeles office of Jenner & Block** have partnered with FVAP on a wide variety of pro bono legal matters to help domestic violence survivors

throughout California.

From filing an emergency writ in a restraining order case, to co-counseling an amicus brief in a custody case, and even reviewing unpublished appellate decisions on a daily basis as part of FVAP's Publication Case Program for the summer, the LA Jenner team has had a **significant impact on the lives of abuse survivors** they've helped through these projects.

Everyone at FVAP is extremely grateful to everyone who worked on these matters, including: **Dan Rozansky**, Partner; (Associates) **Kate Spelman**; **AnnaMarie Van Hoesen**; **Nayiri Pilibkian**; **Peter Goldschmidt**; **Sandra Hanian**; **Brian Adesman**; **Daixi Xu**; (Summer Associates) **Camila Connolly**; **Amy Egerton-Wiley**; **Eric Lamm**; **Anna Lyons**; **James Salzmann**; **Amir Shakoorian Tabrizi**; **Ariel Shpigel**; and **Lucien Wang**.

The Jenner team describes their pro bono work with FVAP as “an invaluable experience” and “a unique and compelling opportunity to help shape the law at the appellate level.”

Their attorneys also say they've learned valuable information from the legal matters they worked on.

“In working on the [amicus] brief, we learned that trial courts routinely fail to apply the rebuttable presumption set forth in California Family Code Section 3044 against awarding custody to domestic abusers. Accordingly, [our] brief urged the Court of Appeal to provide much-needed guidance so that trial courts will understand and effectuate the legislative intent to protect children from the known harms associated with granting custody to domestic abusers.”

The firm says taking on these pro bono projects was an easy decision for them.

“We are motivated to work with FVAP in offering these deserving clients the best representation possible, while also giving our junior attorneys a chance to develop and hone their skills at the appellate level.”

The experience has been rewarding for all involved.

“We have spoken with the client on multiple occasions, and she has been extremely grateful for our assistance. It is **incredibly rewarding** to know that our work has a direct and meaningful impact on our client's life,” they said. **“We were very proud of our work with FVAP.”**

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## Legal Victory: Survivor Finally Obtains Restraining Order Hearing in San Mateo County

In our [July newsletter](#), we announced FVAP's success obtaining writ relief in a case where, because the opposing party was facing related criminal charges, the family law court delayed the restraining order case several times. This caused our client to have to return to court repeatedly, each time experiencing trauma because she had to face her alleged abuser without any certainty that the case would be heard.

In July, the appellate court, based on a writ petition (fast-tracked request) filed by FVAP and **Legal Aid Society of San Mateo County**, with pro bono assistance from **Gilead Sciences Inc.**, directed the family law court to schedule a hearing on the legal issues presented, or explain to the Court of Appeal why it refused to do so.

We are now pleased to report that in August, the family court, as directed by the appellate court, **held a hearing and denied any further continuances**. The family court also set an evidentiary hearing so that the survivor could finally have her day in court -- a full 11 months after she originally filed her request for a Domestic Violence Restraining Order.

We are hopeful that this victory will set a precedent in San Mateo County and elsewhere

that **abuse survivors should not have to wait months or even years to receive long-term restraining orders** — a practice that puts survivors and their children in potentially dangerous situations.

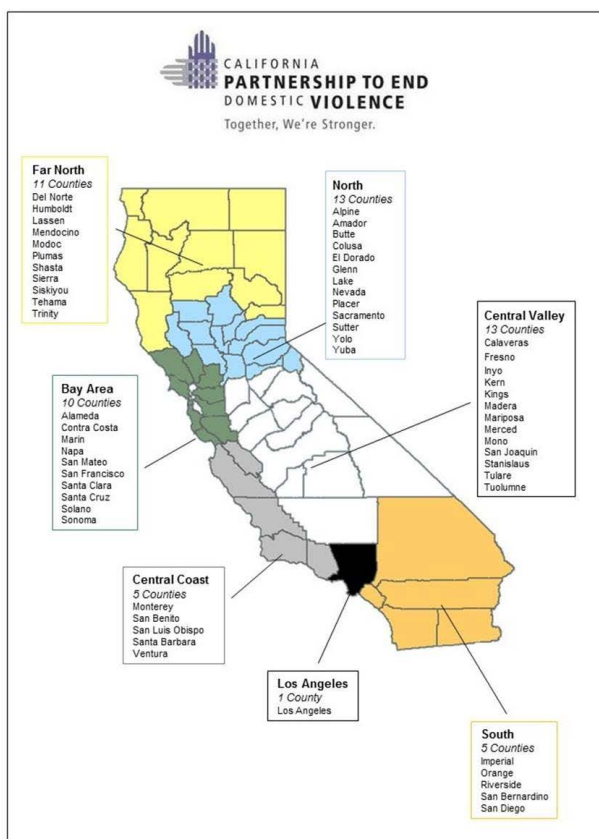
Many thanks to Gilead Sciences Inc., for their fantastic pro bono work on this case, and Legal Aid Society of San Mateo County.

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## CPEDV Members: Call Us With Your Legal Questions

Member organizations and advocates of the **California Partnership to End Domestic Violence** can now call or email your region's designated FVAP Legal Contact with legal questions.

If your **staff or clients have legal issues or concerns** and you're not sure where to turn (especially if your region has limited legal aid resources), please reach out to the following FVAP attorney:



**Far North:** Anya Emerson  
(aemerson@fvaplaw.org)

**North Region:** Catherine Ongiri  
(congiri@fvaplaw.org)

**Bay Area:** Anya Emerson  
(aemerson@fvaplaw.org)

**Central Valley:** Catherine Ongiri  
(congiri@fvaplaw.org)

**Central Coast:** Shuray Ghorishi  
(shuray@fvaplaw.org)

**Los Angeles:** Shuray Ghorishi  
(shuray@fvaplaw.org)

**South Region:** Catherine Ongiri  
(congiri@fvaplaw.org)

All attorneys can be reached by phone at (510) 858-7358.

We ask that agency staff call on behalf of your clients, to help us manage the volume of calls. **FVAP attorneys are here to help!**

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## FVAP's Next Case to Decide: Can CA Courts Issue DV Restraining Orders Against Out-of-State Persons?

On Sept. 25, FVAP and **Lieff, Cabraser, Heimann & Bernstein LLP** will present oral argument on an issue of first impression before the 3rd District Court of Appeal (Sacramento), regarding whether California has jurisdiction to enter a Domestic Violence Restraining Order against an out-of-state person.





Thanks to renowned domestic violence expert **Professor Merle Weiner** of the **University of Oregon School of Law's Domestic Violence Clinic**, who, with **Milbank, Tweed, Hadley & McCloy**, submitted an amicus (friend-of-the-court) brief in this case highlighting the importance of the interstate jurisdiction issue nationwide.

Stay tuned for results of this case!

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## Next Generation: Welcoming Our Fall Law Clerks

We are thrilled to welcome 2 Fall Law Clerks to the FVAP team!

**Beatriz Luna** is a 2L at John F. Kennedy University's College of Law, and also works as a child custody recommending counselor in Contra Costa County. She has a Masters in Counseling and previously worked as a Protective Services Worker for San Diego Health & Human Services Agency, and as a Family Court Counselor in the San Diego Superior Court.

**Amanda Sanchez** is a 3L at U.C. Hastings' College of Law, where she has been very active in student associations, including *Ms. JD* and the Public Interest Law Foundation. She recently externed with Judge Daniel A. Flores of the San Francisco Family Law Division. Amanda attended San Diego State and studied Political Science, English, and Philosophy.



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## FVAP's Shuray Ghorishi Awarded OneJustice Executive Fellowship

FVAP Staff Attorney **Shuray Ghorishi** was recently accepted into the Executive Fellowship program run by **OneJustice**. The program supports and trains a diverse class of emerging nonprofit leaders in core business and management skills. The intensive 10-month curriculum, with faculty drawn from the for-profit, larger nonprofit, and academic sectors, aims to expand the capacity of nonprofits to serve their clients.

Congratulations, Shuray!

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