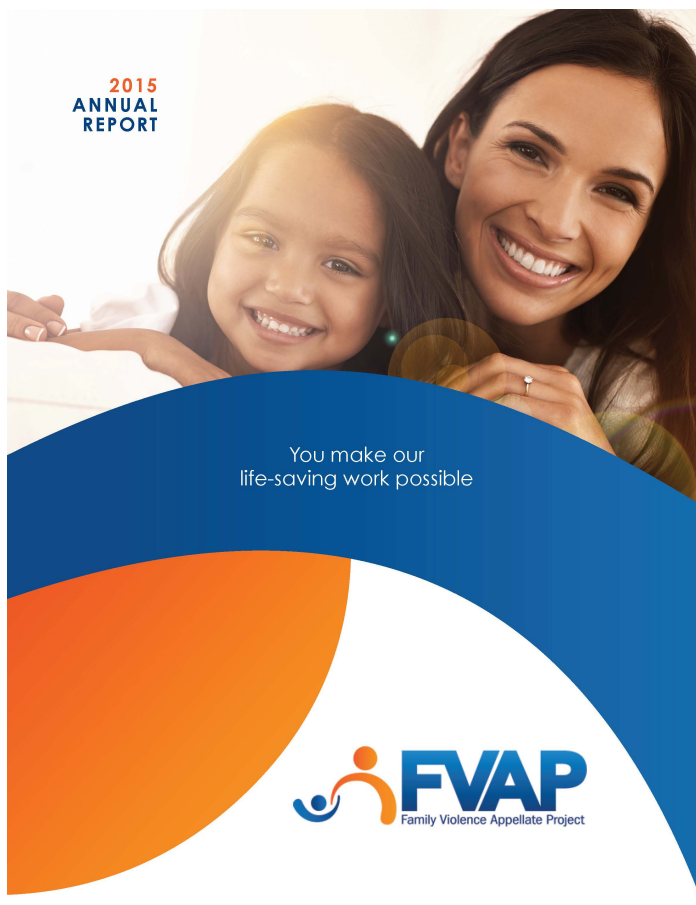




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FVAP releases first Annual Report



How did your 2015 donation make California safer for domestic violence survivors and their children? What impact did your gift have on the life of a survivor?

You can find the answers to these questions and more in FVAP's first-ever annual report, [now available on our website](#).

Thanks to our friends at **Schiff Hardin** for making this report possible.

Expanding protection for survivors & kids

FVAP case broadens scope of CA restraining orders

FVAP's latest legal victory has profound implications for California domestic violence law, and will greatly help survivors throughout the state who seek the protection of restraining orders for themselves and their children. Thanks to co-counsel **Bay Area Legal Aid** and **Folger Levin LLP**. Read a *San Francisco Chronicle* article about the case [here](#).

In this case, our client sought to permanently renew her 3-year restraining order against her abusive ex-boyfriend. In the time since the original order was issued, he allegedly attacked and physically abused her children during court-approved visitation, once even leading to his arrest. He also continually contacted and threatened our client via phone.

Despite these incidents, the trial court denied our client the protection of a renewed restraining order, calling the alleged attacks on her children irrelevant, and stating that "annoying" phone calls do not constitute abuse.

FVAP successfully appealed this dangerous decision, and on July 11, the First District Court of Appeal overturned the ruling. The Court of Appeal's opinion thoroughly agreed with FVAP that the trial court judge had made 3 legal errors when denying our client protection, and displayed a fundamental misunderstanding of California domestic violence law.

This appellate decision confirms (1) that there does not need to be evidence of new abuse or new threats of abuse since the restraining order was issued in order to renew it — clarifying that a protective order should not have to be violated in order for the survivor to renew it; (2) that abuse does not have to be physical; and (3) that evidence of abuse against a party's children is indeed relevant and should be considered when deciding whether to renew that person's protective order.

The opinion holds, **for the first time**, that evidence of child abuse is relevant to deciding whether to include the children as additional protected parties on a protective order.

Justice Jon B. Streeter's Concurring Opinion does an excellent job of summarizing copious social science literature on the overlap between child abuse and intimate partner abuse. This strong concurrence affirms that **an attack on the children is an attack on the non-abusive parent, too**.

FVAP was quickly able to get this case published, so trial attorneys throughout the state can now rely on it to help countless abusive survivors and children gain protection.

Leading the campaign for verbatim court records

Jameson v. Desta heads to CA Supreme Court



In [Jameson v. Desta](#) – the court reporters case we first told you about in February – FVAP has submitted an amicus (friend-of-the-court) brief to the California Supreme Court, with the backing of **30 co-signing** legal aid agencies, domestic violence organizations, and law professors. To read the brief, click [here](#).

We urge the Court to **affirm the right of low-income Californians to obtain a record of their court proceedings**. This issue is especially important for domestic violence survivors, who often must represent themselves in court and need verbatim court records to apply for restraining orders, or appeal the decision if it leaves them at risk of abuse.

Currently, **more than half of California's 58 counties do not provide court reporters**. Without a court reporter's record, or some other verbatim record of courtroom proceedings, **it is virtually impossible for survivors to appeal** decisions that leave them or their children in danger.

For this reason, FVAP has been highly invested in this issue over the past year. In addition to submitting this amicus brief, we testified before the Commission on the Future of California's Court System about the **serious due-process and access-to-justice problems** that arise when trial courts do not provide verbatim records.

This issue is crucial not only to our clients, but also to FVAP's ability to continue building a body of precedential case law in California that puts the safety of survivors and children first.

Stay tuned for developments in this case, which will now go to **oral argument before the California Supreme Court**. Tremendous thanks to **Morrison & Foerster** for their excellent work on our amicus brief.



Banding Together to fund-raise the roof

There's no force quite like rockstar lawyers on a mission. This summer, bands of attorneys and employees from California's top law firms came together to rock out and end domestic violence at FVAP's 4th annual battle-of-the-bands events, [Banding Together to End Domestic Violence](#).

With backing from our event sponsors, fundraising help from the bands, and voting donations from hundreds of FVAP supporters, **Banding Together 2016 raised over \$175,000** to help abuse survivors throughout California get the safety and justice they deserve.

Congratulations to this year's new champions! On June 15, "The Combinations" from **Morgan Lewis** won 1st Place in our San Francisco battle, claiming the title "Best Lawyer Band in the Bay, 2016." A well-deserved 2nd Place went to **Kirkland & Ellis**' "Strongly Worded Letter", and **Simpson Thacher**'s "Judicilicious" took 3rd. Our first-ever Judges' Choice Award went to **Lieff Cabraser**'s "The R-23s".

In Los Angeles, **Gibson Dunn**'s "Papa Gibson & The Writs of Replevin" grooved their way to victory on July 14 and were crowned "LA's Best Lawyer Band 2016." Coming in a 2nd Place was **Perkins Coie**'s "Privileged Communications," and 3rd Place was claimed by "Hostile Witness," from **Norton Rose Fulbright** and **Case Knowlson**.

Special thanks to our **Wells Fargo volunteers**, and to our event sponsors who made this event possible, including top sponsors **Lieff Cabraser**, **Mayer Brown**, **Kirkland & Ellis**, and **1015 Folsom** night club in San Francisco; and **Gibson Dunn** and **Allen Matkins** in Los Angeles.

We'll see you again in 2017!



How decisions affect survivors nationwide

The U.S. Supreme Court's 2015-16 term came to a close on June 30, and several decisions have important implications for domestic violence survivors.

1. *Voisine et al v. United States*

In a decision that will save countless lives, the U.S. Supreme Court ruled that domestic violence assaults committed “recklessly” — in addition to those committed “knowingly and intentionally” — **qualify as misdemeanor crimes**, and therefore trigger the federal ban on domestic violence perpetrators owning guns, known as the Lautenberg Amendment.

“[M]ost domestic violence cases in the U.S. are charged as misdemeanors, and those charged as felonies usually result in misdemeanor convictions due to plea-bargaining,” said [Nancy Lemon](#), FVAP's Legal Director and co-founder, in an interview for U.C. Berkeley Law's website. “So any firearm prohibition based on misdemeanor abuse applies to the vast majority of convicted abusers.”

Studies show that people with access to guns are **8 times as likely to kill their partners**, and women intimate partners in the U.S. are more likely to be murdered by a gun than by all other means combined.

In addition to murder, abusers use guns to terrorize their partners and kids, and keep them under control. “[A]busers who possess guns tend to inflict the most severe abuse on their partners,” says Lemon.

This decision is significant victory for DV advocates across the country, but more importantly, it is a step in the direction of ensuring that our national laws protect domestic violence survivors and children.

2. *Dollar General Corporation v. Mississippi Band of Choctaw Indians*

The Supreme Court's decision affirms that American Indian Nations' tribal courts have jurisdiction to decide civil cases involving non-tribal members' activities on tribal lands.

FVAP proudly co-signed an amicus brief to the U.S. Supreme Court in this case last fall, authored by the [National Indigenous Women's Resource Center](#), asking the Court to uphold the authority of tribal courts to exercise civil jurisdiction over non-Natives who commit acts of abuse or sexual assault on tribal lands.

This decision is particularly important for sexual assault survivors and women; 1 in 3 Native women reports being the victim of rape or attempted rape, and 86% of these assaults are committed by non-Native men (according to the Justice Department). But because of jurisdiction disputes, very few of these perpetrators are brought to justice.

We at FVAP celebrate this decision and support tribal courts' authority to resolve incidents of abuse and assault occurring on their own land. Read NIWRC's statement about the case [here](#).

3. *Whole Woman's Health v. Hellerstedt*

This decision regarding women's reproductive health care access focuses on the huge hurdles a Texas law would have created for women seeking reproductive health care, which would have had particularly devastating consequences for domestic violence and sexual assault survivors.

Access to safe, legal, affordable, confidential, and timely abortion is a necessity for many abuse survivors. Unfortunately, **many survivors experience unwanted pregnancies** from their partners' abuse, and they may be delayed by their abuser in obtaining an abortion, or may experience heightened abuse related to the unwanted pregnancy/abortion.

FVAP applauds the Court's decision to strike down this restrictive law and any other law that places an undue burden on a person's right to abortion.

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