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FVAP Wins California Attorneys of the Year Award



Last month, the *Daily Journal* announced the 2018 "California Lawyer Attorneys of the Year" awards. Each year, through its prestigious CLAY Awards, the *Daily Journal* recognizes the lawyers whose cases had far-reaching impacts in law, business and society.

This year, the legal team behind FVAP's recent published case victory, *Priscila N. v. Leonardo G.* (2017) 17 Cal.App.5th 1208, was honored to receive a **CLAY Award for extraordinary achievement in 2017 in family law**: [Manatt, Phelps & Phillips LLP](#) partner [Joanna McCallum](#), working pro bono with Elizabeth A. Erickson and Holly J. Leonard of the [Harriett Buhai Center for Family Law](#) in Los Angeles, as well as [FVAP attorneys Anya Emerson, Shuray Ghorishi, Jennafer Dorfman Wagner, and Erin C. Smith.](#)

Ms. McCallum was recognized for her successful argument at the Court of Appeal, leading the Court to clarify that the family court does have jurisdiction under the Domestic Violence Protection Act to renew a restraining order issued by the juvenile court. "This furthers the Legislature's purpose to make sure that protections in juvenile court translate seamlessly to family court without the burdens and obstacles of restarting the restraining order process," Ms. McCallum stated. Going forward, a domestic violence survivor who proves to a juvenile court that acts of abuse have occurred need only to demonstrate a reasonable fear of future abuse to obtain a renewal from the family court. According to McCallum, "victims in Priscila's shoes are the most vulnerable victims of domestic violence, as the abuse was so severe as to warrant government intervention on behalf of the children via the juvenile dependency system. If such families face obstacles in obtaining continued protection, they could re-enter the dependency system. This decision will help prevent this effect by increasing protections for the parent."



Announcing the Herma Hill Kay Memorial Fund

Herma Hill Kay was a founding member of Family Violence Appellate Project's Board of Directors, and an honorary Board member until her passing in 2017.

As a nonprofit founded by law students at U.C. Berkeley School of Law, FVAP received Herma's enthusiastic support during its founding in 2012, as well as her astute guidance and generous backing through the final years of her life. Herma left a significant imprint on FVAP, as she did with every entity and cause she backed. A pioneer among women in law, Herma was the second woman ever to join the Berkeley Law faculty, where she taught for 57 years. She was also the school's first female dean.

Like Herma herself, FVAP's mission is innovative, groundbreaking, and determined to make the world a fairer place for women.

To honor her legacy, the [Herma Hill Kay Memorial Fund](#) at Family Violence Appellate Project aims to reduce gender-based violence through innovative legal solutions, and empower California's equality-focused family law attorneys, by supporting work that:

- Mentors law students and rising leaders to cultivate the next generation of fierce legal advocates;
- Sets statewide legal precedent to increase protections and access to justice for survivors of domestic abuse;
- Reduces courtroom discrimination and re-victimization of survivors by training judges, court personnel, and attorneys on the trauma and impact of domestic violence; and
- Guarantees the effectiveness of these projects by providing necessary operating support, and funding other related legal programs for survivors of intimate-partner abuse.

DONATE NOW

This fund, and those who contribute to it, thus honor Herma's legacy as a pioneer in family law, legal education, and developing innovative solutions to combat gender discrimination. This fund was made possible thanks to a generous investment from **Elizabeth J. Cabraser and Marguerite Longtin**.

[Read more about Herma's remarkable life.](#)



Battle of the Bands is Here

Rock out for a good cause this summer at FVAP's 6th annual attorney battle-of-the-bands fundraiser, [Banding Together to End Domestic Violence](#). Join us **June 20 in San Francisco** ([The Chapel](#)) and **July 12 in Los Angeles** ([El Rey Theatre](#)) to see attorneys from California's top law firms and corporate legal teams compete in an epic musical battle for the coveted title: Best Lawyer Band in The Bay, or Best Lawyer Band in LA.

Though the competition is fierce, these rock star attorneys will band together to raise over \$185,000 for California survivors of domestic violence. All proceeds support FVAP's [legal aid programs](#) for domestic violence survivors.

Get involved! Join California's most philanthropic companies and law firms in sponsoring [Banding Together 2018](#), and your message will **reach hundreds of lawyers, professionals, and decision-makers at firms and tech companies** across California. Sponsors reach this desirable demographic as they're having a memorable, fun night out with colleagues. Let your target audience know that your company/firm cares about issues affecting our communities and believes in giving back. For more information about sponsorship levels, click [here for SF](#) and [here for LA](#), or email staff@fvaplaw.org.

Huge thanks to our top sponsor to date, **Lieff Cabraser Heimann & Bernstein**.

[Check back](#) soon to get your tickets!

FVAP Goes to Sacramento

Testifying About Important Domestic Violence Bills

Access to Justice: [FVAP testified in the California State Assembly on March 20](#) as a proud co-sponsor of Assembly Bill 2354, which would require courts to provide court reporters in every child custody and domestic violence proceeding. In the course of our work, FVAP has become aware of the severely reduced availability of court reporters in California's family law courts. 30 of California's 58 counties no longer provide a court reporter in family law cases. Yet the overwhelming majority of people in family courts, including survivors of domestic violence like FVAP's clients, cannot afford to pay for their own court reporter. As a result, there is no meaningful right to appeal, and it is difficult to craft accurate and enforceable restraining orders or child custody and visitation orders.

The bill passed through the Assembly Judiciary Committee. You can see [Director of Programs Jennafer Wagner's testimony here](#), starting at the 26:15 mark (scroll through the list of hearing dates to find the March 20 Asm. Judiciary Committee hearing). The bill is continuing through the legislative process, and we continue to work with Assembly Member Rubio's staff garnering support for the bill.

Protecting Children: On April 3, [FVAP's Legal Director Nancy Lemon](#) testified in the California Assembly Judiciary Committee in support of AB 2044 (Stone), a bill that would strengthen three key California Family Code sections to better protect children exposed to domestic

violence. It also requires that judges receive training on the detriment to children of residing in a home where domestic violence occurs. The bill has passed the full Assembly, and will probably be heard in the Senate Judiciary Committee in June. Watch Nancy's testimony [here](#), starting around the 1:11:00 mark.



Nancy Lemon, right, with supporters of AB 2044

New Legal Resource: Compendium of all DV Laws in California

Every year, [FVAP](#) and the [California Partnership to End Domestic Violence](#) provide an updated list of the most relevant California laws affecting DV survivors and their families – including statutes, constitutional provisions, resolutions, and rules of court. The list is called the **Compendium of DV Laws, and is published for free by the Partnership and FVAP [here](#)**. This year, FVAP and its volunteers took some extra time to not only update the compendium with newly enacted laws in 2017 and 2018, but also to cite-check the entire list to ensure numbers and descriptions were correct. We want to thank those volunteers: Ashley J. Hodge, **Latham & Watkins LLP**; Angela Nehmens, **Levin Simes LLP**; Howard Park, Huan-Bo Zeng, Katherine Lang, Miguel Duran, Natalie Karl, and Sevan Niazi, **Milbank Tweed**; Brooks S. Zarouri, Charlie Sarosy, and Kelvin Le, **Sidley & Austin LLP**; Bram Schumer and Justin Calderon, **Simpson Thacher & Bartlett LLP**; and Janet Simmonds, **Sucherman-Insalaco LLP**. Special thanks to **FVAP Legal Fellow Cory Hernandez** and **Legal Director Nancy Lemon** for updating the Compendium. Check out our other [self-help legal tools on our website](#).

Coming Up

1. **TONIGHT!** April 19, join us at [Law Rocks](#) in San Francisco to support our friends at **Greenberg Taurig**, whose band, The Latent Defects, is playing to raise money for FVAP.

- Thursday, April 19
- 7:30pm

[The Chapel](#)
777 Valencia Street
San Francisco, CA 94110

2. **California Supreme Court to decide case about access to court reporters**

- May 1, 9:00 a.m.
- California Supreme Court in San Francisco

Two years ago, we told you that FVAP filed a friend-of-the-court brief in a California Supreme Court case about California's lack of court reporters (or any type of verbatim record) for low-income people in the majority of the state's 58 counties. (See the bill AB 2354 above, which also addresses this issue.) At long last, the California Supreme Court will hear oral argument in *Jameson v. Desta*. We are hopeful that 2018 will be the year California finally addresses this long-overdue problem, through this case or AB 2354.

3. **"Confidentiality, Privilege, and Mandated Reporting" – Traveling Training Series for California DV Funding Recipients**



- March 27: Oakland
- April 3: Redding
- April 16: Los Angeles
- April 24: Sacramento
- May 1: San Diego

3 down, 2 to go. FVAP is nearing completion of its traveling training series of all-day trainings in 5 California cities. This series reviews important legal issues regarding confidentiality and mandated reporting, and is mandatory and free for all CA agencies that receive Domestic Violence Assistance funding from the California Governor's Office of Emergency Services.

Our training covers confidentiality & privilege; immigration-related confidentiality issues; mandatory reporting of child abuse and neglect; and responding to subpoenas.

4. "Recent Landmark Family Law Decisions Involving Domestic Violence"

- April 26
- 12:00 p.m.
- Webinar hosted by the California Lawyers Association.
- Click [here](#) for registration.

Presented by [FVAP Senior Attorney Shuray Ghorishi](#) and Honorable Mark. A. Juhas. An Hour Visit with Honorable Judge Mark A. Juhas and the Attorney Who Wrote the Appellate Briefs and Argued *Hogue v. Hogue* (2017), *In re Marriage of Kumar* (2017), and *Priscila N. v. Leonardo G.* (2017).

An in-depth discussion of several of FVAP's domestic violence cases that were published in 2017 to protect survivors.

5. "Working with Immigrants: The Intersection of Basic Immigration, Housing, and Domestic Violence Issues in California"

Nancy Lemon is presenting part of this Practicing Law Institute free one-day training on Monday, April 30 in San Francisco. Live and webcast. To register, go to www.pli.edu.



FVAP Joins Reproductive Rights Effort in U.S. Supreme Court

FVAP joined a brief filed by **Equal Rights Advocates** in the United States Supreme Court in support of upholding the California Reproductive FACT (Freedom, Accountability, Comprehensive Care, and Transparency) Act being challenged by the National Institute of Family and Life Advocates (NIFLA). The FACT Act requires licensed and unlicensed "pregnancy crisis centers" to provide truthful information, and provide information about the free pregnancy services available to California residents. Our brief explains that because domestic abusers may use reproductive abuse as a tactic of exercising coercive control over their intimate partners, the ability to seek accurate information about reproductive health is especially important to survivors of abuse. A woman who has been traumatized by having her autonomy undermined, often through violence, and who as a result has been denied access to reproductive health services, or forced to become pregnant against her will, or who is being abused into terminating a pregnancy she wishes to continue, will be particularly vulnerable to and harmed by false and manipulative practices that would be permitted if the FACT Act were

overturned. The Supreme Court heard oral argument in *NIFLA v. Becerra* on March 20th. You can read about the argument [here](#).
