

2018 ANNUAL REPORT



MESSAGE FROM THE EXECUTIVE DIRECTOR

DEAR FRIENDS,

Every year, FVAP carves out space to explore new ways we can serve abuse survivors and their children through appellate law. In 2018, we expanded our focus to address a common and dangerous consequence of domestic violence—unsafe and unstable housing. Domestic violence advocates in California report that safe housing is the #1 unmet need of domestic violence survivors.

There are a host of reasons why survivors may be in unstable housing situations, and while there are laws in place to protect survivors from unjust outcomes, these outcomes still persist in great volumes. We determined we could help fill the gaps by providing resources, trainings, and appeals of court decisions that endanger the safety and stability of survivors' housing. With that, our Housing & Employment Justice Project was born.

Another gap we identified in the legal system—and had worked for many years to address—was the inability of low-income survivors to obtain a court reporter to record trial court proceedings. A verbatim record drastically increases the chances of a successful appeal. We are ecstatic that with dedication and a lot of hard work, we were able to play a significant role in the landmark California Supreme Court decision, *Jameson v. Desta* (2018), which states that all low-income litigants have the right to a court reporter whether or not they can afford it. This decision aids in leveling the playing field for survivors of all economic statuses—because all survivors have the right to justice no matter how much money they have.

Thank you for being a part of our journey to provide free and effective appellate representation for California survivors of abuse.

To another great year ahead,



Erin Smith, Esq.
Executive Director & Co-Founder





ABOUT FAMILY VIOLENCE APPELLATE PROJECT

THE WORK TO END INJUSTICE often begins with a few words that spark change. This holds true for FVAP's beginnings. The jarring fact that in cases involving documented domestic violence, the abusive parent is granted custody up to 54% of the time has propelled FVAP's development and success since 2012.

“In custody cases involving documented incidents of domestic violence, the abusive parent is granted custody up to 54% of the time.”

Six years later, by using the multifaceted approach of:

- appealing cases that leave survivors of domestic violence and their children in danger of further abuse;
- representing low-income survivors for free;
- strategically selecting issues that better position survivors in similar situations to win custody of their children the first time around; and
- consistently examining and re-examining the ways in which survivors are being negatively impacted by the legal system and addressing those issues through appellate litigation,

FAMILY VIOLENCE APPELLATE PROJECT has been able to help countless survivors through direct appellate representation and by educating those who serve and impact them in the legal system.



2018 ACCOMPLISHMENTS YEAR OF THE SUPREME COURT

This year, FVAP achieved 4 significant successes for abuse survivors and their kids through California Supreme Court decisions. One victory was *Jameson v. Desta*, in which the Supreme Court ruled that all low-income people have the right to a free court reporter. Here's how FVAP spurred change:

"I cannot count the times I have been proud to cite a case from FVAP."





ALL IN A YEAR'S WORK

From launching our Housing & Employment Justice Project, to winning California Supreme Court victories for survivors, to broadening language accessibility and expanding our Board to include new perspectives, 2018 was a year of success and growth

- FVAP obtains 7 new published appellate decisions that will benefit survivors in court
- Housing & Employment Justice Project is born
- FVAP trains domestic violence organizations statewide on barriers survivors face to obtaining and maintaining safe housing and employment
- Cal. Supreme Court victory: reverses lower court ruling that included English language proficiency as a factor in a custody determination
- Cal. Supreme Court victory: de-publishes a published case that could have been used against survivors in court
- Cal. Supreme Court victory: protects immigrant child survivor of abuse
- FVAP creates surveys to improve the client experience and implements new, data-driven practices
- FVAP launches new materials and trainings for LGBTQ+ communities, who face unique challenges in the legal system
- [The FVAP website](#) is translated into Spanish & Chinese, broadening accessibility
- FVAP overhauls the custody and visitation components of Assembly Bill 2044, strengthening protections for children in child custody cases involving domestic violence
- FVAP staff and Board of Directors grows





MINA'S STORY

Mina is an immigrant from Iraq. When she came to the U.S., she married a man here who turned out to be extremely physically abusive and controlling. She wanted to learn English, but he wouldn't let her. He wouldn't let her learn to drive. He wouldn't let her leave the house and installed surveillance cameras so he could watch her.

One night, he grabbed her by her hair, slapped her, strangled her, kicked her, and physically threw her and their 1-year-old son out of the house onto the street in the middle of the night, without money, without clothes, without food, with nothing.

Later, when they were divorcing, she asked the court for custody of their son, but the court gave joint custody to her abuser. One reason was that he spoke better English than she did.

How well you speak English has nothing to do with whether you're a good parent, and this was an incredibly unfair result that was also against the law. But it also put their son in real danger of abuse.

FVAP appealed this ruling, and now English language proficiency can no longer be used as a reason to deny custody to parent.

THANK YOU for supporting survivors.



RISING NUMBERS

IN 2018:

7

Published Appellate Cases

9

Trainings Created

33

Trainings Given

11

Written Resources Created for
Survivors & Advocates

218

Instances of Real-Time Legal Assistance Provided

794

Views of Written Material Resources

\$1,364,985

Value of Pro Bono Hours





PROGRAMS BUILT TO **END** DOMESTIC VIOLENCE

APPELLATE COURTS

DIRECT REPRESENTATION: FVAP represents domestic violence survivors in legal appeals, for free, to overturn court outcomes that leave them and their children in danger of ongoing abuse. In 2018, this work resulted in 4 victories for survivors, including 2 published decisions. One case establishes that how well you speak English should not affect your rights in court.

FRIEND-OF-THE-COURT: FVAP's Friend-of-the-Court program continued to protect survivors in 2018. We submitted *amicus curiae* (friend-of-the-court) briefs to educate courts on domestic violence matters. Following these submissions were favorable outcomes for abuse survivors, including the landmark California Supreme Court decisions in *Jameson v. Desta* and *In re Bianka M.*

CASE PUBLICATION: Through our Case Publication Program, 3 new cases were published in 2018 that can be used in court to benefit survivors. These cases cover legal areas including restraining orders (*In re Marriage of Davila*), juvenile dependency (*In re of Bruno M.*), and restraining order renewals (*Rybolt v. Riley*).

HOUSING & EMPLOYMENT: With safe housing the #1 unmet need for survivors of domestic violence, and loss of employment being a common issue survivors face that can lead to homelessness, our Housing & Employment Justice Program provides trainings, legal information and tools, and legal representation in appeals to help domestic violence survivors obtain and maintain stable housing and employment. In 2018, we trained in all regions of California about the unique protections that survivors have in these areas.



“You don’t know what a victory this is for me. I feel so empowered and safe.”



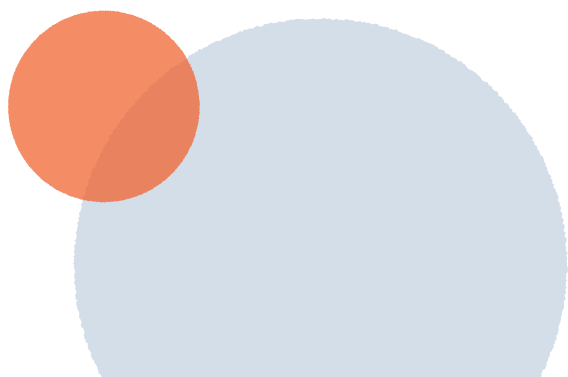
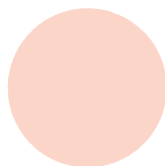
PROGRAMS BUILT TO **END DOMESTIC VIOLENCE** *continued*

TRAINING: Training attorneys, judges, and advocates is crucial to ensuring survivors get a fair chance in court. In 2018, we gave 33 trainings statewide and led & launched the production of 6 online domestic violence training modules on restraining orders in collaboration with Pro Bono Training Institute.

REAL-TIME LEGAL SUPPORT: By providing real-time legal support to advocates and attorneys, we enabled survivors to win their cases in trial court the first time, and to successfully appeal when court outcomes put them in danger.

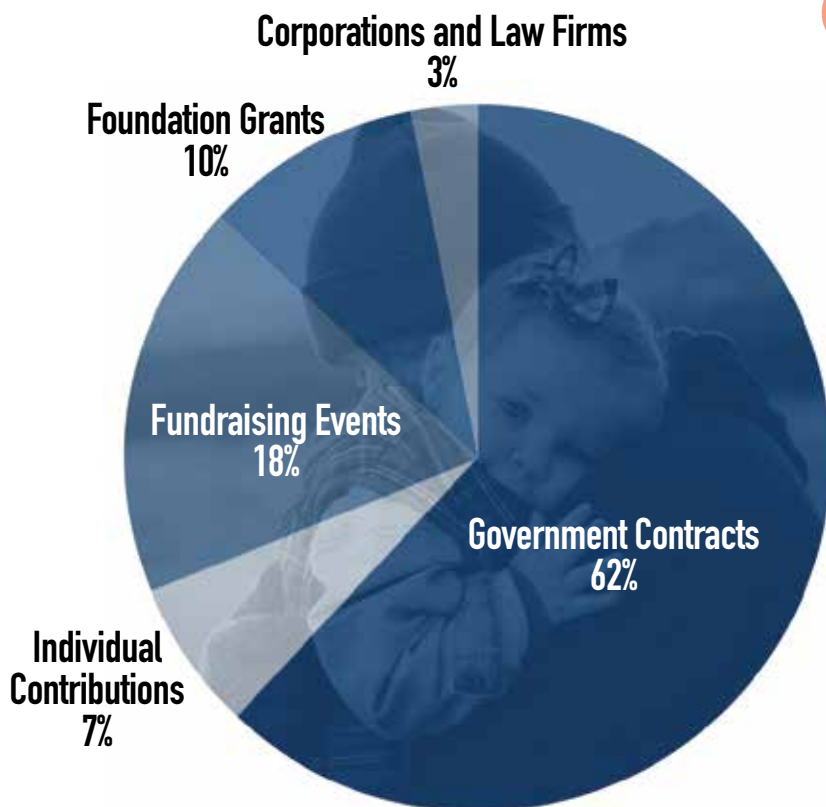
SELF-REPRESENTED LITIGANTS: Because most domestic violence survivors do not have a lawyer in court, we provide easy-to-use legal resources to give survivors a better chance at justice. In addition to creating 9 training videos, we released 11 new written resources accessible on [our website](#).

NEXT GENERATION: FVAP cultivates the next generation of appellate advocates. Our successes in 2018 are in great part due to the dedicated work of our legal fellow, law clerks, and New Leadership Council.





FINANCIAL REPORT



STATEMENT OF ACTIVITIES

Revenue & Support	2018	Expenses	
Foundation Grants	\$122,039	Program Expenses	\$2,016,160
Fundraising Event Revenue	\$213,811	Admin, General, & Fundraising	\$397,112
Individual Contributions	\$86,263	Total Expenses	\$2,413,272
Corporate/Law Firm Contributions	\$41,220	Increase in net assets	\$256,797
Government Contracts	\$742,250		
Contributions In-Kind	\$1,393,853		
Other	\$8,966		
Total Contributed Income	\$2,599,436		
Satisfaction of Program Restrictions	\$61,667		
Total Revenue & Support	\$2,670,069		





STATEMENT OF FINANCIAL POSITION

Assets	2018
Cash & cash equivalents	\$1,506,028
Contributions receivable	\$54,248
Prepaid expenses and other assets	\$29,874
Total Current Assets	\$1,590,150
Right of Use — Premises	\$284,204
Total Assets	\$1,590,150

Liabilities	
Accounts payable & accrued liabilities	\$32,087
Lease payable – Current Portion	\$61,423
Total Current Liabilities	\$93,510
Lease Payable – Noncurrent Portion	\$239,980
Total Liabilities	\$333,490

Net Assets	
Net assets without donor restrictions	\$1,507,531
Net assets with donor restrictions	\$33,333
Total net assets	\$1,540,864
Total Liabilities & Net Assets	\$1,874,354



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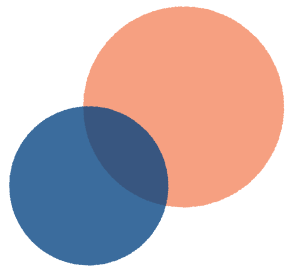
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We would not have been able to make such great progress for survivors of domestic violence and their children had it not been for our amazing volunteers donating their time.

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Amber Abassi
Amanda Case
Saurabh Dhamdhare
Cory Hernandez
Michelle Kim
Ali Sadler
Susan Tenney
Destiny Walker
Luke Weigert
Amy Egerton-Wiley

VOLUNTEER YOUR TIME TO THE MOVEMENT TO END DOMESTIC VIOLENCE.

- Co-counsel with us on an appeal
- Support us in moot court
- Help us publish a case that benefits survivors
- Volunteer at our annual fundraiser
- and more!

Volunteer opportunities are open to attorneys, students, and the general public. Reach out to us any time at staff@fvaplaw.org for more information.

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*“This is the first time in the years
since I ‘came out’ about the nightmare
that was my marriage that I have felt
anyone has actually heard me.”*



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*Special thanks to David Hunter for
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