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LA: Don't miss our battle-of-the-bands fundraiser NEXT THURSDAY

\$10 off tickets to Banding Together Los Angeles

Don't miss Family Violence Appellate Project's annual [attorney battle-of-the-bands](#) fundraiser **next Thursday** (July 13) in Los Angeles! Join us at **El Rey Theatre** for an epic on-stage battle between 7 bands of attorney competing for the title, "Best Lawyer Band in LA."

For a limited time, **FVAP supporters can get tickets for just \$10!** Reserve your discount

tickets now using the button below.

LA TICKETS

[Click here](#) to see the show lineup and meet our celebrity Guest Judges. [Click here](#) to vote for your favorite band. (All votes are donated directly to [FVAP](#), and are 100% tax-deductible.)

Thanks for [Banding Together](#) with FVAP to end domestic violence California. Rock on!

Legal Victory for Survivor Seeking Restraining Order

We are pleased to announce success in another case involving a common scenario for survivors of abuse: restraining order requests being repeatedly postponed because of a simultaneous criminal case against an abuser.

In this case, because the opposing party was facing related criminal charges, the family law court delayed the restraining order case several times. This caused our client, represented by pro bono counsel at **Gilead Sciences, Inc.** and **San Mateo Legal Aid Society**, 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. FVAP and San Mateo Legal Aid filed a writ petition (fast-tracked request) asking the appellate court to order the trial court to hear the case without any more delays.

This week, the appellate court directed the family law court to vacate its previous orders continuing the case, and to schedule a hearing on the legal issues presented, or explain to the Court of Appeal why it has refused to do so. Writ requests are rarely granted in California, so this is a significant victory and one that we hope eventually will **help survivors all over the state to have their cases heard promptly** by family law courts.

Thanks to pro bono counsel at **Gilead Sciences, Inc.** and the **San Mateo Legal Aid Society** for their excellent work on this case.



Toolkit: Custody / Visitation and Family Code section 3044

Family Code Section 3044 Toolkit Cover Page

This cover page is the guide to the different materials in the Family Code section 3044 custody and visitation toolkit and how to use them.

[Download Cover Page](#)

Celia S. v. Hugo H. (2016)

Celia S. v. Hugo H. is a 2016 case which makes clear that courts cannot use visitation orders to get around Family Code section 3044. In this case, the trial court awarded sole physical custody to Mom, but awarded Dad 50% "visitation." The higher court said that this was not in compliance with the law because the order was essentially 50/50 custody.

[Download The Case](#)

Sample Letter to Mediators - Family Code s. 3044 & *Celia S.*

A template letter to friendly mediators / judges explaining Family Code section 3044 and the holding in *Celia S.* This fillable letter can be sent to your mediators or Family Court Services, to let them know about Family Code section 3044 and the visitation decision of *Celia S.*, in hope that it will encourage them to decrease the use of inappropriate or dangerous 50/50 visitation schedules.

[Download Sample Letter](#)

Model Legal Brief in Support of Sole Custody to Petitioner

A template Memorandum of Points and Authorities on Family Code section 3044 and *Celia S. v. Hugo H.* requesting sole legal and physical custody when there has been a finding of abuse. Litigants who have already obtained a restraining order, or other court finding of domestic abuse, can fill in their personal information on this sample memorandum of points and authorities and give it to the court when they have a custody hearing. It explains how the court must apply Family Code section 3044 and *Celia S.*, and asks that the court award the survivor sole legal and physical custody of their child/ren and make a visitation schedule that is not 50/50 split time.

[Download Model Brief](#)



Know Your Rights: *Celia S.* and Family Code Section 3044

A one-page "Know Your Rights" explanation of Family Code section 3044 and *Celia S.* This can be provided to clients who are going to court or mediation when custody and visitation will be an issue, including restraining order hearings. Your clients can use it to advocate for themselves.

It explains that they don't have to agree to a custody and/or visitation order during mediation, and that they have certain rights to custody and visitation if there has been a finding that the other parent perpetrated domestic violence.

[Download Tip Sheet](#)

Introducing FVAP's New Legal Resource Webpage

FVAP's new [Online Legal Resources](#) webpage features tip sheets, toolkits, and sample court documents addressing common legal issues faced by California survivors of abuse and those who assist them.

Our Legal Resources are FREE for:

- abuse survivors representing themselves in court in California
- domestic violence advocates helping their clients in court in California
- private attorneys representing abuse survivors pro bono in California
- California nonprofit and legal aid employees
- Members of the California Partnership to End Domestic Violence, and
- Members of Legal Aid Association of California

Online Legal Resources are password protected, but easily accessible by filling out a simple form, available at [this link](#).

The new **Custody and Visitation Toolkit** includes 4 downloadable templates and documents that domestic violence survivors and their advocates can use in court to help in custody and visitation cases.

Other Resources include:

- Model legal brief on allowing petitioner to present new evidence at restraining order hearing
- Sample Statement of Decision Request & instruction sheet
- Model legal brief in support of restraining order hearing and denial of continuances
- Tip sheets for getting a court's reasons for making a family court order
- Model legal brief in support of sole custody to petitioner
- Post-trial motions cheat sheet, and
- California Domestic Violence Law Compendium (2017)

For questions, email training@fvaplaw.org.

Upcoming Oral Argument in Important Immigration / Spousal Support Case

FVAP will present oral argument in an important immigration and spousal support case involving domestic violence, *Kumar v. Kumar*, on July 17, at the First District Court of Appeal in San Francisco. Thanks to co-counsel **Orrick Herrington & Sutcliffe LLP** and **Bay Area Legal Aid**.

July 24 Training in Los Angeles

FVAP Staff Attorney Cathy Ongiri and Legal Fellow Eliza Duggan will present at the **2017 Family Law and Self-Help Conference** organized by the **Legal Aid Association of California (LAAC)** and the **Judicial Council of California**. Cathy will present a training on 2016 domestic violence case law updates, and both Cathy and Eliza will present a training on statements of decision.

When: Monday, July 24, 2017

Where: Ronald Reagan State Building in Downtown Los Angeles, at 300 S. Spring St., Los Angeles, 90013. Please note that **the location has MOVED** to accommodate a larger group.

Cost: Early-bird registration is \$150 for LAAC members and court staff; \$225 for non-LAAC members. Registration will go up by \$25 after July 16.

Registration: [Register here now!](#)

Statewide Leadership: FVAP across California





FVAP is stepping into a role as a statewide leader in identifying and solving legal challenges that survivors face across California. We are traveling the state to listen to domestic violence advocates and help them with legal issues

This summer, FVAP's attorneys have met with shelter representatives and domestic violence advocates in multiple areas of California as part of the **California Partnership to End Domestic Violence's** regional retreats. Pictured: FVAP Staff Attorney Shuray Ghorishi at the Central Coast Regional meeting in San Louis Obispo; and FVAP Staff Attorney Cathy Ongiri at the North Regional meeting in Chico. (Not pictured) FVAP Staff Attorney Anya Emerson attended the Far North regional meeting in Fort Bragg; and FVAP Legal Fellow Eliza Duggan and Staff Attorney Cathy Ongiri attended the Central Valley retreat in Fresno.

Hiring: Legal Fellow, Fall Law Clerks

FVAP is [now hiring](#) Fall Law Clerks to start this fall, and a sponsored Legal Fellow to apply this fall for 2018-2019 fellowships.

If you know a law student who is **passionate about social justice** and interested in hands-on work at an **innovative legal aid** nonprofit, please encourage them to [apply!](#)



The ALL Are Welcome Here poster was created by the Pennsylvania Cross-System Advocacy Coalition, supported by Grant No. 2007-FW-AK-K006, awarded by the Office on Violence Against Women, U.S. Department of Justice.

FVAP is an equal opportunity employer. Individuals of all races, ethnicities, national origins, religions, ages, sexes, sexual orientations, and gender identities, as well as persons with disabilities and survivors of domestic violence, are encouraged to apply.

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