



September 13, 2022

The Honorable Gavin Newsom
Governor of California
1303 10th Street, Suite 1173
Sacramento, CA 95814
RE: SUPPORT AB 2369 (Salas) – Improving Domestic Violence Survivors'
Legal Defense

Dear Governor Newsom:

The California Protective Parents Association (CPPA) is pleased to support AB 2369 and we urge your signature for the bill to become law. If enacted, AB 2369 will make it easier for survivors of abuse to be awarded prevailing party attorney's fees and costs in domestic violence restraining order (DVRO) cases. The bill will also allow courts to financially penalize perpetrators who make false claims of abuse against their victims and waste precious court time and resources with the false claims.

Under existing law, and specifically Family Code Section 6344 as currently written, the court can refuse to award attorney fees to a DV survivor simply because the statute allows that discretion, for almost any reason. Some courts even interpret the statute to mean the court should always consider the needs of survivors and ability to pay, and will deny them attorney fees on that basis even if they win. In these situations, survivors are essentially funding their own abuse. AB 2369 would change this outcome.

In this kind of scenario, AB 2369 would require the court to order the perpetrator to pay the survivor's attorney fees, after taking into consideration the perpetrator's ability to pay. The bill would also encourage attorneys to provide representation to victims, 90% of whom are unrepresented in DVRO cases due to financial constraints on hiring counsel. Without assistance from a skilled attorney, many DV victims are often unable to secure a protective order for themselves and their children. In my experience attorneys are more likely to provide representation to an indigent party when there is a statute under which they may obtain prevailing party attorney fees.

The California Protective Parents Association is a 501 (C) 3 non-profit organization that was

established in 1998. Our mission is to protect children from incest and family violence through research, education, and advocacy.

CPPA respectfully requests your signature on AB 2369.

AB 2369 (Salas) – Letter of Support

Thank you,
Kim M. Robinson
CPPA Board Member
2938 Adeline Street
Oakland, California 94608-4410
Telephone: (510) 500- 5860
amicusreview@caprotectiveparents.org

cc: Assemblymember Salas (author; Michael Dyar, staff) Family Violence Appellate Project
(sponsor; Cory Hernandez, staff)