

Letter Requesting Pseudonyms

The person you got a Domestic Violence Restraining Order (DRVO) against might appeal that decision to the Court of Appeal. The Court of Appeal will write an opinion that explains whether the trial court's decision to grant you a DVRO was or was not proper under the law. The opinion will use your name (and the other party's name) and discuss facts of your case, including the domestic violence. Because this is sensitive information you may want to ask the Court of Appeal to use pseudonyms for your names or use first names and last initial or initials to protect your privacy and keep you safe.

FVAP created a template letter to help you make this request. The instructions for how to use the template letter and the template letter are below.

Instructions for Template Letter

Below is a template letter requesting pseudonyms that can be filled out electronically and a template letter requesting pseudonyms that can be printed and filled out by hand. If you use the electronic template:

- 1) Where you see brackets (“[]”) click your mouse in the bracket. You will then be able to erase what is in the bracket and type in your information. Make sure that you erase the brackets.
- 2) Where it states “date” or there is a date already entered click on that area. An arrow will appear after you click on the area. Click the arrow and a calendar will appear. You will then be able to choose the date that you need.
- 3) One of the brackets has bold print stating **If the opinion is unpublished, write** or **If the opinion is published write**. Make sure you delete the sentence that does not apply to you. Also, be sure to delete all of the bold print.

When using the template letter that can be printed and filled out by hand, you should use the electronic template as a guide to know what information can be used to fill in the blank lines.

How do I get more assistance? Contact FVAP at info@fvaplaw.org or call (510) 380-6243 for questions.

[Date]

[Names of Justices]
[Court Address]
[Court Address Line 2]
[City, State, Zip]

Re: Request to use pseudonyms or otherwise anonymize [Case Name], opinion filed [Date Filed]
Court of Appeal Case No. [Case Number]
Superior Court Case No. [Case Number]

Honorable Justice [Name], Justice [Name], Justice [Name]:

I, [Your Name], am submitting this letter to request that the above captioned opinion be changed to use initials or be otherwise anonymized in order to protect my identity pursuant to California Rules of Court, Rule 8.90.

The opinion was issued after [Opposing Party's Name] appealed from the Domestic Violence Restraining Order that was issued to protect me from further abuse by [Opposing Party's Name]. [Briefly describe how the case was decided, including who won, or if it was dismissed.] Unfortunately, however, by its mere existence, the appellate opinion is causing further harm and trauma to me. [Briefly describe the facts of the case and why the opinion is harmful to you, your work, and/or your family.] **If the opinion is unpublished, write:** As the opinion is unpublished, I submit that there is neither a public interest nor an interest of justice in maintaining the opinion in its current form. **If the opinion is published, write:** Although the opinion is published, I submit that there is neither a public interest nor an interest of justice in maintaining the opinion in its current form.]

This request is consistent with California Rule of Court 8.90, which went into effect January 1, 2017. This rule encourages reviewing courts to consider referring to individuals by their initials when their privacy interests are at risk in appellate proceedings. (Judicial Council of California, Report to the Judicial Council, Family Law Issues Meeting (Nov. 7, 2016), available at: <http://www.courts.ca.gov/documents/famjuv-20161107-materials-family.pdf>, p. 6 [hereinafter Report to the Judicial Council].) The rule reads, "To protect personal privacy interests, in all opinions, the reviewing court should consider referring to the following people by first name and last initial or, if the first name is unusual or other circumstances would defeat the objective of anonymity, by initials only." (Cal.

Rules of Court, rule 8.90(b).) Domestic violence survivors in restraining order matters are the first category of persons listed. (*Id.* at (b)(1).)

Because I am a victim of domestic violence, who will suffer further harm by virtue of the court's opinion using my name, I respectfully request that this court change the opinion to use initials or be otherwise anonymized pursuant to Rule 8.90. In this way, I can truly put these events behind me, and move forward with my life.

Sincerely,

[Your Name]

Re: Request to use pseudonyms or otherwise anonymize _____, opinion filed

Court of Appeal Case No. _____
Superior Court Case No. _____

Honorable Justice _____, Justice _____, Justice _____:

I, _____, am submitting this letter to request that the above captioned opinion be changed to use initials or be otherwise anonymized in order to protect my identity pursuant to California Rules of Court, Rule 8.90.

The opinion was issued after _____ appealed from the Domestic Violence Restraining Order that was issued to protect me from further abuse by _____.

Unfortunately, however, by its mere existence, the appellate opinion is causing further harm and trauma to me. _____

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