

2023



ANNUAL REPORT

WHAT PEOPLE ARE SAYING ABOUT FVAP

“FVAP does a great job of vetting cases and finding the appeals that will have the most impact on survivors’ rights. The staff is amazing and FVAP’s track record of success is unparalleled. Whether it’s by volunteering, donating money, or working on an FVAP appeal, I highly recommend getting involved.”

*-Michael Holecek,
FVAP Board Member*

FVAP’s positive impact goes far beyond advocacy in family law and restraining order cases. I used published decisions arising from FVAP’s successful litigation in a U visa immigration case. My client’s U visa was approved.

- Mélody Saint-Saëns, J.D.

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...Washington is fortunate that FVAP opened an office here... I hope that more... will follow FVAP’s courageous example of accountability to domestic violence survivors.

*- Monte Jewell, Project
DVORA Attorney, Jewish
Family Service*

MESSAGE FROM

THE EXECUTIVE DIRECTOR

Deborah Son



Dear supporters, partners, and friends-

As I reflect on the past year, I'm filled with immense pride in what we've achieved together. We have come out of this period of executive transition stronger and even more committed to ending domestic violence, with equity and racial justice at the forefront of our work. This year has been one of extraordinary milestones for survivors, and I'm excited to share a glimpse of the impact we've made.

“**Together, we are securing justice for survivors today while creating lasting change for generations to come.**”

In partnership with private firms, we coordinated a record \$1.9 million worth of pro bono legal assistance, giving survivors access to life-changing legal support. Our appellate victories continue to create lasting protections for survivors across Washington and California, while our real-time legal assistance has ensured that survivors can access critical help when they need it most.

We've also expanded our training efforts, equipping 231 judges, advocates, and community partners to better serve survivors in a trauma-informed, survivor-centered way. Beyond that, we've taken on the constitutional crisis posed by the shortage of court reporters—a challenge that threatens to hinder justice for survivors—and we've amplified our legislative advocacy to secure stronger protections and rights for those impacted by domestic violence.

Some of the most powerful testimonials we've received this year speak to the profound impact of these efforts. And with the launch of our new, improved online Legal Resource Library, survivors and attorneys alike can now access vital information to navigate the appellate process with ease, anytime, anywhere.

Our full annual report includes these powerful stories and details our advocacy efforts to bring about systemic change. I invite you to explore the report and celebrate the remarkable progress we've made together.

Thank you for your continued support. Together, we are securing justice for survivors today while creating lasting change for generations to come.

With deep appreciation,

A handwritten signature in dark ink, appearing to read 'D. Son'.



Our Guiding Principles

Mission

We believe no one should endure abuse. We ensure the safety and well-being of survivors of domestic violence and their children by helping them obtain effective appellate representation.

Vision

We believe justice should be available to everyone, not just those who can afford it. Our free, high-quality legal representation gives survivors the best possible chance at success in their appeal. Ultimately our goal is to break the intergenerational cycle of trauma and abuse. By making sure all kids have the chance to grow up in safe, healthy homes, we are building a better future for the next generation.

Values

Race Equity

Diversity, equity, inclusion, accessibility and belonging are core values at FVAP. The team is committed to upholding and operating anti-oppression practices and policies and antiracist policies. FVAP believes diverse perspectives result in more creative, powerful, and effective solutions. As such, the organization stands for creating a fair and accessible legal system that promotes a just society.

FVAP's leadership works to ensure all staff voices are at the decision-making table for important organizational decisions. Staff-led groups, including the Diversity, Equity, Inclusion, Accessibility, and Belonging Task Force and the Wellbeing and Sustainability Workgroup, are driving pillars for team collaborations that hold FVAP leadership accountable to maintaining just practices.



Social Justice:

We are creating a fair and accessible legal system to create a just society.



Well-being:

The holistic well-being of survivors and their families contributes to a healthy society.



Diverse Perspectives:

Elevating diverse voices and experiences to create powerful and effective solutions.



Transformation:

Driving positive change in individuals, communities, systems & society.



Creative Legal Leadership:

We harness the power of the legal system to shape it to respond to the needs of people who experience multiple oppressions.

VICTORIA'S Story



*" Thanks to the excellent work of the team of lawyers who represented me in an exceptional way, **I was able to recover my dignity before the law and men. Protect the present and future of my children.**" -Victoria*

Victoria is a mother of 4 boys (2 of whom live with autism). This is her story of overcoming domestic violence, divorce, and legal support struggles.

After marrying her ex-husband, Victoria faced escalating violence, particularly after relocating to Seattle. Despite seeking help from a local DV advocacy program and starting the legal separation process, her ex-husband's obsession with reconciliation led to further abuse. In December 2020, Victoria received a divorce petition from her ex-husband, marking the beginning of her search for legal assistance during the pandemic while managing family health crises including caring for her sons' anxiety and depression, her mother receiving a stage 4 cancer diagnosis and her brother becoming ill.

"I walked the first part (divorce petition) alone with the help of a bilingual court facilitator, who helped me as much as she could. My stress was at its maximum. It's too much for one person alone, without legal support or financial resources. But I couldn't let myself fall."

Just before her court date, she faced immense stress but managed to prepare and present her case. She received a favorable ruling, **and felt a sense of relief, but she was met with an appeal from her ex-husband shortly after.** This is when she discovered FVAP Washington. FVAP provided her with the legal support she desperately needed.

"Don't worry, we'll take care of it", [Zyreena said.] I felt like a heavy weight had been lifted from my back. I breathed again."

Through FVAP, Victoria received comprehensive assistance, including multiple lawyers who represented her case. The support from Zyreena and the team was instrumental in her journey and culminated in a **VICTORIOUS** ruling on June 13, 2023. This victory not only restored her dignity, but also secured a safer future for her children.

Pictured (from left): Thao, Victoria, Zyreena at Sweets & Justice for Survivors Fundraiser

DID YOU KNOW?

FVAP wins 85%
of the appeals we bring
to court, including
100% in Washington
state.

Our success rate is far
above **California's**
statewide average of
20%

FVAP has a large role
in shaping case law
in **California and**
Washington.

We have successfully
published **65**
appellate court
decisions & **17**
friend-of-the-court
briefs.

To date, **66%**
of FVAP's clients
are **survivors of**
color.

PROGRAMS & SERVICES



Appellate Courts

We provide free legal aid to survivors of gender-based violence, including domestic violence, sexual assault, stalking, and human trafficking. Our mission is to empower individuals by using the legal system to challenge harmful court decisions that leave them vulnerable to ongoing abuse.





Our programs are bridging gaps and eliminating disparities in our court system to **ensure everyone has equitable access to justice and the safety they deserve.**

Next Generation

FVAP's Next Gen Program is an internship/fellowship provided to law students in their second year and third year. The program invests in justice by mentoring the next generation of attorneys in appellate law and trauma-informed practices to better support survivors.



Legal Support

FVAP provides free on-call legal assistance, trainings, and self-help legal tools to domestic violence advocates and survivors who do not have a lawyer in court. We help bridge the gap between the domestic violence services and legal communities by training court personnel and attorneys on domestic violence issues to ensure survivors' rights are protected.



Housing Safety & Justice

The Housing Safety & Justice program **bridges the gap between legal service providers and domestic violence advocates who are assisting survivors to secure and maintain safe housing.** Homelessness is a major obstacle survivors face when leaving an abusive relationship. FVAP provides housing legal services by training and informing survivors and survivor advocates on housing protections for survivors so the crisis of abuse is not compounded by housing instability.

MEASURING success

In 2023, FVAP published
13 appellate cases

which shape how trial courts
across California and
Washington interpret
domestic violence laws

28,000+

views of published cases,
templates, toolkits, and
legal resources

11

Cases won for
survivors

\$1.9 million

worth of Pro Bono hours
donated in 2023 to help
survivors and their
children

48 out of 54

of the trainings FVAP
provided in 2023 were
free to attendees

1,200+

Instances of real-time
legal assistance provided

5

“friend-of-the-court” briefs
filed, providing courts with
social science to inform
decisions of statewide
importance

We are proud of the impact we achieved in 2023 alone.

CASE LAW and Advocacy

FVAP supported the following Washington House Bills (HB) that became state law in 2023:



HB 1177

Creating a missing and murdered Indigenous women and people cold case investigations unit.

HB 1564

Prohibits private companies from the sale of over-the-counter sexual assault kits.

Since 2021, FVAP Washington has advocated for better protections for survivors. In 2022, FVAP successfully opposed SB 5920, which would have harmed survivors regarding parenting plan modifications, through written testimony and legislative advocacy. And in 2023, FVAP led stakeholders to stop three harmful family law bills: HB 1121 (uniform law on child abduction), HB 2237, and SB 5205.

Wolf v. Washington (Amicus Brief)

highlights how important it is to work with community partners to lift the voices of those whose voices are oppressed

FVAP Washington is pleased to report the Washington State Supreme Court's decision in Wolf v Washington was unanimous in the decision to broaden access to civil remedies for child sexual abuse victims. This opinion makes it possible for survivors who experienced childhood sexual abuse in foster care, predominantly Black and Indigenous dependent children and youth, to draw causal connections between their caretakers' negligent actions and the promise and duty of the State to protect them.

Through our advocacy, we ensure that our appellate decisions are published, each establishing **binding legal precedents for trial courts statewide and advancing protections for survivors and their children.** This not only aids our client cases but also fosters a safer and more just legal landscape for all survivors. **Together, we can create a brighter future for those affected by violence.**



Housing Safety & Justice

FVAP's co-sponsored bill, SB 1051 (Eggman), was signed into law! Starting in January 2025, California law will specifically prohibit landlords from denying someone housing because of their experiences as a survivor.

What This Means:

- Landlords can't deny tenancy due to poor credit caused by abuse.
- More survivors will also gain access to one of California's lock change laws - a law that requires landlords to change a survivor's locks when the person who harmed is not a co-tenant and the survivor gave the landlord documentation that shows they experienced abuse or violence.

Because of SB 1051, survivors across California will have greater access to safe housing, helping them and their children escape abuse permanently.

Vinson v. Kinsey (Published Opinion)

*highlights what constitutes a threat &
addresses the harms of stereotyping survivor behavior*

FVAP was successful in the Vinson v. Kinsey case reinforcing that threats do not need to be threats of physical violence to constitute abuse under California law. This decision underscores that survivors should not be denied restraining orders solely based on their continued contact with their abusers because responses to abuse can vary widely among individuals. This case sets a precedent for California courts and was co-counseled by FVAP with Latham & Watkins, LLP, referred by Family Violence Law Center, and supported by UC Irvine Domestic Violence Clinic and other organizations.

Every year we take time to evaluate and create policy that expands existing legislation to ensure survivors of gender- based violence are protected. These are a few of the key issues we stood behind in 2023 to help keep survivors safe.

Assembly

<u>AB 28</u>	<u>AB 44</u>	<u>AB 467</u>	<u>AB 1418</u>
This imposes a tax on retail sale of firearms, firearm precursor parts, and ammunition, with revenues directed to a fund for gun violence prevention/safety programs, while requiring registration for dealers and manufacturers.	This bill requires the department to grant access to the system to the law enforcement agency or tribal court of a federally recognized Indian tribe meeting certain qualifications, as specified.	This bill clarifies that the order may be modified by the sentencing court in the county in which it was issued throughout the duration of the order.	The bill includes findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Senate

<u>SB 290</u>	<u>SB 331</u>	<u>SB 459</u>	<u>SB 599</u>
This bill mandates that law enforcement agencies provide victims or their representatives with access to photographs related to injuries, property damage, and incident reports, along with 911 recordings, while extending the time frame for requesting these documents from 2 years to 5 years for specific victim categories.	Piqui's Law aims to enhance the safety of children in situations of family violence by prohibiting certain court-ordered treatments and programs that may compromise their well-being. Specifically, the bill disallows courts from mandating family reunification treatments.	This bill requires the Judicial Council, on or before January 1, 2025, to create one or more specific forms for the purpose of requesting a modification of an existing restraining order.	This bill introduces several important provisions regarding visitation rights in cases involving domestic violence. It emphasizes the need for courts to consider virtual visitation as a viable option when determining limitations on in-person visitation.
<u>SB 741</u>		<u>SB 1051</u>	
This is a legislative proposal aimed at modifying the discovery process in cases involving the Domestic Violence Prevention Act (DVPA). The bill seeks to limit the scope of discovery under the Civil Discovery Act specifically for domestic violence restraining order (DVRO) proceedings.		The primary objective of this bill is to enhance housing access for survivors of abuse and violence by prohibiting landlords from denying rental applications based on the applicant's history as a survivor.	

Court Reporter Shortage

A constitutional crisis



For approximately 15% of the otherwise viable appeals FVAP turns away each year, it is only because there was no court reporter at the hearing. And our clients are not alone. **Between October 1, 2023 and March 31, 2024 483,500 hearings – over 72% – in California had no court reporter present.** It is unknown how many of the other hearings had no court reporter or if a party paid the average \$3300 a day to bring their own, something that would be impossible for most of the survivors FVAP serves.



For FVAP that means we are turning away survivors' appeals even when we think the order is dangerous or wrong because, as the California Supreme Court said, the lack of a court reporter "will frequently be fatal" to an appeal. In that case, *Jameson v. Desta*, **FVAP filed an amicus brief and were hopeful when the court ruled that low-income litigants have the right to a free court reporter provided by the court.**

“ California Supreme Court said, the lack of a court reporter “will frequently be fatal” to an appeal. ”

We then **successfully lobbied for an additional \$30M in annual funding solely to recruit and retain court reporters.** However, you can't hire someone who doesn't exist, and the bill we sponsored to allow electronic recording was defeated in the legislature this year. **We are working with a broad coalition to address this crisis.**

Statewide stats taken from the Judicial Council Fact Sheet: Statewide stats taken from the Judicial Council Fact Sheet: We then successfully lobbied for an additional \$30M in annual funding solely to recruit and retain court reporters. However, you can't hire someone who doesn't exist, and the bill we sponsored to allow electronic recording was defeated in the legislature this year. We are working with a broad coalition to address this crisis.

FUNDRAISERS

RISE AND SOAR

Our first ever multi-year campaign **Rise and Soar** raised \$920,000 to help FVAP rise to meet the needs of survivors of domestic violence in California, while also helping us soar beyond state borders to begin the journey of spreading our strategic appellate practice nationwide, starting with Washington state.

While we fell short of our goal of \$2.7 million, the funds raised between 2021 and 2023 have had an incredible impact enabling us to focus on four priorities:



- 1. Invest in Core Programs and Deepen Our Commitment to Racial Equity:** We enhanced our existing programs while ensuring that our commitment to racial equity was at the forefront of our efforts.
- 2. Expand Our Work to Washington State:** We extended our reach and established a presence in WA to better serve survivors in the region.
- 3. Broaden Our Programs to Include Survivors of Gender-Based Violence:** Our initiatives now encompass a wider range of survivors, including those affected by sexual assault, stalking, human trafficking, and other forms of intimate partner violence.
- 4. Fortify and Sustain Our Infrastructure:** We invested in our organizational infrastructure to ensure long-term sustainability and effectiveness.

A Big THANK YOU to our Rise and Soar campaign supporters

\$250,000 - Soaring Leaders

Michael Cafarella and Victoria Still
Leah and Benjamin Spero

\$50,000 - Empowering Leaders

Scott and Julie Johnston
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\$25,000 - Amplifying Leaders

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BATTLE OF THE BANDS



6

Rockstar lawyer
bands from
California



347

Tickets Sold



\$110,417

raised to help
end domestic
violence



12

Sponsors
supporting at
\$1,000 or more



In 2023, we returned to The Chapel in San Francisco to bring together lawyers and supporters for our annual Battle of the Bands, Banding Together to End Domestic Violence. Our one-of-a-kind fundraiser raises awareness and allows us to continue the fight to end domestic violence. Six bands were made up of staff from major Bay Area law firms including Baker Botts, Cooley, Schaerr Jaffe, Covington & Burling LLP, Gibson Dunn & Crutcher LLP, Greenberg Traurig, K&L Gates, Lieff Cabraser Heimann & Bernstein LLP, and Morgan Lewis & Bockius LLP.

The bands battled for the title of Best Lawyer Band in the Bay. Attractive Nuisance from Greenberg Traurig won the title and our Judges' Choice Award. Nancy Lemon, Edie Zusman, and Mindy Mechanic awarded Morgan Lewis & ROCKius Judges' Choice.

Thank you to our event sponsors:



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VOLUNTEERS

Every success in this report happened because of the generous community of FVAP volunteers and donors. So, from all of us, to all of you, we would like to say thank you. We could not do what we do without your kindness, heart, and the resources you provide. We are humbled and proud to have you all in our FVAP family.

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