



EQUAL JUSTICE AMERICA

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EJA FELLOWSHIP RECIPIENT



NAME	Jenna Kahn
LAW SCHOOL	New York Law School
ORGANIZATION	Sanctuary for Families

Update 1: Over the past two weeks, I have received extensive training from each of the Sanctuary for Families teams. The legal teams focused their trainings on contested and uncontested divorce, sex trafficking, reproductive rights, rights of incarcerated survivors, orthodox matrimonial practice, immigration, custody and visitation, and gender-based violence against children. The non-legal teams focused their trainings on the organization's administrative processes, counseling, economic empowerment programs, public benefits, and communication. One focus of the training that really stood out to me was learning about the Domestic Violence Survivor Justice Act. Only in New York State, if a person who has been sentenced to at least eight years in prison was a victim of substantial domestic violence at the time of their offense and they were affected by the domestic violence, that person can request a hearing for their case to be re-evaluated under an alternative sentencing chart that accounts for the impact of domestic violence on the person's actions. Sanctuary for Families spent over fifteen years working with the New York administration to pass this piece of legislation. There have been about fifty incarcerated people who have been able to get a new hearing under the Domestic Violence Survivor Justice Act. I am looking forward to continuing my legal work with Sanctuary and assisting the staff attorneys in representing our clients.

Update 2: As my internship at Sanctuary for Families has progressed, I have begun working on additional research projects and drafting assignments for my team. I have found that legal research for Family Law cases is more challenging than the other civil and criminal law research I did during my 1L year. The main reason I have found it challenging is because Family Law cases (i.e. custody cases, neglect matters) are very fact specific. Therefore, finding relevant cases to analogize or differentiate Sanctuary's client's cases from takes a lot of time and attention to detail. Small facts can completely change the relevance and applicability of a Family Court case and those small facts are usually not identifiable until much of the court decision has been read. However, this challenge also means that it has been incredibly satisfying when I do find relevant cases to help our clients. My work has also included helping clients draft Family Offense Petitions. This has been an incredibly unique, informative, and emotional process to be a part of.



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When drafting a Family Offense Petition it is important to include specific details and facts, which often means our clients have to do a deep dive into the ways their abuser treated them. It is incredible to hear how brave and resilient our clients are and I am honored to play a role in their path to justice.

Update 3: Over the past few weeks, I have continued to attend many different family court proceedings. One aspect of a Family Court case that I did not previously understand is the potential implications that a Family Court finding can have on a party's record. For example, if a Magistrate finds that a Respondent to a Family Offense Petition committed a family offense, that finding remains on the party's record and can be used against them in a future Criminal Court proceeding. Another aspect of Family Court that I did not previously understand is that the District Attorney's office can pick up evidence from a case in Family Court and choose to pursue a Criminal case as well. These two implications of Family Court proceedings are concerning to me. I believe many survivors choose to go to Family Court because, despite everything they may have faced at the hands of their abuser, they do not want to press charges. I would hope that there is transparency about these potential Criminal Court implications for those filing in Family Court.

Update 4: This past week I was working on writing a Family Offense Petition for a pro se client. I was on the original screening call with this client when we learned preliminary information about her case. My team decided to have her come in for an in-person meeting. An attorney and I met with her to get specific details that could be used in her Family Offense Petition in the interest of getting an Order of Protection for the client and her 12-year-old daughter. While talking with the client to understand what she lived through at the hands of her abuser, the client experienced flooding. Flooding is very common when survivors talk about their trauma, and it is presented by a nearly endless stream of thought about their past. When writing a Family Offense Petition, you must identify acts done by the Respondent that constitute Family Offenses. Therefore, it is important to piece together the client's experiences for the Court's use. Another aspect of drafting and filing a Family Offense Petition that stood out to me was the strategy that goes into deciding whether and when to file. Family Offense Petitions can be a helpful tool for some, but if the Respondent is currently staying away from the Petitioner/client and therefore the Petitioner/client is safe, it may not be a good time to file. Filing a Family Offense Petition can instigate the Respondent to file a retaliatory petition or show up at the Petitioner's residence. I am coming to learn that strategizing in the Family Court system is incredibly important. I am eager to learn more about the system and the ways that it can help or hurt survivors at different times.

Update 5: As I wrap up my 1L summer internship at Sanctuary for Families, I am so grateful for the opportunity to learn and think critically about the New York Family Court system. I have seen success for clients, like being awarded full physical and legal custody of a child instead of having to manage joint custody with their abuser. I have also seen failures in court, like a client losing physical custody of a child because, as a survivor of domestic violence who has PTSD from their relationship, that survivor is seen as "less fit" in the court's eyes to parent than the abuser.



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The mentorship I received from the attorneys at Sanctuary helped me understand that in our legal system, we must strive for progress, never perfection. We must work within the system we currently have, while advocating for a better system for the future. Sometimes that means advising clients not to file in court due to the limitations of our court system and the toll that going through the court system has on a survivor. Sometimes that requires creative legal strategy, drafting, and advocating to respectfully educate judges.

I am eager to continue to learn about our legal system and best prepare myself to be a zealous advocate for clients.