



EQUAL JUSTICE AMERICA

LEGAL SERVICES FELLOWSHIPS

Summer 2020 EJA Fellow:



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Organization: Family Violence Appellate Project

Entry 1: June 15, 2020

New Legal Victory: Helping Survivors Return to Their Homes



We are excited to announce that FVAP's request for publication of a case that helps survivors facing homelessness as a result of domestic violence was granted and is now binding legal precedent that all trial courts in California must follow. In this case, *Nicole G. v. Bralthwaite*, the survivor moved out of the joint residence she shared with her abuser for her safety. She then requested that her abuser move out as part of her domestic violence restraining order request, but her abuser argued that he should not have to move out because the survivor had already moved.

This case affirms that abuse survivors should not have to permanently vacate their homes simply because they moved out previously. This is important because if a survivor is living with an abuser, temporarily moving out is a matter of staying safe.

Today marks the end of my first month working with the incredible members of the [Family Violence Appellate Project](#). FVAP is the only nonprofit in California dedicated to helping domestic violence survivors and their children by appealing dangerous trial court decisions on their behalf, for free. They do this primarily by appealing and overturning dangerous trial court decisions, requesting the publication of helpful appellate court cases, and providing assistance to other domestic violence support organizations. You can read more about what FVAP does and the resources they provide at fvaplaw.org. This month we celebrated our first case publication of 2020 with a case that will help survivors facing homelessness as a result of domestic violence (see picture). I am excited to be part

of an organization that does such important work and am looking forward to what the rest of the summer will bring. Visit <https://lnkd.in/gv-Ud63> to support more [Equal Justice America](#) fellows like me in pursuing their public interest career goals!

Entry 2: July 6, 2020

As I come to the midpoint in my internship with the @Family Violence Appellate Project, I can't help but reflect on all of the life-changing work I have helped to accomplish in such a short amount of time. In particular, I was given the opportunity to draft a publication request that was granted for a case that will provide courts guidance on interpreting evidence put on to rebut a presumption

that foster care is in the child's best interest where domestic violence is the sole basis for the dependency petition. Domestic violence often presents itself in what scholars refer to as a "cycle of abuse" which consists of periods of time in the relationship that are positive, followed by negative and abusive interactions. Because of this, many survivors often have difficulty identifying themselves as being in an abusive relationship and may not be able to immediately remove themselves from the harmful situation. The appellate court in this case recognized this complicated nature of domestic violence and held that, although the biological parent was slow to take part in reunification services such as counseling and parenting classes, their commitment to these programs in the year before the hearing more than satisfied their burden. This means that an initial failure to end contact with an abuser may not serve as the basis for terminating reunification services. A deep understanding of the complexities of domestic violence relationships as understood by the appellate court in this case will serve to guide trial courts to better support victims of domestic violence in the future. Visit <https://lnkd.in/gv-Ud63> to support more Equal Justice America fellows like me in pursuing their public interest career goals!

Entry 3: July 17, 2020

Throughout my time at Family Violence Appellate Project I've been developing a training to spread awareness of behaviors of domestic violence survivors in family court. The training, titled "Confronting Domestic Violence Myths with Social Science Data" is aimed at teaching legal aid attorneys, pro bono attorneys and advocates about how social science can be used to address misconceptions, and in some cases bias, that survivors face in domestic violence cases. The training looks at common myths involving separation abuse, parental alienation, and LGBTQ+ relationships. It will provide information and references to address issues of credibility, parenting, presumptions about safety, and an overall understanding of what domestic violence can look like. My hope is that this training will spread awareness and information to combat many of the biases and misconceptions survivors of domestic violence face in the multiple court systems they are required to move through. Visit <https://lnkd.in/gv-Ud63> to support more Equal Justice America fellows like me in pursuing their public interest career goals!

Entry 4: July 23, 2020

As my last week at Family Violence Appellate Project comes to an end, I've been reflecting on all of the work I've been a part of during these short 3 months. Throughout my time at FVAP, we have pursued various family violence appellate court cases, succeeded in petitioning for publication of numerous cases, and provided legal trainings and information to organizations throughout the state. I am incredibly proud to have spent my summer with such amazing people who never cease working to make the domestic violence legal landscape serve and protect survivors and their families. FVAP has paved the way in appellate domestic violence law to create positive case law for women, children, and families throughout California who are experiencing intimate partner violence. I hope to return to FVAP one day and continue the great work I started this summer. Visit <https://lnkd.in/gv-Ud63> to support more Equal Justice America fellows like me in pursuing their public interest career goals!