



Making a Difference: LACBA's Domestic Violence Legal Services Project

by Sandy Banks

It's early Monday morning. The courtrooms on the second floor of the Stanley Mosk Courthouse are still dark, but the court's Restraining Order Center in room 245 is already busy. A line of desperate people is forming outside the Los Angeles County Bar Association (LACBA) Domestic Violence Legal Services Project a few doors down the hall. For the next six hours, volunteers in the project's office will listen to the stories of abuse survivors and walk them through the thick pile of paperwork that civil restraining orders for domestic violence require.

There's Diana, who showed up after a former boyfriend broke into her home in the middle of the night, blackened her eye, and choked her until she thought she was going to die. She was able to escape by poking him in the eye, then dousing him with the pepper spray she kept nearby.

James asked for help because he's afraid of his 29-year-old son, a meth addict who punched him in the face and beat him with a belt buckle after James told him to find a job or move out.

Cynthia came because her ex showed up in a drunken rage, terrifying her and their nine-year-old son. He said he'd make off with the boy and set her on fire if she didn't take his telephone calls. In the past he'd slashed her tires and threatened her with a gun.

Like a dozen other people that day, they arrived at the Domestic Violence Legal Services Project worried and fearful, but left relieved and empowered—thanks to a program that's made a big impact on more than 100,000 lives in its 35 years.

The Domestic Violence Legal Services Project—sponsored by LACBA's charitable arm, Counsel for Justice—relies on volunteer attorneys to help more than 4,000 people every year navigate the legal process that can protect them from elder or domestic abuse.

The process is straightforward: victims detail the abuse that occurred and the relief they desire. A judicial officer reviews the application and can issue a temporary protective order that same day. A few weeks later, a hearing can lead to an extension that lasts for up to five years.

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The application packet, however, can be a monumental hurdle for victims of abuse. It runs more than 30 pages, with questions on everything from whether the abuser owns a gun to the names of family pets that might need protecting. Their answers dictate not just whether a judge grants their request for protection but also what their lives will look like in the aftermath: What bills need paying? What happens to the kids?

For a lawyer, the paperwork is a cinch: “Like falling off a log,” said Scott Lord, a litigation attorney who has volunteered at the project since 2009. “One thing you learn from being in court is what judges want to know.”

Without guidance some victims botch the process and others give up. “These people are coming in at a really emotional time in their lives,” said Geoffrey Moss, a commercial litigation attorney who has volunteered for the Domestic Violence Legal Services Project for more than five years. “Having us there to walk them through it helps them achieve something that would be very difficult to do alone.”

Primary Role

Their primary role is helping the victims tell their stories. The volunteers listen to their accounts, ask questions, and craft declarations that tell judges exactly why and how they need protection. A lawyer’s mindset and training is a perfect fit for that. “The victim might want to give you the details of every fight they’ve had, all the bickering, everything they’ve been through,” said Mark Garscia. “A lawyer can hone in with a clear mind and recognize the facts that are important for the judge to know.”

A patent attorney and current president of LACBA’s Counsel for Justice, Garscia began volunteering six years ago. “It is gratifying to help people who’ve mustered the courage to change their lives,” he said. And the rewards of volunteering flow both ways. “These clients are so grateful that someone is willing to hold their hand through this process,” he said. “You walk out thinking about how tough some people have it and how fortunate you are.”

The Domestic Violence Legal Services Project began in borrowed space in a Fairfax-area legal clinic in 1982. It was launched by then-Barristers president Margaret M. Morrow to help victims of domestic violence find safe havens and get their lives back on track. “Back in the day, if you were being abused, it was just your secret that you carried around with you for the rest of your life,” she said. “Now people are more willing to come forward, but that reflects developments that happened over many, many years.”

Until the women’s movement gained steam in the 1970s, domestic violence had been considered a family matter. Stories were rarely shared, police were reluctant to make arrests, and the courts were seldom involved. Then, shelters for “battered women” began to crop up, and civil courts began giving victims options to protect themselves. But the legal process was unnerving and left many women adrift. “The shame was beginning to lift,” recalled Morrow, who would go on to serve as a fed-

eral judge and now heads the nonprofit law firm, Public Counsel. “But a lot of the victims had difficulty leaving because they didn’t have the resources to secure the immediate legal relief that would keep the abuser away.”

She recruited a few volunteers and worked with shelters and law enforcement officials to connect women to options. A few years later, the program outgrew its space and moved into the downtown Los Angeles courthouse, with one desk at the back of a busy courtroom for victims who needed help with paperwork. Later, one desk became three, and the program kept expanding.

By 1994, the project had hired an attorney, added a clinic in Pasadena, and enlisted paralegal Sara Rondon to manage the office, triage the clients, and recruit volunteers. “We had to hand-write the forms in triplicate, using carbon paper,” Rondon recalled. “We couldn’t afford computers.”

One week after she was hired, a crime occurred that would change the face of domestic violence and raise the profile of the project. On June 13, 1994, Nicole Brown Simpson was found stabbed to death outside her Brentwood condominium. Her former husband, football icon O.J. Simpson, was charged with murder, and details of her tortured life with him began to trickle out. Police reports, hospital records, and accounts from her personal journal detailed years of threats, beatings, and other abuse. Friends said she had expressed fears that she would wind up dead by her husband’s hand.

Wake-Up Call

“The explosion of media around that was like a wake-up call,” Rondon said. The Domestic Violence Legal Services Project was featured on national news reports. “We went from seeing a trickle of people to wall-to-wall. Women were saying, ‘If this could happen to her, it could certainly happen to me.’”

The attention produced a flurry of accolades and a sudden financial influx for the project. There were grants to hire a second attorney, a second paralegal, and a social worker. A fund-raiser generated enough money to outfit the office with computers. Dozens of new volunteers signed up to work with victims. By the



Left to right: Project Attorney Monica Bustos, Project Director Sara Rondon, Project Paralegal Mireya Perez.



Left to right: Volunteer attorneys Geoff Moss (Orrick, Herrington & Sutcliffe), Kendra Thomas (Thomas Law Offices), Carlos Dominguez (California Attorney General's Office).

time Simpson went on trial in 1995, the clinic was seeing almost three times as many clients as it had the year before.

For the next decade or so, funding kept pace with the growing need for services, Rondon recalled. Then came the 2008 recession when grants disappeared and private giving dried up. By 2014, the project's Pasadena office had closed, the flow of volunteers had slowed, and the staff had shrunk to two.

Today the Domestic Violence Legal Services Project has a staff of three—Rondon, paralegal Mireya Perez, and attorney Monica Bustos—and a roster of more than 100 volunteers. They work out of an office with four cubicles, a table, and eight plastic chairs for clients who are referred by social workers, police officers, domestic violence shelters, and the court's Restraining Order Center.

Last year, 162 volunteers—attorneys, law students, paralegals, interpreters, legal secretaries—donated more than 5,500 pro bono hours and served 4,254 clients.

"And yet," Rondon said, "there are some days we can't get to everyone who's waiting for help because we don't have enough volunteers. I need to be able to fill every cubicle every day. The need is so great, and the problem is not going away."

Their service has been hailed as a boon to the family law court, which handled more than 21,000 petitions for domestic violence restraining orders in the previous fiscal year.

"From the court's perspective, they provide an integral service," said Thomas Trent Lewis, supervising judge of the Los Angeles Superior Court Family Law Division. "If the written story is easy to understand and well written—and typically it is when it's

done by them—that helps provide efficient and meaningful access to justice. "We're always trying to balance efficiency and fairness. Generally, victims are better able to tell their stories when caring and compassionate volunteer lawyers help them develop the facts. That advances both goals."

It costs about \$250,000 a year to run the Domestic Violence Legal Services Project, which gets no government money because that would place limits on clients' income, and the project doesn't reject any victims of domestic violence or elder abuse. Much of its funding comes from money set aside from class-action settlements in California, funneled through LACBA's Counsel for Justice, which also supports legal services programs for veterans, immigrants, and people with HIV and AIDS. But with its resources vulnerable to broad social and economic forces, the project has begun to struggle financially. The once-reliable pool of settlement money is shrinking, and the project's shortfall will expand each year without an infusion of donations.

It's clear from the "wish list" on their website that the project is a bare-bones operation: They need books, crayons, and coloring books to occupy children while parents are meeting with lawyers; Starbucks gift cards for clients who wait all morning and have to come back in the afternoon because their turn hasn't come; pens, pads, and paper clips because the office supply budget doesn't stretch far enough. And boxes of tissues, because every day someone is likely to wind up crying.

Monica Bustos spent five years as a victims' advocate with the Los Angeles County District Attorney's Family Violence Unit before joining the Domestic Violence Legal Services Project in June. She understands how much courage it takes for a victim to walk through the door, and the swirl of emotions that make some want to turn and run. Domestic violence is rarely a single, random event, she explained. It is a cycle that both victim and abuser get acclimated to. "There's a violent outburst, then a cooling off period," she said. "The victim softens, there's a period of calm, then tensions rise again. It may start with cursing and swearing, then pulling and shoving, then kicking and screaming. It will progressively get worse each time."

Seven Attempts

It takes a victim, on average, seven attempts to leave a relationship for good. Some feel trapped because the abusive partner is the sole provider or father of their children. Some love their abuser, cling to memories of better days, and believe he or she will change. Some are so beaten down that they're held hostage by feelings of fear, guilt, and shame. Project volunteers learn to navigate the shifting emotional terrain.

"I've had folks who are very ambivalent about whether they actually want to go through with filing the order," said Ann Fromholz, an employment lawyer who has volunteered since 2012. "Others are dead set on being done. They're kicking the person out, moving on with their lives. You can't know what

LACBA's Domestic Violence Legal Services Project is in immediate need of volunteers to help victims of domestic violence at the Stanley Mosk Courthouse. Volunteers help clients prepare the complicated and lengthy legal documents that are required in order to file for Temporary Restraining Orders and other legal protection from their abusers. No prior experience is necessary and onsite training is provided.

Help continue this vital service to protect victims of domestic violence by donating the equivalent of one billable hour of your time at www.LACBA.org/donate. Every billable hour you contribute provides thousands of dollars in pro bono legal services.

brought them to that point of certainty. I wind up using a lot of my deposition-taking skills.”

Eighty percent of the clients are women, but that hasn't been a stumbling block for male volunteers. In fact, their presence can be particularly comforting, said Carlos Dominguez, a criminal appellate lawyer who has been volunteering with domestic violence programs since he was in law school at the University of Southern California. “I think it's especially important for these women to have a positive experience with a man who's there to help them out,” he said. “It takes a lot of courage for them to come and seek help. We're here for them at one of the hardest times in their lives. We're helping them get a new start.”

It has been a surprise to some that 20 percent of the project's clients are men. Many are victims of elder abuse, but others are seeking protection from male or female domestic partners.

“I thought it would be 100 percent women, but I've seen a lot of men over the years,” said Scott Lord, who volunteers once or twice a month. “They're embarrassed much of the time. They're willing to confide in me, but they're thinking, ‘I'm a man. I should be able to handle this.’ Coming in for something like this in an intimate relationship is a little tough for some guys, and we have to be sensitive to that.”

Elder Abuse

It is also tough on elderly parents seeking protection from adult children. Volunteers sometimes have to work hard to draw them out.

“You can see the sort of conflict they have,” said Rashida Adams, a research attorney for the California Court of Appeal who began volunteering last year. “They feel enough fear to come into the clinic for help. But there's still the instinct to protect their chil-

dren. That can take a lot of probing on our part. Their inclination is to say the bare minimum. It's difficult for them to confront some things, to acknowledge how bad the situations are.”

In some ways, that might be the volunteers' most important role: reconciling the truth with what victims have for years willed themselves to ignore, bearing witness to pain that's been unacknowledged and unresolved.

“I have often found that people will come into the clinic and can tell me their story and get through it just fine,” Adams said. “Then we read it back to them, going over the declaration to make sure everything is right, that it reflects what they said. And that's when the emotion sets in, when people break down and cry. Hearing it back and seeing it on paper has a real impact. It helps them realize how serious it is, how abusive their situation has been over a period of years.”

That can be eye-opening and empowering, but hard to absorb—for both the victims and the volunteers. “There are all sorts of terrible things that happen. That's the gig,” Lord acknowledged. “But the people who've been going on like this for so long that they can recite, with a flat voice and no emotion, details that would have most people recoiling in horror—that's hard to take for me.”

And yet, he said, the volunteer experience is inevitably both heartening and humbling. “You go into the office and you know you're going to wind up helping somebody. You'll do something that they couldn't do for themselves. That's a pretty good feeling. I leave the project every time thinking there are two or three people who got a hand today when they needed it. And that's all I can do. As big as my ego is as a lawyer, that's probably the best I can do.”



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