

2007 Summary Report



CAFC
CALIFORNIA ALLIANCE
FOR FAMILIES & CHILDREN

Dedicated to improving policies, education, training and services that reflects the best knowledge of families and children's needs, and the real-life circumstances of 21st century children.



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2007 Summary Introduction

The following is a recap of the activities, projects and accomplishments of the California Alliance for Families and Children for 2007. Led by Executive Director and Policy Consultant Michael Robinson CAFC had another very productive year for all California Families, Children and Parents.

The CAFC Executive Board would like to thank Michael for his enormous efforts in making CAFC a nationally recognized leader in the fight for a balanced family law policy. We also want to recognize and thank the supporters of CAFC who continue to contribute their time and financial resources, without their help our work would not be possible.

Our focus this year was in the areas of conflict reduction in divorce and child custody, domestic violence reforms, youth services and foster care systems, child support, paternity fraud, training conferences and assisting in lawsuits involving paternity fraud and domestic violence. Our work included seeking policy reforms by educating policy makers and other stakeholders. We provided updated research and data, testified at hearings and continued to form valuable relationships with family law, juvenile law, child support and domestic violence experts. This was in addition to helping assist countless individuals in need of services.

Given our limited staff and financial resources CAFC is constantly faced with the difficult decision in prioritizing workload whether it's a request for help by individuals and elected officials around the country, monitoring the huge legislative bill load in Sacramento or educating legislators and staff on policy issues.

Given these limitations we are proud to highlight some of our accomplishments for 2007. We hope you will share this report with your friends and colleagues and urge them all to join CAFC as active and contributing supporters. Everyone needs to understand what a small and under financed CAFC faces every day here in the halls of the state Capitol.

The reality is, based on available data, at least 11 organizations exist with paid professional staff, lawyers, lobbyists and media experts to work on defeating reforms to balance our family law system in California. The budgets of six of the groups we know totals over \$15 million. We can only guess what the real total figure is.

Other stakeholders understand those that make the rules usually win the game. We don't mind a tough fight but with a little more help and resources our successes will be even greater.

Together we have made a difference. With your help we can do even more.

Sincerely,
Paul Stroub
CAFC President

2007 Summary of Achievements

Individual Services

The good news is CAFC's reputation for assisting others and as a source of valuable information continues to grow. The bad news is, given our limited staff and resources, we do the best we can but clearly we cannot meet the need and all the requests made on us.

In 2007 for example, we received over 220 requests for assistance, resource information or help with individual family law cases from residents of California and around the nation. These calls included requests for help and information from several military service members serving in Iraq.

We are also pleased to note a significant increase in calls from elected State Legislators and other government agencies asking us for ideas on legislation and other reform ideas. They are now also referring affected stakeholders to us.

Education and Training

In 2007, CAFC held its first education and training conference focusing on family violence and policy reforms. The conference, "Domestic Violence: A Call for Reform" was held in Sacramento on February 2, 2007. It was co-sponsored by The Family Violence Treatment & Education Association (FAVTEA) and was a resounding success. Ninety-eight percent of attendees rated the conference positively.

Conference attendees said the presentations were a timely and refreshing alternative to what is typically offered at domestic violence trainings, and that the information we provided accurately reflected the attendees' actual experiences in the field of domestic violence. The conference target audience was largely government agencies, law enforcement and family law practitioners. Well over 100 people registered and attended the conference. Due to the success of the conference CAFC and FAVTEA started planning for a 2008 conference. CAFC also assisted in forming the National Family Violence Legislative Resource Center and now help to maintain its website. (See 2007 post conference report here) and also CAFC 2008 Conference here.

Policy Reforms

CAFC started 2007 faced with the enormous challenge of having to review more than 2800 bills introduced in the California legislature (1751 Assembly bills, 1052 Senate bills). From that process we identified 50 bills that needed, analyzing, tracking and following. We decided to focus our efforts on bills that were the most damaging and needed to be stopped along with and two bills that CAFC got introduced in Sacramento.

During 2007 CAFC was contacted by many state legislators (including representatives from Arizona, Florida, Ohio, Oklahoma, North Carolina and Texas) seeking to introduce legislation to help protect deployed military service personnel from being ambushed in family law courts on existing custody order. We are proud to note that every state previously list passed legislation except for Texas. CAFC spearheaded the first bill in the nation on this issue which passed in

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California in 2005. The issue and problem gained national attention and resulted in Congress passing an amendment to the Service Members Civil Relief Act (SCRA) that helped provide some protection for military parents in the rest of the country. [Read more here.](#)

The following is list of the bills impacted by CAFC's education and policy outreach program to either support or defeat.

Legislation CAFC Supported

AB 189: Dymally, Collaborative Law. DROPPED, REINTRODUCED IN 2008

AB 189 was a follow up bill from our successful efforts in 2006 to codify Collaborative Law into statute with AB 402: (Dymally; Family Law Court; Marriage). In 2006 some of the language that setup technical requirements regarding the practice of collaborative law for consumer protection was lost. AB 402 did however make a provision to establish a workgroup of which CAFC was a part and as a result AB 189 was introduced. While AB 189 enjoyed significant support from family law practitioners and even judges, some stakeholders from the domestic violence community and gender groups kept the bill from moving.

The author, CAFC and supporters made the decision to turn the bill into a 2 years bill to overcome some of the opposition's arguments. As a result a committee bill was introduced at the beginning of 2008 legislative session (AB 3053) and is successfully moving through the legislative process with the help of CAFC and other supporters.

AB 312: Dymally, Dependent children: reunification services. FAILED PASSAGE

AB 312 made several major amendments to existing law with the goal to allow more time to rehabilitate neglectful and or abusive parents before children could be permanently taken from the parents. The bill also required greater due diligence on locating a child's other parent, usually the father, so that the child could be placed with that parent if fitness was not an issue. Due to opposition from State Bar attorneys the author decided not to move the bill. Efforts are still ongoing to reform this policy.

Legislation CAFC Opposed

AB 95: Beall, Domestic violence: probation: treatment programs. DEFEATED

This bill proposed a series of changes regarding the granting of probation for domestic violence offenses intended to improve offender compliance and accountability. In particular, this bill required that if a court granted probation for a person convicted of domestic violence, the court must, until the defendant had completed the required treatment program, formal probation, rather than summary probation, regardless of whether the offense is a felony or a misdemeanor.

CAFC firmly believes the treatment policy needs to be reformed but AB 95 was just one more example of a draconian policy driven by special interest gender groups that would be counterproductive. In response to AB 95, John Hamel one of CAFC's advisory members formed a task force

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made up of experts from different fields to develop recommendations for more effective treatment strategies. CAFC will try to get the task force draft language introduced in the 2009 legislative session. [Read more here.](#) [See draft language here.](#)

AB 164: Smyth, Child custody: child's records. DEFEATED

Originally this bill clarified the family code (Sec. 3025) to require the court specify when a non-custodial parent can have access to a child's health and school records. CAFC played the major role in this bill's defeat by pointing out to the author that it would seriously hurt deployed military parents. CAFC also worked closely with the Family Law Executive Committee (FLEXCOM) who was also opposed the bill. At the request of CAFC the author decided not to move the bill off the Assembly floor.

AB 268: Charles Calderon, Hearsay evidence: unavailable declarant. DEFEATED

This bill was driven by domestic violence women's groups in an attempt to do an end run around the historic US Supreme Court case, Crawford vs. Washington. It would have protected a false accuser in domestic violence cases from being cross examined by the defendant. The bill made it all the way through the Assembly and was killed in June 2007, before it was heard in the Senate Judiciary Committee.

AB 375: Garcia, Domestic violence: probation. DEFEATED

AB 375 provided that if a probationer violated the attendance policy of the batterer's program or counseling program, the judge may withhold issuance or renewal of, or suspend, a driver's license or professional license. AB 375 was voted down in the Assembly Public Safety committee.

CAFC and some of our advisory domestic violence experts, agreed with the California Attorneys for Criminal Justice who wrote, "There is simply no nexus between the privilege to drive or have a professional license, and nonattendance of a domestic violence program... the probable and foreseeable effect of these proposed sanctions would be to complicate and worsen problems of attendance by depriving the person of their means of transportation, and affecting their ability to make a livelihood. Ironically, such extreme punishments may well harm victims within families by threatening a person's livelihood interests who is usually the chief family wage earner."

AB 502: Charles Calderon, Domestic violence. VETOED

This bill required the City of Los Angeles to establish a two-year pilot program by contracting to provide aid to certain victims of domestic violence who are undocumented immigrants. CAFC opposed this bill solely because it provided funding for domestic violence services to undocumented immigrants while current policies continue to discriminate against male victims and their children. AB 502 was vetoed by the Governor. In his veto message the Governor said "A program designed to assist domestic violence victims should be available to all victims of domestic violence, not limited to those who are undocumented individuals."

In 2006, CAFC along with many highly respected international domestic violence experts waged a major campaign to defeat another discriminator domestic violence bill, AB 2051: Cohn. This

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campaign educated policy makers and the governor's staff about the evidence based realities regarding domestic violence. Read more [here](#). It is obvious that our efforts have made an impression on the Governor and staff by the veto of AB 502.

AB 589 : Levine, Pupils: teen dating violence and sexual violence. DEFEATED

This bill was spearheaded by the special interest domestic violence women's groups. It created a training program in schools to teach about teen dating violence. While CAFC supports such education programs we opposed the bill because it put those currently in control of training in charge of this program. These groups continue to ignore the evidence based data that clearly show that teen dating violence is committed by both males and females at equal rates. AB 589 died in the Assembly Appropriations Committee in May 2007. Training on domestic violence should reflect the evidence and facts, not ideology and myths. See: Moretti, M., Odgers, C., & Obsuth, I. (2006). Exposure to maternal versus paternal partner violence, PTSD and aggression in adolescent girls and boys. ([Click here for article](#)) and Straus, M., & Medeiros, R. (2006) Gender differences in risk factors for physical violence between dating partners by university students.

AB 612: Ruskin, Child Custody Evaluations. DEFEATED

This bill was a stalking horse for the California Protective Parents Association. Their intent was to make it much harder to protect children from alienation by one parent against the other. We are happy to report that AB 612 did not pass in the 2007 legislative session, but we expected this battle to be replayed again the next year in California, and maybe nation wide as well. Indeed, in 2008, a new bill regarding custody evaluators (AB 2587) was introduced to continue last year's attempt to eliminate the use of parental alienation. AB 2587 is currently stalled and not set for a committee hearing. Read the full story of the battle over parental alienation so you can understand all its implications.