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FOR IMMEDIATE RELEASE

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CA NOW CHARGES ATTORNEY GENERAL WITH FAILING TO PROTECT ABUSED WOMEN IN FAMILY COURTS

The California National Organization for Women (CA NOW) is accusing the Attorney General Bill Lockyer of not caring enough about abused women and their children in family courts. CA NOW asked the Attorney General to step down from defending a lawsuit that addresses a practice of family court that results in the denial of due process—disproportionately of mothers—and has ultimately caused perfectly fit parents to lose their parental rights. CA NOW said that if Lockyer couldn't do that, he could call for a consent decree that would prohibit the rule of court used by judges to have all evidence in a case presented in only written declarations. Lockyer refused to do either.

On October 6, 2003, 10AM, in Dept. 12 of the U.S. District Court in S.F., Attorney General Bill Lockyer's office will argue that the suit should be dismissed. The suit is filed on behalf of a Contra Costa woman. This practice has caused other women to lose custody of their children to abusive men. The suit contends that disallowing oral testimony diminishes the evidence of abuse in the case by limiting the manner in which it is presented for consideration by the judge, thereby depriving parents of custody of their children without a fair hearing.

CA NOW has filed an Amicus, or friend of the court, brief in the case, arguing that the procedure unfairly discriminates against women. CA NOW published a report in 2002 that condemns the California family courts for their inability to protect women and children from domestic violence and child abuse. This practice by the Contra Costa County Superior Court is only one of many ways women are disadvantaged by the court system.

"In Contra Costa County, a woman who seeks to protect her children from abuse and domestic violence has little chance of having a full and fair hearing based on this policy and practice," said Helen Grieco, CA NOW Executive Director, and co-author of the *CA NOW Family Court Report 2002* (available online www.canow.org/fam.html).

In the case that the Attorney General is supporting, the now six-year-old daughter of a previously convicted sex offender has reported that he has molested her. The father seeks unsupervised visitation. The rule of court challenged prohibits live testimony by witnesses offered by the mother to give evidence of abuse, and ultimately, to protect her child. The result is an infringement on the mother's due process rights and her fundamental right as a fit parent to raise and protect her child's interests.

The mother's lawyer, Seth Goldstein, whose offices in Pacific Grove and Napa, California, concentrate on protecting women and children in these kinds of matters, says that this matter is not unusual. "Too often, women, trying to protect their children, are precluded from having a full and fair hearing when this policy is forced upon them by the courts."

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