Dear Friends,

Formed in 1999, the Domestic Violence Clinic provides civil legal services to low-income victims of domestic abuse, stalking, and sexual assault, while preparing University of Oregon law students for work in the law.

The Domestic Violence Clinic works closely with local advocacy organizations, such as Womenspace, Sexual Assault Support Services (SASS), Lane County Legal Aid and Advocacy Center, and the Lane County Victim Services Program, to ensure a coordinated response to service provision.

A New Space for the DV Clinic

The waiting room at the new and improved space for the Domestic Violence Clinic may look like an ordinary waiting room, but to clients it represents access to the legal help they would not otherwise receive. To the students and the supervising attorney that work at the Clinic, it represents an inviting space appropriate for a real law office.

After the DV Clinic was housed for over a decade off-campus, above a fish and chips shop on 11th Ave, the University brought the DV Clinic into university space. The Clinic itself financed some critical structural changes to the space, including adding a wall that ensures privacy and confidentiality for clients, and began occupying its new home.
in 2012.

The space consists of a waiting room, an area for student-client meetings, an office for the supervising attorney, Mike Quillin, and a conference room for class sessions. The waiting room doubles as a play area for clients' children so that they do not have to hear the details that brought the parent into the Clinic.

According to faculty supervisor Mike Quillin, security was a prime objective in making the new space work for the Clinic. The Clinic is behind a locked door. There are no markings that identify the space as a law office or as a place that domestic violence, stalking, and sexual assault victims get help. The new space is accessible to clients only by appointment. The space contains other safety features, such as a "panic button" that rings directly to the UO Police Department. These security measures bring students and clients a sense of peace and safety while working through complex and emotionally charged legal issues.

The environment is a professional, comfortable, and safe law office where eight students per term work on family law matters and restraining orders for clients that have experienced domestic violence, stalking and/or sexual assault. Clients come to the Clinic mainly through referrals. A number of community partners refer clients regularly to the Clinic.

**Spring Events**

Spring in Eugene typically brings with it rain, lots of rain. This year, the Domestic Violence Clinic will host some interesting indoor events that should divert our attention away from the rain. On April 18, the Domestic Violence Clinic will sponsor a conference entitled, "Learning from Each Other: Various Systems' Responses to Battered Mothers," at the UO Law School. Three different panels of speakers will discuss various systems’ responses to battered mothers. Panels will focus on the criminal justice, family law, and child welfare systems. More information about the conference, including how to register, will be available soon on the Domestic Violence Clinic website.

In addition, the Domestic Violence Clinic will sponsor two other events this spring. On February 27, at the UO Law
School, Paula Lucas will speak about "When DV Happens Abroad." Ms. Lucas is the executive director of the American Overseas Domestic Violence Crisis Center and author of *Harvesting Stones*. She will share her personal experience of fleeing an abusive relationship while living in a foreign country as well as her life’s work of helping women in similar situations. The event will begin at 12:30 p.m. in room 141.

Finally, at 6:00 p.m. on the evening of March 4, attorney Joshua Safran, subject of the award-winning documentary *Crime After Crime: The Battle to Free Debbie Peagler*, will speak to students, staff, faculty, and the community at the UO Law School. The event, entitled "A Conversation With Attorney and Author Joshua Safran," will involve the screening of *Crime After Crime* and a conversation with Mr. Safran. Debbie Peagler's story and her lawyers' efforts on her behalf show the importance of pro bono work and lawyers' commitment to social justice. This event will be co-sponsored with the Women's Law Forum, the Child and Family Law Association, and the Oregon Students' Association.

A Meaningful Experience in Klamath Falls

Stephanie Hyatt, a 3L at the UO Law School, was selected to participate in the Klamath Falls Summer 2013 Externship. The Externship allows students to experience a poverty law practice in a rural area.

Stephanie describes her experiences as "amazing," not just because of the many things she learned, but also because the experience helped her to build self-confidence and establish invaluable relationships with local judges and attorneys.

Stephanie's mornings were spent in the Klamath Crisis Center assisting survivors of domestic violence fill out and file restraining orders. She realized there are no "typical victims" given the survivors' diverse experiences, personalities, and
reactions to their experiences. Stephanie spent the rest of her day in the Klamath Falls Legal Aid office. There she worked on a variety of tasks, including research, interviewing clients, preparing for contested restraining order hearings, and drafting memos and other trial documents. During the course of the summer, Stephanie participated in all aspects of the litigation process. Her activities spanned everything from assisting the client with a restraining order petition, to interviewing and preparing the client for the hearing, to appearing with the client at the hearing.

Stephanie reports that she received excellent supervision during her externship. Drew Hartnett, Stephanie’s supervising attorney, took the time each week to discuss with her both client issues and general legal issues relating to restraining orders and domestic violence. She felt everyone at the Klamath Falls Legal Aid office and the Klamath Falls Crisis Center had a genuine desire to make her experience a positive one. According to Stephanie, they succeeded!

UO Hosts Bosnian Judges Reception

In early October, the Honorable Ann Aiken, Chief Judge for the U.S. District Court in Oregon, worked with the Association of Women Judges in Bosnia and Herzegovina and the Democratic Control of Armed Forces [DCAF], to host Bosnian judges and consultants for the Gender and Justice Project in Bosnia and Herzegovina [BiH]. The visit was meant to help inform and create change in BiH's domestic violence response and policies. The delegation visited many places of interest, including the Oregon courts, the District Attorney's Office,
Victims' Services, and the Relief Nursery. Members of the delegation also had an opportunity to talk to students and faculty involved with the UO's Domestic Violence Clinic at a reception held at the law school.

On the evening of October 7th, the University of Oregon School of Law hosted a reception for the visitors in the Lewis Lounge. Professor Carrie Leonetti welcomed the group in Bosnian, with an English translation for the rest in attendance. (Professor Leonetti spent the 2011-12 year at the University of Sarajevo on a Fulbright Fellowship, and there interviewed judges about the post-2003 criminal code changes. ) Lawyers, students, judges, and other guests then mingled and exchanged ideas and information about Oregon and Bosnian legal cultures.

Both Rada Bijelac and Amela Mahić Samardžić, judges for the Municipal Court in Sarajevo, mentioned that 85-90% of the judges on the municipal courts are women. Despite this high number of women judges, however, they report that many judges do not take domestic violence seriously. The Association of Women Judges and its reform efforts are helping change that fact, by connecting the "gender aspect and judiciary." Adisa Zahiragic, judge for the Municipal Court in Sarajevo and President of the Association of Women Judges in Bosnia and Herzegovina, said that the observations and interactions during the Oregon visit made "it possible to learn from [American] society."

You Can Help

The Domestic Violence Clinic depends on generous contributions from people like you. Please consider making a tax deductible donation either online or via mail. Recent gifts helped finance the important structural changes to the new clinic space so that we could serve clients.

Online:
Make your donation online at the University of Oregon Foundation website. Under "Gift Frequency," please enter "Domestic Violence Clinic" in the box labeled "Additional gift instructions."

Via Mail:
Make checks payable to "UO Foundation" and write "Domestic Violence Clinic" on the memo line.
Oregon Legislation Update

During the 77th Oregon Legislative Assembly, legislators passed several new laws of particular importance to victims of domestic violence, sexual assault and stalking. The new laws include HB 2903 and HB 2779, both of which passed by a landslide.

HB 2903 makes more victims of domestic violence, sexual assault and stalking eligible for certain workplace protections. Part-time employees and even brand new employees are now covered by various legal protections.

For example, employers are prohibited from engaging in workplace discrimination based on the employee's status as a victim. Employers are also prohibited from refusing a "reasonable safety accommodation" in the workplace unless the employer can show the request would cause an "undue hardship on the operation of the business of the employer...."ORS 659A.290(2)(c). A "reasonable safety accommodation" may include, for instance, a transfer, reassignment, a modified schedule, or unpaid leave from employment. While the law does not require time off to be paid, employees with accrued paid leave are allowed to use it to cover their time off of work. An employer may request certification of the employee's legal status as a victim in order to confirm eligibility, prior to the making the accommodations.

The bill also ensures that employees know about these legal protections. Starting in January, employers must post information about the legal protections in "a conspicuous and accessible place" where it will be seen by employees.

HB 2779 creates a new kind of restraining order for sexual assault victims. Courts can issue restraining orders when a person has been sexually abused by someone who is not a family or household member so long as the victim reasonably
fears for her safety. The restraining order is effective for a one-year period, but can be renewed by the court.

Clinic Alumna Continues to Help Survivors

Carrie Rasmussen, class of 2000, was in the Clinic's first graduating class. Today Carrie is the Deputy District Attorney and Child Abuse Response Coordinator in Hood River County. She prosecutes perpetrators of child abuse and domestic violence.

Carrie reports that her Clinic experience was instrumental in her decision to focus on crimes against vulnerable people and family members suffering abuse, a specialization that she has maintained throughout her career. She also reports that the Clinic helped light a fire in her advocacy. In the Clinic, Carrie learned about the emotional investment domestic violence cases require. Advocates are exposed to the real suffering and problems that domestic abuse victims experience. Representing these clients firsthand strengthened her resolve to be more than a legally proficient attorney; she realized she had to bring a passion to her advocacy. For Carrie, this had been an enduring passion.

In 2009, Carrie helped establish Oregon's 20th child advocacy center, the Columbia Gorge Children's Advocacy Center. The center has already served more than 200 children and provides a place where law enforcement can compassionately interview children who have witnessed DV or experienced child abuse.

Carrie was recently a speaker at a benefit for the local domestic violence shelter, Helping Hands Against Violence. One of the themes of her presentation was that safety for victims depends upon community collaboration. Any one entity is limited in its ability to address completely the needs of domestic violence victims and families impacted by violence.

We applaud Carrie for her public service and wish her continued success helping those in need.
Professor Weiner Continues her Work on the Intersection of Domestic Violence and Child Abduction

Merle Weiner, Philip H. Knight Professor of Law at the University of Oregon, is the faculty director of the Domestic Violence Clinic. Professor Weiner has been involved in a number of projects this last year that involve the intersection of child abduction and domestic violence.

Professor Weiner was an advisor to an amicus brief filed by the Domestic Violence Legal Empowerment and Appeals Project (DV LEAP) in Lozano v. Alvarez, a case that was heard by the U.S. Supreme Court in December 2013. The issue on appeal was whether concealment of a child triggers equitable tolling for purposes of the "well-settled" defense in a Hague Abduction proceeding. Professor Weiner had written about this particular issue in her 2010 article, Uprooting Children in the Name of Equity, and her article was cited by the Second Circuit in Lozano. The article primarily focused on how equitable tolling should not be allowed at all as it is inconsistent with the Convention and our treaty partners' interpretation of it. Since the petitioner and Solicitor General invoked many of the article's arguments, Professor Weiner suggested that DV LEAP take another approach in its brief. As a result, DV LEAP's brief focused on the fact that not all concealment is similar, and that concealment by a domestic violence victim or protective parent for purposes of safety should not be subject to equitable tolling.

Professor Weiner has also been working with members of Congress to amend the International Child Abduction Remedies Act (ICARA) in order to better recognize the difference between child abduction and a flight to safety. She chaired a well-attended Congressional briefing in the summer of 2013 on the topic.

The proposed legislation will be introduced by Representative Ros-Lehtinen in 2014. The bill has been endorsed by the National Task Force to End Sexual and Domestic Violence Against Women, an incredibly large and effective group of organizations and individuals committed to securing an end to
violence against women.

Professor Weiner has also been training others about these issues. For example, she and Jan Russell, Director of the Violence Against Women Policy Project (a project of the Cook County Sheriff's Office), presented a one-day training about the complexities of child custody, domestic violence, and domestic and international child abduction. The training was sponsored by the Battered Women's Network and the Legal Assistance Foundation of Metropolitan Chicago. The event was hosted by the Holland and Knight law firm in Chicago, Illinois on November 15, 2013.

The Chicago training approached the topic of child abduction from two angles: when the abductor is the batterer and when the abductor is the victim. Jan Russell first detailed the daunting legal maze involved in preventing child abductions from occurring and the legal responses to it when it does occur. Professor Weiner then discussed how lawyers and advocates can help a domestic violence victim when she is the abductor. The speakers brought a multidisciplinary approach to the topic and provided information on legal issues such as the importance of legal paternity to claims of abduction, aiding and abetting liability, and affirmative defenses to criminal and civil child abduction remedies.

On a related note, Professor Weiner was recently appointed by Daniel Rodriguez, President of the American Association of Law Schools (AALS) and Dean of Northwestern University School of Law, to serve as the AALS representative to the U.S. Department of State's Advisory Committee on Private International Law (ACPIL). The ACPIL advises the U.S. State Department in the area of private international law, including on issues related to U.S. participation in the Hague Conference on Private International Law (HCCH) as well as other international organizations.

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