

2008 Mid-Year Report



CAFC
CALIFORNIA ALLIANCE
FOR FAMILIES & CHILDREN

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



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LETTER FROM THE BOARD

The California Alliance for Families and Children (“CAFC”) is proud to present a recap of the most effective and productive six months in our history. We hope you will take time to read this report and take great pride in your support of the accomplishments of CAFC and its growing recognition as one of the few truly effective organizations nationally on the issues of family law equality.

This report contains Great News, Good News and Bad News.

Great News

The Great News is the election victory of former Assemblyman Roderick Wright to the California Senate. Rod has been a strong voice for equal family law rights and will help organize other members to our view during hopefully his eight year stay in the Senate.

Good News

CAFC took leadership on several national action campaigns that proved very successful. We were involved in several community events building alliances in the Sacramento region. CAFC worked with elected officials from Mississippi and Congress on key legislation as well as the California Legislature. Details provided in the report.

To our knowledge we also organized the very first conference on domestic violence with the world’s foremost experts making presentations. This conference resulted in CAFC providing follow-up training of family law mediators and judges around the state – another first. We expect to get more training requests especially when tapes of the conference are completed and distributed.

Bad News

The Bad news is we continue to have problems obtaining a solid base of financial support to fund a stable and adequate staff to continue our critical work. Despite the support of a core of financial contributors, other promises of fundraising events, contributions and support have not materialized. We continue to struggle month to month trying to survive and still be the advocate so badly needed by parents and children in California.

Our funding shortage also means we have not been able to pay for the production of tapes from the conference of the top experts in the field. We planned to distribute these tapes around the country to family law judges, mediators and advocates. More significantly our Executive Director of the past four years, Michael Robinson, has informed the Board that unless we can develop

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a stable and reasonably funded budget he cannot continue to try to raise his two daughters on an uncertain salary at poverty level income. We cannot blame Michael and can only thank him for his incredible sacrifice over the years. He will begin looking for other employment after the legislative session ends.

In light of these events CAFC will reduce its activities in other areas and make one last effort during the next few months to secure an adequate and reliable funding base for our budget. If we are not successful and Michael leaves, we will suspend our activities effective January 1, 2009.

We do want to recognize and thank the loyal supporters of CAFC who continue to contribute their time and financial resources - without their help our work would not be possible. You can be proud of CAFC's work and hopefully understand the enormous potential for progress we face with the election of Rod Wright, the national credibility CAFC has achieved and the enormous impact our training of judges and family law mediators could have on future family law cases.

To provide a little perspective on what we face in Sacramento, there are at least 11 organizations that exist with paid professional staff, lawyers, lobbyists and media experts who work on defeating reforms to 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.

CAFC has proven we don't need \$15 million dollars to be an effective voice for parents and their children but at the same time we cannot expect our work to continue, and it will not happen, without stable reasonable support.

At the end of the day it is up to you, each individual, to spread the word and make the time and sacrifice our staff and volunteers make daily to create an organization that can make real and lasting change in our laws.

Edmund Burke once wrote, "The only thing necessary for the triumph of evil is for good men to do nothing." Together we have made a difference. With your help we can do even more.

Sincerely,
Paul Stroub
CAFC President

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GREAT NEWS ON THE ELECTION FRONT A GREAT ADVOCATE FOR TRUE EQUALITY RETURNS TO THE STATE LEGISLATURE

Former Assemblyman Roderick Wright won his primary fight in June, 2008, for the 25th Senatorial District. Unfortunately terms limits in this case pitted another friend of ours, Assemblyman Mervyn Dymally against Rod in the primary. Rod is expected to win the general election in November for a four year term to the Senate.

As most of our readers know Rod was and is the biggest, and sometimes only, outspoken advocate for equality in family law legislation in the California Legislature. His election, possibly for eight years means CAFC will have a courageous fighter in Sacramento leading the fight for true equality.

This is truly a significant and exciting turn of events. California is often a bell weather state on public policy. Should we be successful in Sacramento our victories can spread across the country. Rod has already expressed an interest to continue his legislative efforts in this area and said he hopes CAFC will grow and continue to help him as he leads the good fight.

INDIVIDUAL SERVICES & ACTION CAMPAIGNS

The good news is CAFC's reputation continues to grow as an invaluable resource for assistance and information. The bad news is, given our limited staff and resources, we have to prioritize and limit what we can do, clearly there is a significant unmet need.

The first half of 2008 again saw us receive hundreds of calls and email requests for assistance, resource information or help with individual family law cases from residents of California and around the nation. These included requests for help and information from several military service members serving in Iraq and one from South America. We help who we can.

CAFC Engaged in Several Action Campaigns.

CAFC Leads National Protest to Free a Father

Sometimes injustice is so unfair and outrageous somebody has to speak up for the little guy. When CAFC heard of an Ohio judge's order to jail a father for 180 days because his daughter did not get her General Equivalency Diploma (GED) we all felt somebody had to stand up against this injustice. CAFC had to do something as one of the only viable family law equity groups in the country.

We immediately launched a mass media fax campaign to all the major media outlets calling attention to this case and calling for a national protest by both men and woman. Our press release quoted Michael Robinson, Executive Director of CAFC, saying, "This is one of the most outrageous court rulings we have seen in a long time - and that's saying something. Under the judge's logic, more than a million men and woman alike -- who are parents of high school dropouts -- should all be put in jail. This judge is out of control, and should be immediately removed from this case." Glenn Sacks also joined the campaign and sent out an alert to his readers.

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The result was immediate and overwhelming. Major TV and radio stations picked up on the story. The Ohio Governor's office reported receiving over 700 calls and emails. We don't know the number that hit the judge's chambers. More than 300 articles were written on the case. As a result the judge reversed his decision a few days later and released the father, Brian Gegner from jail. The family thanked CAFC and all its supporters for their help in correcting this gross injustice. We are still following the case and will keep you informed. [Read the full story here](#) and [here](#).

CAFC Joins the Fight Against "Bad Dad" Reality Show

CAFC actively joined in the national protest to oppose the "Bad Dad" reality show, a pilot considered by the Fox Television network. The new reality show entitled "[Bad Dads](#)" had Jim Durham, Director of the National Child Support Center, function as a sort of 'Dog the Bounty Hunter' for tracking deadbeats...." The show intended to target fathers who are behind on their child support by making their lives miserable -- foreclosing on their house, repossessing their car etc." While CAFC wholeheartedly agrees there are some "bad Dads" who have the financial means and legal obligation to support their children, these men, however, are a small minority compared to most fathers, who struggle to meet their obligations, often while supporting a second family. [Read the full story here](#).

CAFC launched a two part campaign. The first part was an alert sent to all its members and supporters urging them to contact Fox and register their opposition to the program. The second part was a quite series of written and verbal communications with a senior official of Fox who was a friend of a CAFC leader. We believe our explanation of the problems and political ramifications of the program helped contribute to a lessening of the interest Fox now has in the pilot. A final decision has not been made by the network.

EDUCATION and TRAINING

Historic Domestic Violence Conference

CAFC organized a truly historic conference on domestic violence held in Sacramento on February 15 and 16, 2008. CAFC was proud to sponsor the conference, which was co-sponsored by the Family Violence Treatment and Education Association ([FAVTEA](#)). CAFC brought together, for the first time ever, 27 world renowned experts from the U.S., Great Britain and Canada including many speakers from the National Family Violence Legislative Resource Center ([NFVLRC](#)).

The conference quickly became known around the world because all of the internationally respected experts in the domestic violence field were brought together in one conference setting. Conference experts and attendees came from all over the U.S., Canada, Europe and Asia. Representatives from state, local and U.S. government agencies attended including officials and staff from the California Department of Health and Human Services. Also attending were treatment providers and family law practitioners including all family law mediators from Sacramento County. Several states also sent representatives from their courts, including judges.

Radio Station KFBK-AM 1530, in Sacramento interviewed Erin Pizzey, the founder of the shelter movement and one of the conference presenters. [You can listen to the interview](#), which is also

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located in our [News](#) section. [Read about this year's conference here.](#)

The true impact of this conference is its after effect. Most typical conferences produce little if any meaningful change. This one was different. We are now getting requests for follow-up training. John Hamel, CAFC Board Member, in March, conducted empirical based domestic violence training for mediators and treatment providers in Orange County. In April, he did the same for mediators and judges for the San Francisco Courts. Plans are in the works for similar training in Mendocino and Sacramento counties.

We know of no other family law equity organization that has achieved this kind of access and opportunity to inform family law decision makers of the true facts of domestic violence.

Documentary Film on Father Absence

CAFC also sponsored a screening for a documentary, "Daddy Hunger", on the issue of father absence and its negative consequences on society. On April 18, 2008, Ray Upchurch, the film's producer, held a special screening of his powerful film in Sacramento. CAFC was extremely honored when Ray asked us to [sponsor](#) the screening. CAFC's Michael Robinson made some opening remarks prior to the screening. We are extremely honored that Ray made this request to us considering all of the other organizations in Sacramento and the state. [Read the full story here.](#)

Community Involvement

We forgot to include in our [2007 End of the Year Summary](#) that last year CAFC teamed up with the local Hard Rock Cafe, the NAACP, and other state and community leaders to hold an event to raise awareness of the greater Sacramento area's need to improve outreach for at risk youth. The event was attended by over 100 people. [See photos and summary here.](#)

POLICY REFORMS

CAFC started the 2007/08 legislative session faced with the enormous challenge of having to review more than 4865 bills introduced in the California legislature (3048 Assembly bills, 1781 Senate bills). From that process we identified 59 bills for 2008 that needed analyzing, tracking and following. Some of the 2007 bills were carried over to 2008, others were introduced in 2008. 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 legislators to introduce this year. A complete list of the bills we tracked for 2008 can be seen on our [Issues page here](#). Below we provide a current status report on the key bills CAFC either supported or opposed.

Helping Other States

CAFC's national reputation as an active, effective advocacy group continues to grow. This year CAFC was contacted by a state legislator from Mississippi looking to introduce legislation to protect deployed military service personnel from being ambushed in family law courts on existing custody order. We are proud to note that with our advice and assistance Mississippi passed their legislation this year (SB 2753).

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Helping Congress

At the federal level we continue to work with friendly officials to clarify and expand protections for military service personnel in family law courts. CAFC spearheaded the first bill in the nation on this issue which passed in California in 2005. This issue 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.](#)

We are pleased to announce the Rep. Mike Turner (Ohio) has introduced a stand alone bill (HR 6048) with language that was lost last year in conference committee. HR 6048 has passed out of the House and Senator Gregg (NH) has a companion bill with the same language in the Senate. HR 6048 has 58 co-authors including two Democrats.

Media Coverage

While we do not spend precious staff time and energy in getting media coverage for ourselves we want our supporters to know that CAFC's Michael Robinson was interviewed by a writer for Parenting Magazine several months back and a feature story on CAFC will be in their fall 2008 issue. A writer for the New York Post is also writing a story on the military issue which will reference our leadership on the issue.

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

The following is list of the bills impacted by CAFC's education and policy outreach program.

LEGISLATION CAFC SUPPORTED

COAP - Compromise Of Arrears Program. SUNSET EXTENDED

This program is a wonderful example of the value of CAFC's continued presence educating the State Legislature and state bureaucracy. Our presence and persistence has led to the quite, yet significant, impact CAFC has had on the lives of thousands of men and children in California.

The Compromise Of Arrears Program (COAP) is a program advocated and spearheaded by CAFC commencing in 2000. It allows non-custodial parents to compromise child support arrears in exchange for partial repayment and in some cases current child support to the family. CAFC worked hard for the introduction and passage of this program in AB 2082 (Wright) and again in AB 1995 (Aroner). Ultimately, AB 1995 passed out of the legislature but was vetoed by then Governor Davis. For the next several years, CAFC continued its efforts and was finally successful in getting the compromise program signed into law in 2003 (AB 1752).

From its inception to 2007 the program has received more than 10,540 applications. Of those 3,584 applicants qualified. The total debt for the settled cases was more than \$89 million and the Department of Social Services (DCSS) settled those cases on an average of 11 cents on the dollar collecting over \$12 million. This translated into approximately \$77 million of relief to non-custodial parents. On March 10, 2008, DCSS released its 2008 report on the Compromise

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Of Arrears Program (COAP). The report states that since its implementation in 2004, COAP has “demonstrated effectiveness in reducing arrears.” The report further lauds the program as “a valuable tool for collecting arrears that were once deemed uncollectible and reducing California’s growing child support arrears balance.” [Read more here.](#)

This year DCSS formed a workgroup composed of state department officials and Local Child Support Agency (LCSA) representatives to improve the effectiveness and outreach of COAP. The workgroup consists of fourteen people including a representative for the courts. We are pleased to announce the CAFC’s Executive Director Michael Robinson was invited as the only parent advocate to be a member of the work group. The workgroup has been meeting every two weeks since May 8, 2008 and we are certainly pleased with the results so far.

The immediate problem is the program was set to expire on July 1, 2008. There is general agreement in the Legislature and the Administration to expand the program and make it permanent. The working group is developing a series of recommendations to make the program more helpful and quicker to administer. In fact CAFC has taken the lead to redesign a new COAP Income & Expense worksheet and application. We hope to have all of the details worked out by September or have the new provisions included in a budget bill once there is agreement.

The relationships and credibility CAFC has built over the years proved invaluable in getting this program re-instated and improved. Some victories come quietly when working with a government bureaucracy but its impact is just as significant. The bottom line is CAFC’s involvement has helped make this program a real benefit in the lives and relationships of men and their children.

AB 3053 - Committee on Judiciary, Domestic relations. PASSED both houses.

This bill amends Section 2013 of the Family Code (Collaborative Family Law Act) which allows the parties, by written agreement, to use a collaborative law process rather than an adversarial judicial proceeding to resolve disputes. AB 3053 bill would direct the court to refrain from requiring court appearances inconsistent with the parties’ agreement absent good cause. The bill has passed both houses of the Legislature and is waiting to be sent to the Governor.

AB 3053 is part of our ongoing efforts to reduce conflict between separating couples which started with [AB 402: 2006 \(Dymally; Family Law Court; Marriage\)](#) and last years [AB 189: Dymally, Collaborative Law.](#)

SB 1255 - Harman, Child Custody. GUTTED & AMENDED

This bill was originally introduced as a child support reform bill introduced 2/15/08 by Senator Harman. SB 1255 originally provided that if the applicant for child support alleged arrearages

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are owed, the applicant must sign the statement of arrearages under penalty of perjury, file it with the court, and serve it on the obligor.

The bill was gutted and amended on May 5, 2008 with language to remove a sunset provision for drug testing in child custody cases. SB1255 passed out of the Senate Judiciary Committee but ran into problems in the Appropriations Committee over possible budget costs for serving the papers on the obligor. CAFC has been pushing for this reform for several years now and we will continue our efforts next session. We have been assured that a similar bill will be reintroduced next year.

SB 1333 - Ashburn, Paternity judgment: reconsideration: CHAPTER 58, Statutes of 2008

CAFC was successful in getting SB 1333 introduced to fix confusion regarding the original filing deadline for a petition to set aside an invalid paternity judgment based on genetic testing. Advocates from CAFC have been involved with this issue since 2000 when Assemblyman Rod Wright originally introduced this idea.

SB 1333 is needed because of confusion over the filing deadline for a motion to set aside a paternity judgment. Is it the date the bill was approved (September 24, 2004) or at the time it took effect (January 1, 2005)? The Court of Appeal of California, Fifth Appellate District in County of Fresno v. Celestino Sanchez (2005) 135 Cal.App.4th 15, added further confusion when it issued an opinion that suggested a third legal deadline of October 28, 2006. The October deadline was repeated in a letter issued by the Department of Child Support Services. SB 1333 clarified the filing date to be December 31, 2006. This allowed a number of men to re-file their petitions that were original barred by the courts. Based on the testimony of CAFC's Michael Robinson and others, we were successful in getting the bill passed out of both houses of the Legislature and Chaptered into law. SB 1333 was signed by the Governor on 7/1/08.

SB 1356 - Yee, Contempt: victim of domestic violence: CHAPTER 49, Statutes of 2008

SB 1356 was introduced on 2/20/08 by Assemblyman Yee to amend Section 1219 of the Code of Civil Procedure. Existing law allows courts to punish a victim of domestic violence who refuses to testify against an alleged perpetrator. Many alleged domestic violence victims change their minds after calling the police and do not want to pursue a prosecution for a variety of various reasons, sometimes because they even made up the allegation or the contact was minimal.

In these cases the DA would often threaten the alleged victim with jail for refusing to testify. SB 1356 makes a significant change in the law. It states the court may NOT imprison the victim of sexual assault or domestic violence for failure to testify in a prosecution. The bill was signed by the Governor on 7/1/08.

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LEGISLATION CAFC OPPOSED

AB 1771 - Ma, Domestic violence: restraining orders: CHAPTER 86, Statutes of 2008

Introduced on 1/10/08 by Assemblywoman Ma, this bill would amend the Penal Code relating to domestic violence. AB 1771 makes a number of changes to existing law. First, it imposes a new assessment upon a DV conviction to fund DV prevention programs. Second, it creates a public website containing data about people convicted of at least 1 DV felony or 2 DV misdemeanors.

CAFC and others, including attorney groups, vigorously opposed this bill unless it was amended to eliminate the provision establishing a state website web site containing data about individuals convicted of a DV violation. Other drafting problems we objected to were also amended out of the bill. The efforts to get the amendments were successful and the bill was amended on April 29, 2008. The bill was signed by the Governor on 7/10/08.

AB 2587 - 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 allege parental alienation by one parent against the other. In our 2007 annual report we discussed CAFC's successful efforts to stop the original bill AB 612 but warned of its reintroduction in 2008. True to form in this legislative session (2008) AB 612 was reintroduced in the form of AB 2587.

CAFC again led an opposition effort that prevented the bill from even being set for its initial committee hearing. [Read the full story of the battle here](#) over parental alienation so you can understand all its implications.

Continued