

## WRITING AND PUBLICATIONS:

A Transformative Process: Working As a Domestic Violence Expert Witness, 24 Berkeley Journal of Gender, Law, and Justice 208 (2009).

Response to Christina Hoff Sommers in Chronicle of Higher Education, 8/10/09.

Admissibility of Hearsay Evidence Under the Excited Utterance Exception in Abuse Prosecutions, 1 Family & Intimate Partner Violence Quarterly 269-279 (2009) (with Anne Perry).

Co-author, Amicus Curiae Brief to California Victim Compensation and Government Claims Board in claim of Cheryl Jones, on behalf of California Partnership to End Domestic Violence, for over twenty years of wrongful incarceration. (2009) Pled guilty to killing husband, released on habeas corpus, retried and acquitted.

Co-author, Amicus Curiae Brief to US Supreme Court in *People v. Dwayne Giles*, along with DV LEAP, Legal Momentum, and Bingham McCutchen. Issue is whether forfeiture rule requires showing of intent to silence homicide victim. (see below re California Supreme Court brief in same case). Court reversed conviction, but stated that domestic violence history very relevant to defendant's intent. 128 S.Ct. 2678 (2008).

Co-author, Amicus Curiae Brief to California Appellate Court in *In re Deborah Peagler on Habeas Corpus*. Appellate court issued Order to Show Cause 11/2/07, mentioning amicus brief, ordering secretary of Department of Corrections & Rehabilitation to show cause in evidentiary hearing why habeas relief should not be granted.

Co-author, Amicus Curiae Brief to California Appellate Court in *Maria Guijosa v. Rogelio Dominguez-Garcia*, arguing that trial court should not have summarily denied appellant's request for a temporary restraining order, and should at least have granted a hearing. Appellate court reversed, unpublished. (2007)

Co-author, Amicus Curiae Brief to California Appellate Court in *Yuka Nakamura v. John Marshall Parker*, arguing that trial court should not have summarily denied appellant's request for a temporary restraining order, and should at least have granted a hearing. Participated in oral argument. In published decision mentioning amicus brief, court of appeal reversed. 156 Cal.App.4<sup>th</sup> 327 (2007). Legislature enacted new Family Code section 6320.5, which requires stated reasons for denial of TRO's and the right to a hearing, effective 1/09.

*Domestic Violence: Benchbook for Criminal Courts*, California Center for Judicial Education and Research, 1990, 1996, 1997, 2000 editions (consulted on 2003 and 2007 editions). Curriculum for several statewide trainings.

Contributing Editor, *Violence Against Women* (Vol. 3) edited by Joan Zorza, reprints of articles in Domestic Violence Report and Sexual Assault Report, Civic Research Institute (2006).

"Access to Justice: Can Domestic Violence Courts Better Address the Needs of Non-English Speaking Victims of Domestic Violence?," 21 Berkeley Journal of Gender, Law & Justice 38 (2006) (originally presented at Pace University Law School think tank on domestic violence courts (2001)).

Co-author, Amicus Curiae Brief to California Supreme Court in *People v. Giles*, arguing that the rule of forfeiture should be interpreted to allow prior statements by an unavailable domestic violence victim to be admitted in the prosecution of the alleged murderer of that victim, if it appears to the court that the

victim's unavailability is due to the abuser's actions (2005). Decision, 40 Cal.4<sup>th</sup> 833 (2007), held for this approach.

*Domestic Violence Law*, textbook, Austin & Winfield Publishers, 1996; West Group, 2001; West Group, 2005; West Group Supplement, 2008; West Group, 2009.

Teacher's Manual for *Domestic Violence Law*, West Group, 2001, 2005, and 2009.

Co-author, Amicus Curiae Brief to California Appellate Court in *Eldon Blumhorst v. Haven Hills, Inc. et al*, arguing that it is not a denial of equal protection to exclude male victims of domestic violence from women-only shelters. Appellate Court affirmed due to lack of standing. 126 Cal.App.4th 993 (2005).

Co-author, Amicus Curiae Brief to California Appellate Court in *In re Rosemary Dyer*, a habeas corpus petition under California Penal Code §1473.5, arguing that evidence of special circumstances did not preclude a history of battering by the decedent; thus homicide should have resulted in at most a manslaughter conviction. (2004) Appellate court remanded case to trial court for evidentiary hearing.

Contributing Editor, *Violence Against Women* (part 2) edited by Joan Zorza, reprints of articles in Domestic Violence Report and Sexual Assault Report, Civic Research Institute, 2004.

Co-author, Amicus Curiae Brief to California Supreme Court in *People v. Cornell Brown*, regarding admissibility of domestic violence expert testimony in the prosecution of a batterer; published decision referred favorably to the brief and upheld the use of such testimony, 33 Cal.4th 892 (2004).

Expert Witness Affidavit regarding gender as basis for domestic violence in *In re Rodi Alvarado* case, submitted by Alvarado's attorneys, Center for Gender and Refugee Studies at Hastings College of Law; landmark case concerns asylum application by a Guatemalan immigrant battered woman. Affidavit has been used in dozens of other asylum cases. (2003)

*Child Custody and Domestic Violence: A Call for Safety and Accountability*, with Drs. Peter G. Jaffe and Samantha Poisson, Sage Publications (2003).

Contributing Editor, *Violence Against Women* (part 1), edited by Joan Zorza, reprints of articles in Domestic Violence Report and Sexual Assault Report, Civic Research Institute (2002).

Foreword to *Convicted Survivors: The Imprisonment of Battered Women Who Kill*, by Elizabeth Dermody Leonard, State University of New York Press (2002).

"Statutes Creating Rebuttable Presumptions Against Custody to Batterers: How Effective Are They?," 28(2)*William Mitchell L. Rev.* 601 (2001) (excerpted in Mahoney, Calmore, and Wildman, *Social Justice: Professionals, Communities, and Law*, West Group, 2003).

"Domestic Violence is a Public Health Issue," *Health Law News*, vol. 14, no. 3, page 7 (March 2001).

"Domestic Violence is a Medical Issue," *Journal of Gender Specific Medicine*, vol. 3, no. 5, pages 22-24 (July/Aug 2000).

*Serving the Public: Domestic Violence Curriculum for Court Employees*, California Center for Judicial Education and Research (2000).

"Custody and Visitation Trends in the US in Domestic Violence Cases," *Journal of Aggression, Maltreatment, and Trauma*, Haworth Press, vol. 3, no. 1, pages 329-343, ed. by Robert A. Geffner, Peter

G. Jaffe, and Marlies Suderman (2000).

“Expert Witnesses in Domestic Violence Trials: Policy Pros and Cons for Prosecutors,” with Rhonda Martinson and Carlos Monagas, for Battered Women’s Justice Project (1999).

“The Legal System’s Response to Children Exposed to Domestic Violence,” *The Future of Children*, Packard Foundation, vol. 9, no. 3, pages 67-83 (Winter 1999).

"What Every Family Law Attorney Should Know About Domestic Violence," with Garrett C. Dailey, MCLE column in *California Lawyer* magazine (December 1999).

*Domestic Violence: What Every Judge Should Know, A Judicial Education Curriculum*, California Center for Judicial Education and Research (1998).

“Domestic Violence Primer,” Mandatory Continuing Legal Education column in *California Lawyer* (March 1998).

“Child Custody and Full Faith and Credit,” in *Full Faith and Credit: A Passport to Safety*, edited by Johnson and Websdale, National Council of Juvenile and Family Court Judges (1997) (with Deborah Goelman, Billie Lee Dunford-Jackson, and Roberta Valente).

*Manual on Domestic Violence*, California Women Lawyers Educational Foundation, 1997, 2001, and 2008 updates (original edition with Susana Martinez)(2008 edition published by California Partnership to End Domestic Violence).

“*The Custody Trial of the Century*,” research/editing for article about OJ Simpson case, published in *Today* magazine, National Council of Juvenile and Family Court Judges (1997) (with Susana Martinez).

*The Impact of Domestic Violence on Your Legal Practice*, Chapter on Violence Against Women Act, American Bar Association (1996).

*Working Together to End Domestic Violence*, Mancorp Publishing Inc., with Peter Jaffe, David Wilson, and Jack Sandler (1996).

Appellate and amicus briefs in case where batterer used restraining order to obtain visitation of battered mother's child even though there was no relationship between batterer and child. *Barkaloff v. Woodward*,. Appellate court reversed and remanded. 47 Cal.App.4<sup>th</sup> 393 (1996).

Associate Editor, *Domestic Violence Report*, national bimonthly journal published by Civic Research Institute, Inc., New Jersey, 1995 through fall 2009.

Manual on California Domestic Violence and Family Law for Victim Advocates in US Marine Corps (1995).

*Domestic Violence and Children: Resolving Custody and Visitation Disputes*, a national judicial curriculum, Family Violence Prevention Fund (1995).

*Domestic Violence Law Reader*, annual editions 1988-1995, for courses at Boalt and Golden Gate Law Schools. Published in 1996 by Austin and Winfield Press (now part of University Press of America) as *Domestic Violence Law: A Comprehensive Overview of Cases and Sources*; later published in 2001, 2005 and 2009 by West Group (see above).

Columns on cases involving domestic violence, *Synergy*, National Council of Juvenile and Family Court Judges newsletter, 1994 and 1995.

Amicus brief, *Ireland v. Smith* (Michigan case involving domestic violence custody issues), for Battered Women's Justice Project and other groups (1994).

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"Domestic Violence Custody Issues: A Strategy Paper," California Alliance Against Domestic Violence (1994).

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Issue Paper: "Arrest and Prosecution in Domestic Violence Cases," Family Violence Prevention Fund and Nat. Council of Juvenile and Family Court Judges (unpublished manuscript) (1992).

Chapter on Custody and Mediation Issues, *Domestic Violence in Civil Court Cases: A National Model for Judicial Education* (also edited four other chapters), Family Violence Prevention Fund (1992).

*Domestic Violence: The Law and Prosecution*, 1990 and 1991 editions, published by Family Violence Project. Curriculum for statewide training sponsored by California District Attorneys Association.

*Domestic Violence : The Crucial Role of the Judge in Criminal Court Cases: A National Model for Judicial Education*, with Janet Carter and Candace Heisler, published by Family Violence Prevention Fund (1991).

Updates to *Domestic Violence: A Training Curriculum for Law Enforcement* (2 vols), published by Family Violence Project (1990).

Book review of *Justifiable Homicide* by Cynthia Gillespie, *Berkeley Women's Law Journal* (1990).

"Joint Custody and Mandatory Mediation: The Danger for Victims of Domestic Violence" with Charlotte Germane and Margaret Johnson, 1(1) *Berkeley Women's Law Journal* 175 (1985).

"Joint Custody as a Statutory Presumption: California's New Civil Code Sections 4600 and 4600.5", 11(2) *Golden Gate University Law Review* 485 (1981).

*Domestic Violence Law Manual*, State Bar of California, 1981, 1988: research, drafting, editing.