

March 2006

In Brief

THE NEWSLETTER OF LEGAL MOMENTUM

www.legalmomentum.org

Violence Against Women Act 2005

The reauthorization of the Violence Against Women Act (VAWA) is an extraordinary achievement for Legal Momentum and an enormous gain for women nationwide.

VAWA 2005 provides for more programs—and the funding to support them—including: prevention, services to survivors with disabilities, the education and protection of girls, plus culturally specific measures addressing the needs of groups such as American Indian and Alaska Native women. The legislation now far surpasses the initial 1994 measure in providing protection for vulnerable women and their families. VAWA 2005 marks one of the most significant achievements in Legal Momentum's history. This is legislation that literally saves lives.



Like much of our work, our success can't be credited to a single individual. The synergy that changed the future for hundreds of thousands of women in peril grew out of a coalition of committed, like-minded attorneys, policy specialists and advocates who worked in concert with our Congressional allies to make this expanded legislation a reality.

But our work is far from over. Statistics tell us that Legal Momentum must fight even harder to eradicate domestic violence and discrimination against survivors of violence in housing and in the workplace.

- Female homicide victims are more than twice as likely to be killed by an intimate partner than are male homicide victims.
- Nearly one in three adult women experience at least one physical assault by a partner during adulthood.
- Immigrant women may suffer higher rates of battering than U.S. citizens because of cultural attitudes toward women, or because they have less access to legal and social services than U.S. citizens.
- Each year, an estimated 3.3 million children are exposed to violence by family members against their mothers or female caretakers.

With your help Legal Momentum can continue to stand up for women struck down by violence, poverty and discrimination. The financial help you provide goes a long way to promote legislation like VAWA and win victories for women and girls. With your support, battles can be won and women can be safer.



Nichelle Coleman Hayes
Chair

Kathly Rodger
President

VAWA

Meet the Team

In January, President Bush signed into law the second reauthorization of the Violence Against Women Act (VAWA) since its initial passage in 1994. As Chair of the National Task Force to End Sexual and Domestic Violence Against Women, Legal Momentum has invested 15 years of ceaseless effort to create and expand legislation that protects victims whose lives may be in jeopardy, and to expand VAWA's reach to include additional categories of domestic violence, sexual assault, dating violence survivors and stalking victims who, until now, may have been unprotected.

The latest reauthorization extends VAWA for an additional five years and increases funding 20% to \$3.9 billion.

VAWA 2005's significantly enhanced protections include:

- Funding for programs that provide direct services to victims of sexual assault.
- Protection of domestic violence victims from loss of housing subsidies or eviction from public housing as a result of the criminal acts of their abusers.
- Creation of a national resource center to help employers understand and appropriately respond to domestic violence, sexual assault, and stalking victims' needs at work.
- Assurances that all immigrant victims of domestic violence, sexual assault and many violent crimes can be represented by Legal Services Corporation (LSC) funded lawyers.
- Granting battered immigrants, economically dependent on the visas of their abusive husbands, access to their own legal work authorization.
- Reuniting trafficking victims with family members from abroad (who may have been under threat by the traffickers), and increasing access to permanent residency for those who cooperate in traffickers' prosecution.

Washington's VAWA

Team: Top row left to right, Amanda Baran, IWP Staff, Jennifer Grayson, Policy Analyst, Leslye Orloff, IWP Director, Lisalyn Jacobs, VP, Government Relations. Bottom row left to right: Joanne Lin, IWP Staff, Carole Angel, IWP Staff, Alex Walden, Policy Associate



"We know from studies and from the calls we receive that victims of domestic violence are often evicted from their apartments based on 'no violence' clauses, or noise restrictions. The 'violation' is often the violence against them. Legal Momentum is proud to have advocated for landmark new provisions in VAWA to protect women living in public housing or using voucher assistance from being evicted from their apartments in these circumstances."



Deborah Widiss, Staff Attorney

"For the first time victims of domestic violence, trafficking, and sexual assault can walk into a legal services agency and get help. VAWA 2005 gives immigrant women a way out."



*Leslye Orloff
Immigrant Women Program
(IWP) Director*

"This ground-breaking legislation extends immigration protection to some victims of elder and child abuse and it provides incest victims with additional time to legalize their status."



Joanne Lin, Senior Staff Attorney

"This bill breaks new ground with creation of a title that solely addresses the unique needs of Native American and Alaska Native women. It also creates a workplace resource center designed to help employers and unions address the needs of victims of sexual and domestic violence in the workplace."



*Lisalyn Jacobs, Vice President of
Government Relations*

VAWA'S SUCCESS DO THE MATH

States have passed more than **600** laws to combat domestic violence, sexual assault and stalking.

Since 1996, the National Domestic Violence Hotline has answered more than **one million calls**. Translators can handle 139 languages.

More victims are reporting violence—among victims of violence by an intimate partner, the percentage of women who reported crimes was greater in 1998 (59%) than in 1993 (48%).

Legal Update

Ayotte v. Planned Parenthood

The unanimous decision in *Ayotte v. Planned Parenthood* put to rest the reproductive rights community's worst fear about this case: That the Supreme Court might use it to reject the principle that the Constitution prohibits abortion restrictions that endanger a pregnant woman's health. Legal Momentum filed an *amicus* brief in the case that focused on the importance of legal abortion in allowing women to participate as full and equal citizens in society. "The oral arguments made clear that the court will not allow legislatures to sacrifice the health of young women for the sake of anti-abortion politics," said Jennifer Brown, Vice President and Legal Director of Legal Momentum as she addressed reporters on the steps of the Court.

Davis v. Washington/Hammon v. Indiana

Legal Momentum's Deborah Widiss, staff attorney, and Lynn Hecht Schafra, director of Legal Momentum's National Judicial Education Program, contributed to an *amicus* brief in *Davis v. Washington* and *Hammon v. Indiana*, two cases currently on the Supreme Court docket. Both cases deal with the admissibility of victims' out-of-court statements—such as 911 calls or comments to the police—in criminal proceedings. These issues are of key importance in domestic violence cases because so often the victim does not participate in the trial.

Burlington Northern & Santa Fe Railway Co. v. White

In December, the U.S. Supreme Court agreed to hear arguments in a case that has far-reaching implications for the rights of employees who complain about discrimination. The case to be heard by the Court later this term, *Burlington Northern & Santa Fe Railway Co. v. White*, will define what kind of employer conduct rises to the level of unlawful "retaliation." Legal Momentum anticipates working with a coalition of women's organizations to submit an *amicus* brief urging the Supreme Court to adopt the "adverse employment action" standard approved by the Sixth Circuit. The brief will highlight the particular risk of retaliation faced by women who complain about sexual harassment and other on-the-job discrimination.

Donor Profile: Ina Drew

Balance and focus. They could be the hallmarks of Ina Drew's life. Ina, Chief Investment Officer of JPMorgan Chase & Co., is a member of the firm's Executive and Operating Committees. For about five years she has also served as Legal Momentum's Treasurer, helping the organization to invest wisely and introducing Legal Momentum to colleagues in the financial world. "It's very inspiring to work with the women and men of Legal Momentum," says Ina. "We've been able to raise the bar when it comes to funding and corporate sponsorship."



Ina Drew is one of the most powerful women in the banking industry. She manages her firm's investment exposure while helping advise businesses on their own investment strategies. "The financial world can be a tough place for a woman. Luckily, the company has been very supportive," she adds.

Like many women, Ina (married 27 years with two teenagers) has had to juggle the needs of her family with the demands of her successful career. Ina was first drawn to Legal Momentum because of one of its key missions: providing quality childcare to women and their families. "Legal Momentum helps women in the workplace. This work is very important," she says.

On her job, Ina takes seriously opportunities to mentor women. Ten to twenty women seek her counsel each year. "We talk about everything from finding a good nanny to how to ask for a larger salary. I feel a tremendous sense of responsibility to mentor and lead." With Ina Drew in a leadership position it is clear that many women and Legal Momentum will profit from her guidance, her balance and her focus.

The High Cost of Marriage

The results of Legal Momentum's tenacity and devotion to issues such as poverty and violence, are sometimes delivered in small, but critical packages. Take the recent passage of Temporary Assistance for Needy Families (TANF) Reauthorization. Legal Momentum was able to halve the funding to \$150 million for marriage promotion programs that was sought by the Bush administration. We launched this battle because we believe that marriage promotion diverts welfare funds from basic economic supports, lacks public support, coercively intrudes on fundamentally private decisions, places domestic violence victims at increased risk, and wastes public funds on ineffective policies. Further, it sends the message that the way out of poverty for women is dependence on someone else to act as a breadwinner rather than economic self-sufficiency. Thanks to the vigilance of Legal Momentum in coalition with other rights groups, and as part of our effort to prevent violence against women in all forms, the bill includes domestic violence protections we helped draft. "We are very proud of significantly reducing the funding for these dangerous and invasive marriage promotion programs and we will continue to work towards ensuring protection for domestic violence survivors," says Timothy J. Casey, Legal Momentum Senior Staff Attorney.

Legal Momentum Welcomes Two New Staff Attorneys



Staff Attorney, **Julie Kay** (left) joined Legal Momentum in October after working as an attorney with the Irish Family Planning Association (IFPA). Her responsibilities there included designing and filing a case at the European Court of Human Rights on behalf of women who had been denied abortions. Currently, she is a board member of Women's Link Worldwide, an international non-governmental organization working to advance women's rights through the implementation of international human rights law and the use of international tribunals and strategic litigation. Since joining Legal Momentum, Julie has been working on countering the fundamentalist agenda, where her charge is challenging

gender bias and sex discrimination promoted by a federal "abstinence-only" sexual education program. "I am pleased that Legal Momentum is interested in highlighting the human rights elements of women's rights. I look forward to working for an organization that promotes women's rights across a broad spectrum of relevant issues." Julie graduated with a B.A. in Women's Studies and Social Studies from Harvard. She earned her law degree from Brooklyn Law School.

Staff Attorney **Gillian Thomas** (left) joined us in October. Before that she specialized in employment discrimination cases at Vladeck, Waldman, Elias & Engelhard in New York, and at Philadelphia's Willig, Williams &



Davidson. Also while in Philadelphia, Gillian practiced commercial litigation at Schnader Harrison Segal & Lewis. Gillian received her B.A. in history from Yale University and her law degree from the University of Michigan. After law school, she clerked for the Hon. John T. Nixon, U.S. District Judge in Nashville, Tennessee. Since joining Legal Momentum, Gillian has been working on Legal Momentum's Women Rebuild Program, which works toward expanding women's participation in high-paying nontraditional employment such as firefighters or police officers (nontraditional employment: any field in which women constitute fewer than 25% of the workers). "Women in 'non-traditional' employment face overwhelming obstacles of sex discrimination and sexual harassment," she says. "Yet because such jobs offer unparalleled economic opportunities, it is especially critical that they provide welcoming environments for women."

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Family Initiative Working for Working Mothers

As Vice President for Legal Momentum's Family Initiative, Cindy Fithian's mission is clear: educating, engaging and mobilizing the public to speak out in support of quality early education, child care, preschool and afterschool. "Quality early care and education should be available to every family that wants it," she says, adding "I've been a single parent for 17 years, juggling childcare for my two sons while working full-time. This can be a daunting task."

Cindy, a former teacher, joined Legal Momentum's Washington, D.C. office last January from the American Red Cross, where she was Director of the Office of Labor Participation. "The major goal for the Family Initiative, long-term is to get federal

legislation passed that will allow every individual or family to have access to affordable, quality early education and child care. Short term we need to build a grass-roots mobilization campaign so women and their families know their voices have to be heard to make a difference. Workforce develop-



Cindy Fithian

ment is a critical component to the formula for success. Legal Momentum will provide the tools needed to be effective in this campaign."

Remembering Betty Friedan

Four years after the publication of "The Feminine Mystique," Betty Friedan, then President of the fledgling National Organization for Women (NOW), proposed establishing a legal defense and education fund for women so that women could change their world by changing the law.

For more than 35 years, NOW Legal Defense and Education Fund, since renamed Legal Momentum, has executed the mission Betty articulated. Throughout our history, Betty remained a lifetime Distinguished Director of Legal Momentum and a member of our Equal Rights Legacy Society. "We are grateful for Betty's leadership, inspired by her vision and committed to continuing her lifelong effort to assure equality and justice for women and girls," says Kathy Rodgers, President of Legal Momentum.



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