

Legal Process Committee of the San Mateo County Domestic Violence Council

Meeting Minutes

January 12, 2023

11:45 a.m. – 1:15 p.m.

Location: Zoom Video Conference

Present: Sara Afu (Superior Court/Clerks Ofc), Jeniffer Alcantara (Superior Court), Laura Alvarez (ADZ Law), Lisa Bergman (Superior Court/FCS), Stephanie Bilinski (LASSMC), Tanya Both (Superior Court/ADR), Jeffrey Carr (SMC Sheriff), Charles Cavallino, Co-Chair (CORA), Theresa Dah (Probation), Jessica Dayton (ADZ Law), Melissa Gibbs (CORA), Mitri Hanania (SMCBA Private Defender), Jennifer Horne (LASSMC), Elisa Kuhl, Co-Chair (Victim Services), Irene Maxwell (Superior Court), Sonia Melara (Rally), Isabel Mujica-Segura (Rally), Rose Mukhar (Justice at Last), Erin Orum (Bay Area Legal Aid), Alessandra Robleto (Superior Court/FL Clerks), Paula Vielman-Reeves (ADZ Law)

Also Present: Kathryn Anderson, Martin Fox, Robert Spencer

ISSUES	DISCUSSION	ACTION
Adopt/Approve Resolution Re: Teleconference Meeting	Jeffrey Carr moved to adopt resolution per AB 361. Laura Alvarez seconded the motion. Passed unanimously.	Approved
Adopt/Approve Agenda	Melissa Gibbs moved to adopt and approve the agenda. Jeffrey Carr seconded. Passed unanimously.	Approved
Introductions and Updates	<p><u>Court:</u> Judge Sharon K. Cho is the new family law judicial officer taking over Judge Holt’s cases. Firearms Review hearings under SB320 are going well.</p> <p><u>CORA:</u> CORA launched a new prevention program “TDAH” (To Do At Home) which is focused on activities to build strong family units.</p> <p><u>BayLegal:</u> Lauren De La Rosa resigned from her position. Hiring for new Staff Attorney to begin soon. Current walk-in hours are Monday, Wednesday, and Thursday with goal of increasing to Monday-Thursday in February.</p> <p><u>LASSMC:</u> Office is now open during regular business hours for walk-ins and document pick-up and drop-off.</p> <p><u>Sheriff:</u> Updated RIMS template for DV calls. Working on information regarding children being entered and providing ongoing training for deputies.</p> <p><u>Family Court Services:</u> Recently hired a new CCRC and another returned from leave. Turnaround times should improve as a result.</p> <p><u>Victim Services:</u> Natalie Saavedra resigned from her position. The remaining DV Victim Advocates are filling in until a replacement can be hired. DDA Dominique Davis is now in the felony DV unit.</p> <p><u>Rally:</u> Rally is now open Friday – Sunday for in-person visits and virtual visits Tuesday-Thursday. Isabel Mujica-Segura is the new coordinator in San Mateo County. They currently have two open positions for supervised visitation monitors.</p> <p><u>Probation:</u> Judge Michael Wendler is the new criminal presiding judicial officer. No other updates.</p>	

Review/Adopt Minutes from 10/13/2022 meeting	Melissa Gibbs moved to adopt the minutes as amended to reflect the correct date. Jeff Carr seconded the motion. Tanya Both abstained. No opposition.	Approved
Carry Over Items	<p>a) DV Trainings for Judges: No update at this time.</p> <p>b) DV Protocol Revisions: Determined information is already included in the protocol, so no update is needed at this time. The DV Protocol work group can further review and bring suggestions to the committee when appropriate.</p> <p>c) 2023-2025 Workplan: The committee reviewed the workplan and additional members joined select committees. Jenny Horne moved to adopt the Workplan as amended. Paula Vielman-Reeves seconded the motion. Rose Mukhar abstained. No opposition.</p>	<p>Elisa will try to get an update by the next meeting</p> <p>Approved</p>
New Business	<p>a) SB 320 Check-In: Family Law Facilitator created local forms to inform restrained parties on how to turn in their firearms. Commissioner Padilla has had good compliance rate and is referring out of compliance cases to the GVPP task force. Petitioners are not required to attend the compliance hearings but can if they wish.</p> <p>b) DV Police Reports Involving Minors: Jenny Horne reported she had a good conversation with County Counsel but their position only applies to the San Mateo County Sheriff's office. Discussed the possibility of asking for a standing order from the Juvenile Court. The committee agreed this is the best approach.</p>	Jenny, Rose and Erin to draft letter for approval at next meeting
Work Plan Reports	<p>a) Civil-Criminal Crossover: Melissa Gibbs shared that CORA and DA Victim Advocates recently met at CORA offices. Sonia Melara inquired about Penal Code section 278.5 and law enforcement's response and the committee discussed.</p> <p>b) DV Firearms Compliance Unit: No report.</p> <p>c) Judicial Bench Card: Plan to update in July 2023.</p> <p>d) Law Enforcement DV Protocol Update: Previously discussed.</p> <p>e) Protective Orders: Charles Cavallino raised concerns over the current process for preparation of DVPA orders after hearing in the direct family law departments. The current procedure leaves too much room for confusion and creates a potential safety issue.</p> <p>Charles also informed that victims are getting called to pick up certified copies of orders, even if they are represented by counsel.</p>	<p>Melissa to speak with District Attorney Office to determine their position.</p> <p>Alessandra/Irene will discuss with Judge Greenberg</p> <p>Alessandra will ask the clerks to call the attorney</p>

	<p>Tanya Both inquired about the use of Amended filings in DVPA cases. The committee discussed circumstances as to when amended filings are utilized instead of initiating a new filing.</p> <p>f) Allocation of Court Resources: No issues.</p> <p>g) Courtroom Safety: Charles Cavallino reiterated the desire for a Sheriff deputy to be present on the 4th floor during DVPA calendars to ensure litigants are not communicating with or intimidating one another.</p>	<p>of record if there is one</p>
	<p>Mr. Fox presented on SB 1182 which will require the court, in family law cases, to provide veterans with a list of resources for veterans, including information about how to contact the local office of the Department of Veterans Affairs. Veterans Affairs splits San Mateo County into two jurisdictions—Palo Alto and San Francisco. Mr. Fox recommended further discussion to determine how this new bill coexists with CARE Court.</p>	

Next Meeting:

April 13, 2023
11:45am-1:15pm
Hall of Justice – First Floor (Criminal Justice Training Room)