
❖ The Legal Advocate ❖

Volume 4, Issue 4

April – June 2001

4th ANDVSA Legal Advocacy Conference

The fourth ANDVSA Legal Advocacy Project Conference was held in Fairbanks, April 22-24, 2001. Keynote speaker Barbara Hart traveled to Alaska to share her knowledge and years of experience as an attorney involved in the movement to end domestic violence and sexual assault with advocates in Alaska. Barbara Hart is the Legal Director of the Pennsylvania Coalition Against Domestic Violence (PCADV), the Associate Director of the Battered Women's Justice Project and a legal consultant to the National Resource Center on Domestic Violence. She is a leader on a national level in her efforts to implement provisions enumerated in the Violence Against Women Act of 1994, and a wonderful ally and resource for all of us in this field . . . and based on our conference evaluations, she successfully energized and inspired us in Alaska!

The Fifth Legal Advocacy Conference is planned for Fall 2002. We welcome topic, speaker and location suggestions. Call Mary Kay with questions or ideas. ☞



Barbara Hart, Legal Director PCADV

Supreme Court Decisions And Women's Rights

Following is the Foreword from the book Supreme Court Decisions and Women's Rights, edited by Clare Cushman. The book is a wonderful resource for anyone interested in the history of the Supreme Court's role in reviewing laws based on gender distinctions.

The Foreword is reprinted with permission. Contact information about the book and publisher is available at the end of the article.

Etched above the entrance to the majestic building that houses the Supreme Court of the United States are the words: "Equal Justice Under Law." Those four words express a fundamental, still evolving American ideal. In eleven enlightening chapters, this fine work of the Supreme Court Historical Society tells of the gradual realization of the equal justice ideal for the nation's once disenfranchised majority-its women.

Readers of the Constitution of the United States will search in vain for the work "equal" or "equality" in the seven articles composing our fundamental instrument of

(Continued on page 8)

Inside This Issue

	page
Kari's Corner	2
Pro Bono Program Summer Intern	3
I & R Hotline Hours	3
DV Information On the Internet	4
<i>Online Resources</i>	4
Danger on the Web	5
Meet Your Sister Programs	6
LAP t-shirt order form	7

Views expressed in this newsletter do not necessarily represent ANDVSA opinions

Kari's Corner

It was great to have so many legal advocates at the April Legal Advocacy Conference in Fairbanks! It was nice to see all of you and hear about the work you are doing.

The Legal Advocacy Project has been funded by the VAWA statewide committee for another year. This year we will be providing four teleconference trainings for legal advocates including the topics of federal domestic violence laws and full faith & credit, elder abuse, sexual assault laws and one topic to still be identified by legal advocates. We will be sending out information to legal advocates in advance of the scheduled teleconferences. We will also be sending out a survey to legal advocates requesting training topics to help us identify what issues you would like covered in the teleconference trainings. If you have ideas for a teleconference topic please contact the Legal Advocacy Project (LAP). The next statewide Legal Advocacy Conference is planned for fall of 2002 depending on next year's funding.

Department of Justice which administers the Civil Legal Assistance grant (CLAG) funding the LAP Pro Bono Program has not issued grant reapplication materials yet. We will keep you updated on the grant's status. The positions currently funded under the grant include Christine McLeod Pate, Pro Bono Mentoring Attorney in Sitka; Blaine Hollis, Staff Attorney in Juneau; Dorne Hawxhurst, ALS Staff Attorney in Anchorage; Robin Wittrock, Staff Attorney with the Immigration & Refugee Services Program in Anchorage. Sudeep Bhatia, ALS Staff Attorney in Juneau will be leaving the end of July. His position will not be refilled until CLAG refunding becomes available.

We will be offering the annual Continuing Legal Education training "The Impact of Domestic Violence on Your Legal Practice," in March 2002 to train and recruit pro bono attorneys to represent victims of domestic violence and sexual assault. If you know of an attorney who might be willing to do pro bono work please give Christine a call. We will also be running the Legal Information & Referral "Hotline" every two weeks.

The LAP will be providing a Court Interpreter Meeting again in December. We will also be updating and republishing LAP resources including the Women's Legal Rights Handbook, Full Faith & Credit Booklet and Legal Advocacy Curriculum. If you have ideas, corrections or suggestions for the LAP resource materials please give me a call.

The LAP will conduct regional focus groups and annual evaluations; maintain the ANDVSA web page; publish a bi-monthly newsletter for legal advocates; conduct rural outreach and networking visits with legal advocates; and provide support and case review to the LAP Pro Bono Program. ☞

Please call us if you have a legal question, need additional resource materials or support on an issue. Thanks for all your great work and advocacy for women and children!



Pro Bono Program Summer Law Intern Sariya Wilkins

I am a second-year law student at Temple University in Philadelphia and I am originally from Detroit, MI. Although I have not decided exactly what type of law I want to practice I have always been very much concerned with the rights of women and minorities, domestically and abroad.

In June I began my summer NAPIL/VISTA term at ANDVSA. I started my term with two research projects. The first project involved the effect of the Troxel v. Granville case on grandparent visitation rights in Alaska. The second involved challenges made to the federal firearm ban of VAWA and possible defenses that could be made by a person charged with violation of that law. I also took over setting up the I&R Hotline for the summer. I have made client and witness contacts for Christine and other ANDVSA staff. At the end of June I began research that will be used to update the Volunteer Attorney Family Law Manual.

Sariya Wilkins can be reached at the Sitka Pro Bono Program through August 2001.

National Domestic Violence Hotline **1-800-799-SAFE**

Crisis intervention, referrals to local service providers and other information available 24 hours a day and in 139 languages.

ANDVSA's Information and Referral Hotline Upcoming Hours:

Tuesday, July 24, 5-7 p.m.

Tuesday, August 7, 5-7 p.m.

Tuesday, August 21, 5-7 p.m.

Tuesday, September 4, 5-7 p.m.

Tuesday, September 18, 5-7 p.m.

Tuesday, October 9, 5-7 p.m.

Tuesday, October 23, 5-7 p.m.

Call toll-free 1-888-988-3725

WHO SHOULD CALL? Victims of domestic violence and sexual assault who want basic information about their legal rights and options and referral information from an attorney.

WHAT TYPES OF QUESTIONS CAN THE HOTLINE ATTORNEY ANSWER? General questions about many areas of the law, including family and criminal law.

WHO WILL BE ANSWERING THE LINE? One of ANDVSA's Pro Bono Program's volunteer attorneys.

PLEASE NOTE: The hotline attorney will not be representing clients, but rather providing brief legal education to callers and possible referral to other legal and social service providers.

Domestic Violence Information on the Internet

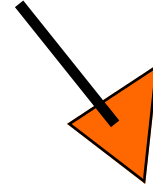
The emergence of the Internet has made information on domestic violence readily available to anyone who has access to a computer and a modem. Typing the words “domestic violence” in an Internet search engine can pull up more than 160,000 hits (web sites that include the words used in the search). The resources available to domestic violence victims and their advocates are overwhelming. There are web sites that offer information and statistics on domestic violence, sites with links to domestic violence studies and reports, and home pages for domestic violence service organizations.

The internet can be a fast and reliable source for finding information, but not all the statistics included on domestic violence web sites are correct. The content on many web sites has not been fact checked, and many statistics do not include citations. False information or insupportable statistics can enter the public dialogue and quickly replace factual information. One example is a non-existent “study” concerning battering during pregnancy that was attributed to the March of Dimes. Although the March of Dimes repeatedly denied ever conducting the study, the false “findings” were posted on an electronic bulletin and subsequently used by journalists in news articles. Then, battered women’s advocates were accused of reporting bad data and exaggerating the scope of our nation’s epidemic of domestic abuse.

Web site editors do not always post accurate information, so it is up to the Internet user to take care to pick up statistics that have full and reliable citations.

Following are a few web sites that provide interesting and useful information on domestic violence for victims and advocates. This list is by no means comprehensive – it is merely a sample of the thousands of web sites that exist on domestic violence.

Reprinted and adapted from ‘News Flash’ (http://www.fvpf.org/newsflash), an online newsletter of the Family Violence Prevention Fund.



Online Resources

www.andvsa.org

If you haven’t visited the ANDVSA web site recently, please do! In addition to providing information about the philosophy and mission of ANDVSA, the web site can provide you with:

- Calendar of Statewide & National Trainings
- Legal Q&A Page
- Legal Issues
- Lending Library
- Links to National Resources

In addition to updating the Lending Library, Ami Heinberg, Web Designer, recently posted LAP publications such as the Women’s Legal Rights Handbook so that you may access and share this information on-line.

The Legal Q&A page and the Legal Issues page both provide advocates and program participants answers to some questions the LAP has been asked to research over the last year.

www.abanet.org/domviol/stats

ABA Commission on Domestic Violence

A good site for current statistics on domestic violence and sexual assault.

www.fvpf.org

Family Violence Prevention Fund

Click on the “Get The Facts” button on this site and you’ll find general statistics on domestic violence and sexual assault, links to Health Facts and Workplace Facts.

Contact information:

383 Rhode Island St. Suite #304

San Francisco, CA 94103-5133

Phone: (415) 252-8900

Fax: (415) 252-8991

www.nsvrc.org

National Sexual Violence Resource Center (NSVRC)

Goals for the NSVRC include:

- strengthening the support system serving sexual assault survivors by enhancing the capacity of sexual assault providers at the national, state and community level
- Providing information and technical assistance to support effective interventions in preventing sexual violence; and
- Identifying emerging policy issues and research needs to support the development of policy and practice specific to the intervention and prevention of sexual violence.

Contact Information:

123 North Enola Drive, Enola PA 17025

Toll Free: 877-739-3895 Phone: 717-909-0710

www.vawnet.org

Parts of the National Electronic Network on Violence Against Women (VAWnet), which includes a library of resources useful to battered women's advocates, are now accessible to the public.

VAWnet was developed five years ago by the National Resource Center on Domestic Violence as an information sharing tool for state domestic violence and sexual assault coalitions.

The VAWnet library serves as a repository for materials gathered by and commissioned for the network. All files in the library, which has law, general and periodical collections, can be searched, downloaded and printed.

VAWnet also offers updates on media reports on violence against women, a national calendar of events related to issues of violence against women and links to other online resources.

www.womenslaw.org

This is a terrific link for state-by-state domestic violence legal information and local resource listings.

Danger on the Web

Last year, Amy Boyer was killed by a stalker who bought her Social Security number on the Internet, used it to locate her and then murdered her, reports the Associated Press. While the Internet can provide women with access to useful information and life saving resources, it can also provide batterers with information about their victims' Internet activities and physical whereabouts. Batterers can use their victims' Internet activities and physical whereabouts. Batterers can use the Internet to harass and stalk their victims, and they can trace their victims' Internet activities and access their personal email. But there are steps that battered women can take to protect themselves in cyber space.

A batterer can harass his victims over the Internet by sending threatening and abusive emails. If a battered woman is receiving threatening emails, she should print them out and save them. These emails often can be used as evidence of restraining order violations and they can serve to document a pattern of harassment.

If an abuser has access to his victim's email account, he will be able to read her incoming and outgoing email. It is important for victims to choose passwords for their email accounts that their abusers do not know and will not be able to guess.

Most web browsers (programs that provide you with access to the Internet, such as Netscape Navigator or Internet Explorer) are designed to leave traces behind that document the web sites the user has looked at. Using a web browser's history list and cache files, an abuser can monitor the web sites his victims has been visiting. The history list is a single file containing the addresses of the web sites the user has visited recently, and the cache files store copies of files the user has looked at recently with her web browser.

There are ways to erase the browser's history list and cache files to remove the web site listing. In addition, some computer software companies have developed privacy software that allows Internet users to visit web sites anonymously.

For information on how a batterer can monitor his victim's Internet activities and how victims can protect themselves, visit the Support Network for Battered Women's web site at www.snbw.org, and the American Bar Association web site at www.abanet.org/domviol/internet.html. For information on how to erase history lists and cache files, visit the Safety Zone web site at www.serve.com/zone/security.html.

Reprinted and adapted from 'News Flash'

(<http://www.fvvpf.org/newsflash>), an online newsletter of the Family Violence Prevention Fund.

Meet Your Sister Programs

This month our featured advocate is June Harris, a volunteer at the Kenai-Soldotna Women's Resource and Crisis Center (KSWRCC) who is a recipient of the 2001 20th Annual First Lady's Volunteer Awards presented by Susan Knowles, wife of Governor Tony Knowles.

The following article is reprinted in part from the Peninsula Clarion:



June Harris

Area women honored by first lady By Sara J. Smith

Twenty-two volunteers from across Alaska were selected from more than 150 nominees. The award honors Alaskans who have volunteered countless hours to programs, events and services that make Alaska a better place to live and work.

June Harris was nominated by Heather Arnett and Emily Aley for her work with the Women's Resource and Crisis Center. She recorded working more than 2,000 hours last year, the equivalent of a full-time job.

Arnett, director of WRCC, said Harris is the primary player of the Sexual Abuse Response Team.

"June is the lead advocate that responds to sexual assault cases," Arnett said.

As a volunteer advocate for the SART team, Harris often is on-call 24 hours a day.

Harris worked at WRCC in the late 1980s. Her final job was the manager of the emergency shelter in Kenai.

She resigned in 1990 and has volunteered since that time.

This is the second award she has received for her work at the center.

"She has been an incredibly active volunteer," Arnett said, adding that Harris also is the president of the WRCC board of directors.

The total hours Harris volunteered last year did not include her work on the board.

Arnett said she recently found that Harris co-founded the annual Kenai Peninsula Run for Women held annually in August.

"That's very exciting that she originated that," Arnett said.

Harris said learning about the award was emotional for her.

She was presented with a cake by WRCC staff and board members and was read the letter of nomination.

"It brought me to tears," she said. "I enjoy my work at the center, they are a great group of people."

Harris said volunteering always has brought her enjoyment.

"It has always been a personal achievement and a personal satisfaction," she said, adding she volunteers for WRCC because she likes making a difference.

Being publicly noticed for her efforts is strange but appreciated, she said.

"It is like it is happening to someone else," she said. "I am proud, I'm honored and humbled."

She said she began her career at WRCC as volunteer 17 years ago and is proud of what the center has accomplished through the years.

"We are respected in the community, and I enjoy that," Harris said. ☞

LAP T-SHIRT ORDER FORM
 NEW UPDATED DESIGN
 SHORT-SLEEVED, PURPLE, 100% COTTON T-SHIRT
 Sizes Medium-3XL

Working Together For Justice



ANDVSA Legal Advocacy Project

Order Form

Size(s)	Quantity	x	Price	Subtotal

Name/Program

Address

Phone

Order Total: _____
 Shipping (\$3): _____
 Total: _____

Make checks payable to ANDVSA

Mail order form and payment to:
 ANDVSA Legal Advocacy Project
 130 Seward St., #209
 Juneau, AK 99801
Questions? Call Mary Kay at 586-5643, x23

(“Supreme Court Decisions and Women’s Rights,” Continued from page 1)

government as framed in 1787, or in the ten amendments, ratified in 1791, composing the Bill of Rights. Why should that be so in view of the 1776 Declaration of Independence, which declared in ringing tones the “self-evident” truth “that all men are created equal”?

The existence of slavery in all but five of the thirteen states of the United States when our nation was new is part of the answer, but the reason is more encompassing. John Adams, who became second president of the United States, wrote a revealing letter to a friend in 1776, the very year the Declaration of Independence was proclaimed. Adams explained to his friend why he thought voting qualifications should not be lowered in his home state of Massachusetts:

[I]t is dangerous to open so fruitful a source of controversy and altercation as would be opened by attempting to alter the qualifications of voters; there will be no end of it. New claims will arise; women will demand a vote; lads from twelve to twenty-one will think their rights are not enough attended to; and every man who has not a farthing, will demand an equal voice with any other, in all acts of state. It tends to confound and destroy all distinctions, and prostrate all ranks to one common level.

Concerning women, one must place in the context of the early nineteenth century, the words of Thomas Jefferson, principal author of the Declaration of Independence, later third president of the United States. Jefferson said in 1816:

Were our State a pure democracy . . . There would yet be excluded from deliberations . . . Women, who, to prevent depravation of morals and ambiguity of issues, should not mix promiscuously in the public meetings of men.”

Not until 1868, after the Civil War ended slavery, did the Constitution provide, as it has ever since, that no state “shall . . . Deny to any person . . . The equal protections of the laws.” And women did not become a

part of the U.S. political community until 1920 when, by constitutional amendment, they at last gained the right to vote.

Thurgood Marshall, leader of the struggle in the courts for an end to odious racial classifications, said prior to his 1991 retirement as a Supreme Court justice, that he did not celebrate what the Constitution was in the beginning. (As originally framed, the Constitution protected the slave trade until 1808 [art. I, sec. 9] and it required the return of persons who had escaped from human bondage, a provision in force until the Civil War [art. IV, sec.2].) Instead, Thurgood Marshall celebrated how our fundamental instrument of government had evolved over the span of two centuries. The “true miracle,” he said, is the Constitution’s “life nurtured through two turbulent centuries.”

I share that view, but I appreciate, too, that the equal dignity of individuals is part of the constitutional legacy, shaped and bequeathed to us by the framers, in a most vital sense. The founding fathers rebelled against the patriarchal power of kings and the idea that political authority may legitimately rest of birth status. Their culture held them back from fully perceiving or acting upon ideals of human equality in rights, obligations, and opportunities, and of individual freedom to aspire and achieve. But they stated a commitment in the Declaration of Independence to equality and in the Declaration and Bill of Rights to individual liberty. Those commitments had growth potential. They received further expression in the nineteenth century, after the Civil War ended slavery, through the addition of the Equal Protection Clause to the Constitution, and again in the twentieth century, when women were made voting

(Continued on page 9)

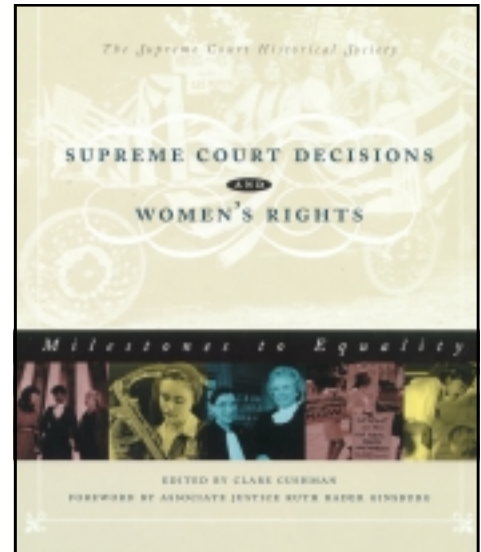
(Continued from page 8)

citizens. As historian Richard Morris wrote, a prime portion of the history of the U.S. Constitution, and a cause for celebration, is the story of the extension (through amendment, judicial interpretation, and practice) of constitutional rights and protections to once ignored or excluded people: to humans who were once held in bondage, to men without property, to the original inhabitants of the land that became the United States, and to women.

With that background in mind, one can put in proper perspective the story told in this book of when, why, and how women came to count in constitutional adjudication and as participants, in full partnership with men, in diverse aspects of the nation's economic and social life. A great American, Susan B. Anthony, made a prediction a century ago, bold for her time, but now, as the following chapters show, within hailing distance. She forecast a time when “[t]he woman . . . Will be the peer of man. In education, in art, in science, in literature; in the home, the church, the state; everywhere she will be acknowledged equal, though not identical with him.”

It is my hope and expectation that readers of this book will experience the realization of Susan B. Anthony’s ultimate vision: “man and woman working together to make the world the better for their having lived.”

RUTH BADER GINSBURG
Associate Justice
Supreme Court of the United States



Reprinted with permission from:
Supreme Court Decisions and Women’s Rights
Edited by Clare Cushman

CQ Press
A Division of Congressional Quarterly Inc.
1414 22nd Street, N.W.
Washington, D.C. 20037
(202) 822-1475; (800) 638-1710
www.cqpress.com

We are swimming through a river of change . . .
We’ve spent the last few decades standing on the river bank,
rescuing women who are drowning. In the next decade,
some of us have to go to the head of the river to keep
women from falling in.

-Gloria Steinem

**Legal Advocacy
Project Staff**

Ami Heinberg
Project Coordinator/Web Designer

Blaine Hollis
Pro Bono Program Staff Attorney

Mary Kay MacNaughton
Project Coordinator

Christine McLeod Pate
Pro Bono Mentoring Attorney

Kari Robinson
LAP Director/Project Attorney

Sarah Switzer
Pro Bono Project Coordinator/VISTA

Network Staff

Diana Briggs
Transitional Housing Analyst

Peggy Brown
DV Public Policy Analyst

Jim Grammel
Business Manager

Lauree Hugonin
Executive Director

Lonna Stevens
Administrative Assistant

Network Office
(907) 586-3650 phone
(907) 463-4493 fax
www.andvsa.org



Legal

Advocacy Project
(907) 586-5643 phone
1-800-914-7867 toll-free
(907) 586-3152 fax

Pro Bono Mentoring Project
1-888-520-BONO
(907) 747-7545 phone
(907) 747-7547 fax

The Legal Advocate

**Legal Advocacy Project
ANDVSA
130 Seward St., #209
Juneau, AK 99801**