

PROTECTING CHILDHOOD ABUSE SURVIVORS' ACCESS TO JUSTICE

Patti Barton buried deep what had happened to her.

She was barely over a year old when she was first sexually abused by her father—a man who was supposed to protect her; a man she was supposed to be able to trust. But it wasn't until she began marriage counseling **nearly 30 years later** that the memories of her abuse were uncovered.

Victims of childhood abuse often repress traumatic memories or are unable to connect their experiences to injuries until long after the abuse occurred, frequently while undergoing therapy for a seemingly unrelated issue.

But in all too many cases, including Patti's, **that realization leaves survivors powerless.** By the time traumatic memories have been recovered, the statute of limitations—the time limit for legal action after an assault has been committed—has expired, and the survivor is left without remedy for the harm done to her.

Legal Voice has long been a leader in the effort to ensure childhood sexual abuse survivors can bring legal action against their abusers, **regardless of how much time has passed since the abuse occurred.** In 1986, we filed an amicus brief in *Tyson v. Tyson*, a case involving another woman who had recovered memories of sexual abuse from her childhood throughout the course of therapy. We encouraged the Washington Supreme Court to create an exception to the statute to allow her and other victims of childhood sexual abuse to seek damages for the crimes committed against them, even if they didn't remember the abuse until after the limitations had expired. The Court disagreed with our arguments and ruled against the woman, thus barring many victims of childhood sexual abuse from using the legal system to receive justice.

The *Tyson* ruling meant that Patti couldn't sue her father for damages. It also meant that we needed to turn to another forum to make change: the Washington State Legislature.

Armed with Patti's testimony and her unrelenting determination to create change, **we helped draft and pass the country's first state legislation** that provides survivors like Patti a way to sue their abusers. The law amended the state's "discovery rule" to make it apply to childhood sexual assault, allowing the time limit for legal action to start at the point the victim realizes her injuries are a result of childhood abuse, instead of when she

reaches 18 years of age. We then went on to defend the constitutionality of that law in the Washington Supreme Court, while Patti went on to file the first suit under the new law. She later successfully advocated before the Alaska Legislature for similar legislation.

We also helped pass a similar law in Montana, and several years later, successfully urged the Montana Supreme Court to apply the discovery rule to injuries caused by individuals who negligently contributed to the abuse—not just the abuser. This decision helps **ensure victims have access to the courts** and can hold all parties accountable, regardless of whether their involvement was intentional or negligent.



In 1988, Patti Barton (second from right) was joined by her husband and daughter at the signing of SB 6305, the country's first state legislation that applies the discovery rule to survivors of childhood sexual assault.

Today, our work continues. In Oregon, seven John Does are standing up for their right to seek justice—and we are standing with them. As children, these men endured sexual abuse by their juvenile probation officer. And as adults, their efforts to seek damages for their psychological problems stemming from the negligence of Josephine County—whose officials allegedly knew of the perpetrator's history of abuse but failed to remove him or supervise his conduct with the boys—have been dismissed by the Court.

Where is the justice? It surely wasn't in that courtroom, even with a discovery rule already in place. So we are appealing this decision, and **we won't stop** until these men—and everyone who has been abused by power, let down by systems created to protect them, and overlooked by the law—can access their right to justice.

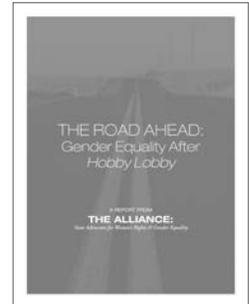
WORKING BEYOND THE NORTHWEST

Legal Voice creates change in Washington, Oregon, Idaho, Montana, and Alaska, but our impact can be seen far beyond the Northwest. We regularly work with national allies to ensure the progress we make isn't limited by state lines. We are proud to announce three new projects that have Legal Voice working nationally:

- The U.S. Department of Housing and Urban Development recently awarded a grant to our allies at the Northwest Fair Housing Alliance to develop a **national education campaign focused on sex discrimination in housing**, and we've been selected as one of their partner organizations! Along with Gender Justice League and YWCA of Spokane, we will help shape this campaign to highlight discrimination based on domestic violence, sexual harassment, gender stereotyping, and gender identity.
- For years, Law Students for Reproductive Justice (LSRJ) has used its groundbreaking Reproductive Justice Fellowship Program to place law students and recent graduates at Washington D.C. organizations working to influence law and policy. We are thrilled to take part in **LSRJ's pilot program to bring fellows to the states!** Starting in August 2016, one fellow will split time between Legal Voice and our friends at Surge

Northwest, enhancing our capacity to do reproductive justice work.

- The Alliance : State Advocates for Women's Rights & Gender Equality has compiled a new report, *The Road Ahead: Gender Equality After Hobby Lobby*. This report outlines our **state strategies to defend and advance the rights of women and LGBTQ people** in the post-*Hobby Lobby* legal landscape, and serves as a resource for our colleagues working to ensure social justice in the states.



For more on these and other news updates, please visit www.LegalVoice.org/news.

NEW: NORDSTROM AND BOEING EMPLOYEES, DOUBLE YOUR IMPACT!

Many employers offer matching gifts—charitable corporate donations that **double the amount employees donate** to their favorite nonprofits. With twice the impact and half the work, participating in matching gift programs is a wonderful way to support Legal Voice! Some companies will even match your volunteer hours with a monetary donation.

We want to welcome two new employers now matching their employees' generosity:

Boeing offers a full match of active employees' donations (in dollars or volunteer hours) and 50% of retirees' monetary gifts. To participate, make your donation to Legal Voice, then sign in to your Total Access page and click on My Community Giving – Gift

Match to register your gift, selecting Legal Voice as the recipient organization.

As of this summer, **Nordstrom** also matches gifts through its new Employee Charitable Match program. If you are a Nordstrom employee, please visit MyNordstrom.com and look for the Employee Charitable Match Program widget for more information on how to give.

AMGEN, Google, The Gates Foundation, Starbucks, Costco, Microsoft, and **many other companies** also have matching gift and volunteer grant programs. Please contact your human resources office for more information.

SAVE THE DATES!

For more information on these and other Legal Voice events, please visit www.LegalVoice.org/events

FRIDAY, DECEMBER 4, 2015
12-1:30 P.M.

Legal Voice's Annual Legislative Lunch & Learn with CLE Credit

To register for 1.5 CLE credits, please visit tinyurl.com/LegalVoiceCLE

THURSDAY, MARCH 17, 2016
6-8 P.M.

Cocktails for a Cause

SATURDAY, OCTOBER 8, 2016
5:30 P.M.

Legal Voice Auction



AUCTION WRAP-UP

Once again, **you've astounded us**. You made the 2015 Legal Voice Auction an incredible success. You raised your paddle and raised an amazing amount of money—together, we netted \$165,000 to support our work creating change for women and families in our region! Wow. And thank you.

This past year has been full of victories: we won our pharmacy refusals case, we saw marriage equality go nationwide, and we made Washington State a safer place for women by helping put new laws into place. **We've accomplished so much with your help**, and we look forward to using your support from the auction to accomplish even more.

We couldn't put on such a fabulous event without the generosity and commitment of our volunteers, local businesses, and friends who donate amazing items and experiences to our auction. And, of course, **heartfelt thanks to our sponsors** for their support: 1st Security Bank, Foster Pepper, Garvey Schubert Barer, K&L Gates, KPMG, MacDonald Hoague & Bayless, Mainstreet Legal Malpractice Insurance, Pacific Continental, Perkins Coie, Schwabe Williamson & Wyatt, Skellenger Bender, Stoel Rives, Stokes Lawrence, and Summit Law Group. See you next year!

KICK OFF THE SEASON OF GIVING WITH #GIVINGTUESDAY™

The holiday shopping season seems to arrive a little earlier each year; by the time your Thanksgiving leftovers are gone you've already made it through Black Friday, Small Business Saturday, and Cyber Monday. While we know the thrill of getting the best deals on the season's must-have items, we also know this: Legal Voice supporters put their money where their hearts are.

So before we all get caught up in the bustle of the holiday season, please mark your calendar to join us on **December 1st for Giving Tuesday, a global day for giving back**. Your support allows us to continue our work in the courts, legislatures, and communities of the Northwest!

This year, start a new tradition: kick off the season of giving by supporting Legal Voice! You can donate directly through the Legal Voice website at www.LegalVoice.org/donate. Happy Holidays!

LEGAL VOICE

907 Pine Street
Suite 500
Seattle, WA 98101

T 206-682-9552

W LegalVoice.org

E info@LegalVoice.org

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ORG
US POSTAGE PAID
OAKLAND, CA
PERMIT NO. 259



BECOME A VISIONARY...

BY MARTI McCALEB

Legal Voice is the reason I have the privilege to call Seattle my home. Before I accepted a position as a Legal Voice student extern, this wonderful city was barely more than a map dot to me. And yet, from the minute the plane touched down, something about this place called to me, and for the first time in a long time, I'd found a place that felt like home.

Legal Voice provided me the opportunity to combine my legal training, my first career as a domestic violence and sexual assault victim's advocate, and my personal interest—as the daughter of a single mom—in economic justice. The law is a tool that can and should be used to improve the lives of real people, and I see that commitment in Legal Voice's mission, its passionate staff, and its dedicated volunteers.

It has been almost a decade since that girl from Alabama stepped off a plane for the first time, and almost five years since she decided to make a permanent home in Seattle. Legal Voice has been there every step of the way, fighting for the causes I believe in and working tirelessly to make the world a better, safer, fairer place for women. I am proud to support that work today, and am honored to include that work in my legacy by leaving a gift for Legal Voice.

Legal Voice Visionaries are supporters and friends who have included Legal Voice in their estate plans or wills. If you are interested in our Visionaries program and would like to know more about it, please contact Michelle Johnson, Director of Development, at 206-682-9552 x113, or by email at MJohnson@LegalVoice.org

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