

Testimony of Karen Cheeks-Lomax

Chief Executive Officer, My Sister's Place

July 23, 2015

Good afternoon. My name is Karen Cheeks-Lomax, and I am the CEO of My Sister's Place, a nonprofit organization in Westchester County. Since 1976, My Sisters' Place (MSP) has worked to end violence in intimate relationships and combat the effects of domestic violence and human trafficking throughout Westchester County and the surrounding region.

Each year, MSP reaches thousands of women, men and children in need, providing shelter, counseling, and legal services. Our Center for Legal Services was established in 1997 to respond to our clients' urgent need for specialized, high-quality legal services, making MSP the only organization in the region that provides the full range of holistic, integrated legal and social services to victims. Our Legal Center's mission is to provide victims of domestic violence and human trafficking greater access to legal protections and remedies crucial to their survival and safety. We provide information, referrals, advice, counsel, and direct representation in family law, immigration and human trafficking cases. Our attorneys work on matters relating to custody and visitation rights, orders of protection, child support and relief under the Violence Against Women Act (such as obtaining T and U visas). Our family law attorneys represent clients in all three of Westchester's Family Courts, including White

Plains, Yonkers, and New Rochelle, and are intimately familiar with the needs of domestic violence victims who are litigants in these proceedings.

We know, of course, that not every victim is the same. There is a range of situations that a victim may be in when she comes to court. She may be recently traumatized, seeking the help of the judicial system on the heels of a severe incident of domestic violence and need a temporary order of protection. She may have fresh injuries. She may be experiencing stalking, sexual assault, harassment, or have been trafficked. If she is an immigrant, she may fear that coming to court puts her at risk of deportation and separation from her American-born children. She could be the petitioner in an order of protection, custody, or child support case. Or, she may be the respondent. In that case, the court may have no order of protection petition before it to make clear that this case may involve domestic violence issues. Clearly, there are many sophisticated legal, social services, and safety issues that are presented by these cases. An attorney handling these cases would need to have an understanding of the dynamics of domestic violence. He or she would have to identify and contemplate complex questions, and provide reliable information on issues such as whether the client should file a police report or a cross-petition, whether the client might consider seeking counseling or shelter, and what if any ramifications this case might have on her immigration status.

Luckily, Westchester County does provide funding for legal services to My Sister's Place and many of our collaborating agencies, several of which are here today -- such as the Pace Women's Justice Center and Legal Services of the Hudson Valley. These attorneys are trained in understanding domestic violence and the many collateral but critical issues that the client may be facing. But despite these resources, not every victim ultimately can be served by our agencies, and many victims are represented by 18-B attorneys. Given this reality, it is crucial that any criteria developed to address assignment of counsel must take into account the unique needs of domestic violence victims and adhere to some basic principles. Of paramount importance are maintaining a

victim's safety, securing her confidentiality, and providing her with access to needed resources. Court-appointed attorneys should be provided with needed training on these issues so that they are well equipped to represent this vulnerable population. When financial eligibility is assessed, questions regarding marital assets should be considered, because victims of domestic violence often may have joint ownership of an asset such as the marital home, yet no access to resources to hire an attorney.

My Sister's Place welcomes the opportunity to further assist the Office of Indigent Legal Services as it develops criteria for assignment of counsel that will protect the safety and confidentiality of victims and ensure that they are receiving the information and resources they so desperately need. Thank you.

Beth Levy

From: Jennifer Friedman
Sent: Tuesday, July 21, 2015 4:26 PM
To: Karen Cheeks-Lomax
Cc: Beth Levy
Subject: KCL Testimony - Hearing on 18-B Attorney Assignment 7-23-15
Attachments: KCL Testimony - Hearing on 18-B Attorney Assignment 7-23-15.docx

Hi Karen,

Here is a draft of the testimony for Thursday at 12:15. I am attaching and also pasting below. I am in all day tomorrow (weds) but out Thursday. If you want me to work more on any sections, etc., please let me know ASAP – I have time tomorrow to work on it. Also, if you want to submit it and/or distribute it on Thursday, let me or Gail know – you need to bring 10 copies with you. Finally, Beth Levy (copied here) can join you if you would like a rep from the family law staff. She will then run off to a goodbye party at the County building for Thea DuBow, which is from 12-2. THANKS!

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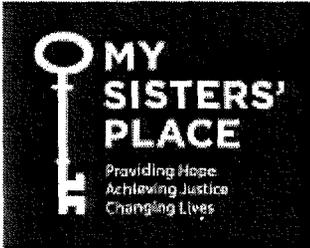
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Jennifer Friedman, Esq.
Managing Director of the Center for Legal Services
MY SISTERS' PLACE
1 Water Street White Plains NY 10601
914.683.1333 ext.109 |
Email: JFriedman@mspny.org
Website: <http://www.mspny.org>
Follow us on [Facebook](#) and [Twitter](#)

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