

Winston & Strawn Files Amicus Brief in Support of Survivors of Domestic Violence

JULY 16, 2021

Winston & Strawn filed an amici curiae brief in the Court of Appeal of the State of California, Fourth Appellate District, on behalf of the California Women's Law Center and 20 other organizations supporting a survivor of domestic violence who is asking the Court to set aside a default judgement dissolving her marriage and alleging immigration fraud so that she can adjudicate the case on its merits.

The amici curiae brief requests guidance from the Court that motions to set aside default judgements brought by similarly situated survivors of domestic violence should be granted, especially where service could not be effected due to the survivor's flight from abuse.

The brief argues that such a decision would further California's policy of supporting survivors' critical need for confidentiality following flight from domestic violence, would help prevent abusers from seeking default judgments against survivors as a means of further abuse, and would allow cases brought by abusers during this vulnerable time to be decided on their merits.

The Winston team that filed the amici curiae brief includes Los Angeles Partner Diana Hughes Leiden and Associate Aaron O'Dell.

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