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April 27, 2021

The Honorable Senator Susan Rubio
Member of the Senate, 22nd Senate District
State Capitol
Room 5035
Sacramento, CA 95814

Re: SB 536 (Rubio), As Amended on March 16, 2021
Position: Support if Amended

Dear Senator Rubio,

On behalf of the California Association of Certified Family Law Specialists, a non-profit organization with 646 members who are certified family law specialists by the State Bar of California, Board of Legal Specialization, I write in support of Senate Bill 536 ("SB 536") as Amended on March 16, 2021, if amended.

Existing law generally provides the procedure for the dissolution of marriage, and further provides that when a judgment of dissolution of marriage becomes final, the parties are restored to the state of unmarried persons. Existing law prohibits a judgment of dissolution of marriage from becoming final until 6 months have expired from the date of service of a copy of the summons and petition or the date of appearance of the respondent, whichever occurs first.

SB 536 would require the court to order a judgment of dissolution of marriage to be entered before the expiration of the 6-month period if the moving party establishes either that the moving party was a victim of a felony or misdemeanor offense for an act of

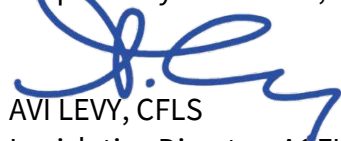
abuse perpetrated by the other spouse or the moving party submits to the court a protective order in effect against the other spouse, as specified.

ACFLS has concerns about the current text of the bill as written. First, Family Code §2339(c)(1)(A) should require proof that the moving party was a victim of a felony or misdemeanor offense for an act of abuse perpetrated by the other spouse. It should not be enough that the moving party merely allege that they were a victim of a felony or misdemeanor offense for an act of abuse. Second, the protections of Family Code §2337 should still apply.

Family Code §2337 provides certain protections to parties upon the granting of an early termination of the status of the marriage. These protections include, but are not limited to, the requirement that a preliminary declaration of disclosure with a completed schedule of assets and debts be served, the maintenance of all existing health and medical insurance coverage of one's spouse and for the minor children as named dependents, and the requirement that certain retirement plans be joined to the proceeding prior to a Court granting an early termination of the status of the marriage. It is important for DV victims to not lose their health insurance coverage so quickly upon commencement of a divorce case. It is also important for DV victims to be aware of what assets and debts are at issue in their case prior to the Court granting an early termination of marital status so that they do not risk losing their benefits, including survivor benefits, and rights to their spouse's pensions and other retirement plans.

ACFLS believes these things have been overlooked by the current text of the bill. For these reasons, ACFLS supports SB 536 as amended on March 16, 2021, if amended as set forth herein.

Respectfully submitted,



AVI LEVY, CFLS
Legislative Director, ACFLS