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June 14, 2023

The Honorable Susan Rubio
Member of the Senate, 22nd Senate District
1021 O Street, Suite 8710
Sacramento, CA 95814

Re: SB 331 (Rubio)
Position: Oppose Unless Amended

Dear Senator Rubio,

On behalf of the California Association of Certified Family Law Specialists (ACFLS), a non-profit organization with 696 members who are certified family law specialists by the State Bar of California, Board of Legal Specialization, I write to oppose Senate Bill 331 unless amended.

SB 331 seeks to define family reunification treatment and identify the circumstance under which a court can and cannot order such treatment. A stated reason for this bill is to make California eligible for grant funding for states that meet the requirements of the federal Violence Against Women Act Reauthorization Act of 2022 (VAWA). ACFLS proposes an amendment to SB 331 that would conform with the VAWA requirements and goals while maintaining language suitable to meet grant requirements.

VAWA defines reunification treatment to mean “treatment or therapy aimed at reuniting or reestablishing a relationship between a child and an estranged or rejected parent or other family member of the child.” To meet grant requirements, VAWA requires a state implement laws that ensure a “court may not, *solely* in order to improve a deficient relationship with the other parent of a child” remove the child from a parent, or limit the child’s contact with a parent, where that parent is competent, non-abusive, and with whom the child has a bond. [Italics added to quoted language.] VAWA also

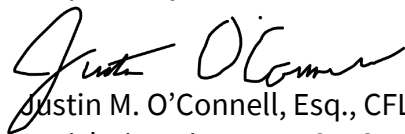
requires a state implement a law that ensures a court may not order reunification treatment “predicated on cutting off a child from a parent with whom the child is bonded or to whom the child is attached.”

SB 331 sets forth a definition of reunification treatment that is slightly different than that proposed in the VAWA, and apparently does so to incorporate other language under the VAWA for grant funding. ACFLS proposes the following amendment in Section 5 of SB 331 regarding proposed Family Code section 3190, subdivision (a)(2)(B)(i) with respect to defining family reunification treatment:

(B)(i) Family reunification treatment is any counseling, treatment, program, or service, including reunification or reconnection therapy, workshops, classes, and camps, intended to reunite, reestablish, or repair a relationship between a child and the parent seeking custody or visitation that is **solely** predicated on cutting the child off from, or restricting the contact with, the primary custodial parent, provided that the primary custodial parent is not physically or sexually abusive or neglectful of the child to a degree that places the child at substantial risk of serious harm. (Added term in bold.)

ACFLS’ proposed amendment would ensure that family reunification treatment could not be ordered if the only reason is to restrict the child’s contact with a competent, non-abusive parent. ACFLS’ proposed amendment would allow California law to comply with VAWA requirements by maintaining the general nature of those requirements.

Respectfully submitted,



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