

# ACFLS

ASSOCIATION OF CERTIFIED FAMILY LAW SPECIALISTS

EXECUTIVE DIRECTOR  
DEANNA ROLEWICZ

PRESIDENT  
JILL L. BARR

VICE-PRESIDENT  
SETH D. KRAMER

TREASURER  
KAREN C. FREITAS

SECRETARY  
JOHN D. HODSON

IMMEDIATE PAST-PRESIDENT  
LYNETTE BERG ROBE

JOURNAL EDITOR  
DEBRA S. FRANK

ASSOCIATE JOURNAL EDITOR  
CHRISTINE GILLE

LEGISLATIVE DIRECTOR  
DIANNE FETZER

ASSOCIATE LEGISLATIVE DIRECTOR  
MICHELE BROWN

TECHNOLOGY DIRECTOR  
MARK RESSA

ASSOCIATE TECHNOLOGY DIRECTOR  
ERIN LEVINE

EDUCATION DIRECTOR  
SHERRY PETERSON

MEMBERSHIP AND BENEFITS DIRECTOR  
PAUL L. BRIMBERRY

OUTREACH DIRECTOR  
LINDA L. SEINTURIER

CHAPTER DIRECTOR (1)  
DAVID M. LEDERMAN

ASSOCIATE CHAPTER DIRECTOR (1)  
ANNE DAVIES

CHAPTER DIRECTOR (2)  
FREDRICK S. (RICK) COHEN

ASSOCIATE CHAPTER DIRECTOR (2)  
STEPHANIE L. WILLIAMS

CHAPTER DIRECTOR (3)  
DORIE A. ROGERS

ASSOCIATE CHAPTER DIRECTOR (3)  
JASON M. SCHWARTZ

REGIONAL DIRECTOR  
PATRICIA A. RIGDON

COORDINATING DIRECTOR (1)  
JOSEPH J. BELL

COORDINATING DIRECTOR (2)  
STERLING E. MYERS

COORDINATING DIRECTOR (3)  
DIANE WASZNICKY

ADMINISTRATIVE ASSISTANT  
RACHELLE SANTIAGO

REPLY TO:

Dee Rolewicz

Steve's name and address goes here.

This should have been deleted

January 17, 2015

To: ACFLS Board Members

Re: 2015 ACFLS Letterhead

June 26, 2015

Honorable Patricia D. Benke, Acting Presiding Justice  
Honorable Gilbert Nares, Justice  
Honorable Terry B. O'Rourke, Justice  
California Court of Appeal  
Fourth Appellate District, Division One  
Symphony Towers  
750 B Street, Suite 300  
San Diego, California 92101

Re: *Altafulla v. Ervin*  
Request for Publication of Decision filed June 9, 2015  
Court of Appeal Case No. D065980  
Superior Court Case No. DV038735

Honorable Acting Presiding Justice Benke and Justices Nares and O'Rourke:

The Association of Certified Family Law Specialists requests publication of the recent decision in *Altafulla v. Ervin*. The decision contributes materially to the small body of appellate cases interpreting the Domestic Violence Protection Act.

The *Altafulla* decision amplifies the holding in *Marriage of Nadkarni* (2009) 173 Cal.App.4th 1483 to guide courts, lawyers, and litigants about the kinds of conduct that justify DVPA relief. Specifically, the opinion holds that "The DVPA was enacted to protect domestic partners from abusive conduct, which, as the record here amply demonstrates, may involve the use of arguably accurate information in a manner that causes severe emotional distress."

The opinion also addresses a variety of federal constitutional attacks on the DVPA. Publication will spare many family courts from having to address such claims anew.

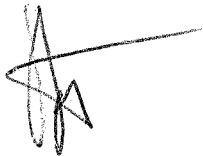
Court of Appeal Fourth District  
FILED  
JUN 26 2015  
Kevin J. Lane, Clerk  
DEPUTY

The Association of Certified Family Law Specialists (ACFLS) is a nonprofit, statewide bar association with approximately 632 members certified by the State Bar of California, Board of Legal Specialization as family law specialists. Since its founding at the inception of the certification of family law specialists by the State Bar, ACFLS has played an active public policy role when the Appellate Courts, Legislature and Judicial Council consider matters of significance to family courts, family court populations or the family law bar. ACFLS has appeared as amicus in many family law appellate cases, including cases where the organization's participation was invited by the appellate court.

ACFLS has an active amicus committee that reviews cases, and makes recommendations to the Executive Committee and Board of Directors regarding letters in support of publication or de-publication of opinions, letters supporting or opposing California Supreme Court review, and amicus briefs.

ACFLS's Board of Directors and Amicus committee have no direct ties to or interest in the litigants or their attorneys in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Temko', with a long horizontal line extending to the right.

Stephen Temko, CFLS, CALS

Co-Chair Amicus Committee

Cc: John Ervin, Appellant  
Peggy Moore, Esq. Respondent  
Oliver B. Dreger, Esq. Respondent  
Leslie Shear, ACFLS  
ACFLS Board of Directors

## DECLARATION OF MAIL

I, Nikki M. Rettelle, declare:

I am over 18 years of age, and not a party to the within cause; my business address is 1620 5<sup>th</sup> Avenue, Suite 800 San Diego, CA 92101. I served one copy of the attached

### LETTER TO ACFLS RE REQUEST FOR PUBLICATION OF DECISION FILED JUNE 9, 2015

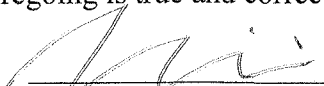
to each of the following, by placing same in an envelope addressed as follows:

John L. Ervin  
4141 Worsch Way  
San Diego, CA 92130  
Appellant

Peggy L. Moore  
Moore Schulman & Moore APC  
12636 High Bluff Dr., Ste. 200  
San Diego, CA 92130  
Attorney for Respondent

Oliver B. Dreger  
Godes & Preis  
8001 Irvine Center Dr.  
Irvine, CA 92618  
Attorney for Respondent

Each envelope was then, on June <sup>26</sup>, 2015 mailed and deposited in the United States Mail at San Diego, California, the county in which I am employed, with the postage thereon fully prepaid. I declare under penalty of perjury that the foregoing is true and correct. Executed on June <sup>26</sup>, 2015 at San Diego, California.

  
\_\_\_\_\_  
Nikki M. Rettelle