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Zelig v. County of Los Angeles, No. S081791, review granted, 986 P.2d 863 (Cal. Oct. 20, 1999)

Eileen Zelig was with her six-year-old daughter in a Los Angeles County courthouse, on a child and spousal support issue, when her husband shot and killed her in front of her daughter. Ms. Zelig had made repeated attempts to warn the court of her ex-husband's specific, repeated threats of violence, but the court took no actions in response, allowing her ex-husband to walk up to her in the courthouse and shoot and kill her. This case, brought by Eileen Zelig's estate and children, seeks to hold the County liable for their negligence in failing to make reasonable efforts to make the courthouse safe. Legal Momentum joined with the California Women's Law Center in an amicus brief in support of Plaintiffs-Respondents.

In our amicus brief, we argued that women who use the state's court system to adjudicate domestic violence and family law matters, such as Eileen Zelig, should be able to expect the counties, as operators of the courthouses, to take reasonable measures to ensure safety and protection against violent acts of current or former partners. Our brief pointed out the increased danger faced by women when they take affirmative steps to leave abusive relationships, such as using the court system to obtain or enforce orders of protection, divorces, or support. Furthermore, California has a strong public policy of protecting women from the threat and incidence of violence at the time of separation from abusive partners. Finally, in light of the requirement that domestic violence victims seeking divorces or child support must use California family courts, the county's failure to provide adequate security from the known risk of "separation violence" deprives domestic violence victims of their right to free, safe access to the courts and made Ms. Zelig more vulnerable to the violence that cause her death.