

# Ensuring a Safe Haven for a Sexual Assault Survivor

While growing up in the Southern part of the United States, “Diana” endured daily physical, sexual, and mental abuse from her family. Her trauma began at age five, when her mother’s parents obtained custody, and her grandfather began to sexually assault her and sell sexual photos of her. Diana’s grandfather eventually began trafficking her, which continued throughout her childhood.

Despite enduring ongoing assaults, Diana was a straight A student in high school. After graduating, she moved to Massachusetts to attend a prestigious university. Tragically, the threats and abuse from her grandfather did not stop.

In order to keep control over Diana, her grandfather threatened to stop helping Diana’s mother and to harm Diana’s boyfriend and her boyfriend’s family. Her grandfather also showed up at her school on parents’ weekend and used a pretext to get her alone and assault her again.

## Summoning the Strength to Seek Help

Remarkably, Diana summoned the strength to file for a restraining order. The Victim Rights Law Center (VRLC), which provides legal assistance to sexual assault survivors, helped her secure a one-year order against her grandfather, despite his vigorous defense.

Several weeks before the restraining order was due to expire, Diana reached out to the VRLC and directly to Mintz attorney Katharine Foote, who had recently won an award from the organization for her pro bono work for survivors. Katharine also runs the firm’s Domestic Violence Project (DVP), a multifaceted program that focuses on representing survivors of gender-based violence and organizations that assist them, advocating for legislative reform, and assisting with pivotal appellate cases. See below for more information about the firm’s long-standing work in this area.

After the VRLC conducted a screening, Mintz agreed to take the case.

“There are times where we’re the first people who have believed the client and helped them get any sort of relief,” Katharine said.

## Testifying About a History of Family Abuse

Over the course of several emotional meetings, attorneys Dan Goodrich and Janki Viroja learned more about Diana’s history. The case team used that information to draft a detailed supplemental affidavit for the court. With guidance from Dan, Janki carefully prepared Diana to testify.

When they arrived in court for the November 2022 hearing in a Massachusetts court, the Mintz team learned their painstaking preparations were all too necessary. In addition to hiring a well-known defense attorney to represent him at the hearing, Diana’s grandfather was permitted to appear and testify via Zoom. In court, Janki masterfully handled the opening remarks, direct examination of Diana, and the closing argument. When defense counsel subjected Diana to a nearly hour-long cross-examination, Dan and Janki repeatedly and successfully advocated that the cross-examination was irrelevant and harassing during numerous sidebars called by the judge to discuss the nature of the questioning.

## Rare Ruling Creates a Safe Haven

After a nearly two-hour hearing, the judge granted a rare permanent restraining order. Thrilled with the outcome, Diana thanked the team for comforting her while advocating on her behalf and for giving her a safe way to move forward with her life. Protected by the permanent order providing her safety, she is studying for a master’s degree in social work to help others in crisis.

“The vast majority of survivors do not have an attorney to represent them, and when litigants show up alone, many are completely intimidated by the judicial system. If they’re going up against a lawyer who understands the process, they’re immediately at a disadvantage. Our work is very important to even that playing field,” Dan said.

## Pro Bono Team

**Katharine K. Foote**, Associate

**Daniel J. Goodrich**, Associate

**Janki H. Viroja**, Associate

Camille C. Herring, Senior Project Analyst

## Advancing the Fight Against Gender Violence

Over the past decade, Mintz has represented nearly 100 individual domestic violence and sexual assault survivors as part of its Domestic Violence Project (DVP), the firm's signature initiative for pro bono service and charitable-giving programs.

Mintz established the DVP more than 30 years ago to address the societal issue of domestic abuse by representing survivors in individual cases and advocating for state and federal laws changes aimed at protecting and empowering those affected. As the project evolved to include sexual assault cases and ultimately to focus on combatting all types of gender-based violence, including human trafficking, the firm's work in this area expanded. Mintz has served as legal counsel to many nonprofits working to stop these abuses and regularly partners with these organizations to push for legislative reform and to write amicus and appellate briefs in pivotal legal cases. To date, more than a thousand attorneys and staff members have assisted individual clients.

"This is an extremely underserved area of the law, where there's a lot of cultural stigma around supporting survivors and believing survivors. It's critically important that the firm has put its support and resources behind a program like this," said Mintz attorney Katharine Foote, who runs the DVP and represents individual survivors of domestic violence and sexual assault.

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