

THE DOMINGUEZ FIRM^{LLP}



Lawyers

TAKE YOUR POWER BACK

LEGAL RIGHTS FOR VICTIMS OF
SEXUAL HARASSMENT OR MOLESTATION



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INTRODUCTION

FLIPPING THE POWER DYNAMIC

You've landed the job, career, or promotion you've always wanted and just when you think things are on an upswing, a creepy supervisor or coworker starts sexually harassing you. Or, you've put your child in daycare, elementary school, or a church or camp function and you think they'll have the time of their lives only to find out they have been molested. The shock, dismay, and disastrous consequences that follow these types of incidents can be devastating. And sadly, acts of sexual harassment and molestation can strip you of your dignity, self-worth, and self-esteem. Anger, hopelessness, and dread can wash over you and leave you feeling completely powerless.

At the root of nearly all sexual harassment and molestation is a power dynamic, in which the perpetrator acts on an illegal urge because they think they can get away with it. They prey on people they think won't speak up, who will tolerate it or even deny it; and who will remain silent, as they move on to their next victim.

Finding your voice and flipping the power dynamic is the first step toward your recovery and healing. However, you may ask: how am I supposed to do that, when coming forward to report someone seems as daunting and overwhelming as enduring the harassment or abuse? A strong first step toward finding your voice is gathering information. Information is power, and by reading this guide, you can be better informed and thus, empowered to take action.

This resource guide informs you about the laws, your rights, and your legal remedies.

This e-book is designed to help you take your power back by providing a detailed overview of the laws, legal processes, and remedies that allow you to stand your ground, enforce your rights, and hold perpetrators, and the employers and organizations that employ them, accountable for their wrongdoing. Through the justice system, you can find your feet again and step back onto the path toward the future you always wanted.

TAKE YOUR POWER BACK

YOU'RE NOT ALONE

1 in 3 women and 1 in 6 men have experienced sexual violence involving physical contact at some point in their lives.

According to the [CDC Center for Disease Control and Prevention](#).

KEY STATISTICS

Sexual Harassment

The #metoo movement, started through online forums by the brave women who came forward with reports of sexual harassment and assault by powerful Hollywood executive Harvey Weinstein, brought to the forefront just how rampant sexual harassment is.

According to [Pew Research Center](#):

If you or a loved one has been victimized, it is important to seek help. Victims' rights and community support are stronger than ever.



59% OF WOMEN



27% OF MEN

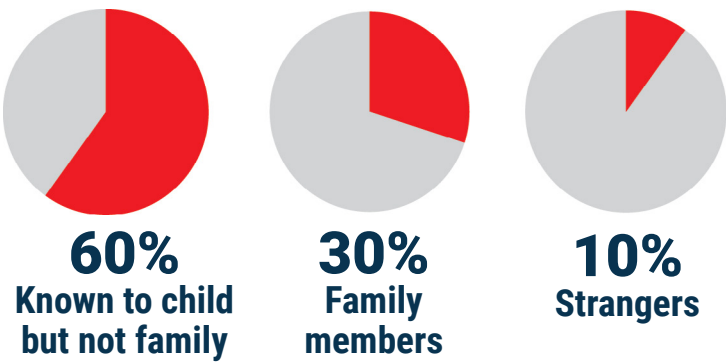
Say they have been sexually harassed. Over 60% say this happened in a professional or work setting.

Molestation

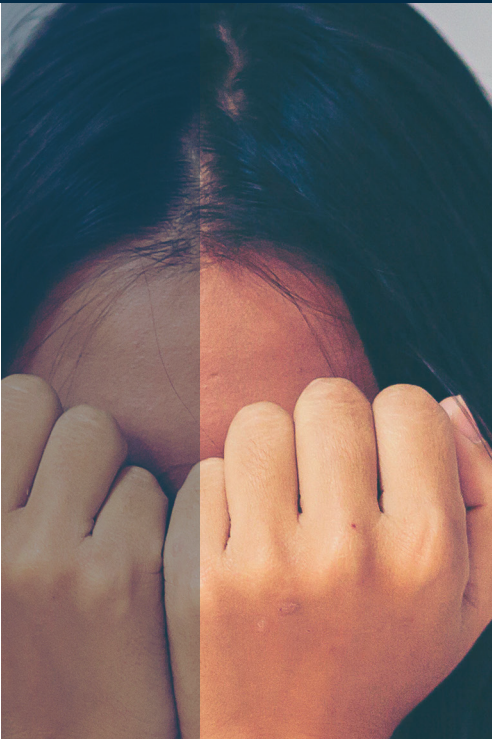
Tragically, molestation pervades all aspects of society, regardless of socioeconomic status or race, and has devastating effects on its victims. And the perpetrators who commit these crimes don't discriminate based on socio-economic status or race. Since the ongoing global Catholic Church and Archdiocese sexual abuse scandal, which was first publicized in 1995 and still prevalent in the news these days—involving the L.A. Unified School District, homes, daycares, camps, athletic teams, families, and more—the statistics are horrifying.

Perpetrators of Child Sexual Abuse:

Source: [National Sexual Violence Resource Center](#)



If you or someone you know has been victimized, there are resources and assistance available both legally and emotionally. You're not alone. By reading this guide, you have taken an important first step toward taking your life back and regaining control.



1 in 4 girls and 1 in 6 boys will be sexually abused, before they turn 18.

According to the [National Sexual Violence Resource Center](#).



WHAT CONSTITUTES SEXUAL HARASSMENT?

Sexual harassment is defined as, “unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that explicitly or implicitly affects an individual’s employment.” It can be harassment of any kind regardless of gender.

There are two types of sexual harassment:

1. QUID PRO QUO:

This Latin phrase essentially means, “this for that” or “give something to get something.” Quid pro quo violations are the type in which a supervisor or coworker promises you a favorable employment action; such as being hired, promoted, or receiving a raise, in exchange for dating or sexual favors from the employee. It can also be the case, in which a supervisor or coworker threatens you with an adverse employment action; for example, if you don’t “play ball” and a consequence follows.

2. HOSTILE WORK ENVIRONMENT:

This is when the behavior or conduct of a sexual nature becomes so frequent, severe, and pervasive that it prevents you from performing your work duties, alters the condition of your employment, or rises to the level of abuse.



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Identifying sexual harassment, usually, follows the rule that you know it when you **see**, **hear**, or **experience** it. It is unwanted and can come in many forms, ranging from subtle hints, dirty jokes, and cyber harassment to advances, explicit requests or demands, touching, groping, exhibitionism, and other similar behavior.



WHAT CONSTITUTES MOLESTATION?

Molestation can come in many forms, including: touching, exhibitionism, rape, rubbing, kissing, fondling, masturbation, inappropriate and/or obscene jokes and conversations, pornography, and other sexually charged physical or verbal interactions.

While identifying molestation typically falls on the parent, many times, a minor may be able to vocalize the molestation to their parent or another adult. If that fails, oftentimes, it may be the case that the victim has reached the age of 18 and finally discovered the link between past abuse and present-day mental injuries, and is able to seek redress as an adult.

EMOTIONAL OR BEHAVIORAL WARNING SIGNS:

Look for changes in personality, withdrawing from family, friends, and activities, avoidance of certain places and/or people, changes in performance at school or in other activities, acting out, aggression toward other kids or animals, use of inappropriate sexual language, and other similar negative behaviors.

PHYSICAL WARNING SIGNS:

Look for limping, trouble sitting, bruising, abrasions, and ripped, soiled, or bloodied clothes.

While never easy, parents must arm themselves with the tools and questions to find out if their child has been the victim of sexual assault or abuse. An excellent resource about how to talk to your child, if you suspect sexual abuse, is the [Rape, Abuse & Incest National Network](#).



THE LAWS THAT GIVE YOU THE POWER TO FIGHT BACK

Sexual harassment and molestation are illegal. There are a number of Federal and State laws that work to deter potential perpetrators and incentivize employers and organizations to select, supervise, and retain “safe and fit” employees for the job in question, as well as to provide protocol, training, and safeguards.

Unfortunately, the deterrence aspect of these laws only goes so far; and there will always be bad actors, who think they can get away with abuse. If so, the following laws provide a powerful sword in the right hands to fight back against unscrupulous individuals and the employers or organizations that harbor them.

Sexual Harassment

Title VII of the Civil Rights Act of 1964 provides the Federal framework of laws and cases that work together to protect you, by prohibiting employers from discriminating against employees on the basis of sex, race, color, national origin, and religion. Title VII applies to employers with 15 or more employees and is enforced by the Equal Employment Opportunity Commission (EEOC).

In California, we have the Fair Employment and Housing Act (FEHA), which provides similar protections from discrimination, retaliation, and harassment in the workplace and applies to all employers regardless of size. FEHA is enforced by the California Department of Fair Employment and Housing.

By law, employers are strictly liable for the actions of their supervisors, meaning the employer is automatically found at fault if the supervisor is found at fault.

In the eyes of the law, employers are strictly liable for the actions of their supervisors. “Strictly liable” means the employer is automatically found at fault if the supervisor is found at fault. As for coworker sexual harassment, employers are liable, only if they knew or should have known about the sexual harassment and failed to do anything about it.

Molestation

Acts of molestation and sexual abuse of a child are controlled by the California Penal Code, and are always considered a crime first and a civil matter second. In many cases, unfortunately, the police may not always recommend the case to the District Attorney's (DA) office for prosecution, or the DA may simply pass on pressing charges. Whether charges are formally brought in a criminal complaint or not has no bearing on whether you can file a civil complaint for monetary damages.

A civil lawsuit for molestation or child sexual abuse can be brought directly against the perpetrator. To hold an employer or organization liable, which is often vital as perpetrators typically lack the insurance or financial resources to adequately compensate victims, you must prove that the employer or organization knew or should have known of the abuse and failed to prevent or stop it.

A civil lawsuit for molestation can be brought against the employer if the employer knew or should have known of the abuse and failed to stop it.

Civil theories of liability that work to hold perpetrators, as well as their employers or organizations liable, include: negligent hiring, supervision, and retention (of the perpetrator); negligent and/or intentional infliction of emotional distress; assault and battery; and others.

A civil action regarding molestation typically falls under the field of personal injury law (tort law).

Assault and Battery

Additional causes of legal action that address sexual assault and molestation are assault and battery. While assault and battery are commonly referred to as one single cause of action by the general public, they are in fact two separate causes of action, which may exist independent of each other. However, these two causes of action often go hand in hand.

ASSAULT: The threat of harmful or offensive touching, without the victim's consent, causing the victim harm; or an act intended to cause harmful or offensive contact, which the victim reasonably believed was imminent.

BATTERY: A harmful or offensive contact, without the consent of the victim.



TAKE YOUR POWER BACK

Assault and battery carry both criminal and civil repercussions. This means that a wrongdoer could be prosecuted in criminal court, as well as in civil court (under personal injury law); thus giving the victim redress in both the criminal justice system as well as monetary compensation in a civil action. Additionally, civil suits for assault and/or battery often include a claim for punitive damages.

Punitive damages are damages (monetary compensation) intended to punish the wrongdoer for engaging in such egregious and malicious conduct, as well as serve as a deterrent for others not to engage in similar conduct.

Assault and battery are both grounds for criminal and civil charges, including the possibility of punitive damages in a civil case.

WHAT SHOULD I DO IF I AM HARASSED AT WORK?



If sexual harassment has occurred, it is important to report it to your employer, a non-perpetrating supervisor, or your human resources department. Your employer has a legal duty to stop or prevent the harassment, to investigate it, and to take action to stop any future harassment or threat of harassment.

Moreover, after you report it, your employer is prohibited from retaliating against you for coming to them with the complaint, although this doesn't deter some employers from doing so anyway, which is also grounds for legal action against the employer.

WHAT SHOULD I DO IF A CHILD HAS BEEN MOLESTED?



You have to initiate formal legal action, which should begin with reporting the crime to the authorities, immediately, by calling 911, Child Protective Services, or your local police department.

While many people in our society, such as teachers, child care givers, and others are designated as “Mandatory Reporters,” you cannot rely on them to always see what is going on, or to do the right thing. Mandatory Reporters have a legal, affirmative duty to report suspicions of abuse, whether sexual or not, but are not the be-all and end-all for detecting and reporting abuse.

After you have reported the incident to the authorities, you should consult with a personal injury law firm for possible civil action against the perpetrator.

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TAKING ACTION

STARTING THE LEGAL PROCESS

If the sexual harassment persists, or has resulted in an adverse employment action such as termination, demotion, pay-cut, loss of benefits, or retaliation, or if molestation has occurred, the best way to flip the script and take your power back is to take **legal action**.

It is important to know that without the help of a skilled, knowledgeable, and experienced sexual harassment or molestation lawyer, you are at a distinct disadvantage, as your opponent may have the benefit of savvy defense lawyers.

The laws discussed in this guide offer a powerful arsenal to fight back, but you must know how to use that arsenal for it to be effective. These are complex and delicate cases that entail in-depth investigations, detailed fact-finding, and strategic planning. Having an award-winning Los Angeles employment lawyer and personal injury lawyer on your team automatically puts you in a position of power.

Sexual Harassment

To initiate your sexual harassment legal action, you must first file an “Administrative Claim” with either the [California Department of Employment and Housing](#) (DFEH), the [Equal Employment Opportunity Commission](#) (EEOC), or both. In most cases, filing with the DFEH is all you need to do. But there are strategic decisions to be considered, as the EEOC affords you access to federal laws in addition to state protections. The Dominguez Firm can walk you through this process.

When you file your claim, you can request that the DFEH or EEOC conduct their own investigation, or you can ask to receive an immediate “Right to Sue” letter. This is called “exhausting your administrative remedies” and is a mandatory step in the process. If you’ve requested a DFEH or EEOC investigation, they may decline or pass on the case and issue a “Right to Sue” letter anyway. Once you receive your “Right to Sue” letter, our law firm can then move forward with filing your sexual harassment lawsuit in civil court.

STARTING THE LEGAL PROCESS | Sexual Harassment

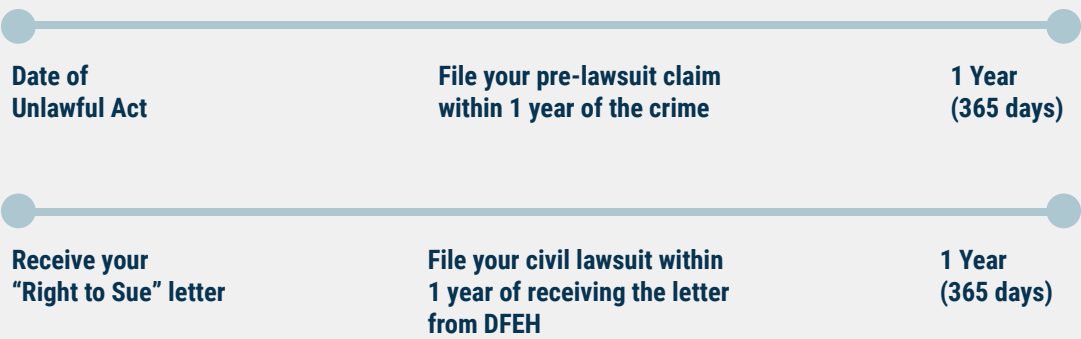
Deadlines to file your pre-lawsuit claim:

- EEOC: within 300 days after the unlawful act
- DFEH: within 1 year (365 days) after the unlawful act

Deadlines to file your civil lawsuit:

- EEOC: within 90 days of receipt of your “Right to Sue” letter
- DFEH: within 1 year (365 days) of receipt of your “Right to Sue” letter

DFEH Deadlines



EEOC Deadlines



STARTING THE LEGAL PROCESS

Molestation

With all deadlines, it's critical not to wait until the last minute. Instead, you want to file your claim and subsequent civil lawsuit well within the previously noted deadlines to ensure compliance and to avoid the pitfalls and mistakes that tend to happen under time constraints.

Also of note, if your employer is a public entity, then your FEHA claim form must be far more detailed to meet strict notice requirements that apply only to governmental employers as opposed to non-governmental employers. Therefore, it is advisable to promptly contact our firm for a free consultation regarding any of the above time constraints and your rights, if you experience sexual harassment at work.

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Molestation

Taking action in a molestation or child sexual abuse case does not require any type of claims form as a prerequisite, UNLESS the perpetrator was employed by a public entity. If so, you must comply with the California Tort Claims Act, which means you must adhere to stringent deadlines and requirements. Moreover, the interplay of the Tort Claims Act and Code of Civil Procedure 340.1 makes it even more difficult. Needless to say, this process can be very tricky and it is strongly advised that you seek legal counsel to ensure your rights are preserved.





STARTING THE LEGAL PROCESS

Molestation

If the victim is younger than 18 years old, the lawsuit requires a “Guardian ad litem,” usually a parent or other close relative of the victim who can help the minor victim throughout the process, and can sign legally binding documents and agreements on the minor’s behalf.

Generally, under Code of Civil Procedure 340.1, (which provides the statute of limitations in a sexual abuse case) you must file the lawsuit:

Eight (8) years from the date the plaintiff attains the age of majority (the age of majority being 18 years old); or within 3 years of the time the victim discovers, or reasonably should have discovered, psychological injury or illness experienced after the age of majority was caused by the sexual abuse, whichever period expires later.

If you’re suing a public entity, here are some important deadlines to consider:

You must file a “claim” with the appropriate public entity within 6 months of the unlawful act (or within 6 months of the victim reaching the age of majority or discovering the link, although this area of law appears somewhat unsettled);

You have 6 months to file your civil lawsuit if you receive a “rejection or denial of claim” letter which also serves as your “right to sue”;

If the government is silent in response to your claim, your claim is deemed rejected on the 45th day and you then have two (2) years to file your lawsuit from the date of the accrual of the cause of action.

Please note, there are exceptions and caveats to these deadlines and, as stated before, having a lawyer that specializes in molestation cases is the best way to avoid any legal pitfalls.

EMPOWERMENT

THE CIVIL LITIGATION PROCESS

Once your lawsuit is underway, you have entered the civil court system, which provides forum for your lawyer to voice your complaints and seek redress for the wrongs you've suffered.

It is important to keep in mind that civil lawsuits seek monetary compensation to make the victim "whole" again. It's the way our judicial system works; even though money can never completely heal the devastation a sexual harasser or perpetrator causes.

With that said, civil cases are comprised of two aspects:

- 1) liability
- 2) damages

LIABILITY:

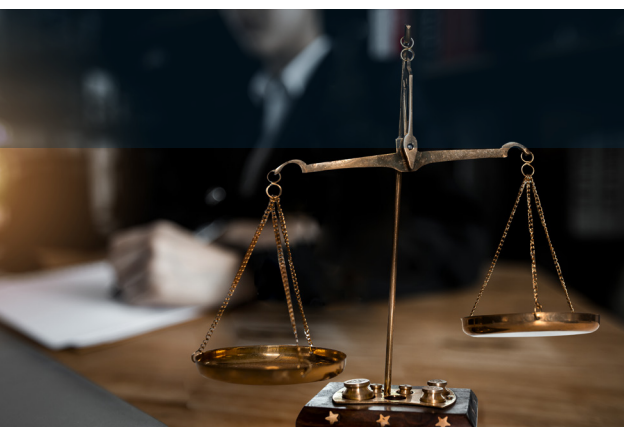
The part of your case where your lawyer has the burden of proving the defendant was at fault for the incident, injuries, and damages.

DAMAGES:

The part of your case where your lawyer proves how much harm you incurred and places a monetary value on that harm. Harm and injury (or damages) in these types of cases usually focus on emotional trauma, but can include costs associated with that trauma, such as therapy and medical treatment. It is not uncommon for there to be a physical injury component in cases of severe sexual assault, abuse, or molestation.

PUNITIVE DAMAGES:

Damages awarded to a victim act as a punishment towards the wrongdoer, if their conduct was egregiously insidious. Punitive damages also act as a social deterrent to prevent others from engaging in malicious behavior. Punitive damages are often the greatest amount of compensation a jury awards.





Key Steps in a Sexual Harassment or Molestation Case

The following is a basic overview of the life of your sexual harassment or molestation case, which in most courthouses throughout California will last 12 to 18 total months and, in some cases, longer—depending on the complexity of the case and the need for trial continuances. The phases of litigation are:

1

**File
Lawsuit**

2

**Written
Discovery**

3

Depositions

4

**Expert
Witnesses**

5

**Settlement
Discussions**

6

**Trial
Preparation**

7

Trial

8

**Post-Trial
Motions or
Appeals**

It is important to note that the vast majority of these cases settle during any one of these stages of litigation prior to the actual trial.

1 Lawsuit Filed - This triggers many dates and deadlines, including timelines for discovery, your trial date, and all other corresponding dates associated with your trial date.

2 Written Discovery - This is when you (plaintiff), the perpetrator, and the employer, public entity, or organization the perpetrator worked for (defendant(s)) exchange written questions, which often includes a request for documents. Responses and documents produced must be verified under the penalty of perjury and are due 35 days after receipt of the questions and requests. While many of the questions seek general background information, others can be quite specific and pointed. Answering these honestly and with the correct language is vital to ensure you do not negatively impact your case and credibility at this stage.

3 Depositions - These are in-person question and answer sessions, under oath, in front of a court reporter, who transcribes every word spoken into a booklet, known as a deposition transcript. During a deposition, the lawyer from one side asks the opposite party or a witness questions to gain evidence and facts. Depositions are usually held in a conference room in either lawyer's office and are fairly relaxed, aside from the fact that they are considered a formal court procedure under penalty of perjury. Questioning usually pertains to:

- 1) Background information like education, general family history, and relevant medical history.**
- 2) The incident or incidents that gave rise to your lawsuit.**
- 3) The impact of the incident(s) on your life.**

A victim's deposition is by and large the most important part of their case and is critical to a successful outcome. The Dominguez Firm has created a basic deposition instructional video, available in both English and Spanish languages. This (free) deposition instructional guide can be found at <https://dominguezfirm.com/depositions> or herein below:



A victim's deposition is of paramount importance because defendants use the deposition to gauge the credibility and veracity of the victim's testimony, how compelling the victim and her testimony appear, whether the victim would present well at trial, and many other factors to gauge the value of the case. These factors could mean the difference between a defendant trying to settle the case before trial versus a defendant taking a case all the way to a jury trial.

4 Expert Witness - This is when both sides have the opportunity to hire experts in relevant fields to review the evidence and form 'expert' opinions about your case. Those may include: psychologists and/or psychiatrists, human resource experts, economists to calculate past and future lost income and medical expenses, and others. If the case doesn't settle, both sides have the opportunity to take the deposition of the other side's experts.

5 Settlement Discussions - Most courts will urge and even order the plaintiff and defendant to try to settle the case through a court supervised settlement conference or a private mediation. If your case is prepared correctly, this may mark the end of your case if the other side offers a reasonable dollar amount to settle your claim.

6 Trial Preparation - This occurs after settlement discussions have failed and the parties must gear up to present the case in a trial, in front of a judge and a jury in a courtroom. This is a highly complex process and often quite expensive, as taking the deposition of experts is costly, as is preparing all the documents, exhibits, and demonstrative evidence for trial.

7 Trial - This is when your case is presented to a jury in a court of law before a judge. It consists of jury selection, opening statements, direct and cross examinations of plaintiff, defendant, lay witnesses, and expert witnesses, closing arguments, jury deliberation, and the verdict. In most cases, this is the final phase of litigation.

8 Post-Trial Motions or Appeals - This is when either side has an opportunity to review the trial and determine if there are any appealable issues or need for post-trial motions, such as if defense counsel were to request a reduction in the verdict award. Although there is a low percentage of an appeal, if it happens, it will extend your case considerably, up to and including the need to have a re-trial.





KNOWING YOUR OPPONENT

COMMON DEFENSES AND ARGUMENTS

Defenses and arguments against victims of sexual harassment and molestation are often quite similar. The defendant may argue that the established facts of your case do not prove liability, aka “failure to state a cause of action.” They may also argue certain “affirmative defenses,” which they have the burden to prove; such as consent, failure to exhaust administrative remedies, lack of knowledge on the part of the employer or organization, failure to comply with the statute of limitations, and others.

If the defense believes in their arguments strongly enough and believe they have the facts to back them up, you may see what is called a Motion for Summary Judgment,

which acts like a trial on paper, and is a motion to dismiss your case outright. The ability to gather the evidence and to draft a detailed opposition to this motion is essential to ensure your case may proceed.

A victim of harassment or molestation may encounter an attack on their credibility and character by the defense in an attempt to raise doubts about what happened and to diminish the amount of damages that should be awarded, even if the defendant is at fault. However, with the assistance of a skilled attorney advocating for the victim’s rights, these all too predictable defense tactics may be attenuated and miss their mark completely.

GET THE JUSTICE YOU DESERVE

YOUR LEGAL REMEDIES

As stated earlier, in our civil court system, money is what our society has deemed to be the remedy to make you or your child “whole” again after a traumatic, emotional, and oftentimes devastating incident.

Sexual Harassment

The main category of remedies, or damages, for which you may be entitled to financial compensation include:

- ▶ **Loss of past wages**
- ▶ **Loss of future wages**
- ▶ **Difference between rate of pay then versus current job's rate of pay** (if currently making less money)
- ▶ **Emotional damages** (mental health, counseling, psychological, psychiatric)
- ▶ **Future projected economic value of all benefits and perks at former job victim was forced to give up by moving jobs**
- ▶ **Permanent internal company policy changes to ensure such conduct does not happen again in the future**
- ▶ **120-225% multiplier of the total amount of reasonable attorney fees expended to secure the verdict**
- ▶ **Punitive damages in an amount sufficient to punish defendant and deter future misconduct**

Molestation

It's important to note that if the victim is below age 18 and is awarded monetary compensation, it must be held in trust (typically in a bank of your choice), until the child turns 18 years old. This is done through a process called “Petition for Approval of a Minor's Compromise of a Disputed Claim or Pending Action, or Disposition of Proceeds of Judgement.” This step protects children from making poor decisions with oftentimes, large amounts of money, and also keeps parents, siblings, relatives, and even friends from spending the victim's compensation. With that said, damages entitling the victim to financial compensation include:

- ▶ **Pain and suffering**
- ▶ **Emotional distress**
- ▶ **Loss of income** (usually future)
- ▶ **Past and future medical costs** (therapy, psychiatric, medication, etc.)
- ▶ **Changes in the policies or practices of the employer of the perpetrator**
- ▶ **Punitive damages** (to teach defendants a lesson)

Although every case varies, and no result is ever guaranteed, jury awards and settlements can oftentimes be quite considerable, given the emotional reaction these types of cases provoke.





THE FINAL DECISION

SETTLEMENT OR TRIAL

So, you've filed your claim properly, taken action with a civil lawsuit, gathered facts and evidence, avoided the defendant's challenges, and have pushed them to offer you a settlement amount. This can be a momentous occasion, and one far removed from the despair of the harassment or molestation. If you've attained a settlement offer, you must then answer a very important question: should I take their settlement offer, negotiate, or decline it and proceed to trial?

Settlement provides certainty and avoids the need for a lengthy and costly trial. So long as the dollar amount is fair, reasonable, and agreeable, settlement is often preferred to trial. It begs the question, however, what is a fair and reasonable settlement amount?

Typically, a fair and reasonable amount is a number you're happy with, that represents what you believe you could achieve at a jury trial. More than that, it's a number you've worked to prove and can establish with the evidence in your case, usually, through depositions of lay and expert witnesses who can explain why and how you've been traumatized, what your future holds, and the monetary equivalent of your total damages.

With this difficult, ultra-important decision looming, it is essential that you know your case inside and out, know your defendant and their arguments, and know the court and the judge that you will be in front of so you can forecast what might happen at a jury trial with some degree of certainty. To accomplish this, in high value cases, it may be wise to pay for a focus group to hear both sides of your case, then answer questions and provide dollar amounts of what they might award you at trial.

Our firm has access to recent court results from many jurisdictions for sexual harassment and molestation cases. We will be able to provide informed estimates of your relative case value.

If you decide to settle your case, a settlement agreement stating the terms of your settlement is entered into, and you will receive your settlement check usually within a few weeks. If you decide to proceed to trial, you will then go through all the phases of trial as discussed above; if it all goes well, a jury will return a favorable verdict for you. The verdict is ultimately turned into a judgment and you will then receive your payment typically within 30 days the judgment is entered, if there are no appeals or post-trial motions.

CONCLUSION AND KEY TAKEAWAYS

As you can see, the legal system affords you the power to flip the script on perpetrators and the employers and organizations that harbor them. Once you take the power back, you are now the one in control and in a position to move forward with the rest of your life.

Key Takeaways:

Taking action and coming forward is the first step to empowering you on your road to recovery.

Sexual harassment and molestation are, unfortunately, all too common, and power in numbers is sweeping the nation in campaigns like #metoo to expose and remedy these abuses of power.

Sexual harassment and molestation involve inappropriate verbal or physical sexual altercations, and can be identified through observations, discussions, and awareness.

Laws like the FEHA, Civil Rights Act, and civil theories of liability provide the arsenal for you to fight back against perpetrators.

Harassment and molestation can be resolved short of formal proceedings, if they are addressed immediately or prevented from occurring altogether in the case of molestations.

Initiating the legal process is fraught with confusing deadlines and technical issues that demand the knowledge of a skilled employment lawyer or personal injury lawyer who can avoid the pitfalls.

The civil litigation process takes about 12-18 months to complete. It is a multi-phase



process that takes exceptional skill and strategy to navigate successfully. Defendants may deploy an array of defenses and arguments that can defeat your claims outright or diminish the amount of your award, unless they are properly counter-attacked and nullified.

In the civil justice system, monetary compensation is used to make victims whole again and several categories of legal remedies exist to right the wrongs you've suffered.

In most cases, you have to make the decision, whether you'll achieve justice through settlement or a trial, and predicting your outcome at trial is essential to making this choice. Your lawyer should provide you relative and comparable court results.

Sexual harassment and molestation cases are some of the most personal, emotional, and challenging, but through the legal system, you can find support, healing, and light so you can look forward to a bright future.

ABOUT THE AUTHOR



J.J. Dominguez, the founder, CEO and Managing Partner of The Dominguez Firm, LLP (TDF) has dedicated his life's work to enforcing the rights of victims of wrongdoers, fighting for the individual, and leveling the playing field. TDF is founded on three core ideals: compassion, service, and results that translate to personal, friendly, and custom service for each client.

For his efforts inside and outside of the courtroom, Dominguez has been honored with many awards and accolades. In 2011, CAOC nominated Mr. Dominguez for its Attorney of the Year Award. In 2013, The Hispanic National Bar Association named Mr. Dominguez its Attorney of the Year.

In 2015, the *Los Angeles Business Journal* awarded him its Latino Business Award for setting the example of excellence. In 2020, Super Lawyers selected Mr. Dominguez to its esteemed Southern California Super Lawyers list for the 11th time. Only 5 percent of attorneys are selected to the Super Lawyers list after a stringent multi-phase selection process.

TDF is one of the most widely recognized and successful law firms in Southern California. Attorneys at TDF have an accumulated and proud record of over \$750 million dollars in recovery for clients.

If you've been the victim of sexual harassment or discrimination, have been retaliated against, or have suffered or are the parent of a child who has suffered molestation, please do not hesitate to call us for a free and confidential consultation at 800-818-1818. There is no obligation and if there is no recovery, there is no fee.

The Dominguez Firm is here to help.

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