

California Family Law for Low-Income Litigants: Motion and Hearing Practice, Including a Discussion of Domestic Violence Restraining Orders

February 4, 2014

9:00 a.m. – 1:30 p.m.

Why You Should Attend

An estimated 80% of family law litigants are self-presented, and the statistic is higher for survivors of domestic violence. Thus, low-income clients are in great need of your pro bono help. Attend this free PLI program and volunteer with your local legal services agency to represent low-income family law litigants in need. With a limited time commitment, you can help obtain essential legal protections needed for low-income families.

What You Will Learn:

Motions Practice in Family Law Cases provides an overview of the procedural steps to obtaining immediate orders (including judicial counsel forms, family law hearings, etc) and how to handle family law court hearings.

Using California Family Law Judicial Council Forms provides a detailed summary of using California Judicial Council forms in family law motions – from filing a Request for Order or filing an Answer to obtaining complete and enforceable Orders After Hearing.

The program will also generally discuss working with low-income clients and domestic violence survivors and will include a mock client interview to illustrate best practices in this area.

Who Should Attend

Any California licensed attorney interested in providing pro bono assistance to low-income family law cases (whether limited scope family law matters or full representation in a dissolution matter). This training is designed for new attorneys and attorneys who are interested in transitioning to family law practice.

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Program Schedule

9:00

Program Overview and Introductions

Stephanie E. Bilinski, Elizabeth A. Hom

9:15

Ethics in Representation of Low-Income Populations and Survivors of Domestic Violence

In this hour, in order to assist you in developing a positive relationship with clients, understanding the specific challenges low-income litigants face in family court litigation, and being sensitive to the needs of survivors of domestic violence, the program will discuss:

- Working with under-represented communities and recognizing their non-legal and legal needs
- Gaining the trust of your clients
- Advocating for your client in a culturally competent way
- Recognizing and overcoming your own biases with low-income clients and DV survivors

Stephanie E. Bilinski

10:15

Preparing Forms: *Request for Order* – Forms and Procedure

- Overview of available remedies
- Overview of CA family law Judicial Council motions forms (including *Request for Order, Income and Expense Declaration*)
- Overview of procedure

Rebecca Louie, Dia Montecillo

11:15

Networking Break

11:30

Preparing for Hearing: Client Interview and Preparation for Representation

- Conducting client interview in preparation of hearing representation
- Mock client interview
- Preparing for and reviewing Family Court Services reports
- Witnesses and supplemental evidence gathering

Janice Cho

12:30

Hearing Practice: *Request for Order* and Domestic Violence Prevention Act Restraining Order

- Handling a hearing – arguments, questioning parties and witnesses
- Possible hearing results
- Preparing and obtaining safe and enforceable Orders After Hearing

Josanna Berkow, Sharon M. Braz

1:30

Adjourn

Faculty

Chairperson

Stephanie E. Bilinski

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