

# **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**

Family Law Supervising Attorney  
Justice & Diversity Center, The Bar Association of San Francisco  
San Francisco, California

#### **Elizabeth A. Hom**

Director of Access Programs  
Alameda County Bar Association  
Oakland, California

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#### **Commissioner Josanna Berkow**

Certified Specialist in Family Law  
Superior Court Commissioner (Retired)  
Superior Court of California, County of Contra Costa  
Benicia, California

#### **Sharon M. Braz**

Certified Specialist in Family Law  
Blum, Braz & Gibbs LLP  
Oakland, California

#### **Janice Cho**

Founder  
Law Office of Janice Cho  
Oakland, California

#### **Rebecca Louie**

Staff Attorney  
Bay Area Legal Aid  
Richmond, California

#### **Dia Montecillo**

Staff Attorney  
Bay Area Legal Aid  
Redwood City, California

**Program Attorney:** Christina Thompson