

Preparing the Case: Litigation on Behalf of Low Income Clients

Los Angeles, Live Webcast and www.pli.edu,* February 22, 2018

Why You Should Attend

Affirmative litigation can be a powerful tool to protect low income people's rights. From addressing substandard housing conditions and stopping unfair business practices perpetuated by landlords looking to increase profit margins, to bringing about significant structural changes and ending unconstitutional practices, bringing a lawsuit is often the only option to get the relief a client or a community needs. But the decision to bring an affirmative case can be daunting, for both potential plaintiffs and attorneys new to litigation.

As part of PLI's pro bono initiative in California, this free half-day session will empower practitioners with the tools they need to effectively develop their affirmative cases. More specifically, expert litigators on behalf of low income clients will provide practical tips and guidance for attorneys seeking to make a difference for low income people in our community.

What You Will Learn

- How preparing and developing an affirmative lawsuit differs from defending a lawsuit.
- How early procedural considerations related to filing an affirmative lawsuit can affect the course of the litigation.
- How to prepare your clients for what can often be stressful and invasive questioning at a deposition.
- Tips for conducting pre-litigation research that will help prepare your clients for their depositions.
- How to connect with your low income clients in a culturally competent way that fosters trust and cooperation.

Who Should Attend

This program is designed for new attorneys and attorneys new to litigation, who are interested in developing affirmative litigation on behalf of low income clients. The program will address common litigation issues through the lens of housing litigation, which is a critical area of law for low income people in California and the country, as well as a common area of law for pro bono attorneys.

AGENDA

9:00

Opening Remarks

Lorraine A. López

9:15

Developing the Case: Affirmative Litigation vs. Eviction Defense

Bringing an affirmative case is very different from defending a case. By comparing and contrasting the differences between bringing an affirmative case on behalf of a plaintiff and defending an eviction lawsuit against a tenant, two important and often complementary areas of housing law, this session will provide a basic overview of the differences between prosecuting and defending a lawsuit. This session will also touch on early procedural considerations related to filing an affirmative lawsuit, including common standing issues, the decision whether to file in state or federal court, and whether to file for preliminary relief, including TROs and Preliminary Injunctions.

Lorraine A. López, Shayla R. Myers

10:15 Networking Break

10:30

Preparing Your Client for Deposition

A crucial aspect of most affirmative cases is the Plaintiff's deposition. This session will focus on practical considerations when preparing your client to be deposed. These issues include working with clients with Limited English Proficiency, how to prepare for objections, attorney-client privilege, working with exhibits, and privacy issues. The session will also touch on pre-litigation research you can conduct, including public records act requests and FOIA requests, that can be critical to adequately preparing your client for their deposition.

Lorraine A. López, Shayla R. Myers

11:30

Cultural Competency and Working with Low Income Clients

This session will focus on common pitfalls to avoid when representing low income and other vulnerable clients. Topics of discussion will include proper handling of a client's sensitive medical, immigration, or

familial status information during litigation, as well as tools you can use to make vulnerable clients comfortable and develop trust.

Michael A. Palzes

12:30 Adjourn

Faculty:

Co-Chairs:

Lorraine A. López

Supervising Attorney

Neighborhood Legal Services of Los Angeles County

Los Angeles, California

Shayla R. Myers

Staff Attorney

Legal Aid Foundation of Los Angeles

Los Angeles, California

Michael A. Palzes

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Senior Pro Bono Program Attorney: Christina Thompson