

Step-by-Step Procedures for Assisting the Public in the SHLA Center

The following is a brief list of the steps to take when helping people in the SHLA Center:

1. We greet them and ask what type of matter they have. We do this to make sure people are in the right place to get help. Often we get people needing assistance with family law, which we handle in a separate center, so rather than have them complete an intake form and wait to be helped, we can send them directly to the right place by asking why they are here when they come in. Once we determine they are in the right place, we go to step 2.
2. Everyone seeking one-on-one assistance or wishing to discuss his or her matter with staff must complete an intake form. Those who simply want to browse the SHLA Center do not need to do so, but if they have questions of staff, they must complete the form, including signing the disclosure statement that we do not give legal advice nor is their confidentiality in communications with attorneys or staff. The intake forms also provide us with statistical information about the types of matters for which people seek assistance, who refers them here, their income level, etc.
3. Once the intake form is complete, we ask them more specifically what their question is, or we look at their papers if they have been served, and then we tell them what options they may have, such as in the case of a lawsuit, filing a response, defaulting, or settling the case. We do not make recommendations about what option to take. We do explain, mostly through written materials, the natural consequences of different options, and the procedures for pursuing each. For example, we explain what forms are available for responding to a complaint, how to complete the forms, how to have them served and how to file them. We explain that if a default is entered the only way to defend the case is to get the default set aside, and to do so a motion must be brought establishing both good cause for failing to respond on time, and the existence of a viable legal defense. We explain that if a settlement is reached with the other side, putting it in writing can confirm it and make sure everyone has the same understanding. We also explain the procedure for putting the settlement on the court record and the difference between stipulated judgments, stipulations for entry of judgment, requests for dismissal with prejudice and requests for dismissal without prejudice. Again, we do not suggest which settlement method to use, only explain the difference between them.
4. If the person wishes to file an answer to the complaint, we show them the form pleadings that have been approved for such use. If they want the forms, we give them the written instructions and sample forms to show how to complete them.
5. After the person completes the forms, we review them to make sure all necessary boxes are checked. If they are missing the title of the case in the caption box, we can tell them that they need to include it. We do not determine if they checked all the affirmative

defenses that may apply because to assess their defenses would require legal advice. However, if they have no affirmative defenses checked, we refer them again to the instructions that explain what affirmative defenses are and list common ones to make sure they intend to leave the section blank.

6. We review the instructions with the person regarding service of the pleadings so they understand that copies of the papers must be served by someone other than a party before they can file the originals in court. We then direct them where to file the papers once copies have been served.

7. If a person has raised affirmative defenses that may be difficult to present in court, and they qualify for a fee waiver, we refer them to the Volunteer Lawyer Services Program to determine whether they are eligible for *pro bono* counsel (a volunteer attorney). Those who can afford legal counsel, even on an unbundled basis, are urged to get legal advice through the Lawyer Referral and Information Service, or through private counsel of their choosing. We do not refer people to individual attorneys.

8. We offer a variety of videos on substantive legal topics that people can view if they want more information about how to prepare for court, or about a particular area of law. Now that we are in the Law Library, we can also refer the more literate of the people we see to treatises such as those published by CEB, The Rutter Group, B.E. Witkin, or Miller & Starr.

9. Before people leave the SHLA Center we request that they complete an exit questionnaire to let us know how we can improve our service. We do not hold people hostage until they complete the form, but we do ask them politely to take a moment if they can.

The foregoing is a general example of what we handle. However, much of the assistance we give is in non-adversarial matters such as name changes; establishing a record of birth, marriage or death; uncontested guardianships or step-parent adoptions. Help in these situations is generally provided through sample forms and detailed instructions written to the 5th grade level. These usually are sufficient for most people to help themselves.