

Community Legal Information Center

Family Law Project

Training Packet

Dear Intern:

Welcome to the Family Law Project. The Community Legal Information Center, established in 1970 as the Public Law Internship Program, is a collection of projects which serves the community by providing free legal information and referrals, presenting seminars, workshops, and information media to the population of Butte County.

The Family Law Project assists "self-represented litigants," individuals who wish to represent themselves, in legal matters without attorneys. These individuals represent themselves IN PROPER, which is short for the Latin term IN PROPRIA PERSONA which means, "In one's own person." Family Law interns help clients understand legal forms and explain the filing and service of process procedures in various family law matters. If the Family Law Project does not have the information that the client needs, interns will make every effort to research the particular problem and/or refer the client to an organization qualified to assist the client. Although we are based in Butte County and assist clients in our surrounding area, we have information and referrals available for other counties.

Enclosed in this syllabus you will find a contract with an attached list of responsibilities and rules for the department. Interns are responsible for abiding by the rules and adhering to the terms and conditions of the contract. As directors and former interns, we look forward to having a positive learning experience with you.

Respectfully yours,

Director

Director

Teddy DeLorenzo
Supervising Attorney

Community Legal Information Center: Family Law Project Syllabus

This is the Family Law Project Syllabus, which states the obligations and conditions for receiving "credit" for the Family Law internship. By signing this syllabus, I, (Print Name) _____, hereby acknowledge that I fully understand and agree to the terms and conditions while representing the Community Legal Information Center and the Family Law Project. I am also aware that if I do not fulfill all of the terms of this contract I may receive a disciplinary action or "NO CREDIT." Three disciplinary actions will result in a "NO CREDIT" grade.

- I. CREDIT (CLIC requires that every intern complete the following to receive units and credit.)
 - A. A minimum of 135 hours of quality and recorded office and court work shall be required. The 135 hours shall be apportioned equally throughout the semester. Interns who have fulfilled their 135-hour requirement before the semester is over will still be required to keep their original office hours. (4 hours or normally scheduled office hours must be kept during Finals Week.)
 - B. Of the 135 hours required for 3 units of credit, 5 hours are required in the area of community outreach. (Community outreach can include director or supervising attorney-approved activities such as sitting on a committee or working at numerous tabling events.) **One hour must be spent at the CLIC general table.** The total number of hours completed outside the office shall not exceed 8 in a semester, unless approved by a director or supervising attorney.
 - C. Complete a formal, written project on a subject that will be beneficial to the Family Law Project. The project must be completed before the end of the semester and must have prior approval by the directors. Project must meet guidelines established in paper rubric.
 - D. Attend the Family Court on a Wednesday morning at the Butte County Superior Court (2 hours). A mandatory date will be assigned early in the semester at a weekly meeting.
 - E. Complete and sign all required administration forms.
 - F. All interns are required to attend the mass intern meeting.
 - G. All interns are required to schedule and complete a minimum of three appointments per week after training.
 - H. All Family Law interns must attend all weekly intern meetings. If for some unforeseeable reason you cannot attend, the directors must be notified at least one day in advance.
- II. TIME & ATTENDANCE
 - A. Interns shall keep and not be late for any scheduled office hours.
 - B. All interns are responsible for knowing Community Legal Information Center rules regarding attendance

policy.

C. The Attendance Policy is included in this packet and labeled ATTACHMENT A.

III. PROFESSIONALISM – Interns must conduct themselves in a professional manner at all times while representing the Family Law Project at CLIC.

A. A client's information is to remain confidential.

B. Interns are required to maintain client confidentiality within the Family Law Project at all times. Violating client confidentiality is unacceptable, and an intern who is found to have breached this confidentiality will be dismissed and will receive No Credit.

IV. PRODUCTIVITY – In order to achieve the most out of your internship and education interns are expected to maximize their productivity while in the office.

A. All interns must utilize office hours for Family Law related matters ONLY.

B. No homework.

C. No personal telephone calls.

D. No computer games, playing on the computer, accessing personal web sites or listening to iPods.

E. All interns must check the "Intern Projects Bulletin Board" for tasks, which need to be completed.

V. TRAINING

A. A Family Law intern who wishes to receive a credit for the internship must attend all weekly intern meetings and training sessions. Every intern will be issued a certificate of attendance and completion, which will be marked for each training session completed.

B. First semester interns MUST READ the required text, *How to Do Your Own Divorce* by Nolo Press. Copies of this book are available in the Family Law Project office. This book should be read during the first two weeks of your internship, in between office trainings.

C. Interns must show competence in filling out all forms in a reasonable amount of time, including dissolution, paternity, and order to show cause packets.

D. If an intern cannot attend training the Directors **must be notified one day prior** to the meeting or training session.

E. Each Intern will be required to complete a hypothetical training packet for each type of appointment.

F. Interns are required to maintain client confidentiality within the Family Law Project at all times. Violating client confidentiality is unacceptable, and an intern who is found to have breached this confidentiality will be dismissed and will receive a "**No Credit.**"

G. Interns are required to comply with Family Law Project office procedures and protocol. The procedures and protocol are included in this training manual and labeled ATTACHMENT C.

VI. ISSUANCE OF LEGAL INFORMATION & INTERN LIABILITY

A. **INTERNS MUST ONLY OFFER LEGAL INFORMATION.**

B. Interns must never, under any circumstances, offer legal advice.

C. Each intern is responsible for becoming knowledgeable of what legal information is and how it differs from legal advice, and adhering to the rules of the Community Legal Information Center, all which are included in this training packet and labeled in the following attachments.

D. **Paralegal Interns may be held personally liable and/or criminally prosecuted for conduct that constitutes the practice of law (see Business and Professions Code section 6125 et seq.). This section prohibits providing legal advice, practicing law, or charging for legal services. In addition, the providing of incorrect legal information could result in personal liability. Only provide information that you are certain is true and correct.**

ATTACHMENT A

**COMMUNITY LEGAL INFORMATION CENTER
Attendance Policy**

1. Attendance will be tallied and sent to your Supervising Attorney on a weekly basis.
2. All interns who plan to be absent or late must do the following:
 - a. Call at least one hour in advance.
 - b. Check to see if you have clients, appointments and or meetings. And notify, correct, or take appropriate action for rescheduling or changing to correct the absence or tardiness.
3. Absences
 - a. Three absences are equivalent to one "disciplinary action," a Counseling Notice or one "no show."
 - b. Three "no shows" is equivalent to NO COURSE CREDIT.
 - c. With a "no show" a Counseling Notice is required from your Directors
 - d. No absence shall be excused except absences identified by this policy. Directors are not allowed to excuse an absence outside of those listed below, other excuses are approved by the Supervising Attorney.
4. Excused Absences
 - a. Funeral
 - b. Doctor Appointment
 - c. Confirmed Illness, which requires a signed note from a physician.
 - d. Permission given by a Supervising Attorney.
5. Hours
 - a. Interns must write his/her name on the in/out board by the office manager's desk.
 - b. Interns must keep track of their hours by clocking in and out on the day of their attendance.
 - c. All interns also log their hours and activities in their journals maintained in their intern binders.
 - d. Time Clock Violations (TCVs) will be issued to interns who forget to clock in and/or out. TCVs must be amended within one week of the violation. After three TCVs, a counseling notice will be issued.
6. Out of Office Log
 - a. Interns attending events and works related to Community Legal Information Center must notify the office manager and utilize the Outreach Binder under the Other Hours Log section.
 - b. All Interns are required to have a director's written permission before leaving the office.
7. Changing Hours
 - a. Interns who temporarily change their regularly scheduled hours will be considered absent, unless given prior permission by a director or supervising attorney. Talk to your director about changing your hours, if it is a permanent change.
 - b. All interns are required to have a director's written permission before leaving the office.
8. Resolving Attendance Issues
 - a. If you have a question about clearing an absence or a "No Show" contact the Office Manager.
 - b. Contact the Office Manager if you have questions pertaining to any attendance matters.
9. Failure to Maintain Accurate Attendance Logs & Records
 - a. All interns must maintain accurate time keeping records. Failure to maintain accurate records may result in a Counseling Notice.
 - b. Interns must record the time in when arriving and record the time out when leaving.
 - c. Interns are required to have a director's written permission before leaving the office.
 - d. Counseling Notices will be issued to interns who fail to comply with CLIC's attendance policy.
10. Please refer to the full CLIC Attendance Policy in the Mass Intern Packet.

ATTACHMENT B**COMMUNITY LEGAL INFORMATION CENTER****Information v. Advice**

We cannot at any time offer legal advice. We are not attorneys, and therefore can only offer legal information.

INFORMATION

Information is when you offer more than one option to a client and provide them with enough information about those options so that the client can make a decision. Remember that "information" is when you tell a client about the law.*

ADVICE

Advice is given when a client is told what to do, when all of the other options are eliminate. The interpretation of the law can sometimes be construed as advice.

PROTECT YOURSELF

There are a few things you can do to protect yourself from giving advice.

1. Make sure the client understand that you are not a lawyer, but rather a paralegal intern.
2. Explain that you cannot advise them on what to do, but only give them options.
3. Make sure that the information that you have provided the client has been taken only as information and not as advice.
4. Make a copy of the applicable statute(s) so the client can interpret it for themselves.

DO SAY**DO NOT SAY**

"Often, what seems to work..."	"I think you should..."
"You have a choice of..."	"If I were you, I would..."
"The possibilities are..."	"It seems to me that your only option is to..."
"The situation could be handled by..."	"Of all your alternatives option 'A' is best..."
"You have a number of options available to you..."	"This is what you should do..."
"Here is a copy of the code section that might address your question..."	"My supervising attorney says you should..."
"Here is a copy of an article from a resource book that we consult that might help you."	

BARRED CLIENTELE

If a client has missed three scheduled appointments, he or she may no longer be helped. In the case of a barred client, possible reasons an intern can give the client are:

1. "Your case is too complicated for CLIC's interns. We apologize for initially scheduling your case."
2. "There is a conflict of interest in your case that has arisen at this time."

* Be wary when explaining what the law means. Always research or ask questions before answering a question or giving information.

ATTACHMENT C

COMMUNITY LEGAL INFORMATION CENTER

Family Law Office Rules and Procedures

- I. Assignments, Projects & Weekly Pending Case Intakes
 - a. Every intern shall maintain and complete assignments, research projects and weekly pending case-intakes each week.
 - b. If a client has a particular question which needs to be answered, interns must complete a pending case intake, research the question, and answer the question for the client.
 - c. If the intern has no client with questions; the intern must research a particular Family Law subject for the week, under the discretion of the directors.
 - d. All research Projects and Pending Case Intakes must be turned in at the weekly meeting.
 - e. Failure to turn in a weekly project may result in Counseling Notice.
 - f. Failure to complete a semester project and pending cases will result in a "No Credit". Project must meet rubric standards and follow the template.
- II. Answering the Telephone
 - A. Identify yourself by your first name ONLY.
 - B. Acknowledge that the caller has reached the Family Law Project.
 - C. If they are requesting advice, explain that we are not licensed attorneys and only provide legal information, not legal advice.
 - D. Take down the client's information onto the General Intake Form. Indicate the type of matter they are calling about, the information they are seeking, and the steps taken by you, the intern.
 - E. **Take notes** on your Client Information Form.
 - F. Provide the caller with their information OR if you have to research the information inform them when that information will be available.
 - G. If the caller has a question you are unable to answer or unsure- see your director.
 - H. You must call the client or caller back. Calling the client back is not the responsibility of your director. DO NOT leave a message or tell the person who answers, who is not the client, who you are with or why you are calling.
 - I. If the call requires an appointment, schedule it in the available time slots (check for conflict of interest (*see below*), or refer the caller to the appropriate agency).
- III. Setting Appointments
 - A. Inform the client that they are required to purchase or bring a packet if they are entering into dissolution of marriage, paternity action, or an order to show cause action.
 - B. Remind the client to bring any existing orders.
 - C. Check Conflict of Interest (*see below*)
 - D. Complete a General Intake
- IV. Family Law Appointment Requirements
 - A. Dissolution I
 - Dissolution Packet
 - Date of Marriage
 - If applicable child(ren)'s names, date of birth, and residence information for the last 5 years.
 - B. Dissolution II
 - Second set of paperwork must accompany client.
 - Filed copies of the Summons, Petition and the Proof of Service.
 - The information provided in these papers is used to complete the Judgment and its attachments

C. Order to Show Cause

- Make sure that the client has an existing order that has been finalized resulting from a dissolution or paternity action.
- Make sure that the client understands that any modifications must be filed in the county where the original action took place.
- Make sure that the client understands that we do not assist individuals who have been served by the District Attorney. We may only assist them if they need a modification for a judgment that the District Attorney has obtained against them. That judgment must be final.

D. Paternity

- Paternity Packet
- If applicable child(ren)'s names, date of birth, and residence information for the last 5 years.
- Make sure the client was not married to their child's mother or father. If they were married they do not file paternity.
- In order to file for Paternity in Butte County, the child must reside in Butte County. If the child does not reside in Butte County, they must file in the county where the child resides.

V. Conflict of Interest

A. Why you check conflict of interest.

1. To ensure that CLIC is only helping one party in a matter.
2. If we have already helped the other party, their name will show up in the computer conflict program in the office.

B. How to Check Conflict of Interest

1. Go the File Maker Pro program on the Family Law Project Computer.
2. Use the File Maker Pro program which is Labeled "Conflict."
3. Make sure you are in the find setting.
4. Type the respondent's name where it says clients name, not respondent's name.
5. If the respondent's name shows up in a previous file, we cannot help the current client.
6. If "no matches" appears on your screen it is okay to continue setting up the appointment.
7. If a conflict does occur, simply explain to the client that we cannot help them on the grounds that we have already helped the other party. It is CLIC Family Law policy to only help one party in a matter.
8. If the client becomes angry and wishes to speak to someone else, notify your director and have them call the client.

C. **We CANNOT assist respondents in matters for any reason.**

D. When taking a Dissolution II case we are not able to help contested cases.

E. We CAN assist respondents in an Order to Show Cause, if the party calling was the respondent in the original case, and we did not assist the petitioner in the original case. We cannot assist them if they have been served Order to Show Cause papers.

F. The ethical rules relating to conflict of interest fall into three main categories.

1. The duty not to represent or provide information to a client if that representation would be directly adverse to another client.
2. The duty to avoid conflict with the interests of former clients
3. The duty not to represent a person when the lawyer's or paralegal's own financial business, property, or personal interests can interfere with professional judgment.

G. This duty also includes the duty to avoid the appearance of a conflict.

H. The following is a representative, although not exhaustive, list of relationships causing potential conflicts.

1. Clients with interests adverse to one another

- Husband and wife dissolution
- Landlord/Tenant
- Employer/Employee
- 2. Professional Organizations
- 3. Social Organizations
- 4. Spouses
- 5. Friends
- 6. Roommates
- 7. Family
- 8. Supervising Attorneys, Directors, Interns, and Office Managers

VI. During the Appointment

- A. Have your client fill out and sign appropriate Appointment Intake Form.
- B. Be mindful of variations between counties.
 - 1. Black ink is permissible in Butte and Glenn County
 - 2. Tehama County requires judicial council forms be typed for filing.
 - 3. Superior Court Address
- C. Do not give legal advice.**
- D. Do not fill out paperwork for the client.**
 - 1. Friends or Family members can assist filling out the forms, but not you.
 - a.) If someone other than the client fills out the forms then a client waiver must be filled out.
 - 2. The respondent cannot be present in the Family law office during an appointment.
- E. Follow up on your client's questions if asked during an appointment.
- F. If a client does not show up for an appointment write their name on "Barred Clientele List"; 3 no shows indicates the client has been barred.

VII. After the Appointment

- A. Fill out an General Intake Form and transfer the information to the Statistics Form
- B. Transfer the Client's information into the File Number Log.
- C. Complete the intake forms.
 - 1. Write the file number on the Intake sheet.
 - 2. Indicate the matter (i.e. dissolution I, paternity II, OSC)
 - 3. Indicate if there were children involved. If there were children involved indicate how many.
 - 4. Mark any notes necessary.
- D. Enter the client's information into the Conflict program on the computer. (*see Section IV Conflict of Interest*)
- E. File the Appointment Intake Form in the filing cabinet by last name and current year.

VIII. Disciplinary Action

- A. Failure to comply with the rules and regulations of CLIC or Family Law Project will result in a disciplinary action report.
- B. Disciplinary Action reports will be kept on file.
- C. Any intern receiving three disciplinary actions will receive "NO CREDIT."

Week	Information	Homework
Week One 8/27/12-8/31/12	WELCOME TO CLIC FLP! 1. Sign up for an Internship class with CLIC through Political Science Dept. Office. 2. Sign up for office hours. 3. Read and sign Family Law Project Syllabus and Contract	HW 1: Read Nolo's <i>How to do your own Divorce in California</i> (Chap. 1&2) Due: 9/26/2012 <i>Returning Interns: Read tabbed sections of "Practice Under the California Family Code"</i>
Week Two 9/3/12-9/7/12	1. 9/5/2012- Orientation 6:30-8pm Colusa 100A 2. 9/7/2012: Last day to drop class without special permission from instructor. 3. Diss 1 Preliminary Training (Mon. & Tues.) One-on-one training. 4. Diss 1 Mock appointments (Thurs. & Fri.) 5. Due at Dept. Meeting: HW 1 6. Review Diss 1	HW 2: Study Dissolution 1 for Mock appointment after Dept. Meeting. <i>Returning Interns: Review Diss 1 for review session</i> <i>Look over dis1 info sheet and make corrections/additions</i>
Week Three 9/10/12-9/14/10	1. 9/12/2012 Mandatory Mass Intern Meeting 100A Colusa 6:30-8:30 2. Interns may begin taking Diss 1 appointments. 3. Begin Diss 2 one-on-one training (Tues. & Wed.) 4. Diss 2 Mock appointments (Thurs. & Fri.) 5. Due at Dept. Meeting: a. Review Diss 2 b. Diss 1 Quiz	HW 3: Study Dissolution 2 for Mock appointment after Dept. Meeting. Office Resources Assignment <i>Returning Interns: look over diss 2 info sheet and make corrections/additions</i>
Week Four 9/17/12-9/21/2012	1. Begin Paternity 1 one-on-one training (Mon. & Tues.) 2. Pat 1 Mock appointments (Thurs. & Fri.) 3. Due at Department Meeting: a. Signed FLP Contract b. Print out of Portal Classes w/ CLIC c. Mass Intern Meeting Contracts d. HW 3 e. Review Pat 1 f. Diss 2 Quiz 4. 9/19/2012 CLIC Census Date: No adding, dropping of classes, or changing of grade option beyond this date without a serious and compelling reason approved by the instructor, department chair and college dean. 5. 9/19/2012: Must register for CLIC units 6. Interns may begin taking Diss 2 appointments.	HW 4: Study Pat 1 for mock appointment after Dept. Meeting. <i>Returning Interns: Review Pat 1 for review session</i> <i>Look over pat 1 info sheet and make corrections/additions</i>
Week Five 9/24/2012-9/28/2012	1. Pat 2 one-on-one training (Mon. & Tues.) 2. Pat 2 Mock appointments (Thurs. & Fri.) 3. Interns may begin taking Pat 1 appointments. 4. Due at Dept. Meeting:	HW 5: Study Pat 2 for mock appointment after Dept. Meeting.

	<ol style="list-style-type: none"> a. Review Pat 2 b. Pat 1 Quiz 	Returning Interns: Review Pat 2 for review session Look over pat 2 info sheet and make Corrections if needed.
Week Six 10/1/2012-10/5/2012	Interns may begin taking Pat 2 appointments.	HW 6: FAQ's Assignment
Week Seven 10/8/2012-10/12/2012	<ol style="list-style-type: none"> 1. Due at Dept. Meeting (10/10/12): <ol style="list-style-type: none"> a. HW 6: FAQ's 2. 10/10/12: <ol style="list-style-type: none"> a. Begin reading "California Family Law for Paralegals" Chap. 2(D) & 6 (B) b. Look over OSC paperwork 	Continue with HW 6: Hypothetical (Due at Dept. Meeting) 3/7/12 Reading Questions
Week Eight 10/15/2012-10/19/2012	<ol style="list-style-type: none"> 1. Begin one-on-one OSC training 2. Due at Dept. Meeting: <ol style="list-style-type: none"> a. Review OSC b. Pat 2 Quiz 	Continue with HW 7: Reading Questions
Week Nine 10/22/2012-10/26/2012	Thanksgiving Break! Enjoy!	CLIC Closed All Week
Week Ten 10/29/2012-11/2/2012	<ol style="list-style-type: none"> 1. OSC Training Continues (Questions/Review) 2. Due at Dept. Meeting: <ol style="list-style-type: none"> a. Reading Questions b. OSC Quiz c. Review OSC Temporary & Emergency Orders d. Finalized Project ideas <p>Congratulations Interns! You are trained and can take all Appointment types!</p>	HW 8: Continue studying/getting acquainted with OSC (Put any questions you may have in the green binder to be answered at Dept. Meeting) Returning Interns: Look over OSC info sheet and make additions/corrections
Week Eleven 11/5/2012-11/9/2012	<ol style="list-style-type: none"> 1. Work on Semester Project 2. Due at Dept. Meeting: W 8: Questions 	HW 9: Hypothetical Dissolution Preliminary CFLP Chapter 3 Questions
Week Twelve 11/12/2012-11/16/2012	<ol style="list-style-type: none"> 1. Work on Semester Project 2. Due at Dept. Meeting: <ol style="list-style-type: none"> a. HW 8: Turn in Hypothetical Dis. 1 b. Save CFLP Ch. 3 questions in file 	HW 10: Hypothetical Dissolution Final CFLP Chapter 4 Questions Nov 12-CLIC Closed
Week Thirteen 11/19/2012-11/23/2012	<ol style="list-style-type: none"> 1. Work on Semester Project 2. Due at Dept. Meeting: <ol style="list-style-type: none"> a. HW 9: Turn in Hypothetical Dis. 2 b. Save CFLP Ch. 4 questions in file 	HW 11: Hypothetical Paternity Preliminary and Final
Week Fourteen 11/26/2012-11/30/2012	<ol style="list-style-type: none"> 1. Work on Semester Project 2. Due at Dept. Meeting: HW 10: Turn in Hypothetical Pat. 1 & 2 	HW 12: Hypothetical OSC
Week Fifteen 12/3/2012-12/7/2012	<ol style="list-style-type: none"> 1. Work on Semester Project 2. Due at Dept. Meeting: HW 11: Turn in Hypothetical OSC 	Finish Semester Project Due by 12/07/2012

Week Sixteen 12/10/2012-12/14/2012	1. Due at Department Meeting. a. Any questions regarding the projects b. End of the year pot luck	
Week Seventeen 12/17/2012-12/21/2012	All interns are required to be in the office for at least 4 hours throughout the week.	Finals Week

C O M M U N I T Y L E G A L I N F O R M A T I O N C E N T E R
Signature Page*

I, the undersigned, have read and understand the Family Law Intern Syllabus and Attachments and agree to comply with the terms, rules, and conditions of the Syllabus for the completion of _____ college credit units, in the course number 489K 489L Other _____, for the Spring 2012 semester.

Furthermore, I understand that if I breach any of the terms or conditions within the syllabus I may be subject to or receive a "Disciplinary Action" or "NO CREDIT" for this internship, work performed for the course.

Additionally, I hold the Community Legal Information Center, the CSU, Chico Department of Political Science Department, California State University, Chico, Supervising Attorneys, and the Directors free from liability or responsibility for acts or conduct outside the scope of this agreement.

Intern Signature

Date

Intern Name (Printed)

Student ID Number (Identification and Student Records)

Intern Address

Director

Director

Teddy DeLorenzo, Supervising Attorney

*** This packet must be returned to your program director. The packet then will be filed in your Intern Binder so you may refer to your contract and attachments as a reference guide later. If you have further questions, please present them to your director.**