

Consider this: Imagine you were driving through an unfamiliar city late at night.

Unexpectedly, your GPS stops
working and you realize you
have no idea how
to get to your destination.

You try not to panic and you pull over to ask a well-intentioned stranger for directions.

The stranger says, “Sure! I know how to get there! It’s easy! You just need to go up the road a bit!”

Then make your first right.

Then your next
Then make your first right.

Take another
left.

Then your next

Then make your first right.

Take another left. Then get on the highway.
Then your next left.
Then make your first right.

Take another left. Then get on the highway.
Then your next left. Then make your first right.

Take the
second exit.

Take another left. Then get on the highway.
Then your next left. Then make your first right.

Take a right off the exit.
Take the second exit.
then go straight.

Take another left. Then get on the highway. Then your next

Then make your first right.

Go about 3 or 4

Take a right the miles or so...

off the exit second exit.

then go straight.

Take another left. Then get on the highway. Then your next

Then make your first right.

Go about 3 or 4

Take a right the miles or so... You'll see a big hill...
off the exit. second exit.
then go

straight.

Take another Then get on the
At the top of highway.
left. Then your next
that hill you'll
Then make your first right.
see a fast
Go about 3 or 4
food
Take a right the miles or so...
restaurant... You'll see a
off the exit... second exit.
then go big hill...
straight.

But it's a
Then get on the
Take another I can't recall
At the top of highway name of the
sign! Then your next
that hill you'll restaurant.
Then make your first right.
see a fast
Go about 3 or 4
food
Take a right the miles or so...
restaurant... You'll see a
off the exit... second exit.
then go big hill...
straight.

But it's a Your destination
Then get on the road
Take another is across the
At the top of highway name of the
sign! Then your exit from that
that hill you'll restaurant.
Then make your first night.
see a fast
Go about 3 or 4
food
Take a right the miles or so...
restaurant... You'll see a
off the exit... second exit.
then go big hill...
straight.

?

Now imagine your destination is a hospital because someone you love is having a medical emergency...

This story is a good representation of how an unrepresented litigant feels when given too much information from the many resources available to them. trying to maneuver through a contested divorce or custody matter.

Like the lost driver, an unrepresented litigant often gets too much information and not enough direction.

ISSUE IN DISPUTE:

We cannot agree on where our children should live. I want them to live with me and she wants them to live with her.

With regard to the above issue, what are you seeking?

I think the children should live with me primarily and visit with her.

Arguments to support what you are seeking:	Examples to support those arguments	Examples of proof you can use to support your arguments
<i>I have been their primary caregiver</i>	<i>-I quit my job after the birth of our first child and have not resumed working. -Our children have never been in daycare and with babysitters only on rare occasions. -I take children to all commitments (school, doctor, activities)</i>	<i>Employment records Tax records School records Witnesses</i>
<i>Our oldest child has special medical needs that I can best manage</i>	<i>-Our oldest son has asthma and severe allergies that require special medications and treatments. I have been trained to manage his illnesses and father has not.</i>	<i>Witnesses Doctors reports School records/Degrees Tax records</i>
<i>The other parent works long hours during the week and I don't want our children in daycare</i>	<i>-The other parent is in sales and the position requires travel frequently through the week. He also works long hours and is rarely home before the children's bedtime.</i>	<i>Employment records/Pay stubs Tax records Correspondence between parties (text/emails) Copies of job applications Proof of age Social Security Statements</i>

Topic of Dispute

Write the issue here:

Symbol for this issue:

Father does not provide better
care, better for child to live (more)
with me

What is the best solution?

NOTE: Solutions relating to children must start with, "I believe it's best for our child(ren) if ..."

WHY is this the best solution?

FACTS:

PROOF:

Arguments to support what you are seeking:

Examples to support those arguments:

Documents (records, receipts, etc.) or Witnesses that support the facts.

Examples of proof you can use to support your arguments:

Father
refuses to be
involved w/
child's
therapy

I got him into
therapy b/c of
his behavior
and am the
only parent
involved.

letter from
therapist.

med. records
witness -

Father
makes too little
effort/ involvement to
enrich child's
(ie sports,
clubs).

Father doesn't
have kids involved
in anything

- text message

Father
does not
assist w/ child's
academic
endeavors.

grandma (mym)
helps kids w/
homework &
reading.

- witness - mom

Father
has no
financial
income to
provide for
children

no job for 4yrs
won't get
job til
step father
retires

- witness - mom

→ text
message

Topic of Dispute

Write the issue here:

I have primary caregiver role I am fit parent

Symbol for this issue:

What is the best solution?

NOTE: Solutions relating to children must start with, "I believe it's best for our child(ren) if ..."

WHY is this the best solution?

Arguments to support what you are seeking:

FACTS:

Examples to support those arguments:

PROOF:

Documents (records, receipts, etc.) or Witnesses that support the facts.

Examples of proof you can use to support your arguments:

Stable job

Worked for ~~as~~ ~~almost~~ ~~over~~ 2 yrs.

paystubs

Suitable home environment

Same home for over 3 yrs w/ room for kids

letter from homeowner
- paystubs
- letter of change of address
- photos

Primary caregiver for child's medical needs

~~I, more than~~
I, more than ~~take~~ kids to all appt. & sch. them

medical records

~~financial~~ financial provide for children

School clothes, supplies, clothes, shoes, learning supplies during summer, etc.

receipts pictures

Write the issue here:

Best for child to remain in my

Symbol for this issue:

primary care

What is the best solution?

NOTE: Solutions relating to children must start with, "I believe it's best for our child(ren) if ..."

WHY is this the best solution?

Arguments to support what you are seeking:

FACTS:

Examples to support those arguments:

PROOF:

Documents (records, receipts, etc.) or Witnesses that support the facts.

Examples of proof you can use to support your arguments:

I have had a
primary role in
[redacted] care All
of her life (prior to her
mother's death)

- to drs appis since her birth
- to her dental appis
- to her orthodontic appis
- attended All of child's IEP meetings

- letter from dr. (2017)
- letter from [redacted] (2012)

can we
discuss
admissions

- spent summers and school breaks with [redacted]

- child's testimony
- witness | neighbors | [redacted]

[child's]

since [redacted] mother's
death in March, 2017
[redacted] I have
remained -
primary caregiver

I can provide
a safe, stable,
loving environment
for her care.

- support her through school (enrollment) - enrolled her
- arranged for her counseling
- confirmed her medical insurance

letter from [redacted]

Topic of Dispute

Write the issue here: Not best for child to live with father

Symbol for this issue: _____

What is the best solution?

NOTE: Solutions relating to children must start with, "I believe it's best for our child(ren) if ..."

WHY is this the best solution?	FACTS:	PROOF:
Arguments to support what you are seeking:	Examples to support those arguments:	Documents (records, receipts, etc.) or Witnesses that support the facts. Examples of proof you can use to support your arguments:
<p>he has</p> <ul style="list-style-type: none"> not ^{had} an active role in her care. 	<ul style="list-style-type: none"> never attended an IEP never attended dr appts never attended orthod. appt. never attended dentist appt. 	
<ul style="list-style-type: none"> History of violence against women in her presence 	<ul style="list-style-type: none"> mother fled home from ^{abuse} home due to abuse faced charges of assault against ^{current girlfriend} current girlfriend 	<ul style="list-style-type: none"> HH records testimony officer statement prob. cause.
<ul style="list-style-type: none"> history of drug use / trafficking / handguns convictions for same. 	<ul style="list-style-type: none"> 4/6/06 - handgun charge 4/2/09 cds. manuf/distrib. 9/05 cds paraph. 1/03 - assault 	<ul style="list-style-type: none"> true test copy true test true test true test

To do before my next appointment:

Return to: _____ on _____

Date To Do:

Review Safety Plan resources at People's Law Library at
www.peoples-law.org.

Contact the domestic violence shelter in your area.

Continue to gather evidence with calendar/journal

Don't forget to preserve your evidence!

Read the articles on custody; divorce; child support;
domestic violence at www.peoples-law.org.

To do before my next appointment:

Return to: _____ on _____

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~~Review Safety Plan resources at People's Law Library at
www.peoples-law.org.~~

~~Contact the domestic violence shelter in your area.~~

Continue to gather evidence with calendar/journal

Don't forget to preserve your evidence!

~~Read the articles on custody; divorce; child support;
domestic violence at www.peoples-law.org~~

~~File original complaint with clerk's office; ask them to date
stamp copy then place in 'court papers' section of notebook~~

~~Once you receive the WRIT OF SUMMONS from the court,
arrange for service by the sheriff.~~

~~RETURN TO CLINIC ASAP IF YOU HAVE DIFFICULTY
WITH SERVICE!~~

Confirm that affidavit of service was filed by the sheriff

Download/request pro bono applications

Continue to update calendar/journal; preserve evidence

Wait the 30 days from date of service (or once you receive a
response from the other side, if sooner) and return to clinic

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~~Wait the 30 days from date of service (or once you receive a
response from the other side, if sooner) and return to clinic~~

To do before my next appointment:

Return to: _____ on _____

Date To Do:

~~Submit pro bono applications/begin saving for attorney
consults~~

~~File original answer to Counter Complaint with court. Date
stamp a copy and place in "court papers" section of binder.
Mail one copy of answer to opposing party's attorney.~~

~~Continue to document in journal/preserve evidence~~

To do before my next appointment:

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Review Safety Plan resources at People's Law Library at
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stamp a copy and place in "court papers" section of binder.
Mail one copy of answer to opposing party's attorney.

Continue to document in journal/preserve evidence

Follow up on pro bono applications. Use the 'Who have you
talked to' sheet to write down dates, names and details.

Find/visit a limited scope attorney to discuss case including
strengths/weaknesses and settlement parameters

Begin mediation preparation (see Mediation section of
notebook).

Review calendar/journal/evidence. Determine most
compelling evidence and add to Topic in Dispute charts

Review articles on case preparation at www.peoples-law.org

To do before my next appointment:

Return to: _____ on _____

Date To Do:

~~Review Safety Plan resources at People's Law Library at
www.peoples-law.org.~~

~~Contact the domestic violence shelter in your area.~~

~~Continue to gather evidence with calendar/journal~~

~~Don't forget to preserve your evidence!~~

~~Read the articles on custody; divorce; child support;
domestic violence at www.peoples-law.org~~

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strengths/weaknesses and settlement parameters~~

~~Begin mediation preparation (see Mediation section of
notebook).~~

~~Review calendar/journal/evidence. Determine most
compelling evidence and add to Topic in Dispute charts~~

~~Review articles on case preparation at www.peoples-law.org~~

~~Complete standard interrogatories and notice of discovery.
File notice of discovery. Make copy of entire package and
send to opposing party attorney. Place copy of entire
package in 'Discovery' section of your notebook.~~

~~Mark calendar for 30 days from date your mailed discovery.
Return to clinic.~~

To do before my next appointment:

Return to: _____ on _____

Date To Do:

Review Safety Plan resources at People's Law Library at www.peoples-law.org.

Contact the domestic violence shelter in your area.

Continue to gather evidence with calendar/journal

Don't forget to preserve your evidence!

Read the articles on custody; divorce; child support; domestic violence at www.peoples-law.org

File original complaint with clerk's office; ask them to date stamp copy then place in 'court papers' section of notebook

Once you receive the WRIT OF SUMMONS from the court, arrange for service by the sheriff.

RETURN TO CLINIC ASAP IF YOU HAVE DIFFICULTY WITH SERVICE!

Confirm that affidavit of service was filed by the sheriff

Download/request pro bono applications

Continue to update calendar/journal; preserve evidence

Wait the 30 days from date of service (or once you receive a response from the other side, if sooner) and return to clinic

To do before my next appointment:

Return to: _____ on _____

Date To Do:

Submit pro bono applications/begin saving for attorney consults

File original answer to Counter Complaint with court. Date stamp a copy and place in "court papers" section of binder. Mail one copy of answer to opposing party's attorney.

Continue to document in journal/preserve evidence

Follow up on pro bono applications. Use the 'Who have you talked to' sheet to write down dates, names and details.

Find/visit a limited scope attorney to discuss case including strengths/weaknesses and settlement parameters

Begin mediation preparation (see Mediation section of notebook).

Review calendar/journal/evidence. Determine most compelling evidence and add to Topic in Dispute charts

Review articles on case preparation at www.peoples-law.org

Complete standard interrogatories and notice of discovery. File notice of discovery. Make copy of entire package and send to opposing party attorney. Place copy of entire package in 'Discovery' section of your notebook.

Mark calendar for 30 days from date your mailed discovery. Return to clinic.

To do before my next appointment:

Return to: _____ on _____

Date To Do:

Complete the script for hearing. Place script and documents in "Prepare for Hearing" section of the notebook.

Make 3 copies of all evidence. Place in folder.

Review script. Read through it at least 20 times.

Arrange for time off work for hearing; transportation; day care (and a plan for unexpected emergencies such as a sick child!).

Review materials on trial format (see Family Law for People materials and www.peoples-law.org).

Arrive early to courthouse for hearing. Dress professionally. Confirm that you are in the correct courtroom (you can ask the courtroom clerk if the judge has yet to enter).

Return to clinic to discuss the court hearing and next steps

Sample client consult timeline:

- Visit one: Discuss safety issues
Narrow issues; complete Topic in Dispute Charts
Set up calendar/journal
Gather information/Resources
Send with To-Do List
- Visit two: Plan of action
Complete and file documents
Update journal/calendar/topic in dispute
Update To-Do List
- Visit three: Confirm completion of service of process; affidavit filed
Update information
Give pro bono resources
Update To-Do List
- Visit four: Confirm whether an answer has been filed
If no, file default

If yes (and contested), submit pro bono applications
Respond to counter-complaint
- Visit five: Provide information on first hearing
Begin preparation for mediation
Encourage consult for settlement parameters/strengths/weaknesses
- Visit six: Status of pro bono/low bono search
Begin discovery
Pendente lite hearing preparation
- Visit seven: Complete hearing script
Copy evidence and place in script
Review script and encourage client review
Review trial format (see Family Law for People/peoples-law.org)
Discuss making arrangements for transportation, daycare,
Discuss appropriate court attire, arriving early, checking in.



A Notebook litigant feels less

