

## Instruction Manual for Volunteers

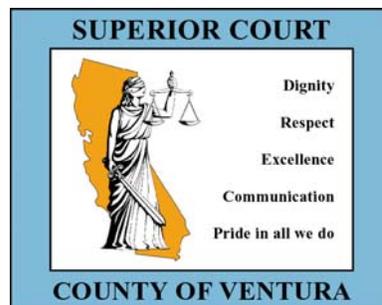
“Guide for Helping Self-Represented Litigants to Help Themselves”

Developed by the Superior Court of California, County of Ventura  
Self-Help Legal Access Center

# SUPERIOR COURT, COUNTY OF VENTURA SELF-HELP LEGAL ACCESS CENTER

*GUIDE FOR HELPING SELF-  
REPRESENTED LITIGANTS TO HELP  
THEMSELVES*

## *INSTRUCTION MANUAL FOR VOLUNTEERS*



*Our Court is Here  
for the People we Serve.*

**WELCOME TO THE SELF-HELP  
LEGAL ACCESS CENTER  
AND THANK YOU FOR VOLUNTEERING  
YOUR TIME AND TALENTS**

Thank you for volunteering your services at the SHLA Center. This manual should help to explain our policies and procedures, and will hopefully answer many of the questions you might have about working at the SHLA Center.

Our ability to assist the public is greatly enhanced by the participation of volunteer attorneys, law students, and paralegals. We know you have busy schedules, and many demands for your time. We sincerely appreciate your willingness to share your time and talents with us, and with the public we serve.

Tina L. Rasnow, Coordinator  
Self-help Legal Access Center

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## BASIC RULES FOR WORKING IN THE SHLA CENTER

1. **Do not solicit business from people using the SHLA Center.** Attorneys who volunteer in the SHLA Center may be asked for business cards from those whom they are assisting. It is vital that you do not give people your business card or refer them to your office while in the SHLA Center. We must refer people to the Lawyer Referral Service, or other non-profit legal services organizations, but not to private attorneys or firms.

2. **Make sure everyone signs an intake form before you assist them.** The intake form has important disclosures about the type of services we provide. It is essential that everyone sign an intake form before we provide information or assistance on their case. Other information on the intake form is optional, although we encourage people to complete the form so we know the types of matters presented in the SHLA Center, and can better stock the materials most in demand.

The income information is requested so we can justify to the private bar that we are not taking away lawyers' clients. Most of the people we see in the SHLA Center cannot afford an attorney, although anyone seeking assistance can be helped regardless of his or her income. By providing income information, we are able to prove to private attorneys that we are not taking their clients from them. Often when the public understands the reason for requesting the information, they are more than willing to provide it.

If the person is illiterate or does not speak English make sure the disclosure statement is fully translated and explained to the person before he or she signs the intake form. The person translating should add near the signature, "translated by" and include his or her name. For those who are Spanish speaking, we have intake forms in Spanish.

3. **Request each person who has received help to complete an evaluation form.** We ask persons to evaluate our services so we know how we can improve the SHLA Center. We have evaluation forms in Spanish and English. Sometimes people will be rushing to file an answer in an unlawful detainer case, or have to meet some other filing deadline. In these cases, it is more important that they get to the clerk's office in time, than complete an evaluation form. We should ask them to come back after filing their papers and complete an evaluation form, but we

should never delay people from meeting a filing deadline by insisting they complete an evaluation form first.

4. **Do not make estimates about the outcome of motions or other matters pending before the court.** Many times people will ask what their chance of prevailing on a motion may be, or they might ask about the other side's chances of prevailing. We should never estimate the chances for failure or success. We can explain the showing the court requires to grant, for example, a motion for relief from default, or a motion for summary judgment, but we cannot state what the likely outcome will be. Doing so goes beyond providing legal information, but borders on advocacy which is solely within the realm of private legal counsel.

5. **Do not gossip or discuss what you may know about a person or case with people using the SHLA Center.** You may personally know someone involved in a case, or may be asked personal questions by people using the center about others involved in their case. Do not discuss or share your personal knowledge of other people with members of the public who use the center. It compromises the court's impartiality, and detracts from the professionalism of the center.

6. **Do not be afraid to tell people you do not know the answer.** Often we will be asked questions for which we do not know the answer. It is best to be honest with people and tell them we do not know. We should, however, try to find out the answer. Sometimes we can call a court clerk, or another agency, to get the answer while the person waits. Other times we will have to wait until someone gets back to us before we can get the information we need. Still other times we might have to research the answer ourselves. In cases such as these, it is permissible to write the person's telephone number on his or her intake form, and to get back to him or her by telephone after we have located the necessary information. If a person does not have a telephone, you can ask him or her to come back in a few days, but please leave the intake form and the answer to the person's question in a folder with the SHLA Center staff, so they can respond to the individual when he or she returns.

7. **Make sure you are referring the person to the correct place before sending him or her there.** There is nothing worse than being shuffled from one place to another. We should not be adding to people's frustration by sending them to the wrong place. Make sure you understand what the person needs, or where

they have to go, before sending them someplace else. Sometimes it is best to call the referred agency or department to make sure it can accommodate the person, before sending him or her there.

8. **The SHLA Center works on a “drop-in basis,” and does not provide information by telephone.** We are not equipped to provide information, other than location and what we do, over the phone. The SHLA Center is set up as a “drop-in” center, and in order to serve persons coming in the door, we cannot stay on the phone. Also, it is important to see what papers people have been served with in order to know the type of response they need to file. Often people give inaccurate descriptions over the phone, which can result in us giving incorrect information. It is always prudent to look at a person’s papers before determining which forms they need to obtain. Finally, it is necessary for people to read and sign the disclosure statement on the intake forms in the center before we discuss their case with them so they understand that we are not providing confidential consultations or legal advice.

There will be occasions when someone calls in from out of state needing information about a pending case. Coming into the SHLA Center is not an option for a person who resides a long distance away. Use your discretion in answering questions, and be sure to emphasize that you cannot guarantee the accuracy of the information you are providing because you have not seen the papers. You might say: “If such and such happened, then you can do such and such,” always prefacing the information you provide with “if.”

9. **Dress appropriately.** You are representing the courts, and should dress in a professional manner. We want people to know how to appear in court, so we should set an example by the clothes we wear.

10. **Treat everyone with respect.** Many of the people coming to the SHLA Center will be irritable and frustrated because they have already been to different agencies or departments and did not receive the information they needed. Others will be frustrated because they discover they are unable to accomplish what they are trying to do. Even though we may not be able to tell people what they want to hear, we can always treat people with respect.

Sometimes people have disabilities that make it difficult for them to speak, or be understood. It may take time to listen to them before you will understand

what they are trying to say. Try to be patient, and let people express themselves; however you can help direct the conversation by asking key questions so the person will be able to get to the point, and provide the information you need to assist him or her.

11. **Let us know when you are available and unavailable to work.** We certainly appreciate any time you can give us, and do not require you “punch a clock” or serve any minimum amount of time. However, we do request that you schedule the hours you will work in advance, and that you notify us if you will be unavailable during any time you have already committed to work. This way we can try to schedule full coverage for the SHLA Center at all times.

12. **Do not allow food or drink in the SHLA Center.** If we are to maintain cleanliness and quality of the materials, we need to keep people from eating or drinking in the center. We can direct people to the cafeteria, and ask them to finish their food or drink before using the center.

13. **Keep an eye on the materials so as to minimize theft.** Unfortunately we have experienced theft of some of our materials. Maybe people take things inadvertently, and then are afraid to return them, or maybe they take things intentionally. In either event, we need to watch people in the center to make sure they return materials to the shelves. Those materials that have already been stolen once, and have had to be replaced, must be kept behind the desk, either in the coordinator’s office, or where staff sits at the entrance to the center. Before giving one of these materials to a person using the center, we need to take a driver’s license or identification card to hold as security.

14. **Ask people to control their children or when possible, direct them to the Children’s Waiting Room.** Children often get restless in the SHLA Center, and can easily damage equipment and materials if they are not supervised. We have brochures in the center about the Children’s Waiting Room, and we should encourage people to leave their children there when appropriate. The Children’s Waiting Room takes children from 2 ½ years to 14 years, as long as they are toilet trained and not sick. The Children’s Waiting Room is open from 8:00 a.m. to noon and from 1:15 p.m. to 5:00 p.m. Parents and legal guardians must not leave the Hall of Justice building without first retrieving their children. If someone in the SHLA Center has a child who is too young for the Children’s Waiting Room, but

is disruptive in the center, we should ask them to keep their child quiet and controlled, or come back when they have someone to watch their child.

# SUPERIOR COURT, COUNTY OF VENTURA SELF-HELP LEGAL ACCESS CENTER

## GUIDE FOR HELPING SELF-REPRESENTED LITIGANTS TO HELP THEMSELVES

### I. We are here to help people help themselves.

We are here to give guidance. We cannot give legal advice of the type provided by private legal counsel. Often it is difficult to tell the difference, and know where to draw the line. If a person is asking whether they “should” do something, we cannot answer the question for them. If they are asking if they “could” do something, we can instruct them how. A “should I?” question involves making decisions about options, assessing risks and benefits, and analyzing potential outcomes. This is the sole realm of private legal counsel, which we cannot, and must not provide. Once a person knows his or her options, and has made an informed decision, we can assist with the procedure in navigating the court system.

Here are some examples:

A. A person comes to the center asking whether he or she can appeal a decision in the traffic court. We can answer the question by providing information about the time period for filing the appeal and the process for filing the appeal. We can explain whether an appeal will result in a trial de novo, such as in small claims appeals, or whether the appellate judge or justices will be limited to the record in the lower court. The person then asks whether he or she should file the appeal, wanting to know his or her chance for success. We cannot answer whether the person should file the appeal, nor can we estimate the chance for success. We can explain the burden of proof, and the standards used for appellate review. We can also emphasize those factors that may be considered in evaluating the merit of an appeal. We can certainly refer the person to available legal services, such as the Lawyer Referral Service, where one can consult with an attorney for a low fixed fee, and we can refer the person to books and materials here in the center, and in the Law Library, where he or she can research the law applicable to his or her case.

B. It is Friday afternoon. A person comes to the center asking whether he or she can stop an eviction. You look at the paperwork and see that a default judgment was entered in the case, and that a Writ of Possession indicates the sheriff will perform a lockout on Monday morning at 6:01 a.m. You need to explain to the person that the only way to stop the eviction is with a court order. To get a court order, one must bring an ex parte motion to vacate the default judgment and stay its execution. To bring an ex parte motion, the moving papers must be filed by noon the court day before the hearing, and at least 24 hour notice must be given to the other side. There is simply no time to get a court order, even if the facts were there to justify granting the motion. A person in this situation should move their belongings immediately to prevent a lock out. If they believe service was improper, and the landlord falsified papers to complete the eviction without due process, perhaps the only recourse for the tenant, at this late stage, is to bring a separate action against the landlord for damages after the tenant has moved. Before bringing such an action, the tenant must either consult with an attorney about the propriety of bringing such a case, or research the law carefully before proceeding to file an action against the landlord. We can refer the tenant to our Nolo Press book on Tenant Rights, and to *Miller and Starr, California Real Estate, 2d*, published by Bancroft-Whitney. The volume on landlord/tenant has a lot of good information.

C. If we change the example in (b) above, to have a lock out order scheduled for one week away, instead of the next business day, the tenant has the time to bring an ex parte motion to set aside the default. The question then becomes, should the tenant bring the motion? As previously stated, we cannot answer “should I?” questions. However, the process of bringing a motion to vacate a default judgment is complicated even for attorneys,

and a showing of good cause is required to get a court order vacating a default judgment. We can explain to the tenant the burden he or she must meet to establish good cause for not timely answering the complaint. We can also point out that the court may consider whether the tenant would have a valid defense to the unlawful detainer action, if the default were to be set aside. We can suggest the tenant research the case law found in the annotations to Code of Civil Procedure section 473, which allows for possible relief from mistake, inadvertence, surprise or excusable neglect, to see if appellate courts granted relief to a party under similar factual circumstances. We cannot tell the tenant whether he or she should proceed with the motion. If the tenant decides to proceed, we can explain the filing and notice requirements for an ex parte motion, the components of the motion which include a notice of motion, a memorandum of points and authorities citing the legal authority for the motion, and a factual declaration under penalty of perjury establishing good cause for requesting the relief being sought.

D. A person comes to the center wishing to file a civil complaint against an unlicensed contractor who took money to perform work, and never did the work, or did an inadequate job. We can identify the form for a complaint for breach of contract and help explain how to complete the form, but we should also encourage the person to report the incident to the District Attorney's Office Consumer Fraud Unit, and to the State Contractor's License Board. If the person obtained a form for a breach of contract complaint from the clerk's office, but failed to obtain a cause of action form to go with it, we should inform them of the need to have at least one cause of action form to go with the complaint form. The cause of action forms usually used for a complaint of this nature include breach of contract, common count, fraud, and exemplary damages. You can explain what each form represents, but you cannot tell the person whether he or she actually has a claim for fraud, common count, etc. Applying the facts of the individual's case to the law, or vis versa, is the role of private legal counsel, not the center.

## II. Helping people to conduct their own legal research.

We can show people how to look up a code section, and explain to them the difference between case and statutory law. We have some Daily Appellate Reports from the Daily Journal here in the center. We can show people how a case is written, beginning with a summary of the facts of the case, then a legal analysis, followed by a conclusion or finding. We have some codes here in the center as well. They are kept on the credenza in the coordinator's office.

We also have a number of *Nolo Press* books available in the center. These books are also available in the Law Library behind the reference desk. If people want to copy the materials in the *Nolo Press* books, they can do so in the Law Library. *Nolo Press* books are also widely available in bookstores since they are written for the general public, not the legal profession. Unlike law books, *Nolo Press* books are affordable for those who wish to purchase a book.

The following list of research materials will help people who wish to research their legal questions themselves:

A. For **real estate** related questions, including landlord/tenant, real estate contract disputes, boundary disputes, title disputes, property liens, mechanics liens and purchase and sale issues:

1. Miller & Starr, *California Real Estate*, 2d, published by Bancroft Whitney. This is a multi-volume set found in the Law Library, and includes citations to statutes and cases. We call this type of work a "treatise," since it provides a summary and analysis of case and statutory law. A treatise is a good starting place to conduct legal research, because it refers the reader to the actual cases and codes; but a treatise is not the law, and the reader should always check to make sure the citations are accurate.

2. Continuing Education of the Bar (“CEB”) also publishes a number of books on real estate related subjects including title insurance, mechanics liens, construction contract disputes, mortgage and deed of trust practice, condemnation, and purchase and sale of real property. The books can also be found in the Law Library.

3. *California Practice Guides* published by The Rutter Group on Real Estate Law and on Landlord-Tenant.

4. For **landlord/tenant** law specifically, books by Myron Moskowitz, including:

a. *California Eviction Defense Manual, 2d*

b. *California Landlord-Tenant Practice, 2d*

c. *California Tenant’s Handbook*

B. For **civil procedure** questions, including drafting complaints and answers, determining causes of actions and defenses, pre-trial motions such as demurrers, motions to strike and motions for summary judgment:

1. WITKIN, *California Procedure*, published by Bancroft Whitney. This is also a multi-volume treatise. The index can be found in the last volume. The two volumes on “Pleading” will answer most questions about drafting complaints, answers, demurrers and motions to strike. The volume on “Provisional Remedies” will answer questions about obtaining interim relief, such as preliminary injunctions.

2. Weil & Brown, *Civil Procedure Before Trial*, a California Practice Guide published by The Rutter Group. This is a three volume treatise. It has a volume solely devoted to discovery, and is a good place to look for information about different forms of discovery. This treatise also has step by step information about pre-trial motions, mandatory settlement conferences, and almost any type of civil proceeding in court.

C. For **drafting legal pleadings**, where there is no judicial council form or local court form available, there are form books in the Law Library which show the type of language and structure required for a self-drafted pleading:

1. Matthew Bender’s *Forms of Pleading and Practice* has forms for most complaints, petitions and answers. It is a good source for drafting one’s “initial pleading” to be filed with the court.

2. Bancroft-Whitney’s *California Civil Practice* also contains some forms.

3. Matthew Bender’s *California Points and Authorities* provides sample heading topics and citations to legal authorities for drafting memorandums of points and authorities.

D. For **preparing for trial** there are many books available including:

1. The Rutter Group’s *Civil Trials and Evidence*.

2. *The Evidence Benchbook*

3. WITKIN, *Evidence*

4. WITKIN, *California Procedure*, the volume on “Trials”

### **III. Procedure for viewing video tapes.**

We have one video station. A remote control device is necessary to advance or rewind the tape. We give a remote control device and video only to a person who has completed an intake form. Please note on the form when a video and remote control is checked out, and then again when it is returned. You can write the information in the box at the bottom of the intake form. Only one video may be given to each viewer at a time. The viewer needs to return the first video before he or she can get another. For the hard of hearing, we do have headphones available so the volume can be increased.

For the conservatorship video, the viewer must sign a confirmation form that we keep at the front desk. A staff person must acknowledge the form as well. The viewer then takes the form upstairs to the clerk's office to verify that he or she viewed the video.

For the hearing impaired we have a special headphone that plugs into the television. It is a small earpiece that is worn in one ear, and is kept with the other headsets. All headsets should be cleaned after they are returned.

### **IV. How people can use the materials in the center.**

Most of the materials in the center cannot be removed. The only materials we can give people to take with them are brochures that are provided to us in bulk, free of charge, or brochures that the court generates for public distribution. State Bar pamphlets and brochures cannot be removed from the center, since we only have the one copy. Coin operated copy machines are available in the area of the law library adjacent to the center.

### **V. Referring people to other community resources.**

We can refer people to other community resources. The Lawyer Referral & Information Service ("LRIS") is a program that will benefit many people who need some legal guidance, but cannot afford to hire an attorney to handle an entire case. The LRIS charges a fee of \$35.00 for a thirty-minute consultation with an attorney in a specified field. The attorney donates his or her time for the thirty-minute consultation. If the attorney is hired for services or consultation beyond the initial thirty minutes, the client must pay his or her regular hourly rate. It is important to stress when referring people to the LRIS that they tell the receptionist what type of lawyer they need. We need to remind people that many lawyers practice in limited fields, and a lawyer who does divorces, for example, may not know what to do about a boundary dispute between two neighbors.

We have brochures to distribute on the LRIS and we also have court generated brochures to distribute on free and low cost legal services.

For questions about family law matters, we can refer people to the Family Law Self-Help Centers. We have brochures, as well as schedule sheets in English and Spanish on this program. If a question arises about the Family Law Self-Help program, you can call JoAnn Johnson (ext. 3657) or Robert Guerra (ext. 6732). The number to give to the public is (805) 662-6661 at which they can listen to recorded information about the program.

For other county agencies, use the County of Ventura telephone directory, the Need Help? or "Blue Book" directory on local non-profit and social service agencies, or any of the many resource guides we keep in the center. When we refer someone to another agency, we need to note at the bottom of the intake form where we referred him or her.

## **VI. Public education.**

People's perception of the judicial/legal system is probably influenced more by their personal experiences, than by any media coverage, movie or television show they watch. Most people coming to court wish they were not here. We will probably not make their court experience enjoyable, unless they are perhaps getting married or adopting a child, but we can make the experience less frightening and more understandable. We will not have all the answers people want, but we can always treat them with respect. By explaining due process, the rule of law, and the reasons we have procedures that they may view as unnecessarily complicated, we can do much to educate the public about our judicial system, and the valid reasons for the complexities they encounter. In so doing, we will hopefully engender greater respect for our democratic institutions, our legal system, and the rule of law.

**THANKS FOR HELPING US HELP OTHERS!**

## SUPERIOR COURT, COUNTY OF VENTURA SELF-HELP LEGAL ACCESS CENTER

### HOW TO DRAW THE LINE BETWEEN LEGAL ADVICE AND LEGAL INFORMATION

One of the most difficult challenges we face is providing self-represented litigants with the vital information they need, without rendering “legal advice.” As representatives of the court, we must remain ever mindful of our absolute duty of impartiality. We must not give information or advice for the purpose of giving one party an advantage over another. We must not give information to one party, which we would not give to another party.

Advising a party *what* to do, as opposed to *how* to do what the party desires to do, crosses the impartiality line. Communications and explanations should always be rendered in an impartial manner, so as not to advantage or disadvantage any litigant. The following guidelines may help in differentiating between providing “legal advice” and “legal information”:

#### **Information we CAN provide:**

1. Information contained in docket reports, case files, indexes, and other reports.
2. Answers to questions concerning court rules, procedures and ordinary practices. These questions are frequently phrased as “can I . . .” or “how do I . . .”
3. Examples of forms or pleadings to help guide litigants.
4. Answers to questions about completing forms.
5. Explanations as to the meaning of terms and documents used in the court process.
6. Answers to questions concerning the computation of deadlines or due dates.

#### **Information we CANNOT provide:**

1. Information we are unsure about.
2. Advising a litigant whether to take a particular course of action. Questions phrased as “should I . . .” must be referred to private legal counsel, or we can direct people to various books in the law library where they can read about the law and form their own opinion.
3. Taking sides in a case or proceeding pending before the court.
4. Information to one party that we would be unwilling or unable to provide to all other parties.
5. Disclosing the outcome of a matter submitted to a judge for decision, until the outcome is made public, or the judge directs disclosure of the matter.

John M. Greacen, former Clerk of the United States Bankruptcy Court, District of New Mexico, has written articles on the subject of legal advice versus legal information. He suggests the following five points be followed in dispensing information to the public:

1. **We have an obligation to explain court processes and procedures to litigants, the media and other interested persons.** Court staff have a unique understanding of the way in which the court functions, which is often superior to the knowledge of attorneys who practice before the court. It works to everyone's advantage for court staff to share their knowledge, and the court will operate more efficiently when everyone is operating under the same expectations regarding the ground rules and procedures applied.

2. **We have an obligation to inform litigants, and potential litigants, how to bring their problems before the court for resolution.** It is entirely appropriate for the court staff to apply their specialized expertise to go beyond providing generalized information, such as answering a question, "How do I file a lawsuit?" to giving detailed procedural guidance on how to request a hearing. We can also answer questions about what the court looks for in an application for award of attorneys fees, a request to enter default judgment, a child enforcement order, etc. We can also refer people to applicable statutes and rules, published case decisions, and sample pleadings. It is entirely appropriate to inform people as to the reason behind the rules, such as explaining due process requirements in relation to a proof of service. We want the public to understand that the rules are not there to thwart them, or make things difficult for non-lawyers; the rules are there to ensure due process and allow disputes to be decided on their merits.

3. **We cannot advise litigants whether to bring their problem before the court, or what remedies to seek, although we can inform about alternatives to litigation, and we can direct litigants to sources of information about potential remedies.** We cannot advise litigants whether to avail themselves of a particular procedural alternative, since we cannot possibly know enough about a litigant's personal position to know what is in the litigant's best interest. This is uniquely the role of private legal counsel, where a confidential attorney/client relationship exists.

4. **We must always remember the absolute duty of impartiality. We must never give advice or information for the purpose of giving one party an advantage over another. We must never give advice or information to one party which we would not give to an opponent.** Giving procedural information, or suggestions on where to access legal information, applies to all sides. Having informed litigants helps the process for all concerned. Advising a party *what to do*, as opposed to *how to do* something the party has already chosen, crosses the line from impartiality to partiality. We owe equal duties to both sides.

5. **We should be mindful of the basic principle that counsel may not communicate with the judge *ex parte*. We should not let ourselves be used to circumvent that principle.** We must not allow ourselves to be used as *ex parte* "messengers" to the judge or court clerk who will decide a particular matter. Some court clerks can enter judgment, and perform other functions traditionally relegated to a judicial officer. We must be careful not to advocate on behalf of a litigant in our communications with decision makers in the court.

Knowing where to draw the line is one of the most difficult challenges we face in helping people to help themselves. Practical considerations sometimes blur the lines, but we must remember, above all else, not to give information if we are uncertain about its accuracy, and to treat all persons and all parties to a controversy with the same level of respect, and with equal assistance.

Any questions about whether a question involves legal advice vs. legal information should be referred to the center coordinator.

## **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 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 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.

## RESOURCE LIST FOR REFERRAL AGENCIES

### Drug and Alcohol Drug and Prevention Programs

Alcohol and Drug Abuse program N. Hillmont Ave., Ventura	(800) 879-2772
Alcohol and Drug Program	(805) 652-3277
Alcoholics Anonymous 321 Avlader,, Camarillo, CA.	(805) 650-7434
Interface 1305 Del Norte Road Camarillo, CA.	(800) 339-9597 (805) 485-6114
Help Line Information and Referral	(800) 556-6607
Steps 224.East Clara St Port Hueneme, 93041	

### Recovery Homes

Casa Latina 1430 Junewood Way Oxnard, Ca.	(805) 988-1560
Miracle Recovery Center 94 South Anacapa Ventura, Ca. Ventura County	(805) 648-4783
Palmar Drug and Alcohol Abuse Program 1840 E. Ventura Blvd. Camarillo, CA.	(805) 482-1265
Rainbow House Recovery Centers 1826 E. Channel Island Blvd. Oxnard, Ca.	(805) 483-4444

### Counseling Centers

145 W.El Roblar Dr. Ojai	(805) 646-4373
2651 South C. St Oxnard	(805) 385-1885
739 E. Main Ventura	(805) 652-7823

### Counseling For Women

New Start for Moms 315 North A St.	(805) 385-4114
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Oxnard

**Child Care Information**

Child Development Resources of Ventura <i>Cuidado para Niños</i>	(805) 485-7878
Ventura County Child Care Association	(805) 650-5681
Trust Line (conducts background checks on child Care providers exempt from licensing)	(800) 822-8490
Better Business Bureau of the Tri-Counties	(805) 963-8657
California Attorneys General Offices	(800) 952-5225
California Dept. of Consumer Affairs	(800) 952-5210
Ventura County District Attorney	(805) 654-3110

**Employment Services**

Employment Development Dept.	(805) 485-5665
Regional Occupation Program	(805) 388-4430
Ventura Senior Employment	(805) 648-5606
Ventura County Commission on Women in Community Service	(800) 655-6230
Job Corps	(800) 562-2677
Ventura County Job and Career Centers 4274 Telegraph Rd. Ventura, CA 93003	(805) 477-2000
4071 E. Main Street Ventura, CA 93003	(805) 289-3100
Cal Works (Karla Olander)	(805) 652-7631
State Employment Development Department <i>Departamento Estatal Estatal del Desarrollo de Empleos</i> 635 So. Ventura Rd. Oxnard, CA	(805) 382-8610
Welfare to Work 580 E. Third St. 635 S. Ventura Rd.	(805) 385-8552

### **Job Opportunities for Youth**

Arbor, Inc. (Lisa Lopez, Project Supervisor) (805) 984-4388  
Helps youth ages 14-21 with difficult circumstances, such as  
an arrest record

Ventura Youth Employment Service (805) 289-4920

### **Abuse and Neglect**

Child Abuse and Neglect (805) 485-6114

Interface Children (800) 339-9597  
Family Services  
Shelters for Battered Women

Domestic Violence Hotline (800) 799-7233

Ventura Child Protection Services (805) 654-3200

Ventura County District Attorney  
Victim Services (805) 654-3006

### **Adoption Centers**

Aspira Foster Family Services (805) 648-5558

California Department of Social Services (213) 897-1110

Public Social Service Agency Adoptions (805) 654-3454

### **Foster Care**

Indian Child and Family Services (800) 969-4237

Foster Care Licensing (805) 654-3456

### **Government Services/Benefits**

Social Security (800) 722-1213

Unemployment Benefits (EDD) (805) 382-8720  
635 S. Ventura Rd.  
Oxnard, CA

### **Housing and Job Discrimination**

California Department of Fair Employment & Housing (DFEH) (800) 233-3212

(800) 884-1684  
Equal Employment Opportunity Commission (EEOC) (213) 894-1000

Housing and Urban Development (HUD) (213) 894-8040

Fair Housing Institute (888) 777-4087

**Legal Assistance**

California Rural Legal Assistance (805) 486-1068  
445 So. "B" St.  
Oxnard, CA

Commission on Human Concerns (800) 884-1684

Simi Valley Free Clinic (805) 522-3733  
2060 Tapo St.  
Simi Valley, CA

Ventura County Bar Association (805) 650-7599

Conejo Free Clinic (805) 497-3575

**THERE ARE OTHER LEGAL RESOURCES IN THE COURT BROCHURE ENTITLED "FREE AND LOW COST LEGAL SERVICES"**

**THERE ARE OTHER RESOURCES IN ALL CATEGORIES LISTED IN THE COUNTY OF VENTURA TELEPHONE DIRECTORY AND IN THE "NEED HELP?" PHONE GUIDE PUBLISHED BY INTERFACE CHILDREN FAMILY SERVICES**