

Family Law Advocacy for Low and Moderate Income Litigants

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We believe in justice. We work every day to assure that low-income litigants have access to justice. Even so, we are unable to serve all who require the assistance of counsel. We hope that in some way, the publication of this book will help those without counsel to realize justice. A significant goal of family law advocacy for many of us is to ensure stability for children in a safe and nurturing environment; therefore, this book is dedicated to the children of the Commonwealth. We would like to acknowledge, in particular, the children of legal services advocates, who often go without the trappings of middle-class life so that their parents can continue to do this work.

PREFACE

This third edition of this manual continues the vision of the original publication to enable family law litigants to have a greater understanding of what to expect when faced with the emotional but critical legal issues affecting their lives and their children. Members of the Family Law Task Force, a coalition hosted by the Massachusetts Law Reform Institute and consisting of legal aid advocates from around the Commonwealth, have made it a priority to educate and inform the community, particularly low- and moderate-income litigants, about the rights and challenges of family law. It is also from this group that we recruited authors—many of whom volunteered, and others who were “volunteered.” They were joined by others dedicated to the effort to update this manual to continue to deliver on its original intent. Collectively, these authors form the front line of many major efforts to ensure that the legal rights of low-income litigants in the Probate and Family Court are not compromised due to poverty and the inability to obtain affordable counsel. They have taken the time to step back, reflect, and write so that you, the reader, may have a guided tour around the pitfalls of family law practice. We thank them all for their selfless contributions and willingness to step forward.

We would also like to thank MCLE, under the stewardship of Executive Director John M. Reilly, for its dedication and commitment to legal services and our client community. This publication is but one example of the generosity offered by MCLE.

Finally, we offer a heartfelt thank you to Maryanne Jensen, Director of Publications, and Donald Ferland, Acquisitions Assistant, who truly kept this project on course. We all get involved in the day-to-day aspects of our work life and often relegate volunteerism to the end when all else is done. Our community truly thanks them for helping to keep this update front and center and for hanging in when it was not.

On behalf of the future readers of this manual, we thank you all.

Jacquelynne J. Bowman
Patricia A. Levesh
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We thank, as well, the authors who have generously joined Ms. Bowman and Ms. Levesh in writing this book. MCLE gratefully acknowledges their contribution of their time and effort to this 2018 Edition, as well as their ongoing commitment to the mission of continuing legal education.

Finally, we would like to acknowledge the MCLE staff members who worked to produce these pages.

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March 2018

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