

# **SURVIVORS & NEW FAMILY COURT PROCEDURES**

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Los Angeles Center for Law & Justice



## ***Our services***

***LACLJ provides holistic, trauma-informed services for survivors of domestic violence, sexual assault and human trafficking***

***☐ To apply for services: visit [www.laclj.org](http://www.laclj.org), email [services@laclj.org](mailto:services@laclj.org), or call 323-980-3500***

*\*This is an informational session only and the information provided is meant to be general and for educational purposes only. Nothing in this presentation is meant to be legal advice. If you have specific questions about your own case please speak to a licensed attorney.*

Presented by:



Los Angeles Center for Law and Justice

# ROADMAP

- Introduction
- Filing Restraining Orders
  - Email
  - Fax
  - Drop Off
  - In Person
- Service
- Hearings



# FILING RESTRAINING ORDERS



# Email Filing of Restraining Order Applications

New method of filing restraining order applications is by email. Court encouraging remote access to justice.

- ❑ Each courthouse has its own email address for DVRO applications
  - ❑ [Smc-exparte@lacourt.org](mailto:Smc-exparte@lacourt.org)
- ❑ Need to attach MC-005 as cover sheet for filing
- ❑ In email subject line include case name and case number if one



# Email Filing of Restraining Order Applications

- Court will Receive and Review in about 3 hours
- Will send response to the email provided, agencies can send on behalf of survivors
- Limit on size of filing
- Good idea to also file fee waivers (FW-001, 2 and 3) to waive Court Call or LA Court Connect fees for client and attorney
- Limits as to what other documents may be filed i.e. no proof of service or limited scope documents



# Fax Filing

Second way to file restraining order applications is through fax, same as before, process similar to email.

- ❑ Each courthouse as own fax number
  - ❑ Mosk Courthouse: (213) 633-1955, ROC: 213-625-5707
  - ❑ Listed on Court Website
- ❑ Need to attach MC-005 as cover sheet



# Fax Filing

- ❑ Responses sent via fax (in most departments)
- ❑ Limitation on size of file
- ❑ Will need additional fee waivers to waive fax filing fee and Court Call or LA Court Connect fees
- ❑ Can file any court documents via fax
- ❑ Delay in return of conformed copies





**RESTRAINING ORDER EMAIL & FAX FILING ADDRESSES & PHONE NUMBERS**

<p><b><u>Antelope Valley Courthouse</u></b>  <a href="mailto:ATP-ExParte@lacourt.org">ATP-ExParte@lacourt.org</a>                  Fax: (562) 753-0441                  Phone: (661) 483-5500</p>	<p><b><u>Long Beach Courthouse</u></b>  <a href="mailto:LBC-ExParte@lacourt.org">LBC-ExParte@lacourt.org</a>                  Fax: (562) 753-0921                  Phone: (562) 256-3100</p>	<p><b><u>Stanley Mosk</u></b>  <a href="mailto:SMC-ExParte@lacourt.org">SMC-ExParte@lacourt.org</a>                  Fax: (213) 633-1955                  Phone: (213) 830-0800</p>
<p><b><u>Chatsworth Courthouse</u></b>  <a href="mailto:CHA-ExParte@lacourt.org">CHA-ExParte@lacourt.org</a>                  Fax: (562) 753-0347                  Phone: (818) 407-2200</p>	<p><b><u>Pasadena Courthouse</u></b>  <a href="mailto:PAS-ExParte@lacourt.org">PAS-ExParte@lacourt.org</a>                  Fax: (562) 753-0465                  Phone: (626) 396-3300</p>	<p><b><u>Torrance</u></b>  <a href="mailto:TOR-ExParte@lacourt.org">TOR-ExParte@lacourt.org</a>                  Fax: (562) 637-0731                  Phone: (310) 787-3700</p>
<p><b><u>Compton Courthouse</u></b>  <a href="mailto:COM-ExParte@lacourt.org">COM-ExParte@lacourt.org</a>                  Fax: (562) 753-0958                  Phone: (310) 761-4300</p>	<p><b><u>Pomona Courthouse</u></b>  <a href="mailto:POM-ExParte@lacourt.org">POM-ExParte@lacourt.org</a>                  Fax: (562) 753-0655                  Phone: (909) 802-1100</p>	<p><b><u>Van Nuys - East</u></b>  <a href="mailto:VNE-ExParte@lacourt.org">VNE-ExParte@lacourt.org</a>                  Fax: (562) 753-0315                  Phone: (818) 901-4600</p>
<p><b><u>Inglewood Courthouse</u></b>  <a href="mailto:ING-ExParte@lacourt.org">ING-ExParte@lacourt.org</a>                  Fax: (562) 753-0387                  Phone: (310) 419-1300</p>	<p><b><u>Santa Monica Courthouse</u></b>  <a href="mailto:SAM-ExParte@lacourt.org">SAM-ExParte@lacourt.org</a>                  Fax: (562) 753-0581                  Phone: (310) 255-1840</p>	<p><b><u>Whittier</u></b>  <a href="mailto:WHI-ExParte@lacourt.org">WHI-ExParte@lacourt.org</a>                  Fax: (562) 753-0560                  Phone: (562) 968-2699</p>



# Filing Via Drop Box

Third method is via Drop Box in front of courthouses

- Each courthouse has a drop box in front of the entrance to the courthouse
  - ▣ Mosk has one at Grand St entrance
- Include a cover page or sticky note with name, phone number or email address or stamped return envelope.



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# Filing Via Drop Box

- Court will call or email with response or indicate that will pick up from drop box
- Items in Drop Box will remain for 5 days
- No limit as to size or what documents can be filed
- Still good idea to include fee waiver docs for remote appearances



# Filing in Person

Court discouraging the filing of in person applications

- If need to file in person must make an appointment with the clerk's office
- To make an appointment call the family law clerk at the courthouse, can get same day appointment
- Will also need to make an appointment to pick up the filing in person
- If have an appointment with self help may not need an additional appointment for clerk filing



# SERVICE



# Service of Restraining Orders

- LASD no longer accepting requests for service via fax or email
- Must submit requests in person at Sheriff's Office
  - ▣ Sheriff requesting original wet signature



# HEARINGS



# Hearings

Hearings are being conducted in many different ways since the pandemic: In person, Court Call and WebEx

- In Person: survivors can go to court for hearing
  - need to bring RO documents to be allowed into court and can bring witnesses
  - Mask required
  - Social distancing expected, Sheriff's enforcing





# Hearings- Court Call

- Via Telephone- Court Call
  - can set up appearance via CourtCall until August 17
  - Need to get court approval to appear
  - Need fee waiver for court call
  - Need to give notice to other side
  - Pros and Cons: safe, easy technology but difficult to introduce evidence, credibility determinations difficult, not sure who is speaking, not all courtrooms have capacity, need to exchange and lodge exhibits prior



# Hearings- Web Ex

- Via Video Conferencing- WebEx
  - Can log into meeting at time of hearing
  - No fee waiver needed
  - Need to give notice to other side
  - Pros and Cons: safe, can see all parties and reactions, can introduce evidence by sharing screen, need to be a little tech savvy, limited capacity currently, sometimes hard to hear other parties, safety considerations



# LA Court Connect

On August 17, 2020 family court will begin using a telephone and video platform called LA Court Connect for hearings

- ❑ Uses WebEx technology
- ❑ Will be a fee and unsure if waived for DV
- ❑ Need to sign up and make reservation
- ❑ Should be available in all courtrooms, more to come



# Miscellaneous

- Mediations being conducted remotely as well via WebEx, can make appointments online, put people in lobby to talk confidentially
- If you or client at high risk for Covid consider filing an ADA request with ADA coordinator at court and requesting CourtCall appearance
- Different departments handling things differently, call dept in advance



# **THANK YOU!**



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**QUESTIONS?**