



# **Texas Advocacy Project's Legal Line Script & Issue-Spotting Tool**

FOR PRO BONO ATTORNEYS

This guide is designed to help pro bono attorneys navigate Legal Line calls with confidence and clarity. It includes a script to use during the call, guidance on issue-spotting, and resource links that are frequently sent to callers.

Whether you are taking your first call or looking for a quick refresher, this guide will walk you through best practices for conducting an effective Legal Line consultation. Use it as a reference before and during your calls to ensure you provide accurate legal advice while maintaining a client-centered approach.



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## **LEGAL LINE BASICS**

At Texas Advocacy Project (TAP), our Legal Line receives hundreds of calls each month from survivors seeking safety and legal advice – but our resources are limited. That’s where you come in! By volunteering, you help extend our reach, offering critical guidance and hope to survivors who need a path forward.

Through our new Pro Bono Legal Line Clinics, you can provide one-hour consultations to survivors on issues like divorce, custody, and protective orders. With access to legal resources and real-time support from a TAP attorney on Zoom, these remote consultations allow you to make a meaningful impact from anywhere.

Below is a summary of the Legal Line process to help you better understand your role and what to expect.

### **1. Client Intake**

Our intake screeners are the first point of contact for survivors reaching out to TAP. They conduct a brief intake, check for conflicts, and schedule appointments with our attorneys – always considering the survivor’s work, childcare, and safety needs.

Clients are scheduled for our Legal Line Clinics based on criteria designed for pro bono attorneys. These typically include cases that present straightforward legal issues, clients who are not currently in high-risk or potentially lethal situations, clients who speak English, and those with some flexibility in scheduling. This allows pro bono attorneys to provide effective assistance while ensuring complex or urgent cases receive specialized attention from TAP staff attorneys.

### **2. Legal Line Call**

During the 4-hour Legal Line Clinic, each pro bono attorney will make two client calls. This timeframe allows for preparation, the consultation itself, and time to document your notes.

Your primary responsibilities during these calls are to:

- Gather information and understand the client’s concerns.
- Make the client feel heard and supported; and
- Provide high-level, general legal advice.

Legal Line calls are often a survivor’s first step toward understanding their legal options. Your role is to provide clarity and guidance – not to resolve every issue.

## Before the Clinic

You will be recording your notes from your Legal Line calls in Legal Server, TAP's case management system. Please log in ahead of time to familiarize yourself with the platform and how it works. Your case assignments will be available in Legal Server 24 hours prior to the clinic, and you should be sure to review the intake notes, especially the identified legal issue.

We also recommend visiting the [Pro Bono Resources](#) page on our website to review relevant legal materials. Familiarizing yourself with the law surrounding your clients' legal issues will prepare you to provide accurate and effective guidance during your consultations.

## What to expect during the call

Legal Line consultations typically last between 30 minutes to an hour, depending on the client's questions and the complexity of their case. The most common issues we see on the Legal Line are divorce, custody, modifications of existing orders, and protective orders. While we do our best to address as many of the client's civil legal issues as possible, we do not provide advice on matters outside of family law.

Clients have been told to expect a call from a "blocked" or "private" number sometime during the 4-hour clinic window. When making your calls, please block your number by dialing \*67 before the client's number.

If the client does not answer, leave a message – unless the case notes indicate it is unsafe to do so – and try calling back a couple of minutes later. If you leave a message, identify yourself as a volunteer attorney with Texas Advocacy Project, but do not mention any legal details. We recommend that you attempt to reach the client three times before moving on to your next call. We will be sure to follow up with the client to schedule a new appointment.

Below is a Legal Line script to help guide you through your conversation, including how to collect basic information, explain confidentiality, and discuss the limited nature of your services.

Most Legal Line calls start with a specific question like "How long do I have to live in Texas before I can file for divorce?" You should do your best to answer that question and then explore related legal issues such as custody, paternity, property division, or whether a protective order may be appropriate. At the end of each call, summarize your advice and let the client know they are welcome to call back if they have further questions.

If you are unsure of the answer to a question, feel free to place the client on hold for a few minutes to do some quick research. We have resources to help answer some of the most frequently asked questions, and our issue-spotting tool, below, should be helpful as well. You are also free to search on [TexasLawHelp.org](https://www.texaslawhelp.org) for answers or even google the question. Additionally, a TAP staff attorney will be available on Zoom throughout the clinic to assist with any questions. Please avoid using ChatGPT or other AI tools when providing legal advice.

### After the call

Please take notes during your Legal Line calls, recording the facts shared by your client and the legal issues identified. Our Legal Line script, below, provides detailed guidance on how to format your notes in Legal Server.

If you offer to share resources with the client, you can send them directly through Legal Server after the call (or during, if you are comfortable doing so). Be sure you have permission from them to receive text messages before sending any materials. Guidance on how to obtain permission is in the Legal Line script, below. Please note in the “Advice” box on Legal Server which resources you sent. This helps maintain continuity if the client calls our Legal Line in the future.

The final step is to record the time you spent on the case – including preparation, consulting with the client, and any follow-up work – in client’s Legal Server file. Instructions for time entry can be found in our Legal Server Instructions (Appendix \_\_).

# LEGAL LINE SCRIPT

## STARTING THE CALL

*Hello, is this [client's name]?*

- If not, ask if [client's name] is available to speak. If not, thank the person and end the call. Do not leave a message.

*Hello, my name is \_\_\_\_\_. I am a volunteer attorney with Texas Advocacy Project and am calling for your legal appointment scheduled for this afternoon. Is this a good time to talk?*

- If client says it is no longer a good time to talk, either schedule a time later in the clinic block (if you have availability) or ask her to call TAP to reschedule. (800) 374-HOPE (4673)

*During this call, I can provide you with free legal advice regarding your situation, but I am not able to represent you as your attorney. That means I cannot represent you in court or draft legal documents for you. Do you understand this?*

*As long as it's just the two of us on this call, our conversation will remain confidential. However, if there are others on the call, if you are recording the call, or if you disclose the substance of the call to another person, I cannot guarantee confidentiality. There are also some exceptions to this confidentiality. For example, I am legally required to report any information you share about child abuse or neglect that has not already been reported to CPS.<sup>1</sup> Do you have any questions about this?*

*Also, I cannot offer specific advice if you are currently represented by an attorney. Can you confirm that you do not have an attorney representing you at this time?*

*Do you understand the scope of my services, and the confidential nature of this call that I just explained?*

- This is a very important part of the call and should be recorded in your Legal Server notes: **“Client understands and consents to the confidential nature and limited scope of services provided.”**

## ESSENTIAL INFORMATION

*Great! Let's begin—I see that you're calling about \_\_\_\_\_ (refer to intake notes). To best assist you and address your specific needs today, I'd like to gather some details about your case.*

- *What is your relationship with the Adverse Party (AP)?*
- *Were you and AP married? If yes – When?*
- *Are you and AP living together? If yes, when did you move in together?*
- *When did you and AP separate / stop living together?*
- *Do you have children together? If yes – DOB & genders?*
- *Have either you or AP ever been arrested?*
- *Have you suffered any physical abuse at the hands of AP? Verbal? Financial? Sexual?*

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<sup>1</sup> If the client discloses that there has been child abuse or neglect that has not yet been reported, you will have to make the CPS report; it cannot be delegated to our TAP staff attorneys. The report must be made within 48 hours. If you encounter this issue during your consultation, please speak with the staff attorney on Zoom for additional guidance.

- Are you currently in fear for your safety?
- Can you tell me a little bit about why you are calling today?

If the client is hesitant to provide this information, remind her that the conversation is confidential and that while we do provide free legal advice, our grant providers require us to collect certain information before we can answer legal questions.

### **CASE DESCRIPTION NOTES**

TAP attorneys use a standard format for recording this basic information in the client's Legal Server file. Begin by clicking "Case Description" to open a text box.

The first thing you enter is the date of the call and your name, followed by "(pro bono attorney)". For example: \_\_/\_\_/\_\_; Name (pro bono attorney)

Next, it is important that you record that the client understands that your conversation is confidential and that you are providing legal advice only with no further commitment to represent the caller. Our attorneys write: **Client understands and consents to the confidential nature and limited scope of services provided.**

Below is the format our attorneys use in the Case Description box to capture the background information. *You should copy and paste this into the Case Description box before making the call.* (AP = adverse party; CL = client; DOM = Date of Marriage, DOS = Date of Separation, CIC = Children in Custody)

AP:

DOM:

DOS:

CIC: (usually record age/sex, e.g., 4M, 16F)

AP Crim Hist:

CL Crim Hist:

DV: (physical, verbal, financial, sexual, stalking)

Fear of Safety:

Legal Issue:

**FACTS RELATING TO LEGAL ISSUE**

*Now, let’s talk a little bit about your situation so I can better understand how to assist you. I will be taking some notes to make sure I don’t miss anything important.*

- Allow the client to tell their story at their own pace, asking follow-up questions when necessary to evaluate the legal issues.
- Feel free to record any notes that will help provide clarity if the client should call back and schedule another appointment. For example, you can record that the client was very emotional, was not sure about legal goal, applied to legal aid for help, or only wants direct representation.
- Always end the call by encouraging the client to call back if they have any further legal questions.

**CASE DESCRIPTION NOTES – FACTS**

TAP attorneys record only the essential facts in the Case Description field. Below is a sample of how these facts are typically recorded. You should use this format to the extent possible.

Facts:

CL says she and AP refer to each other as husband & wife, has Muslim marriage certificate  
CL had to leave shared apartment due to abuse, mostly emotional but lately more physical  
CL has safe place to stay for now  
AP works for customer service company and makes good money  
CL wants divorce and to move back into apartment  
CL thinks AP was already married when they got married

## **ADVICE**

*Okay, I think I understand your situation, let's talk about your legal options.*

- Record the advice given in the Advice box in the Legal Server case file (see format, below).
- Always end the call by encouraging the client to call back if they have any further legal questions.

### **ADVICE NOTES**

The advice notes are in a different text box on Legal Server. You will see it right below the “case description” box. Click on “Advice” to open the text box.

As with the Case Description, start by entering the date of the call and your name, followed by “(pro bono attorney)”. For example: \_\_/\_\_/\_\_; Name (pro bono attorney)

Advice is recorded in short general sentences. For example:

Advised on common law marriage and divorce

Advised on service and alternatives, including waiver and alternative service

Advised on requirements/eligibility for spousal maintenance (alimony)

Advised on Temporary Orders

Sent CL agreed divorce instructions and forms: <https://texaslawhelp.org/guide/i-need-a-divorce-we-do-not-have-minor-children/?tab=1&toggle=8>

During the call, you may send resources directly to the client via SMS through Legal Server. When texting, please include the following statement: “PLEASE DO NOT RESPOND TO THIS TEXT. THIS LINE IS NOT MONITORED.”

**The issue-spotting tool below has pre-drafted sentences for you to copy and paste directly into your advice notes. There are also links to general information about the topic. You should not copy those links into your advice notes.**

# **ISSUE-SPOTTING TOOL**

## **DIVORCE**

Advised on 3 parts of divorce: marital relationship, custody/child support, and property division ([What gets decided in a divorce](#))

Advised on filing Original Petition, jurisdiction, 60-day waiting period to grant divorce ([Filing for Divorce](#))

Advised on no fault vs. fault grounds for divorce ([Divorce in Texas](#))

Advised on service and alternatives, including waiver and alternative service ([Serving Divorce Papers](#); [Sample Waiver](#))

Advised on statement of inability to pay (SOIP) ([Court Fees & Waivers](#))

Advised on agreed/default/contested divorce types, noted uncontested is faster and easier ([Uncontested, Contested and Default](#))

Advised on community property vs. separate property and division of debt ([Community vs. Separate Property](#); [Dividing Debt & Property](#))

Advised on Just and Right standard for property division; advised on disproportionate share ([Divorce & Family Violence](#))

Advised on requirements/eligibility for spousal maintenance (alimony) ([Spousal Maintenance](#))

Advised on child custody, BIC standard, JMC v SMC, SPO, and presumption

- [Child Custody](#)
- [Best Interest of Child](#) (BIC) standard
- [Joint Managing Conservatorship](#) (JMC)
- [Sole Managing Conservatorship](#) (SMC)
- [Standard Possession Order](#) (SPO)

Advised on child support, OAG process, child support guidelines, establishing income for OP

- [Child Support](#)
- [OAG Process \(IV-D Court\)](#)
- [Child Support Guidelines](#)
- Child support for [lower incomes](#)

Advised on Temporary Orders (maintains status quo before the final divorce is issued) ([Temporary Orders](#); [Tex. Fam. Code §105](#))

Advised on DV impact on aspects of divorce (fault, overcoming JMC presumption, division of property, custody of children) ([Divorce & Family Violence](#)) [*Is a protective order necessary?*]

Advised on early lease termination when there is family violence ([Early Lease Termination](#))

Advised on final hearing for divorce ([Contested Hearing](#); [Uncontested Hearing](#))

Advised on final Decree of Divorce ([Sample Decree of Divorce - no children](#))

Provided Resources ([Pro Se Divorce Packet](#))

Referred CL to Legal Aid (depending on region of Texas):

- Lone Star Legal Aid (Houston): <https://www.lonestarlegal.org/>
- Texas Rio Grande Legal Aid (Austin & San Antonio): <https://www.trla.org/>
- Legal Aid of Northwest Texas (Dallas & Ft. Worth): <https://legalaidtx.org/>

#### RESOURCES TO SEND TO CLIENT VIA SMS

- Agreed or default divorce instructions and forms:
  - Without minor children: <https://texaslawhelp.org/guide/i-need-a-divorce-we-do-not-have-minor-children/?tab=1&toggle=8>
  - With minor children: <https://texaslawhelp.org/guide/i-need-a-divorce-we-have-children-under-18>
  - Instructions and forms when AP filed for divorce: <https://texaslawhelp.org/guide/my-spouse-filed-for-divorce/?tab=1>

#### **RESPONDING TO PETITION FOR DIVORCE**

Advised on responding to Petition, including general denial & counterpetition (pleading family violence, cruelty) ([Responding to Divorce Petition](#))

Advised on time period available for answer and counterpetition ([Answering Divorce Papers](#))

Advised on waiver of service ([How to Serve Court Papers](#))

Advised on agreed/default/contested divorce ([Types of Divorce Cases](#))

Advised on community property vs. separate property and division of debt ([Community Property vs. Separate Property](#); [Dividing Debt & Property in Divorce](#))

Advised on Just and Right standard for property division; advised on disproportionate share ([Divorce & Family Violence](#))

Advised on requirements/eligibility for spousal maintenance (alimony) ([Spousal Maintenance](#))

Advised on child custody, BIC standard, JMC v SMC, SPO and presumptions ([Child Custody](#))

- [Best Interest of the Child Standard](#); [BIC: Holley Factor](#) (BIC) standard
- [Joint Managing Conservatorship](#) (JMC)
- [Sole Managing Conservatorship](#) (SMC)
- [Standard Possession Order](#) (SPO)

Advised on child support, OAG process, child support guidelines, establishing income for OP

- [Child Support](#)
- [OAG Process \(IV-D Court\)](#)
- [Child Support Guidelines](#)
- Child support for [lower incomes](#)

Advised on Temporary Orders (maintains status quo) ([Temporary Orders](#))

Advised on DV impact on aspects of divorce (fault, overcoming JMC presumption, division of property) ([Divorce & Family Violence](#)) [*Is a protective order necessary?*]

Advised on final hearing for divorce ([Contested Hearing](#); [Uncontested Hearing](#))

Advised on Final Decree of Divorce ([Contested Hearing](#); [Uncontested Hearing](#))

Sent resources ([Guide: My Spouse Filed for Divorce](#))

Referred CL to Legal Aid (depending on region of Texas):

- Lone Star Legal Aid (Houston): <https://www.lonestarlegal.org/>
- Texas Rio Grande Legal Aid (Austin & San Antonio): <https://www.trla.org/>
- Legal Aid of Northwest Texas (Dallas & Ft. Worth): <https://legalaidthx.org/>

## **COMMON LAW MARRIAGE**

Advised on common law marriage ([Common Law Marriage](#))

Advised on types of evidence proving common law marriage ([Proof of Common Law Marriage](#))

- *Tax returns, a lease, an insurance policy, or other agreements that you signed as a married couple, or you can bring people to court who will say that you were married.*

Advised on Recorded Declaration of Marriage ([Sample Declaration](#))

- *Form that is filed with the County Clerk's Office in your county that says you are married.*

Advised that divorce required to dissolve a common law marriage ([Common Law Marriage](#))

Advised on deadline for divorce for common law marriage ([Common Law Marriage](#))

- *Within two years after they stop living together.*
- *If more than two years, court will presume no agreement to be married.*

Advised on property and debt distribution ([Community Property vs. Separate Property](#); [Dividing Debt & Property in Divorce](#))

## **ANNULMENT**

Advised on grounds for annulment ([Annulment Grounds](#))

Advised on Original Petition to Annul Marriage, jurisdiction issues ([Annulment FAQs & Forms](#))

Advised on service and alternatives, including waiver and alternate service ([Serving Papers](#))

Advised on property and debt distribution ([Community Property vs. Separate Property](#); [Dividing Debt & Property in Divorce](#))

## **HEARING PREP**

Advised on proper notice, pleadings complete, mediation requirement (depends on county) ([Setting a Contested Hearing](#))

Advised on no fault divorce – only have to testify that marriage is insupportable ([No Fault Divorce](#))

Advised on hearing structure – opening statement, presentation of evidence, closing

Advised on how to give testimony and question witnesses ([Questioning Opposing Witness](#))

Advised on how to discredit lies and how to cross-examine

Advised on common objections

Advised on types of evidence and how to introduce evidence ([Gathering & Presenting Evidence](#))

Advised on authenticating text messages ([Authenticating Text Messages](#))

Helpful resources:

- [Texas Law Help: Representing Yourself in Court](#)
- [Pro Se Divorce Handbook](#) (2019)

## **SAPCR/CUSTODY (Suit Affecting the Parent-Child Relationship: Custody)**

Explained parents have equal rights until a custody order is established

Advised on custody & visitation when parents are not married ([Custody when Parents not Married](#))

Advised on BIC, JMC v SMC, SPO and presumptions ([Child Custody](#))

- [Best Interest of the Child Standard](#); [BIC: Holley Factor](#) (BIC) standard
- [Joint Managing Conservatorship](#) (JMC)
- [Sole Managing Conservatorship](#) (SMC)
- [Standard Possession Order](#) (SPO)

Advised on Standard Possession Order (SPO) vs. customized visitation schedule ([Standard Possession Order](#))

Advised on responding to SAPCR custody case ([Responding to Custody Case \(SAPCR\)](#))

Advised on role FV plays in overcoming presumption of JMC and SPO being in BIC ([Violence in Divorce](#))

Advised FV w/in 2 years must be considered, but over 2 years is discretionary

Advised on paternity [*see Paternity section, below, if relevant*]

Advised on SAPCR generally, can file before divorce

- [Suit Affecting the Parent-Child Relationship](#) (SAPCR)

Advised on standing to bring SAPCR ([Filing SAPCR in Texas](#))

Advised on service, including waiver and alternative service ([How to Serve Court Papers](#))

Advised on temporary orders and/or TRO, must file affidavit ([Temporary Orders & TROs](#))

Advised on safety considerations when serving proposing order (public location, comms through app)

Advised on standards for children under 3 ([Parenting Plan for Children Under 3](#))

Advised on option of filing through OAG ([support](#), paternity) or in [DC](#) (custody, visitation, support, paternity)

Sent CL SAPCR form & instructions for agreed SAPCR ([Agreed SAPCR](#))

Referred to TexasLawHelp.org

### **MOTION TO CONFER WITH CHILD**

Advised mandatory for judge to meet child in chambers, if requested and child is 12+ ([Tex. Fam. Code §153.009](#))

Advised judge still has discretion under the Best Interest of Child standard ([Best Interest of Child](#))

Advised use only if pertinent to case and child has special knowledge

### **CUSTODY/VISITATION MODIFICATION**

Explained effect of Temp Orders (judges like to keep status quo if it's working)

Advised on service, including waiver and alternative service ([How to Serve Court Papers](#))

Advised that courts don't like to modify if less than a year (elevated standard) ([Child Custody Modification within One Year of Current Custody Order](#))

Explained implication of counterpetition

Advised on Best Interest of Child standard ([Best Interest of the Child Standard](#); [BIC: Holley Factor](#))

Advised on "material and substantial change" standard ([Material & Substantial Changes in Circumstances for Custody Modification Suits](#))

Advised on “fit parent presumption” ([Custody Disputes Between Parents](#))

Advised CL to argue continuity of CL as primary caregiver as in the Best Interest of the Child/ren ([Best Interest of the Child](#))

Advised CL to argue for visitation restrictions based on safety concerns of children when visiting OP (drug testing, by agreement only, supervised) ([Visitation Safety](#))

Advised on visitation when parent is more than 100 miles away ([Visitation for 100+ Miles Away](#))

Advised on children’s preference (if over 12) ([Child Making Decision](#))

Sent CL forms from Texas Law Help ([Guide for Modifying Custody, Visitation and Support Orders](#))

#### RESOURCES TO SEND TO CLIENT VIA SMS

- Information on child custody and visitation: <https://texaslawhelp.org/family-divorce-children/child-custody-visitation>
- Information on Interstate custody and child support:
  - Custody: <https://texaslawhelp.org/article/interstate-child-custody-issues-the-uniform-child-custody-jurisdiction-and-enforcement-act>
  - Support: <https://texaslawhelp.org/article/interstate-child-support-issues-uniform-interstate-family-support-act-uifsa>

#### **SAPCR/ CHILD SUPPORT** ([Child Support in Texas](#))

Advised on SAPCR generally, can file before divorce

- [Suit Affecting the Parent-Child Relationship](#) (SAPCR)

Advised on how to apply for child support ([OAG: How to Apply for Child Support](#))

Advised on standing to bring SAPCR ([Filing SAPCR in Texas](#))

Advised on service, including waiver and alternative service ([How to Serve Court Papers](#))

Advised on filing with OAG vs. DC, pros and cons of each

- If also asking for custody and visitation, file in DC

Advised on CS and CS guidelines, establishing income for OP ([Child Support](#))

Advised on factors to consider in awarding child support ([Tex. Fam. Code §154.123](#))

Advised on what to expect at child support hearing ([Child Support IV-D Court](#))

Advised on enforcing CS orders ([Enforcing Child Support Orders on Your Own](#))

Advised on back CS, contact OAG for enforcement options ([Child Support Enforcement](#))

Advised on contempt for not paying CS ([Relief for Not Paying Child Support](#))

## RESOURCES TO SEND TO CLIENT VIA SMS

- Information on child custody and visitation: <https://texaslawhelp.org/family-divorce-children/child-custody-visitacion>
- Information on Interstate custody and child support:
  - Custody: <https://texaslawhelp.org/article/interstate-child-custody-issues-the-uniform-child-custody-jurisdiction-and-enforcement-act>
  - Support: <https://texaslawhelp.org/article/interstate-child-support-issues-uniform-interstate-family-support-act-uifsa>

## **CHILD SUPPORT MODIFICATION**

Advised on eligibility for modification; criteria for filing for modification ([Modification of Orders](#))

Advised on material and substantial change and what can constitute ([Modification of Orders](#))

Advise on the importance of gathering supporting documentation for the modification petition.

Advised on filing modification petition in DC or OAG, depending on who issued original order

Advised on service, including waiver and alternative service ([How to Serve Court Papers](#))

Advised that courts don't like to modify if less than a year (elevated standard) ([Child Custody Modification within One Year of Current Custody Order](#))

Advised on difference between SMC and JMC

- [Joint Managing Conservatorship](#) (JMC)
- [Sole Managing Conservatorship](#) (SMC)

Advised on best interest of child standard ([Best Interest of the Child Standard](#); [BIC: Holley Factor](#))

Advised on how to fight for Sole Management Conservatorship

Advised on visitation restriction options

- [Supervised Possession Order](#) (sample)
- [No Days/Overnights Order](#) (sample)

Advised on requesting retroactive child support ([Child Support](#))

Referred to TexasLawHelp.org - [Modification of Orders](#)

## **TEMPORARY ORDER MODIFICATION**

Advised on standard for modification of TOs

- Material and substantial change in circumstances
- Noncompliance

Advised on Best Interest of Child standard ([Best Interest of Child](#))

Advised easier to modify TOs than final orders

Advised on filing a Motion to Modify Temp Orders ([Modification](#))

Advised on notice and service, including waiver and alternative service ([Serving Divorce Papers; Sample Waiver](#))

Advised on request for expedited hearing if change is urgent

Advised on difference between JMC and SMC

- [Joint Managing Conservatorship](#) (JMC)
- [Sole Managing Conservatorship](#) (SMC)

Advised on arguing for SMC ([Sole Managing Conservatorship](#))

Referred to TexasLawHelp.org

RESOURCES TO SEND TO CLIENT VIA SMS

- Information about temporary orders: <https://texaslawhelp.org/article/temporary-orders-temporary-restraining-orders-tros>

## **DENYING VISITATION**

Advised that CL is obligated to follow court visitation order ([Visitation Orders](#))

Advised there is no obligation to grant visitation if no court order in place ([Visitation When No Order in Place](#))

Advised on possible penalties for denying court-ordered visitation (contempt) ([Penalties for Denying Visitation](#))

Advised duty to safeguard child/ren against harm ([Safeguarding Against Harm](#))

Advised on agreement with OP to change visitation order

Advised on modification of orders (see [above](#) for modifications)

Advised about requesting welfare check

Advised on seeking protective order for child/ren ([Protective Orders](#))

## **SAFETY OF CHILDREN**

Advised on requesting police conduct a welfare check ([Law Enforcement and Visitation Disputes](#))

Advised on calling CPS to report any allegations or suspicions of abuse or neglect of the children (see [below](#) for CPS issues) ([CPS Investigations](#))

## **ENFORCEMENT SUIT**

Advised on Enforcement Suit, if OP refuses to comply with the order ([How to Enforce a Visitation Order](#))

Advised on necessary findings and possible penalties

Advised on keeping visitation journal ([Sample Visitation Journal](#))

Advised on requesting additional possession time for compensation (makeup visitation) ([Makeup Visitation](#))

Referred to TexasLawHelp.org ([Visitation Enforcement Kit](#))

## **CPS REMOVAL**

Advised on cooperating with CPS investigation ([CPS Investigations](#))

Advised on what to expect in CPS investigation ([CPS Investigation Phase](#))

Explained that CPS can ask for an emergency court order to remove your child/ren ([CPS Removal Process](#))

Advised on how to contest emergency order of removal ([CPS Removal Process](#))

Advised on right to legal representation if CPS files suit seeking Temporary Managing Conservatorship or termination of parental rights ([CPS Right to Lawyer](#))

Advised on nonemergency removals ([CPS Handbook 5412](#))

Advised on CPS Temporary Managing Conservatorship ([CPS: Conservatorship Phase](#))

Referred CL to Legal Aid (depending on region of Texas):

- Lone Star Legal Aid (Houston): <https://www.lonestarlegal.org/>
- Texas Rio Grande Legal Aid (Austin & San Antonio): <https://www.trla.org/>
- Legal Aid of Northwest Texas (Dallas & Ft. Worth): <https://legalaidtx.org/>

## **TERMINATION OF PARENTAL RIGHTS**

Advised on requirements for voluntary termination of parental rights ([Voluntary Termination of Parental Rights](#))

Advised on need for another party to be willing to assume parenthood

Advised on terminating parental rights due to abandonment ([Tex. Fam. Code §161.001](#))

Advised on requirements for involuntary termination of parental rights ([Involuntary Termination of Parental Rights](#))

Advised on current/future child support obligation & inheritance rights ([Impact of Termination on Child Support](#))

## **PATERNITY**

Advised on presumption of paternity ([Texas Law Help: Paternity; Tex. Fam. Code §160.204](#))

Advised on terminating paternity ([Texas Law Help: Terminating Parental Rights](#))

Advised on Acknowledgement of Paternity ([Texas Law Help: Acknowledge and Denial of Paternity](#))

Advised on Denial of Paternity ([Texas Law Help: Acknowledge and Denial of Paternity](#))

Advised on rescinding acknowledgement of paternity ([Texas Law Help: Rescind AOP](#))

Advised on mistaken paternity ([Texas Law Help: Mistaken Paternity / Termination](#))

## **PROTECTIVE ORDERS** ([Protective Order Fact Sheet](#))

Advised on three different types of PO: FV, Stalking and Sexual Assault ([Types of Protective Orders](#))

Advised on EPO & modification of EPO ([Emergency Protective Orders; Tex. Code Crim. P. 17.292\(j\)](#))

Advised on Temporary Ex Parte Protective Order (TXPO) ([Temporary Ex Parte Protective Orders](#))

Advised on PO elements ([Tex. Fam. Code. 85.001. Required Findings and Orders.](#))

Advised on who can be covered in PO (applicant, family, household) ([Protective Order Kit](#))

Advised on possible terms of PO (AP cannot contact you, come to your house or work)

Advised CL can apply through local DA, provided CL with contact information ([Protective Order Filing](#))

Advised CL can apply for PO on their own if DA will not help them ([Protective Order Kit](#))

Advised on application process, service, hearing ([Protective Order Kit](#))

Advised on kick out orders ([Kick-out Orders](#))

Advised on early lease termination when there is family violence ([Early Lease Termination](#))

Advised on Family Violence PO required findings ([Tex. Code Crim. P. art 7B](#))

Advised on Sexual Assault PO required findings ([Tex. Code Crim. P. art 7B](#))

Advised on Sexual Assault and breaking a lease ([Tex. Prop. Code §92.0161](#))

Advised on PO hearing generally and presenting evidence

Advised on Address Confidentiality Program ([Address Confidentiality Program](#))

Advised on enforcing ([Enforcing a Protective Order](#))

Advised on extension of PO ([Tex. Fam. Code § 85.025](#))

Sent CL Protective Order Packet: [https://texaslawhelp.org/sites/default/files/2024-07/protective\\_order\\_kit.pdf](https://texaslawhelp.org/sites/default/files/2024-07/protective_order_kit.pdf)

## RESOURCES TO SEND TO CLIENT VIA SMS

- Protective Order Packet (statewide, mandatory forms): <https://www.txcourts.gov/rules-forms/standardized-protective-order-forms/>

### **CRIME VICTIMS' COMPENSATION (CVC)**

Advised on CVC eligibility ([Texas Law Help: CVC](#); [Texas Attorney General: CVC Eligibility](#))

Advised on CVC covered costs ([Texas Law Help: CVC](#); [Texas Attorney General: CVC costs covered](#))

Advised on how to apply for CVC ([Texas Attorney General: How to Apply for CVC](#))

Advised that no requirement that OP be identified, apprehended, charges, or convicted ([Texas Attorney General: CVC Eligibility](#))

### **OTHER COMMON RELATED ISSUES**

Advised on name change ([Texas Law Help: Name Change](#))

Advised on adoption ([Texas Law Help: Adopting a Child](#))

Advised on stepparent adoption ([Texas Law Help: Stepparent Adoption](#))

Advised on serving a respondent in Mexico ([Texas Law Help: Serving Respondent in Mexico](#))

Advised on emancipation ([Texas Law Help: Emancipation of Minors](#))

Advised on bringing a small claims case ([Texas Law Help: How to Sue in Small Claims Court](#))

Advised on debt collection ([Texas Law Help: Debt Collection](#))

Advised on eviction ([Texas Law Help: Eviction](#))

# **APPENDIX**

# **HANDLING LEGAL LINE CALLS**

## **Delivering Legal Advice through Effective Communication**

Effective communication is the most important tool for providing meaningful legal advice on our Legal Line. This guide offers practical strategies to help you engage with clients during Legal Line calls, focusing on building rapport and delivering clear, solution-oriented advice. Clients often come to us during stressful times – they want to feel heard, understood, and respected. By maintaining a caring and professional tone, you not only provide the legal guidance these clients seek but also foster trust and lay the foundation for them to navigate their complex issues.

### **Core Principles of Effective Communication:**

#### **A. Empathy First**

Empathy is foundational in any helping profession and is particularly important when working with victims of abuse. Clients often reach out to the Legal Line during some of the most stressful and vulnerable moments in their lives. Showing empathy reassures them that their feelings and concerns are heard and understood. This sense of validation helps build trust and lays the groundwork for a productive and supportive conversation. Showing empathy also makes clients more receptive to the legal advice being offered, increasing the likelihood of a successful outcome.

#### **B. Active Listening**

Effective communication starts with active listening. This means giving clients your full attention, asking clarifying questions, and reflecting back key points to ensure you understand. Active listening goes beyond just hearing what the client says – it's about engaging with them and validating their experiences. Avoid interrupting or rushing to provide advice – first, let clients fully explain their situation. Phrases like, "*Let me make sure I understand...*" or "*It sounds like you're saying...*" show that you are engaged and value their input.

#### **C. Clarity and Accuracy**

Clear, accurate communication is essential when delivering legal advice. Use plain language to explain legal concepts and avoid jargon that may confuse clients. Summarize key takeaways and next steps to reinforce understanding. Accurate advice delivered with clarity not only empowers clients to make informed decisions but also builds trust in the guidance you are providing.

### **Practical Strategies for Legal Line Calls**

#### **1. Setting the Tone**

Establishing the right tone from the start is crucial in building trust and rapport with the caller. The way you speak can set the foundation for a productive conversation and help the client feel more at ease. Here are a few key guidelines for setting the appropriate tone during your call:

- **Start with Rapport:** Create a positive first impression by making an effort to connect with the caller early on. Match their tone to help build trust and make them feel heard.
- **Adapt to the Caller's Style:** Pay attention to whether the caller prefers a more direct or conversational approach and adjust your communication style accordingly.

- **Mind Your Voice:** Use a calm, steady pitch to convey confidence and empathy. Speak at a moderate pace to ensure clarity and comfort for the client. If you speak too quickly, clients may feel rushed and confused about the guidance you are providing. If clients feel you are in a hurry, they may shut down.
- **Tip:** Smiling while speaking naturally adds warmth to your tone, helping the caller feel more at ease.

## 2. Listen Effectively

As we discussed earlier, active listening is critical for effective communication. It goes beyond just hearing the words; it involves fully understanding and engaging with what the client is saying. Here are some key techniques and considerations to keep in mind:

- **Practice Active Listening Techniques:**
  - Use verbal cues like “*I see*” or “*That makes sense*” to acknowledge that you’re engaged and following the conversation. These simple phrases help reassure the client that they are being heard.
  - Summarize and repeat key points to confirm understanding. This not only clarifies any misunderstandings but also demonstrates attentiveness and care.
- **Identify Barriers to Effective Listening:**
  - **Environmental distractions:** Background noise or interruptions can interfere with your ability to listen closely. Make an effort to minimize distractions when possible.
  - **Divided attention:** If you are distracted by other ongoing conversations, incoming emails, or unfinished tasks, it can hinder your focus on the caller. Make sure to give your full attention to the client during the call.
  - **Avoid assumptions:** It is important to refrain from making judgments or assumptions about the caller’s situation before they finish sharing their story. Let the client fully express themselves before jumping to conclusions or offering advice.

## 3. Asking Questions

Asking the right questions is an essential tool for gathering the necessary information while ensuring clients feel heard and supported. The types of questions you ask – and when you ask them – can greatly impact the flow of the conversation and the clarity of the facts.

- **Use open-ended questions to gather broad information**  
Open-ended questions allow clients to share their experiences and provide more context without feeling constrained. These questions invite the client to express themselves in their own words, giving you a better understanding of their situation.
  - *Example:* “Can you tell me what happened next?”
  - *Why it works:* Open-ended questions promote dialogue and create a space for the client to share all relevant details. They give clients more control over the conversation and often yield richer, more nuanced information.

- **Use closed-ended questions to confirm specifics**

Closed-ended questions are useful for confirming specific details and ensuring accuracy in the information you gather. These types of questions usually require a simple "yes" or "no" response, which helps to clarify key facts.

- *Example:* "Did you file a police report?"
- *Why it works:* These questions help you quickly verify important facts, ensuring that any advice or next steps you provide are grounded in the accurate understanding of the situation.

- **Sequence questions from open to closed as the call progresses**

Start with open-ended questions to build rapport and allow the client to explain their situation in detail. As the conversation moves forward, use closed-ended questions to confirm specifics and narrow down the information. This flow helps create a comfortable yet structured conversation.

#### 4. **Interpreting Information**

Accurately interpreting and reflecting back the client's concerns is essential to providing clear legal advice. When clients share their experiences, it's easy for important details to get lost or misunderstood. By summarizing and clarifying key points, you help ensure that both you and the client have a shared understanding before offering guidance.

Paraphrase the client's concerns: One of the simplest ways to confirm understanding is to paraphrase the client's concerns. This not only shows that you are actively listening but also gives the client a chance to correct any misunderstandings. Phrases like, "*Let me make sure I understand correctly...*" or "*It sounds like you're saying...*" help open the door for clarification.

Clarify complex issues: When discussing legal concepts, break down complex issues into simple, digestible points. Avoid using legal jargon, and instead, explain terms in plain language. For example, instead of referring to "jurisdiction," you might say, "*The court can only handle certain types of cases or cases from a specific area.*"

Address misunderstandings early: If you sense that a client has misunderstood your advice, address it early. Misunderstandings are common, especially when clients are navigating stressful situations. A gentle correction, such as, "*I can see how that makes sense, but actually...*", can realign the conversation without making the client feel dismissed.

#### 5. **Offering a Solution**

Once you've listened carefully and clarified the client's concerns, the next step is to offer clear, actionable guidance. Your goal is to provide the client with a path forward that is easy to understand and follow. Begin by explaining what you can do to assist them, outlining what they should expect next, and clarifying any follow-up responsibilities on their part. For example, you might say, "*Based on what you've shared, the next step is to...*" This kind of direct, solution-focused language helps clients feel grounded and informed.

It's also helpful to confirm that the client understands and agrees with the next steps. This can be as simple as saying, "*Just to make sure we're on the same page, here's what will happen next...*"

This process not only reduces misunderstandings but also gives the client a sense of ownership over the next steps.

## **Handling Challenging Calls**

Unfortunately, we sometimes encounter challenging callers on the Legal Line. It may stem from the caller's past experiences with trauma, frustration from being passed around to different organizations, or unmet expectations regarding the level of support they receive. Understanding these underlying causes can help us approach these situations with empathy, while maintaining professionalism and focusing on providing legal guidance.

### **A. Assertive or Demanding Callers**

When dealing with assertive or demanding callers, it's important to match their assertiveness while maintaining a calm and professional demeanor. This approach allows you to control the conversation without becoming defensive. Responding with clear, concise answers is key; avoid unnecessary details or lengthy explanations. Keep the focus on resolving the issue at hand to avoid further escalating the situation. Minimizing small talk helps to maintain efficiency and ensures that the caller feels their concerns are being taken seriously. While it's essential to stay focused, it's also important to be firm and set boundaries if the conversation becomes unproductive or overly confrontational. Remember, it's important to never argue with a caller, no matter how demanding they become. Stay solution-oriented and don't engage in a back-and-forth.

### **B. Angry Callers**

Handling angry callers requires a delicate balance of empathy and professionalism. First, it's important to depersonalize the caller's frustration – remember that their anger is typically directed at the situation, not at you personally. Let them vent if necessary. Sometimes, simply allowing the caller to express their emotions can defuse some of the tension. After they've shared their feelings, respond with empathy. You can use calming phrases such as *"I understand why you're upset"* or *"Let's work together to find a solution."* These phrases help convey that you are on their side and committed to resolving the issue. By showing understanding and focusing on collaborative problem-solving, you can help shift the tone of the conversation toward a more productive and positive direction.

### **C. Handling Abusive Callers**

In cases where a caller's behavior becomes abusive or obscene, it is important to set clear boundaries and protect yourself from further insults or aggression. It's perfectly appropriate to end the call if you believe the caller is being abusive. You do not need to endure insults or threats. Politely inform the caller that their behavior is unacceptable, and that you will be ending the conversation if they do not calm down. If the behavior does not improve, it is appropriate to end the call. Simply state that you are hanging up and do so. Afterward, make sure to document the situation thoroughly in Legal Server, noting any relevant details, so that future attorneys are aware of the caller's behavior and can approach the situation accordingly.

# **LEGAL SERVER INSTRUCTIONS**

## **Accessing Case File**

- After logging on to Legal Server, your cases will appear under “My Assignments” on the Home page.
- To access a case file, click on the **case number** (not the client’s name). Clicking on the client’s name opens a “read only” version where you cannot enter notes.

## **Reviewing Case File**

- Any identifying information about the client can be found in the Case Contacts box, which includes demographic and financial information.
- Any prior contact with the client can be found in one of two places:
  - If we had a prior Legal Line call with the client, notes and advice from that call are in the “Case Description and Advice” box already.
  - In the “Case Notes” tab, you will find any contact we have had with the client as well as intake’s notes about the legal issue.

## **Adding Notes to the Case File**

- Case Description: This is where you add factual information gathered during the Legal Line call. There is certain information we collect for each caller. Please record it in the format, below along with other facts that are relevant to the client’s legal issue.
  - To open the Case Description box, click on the blue link and a text box will appear. You can make the text box larger by dragging the corner.
  - At the top of the box, enter the date of the call and your name, followed by “(pro bono attorney)”. For example: \_\_/\_\_/\_\_; Name (pro bono attorney)
  - Next, enter specific facts we collect for all Legal Line calls
    - Format for specific facts:  
AP:  
DOM:  
DOS:  
CIC: (usually record age/sex, e.g., 4M, 16F)  
AP Crim Hist:  
CL Crim Hist:  
DV: (physical, verbal, financial, sexual, stalking)  
Fear of Safety:  
Legal Issue:
    - Definitions: AP = adverse party; CL = client; DOM = Date of Marriage, DOS = Date of Separation, CIC = Children in Custody
  - Next, you should record the fact that the client understands the confidential nature of the conversation and the limited scope of your services (advice and counsel). Our staff

attorneys use: **Client understands and consents to the confidential nature and limited scope of services provided.**

- Then, you can recording the facts the client shares with you.
- Be sure to click “**continue**” to save your notes.
  
- Advice: This is where you add the advice provided to the client during the Legal Line call. Again, start with the date, followed by your name and (pro bono attorney). For example: \_\_/\_\_/\_\_; Name (pro bono attorney).
  - When recording your advice, please use the format that our staff attorneys use. For example:
    - Advised on responding to petition
    - Advised on child support & visitation

### **Sending Information via SMS**

- In the upper righthand corner of the case file, there is an Actions button. Select it and you will see some options, including (at the bottom) “Send SMS text”.
  - **Be sure to get the client’s consent before you send a text.**
- After you select “Send SMS text” a window will open.
  - Select that you received consent to send a text.
  - You don’t need to fill in the mobile number. The SMS phone number, below, is the number you will be sending it to. It automatically defaults to the preferred number, so before you text make sure the preferred number is the client’s mobile number (it usually is).
  - Add your links/message to the Message box.
  - Hit “Send Now”.

### **Recording Your Time**

- At the bottom of the case file, there is a tab called “Timekeeping”. Click on that tab and you will see the time that has been allocated to the case so far.
- To add time, click on the plus sign in the gray circle (there are actually two circles, for some reason), and a timeslip form will open.
- The form automatically enters some information: the case ID number, your name, the date of the call, and the funding code. (You can change this funding code, but please do not).
- For the Activity Code, select “Legal Assistance”, which is at the top.
- Ignore the “start/end times” question – we do not use that.
- Next you can enter the amount of time you spent in increments of 1/10<sup>th</sup> of an hour (or 6 minutes). So, for example, if you spent 15 minutes preparing, 1 hour on the call, and 20 minutes recording your notes, enter 1.6.

- For the Activity Details, just enter “Legal Line clinic”. You do not have to enter anything in the case notes unless you think there is something important the reviewing attorney should know.
  - For example, if you believe the client should be scheduled with one of our social workers, or if they need a follow-up call from an attorney, you enter it in this space.
- **Be sure to hit SAVE at the bottom or your time will not be recorded.**

## **COMMON RESOURCES SENT TO CLIENTS**

Here is a list of the most common resources we send to clients during Legal Line calls. Please include this sentence at the top of the SMS:

**\*\*PLEASE DO NOT RESPOND TO THIS TEXT. THIS LINE IS NOT MONITORED. TO SCHEDULE A LEGAL ADVICE APPOINTMENT, PLEASE CALL 1-800-374-HOPE (4673). \*\***

### **Legal Aid Organizations:**

- Lone Star Legal Aid (Houston): <https://www.lonestarlegal.org/>
- Texas Rio Grande Legal Aid (Austin & San Antonio): <https://www.trla.org/>
- Legal Aid of Northwest Texas (Dallas & Ft. Worth): <https://legalaidthx.org/>

### **Pro Se Packets**

- Protective Order Packet (statewide, mandatory forms): <https://www.txcourts.gov/rules-forms/standardized-protective-order-forms/>
- Agreed or default divorce instructions and forms:
  - Without minor children: <https://texaslawhelp.org/guide/i-need-a-divorce-we-do-not-have-minor-children/?tab=1&toggle=8>
  - With minor children: <https://texaslawhelp.org/guide/i-need-a-divorce-we-have-children-under-18>
- Instructions and forms when AP filed for divorce: <https://texaslawhelp.org/guide/my-spouse-filed-for-divorce/?tab=1>

### **Temporary Orders**

- Information about temporary orders: <https://texaslawhelp.org/article/temporary-orders-temporary-restraining-orders-tros>

### **Child Custody/Support**

- Information on child custody and visitation: <https://texaslawhelp.org/family-divorce-children/child-custody-visitiation>
- Information on Interstate custody and child support:
  - Custody: <https://texaslawhelp.org/article/interstate-child-custody-issues-the-uniform-child-custody-jurisdiction-and-enforcement-act>
  - Support: <https://texaslawhelp.org/article/interstate-child-support-issues-uniform-interstate-family-support-act-uifsa>

### **Other Resources:**

- Statement of Inability to Pay: [https://texaslawhelp.org/sites/default/files/tx-pr-pay-112\\_scot\\_statement\\_of\\_inability\\_to\\_pay\\_court\\_costs.pdf](https://texaslawhelp.org/sites/default/files/tx-pr-pay-112_scot_statement_of_inability_to_pay_court_costs.pdf)
- Attorney search (can look up by location, practice area and fee arrangement): [https://www.texasbar.com/AM/Template.cfm?Section=Find\\_A\\_Lawyer&Template=/CustomSource/MemberDirectory/Search\\_Form\\_Client\\_Main.cfm](https://www.texasbar.com/AM/Template.cfm?Section=Find_A_Lawyer&Template=/CustomSource/MemberDirectory/Search_Form_Client_Main.cfm)

- Lawyer Referral and Information Service (initial 30-min consultation with a matched attorney is \$20):  
[https://www.texasbar.com/AM/Template.cfm?Section=Lawyer\\_Referral\\_Service\\_LRIS](https://www.texasbar.com/AM/Template.cfm?Section=Lawyer_Referral_Service_LRIS)
- Statewide Directory of Family Violence Service Programs: [https://tcfv.org/wp-content/uploads/2024-TCFV-Service-Directory\\_web-pages.pdf](https://tcfv.org/wp-content/uploads/2024-TCFV-Service-Directory_web-pages.pdf)
- Early lease termination when there is family violence:  
<https://texaslawhelp.org/article/early-lease-termination-for-victims-of-family-violence>