

# CLERK OF THE DISTRICT COURT MANUAL

## 21.0 COURT ASSISTANCE OFFICES

Revised October 2006

### 21.1 INTRODUCTION

Court Assistance Officers provide assistance to parties without legal representation to help them understand the legal requirements of the court system and assure access to the courts by all persons. Officers provide educational materials, court forms, assistance in completing court forms, information about court procedures, and referrals to public and community agencies and resources that provide legal and other services. Some of the court assistance office resources, such as an attorney roster, court forms and instructions, can be accessed directly from the project website: <http://www.courtselfhelp.idaho.gov>. Other services and materials are available at the individual Court Assistance Offices. All counties are required to provide a minimum level of court assistance services and were feasible to provide a full or part time Court Assistance Officer who has the training to provide a full range of services and referrals under guidelines established by the Supreme Court. Where the appointment of a Court Assistance Officer is not feasible, the District Court Clerk shall appoint a Deputy Clerk to provide limited court assistance services, and notify the Court Assistance Office Project Director of the appointment. ICAR 53 governs the operations of Court Assistance Offices.

This Idaho Supreme Court project receives support from the Idaho Legislature, the Idaho Department of Health and Welfare, and participating counties.

### 21.2 PROJECT DIRECTOR

Judge Michael Dennard  
Director, Court Assistance Office Project  
451 W. State St.  
Boise ID 83720  
email [mdennard@idcourts.net](mailto:mdennard@idcourts.net)

### 21.3 SERVICES PROVIDED AT THE COURT ASSISTANCE OFFICES

- Information on the risks of self-representation
- Information on attorneys and types of services they can provide (i.e., pro bono and reduced rate representation, unbundled services)
- Referral to mediators
- Application for direct legal services for low-income individuals (i.e., Idaho Legal Aid Services, Idaho Volunteer Lawyers Program)

- Toll-free Legal Resource Line for brief legal consultations (operated by the Idaho Law Foundation), domestic violence hotline (through Idaho Legal Aid Services) and legal research line (from the Idaho State Law Library)
- Information on services provided by government and private agencies
- Court forms and instructions for some types of civil cases, with an emphasis on family law
- Review of completed court forms
- Written instructions on how to proceed with some types of civil cases, including which forms to use and how to fill them out
- Use of computers to prepare court documents, calculate child support and research and access Internet resources
- Informational brochures and pamphlets on a variety of legal topics, organizations and agencies
- Information and referral to resources to protect children in high-conflict cases (e.g. visitation supervisors)
- Instructional videos (available in English and Spanish), with accompanying brochures on topics including an introduction to the court system, family law, small claims and domestic violence
- CAO Website to access and download court forms, instructions, and other CAO resources (<http://courtselphelp.idaho.gov>.)

#### **21.4 ENCOURAGE USE OF AN ATTORNEY**

The materials and assistance received at the Court Assistance Office are not a substitute for legal advice. The laws and court rules are complex. Following instructions and using the forms provided will not guarantee a favorable result. It is always advisable to encourage a potential litigant to talk to a lawyer about the problem before proceeding on his/her own.

If one cannot afford to hire an attorney, he or she may be able to pay a lawyer to give advice and review paperwork for a lesser cost. A litigant should be encouraged to:

1. Contact one of the attorneys listed on the Court Assistance Office Attorney Roster for assistance.
2. Contact the Idaho State Bar Lawyer Referral Service (208-334-4500) for the name of an attorney in their area who will provide an initial consultation for no more than \$35.
3. Review the Court Assistance Office's "Legal Services Directory" an information guide about resources for low-income people.

## **21.5 FORM PACKETS AVAILABLE**

Default Divorce - No kids  
Default Divorce – Kids  
Family Answer + Counterclaim – Kids  
Family Answer + Counterclaim – No kids  
Custody Petition  
Agreed Custody (may also need Intervention, Joinder or Consolidation)  
Modification Motion  
Agreed Modification  
Adult Name Change  
Minor Name Change  
Minors Name Change (multiple minors with same two parents)  
Landlord Eviction  
Tenant Repairs (Specific Performance)  
Joinder  
Intervention  
Consolidation  
Change Venue  
Genetic Tests  
For Judgment in a Sum Certain  
Register Child Custody Determination  
Minor Marriage  
Stop Income Withholding

### **Miscellaneous Forms:**

Parental Power of Attorney - both blood relative and non-relative

### **Statute/Rule Forms:**

Small Claims  
Domestic Violence Civil Protection Orders  
Minor Self-Consent  
Affidavit Collecting Personal Property of Estate  
Living Will and Durable Power of Attorney

### **Pilot Packets:** (discretionary not mandated for state-wide use)

Minor Guardianship  
Agreed Divorce - Kids  
Agreed Divorce – No Kids

### **Requesting Development of Forms:**

The Court Assistance Officer will notify the CAOP Director of any locally needed forms or instructions so those can be approved and considered for potential state-wide use.

## 21.6 PAMPHLETS AND BROCHURES

CAO racks are located at each county courthouse. A Deputy Clerk or Court Assistance Officer should be assigned the responsibility to maintain the contents of the display rack and re-order materials as needed. Materials can be re-ordered from the Court Services office at the Idaho Supreme Court:

Keri D. Parks  
Idaho Supreme Court  
P.O. Box 83720  
Boise, ID 83720-0101  
Phone: (208) 947-7427  
Fax: (208) 334-2146  
Email: [kparks@idcourts.net](mailto:kparks@idcourts.net)

### 1. Acquiring legal representation—ALR

- ALR-1 *Providing Access To Legal Services for Low-Income People: Idaho Volunteer Lawyers Program* (pamphlet)—Idaho State Bar
- ALR-3 *What If I Need A Lawyer? How Do You Find A Good Lawyer?* (pamphlet)—Idaho Trial Lawyers Association
- ALR-4 *Know Your Rights: What To Do if Questioned by Police, FBI, Custom Agents or Immigration Officers* (pamphlet) – ACLU

### 2. Court and trial information—CTI

- CTI-1 *Execution and Garnishment of Judgments: Protecting Exempt Wages, Property and Government Benefits* (pamphlet)—Idaho Legal Aid Services Inc.
- CTI-2 *Idaho Judicial Council: Answers to Common Questions on the Functions, Jurisdiction and Procedures of the Idaho Judicial Council* (pamphlet)—Idaho Supreme Court
- CTI-3 *Jury Service in Idaho: What It Means and How It Works* (pamphlet)—Idaho Supreme Court
- CTI-4 *Pocket Guide To The Idaho Courts, A* (pamphlet)—Idaho Supreme Court
- CTI-5 *What is the Contingent Fee?* (pamphlet)—Idaho Trial Lawyers Association
- CTI-6 *Court Assistance Office Project, The* (pamphlet)—Court Assistance Office Project
- CTI-7 *An Introduction to the Idaho State Court System* (pamphlet)—Court Assistance Office Project
- CTI-8 *Una Introduccion Al Sistema Judicial de Idaho* (pamphlet)—Court Assistance Office Project
- CTI-9 *The Idaho State Court System: Family Law* (pamphlet)

- CTI-10 Court Assistance Office Project  
*El Sistema Judicial de Idaho: Derecho de Familia* (pamphlet)—Court Assistance Office Project
- CTI-11 *The Idaho State Court System: Domestic Violence* (pamphlet)—Court Assistance Office Project
- CTI-12 *El Sistema Judicial de Idaho: La Violencia Domestica* (pamphlet)—Court Assistance Office Project
- CTI-13 *Victims Rights* (pamphlet) – Idaho Council on Domestic Violence
- CTI-14 *Annulment Proceedings in Idaho* (pamphlet) – Court Assistance Office Project

**3. Criminal matters**

- CM-1 *So You Want To Bond Someone Out Of Jail* (pamphlet)

**4. Disability, social security and Medicaid—DSSM**

- DSSM-1 *Idaho's P & A System: The Protection and Advocacy system is a federally mandated service in Idaho which provides protection of the rights of persons with disabilities through legally based advocacy* (pamphlet)  
Comprehensive Advocacy, Inc. (Co-Ad)
- DSSM-2 *What is Medicaid?* (booklet)—Idaho Department of Health and Welfare
- DSSM-3 *SSI and Social Security Disability* (pamphlet)—Idaho

Legal

Aid Services Inc.

**5. Divorce, child custody and support—DCCS**

- DCCS-1 *Annulment Proceedings In Idaho* (pamphlet) – Court Assistance Office
- DCCS-2 *Child Support Services* (application)—Idaho Department of Health and Welfare
- DCCS-3 *Servicios para el Sosteenimiento de los Ninios* (application)—Idaho Department of Health and Welfare
- DCCS-4 *Information about Idaho Child Support Receipting and your child support order* (pamphlet)—Idaho Department of Health and Welfare
- DCCS-5 *Kids need Dads! A guide to establishing a legal father for your child* (pamphlet)—Idaho Department of Health and Welfare
- DCCS-6 *What is CHIP? Children Health Insurance Program* (information card)—Idaho Department of Health and Welfare
- DCCS-7 *Why connect with Idaho Careline; How to connect with Idaho Careline* (information card)—Idaho Department of

- Health and Welfare
- DCCS-8 *Child Custody, Visitation and Support* (pamphlet)—Idaho Trial Lawyers Association
- DCCS-9 *Divorce, Property and Debts: Things You Need To Know* (pamphlet)—Idaho Trial Lawyers Association
- DCCS-10 *Idaho Laws: A Guide for Women and Families* (booklet)—Idaho Women’s Commission

**6. Domestic violence—DV**

- DV-1 *Alternatives: A Practical Guide for Survivors of Sexual Assault and Sexual Abuse* (booklet)—Alternatives to Violence of the Palouse
- DV-2 *Domestic Violence is a Crime* (pamphlet)—Idaho Council on Domestic Violence
- DV-3 *Idaho Crime Victims Clock* (pamphlet)—Idaho Coalition Against Sexual and Domestic Violence
- DV-4 *It Shouldn’t Hurt to Go Home: The Domestic Violence Victim’s Handbook* (booklet)—Idaho Coalition Against Sexual and Domestic Violence
- DV-5 *No Debe Doler Rogresar Al Hogar: Manual Para la Victima de Violencia Domestica* (booklet)—Idaho Coalition Against Sexual and Domestic Violence
- DV-6 *Idaho Legal Aid Services’ Domestic Violence Legal Advice Line* (pamphlet)—Idaho Legal Aid Services Inc.
- DV-7 *Got a Secret?* (pamphlet)—Volunteers Against Violence
- DV-8 *Idaho is #1 In Child Abuse and Neglect: It Shouldn’t Hurt to be a Child* (pamphlet)—Volunteers Against Violence
- DV-9 *Quiz: How Is Your Relationship?* (questionnaire)—Idaho Council on Domestic Violence
- DV-10 *Idaho Council on Domestic Violence* (pamphlet)—Idaho Council on Domestic Violence
- DV-11 *YWCA Crisis Services* (pamphlet)—YWCA of Lewiston/Clarkston

**7. Financial matters—FM**

- FM-1 *Thinking About Bankruptcy?* (pamphlet)—Idaho State Bar
- FM-2 *County Assistance: For The Payment of Hospital and Medical Expenses and Other Necessities For Low Income People* (pamphlet)—Idaho Legal Aid Services Inc.

**8. Guardianship – G**

- G-I *Minor Guardianship Information* (pamphlet)—Court Assistance Office Project
- G-2 *Grandparents Parenting Grandchildren Getting Legal Authority: A Guide To Idaho Law* (booklet) – AARP Idaho

**9. Housing – H**

- H-1 *Fair Housing Opens Doors* (pamphlet)—Idaho Fair Housing Council
- H-2 *Advice For Renters: Repairs* (pamphlet)—Idaho Legal Aid Services Inc.
- H-3 *Advice For Renters: Security Deposits* (pamphlet)—Idaho Legal Aid Services Inc.
- H-4 *Public Housing* (pamphlet)—Idaho Legal Aid Services Inc.
- H-5 *Rights of Mobile Home Tenants, The* (pamphlet)—Idaho Legal Aid Services Inc.
- H-6 *Tenants' Rights* (pamphlet)—Idaho Legal Aid Services Inc.
- H-7 *Your Utility Bill & Your Rights* (pamphlet)—Idaho Legal Aid Services Inc.

**10. Mediation—M**

- M-1 *Idaho Mediation Association: foster peaceful ways to settle disputes and manage conflicts* (pamphlet)—Idaho Mediation Association

**11. Small Claims - SC**

- SC-1 *Information Sheet For Plaintiffs In Small Claims Cases* (pamphlet)—Idaho Supreme Court
- SC-2 *Information Sheet For Defendants In Small Claims Cases* (pamphlet)—Idaho Supreme Court
- SC-3 *Collecting On Your Small Claims Judgment* (pamphlet) – Idaho Supreme Court

**12. Wills and probate—WP**

- WP-1 *Answers To Some Of The Most Frequently Asked Questions About Probate In Idaho* (pamphlet)—Idaho Legal Aid Services Inc.
- WP-2 *Holographic Wills: A guideline for preparing your will* (pamphlet)—Idaho Legal Aid Services
- WP-3 *Questions and Answers About: Wills* (pamphlet)—Idaho Legal Aid Services Inc.
- WP-4 *Have You Made A Will?* (pamphlet)—Idaho Trial Lawyers Association
- WP-5 *Basic Estate Planning: Questions and Answers* (booklet) —Idaho State Bar
- WP-6 *Wills: Questions and Answers* (pamphlet) – Idaho Legal Aid Services Inc.

**21.7 RECORD-KEEPING**

The Court Assistance Officer will maintain intake forms and phone logs according to project guidelines and will furnish a monthly report of activity to any local committee and/or interested entities (email or fax to Terri Kondeff, at the Idaho Supreme Court, [tkondeff@idcourts.net](mailto:tkondeff@idcourts.net), fax 208 334-2146), and the Lead Court Assistance Officer (cc of email to Frances H. Thompson, [courtassistance@latah.id.us](mailto:courtassistance@latah.id.us)).