

MINI E-GUIDE SERIES

# COURT CONFERENCES

*A series of practical tips for the self-represented*



IN THIS ISSUE -  
COURT CONFERENCES

---

**I. THE INITIAL  
CONFERENCE**

---

**II. THE STATUS/UPDATE  
CONFERENCE**

---

**III. THE PRE-TRIAL &  
EVIDENCE CONFERENCE**

---

**STRATEGY IS KEY!**

---

## Family Court Court Appearances have a purpose.

*Tracey Bee, Family Court Strategist*

Family Court has a process that mimics most civil courts, in that it focuses on principles of "equity" as opposed to those of law. This means that it will function to get outcomes that involve fairness, policy, etc. anything other than money. (Although that's not how they operate in practice unfortunately.) In an effort to help the parties come to a resolution that comes from a place of principle, the courts uses specific processes. The court procedure entails quite a few court appearances where the focus changes based on which phase the case is in.

This guide's objective is to help you understand each appearance, or purpose of the conference related to that phase and how to use STRATEGY to make the most of each of them.

---

---

# THE INITIAL CONFERENCE

## What's the INITIAL CONFERENCE?

The Initial Conference is usually litigants' first contact with the actual courtroom. In some jurisdictions, it only happens AFTER mediation. The timing of this appearance is determined by the court administration and can be up to several months AFTER the initial Petition was filed. Counsel is permitted but is often unnecessary at this phase.

## I. Strategy in the Initial Conference

1. The Initial Conference is your first opportunity to gauge what the “real” issues of the case are. When crafting your strategic game plan, one of the principal elements is that you gain an understanding of where the opposing party stands. What this means, is that you need to know what their strengths and weaknesses are. You might think you know what they are, but you will get confirmation at the initial conference. The judge will want to know what the issues are and will more than likely, give some hints as to which issues are “real” issues.

2. In addition, the Initial Conference is your chance to familiarize yourself with the court process, the key players, and the judge's demeanor. These are all key elements to focus on when creating your game plan too. Your case is not just about the parties, the law, and/or the lawyers. There is an entire process that and that entire process has a significant impact on the outcome of your case.



3. And last, you are giving the court to make its impression of you. You get to determine that. So many people are intimidated by the court process when you get to dictate how it goes. You must learn to be calm, focused, and prepared as you only get one chance to make a first impression.

---

---

# THE STATUS CONFERENCE

## What's the STATUS CONFERENCE?

The Initial Conference usually happens at some AFTER the Initial Conference and/or after mediation didn't work. It might happen at the same time a Motion is being addressed too. Status Conferences can, and usually are, rescheduled several times for several reasons. The parties, the court, etc. can request a continuance when there are issues with procedure, visitation, etc.

## II. Strategy in the Status Conference

1. This is the time to use what you have gathered outside of the courtroom, because of the court's directions, to your advantage. In other words, the orders the court issued, the procedures the judge directed, etc. all offer you vantage points that didn't exist before. You might have had suspicions about some issues that question the other party's "fitness" as a parent. Or questions about the safety conditions of the other party's home. Or speculation about the mental or physical health of the other parent. Either way, the status conference is the ideal time to gauge the court's position on these specific issues. If, for instance, you mentioned your concern about drug abuse and the judge ordered drug screenings, then this shows that the judge takes this issue seriously. How many times have you raised concerns in court that were dismissed by the judge, often I bet? But if the judge thinks the issue, you raise has some semblance of merit, they will respond accordingly.



2. The other strategic way to use the Status Conference is by incorporating the information you acquired to help you decide if you should settle or proceed to trial. At this stage of your case, there has been several discussions about settling at least a portion of your case. However, having the results of tests or investigations only helps you to make a much more informed decision.

3. And last, if you are pro se (self-represented) you can learn a lot about the court process, the laws, and the local procedures at the status conference. You should always be on full alert, listening, watching, and taking mental notes.

---

---

# THE PRE-TRIAL CONFERENCE

## What's the PRE-TRIAL CONFERENCE?

If you made it to the Pre-trial Conference chances are your case has been in court for months, if not years. Only a small portion of Family Court cases make it to trial (purpose of the Pre-trial Conference). This conference is very important if your case has issues that could not be settled.

## III. Strategy in the Pre-Trial Conference

1. As a divorce or custody litigant, you can certainly use the pre-trial conference as part of your Game plan. If for some reason you were unable to glean the judge's view on a specific issue in your case, this is your last opportunity to. At this point, the judge secretly held out hope that this case would settle. So now that he or she knows that it has not, they are more than likely not too pleased. At this point, they might not be discreet about their displeasure. Use this opportunity to stress to the court the efforts you made to settle the case. If you were the one to make offers, reasonable counteroffers, etc., then you should certainly bring this to the court's attention.

2. In addition, use this opportunity to appeal to the judge's primary interest in preserving its time and resources for other cases. You can do this again, by showing the judge that you were the one to make several attempts to settle. Attempt to settle must be in good faith, but if you were the one to reach out to initiate settlement or the one to offer counterproposals, get the judge to be the nudge.



3. And last, use your "magic bullet" at this stage of your case. You do have one, right? You should have something in your arsenal that you were holding onto for your just in case. And if you do, then this is that just in case moment. Hopefully, you learned not to show your entire hand throughout the entire process. This is exactly why so that when all else fails and you have the attention of the court, you can gain an ally. Whether pro se (self represented) or represented by an attorney, how you incorporate the pre-trial conference should be given considerable attention. In fact, if you have an attorney, this is the time that you gain clarity where you questioned their competence in the way they handled your case up until this point.



"Every problem does not have a solution.  
But for every challenge there is a  
**RESOLUTION.**"

*Tracey Bee*

## About Us:

### **The Divorce Solutionist LLC**

We provide services aimed specifically at helping pro se, self-represented Family Court litigants navigate the court process with the support they need. We understand that legal fees can be astronomical, court procedures can be extremely confusing and the overall process can be overwhelming. So we, well I, Tracey Bee decided to use my professional background to help those who need it most. I am a former family law attorney, now mediator, coach & Strategist. I have spent almost 20 years in the family law field handling divorce, high conflict custody, domestic violence cases and so much more. The Divorce Solutionist has a service for every litigant, pro se or lawyer represented, to help get the outcome they want. Services include: consulting, coaching, Unbundled Services (Document Preparation, Document Review, Legal Research, Background Search, Uncontested Divorce and other legal tasks.



**Join our unique Pro Se Family Court Membership program if you need to increase your chances of success. Learn more at [www.TheDivorceSolutionist.com](http://www.TheDivorceSolutionist.com)**

