

Obtaining a Lawyer in a Family Offense Proceeding

I am going to court on a Family Offense petition in which an Order of Protection is being sought. Can I get a lawyer for free?

Both a petitioner (who is accusing another person of a family offense) and a respondent (who are being accused of a family offense) are entitled to a free lawyer in Family Court if their income is low enough.

Will Neighborhood Legal Services provide me a lawyer?

Through special domestic violence programs at NLS, Inc., representation is provided to petitioners as resources permit.

If Neighborhood Legal Services cannot represent me, how do I get a lawyer?

At your first Court appearance, tell the Judge you need a lawyer but can't afford one. Ask the Judge to appoint a lawyer for you. The Judge's Clerk should give you a referral slip to the Assigned Counsel Program.

What do I do with the referral slip?

Take the referral slip and proof of your income to the office of Assigned Counsel, 170 Franklin Street in Buffalo. That office will check to be sure that your family's income qualifies you for free legal services. If you do qualify, that office will contact a lawyer to represent you in the Child Protection action.

What happens if I don't qualify?

The Assigned Counsel staff will tell you right away. You will have to hire your own attorney. If you think the Assigned Counsel office has made a mistake, call us.