

FAMILY LAW ATTORNEY *DUTIES*



Family law cases in California are rarely just legal disputes—they are deeply personal conflicts involving children, finances, homes, and the emotional fabric of a family. Because of this, California family law attorneys carry a responsibility that goes beyond advocating for a client's legal rights. They are uniquely positioned to help parties reduce conflict, protect children, and guide families toward workable, lasting resolutions.

Under California law and professional conduct rules, attorneys owe their clients competence, diligence, and loyalty. In family law matters, however, those duties operate within a broader framework that emphasizes settlement and the best interests of children.

Courts throughout the state encourage alternative dispute resolution, including mediation, collaborative law, and settlement conferences. Judges expect attorneys not only to prepare for trial but also to meaningfully explore opportunities to resolve disputes without unnecessary litigation.

This responsibility is especially important in cases involving child custody and parenting time. California courts decide custody based on the best interests of the child. Attorneys who inflame conflict or pursue scorched-earth tactics may win short-term procedural victories but risk harming the very children the system is designed to protect. Ethical family law practitioners counsel clients about the emotional and financial costs of prolonged litigation and help them focus on practical solutions that promote stability for their children.

Attorneys also serve as emotional gatekeepers. Clients often enter family court during periods of anger, grief, or fear. A responsible lawyer listens and validates concerns but also reframes goals in realistic legal terms. This may include advising a client when a demand is unlikely to succeed, discouraging retaliatory motions, or recommending co-parenting counseling.

Zealous advocacy does not require escalating hostility; rather, it requires clear strategy and measured judgment.

Ultimately, California family law attorneys function not only as client advocates and litigators, but as problem-solvers. By promoting civility, encouraging mediation, and focusing on child-centered outcomes, they strengthen public trust in the family law system.

The most effective practitioners understand that their responsibility is not simply to “win,” but to help families transition through one of life’s most difficult chapters with dignity, clarity, and as little lasting damage as possible.

About Arlene:

Engaged for decades in the Northern California legal community, Arlene D. Kock is a past member of the Alameda County Bar Association (ACBA) Board of Directors. She served on their Attorney Referral Panel for many years and was the past chair of their Ethics and Civility Committee. In her capacity on that committee, Arlene was instrumental in assisting the team in preparing and creating the ACBA statement of professionalism and civility, a policy that is expected to be adhered to today by the court and litigants. She is currently a member of the ACBA and the Contra Costa County Bar Association.



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