

Foreword

Hon. Rebecca Kourlis and Natalie Anne Knowlton

The environment in which attorneys are practicing is changing at an astonishing rate. Gone are the days in which every litigant seeks the services of an attorney. Today, increasing numbers of litigants are navigating the justice system without legal help. Some litigants are motivated by a desire to retain control of their case; others simply have confidence in their ability to do it themselves. The clear majority of those who self-represent, however, are driven in some way by financial realities. With full service representation beyond reach for many low- to middle-income individuals, attorneys are no longer the first resource to which those facing a legal matter may turn.

At the same time we are witnessing this growing, unmet need for affordable legal services, we are also seeing high numbers of new attorneys struggling to find a place in the legal market. Law schools, bar associations, and professional organizations around the country are wrestling with these conflicting trends. And increasingly, the profession's foremost experts are coalescing around a solution that holds promise for both the public and the profession: unbundled legal services.

Not surprisingly, amidst all the changes in the legal profession, there has been a consistent voice in this conversation. Forrest ("Woody") Mosten, affectionately known as the "Father of Unbundling," has been advancing this model of legal services delivery since successfully building a practice around it decades ago. Among his most recent additions to the field (his efforts are so numerous they are hard to catalogue and keep up with) is this monumental book: *Unbundled Legal Services: A Family Lawyer's Guide*.

It has been an eventful 17 years since the release of his first ABA book on unbundling, and all the developments, innovations, and changes in the legal landscape necessitate fresh advice and counsel from the Father of Unbundling. In this latest seminal work on unbundling, Woody is joined by UCLA colleague and co-author Elizabeth Potter Scully, a well-known powerhouse

in the family law field who adds a unique blend of experience and expertise. The American Bar Association Family Law Section has also joined their effort as a co-publisher (alongside the Law Practice Management Section)—a testament to the section's commitment to the children and families its members serve.

In *Unbundled Legal Services: A Family Lawyer's Guide*, Woody and Liz provide clear guidance, honed through decades of hands-on experience, on how to establish, navigate, and thrive in an unbundled practice. They go light-years beyond the "why?" of unbundling and walk readers down the path of "how?," providing advice, resources, and tools each step of the way. Although billed as a guide for family lawyers, Woody and Liz have created a guide that can be of use to any attorney looking to implement unbundling into their practice. The broad applicability of this resource makes it a must have for any practitioner, not just those who handle family cases.

Of course, the book's dedicated focus on family law practitioners is particularly appropriate given the unique promise that unbundling holds for family law litigants. In many jurisdictions, self-representation rates are highest in family cases. But, as any family law attorney (or family court litigant) knows, these are the case types that arguably benefit most from attorney involvement. Family issues are among the most sensitive and pressing matters that enter our civil justice system, and the outcomes of these cases can affect entire families for years to come. *Unbundled Legal Services: A Family Lawyer's Guide* is a crucial step in matching individuals with the family law services they need.

Woody and Liz are also on the frontlines of steering family law practitioners toward less-adversarial alternatives for clients and their children. This book details a multitude of viable alternatives to litigation that are appropriate for many families, all of which can be supported by attorneys on an unbundled basis. Family law attorneys have a fundamental role in helping clients work toward outcomes that are healthy for their families and their children, and this book is an excellent resource for those looking to excel in that role.

We are honored to be authoring this Foreword and look forward to seeing this invaluable resource enable and empower our nation's attorneys to better serve the clients who come to them for advice, counsel, and comfort with their most serious and sensitive issues.

Thank you, Woody and Liz.

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