Making the Courthouse More Accessible

American Judicature Society

User-Friendly Justice

Making Courts

More Accessible,

Easier to Understand,

and Simpler to Use

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User-Friendly Justice

LIBRARY
JUDICIAL COUNCIL
A.O.C.

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Founded in 1913, the American Judicature Society is an independent, national nonprofit membership organization of judges, lawyers, and other members of the public. Through research, educational programs, and publications, AJS addresses concerns related to ethics in the courts, judicial selection, the jury, court administration, and public understanding of the justice system.

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CONTENTS

Acknowledgements iii

Introduction: Applying a Customer-Service Approach to Courts vii

1. User-Friendly Justice for All 1
Signs • Information desk • Name tags • Statement of public service • "Stopping the buck" • Annual report • Phone book listing • Courthouse maps • Calendars • Sample citizens' guides to local and state courts • Parking, public transit • Photocopy service • Fine payment • Service windows • Security • Medical emergencies • Courtroom acoustics • People with disabilities • Reading prohibitions • Expanded hours • "One Customer at a Time" • After hours • Automated phone system • Decoration • Judicial portraits • Magazine racks • Food • Restrooms • Baby changing • Suggestion boxes • User surveys • Ombudsman • A user-friendly court • Citizen advisory panels • Public outreach • "Tele-Court" • Media relations

2. Litigants 19
Lawyer directory • Lawyer referrals • Process servers directory • Conference rooms • Filing by fax • Filings drop box • Drive-up filing • Electronic filing • Conference calls • Computerized information • Plain English • Computer kiosks for court services • Availability of forms • Simplified forms • Plain English for "pro se" • Legal advice vs. legal information • Assistance for self-represented litigants • Self-Service Center • Plea bargaining • Sample brochures for criminal defendants and offenders • Sample brochures for users of small-claims courts • Pretrial negotiation • Traffic safety school • Sample brochures on traffic offences, DUI • Divorcing parents • Social services • Sample brochures for divorcing parties • "An equal footing" • Sample brochures for general litigant assistance • Sample brochures for litigants with housing disputes

3. Victims, Witnesses, and Children 35
Waiting areas • Sample brochures for crime victims and witnesses • Entrances and exits • Witness oaths • Victim advocates • Domestic violence program • Sample brochures about domestic violence and sexual assault • Day care • Coloring books • Children's videos • Child witnesses • Sample guides to the courts for children

4. Jurors **41**
Motivational statement • Salute to jurors • Jury Service Appreciation Week • One day, one trial • Jury summonses • On-line response • Greetings to jurors • Ombudsman • Juror greeters • Handbook for jurors • Sample guides for jurors • Juror orientation video • Waiting rooms • Emergency contacts • Jurors with disabilities • Setting expectations • Informing jurors • Notes and questions • Stretch breaks • Simplified instructions • Videotaped instructions • Rest breaks • After the verdict • Payment • Juror surveys • Juror Bill of Rights • Thank you notes

5. Managing User-Friendly Courts **53**
Scheduling at intervals • Priority scheduling • Brief motions • Using volunteers • Total Quality Management • Job rotation • Employee recognition • Idea contest • Employee newsletter • Promoting respect for all • User-friendly court checklist • The Midtown Community Court • Customer service training

6. For Judges to Consider **61**
Explaining delays • Demeanor • Undivided attention • Explaining sentences • Leaving the courtroom • Granting continuances • A word of thanks

INTRODUCTION

Applying a Customer-Service Approach to Courts

To preserve the rule of law in a free society, courts must earn and maintain the public's respect and confidence. The private sector is quickly discovering, and courts are increasingly recognizing, that an important factor in cultivating public goodwill is to focus on serving customers. In a court context, this means providing all users of the courts with services that are understandable, convenient, and easy to use.

The reports of many citizens' task forces and commissions on improving the justice system have repeatedly urged that courts become easier to use and understand. For instance, the report of the Chief Justice's Commission on the Future of the Courts in Massachusetts called for "a service model of justice," where "every employee, every procedure, every structure in the Massachusetts justice system must put the public and the justice seeker first." Echoing the recommendations of similar state justice commissions, the report proposes that courthouses of the future be equipped with amenities such as information kiosks, multi-language signs, human or electronic guides, simple computerized information services, cafeterias, child-care facilities for court users and employees, and separate waiting areas for victims and defendants in criminal cases.

The purpose of *User-Friendly Justice* is to encourage consideration of simple ways courts can be improved for litigants, witnesses, jurors, lawyers, and others. The American Judicature Society researched these ideas by reviewing citizens' reports on improving the courts and by soliciting suggestions from judges, lawyers, court staff, and court users. We chose to focus primarily on those tips that, if implemented, can improve general service delivery in courthouses at minimal cost and with limited effort. A few more-costly ideas for structural changes or programs, such as computer information kiosks, are also provided as examples of innovative, user-friendly service. Many ideas have been implemented with great success, and a good number involve the little, often-overlooked, and inexpensive things that can help put people at ease while they use the courts. Some ideas may be perfect for your jurisdiction, while others may not be feasible for financial or other reasons.

Organization

User-Friendly Justice is organized by type of user, since one principle of providing good service is to recognize that "the public" consists of individuals with differing needs. Victims and witnesses, for instance, often have needs that are different from civil litigants. Each chapter's suggestions appear roughly in the order they would normally arise during the judicial process or a visit to the courthouse.

A number of suggestions are followed by contacts for further information or for ordering a related product. Techniques for improving courthouse services that are particularly innovative or that need more detailed explanation are shaded. Lists of brochures that explain courthouse services pertaining to the particular chapter are boxed. Readers are encouraged to order samples of these publications to use as models for producing brochures for their jurisdictions.

AJS welcomes your suggestions

Because of the continuous need to generate new ideas for improving the courts, revised versions of *User-Friendly Justice* may be published in the future. We welcome your suggestions for improving this booklet and your ideas for simple courthouse service innovations that can be replicated in other jurisdictions. Because the jury is a new area of focus for AJS, we are particularly interested in materials that promote and enhance jury service.

Please send your thoughts to the American Judicature Society, Programs Department, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601. Our fax number is (312) 558-9175. Or you can e-mail us at ajsprog@interaccess.com. Your contributions will be most appreciated.

1 User-Friendly Justice for All

Members of the public visit the courthouse for any number of reasons—to appear at trial, pay a fine, file a complaint, serve on a jury, and so on. Others conduct non-court business such as looking up deeds, obtaining copies of vital records, or paying property taxes. What all courthouse users share is an appreciation for good service stemming from clear and abundant information, usable and convenient facilities, and a positive demeanor from personnel.

Signs Professionally produced and prominently displayed signs leading to and throughout the courthouse enable users to find their own way. Effective signs also reduce the need for people to ask directions from busy court staff.

Signs can be conspicuously placed near courthouse entrances directing users to where they can conduct their particular piece of business, as well as to restrooms, dining areas, telephones, and other amenities. Signs can also be posted and clearly visible at the locations themselves, overhanging into the hallway, if possible, for maximum visibility.

When appropriate, signs can include other commonly spoken languages as well as English. Also helpful are universally recognized symbols—such as figures of men and women for restrooms, a knife and fork for dining areas, and a slashed-out cigarette to designate nonsmoking areas.

To enhance legibility and maintain decorum, it is recommended that signs throughout the courthouse be professionally produced or, at a minimum, made with a personal computer and laser printer and mounted on sturdy material.

Information desk

An information desk, staffed by an employee or volunteer who has a general knowledge about the court system, can be located near the main entrance or in a central lobby. The desk can include maps of the courthouse, brochures outlining courthouse services, frequently requested forms, and other materials for court users. Remember to identify this area with a sign. (A universally recognized symbol for the availability of information is a circled question mark.) In places where English is not the only commonly spoken language, it is helpful for information desk staff to be bilingual.

Name tags

Clerks at the Circuit Court of Cook County, Illinois, wear name tags that include an invitation to "ASK ME FOR HELP." Even if an employee is not able to help in a particular circumstance, name tags personalize court staff and foster a service atmosphere.

Statement of public service

A well-publicized mission statement can enhance public confidence in the court. Such a statement can be displayed prominently throughout the courthouse and included in all court publications such as information brochures and jury summonses. Aside from articulating the court's purpose, the mission statement might include words to the effect that each person is entitled to dignified treatment, that complaints may be directed to the presiding judge or other authority, and that the court is committed to providing good service.

The 22nd Judicial Circuit Court in Ann Arbor, Michigan, displays a large rendition of its mission statement in the lobby:

"Stopping the buck"

A Washington state trial judge recommends that court managers instruct staff to resist "passing the buck" when dealing with the public. Since it is often easier for a court employee to obtain information from coworkers than it is for a member of the public, staff members are encouraged to do whatever they can to provide the requested information. People who receive the full and courteous attention of a court employee will always appreciate the extra effort.

Annual report

Most state court systems issue annual reports that provide operations data. To make these reports more useful for the media and for the public in general, such reports can also contain jargon-free information describing the general structure and organization of the court and its various divisions, programs, and services. Citizens' guides to the courts containing a general description of the court's organizational structure, purpose, and summary of information from the annual report can also be prepared. Annual reports and citizens' guides can be made available in courthouse lobbies, waiting areas, and information desks.

Phone book listing

Courts are usually listed in telephone directories under the name of the governmental entity responsible for their operation, such as the county, city, or state. Since it can be frustrating to be unable to find "courts" listed under "C," consider having your court cross-listed under the heading "Courts" in the phone book.

Courthouse maps

In some communities, the court has its building layout included in the Yellow Pages, as do sports arenas and other public facilities. Aside from informing court users ahead of time where to go, this information can build public awareness of the court and the services it provides. Maps can also be made available at the courthouse information desk.

Calendars

The circuit court in Prince George's County, Maryland, has installed airport-style electronic monitors that display and continually update each judge's calendar and note the courtroom and time of each hearing.

A lower-cost alternative is to produce a large-type printout of the daily docket and keep updated copies on hand at the information desk and outside every courtroom. Notations can be made for cases that are continued.

Sample Citizens' Guides to Local and State Courts

A number of state and local jurisdictions publish citizens' guides that describe the general structure and organization of the court and its various divisions, programs, and services. Courts can use the sample guides listed below as models for their own citizens' guides and for background material to include in court system annual reports.

Guides to state courts:

- ***Citizens Guide to the Courts***. Council for Court Excellence, 1800 M St., Suite 750 South, Washington, DC 20036, (202) 785-5917. (Describes Virginia, Maryland, and District of Columbia state courts and the federal courts. Contains a glossary of legal terms and a bibliography.)

- ***You and Your Colorado Courts.*** Colorado Judicial Department, Office of the State Court Administrator, 1301 Pennsylvania St., Suite 3000, Denver, CO 80203, (303) 837-3624.

- ***Guide to Florida's Court System***, published as a public service for consumers by The Florida Bar. Send a self-addressed, stamped envelope to Consumer Pamphlets, The Florida Bar, 650 Apalachee Pkwy., Tallahassee, FL 32399, (904) 561-5600.

- ***Guide to Georgia Courts***. Administrative Office of the Courts, Communications/Publications Office, 244 Washington St., Suite 550, Atlanta, GA 30334, (404) 656-5171.

- ***Justice in Our Commonwealth***: ***A Citizen's Guide to Kentucky Courts.*** The Kentucky Court of Justice, Administrative Office of the Courts, Division of Media and Public Information, 100 Millcreek Park, Frankfort, KY 40601, (502) 564-2350.

- ***A Citizens' Guide to Tennessee Courts: Unraveling the Mystery.*** Administrative Office of the Courts, Nashville City Center, Suite 1400, 511 Union St., Nashville, TN 37243, (615) 741-2687.

- ***A Citizens' Guide to Washington Courts.*** Office of the Administrator for the Courts, 1206 Quince St., Olympia, WA 98504, (206) 357-2077.

Guides to local courts:

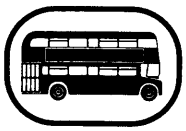
- ***Hamilton County Courts Tour Guidebook.*** Hamilton County Courthouse, Cincinnati, OH 45202, (513) 632-8788.

- General information pamphlet. Franklin County Municipal Court, 375 South High St., Columbus, OH 43215, (614) 645-8214.

- ***Welcome to Your Court.*** Central Orange County Municipal Court, 700 Civic Center Dr. West, Santa Ana, CA 92701, (714) 834-3575.

Parking, public transit

Ideally, free and ample parking is provided to all courthouse users. If parking is limited, a simple flier or brochure describing nearby parking availability and public transportation can be mailed with summonses to jurors and others.



Photocopy service

Many people come to the courthouse for photocopies of documents and records. Such users can be discouraged by the high cost of copies, and court employees can be frustrated because providing this service takes them away from other duties.

The federal bankruptcy court in New Mexico has addressed these concerns by licensing a private vendor to provide courthouse photocopy services for all court users at commercially competitive rates.

The copy service not only makes copies. It locates requested documents, makes the copies, gives or faxes them to the customers, and returns the files to the clerk's office for filing. The service also accepts pleadings transmitted by fax, attaches its own check for the required filing fee, and bills the customer. This service is used frequently by out-of-town lawyers and other court users.

The costs of copies from this vendor are much lower than the 50 cents per page the clerk's office charges, and same-day service is available. As the clerk of the court states:

> The public wins on all three counts—better, cheaper, faster service. The court wins as well. Our staff are saved the time we used to spend pulling files and making copies. We no longer handle the many small financial transactions involved. And the copy center staff are as responsible in their handling of our own files as our own staff. We have not experienced lost or misfiled documents.

For further information, contact John Greacen, Bankruptcy Clerk, U.S. Bankruptcy Court of New Mexico, P.O. Box 546, Albuquerque, NM 87103, (505) 248-6500.

Fine payment Consider making court fines and fees payable by credit card. Another user-friendly way to accept payments has been adopted by the Los Angeles Municipal Court, which has installed ATM-type machines inside the courthouse and at other public locations to receive traffic fine payments.

Service windows Providing separate service windows in the clerk's office for special services, particularly those that do not require a lot of time to complete, can ease traffic flow and waiting times. Reducing the height of at least one service window or counter makes services accessible to people using wheelchairs. For peak hours, consider opening and staffing additional windows for much-used services such as payment of traffic tickets and other fines.

Security Yearly courthouse security audits do not necessarily require a great expenditure. Consider asking the sheriff's office or another law enforcement agency, or faculty members from the criminal justice department of a local university or community college, to conduct such an audit and to make recommendations for measures that will enhance public safety in the courthouse.

Medical emergencies Establishing and disseminating to all court staff procedures for handling medical emergencies can save lives. Information such as the name, location, and phone number of the nearest hospital can be prominently posted in employee areas. (Many hospitals provide posters with such information.) Some courts, particularly in rural areas, might find it helpful to make arrangements with a physician to be on call to respond to medical emergencies.

Courtroom acoustics Many court observers have noted that trial proceedings are often inaudible. Community court watchers have urged judges, in particular, to avoid treating proceedings in open court like private conversations. According to these citizen observers, judges and lawyers who speak loudly and clearly appear more professional, avoid the impression that they are secretive, and instill public confidence in the openness of the justice system.

The Americans with Disabilities Act requires courthouses to make reasonable accommodations for people with hearing impairments. Staff, volunteers, or perhaps a local court-watcher group can be enlisted to conduct "audibility audits" of courtrooms to determine whether jurors, witnesses, and spectators can hear the proceedings. If necessary and feasible, microphones, assistive listening devices, or soundproofing equipment should be installed.

The American Judicature Society is conducting a three-year project to help courts become more accessible to the approximately 24 million Americans who are deaf or hard of hearing. The project will include educational workshops, a videotape, and curriculum for judges and court employees. For further information, contact the American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x103.

People with disabilities

Under the federal Americans with Disabilities Act, all courthouses must make reasonable accommodations for those with mobility, visual, hearing, and other impairments.

Helpful information is contained in *Opening the Courthouse Door: An ADA Access Guide for State Courts.* To order, call the American Bar Association at (800) 285-2221 or (312) 988-5522. For additional information, contact American Bar Association, Commission on Mental and Physical Disability Law and Commission on Legal Problems of the Elderly, 740 15th St. N.W., Washington, DC 20005, (202) 662-1570.

Reading prohibitions

To maintain decorum, many courts prohibit reading by spectators. It may be appropriate, however, to ease total reading bans in certain circumstances, such as in courtrooms where long waits are necessary before one's case is heard. Flexibility in this regard can also reduce noise from conversations among those waiting for their cases to be called.

Expanded hours

Using the court during normal business hours can be inconvenient for those who work full time during the day. Some courts have extended their hours to include evenings and Saturdays, at least for limited services such as document filing and fine payment.

The Thirteenth Judicial Circuit in Tampa, Florida, operates a "night court" for civil traffic infractions, parking tickets, and animal control cases. These are handled in the evenings before hearing officers or special masters. The public also has the option of appearing before a judge during the day.

"One Customer at a Time"

Some may object to the use of the word "customer" to refer to people who use the courts. In the private sector, customers choose to do business with a particular concern. While many court users do not choose to be in court, they nonetheless are "customers" in the sense that they expect the court to provide services to them. They expect a fair and just resolution of their case. They need documents and information from court staff to be able to protect their interests in court proceedings.

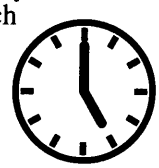
"One Customer at a Time" is a videotape produced by the Lawyers Conference of the American Bar Association's Judicial Administration Division. It urges courts to reexamine their operation from the point of view of their customers—the public.

The videotape provides examples of inexpensive steps courts can take to improve the experience of litigants, lawyers, jurors, witnesses, and others who use the courts.

Accompanying the videotape are a self-assessment questionnaire about service for judges and court staff, a bibliography/resources listing, and a facilitator's guide. Members and staff of the Lawyers Conference are available on request to give advice or to serve as facilitators for use of these materials.

To order the program, contact Marina Perez-Bailey, Judicial Administration Division, Lawyers Conference, American Bar Association, 750 N. Lake Shore Drive, Chicago, IL 60611, (312) 988-5705.

After hours When the courthouse is closed, a simple telephone answering machine or more sophisticated system can provide callers with general information such as courthouse hours and the types of business conducted in the court. The message can also include when offices within the courthouse are open and closed, if different from the building hours.



Have someone with a friendly voice record your greeting, and consider allowing callers to leave a message. Providing the police or sheriff department's number can be particularly helpful for callers with an emergency.

Automated phone system

The Municipal Court of Aurora, Colorado, has installed a computerized telephone system that provides access to court dates, types of cases heard, information about fine payments, and general courthouse information. The system includes tracks for touch-tone, rotary, and TDD phones (for people who are hearing impaired). Operators report spending much less time on the telephone, users have expressed a high degree of satisfaction, and the system is often used after regular court hours.

The Circuit Court of McHenry County, Illinois, has implemented a computerized telephone voice mail system that allows people to pay traffic fines via credit cards and get information on court cases 24 hours a day, seven days a week.

To avoid the frustration felt by many who have become "trapped" in some voice mail systems, at the beginning of any telephone recorded message it is helpful to include an option for callers to connect with a live operator.

The following people can provide further information:

Waylon Simpson, Courts Systems Management Administrator, City of Aurora Municipal Court, 15001 E. Alameda Drive, Aurora, CO 80012, (303) 341-8803.

Vernon Kays Jr., Clerk, McHenry County Courthouse, 2200 Seminary Ave., Woodstock, IL 60098, (815) 338-2040.

Lin Walker, Technology Specialist, National Center for State Courts, 300 Newport Ave., Williamsburg, VA 23187, (804) 253-2000.

Decoration To foster a positive atmosphere, trial courts in Seattle, Chicago, and other communities periodically decorate their lobbies, waiting areas, hallways, and other public areas with artwork by schoolchildren or local artists. Nonsectarian holiday and seasonal decorations, plants, or crafts may also be appropriate.

Judicial portraits A lobby display of photos of judges who serve on the court can help members of the public identify with their government officials.

Magazine racks Doctors' and lawyers' waiting rooms normally provide magazines for patrons' convenience. Similarly, courts can provide reading material in waiting areas for users such as witnesses and prospective jurors. Periodicals may be obtained for free from the public library system or through donations from lawyers, judges, court staff, or groups such as the League of Women Voters, Junior League, Lions Club, and other service organizations.

Food Dining rooms or lounges with vending machines (providing lunch items as well as snacks) are a valuable convenience for court users and staff. For those who wish to dine out, a list of neighborhood restaurants with cuisine descriptions and price ranges can be provided at the courthouse information desk. Perhaps your neighborhood chamber of commerce has already prepared such a brochure.

Restrooms Courthouse restrooms that are cleaned and resupplied on a regular basis foster goodwill among users. As in some restaurants and department stores, each restroom can include a prominently displayed record for custodians to initial and mark the time they last cleaned the facility.

Baby changing Restroom baby-changing tables are helpful for court users and staff. Be sure to note their availability in signs posted at restroom entrances.

Suggestion boxes "WE WANT YOUR SUGGESTIONS" is a sign that identifies public suggestion boxes in courthouses throughout Virginia. A box, along with paper and a pen or pencil, can be placed at the information desk and at other high-traffic areas throughout the courthouse. Although some suggestions may be beyond the court's control, others may alert court staff to problems that can be easily solved. For many court users, the mere sight of a suggestion box indicates the court cares about their concerns.

If a suggestion can be adopted, the court may wish to publicize this by typing the suggestion and the court's response, and posting them on a bulletin board near the suggestion box or the courthouse information desk. This enables all to see the extent of the court's willingness to address users' concerns.

User surveys To generate ideas for improving courthouse services, the Overland Park, Kansas, Municipal Court distributes surveys to court users. This high-volume misdemeanor and traffic court circulates two versions of its survey, one for people who have appeared in court for matters such as traffic infractions, and one for newly released probationers and parolees. The surveys ask respondents questions about topics ranging from courtroom waiting times to effectiveness of sentences. A local professor analyzes the survey responses to determine the court's strong and weak points and to help the court develop improvements in its service.

In 1991, the Virginia Judicial Council established a Consumer Research and Service Development Project to gather public opinion on ways to improve the courts. The project involved statewide collection of opinion data, random telephone surveys of citizens, exit surveys of court users, suggestion boxes for both users and court employees, and focus groups interviews of court users and employees.

For copies of the Kansas evaluation forms, contact Judge Karen Arnold-Burger, Overland Park Municipal Court, Justice Center, 8500 Antioch, Overland Park, KS 66212, (913) 381-5252.

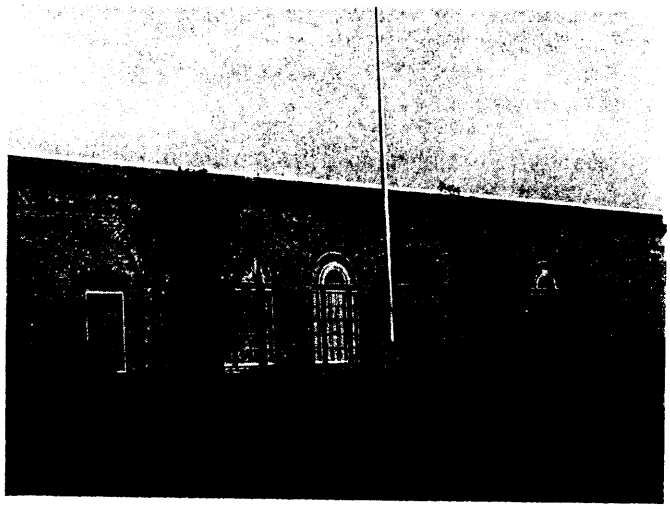
For information on the Virginia consumer project, contact Beatrice P. Monahan, Office of the Executive Secretary, Supreme Court of Virginia, 100 N. Ninth St., Richmond, VA 23219, (804) 786-6455.

Ombudsman

Consider designating a staff person or volunteer as ombudsman, a person court visitors can contact if they have a grievance with the service they receive. The ombudsman's name, and how to contact him or her, can be displayed in prominent locations throughout the courthouse. An ombudsman can not only help solve problems but enhance the perception of courthouse users that their concerns are being heard. In the case of a complaint against a judge, the ombudsman can educate court users about the process for filing a formal complaint with the judicial conduct commission. In some cases, the ombudsman may be able to address the matter informally.

The Vera Institute for Justice, a non-profit court-reform organization based in Manhattan, has implemented an "ombudservice" to handle juror complaints. Jurors can lodge complaints with staff members at the Manhattan civil court three days a week or call a 24-hour telephone hot line.

For further information, contact Julia Vitullo-Martin, Chair, Citizens Jury Project, The Vera Institute of Justice, 377 Broadway, New York, NY 10013, (212) 334-1300.



A User-Friendly Court

For many people, the prospect of appearing in court can be daunting. Others have trouble with the court system simply because they don't know what to do when they appear in court. The Portage County Municipal Court in Ohio established its "User-Friendly Court" project in 1991 to help people feel less intimidated by and become more informed about the court system.

The project has several aspects. The court produced a series of pamphlets, written in everyday language, that explain the process of all types of court appearances and interpret some of the legal language that is used in court and court documents. They were originally published for Portage County, but generic versions have been designed for and distributed to counties statewide.

The court also produced a series of public service TV announcements warning viewers that, as the result of a new law, their drivers licenses could be suspended for failing to pay court fines. Other videotaped announcements describe the state's DUI law.

In addition to these projects, the court has taken simple steps to make itself user-friendly. For instance, magazine racks and vending machines have been installed for people who are waiting to appear in court. Understandable signs provide information such as court costs, where offices are, where to wait, and so on.

A seminar for court clerks around the state, sponsored by the Portage County Municipal Court, was titled "Dealing with Personalities." The program trained clerks to be understanding, pleasant, and helpful to the public.

"We believe it is possible to lessen the trauma usually experienced by those who appear in court," says Lorraine Kardos, court supervisor. "All it takes is a little vision and commitment on the part of court employees."

"The User-Friendly Court" provides waiting-area magazine racks, vending machines, brochures about court procedures, and other helpful services.

For further information, contact Lorraine Kardos, Supervisor, Portage County Municipal Court, 214 South Water Street, Kent, OH 44240, (216) 678-9100.

Citizen advisory panels

Local commissions of court users and other community members in New Jersey provide suggestions to chief judges on ways to improve service delivery in the courts.

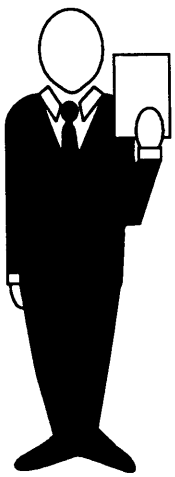
They also serve as an advocate for the justice system by supporting the court's funding requests, organizing volunteer programs, and obtaining other resources for the court.

For further information, contact Robert D. Lipscher, Director, Administrative Office of the Courts, Richard J. Hughes Justice Complex, CN-037, Trenton, NJ 08625, (609) 984-3143.

Public outreach

Judges can make their courts user-friendly by meeting from time to time with the community, whether to obtain feedback or merely to introduce citizens to issues involving the courts.

"Meet Your Judges," originally developed by the California Judges Association, is one highly successful program in this regard. This public education project is simple to implement. Local judges appear at a public forum during which they respond to written questions from the audience. Those attending can also be provided with general information describing how the local court system works.



Periodically, volunteers or staff can conduct courthouse tours to familiarize schoolchildren, senior citizens, and other visitors with the various services the court offers.

For a "Meet Your Judges" planning guide, contact the American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x103.

To order *Guide to Educating the Public About the Courts,* call the American Bar Association at (800) 285-2221 or (312) 988-5522. For additional information, contact American Bar Association, Public Education Division, 541 N. Fairbanks Ct., Chicago, IL 60611, (312) 988-5735.

Just Solutions: A Program Guide to Innovative Justice System Improvements is available from the American Bar Association, 750 N. Lake Shore Drive, Chicago, IL 60611, (800) 285-2221 or (312) 988-5522.

Court-Community Relations Survey: Final Report is available from the National Center for State Courts, P.O. Box 8798, Williamsburg, VA 23187, (804) 253-2000.

To order *Citizens and their Courts*, sponsored by the Conference of Chief Justices and the Conference of State Court Administrators, contact Robert Henderson, Office of the Administrator for the Courts, 1206 Quince St., Olympia, WA 98504-1170, (360)705-5319.

"Tele-Court"

The Michigan judicial system operates an 800 telephone line for members of the public to access more than 60 pre-recorded messages about the court system. Callers can also evaluate the effectiveness of the system and leave their name and address to receive more comprehensive written materials or brochures. Goals of the system are to educate the public, reduce the amount of time court staff spend answering routine questions about the courts and court process, and to distribute consistent, accurate, and easily understood information about Michigan's courts.

Call (800) 968-5669 to access Tele-Court. For further information, contact Judy Bartell, State Court Administrative Office, P.O. Box 30048, Lansing, MI 48909, (517) 373-0195.

Media relations

Cultivating positive relations with the local news media can help build public support for the courts and help avoid misunderstandings that lead to negative press, especially in high-profile cases. The following resources can provide assistance:

Judicial Response to the Media, Courts and the Community Committee of the Washington State Superior Court Judges' Association, P.O. Box 41170, Olympia, WA 98504, (206) 705-5226.

Media Guide, National Association for Court Management, 300 Newport Ave., Williamsburg, VA 23187, (804) 259-1841.

Planning Manual, Reporting on the Courts and the Law: A Workshop for Practicing Journalists, American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x147.

2 Litigants

People who use the courts for litigation have needs such as finding a lawyer, filling out forms, filing cases, and following their cases through to resolution. This chapter contains simple ways courts can make this process a little more helpful, both for litigants and the lawyers who represent them.

Lawyer directory

A directory of all lawyers in the county, available at courthouse information desks and in clerk's offices, can help people who need a lawyer find one. Such listings, which can often be obtained from a local bar association, can include addresses, phone numbers, and (where local legal ethics rules permit) the lawyers' self-described areas of practice or specialties. Ideally, the directory should be grouped by type of practice.

Lawyer referrals

Names and phone numbers of lawyer referral services, indigent legal services, and the public defender's office can be prominently displayed on signs near courthouse information desks and in the clerk's office.

Process servers directory

If litigants are permitted to use private process servers rather than sheriff's deputies, consider developing a listing of all who are certified to serve process in the jurisdiction. This directory can be made available at the courthouse information desk and in the clerk's office.

Conference rooms

Conference rooms enable lawyers to speak privately with clients or witnesses and facilitate preparation for court proceedings. In most courts, however, conferences are conducted in open hallways. To help alleviate this inconvenience to users, courts might investigate the feasibility of setting up private conference rooms and separate work areas with desks and telephones for lawyers. Funding for such a project might be available from a local IOLTA program or bar foundation.

Filing by fax

Courts are increasingly permitting litigants to file certain documents by fax. The following resource can help courts develop a local rule governing this practice:

Model Court Rules for Use of Facsimile Technology by State Courts, National Center for State Courts, 300 Newport Ave., Williamsburg, VA 23187, (804) 253-2000.

Filings drop box

The federal district court in Kansas City, Kansas, has developed an alternative to extended hours. It provides an outdoor drop-box for filings, next to which is a file-stamp machine. Court papers required to be filed on a given date, therefore, can be submitted as late as 11:59 p.m.

Drive-up filing

Drive-up windows at the courthouse or free-standing facilities elsewhere for document filing and fee payments can improve access to the clerk's office for lawyers, their messengers, and litigants.

Electronic filing

To reduce the large number of paper filings and courthouse trips required in complex insurance cases, the New Castle County Superior Court in Delaware is experimenting with software that allows pleadings to be filed via computer modem. Under the CLAD project (Complex Litigation Automated Docketing), filings are instantly available to lawyers on their personal computer screens. The project is intended to increase productivity and cost savings by reducing the secretarial and paralegal time required to process paper documents.

For further information, contact Sharon Agnew, Clerk, New Castle County Public Building, 11th and King Streets, Wilmington, DE 19801, (302) 577-2400.

Also see Kennedy, "The Future of Filing," *ABA Journal,* July 1994, p. 32.

Conference calls

For matters that do not require a record, litigants and lawyers can economically communicate with the court through telephone conference calls rather than pay numerous visits to the courthouse. A rules change to implement such a policy uniformly for all courts may be necessary.

The Court of Appeal for the Sixth Appellate District in San Jose, California, offers the option of telephone conferencing in lieu of personal appearance in court for oral argument. The decision of whether to appear in person or by telephone is within the sole discretion of counsel and the parties, except for occasions when the court may direct counsel to appear in person. Teleconference costs are billed directly to the attorneys who use the procedure. Similar procedures are offered in the First Appellate District in San Francisco and the Fifth Appellate District in Fresno.

For further information, contact Michael Yerly, Clerk of the Court, Court of Appeal for the Sixth Appellate District, 333 W. Santa Clara St., Suite 1060, San Jose, CA 95113, (408) 277-1004.

Computerized information

Without leaving their offices, lawyers working in the superior courts in Boston, Cambridge, and Worcester, Massachusetts, can access the computerized on-line SCRIB system (Superior Court Remote Inquiry for the Bar) and download docket and calendar information. The court provides this read-only service free of charge.

For further information contact Peter Nylin, System Administrator, 1100 Suffolk Superior Courthouse, Boston, MA 02108, (617) 725-8130.

Plain English

Latin terms, legalese, and verbose sentences in legal communications are confusing not only to non-lawyers but even to many lawyers. Judges and lawyers might strive to follow the example of Thomas Paine, who hoped with his writing "to make those that can scarcely read understand. I shall therefore avoid every literary ornament and put it in language as plain as the alphabet."

"Plain English" is the movement to use simple language in all legal communications without sacrificing substance or precision. Consider ways of simplifying the language used in court notices and other official docu-

ments, as well as oral statements made in the courtroom. Public confidence in the courts will be enhanced when there is a greater understanding of the work courts do.

The following resources provide further information:

Plain English—Ten-Year-Anniversary Theme Issue, *Michigan Bar Journal,* January 1994.

Hathaway, George H., "The Plain English Movement in the Law— A 1994 Update," *Journal of The Missouri Bar*, January-February 1994.

Computer Kiosks for Court Services

State courts in Arizona, California, Colorado, and Florida have developed easy-to-use computer stations for litigants to obtain information and to carry out a variety of court transactions.

Users do not need to know complex commands to operate these computer kiosks, which can be as easy to use as automated teller machines. In Colorado, the machine provides self-represented litigants with information such as how to file, how to serve the other party, what to expect, and how to pay fines or collect judgments. The kiosk also prepares pleadings in domestic relations cases. A computer-generated voice tells litigants how to complete the form and where to obtain the necessary financial information. Simultaneous on-screen captioning is provided for people with hearing impairments. With prompting from the computer, litigants provide the kiosk with the necessary information, and a printer attached to the kiosk produces a completed form.

Arizona's QuickCourt Kiosk

Availability of forms

Court-approved forms, written in easy-to-understand language, can be made available at public locations aside from the courthouse, such as libraries, police stations, and post offices. Also, consider providing a supply of forms (for example, applications for orders of protection) at appropriate locations that are open beyond normal business hours, such as community centers and shelters.

In Los Angeles, computer kiosks allow the public to obtain information on amounts owed for municipal traffic tickets, make payments, schedule traffic safety school, or deposit traffic school completion certificates. Arizona's "QuickCourt" kiosk provides general information on alternative dispute resolution, small claims, collection of judgments, divorce, landlord-tenant cases, and an overview of the structure of the state court system. An on-screen dictionary defines legal terms for users in Plain English.

In Florida's Alachua County, in Gainesville, Citizens' Court Access computer stations located throughout the city provide information about filing estate and guardianship cases. After users enter the necessary information, the computer prints out petitions in probate cases.

Start-up costs for such systems may be substantial, but the savings in staff time and error avoidance may compensate for the initial investment.

Contact the following for further information:

Lynn Wiletsky, Arizona Supreme Court, 1501 W. Washington, Phoenix, AZ 85007, (602) 542-9309.

Jerry Kippen, Municipal Court Building, 300 E. Walnut, Pasadena, CA 91101, (818) 356-5691.

Sherry Kester, Administrative Office of the Courts, 1301 Pennsylvania, Suite 300, Denver, CO 80203, (303) 861-1111.

Jean Sperbeck, Alachua County Courthouse, 201 E. University Ave., Gainesville, FL 32601, (904) 374-3666.

Simplified forms

Forms for motions and common requests such as waivers of filing fees and requests for orders of protection can be simplified to enable self-represented parties to complete them properly with minimal assistance from staff. Instruction sheets (in a language in addition to English, where needed) can be provided with each form. Some forms may be simplified by including check-off boxes rather than requiring users to write out information.

The Fifth Judicial District in Madison, Wisconsin, has produced simplified forms for people who represent themselves in family law matters. Contact Gail Richardson, District Court Administrator, Fifth Judicial District, City-County Building, 210 Martin Luther King Jr. Blvd., Madison, WI 53709, (608) 267-8820.

Legal Advice vs. Legal Information

When assisting the public, court clerks can be trained to distinguish between legal advice and legal information. While clerks may not give legal advice, they may be permitted, for instance, to complete court-approved forms using information provided to them by those seeking their help. In such cases, the clerk is acting as a mere scrivener who are not usually considered as falling within the scope of unauthorized practice of law restrictions.

To enhance public access, courts can establish a written policy to guide court clerks who are frequently asked to provide assistance in filling out forms.

A useful article describing one program to develop such guidelines is noted below. The author suggests the following principles to guide court clerks when responding to requests for assistance:

- Court staff have an obligation to explain court processes and procedures to litigants, the media, and other interested people.
- Court staff have an obligation to inform litigants, and potential litigants, how to bring their problems before the court for resolution.
- Court staff cannot advise litigants whether to bring their problems before the court, or what remedies to seek.

The Michigan Administrative Office of the Courts has developed a packet of forms for use by self-represented litigants involved in matters related to small claims, domestic violence, child support modification, and child visitation modification. Contact Pam Creighton, Coordinator, Access to Justice Program, State Court Administrative Office, 309 N. Washington Square, P.O. Box 30048, Lansing, MI 48909, (517) 373-5596.

Plain English for "pro se"

A common example of legalese that can be confusing for many court users is the term "pro se" or "pro per." In public contexts, such as on signs and in open court, such litigants can be referred to as "self-represented."

- Court staff must always remember the absolute duty of impartiality. They must never give advice or information for the purpose of giving one party an advantage over another.
- Court staff must never give advice or information to one party that they would not give to an opponent.
- Court staff should be mindful of the basic principle that counsel may not communicate with the judge ex parte.
- Court staff should not let themselves be used to circumvent that principle, or fail to respect it, in acting on matters delegated to them for decision.

In Rhode Island, a supreme court rule concerning unauthorized practice of law uses an innovative approach. Rather than prohibiting the practice of law by those unlicensed to do so without defining the "practice of law" (as most states do), it sets forth specific practices that are permitted by those not licensed to practice law such as court clerks, collection agents, and accountants.

For further information, see Greacen, "'No Legal Advice From Court Personnel'—What Does That Mean?" *The Judges' Journal*, Winter 1995, p. 10.

"Justice at First Hand" is a videotape curriculum on professional ethics for nonjudicial court employees. To order, contact the American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x147.

Self-Service Center

The Self-Service Center of the Maricopa County Superior Court in Phoenix, Arizona, assists self-represented litigants in domestic relations and probate guardianship/conservatorship matters. Located in the courthouse, the center provides education, information, court forms, instructions, and lawyer referral services.

Court staff, called "service advisers," help litigants select appropriate forms and accompanying written instructions. The center provides on-line services for those able to access its data base via computer, as well as a telephone service that provides recorded instructions regarding a variety of court procedures. In addition, the center refers self-represented litigants to agencies and individuals who offer services such as parenting skills, counseling, behavior management, community dispute resolution, and legal advice.

Aside from litigants, judges and court staff also benefit from the program. Judges can devote more time and attention to judicial matters rather than explaining to self-represented litigants how to properly complete their forms and pleadings. Staff can now spend more time on their administrative duties by simply referring self-represented litigants to the Self-Service Center.

For further information, contact Bob James, Information Coordinator, Superior Court of Arizona in Maricopa County, 201 W. Jefferson St., Phoenix, AZ 85003, (602) 506-6314.

Assistance for self-represented litigants

The Snohomish County Court in Everett, Washington, along with 14 other counties in the state, provides courthouse facilitators who assist self-represented parties in family law matters. The non-lawyer facilitator for each court is a paralegal who explains procedures, directs litigants to proper forms, and reviews pleadings prior to court hearings to ensure the court's time is used wisely. In its first year, the program was funded through a state grant. It is being continued through a local surcharge on domestic relations filing fees. Where funds are not

available, courts may wish to consider encouraging their local bar association to donate such assistance on a pro bono basis. The Washington program was the recipient of the National Association of Counties' 1995 Achievement Award.

For further information contact Sandra Fitzpatrick, Family Law Facilitator, Snohomish County Court, 3000 Rockefeller Ave., Mail Stop 605, Everett, WA 98201, (206) 388-3795.

Plea bargaining

Self-represented criminal defendants in minor offense cases are often unaware that plea bargaining is an available option. With the cooperation of the prosecutor's office, notices of hearing for defendants in such cases can mention the possibility of plea bargaining, provide the phone number of the prosecutor's office, and explain the process for arranging a conference to discuss a negotiated plea.

Judges can also encourage prosecutors to make themselves available 30 minutes before trial to discuss negotiated pleas with defendants. One Pennsylvania judge reports that he takes guilty pleas almost any time they are ready as a way of keeping criminal court business moving.

Sample Brochures for Criminal Defendants and Offenders

The following brochures are available from the Portage County Municipal Court, 214 S. Water St., Kent, OH 44240, (216) 678-9100:

Paying to Get Someone Out of Jail: Posting Bail Bond
For First Offenders: Sealing Your Criminal Record
Pre-Sentence Investigations: What Are They? When Are They Needed?
Pre-Trial Release Program: To Ease Overcrowding in Our Jails
Supervised Probation: How it Works
Electronic Monitoring: An Alternative to Jail
Community Service: An Alternative to Jail

Sample Brochures for Users of Small-Claims Courts

The following brochures are published by courts to answer commonly asked questions by parties filing small-claims complaints:

How to Use the Colorado Small Claims Court. Colorado Judicial Department, Office of the State Court Administrator, 1301 Pennsylvania St., Suite 300, Denver, CO 80203, (303) 837-3624.

The Small Claims Process. State of Connecticut Judicial Branch, Supreme Court Building, 231 Capitol Ave., Drawer Z, Station A, Hartford, CT 06106, (203) 566-8219.

Your Guide to the Small Claims Court. Public Affairs Office, Hawaii State Judiciary, 417 S. King St., Ali'iolani Hale, Room 206C, Honolulu, HI 96813, (808) 539-4910.

Small Claims Court: General Information and Post-Judgment Collections. Administrative Office of the Courts, 100 Millcreek Park, Frankfort, KY 40601, (502) 564-2350.

An Introduction to Small Claims Court, State of Washington. Office of the Administrator for the Courts, P.O. Box 41170, Olympia, WA 98504, (206) 753-3365.

Collecting the Money: What you can do after you have won in D.C. Small Claims Court. Council for Court Excellence, 1800 M St., N.W., Suite 750 South, Washington, DC 20036, (202) 785-5917.

Pretrial negotiation

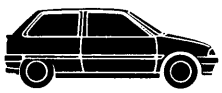
Most civil cases settle or are otherwise disposed of before trial, but self-represented litigants might not be aware that pretrial negotiation is a viable option, particularly in small-claims cases. They may be hesitant to offer to negotiate in the belief that to do so is a sign of weakness.

To initiate negotiations, one Illinois judge was known to call the parties on the small-claims calendar to the bench and ask whether they had had the opportunity to "discuss" the case.

If they hadn't, the judge instructed the parties to "go out in the hallway and discuss the case" and informed them that if they couldn't "work it out," the case would be tried. Many of these cases reportedly were settled once the parties were informally "ordered" to "discuss" the case.

Traffic safety school

In many jurisdictions, drivers who commit a minor moving violation are offered the option of keeping the offense off their driving record by paying a fine and tuition fee to attend a defensive driving course. In the Circuit Court of Cook County, Illinois, the school is operated by Northwestern University and offers day, evening, and weekend sessions throughout the Chicago area. Participants overwhelmingly report that they learned more from the course than they had thought they would and will drive more safely as a result.



For further information, contact Sharon Bogetz, Director, Northwestern University Traffic Safety School, 990 Grove St., Evanston, IL 60201, (708) 864-7240.

Sample Brochures on Traffic Offenses, DUI

The following pamphlets, which answer commonly asked questions from court users, are available from Portage County Municipal Court, 214 S. Water St., Kent, OH 44240, (216) 678-9100:

Traffic Court
How Can I Pay for A Traffic Ticket?
What Happens When You are Arrested for a DUI?
What Can the Sentence Be for a DUI Conviction?
Ignition Interlock

Administrative License Revocation of Drunk Drivers. Public Affairs Office, Hawaii State Judiciary, 417 S. King St., Ali'iolani Hale, Room 206C, Honolulu, HI 96813, (808) 539-4910.

Divorcing parents

The 22nd Judicial Circuit of Michigan, in Ann Arbor, has a domestic relations program called S.M.I.L.E. (Start Making It Livable for Everyone), which offers divorcing parents suggestions on how to deal with the stress that divorce creates, information on what to expect during the court process, and community social service referrals.

The Circuit Court of Cook County, Illinois, has implemented a counseling program for divorcing parents that offers strategies for preventing relationship conflicts from affecting children. The "Focus on Children" program includes a lecture, videotape, and group discussion.

Courts in 16 states have similar programs to assist divorcing parents and their children. For additional information, contact the following:

Kent Weichmann, Friend of the Court, P.O. Box 8645, Ann Arbor, MI 48107, (313) 994-2466.

Kathy Crowe, Focus on Children, 28 N. Clark St., Suite 600, Chicago, IL 60602, (312) 345-8850.

Social services

Judges are encouraged to be aware of and, if appropriate, inform parties appearing before them of the availability of community social services, even if such ser-

Sample Brochures for Divorcing Parties

Courts can help ease the strain of divorce by distributing brochures such as the following:

Children and Divorce: A Handbook to Help You and Your Children. Public Affairs Office, Hawaii State Judiciary, 417 S. King St., Ali'iolani Hale, Room 206C, Honolulu, HI 96813, (808) 539-4910.

What Happens When a Divorce is Filed? An Overview of Court Procedures. Summit County Court of Common Pleas, Domestic Relations Division, 209 S. High St., Akron, OH 44308, (216) 643-2355.

vices are not required to resolve a particular case. Courts can develop information sheets that contain the names, addresses, and phone numbers of programs relevant, for example, to DUI or drug offenders, domestic violence victims, and so on.

Many bar associations provide free or affordable legal services programs. Judges can be provided a list of such programs by the bar, legal services offices, or other legal providers to inform parties who need legal services and cannot afford to pay for them. Brochures containing such information can also be made available at the courthouse information desk.

Directory: Mental Health Services in Summit County can be used by courts as a sample to develop their own directories. Contact: Mental Health Association of Summit County, 405 Tallmadge Rd., P.O. Box 639, Cuyahoga Falls, OH 44222, (216) 923-0688.

"An equal footing"

A lawyer from a small Arizona town offered the following observation and suggestion:

> Have you ever received a traffic citation in a small town and made an appearance? It would be nice to think of the court as an independent third party, where both the prosecution and defense have an opportunity to be heard, and expect an impartial decision. But what appearance is presented when a member of the public enters the building to see police officers freely mingling with the court staff and entering and exiting the offices at will? It should be made clear that police officers are on an equal footing with the public when access to the court is concerned.

Just as the appearance of impropriety is avoided by judges, court staff, too, can take steps to avoid such appearances by minimizing these kinds of interactions with law enforcement officers and other "regulars" at the courthouse.

"Justice At First Hand," a videotape curriculum on professional ethics for nonjudicial court employees, is available from the American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x147.

Sample Brochures for General Litigant Assistance

Civil courts:
Filing Civil Claims in Magistrate's Court in South Carolina. South Carolina Court Administration, P.O. Box 11330, Columbia, SC 29201, (803) 734-1800.

Filing Fees and Costs in Colorado State Courts. Colorado Judicial Department, Office of the State Court Administrator, 1301 Pennsylvania St., Suite 300, Denver, CO 80203, (303) 837-3624.

Your Guide to the Regular Claims Court. Public Affairs Office, Hawaii State Judiciary, 417 S. King St., Ali'iolani Hale, Room 206C, Honolulu, HI 96813, (808) 539-4910.

Civil litigants:
You're Going to Trial: A Litigation Manual for Clients.
(Special issue of The Compleat Lawyer, the magazine of the American Bar Association Section of General Practice, Vol. 10, No. 1, Winter 1993.) ABA Order Fulfillment, 750 N. Lake Shore Drive, Chicago, IL 60611, (800) 285-2221 or (312) 988-5522.

Appellate process:
Your Case on Appeal: What you should know...appealing your case in the District of Columbia Court of Appeals. Council for Court Excellence, 1800 M St., N.W., Suite 750 South, Washington, DC 20036, (202) 785-5917.

Alternative dispute resolution:
Arbitration: How Does Arbitration Work? Court of Common Pleas (Philadelphia Municipal Court), 1st Judicial District, City Hall, Room 673, Philadelphia, PA 19107, (215) 686-2971.

Mediation in Colorado Courts. Office of Dispute Resolution, Colorado Judicial Department, 1301 Pennsylvania St., Suite 110, Denver, CO 80203, (303) 837-3672.

General orientation for litigants:
The following brochures are available from the Portage County Municipal Court, 214 S. Water St., Kent, OH 44240, (216)678-9100:

Your Rights in Court
Those Legal Words: What Do They Mean?
Court Personnel: Who Works in a Court and What Do They Do?
Getting Legal Help

Sample Brochures for Litigants with Housing Disputes

Many questions litigants have about housing courts can be answered by providing them with the following types of brochures:

Housing Court Mediation Program: An Alternative Offered to Landlords and Tenants Prior to and/or on the Day of Hearing. Court of Common Pleas (Philadelphia Municipal Court), 1st Judicial District, City Hall, Room 673, Philadelphia, PA 19107, (215) 686-2971.

The following are available from the State of Connecticut Judicial Branch, Supreme Court Building, 231 Capitol Ave., Drawer Z, Station A, Hartford, CT 06106, (203) 566-8219:

Rights and Responsibilities of Landlords and Tenants in Connecticut: A Landlord's Guide to Summary Process (Eviction)

A Tenant's Guide to Summary Process (Eviction)

3 Victims, Witnesses, and Children

Victims, witnesses, and children are among the most vulnerable of court users, as they are often in court for reasons such as crime or divorce. It is particularly important, therefore, to treat such court users with the utmost sensitivity and dignity.

Waiting areas Separate waiting areas for victims and witnesses can limit awkward or dangerous contact with defendants. Waiting rooms can include couches, chairs, magazine racks, coloring books and crayons for children, and appropriate decorations such as house plants and artwork.

Sample Brochures for Crime Victims and Witnesses

The following pamphlets can help courts answer questions from crime victims and witnesses:

A Victim's Guide to the D.C. Criminal Justice System

Victim Impact Statements: What They Are and How to Use Them

Recovering Your Stolen Property: How to Get It Back Once the Police Find It.

(All available in English and Spanish versions). Council for Court Excellence, 1800 M St., N.W., Suite 750 South, Washington, D.C. 20036, (202) 785-5917.

Witness in Court: What to Expect When You Are Subpoenaed to Give Evidence as a Witness in a Criminal or Traffic Case. Portage County Municipal Court, 214 S. Water St., Kent, OH 44240, (216) 678-9100.

Entrances and exits

Courts can ease the tensions of victims and witnesses who feel intimidated by allowing them to enter and exit the courthouse and courtroom through separate, private entrances. Police officers, detectives, and investigators can serve as escorts. Consider establishing a formal procedure for victims and other witnesses to request entry through a non-public entrance, or other appropriate security measures.

Witness oaths

While acknowledging that oath-taking is an important ceremony, judges may wish to help put witnesses at ease by encouraging clerks to give a friendly, reassuring smile when swearing in witnesses.

Victim advocates

Many jurisdictions (usually through the police department or prosecutor's office) have volunteers or paid staff who look out for the welfare of crime victims. In addition to informing them of their rights under victims-rights laws, some advocates provide the often-overlooked service of accompanying victims to court. This service and others helps reassure and comfort victims during what can, for them, be another difficult experience.

The National Organization for Victims Assistance (NOVA) provides training and technical assistance for victim advocates, helps jurisdictions establish and improve on advocate programs, and offers publications on related topics. Contact Cheryl Tyiska, National Organization for Victims Assistance, 1757 Park Road, N.W., Washington, DC 20010, (202) 232-NOVA.

Domestic violence program

Courts are increasingly providing assistance to self-represented litigants in cases of domestic violence. The clerk's office of Polk County in Florida's 10th Judicial Circuit operates a Domestic Violence Program. Court employees help victims with matters such as filling out orders of protection, providing social-service referrals, and serving as advocates for victims in court.

For additional information, contact Cherie Simmers, Department Manager, Domestic Violence Program, P.O. Box 9000, Box CC16, Bartow, FL 33830, (813) 534-4180.

Sample Brochures About Domestic Violence and Sexual Assault

Courts can help victims of domestic violence and sexual assault by providing brochures such as the following:

Domestic Violence: What happens when you appear in court? Portage County Municipal Court, 214 S. Water St., Kent, OH 44240 (216) 678-9100.

Break the Cycle of Violence. Citizens Against Rape & Domestic Violence. P.O. Box 876, Sioux Falls, SD 57101, (605) 339-0116.

"Refuse to be Abused": Domestic Violence Program. 10th Judicial Circuit, Polk County, Domestic Violence Program, P.O. Box 9000, Box CC16, Bartow, FL 33830, (813) 534-4180.

Day care Many parents have no alternative but to bring young children with them to court. Trying to take care of court business while watching children can be difficult. From a child's perspective, it can be frightening to wait in crowded corridors or to hear courtroom testimony about adult problems. From the court's perspective, children who are bored can disrupt proceedings.

Some courts have established children's waiting areas or child care centers. Children's waiting areas can be supplied with crayons, coloring books, children's magazines, and quiet toys, all of which may be solicited from the community. If financially feasible, child care can also be provided, as has been done, for instance, in New York state courts, in Chicago, and in the Roxbury, Massachusetts, district court.

The Center for the Study of Social Policy's National CourtCare Demonstration Project, sponsored by the U.S. Department of Justice, is conducting a project to identify promising approaches to court-based child care and is providing training and technical assistance to courts around the country interested in implementing such programs.

The following people can provide further information:

Lucy Hudson, Project Director, Center for the Study of

Teodors Ermansons

Chief Judge Judith S. Kaye visits with a young court visitor at the Manhattan Civil, Housing, and Criminal Courts Children's Center. The center is one of a system of 14 child care centers throughout the New York state courts.

Social Policy, 1250 Eye St., N.W., Suite 503, Washington, DC 20005, (202) 371-1565.

Sheryl Dicker, Permanent Judicial Commission on Justice for Children, Pace University School of Law, 78 N. Broadway, White Plains, NY 10603, (914) 422-4425.

Deborah Bialczak, Executive Director, Our Children in the Courts Foundation, Richard J. Daley Center, Room 1001, Chicago, IL 60602, (312) 443-5005.

Nia Alimayu, Roxbury Court Child Care Center, 85 Warren St., Roxbury, MA 02219, (617) 445-1510.

Coloring books

The Portage County, Ohio, Municipal Court distributes coloring books and crayons to children, whose parents are appearing in court, in order to keep them quietly occupied in the courtroom.

Children's videos

Videos for children to watch in the courthouse are becoming increasingly popular. In Los Angeles, the Walt Disney Company produced cartoons and other videos for children in the courthouse. In Chicago, the Young Lawyers Section of the Chicago Bar Association produced an educational children's video about the court system, titled "What's it All About?" for use in the circuit court's Child Protection Division.

For additional information, contact Kathy McEnroe, Director, Young Lawyers Section, Chicago Bar Association, 321 S. Plymouth Ct., Chicago, IL 60604, (312) 554-2030.

Child witnesses

The courtroom can be an intimidating place, especially to children who witness violent crimes or are victims of abuse. Judges, whose black-robed appearance may frighten some children, can lighten this atmosphere, as does one judge in a rural Illinois town. When questioning children, he removes his robe, sits with them at a table, and communicates with them at eye level, thus "humanizing" the court.

Sample Guides to the Courts for Children

Courts can introduce children to the workings of the justice system by distributing publications such as the following:

What's My Job in Court? An answer and activity book for kids who are going to court. The State's Attorney's Office of Baltimore County and other jurisdictions nationwide are providing this coloring/activity booklet to children who are expected to testify in court. It was adopted with permission from a booklet created by the Victim/Witness Assistance Program of The Ministry of the Attorney General of Ontario. Courts may modify the un-copyrighted booklet for use in their own jurisdictions. To order a sample copy, contact Monarch Avalon Hill, 4517 Harford Rd., Baltimore, MD 21214, (410) 254-9200.

The Family Circus Visits the Courts. Arizona Supreme Court, Public Information Office, Administrative Office of the Courts, 1501 W. Washington, Phoenix, AZ 85007, (602) 542-9300.

All About Going to Court: The Child Witness and The Teenage Witness, Women for a Better Louisiana, P.O. Box 19735, New Orleans, LA 70179, (504) 288-6091.

A Child's Guide to Law and Being 18 Local Style: New Rights, New Rules, Hawaii Legal Auxiliary, 1188 Bishop St., Suite 3210, Honolulu, HI 96813, (808) 545-5744.

4 Jurors

Providing jurors with a user-friendly experience in the courthouse is crucial not only for promoting positive public attitudes toward the justice system, but also for reaching just outcomes. Jurors play such an important role in our democracy that they must be encouraged to faithfully respond to juror summonses and to carry out their fact-finding function. Thus it is important to make their courthouse experience as hospitable and understandable as possible.

Motivational statement

A judge of the superior court in Seattle, Washington, motivates jurors in his courtroom by addressing them before opening statements. Notice how the judge uses plain language and tells jurors—before the trial begins—what they can expect so that surprises are kept to a minimum:

> The two vents in the ceiling are placed there by the county council to make you think fresh air is coming into the courtroom. Not so, and in the afternoon when the sun hits the west wall of the building, it can become very difficult to remain alert in this room. If you are having difficulty, stand in place and stretch, signal the bailiff for a cup of water, or if it becomes unbearable, tell me you need a recess to get more of that coffee the county saves just for jurors. I'll do anything I can to make your stay here more comfortable.
>
> The person sitting between us is a court reporter who takes down every word spoken in the court room while court is in session. The purpose for this is so that if a party thinks it didn't get a fair trial it can take the reporter's transcript down the street to the court of appeals and ask the judges to require me to hold a new trial. However, during your deliberations the law does not

permit me to have the court reporter read back to you from his notes what a witness said. You must decide the facts on the basis of your collective memories. On the other hand, if the attorney lowers his or her voice, or the witness mumbles, or a distraction causes you to miss what was said, let me know immediately. I can have the attorney repeat the question, the witness repeat his or her answer, or have the reporter read back to you what was just said. I just can't do it later. Don't be shy about letting me know. You are the judges of the facts. I only rule on evidentiary matters. Take your responsibility seriously and call right out if I don't see your hand raised.

Salute to jurors

The Council for Court Excellence in Washington, D.C., annually sponsors "Jury Service Appreciation Week" and other educational events about the jury system. The council also provides information for jurisdictions on how to conduct their own juror-appreciation activities. Contact Council for Court Excellence, 1800 M St., N.W., Suite 750 South, Washington, DC 20036, (202) 785-5917.

In the Sixth Judicial District of Duluth, Minnesota, a citizens' group known as the Jury Management Task Force is developing a variety of programs to encourage and enhance jury service. It organizes an annual Jury Service Appreciation Week in Duluth, which the city council has recognized by proclamation.

The task force also initiated a television and newspaper ad campaign promoting voter registration to increase juror diversity. The campaign's slogan is "It's Not Fair, If You're Not There." Contact Ted C. Gladden, District Administrator, Sixth Judicial District, St. Louis County Courthouse, 100 N. 5th Ave. W., Room 425, Duluth, MN 55802, (218) 726-2544.

PROCLAMATION

JURY SERVICE APPRECIATION WEEK
BY THE PRESIDENT OF THE DULUTH CITY COUNCIL
FEBRUARY 19-25, 1995

WHEREAS, during the week of February 19-25, the judges of the Sixth Judicial District have set aside time to applaud the efforts of jurors who provide support to the court system and fulfill the most important civic responsibility shared by every member of a democracy; and

WHEREAS, the judges and court personnel the Sixth Judicial District are working in partnership to educate the public about jury duty and the importance of serving; and

WHEREAS, the judges and court personnel are vigilant in these efforts to assure equal access and the broadest level of juror participation; and

WHEREAS, the jury system is the one system of jurisprudence which guarantees necessary safeguards for the protection of rights of persons and property, and that this system should be preserved in its essence; and

WHEREAS, it is important to be dedicated to protecting the rights given to us by our founding fathers more than two centuries ago in the Bill of Rights, which among other freedoms, guarantees citizens one of the most precious rights we have—"The Right To Trial By Jury":

NOW, THEREFORE, I, THE PRESIDENT OF THE DULUTH CITY COUNCIL, do hereby proclaim February 19-25, 1995, as **"JURY SERVICE APPRECIATION WEEK"** in Duluth, and call upon all the residents of this city to join me in observing this week.

One day, one trial

Many courts have a "one day, one trial" petit jury system in which citizens who are not selected for trial during their first day of jury service are released for at least one year. Those who are selected serve only in one case.

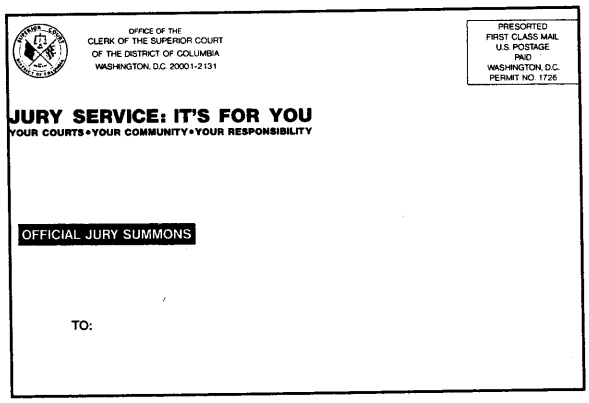
If a one day, one trial system is not feasible in your jurisdiction, it helps jurors to be informed as soon as possible whether their services will be needed the following day.

Jury summonses

Few people welcome the interruption and inconvenience of jury duty. To set a positive tone, consider redesigning your jury summons to appeal to the citizenry's sense of civic duty. This need not detract from the force of law carried by the summons.

For instance, questionnaires mailed to prospective jurors by the Circuit Court of Cook County, Illinois, prominently contain the statement, "Jury service is a most vital function of citizenship." Summonses in Washington, D.C., display the slogan, "Jury Service: It's for You." Creative use of colored paper, inks, and typefaces can also create a positive image.

User-friendly jury summonses also include directions to the courthouse, information on parking availability and rates, and public transportation access.


OFFICE OF THE
CLERK OF THE SUPERIOR COURT
OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001-2131

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JURY SERVICE: IT'S FOR YOU
YOUR COURTS • YOUR COMMUNITY • YOUR RESPONSIBILITY

OFFICIAL JURY SUMMONS

TO:

On-line response

The Cobb County Superior Court in Georgia makes responding to jury summonses convenient by allowing prospective jurors to complete juror information forms and request postponements on-line via a computer bulletin board. The service is publicly accessible and often enables the court to respond to users within 10 minutes.

For further information, contact Skip Chesshire, Clerk, Cobb County Superior Court, 30 Waddell Street, Marietta, GA 30090, (770) 528-1800.

Greetings to Jurors

The introduction to the Juror's Handbook of the New Hampshire Superior Court System is reprinted here for modified use in juror summonses, handbooks, or in-court statements by judges before trial:

> Greetings and welcome. You have been called upon to serve as a juror in the New Hampshire Court System and to lend your good judgment and sense of fair play to this important service.
>
> This nation has traditionally placed great faith in private citizens, as jurors, to reach fair and objective decisions in matters of great importance. At no time in the history of our state or our country has this faith seemed misplaced. We ask you now to share in this tradition and to look upon your service as both a privilege and a responsibility of citizenship. We ask you to serve willingly so that all persons who come before this court will have the advantage of your fair and unbiased judgment.... We greatly appreciate your service and hope that you enjoy your experience as a juror and find it rewarding.

Ombudsman

New York City's trial courts have arranged for the Vera Institute for Justice, a nonprofit court-reform organization based in Manhattan, to respond to complaints from jurors. Jurors can contact the "ombudservice" at the Manhattan civil court three days a week, or call a 24-hour telephone hot line.

For additional information, contact Julia Vitullo-Martin, Chair, Citizens Jury Project, The Vera Institute of Justice, 377 Broadway, New York, NY 10013, (212) 334-1300.

Juror greeters

During the morning rush hour, people reporting for jury service and other visitors at the Daley Center courthouse in Chicago are greeted by and receive information from court staff who roam the lobby.

Handbook for jurors

To familiarize jurors with the jury process, many courts have developed booklets that outline the jury's role. Handbooks can also include practical information such as parking locations and costs, listings of nearby restaurants, and public transportation schedules.

Sample Guides for Jurors

Courts that wish to develop or revise their juror orientation handbooks may use language from these publications:

Juror's Handbook, New Hampshire Superior Court System. This pocket-sized booklet, published by a New Hampshire legal publisher, contains brief chapters on the purpose and history of the jury, conduct and compensation, selection of jurors, elements of trials, description of the state's court system, a glossary, and other material. Administrative Office of the Courts, Supreme Court Building, Noble Drive, Concord, NH 03301, (603) 271-2521.

Juror Information Pamphlet and Grand Juror Information Pamphlet, South Carolina Court Administration. P.O. Box 50447, Columbia, SC 29250, (803) 734-1800.

Handbook for Jurors, published as a public service for consumers by The Florida Bar, 650 Apalachee Pkwy., Tallahassee, FL 32399, (904) 561-5600.

Serving as a Juror, Portage County Municipal Court, 214 S. Water St., Kent, OH 44240, (216) 678-9100.

What gives you the right to sit there and judge someone else? A pamphlet aimed at promoting jury service among minorities, produced by the Franklin H. Williams Judicial Commission on Minorities, (212) 417-2246.

Juror orientation video

Many courts show an orientation videotape to jurors that explains the jury system and provides practical information. Videos are an efficient means of explaining the importance of jury service.

"Cornerstone of Democracy: The U.S. Jury System" is an affordable educational video for use in courthouses, schools, and community education settings. The information it contains is sufficiently general for use in any jurisdiction. Each video comes with a presenter's guide. To order, contact the American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x147.

"Making a Jury Orientation Video" contains an overview of issues to be considered in the process of making a jury orientation videotape. Clips from a variety of jury orientation videos illustrate points covered in the narration. National Center for State Courts, 300 Newport Ave., Williamsburg, VA 23187, (804) 253-2000.

Waiting rooms

Coat racks, magazine racks, vending machines, and writing tables are simple conveniences to provide in jury waiting rooms. One court in Michigan even provides free coffee and doughnuts to jurors.

Emergency contacts

Courts can help lessen the consequences of medical emergencies by asking jurors, before they serve, to provide a contact person's name and phone number.

Jurors with disabilities

The federal Americans with Disabilities Act requires courts to provide reasonable accommodations for jurors with disabilities.

To order *Into the Jury Box: A Disability Accommodation Guide for State Courts*, call the American Bar Association at (800) 285-2221 or (312) 988-5522. For additional information, contact American Bar Association, Commission on Mental and Physical Disability Law, 740 15th St., N.W., Washington, DC 20005, (202) 662-1570.

Setting expectations

It is helpful for court staff or judges to explain to prospective jurors the estimated number of days they will need to serve. Jurors also appreciate being informed as soon as possible that they may need to stay late or be sequestered, enabling them to make child care or other arrangements.

Informing jurors

Judges who clearly explain to jurors the reasons for certain developments during trial—such as delays and excusing of the jury—help avoid erroneous assumptions by jurors and prevent their alienation from the trial process.

Notes and questions

The comprehension and interest of jurors in a case can be enhanced when they are allowed to take notes during trial and ask questions of witnesses. While instructing jurors regarding note taking, judges usually mention that jurors are not required to take notes and that their choice whether to do so or not has no effect on their ability to weigh the evidence and render a fair decision. To avoid objectionable questions, courts normally require jurors to submit their questions in writing to the judge, who screens them and reads appropriate questions to the witness.

Toward More Active Juries: Taking Notes and Asking Questions is based on nationwide research and provides guidelines for judges who wish to implement these techniques. American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL 60601, (312) 558-6900 x147.

Stretch breaks

Consider taking a few minutes periodically during trial to let jurors and others in the courtroom stand and stretch. This can relieve boredom and the tendency for jurors' minds to wander. In Philadelphia, this is known as the "Gafni maneuver," named after its initiator, Common Pleas Court Judge Abraham Gafni.

Simplified instructions

There is strong evidence that clear and understandable jury instructions enhance juror comprehension. According to jury scholar Shari Diamond, writing in the National Law Journal ("Instructions Frequently Baffle Jurors," June 6, 1994), "Lack of clarity in judicial instructions is not solely the result of inherent complexity in legal concepts but rather is due, at least in part, to an unnecessary lack of clarity in presentation."

Jury instructions can be simplified, for instance, by substituting complex words such as "conjecture" for simpler ones such as "guess," substituting active for passive voice, or reorganizing sentences to avoid awkward sentence structure. Refer to the following for further information:

Elwork, Sales, and Alfini, *Making Jury Instructions Understandable* (Charlottesville, Va.: The Mitchie Company, 1982).

Hagerty, "Instructing the Jury? Watch Your Language!", 70 N.D. L. Rev. 1007 (1994).

Videotaped instructions

The New Hampshire Superior Court provides general instructions to jurors by using a professionally produced videotape, which uses the latest technology and educational methods to instruct jurors on their responsibilities and on major legal principles. The 40-minute videotape covers material that would take twice the time to present live. Its use saves judicial time and provides an opportunity at the end for the judge to meet with jurors to answer any questions they may have.

For further information, contact Joan Clark, Court Coordinator, Superior Court Administrative Center, 99 N. State St., Concord, NH 03301, (603) 271-2030.

Rest breaks Bailiffs can let presiding jurors know that occasional, short, and supervised breaks during deliberations are permissible, if not recommended. A judge in Oregon reports that he allows jurors to determine when to order dinner and when to conclude their deliberations for the evening.

After the verdict Judges in a New York federal court usually meet with jurors in the deliberation room after the verdict to thank them for their service and to answer any questions they might have. If appropriate, counsel and judges may be allowed to ask, informally and off the record, what influenced the jurors without commenting on the results of their determination. This can help lawyers and judges do their jobs better while giving jurors a sense that their service is valued.

Payment To reduce the hardship of jury service, courts should consider paying jurors on the same day of service if they do not do so already. Jurors can be provided a phone number to call in the event they do not receive proper payment.

The District of Columbia Superior Court has installed a Juror Payment ATM. The machine dispenses a paycheck and certificate of appreciation to jurors who enter the identification number listed on their juror badge.

Juror surveys Evaluations by jurors of the service they receive and of how the trial was conducted can provide excellent feedback for courts. Surveys can be distributed to jurors at the conclusion of a trial, or mailed to jurors immediately after they have served.

The Twentieth Judicial District in Nashville, Tennessee, conducts surveys of jurors after their service. The survey asks jurors to evaluate the judge, the judge's support staff, the clerk's office, the attorneys, and courthouse facilities.

Juror Bill of Rights

Prepared by the Foundation of the American Board of Trial Advocates

A juror shall have the right:

1. To privacy, to be free from harassment, and to choose whether or not to discuss the verdict.
2. To be treated courteously and with the respect due an officer of the court and to serve in a jury room with attention to physical comfort and convenience.
3. To have the trial process explained.
4. To safe passage to and from the courthouse.
5. To proper compensation for jury service.
6. To have input into scheduling and have schedules kept when possible.
7. To be randomly selected for jury service and not excluded on the basis of race, sex, religion, physical disability, or country of origin.
8. To be instructed on the law in plain language.
9. To have judges and lawyers be sensitive to and supportive of the needs of jurors resulting from jury service.
10. To express concerns, complaints, and recommendations to courthouse authorities.
11. To be free from exposure to billboards erected in proximity to the courthouse, placed by special interest groups or actual parties to a lawsuit who are attempting to influence their verdict.

Thank you notes The Twentieth Judicial District in Nashville, Tennessee, sends thank you notes to jurors after their service. This is a simple but effective way of building goodwill for the courts at minimal cost. In larger jurisdictions where many jurors serve daily, non-personalized yet sincere thank you notes would also be appreciated.

5 Managing User-Friendly Courts

A number of suggestions for making courts user-friendly involve simple techniques for scheduling court proceedings and managing courthouse employees. In the scheduling realm, it is important to consider the convenience of the court as well as its users. Making courts more user-friendly for the staff that operates them has the added benefit of improving employee morale and, in turn, the service those employees deliver to the public.

Scheduling at intervals

Many courts rely on the "cattle call" docket, where all cases for the day are scheduled for 9:00 a.m. or 1:00 p.m. Under this system, litigants and lawyers must wait a long time for their cases to be called. Instead, scheduling cases at half-hourly or hourly intervals balances the court's need to keep cases moving while minimizing inconvenience to the parties and others required to appear.

Priority scheduling

Airlines offer priority boarding to those needing special assistance, and courts can do likewise. Parties can be asked if they have any special needs stemming from disabilities, infants or young children, and so on.

Brief motions

A judge in Pennsylvania sets aside 9:30 a.m. every Monday for hearing routine, uncontested motions and applications that would take no longer than 10 minutes to present. This expeditious way of disposing of minor matters saves judicial time for contested matters.

Using Volunteers

Courts have many resources for goods and services that may be necessary to implement various suggestions in *User-Friendly Justice*. Trained volunteers can be used for services such as staffing an information counter, providing help in the clerk's office, or establishing and staffing a courthouse child care center. The New Jersey and Connecticut courts make extensive use of volunteers. A possible resource for volunteers is the American Association of Retired Persons (AARP) or local community service organizations.

At meetings of service organizations, judges can make presentations about the courts' need for volunteers. Also, public service announcements can be made on radio and television to enlist retirees or students (including members of college fraternities and sororities, who often seek public service opportunities).

For goods such as waiting room magazines and coffee, local fraternal, charitable, or civic groups such as the Lions Club, the Junior League, or the League of Women Voters may be very willing to collect and donate these items to the court. Court employees, too, can be asked to donate magazines and newspapers they would otherwise discard.

Faculty at most colleges and universities are expected to render services to the community. Courts can target the applicable department and contact the chair about their needs. Faculty or students will often be glad to assist by offering their expertise. For example, criminal justice faculty may be willing to conduct a security audit of the courthouse.

Labor to design and build ramps for people with physical disabilities can be provided by construction/design students. Students in the Criminal Justice Honor Society at Northern Arizona University conducted a survey of local courthouses to ensure their compliance with the Americans with Disabilities Act and built a ramp that can be moved to different courtrooms, enabling people in wheelchairs to enter the witness stand and jury box.

Service organizations and schools can be asked to display their members' and students' artwork, crafts, and collectibles in the courthouse lobby. As soon as word circulates in your community that one group has displayed items of interest, other groups may also want to do likewise. Posting the name and phone number of the courthouse employee or volunteer who coordinates these displays will alert representatives of other groups about participating in such a program.

Total Quality Management

Courts are increasingly turning to a business management philosophy known as Total Quality Management, or TQM, a team-based strategy that encourages employees at all levels to review their operations and how they affect users. Maine's courts, for instance, have adopted a TQM-based program called participatory management. The program focuses on allowing all employees to participate in decision making and problem solving and improving communication.

For further information, contact Debra Olken, Administrative Office of the Courts, P.O. Box 4820, Portland, ME 04112, (207) 822-0711.

Total Quality Management in the Courts: A Handbook for Judicial Policy Makers and Administrators is available from the National Center for State Courts, Court Services Division, 1331 Seventeenth St., Suite 402, Denver, CO 80202, (303) 293-3063.

Job rotation

Cross-training court employees and rotating their duties can enhance staff interest in their work, encourage a team effort, allow for coverage during an employee's absence, and maintain consistent help to the public.

Employee recognition

Formal recognition of excellent work is an often-overlooked practice that can greatly improve staff morale. A yearly luncheon or dinner for court staff can include formal recognition of employees for their achievements. An "Employee of the Year" award could be presented by the chief judge to a court employee who exemplifies excellence in service.

One court in Colorado reports that it holds an annual ice cream social for court employees and judges, where career milestones are recognized. The judges, it is duly noted, serve the ice cream.

Idea contest

To involve all levels of court staff in the process of improving the court's operations, the Arizona Supreme Court held a contest for the best suggestion for making the court more accessible to the public. The winner received a low-cost but meaningful prize: a free lunch with the chief justice.

Employee newsletter

A bulletin or newsletter for court employees can improve morale and generate ideas for improving service, which ultimately serves the public.

Promoting respect for all

A number of states and some federal jurisdictions have established gender and racial bias task forces that have documented the existence of unfair bias in the justice system and suggested ways to eliminate it. In Michigan, the Access to Justice Program is implementing the recommendations of its race and gender bias task forces.

Judges and court staff can be trained to treat all court users with respect. A number of jurisdictions have adopted court staff training programs designed for this purpose:

Valuing Diversity: Resource Materials and Group Leader Materials, Education Division, The Administrative Office of the Courts, 230 S. 500 East, Suite 300, Salt Lake City, UT 84102, (801) 578-3800.

Court Conduct Handbook: Gender Equality in the Courts, a joint project of the Supreme Court of Florida and the Florida Bar. The Florida Bar, Special Committee for Gender Equality in the Profession, 650 Apalachee Pkwy., Tallahassee, FL 32399, (904) 561-5600.

Gender and Justice: Guidelines to Ensure Fairness. External Affairs Unit, Office of the Chief Court Administrator, Drawer N, Station A, Hartford, CT 06106, (203) 566-8219.

Understanding Sexual Violence: The Judicial Response to Stranger and Nonstranger Rape and Sexual Assault, a Model Judicial Education Curriculum, National Judicial Education Program to Promote Equality for Women and Men in the Courts, 99 Hudson St., Suite 1201, New York, NY 10013, (212) 925-6635.

For information on Michigan's implementation of the recommendations of its race and gender bias task forces, contact Pam Creighton, Coordinator, Access to Justice Program, State Court Administrative Office, 309 N. Washington Square, P.O. Box 30048, Lansing, MI 48909, (517) 373-5596.

User-Friendly Court Checklist

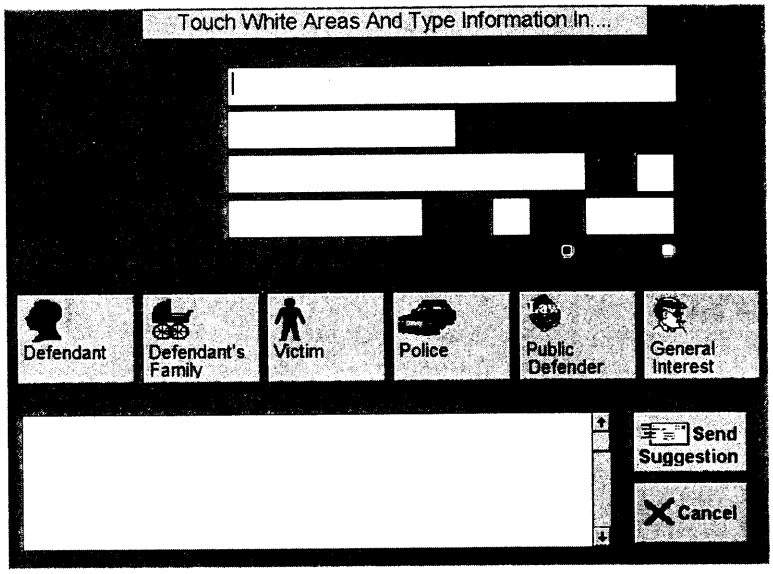
Is your court user-friendly? This checklist may be helpful.

- ✓Easy access to building for everyone, including disabled.
- ✓Adequate signs with directions for where to go.
- ✓Friendly, helpful clerks trained to understand people and their problems.
- ✓Comfortable waiting areas with magazines to read.
- ✓Simple information pamphlets explaining court procedure readily available to public.
- ✓All "legalese" removed from court forms.
- ✓Refreshments and/or water available for the public.
- ✓Private conference rooms for attorney/client use.
- ✓Public access to written and computer-based case information.
- ✓Public telephone available in court building.
- ✓Easy access to court information via telephone.
- ✓Alternative methods for payments of fines, such as credit card, payment by mail, and payment through ATMs.
- ✓Court uses alternative sentencing, referral to rehabilitation programs.
- ✓Court networks with other law-related offices to accomplish success in cooperative projects.
- ✓Court readily uses radio, TV, and newspapers to inform public of changes in law.
- ✓Interactive-video information system available for public use.
- ✓Press guide available for media use.
- ✓Ready court access to "L.E.A.D.S." (criminal justice) information.
- ✓Translators available for hearing impaired and those who speak no English.

Compiled by Lorraine Kardos, Supervisor, Portage County Municipal Court, 214 South Water St., Kent, OH 44240, (216) 678-9100.

The Midtown Community Court

Midtown Manhattan, home of bustling Times Square, is also home of the Midtown Community Court, an experimental project launched in 1993 by New York City's mayor and the chief judge of New York state. The court combines technology, information, and the energy of local residents, businesses, and social-service agencies to provide constructive, accessible, community-based justice to a neighborhood plagued by low-level crime.



The Midtown Community Court's electronic suggestion box allows citizens to communicate with criminal justice officials through a touch-screen computer.

Customer service training

A report by the National Center for State Courts on small-claims and traffic courts notes that a significant factor in litigant satisfaction is the perceived helpfulness of the clerk's office staff. The report suggests that "chief judges and court managers should educate their staff to deal courteously, as well as competently," with litigants, as this enhances public trust and confidence in the courts.

The U.S. District Court for the Middle District of Pennsylvania has developed an exercise called "Courting Customers." The program is designed to promote staff awareness of the public's needs and to

Building on the example of community policing, offenders such as vandals, prostitutes, and purse-snatchers are brought before a judge who can draw on a variety of alternative sentencing options, including substance abuse treatment, education, and health care. Offenders who plead guilty also pay back the community through work projects carried out in the Times Square area. This serves to improve the neighborhood and communicate to the public that crime, however minor, will be punished.

The Midtown Community Court's computer system gives judges and lawyers information to match defendants to appropriate sanctions. Interviewers, using pen-based computers, gather information about defendants' health, employment, and housing status. The computer merges this information with data from the assessment interview, the police, the prosecutor, and other records, easing review of each defendant's case. The computer software also allows court managers to identify case backlogs.

Using technology, the Midtown Community Court is committed to involving the public in the justice system. For instance, the court's electronic suggestion box allows citizens to communicate with criminal justice officials through a touch-screen computer. In addition, a network of large TV monitors displays the court's daily calendar in easily understandable terms, along with the estimated time of arraignment and the outcome of cases that have already been heard.

For additional information contact, Eric Lee, Coordinator of Operations, Midtown Community Court, 314 W. 54th St., New York, NY 10019, (212) 484-2720.

improve the services the clerk's office provides. "Courting Customers," U.S. District Court for the Middle District of Pennsylvania, P.O. Box 1148, Scranton, PA 18501, (717) 347-8019.

"One Customer at a Time" is a videotape guide for improving court services to the public, the legal profession, and the media. To order, contact Marina Perez-Bailey, American Bar Association, Judicial Administration Division, Lawyers Conference, 750 N. Lake Shore Dr., Chicago, IL 60611, (312) 988-5705.

6 For Judges to Consider

Many of the following constructive suggestions for judges were offered by court observers where community court-watcher programs are in place:

Explaining delays When in-chamber conferences run longer than expected, judges or their bailiffs, as a matter of courtesy, are encouraged to explain the delay to jurors and all others in the courtroom. Upon their return to the bench, judges might also briefly explain the nature of the activities that caused them to enter the courtroom later than the scheduled starting time. Court users appreciate explanations for unavoidable delays, since their time is as valuable as the court's.

Demeanor Court observers rarely complain about a judge being too stern, too firm, or too serious. But reports of citizen court watchers are often critical of judicial sarcasm, flippancy, rudeness, weakness, or extreme informality. An appropriate level of decorum enhances the legitimacy of the court and its rulings.

Undivided attention According to court-watcher reports, some judges on the bench look at paperwork instead of giving people appearing before them their undivided attention. Despite the often routine nature of their duties, judges are encouraged to address each person appearing before the court individually and personally.

Explaining sentences Judges who clearly explain in court what a criminal sentence means and the reasons for it enhance the confidence of victims, defendants, and spectators. For example, most lay people do not understand terms such as "supervision," "conditional discharge," and "order of

protection." In addition, a full statement of the reasons for imposing a sentence or making a ruling favoring one party over another increases the public's understanding of and respect for the justice system.

Leaving the courtroom

For some proceedings, judges do not need to be present. Some court watchers have suggested that judges who need to leave the courtroom for any reason offer the courtesy of excusing themselves and explain to others in the courtroom the reason for their departure, even if it is brief.

Granting continuances

There are many reasons why continuances are necessary, but they can also be a nuisance to witnesses and to the litigants who did not request them. To the greatest extent possible, judges are encouraged to minimize the grant of continuances and to keep them short. Judges are also encouraged to require lawyers to provide a satisfactory reason for the request and make the reason for the continuance publicly known.

A word of thanks

"'Thank you' speaks volumes," says one judge who offered his advice on making courts user-friendly. He suggests that judges "thank witnesses for their testimony, thank jurors for their service, and thank court staff now and then for the good job they're doing."

~ Access to Justice ~

Issues and Effective Strategies

Topics for Discussion

❖ How do you get to the courthouse?

- Availability of maps
- Link court website to Mapquest [i.e. LinkFree] for specific locations
- Provide information on public transportation
- Make bus or train tokens available, if possible
- Ensure adequate number of handicapped spaces are available
- Provide additional security in remote parking facilities
- Place drop boxes at key locations for convenience

❖ What about the electronic courthouse?

- Develop a court website
- Place juror information on the website, for example summons information
- Provide a drive up window in facilities where it is possible
- Purchase kiosks
- Explore the use of E-Filing
- Implement fax filing
- Use interactive voice response systems for: jury, payments, general information
- Post tentative ruling information on the website and/or over the telephone
- Allow electronic access to court docket and calendar information

❖ How do you get around once inside the courthouse?

- Provide visible security
- Post court calendars where the public can find them – and understand them
- If possible, have volunteer information officers available
- Review all court signs to ensure there are enough, they are properly worded and displayed
- Determine if bilingual signs would provide better access
- Consider using airport style monitors to post daily calendars in lobbies

- Make sure all courtrooms are numbered clearly
- Review customer traffic patterns to ensure proper staffing

❖ What are the public areas like inside the courthouse?

- Be aware of general cleanliness, particularly in the courtrooms
- Offer a smoke free environment
- Provide waiting areas for children – and if possible – child care
- Ensure the availability of vending machines for beverages and food
- Check to see if water fountains are available and working properly
- Try to create a pleasant atmosphere with artwork and/or plants
- Provide services like telephones, computers and photocopiers

❖ How do we make the courthouse ADA compliant?

This may raise larger facilities issues, but there are a few things we can check for:

- Restrooms
- Elevator access
- Check jury boxes to see if they are wheelchair accessible
- At least one area of the public counter should also be wheelchair accessible
- Make sure listening devices are available and operational
- Seek input from special interest groups

❖ How do we treat hearing impaired and non-English speaking persons?

- Availability of qualified interpreters – including sign language
- Try to provide as much information as possible in bilingual format
- Use telephone services with multiple languages – like AT&T Language Line
- Use Babelfish.com through Alta Vista for document conversion
- Provide listening devices in the courtroom
- Use Realtime for deaf or hearing impaired persons
- Employ as many bilingual staff as possible

❖ How do we treat self-represented litigants?

- Provide information [through videos, pamphlets, books] on court processes
- Work with Legal Aid and the Bar Association to provide volunteers

- Identify specific needs and conduct workshops (i.e., Small Claims, Disolution of Marriage form preparation, etc.)
- Train staff to understand difference between legal information and legal advice
- Print lists with attorney names and prices for services
- Make legal directories available to the public
- Implement outreach programs for people who live in remote areas
- Direct the public to areas where resources are available, like the Law Library

❖ How do we address special needs of minority groups?

- Provide diversity training for judges and staff
- Identify any cultural barriers the court can address by changing procedures
- Analyze demographic information to determine special needs, by race or income
- Establish "specialty courts" (i.e., Homeless Court, etc.)

❖ How do we treat jurors?

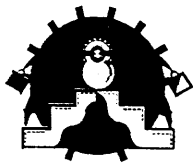
- Make sure instructions on the summons is clear and understandable
- Provide maps
- Provide vouchers or tokens for transportation
- Reserve parking areas for jurors
- Provide sign language interpreters for jurors
- Permit website access to jury information/reporting instructions
- Ensure the assembly room is large enough and there is adequate seating
- Explain the process once jurors have assembled
- Install vending machines with food and beverages
- Provide phone jacks for people using portable computers
- Try to have magazines, television, videos, available while jurors wait
- Process per diem and mileage claims in a timely manner
- Make "comment" cards available for general feedback

❖ What other customer service rules do we live by?

- Courtesy
- Eliminate jargon and acronyms, both verbal and written
- Try to accept various forms of payment (credit cards, ATM cards)
- Provide access to an ATM
- Provide alternate court hours (Saturday and night court)
- Periodically conduct customer service survey's
- Make "suggestion" boxes available
- PROVIDE STAFF WITH CONTINUOUS TRAINING

LinkFree

LinkFree is a free service that lets you link directly to the MapQuest Web site, allowing your users to create maps for any address they choose. When users click on the link, they will go to the MapQuest site. They may use their browser's "back" button to return to your site. LinkFree requires you to submit a brief registration form. Sign up for LinkFree



Court - Community Liaison and Leadership Program
Program Description

(September 6, 2000)

1. Purpose

The purpose of this program is to provide the minority communities and the community of people with disabilities in San Joaquin County with individuals within their community who could serve as an informational reference and who could liaison with the courts. The program will serve to open lines of communication and better inform these communities about their justice system.

2. Components

The program will have three major components. First, participants in the program will attend an "Academy" which will provide them with information covering general topics related to the justice system and topics specific to the local justice system. Second, individuals who "graduate" from the Academy will serve as a liaison function for their communities. They will be available to answer the questions people in their community may have concerning the justice system or know who to contact to get the question answered. Third, participants will serve as representatives for their communities who will meet with representatives of the courts on a quarterly or semi-annual basis to discuss court-related problems or concerns in their communities.

3. Liaison / Leadership Academy

The Academy classes will be held at the Stockton courthouse. The Academy will be held between September 14 and November 30, 2000. Classes will generally be held on Thursday evenings beginning at 6:00 P.M. These classes should last no more than two hours. Additionally, daytime field trips to the courthouse, the San Joaquin County Jail, the San Joaquin County Juvenile Hall, and the Third District Court of Appeals are planned.

The following topics will be presented in the Academy classes.

- The Courts as the Third Branch of Government
- Jury Duty
- Fundamental criminal law and procedure
- Common Issues for Drivers, Traffic Laws and Penalties - Traffic Court
- Juvenile Delinquency Law
- Juvenile Dependency Law
- Family Law
- Domestic Violence Court
- Drug Court
- Probation
- Small Claims
- Fish and Game
- Criminal Defense and Other Legal Services
- Our local justice system and who to call when you have a question.

The following activities are also planned:

- Daytime field trips to the Stockton Branch of the Superior Court to watch specific court proceedings in adult court, such as an arraignment court, family law court, and trial proceedings and also to watch counter staff serve the public.
- Daytime field trips to San Joaquin County Jail and Juvenile Justice Facility.
- Daytime field trip to the Third District Court of Appeal in Sacramento.

4. Participants

For our first year class, it is anticipated that each of the ethnic communities who participated in our 1999 focus group sessions will be represented as well as the community of disabled persons. Under this plan, we will seek representatives of the 1) African-American community, 2) Cambodian community, 3) Community of persons with disabilities, 4) Filipino community, 5) Laotian and Hmong community, 6) Latino community, and 7) Vietnamese community. Other ethnic communities and other groups may be invited to participate in future years.

Organizations in each of the above mentioned communities will designate the people who they want to participate. Those people will then make an application to the court to participate in the program. The total number of participants for the first year class will be no more than 25.

Participants must meet the following criteria:

a. If a participant represents a community where English is not the first language, the participant must be able to speak and read English and be able to speak the language spoken in their community.

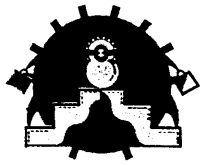
b. The participant must not be an attorney.

c. The participant must have a means of transportation to and from the Stockton courthouse.

d. The participant must pass a background check.

e. The participant must agree to represent their community in a liaison capacity for at least one year.

f. The participant must agree to and sign a Code of Conduct.



Court and Community Leadership and Liaison Academy
Classes / Instructors/ Schedule

(All Classes begin at 6:00 P.M.)

1. September 14, 2000

   Reception / Orientation

2. September 21, 2000

   The Courts as the Third Branch of Government - Judge William Murray

3. September 28, 2000

   Fundamental Criminal Law and Procedure - Judge Richard Vlavianos

4. October 5, 2000

   Domestic Violence Court - Judge Anthony Lucaccini

   Adult Probation - Chuck LaCroix, Deputy Chief Probation Officer

5. October 12, 2000

   Family Law - Commissioner Robin Appel

   Pro per Services - Herbert Horstmann, Family Law Facilitator

6. October 19, 2000

Juvenile Dependency - Judge John Parker

7. October 26, 2000

Drug Court - Judge Rolleen McIlwrath

Criminal Defense Services - Gerald Gleeson, San Joaquin County Public Defender

8. November 2, 2000

Juvenile Delinquency - Judge Michael Platt

9. November 9, 2000

Small Claims - Commissioner Barbara Kronlund

Fish and Game - David Irey, San Joaquin County Deputy District Attorney, Environmental Prosecutions Unit

10. November 16, 2000

Common Issues for Drivers, Traffic Laws and Penalties - Judge Richard Vlavianos

Legal Services - Melody Tolmie, Lawyer Referral Services, Gina Johnston, Family Law Service Center

11. November 30, 2000

Jury Issues - Judge William Murray and Annette Kirby, Deputy Court Executive Officer and Deputy Jury Commissioner

Our Local Justice System and Who to Call When You Have a Question - Jeanne Millsaps, Court Executive Officer and Annette Kirby, Deputy Court Executive Officer

12. December 7, 2000

Rap Session

***Tours*:**

Superior Court - Stockton Branch - TBA
San Joaquin County Jail - TBA
San Joaquin County Juvenile Hall - TBA
Third District Court of Appeals - TBA

COURT - COMMUNITY LEADERSHIP AND LIAISON PROGRAM
CODE OF CONDUCT

I understand that the integrity of the court and the Court-Community Leadership and Liaison Program are important. I agree to abide by the following Code of Conduct.

I agree that I will not do any of the following while acting as a Community Liaison:

- I shall not provide legal advice to other people. I shall not prepare, draft, or fill-in legal documents or forms for other people. I understand that any conduct which constitutes the unauthorized practice of law is a crime.
- I shall not hold myself out to be an employee or agent of the Superior Court. I realize that I am not an agent of the Superior Court.
- I shall not solicit, take or receive funds, gifts, favors, services or any other compensation in exchange for information.
- I shall not engage in any activity that could result in a conflict of interest or use the role as Community Liaison to further personal interests in any way.
- I shall not use the role as Community Liaison as means of achieving an advantage over another person or otherwise abuse my role as a Community Liaison.
- I shall not use the role as a Community Liaison to harass, annoy, or alarm another person.
- I shall not take sides in any dispute among individuals in the community when acting as a Community Liaison.
- I shall not engage in conduct that is contrary to the integrity of the Superior Court.
- I shall not communicate with any judge or commissioner about any pending or impending litigation.
- I shall not try to influence the outcome of any pending or impending case.

- ~~I shall not publically disclose any comments or statements made by fellow Community Liaisons during any Court-Community Leadership and Liaison meeting, including Academy classes. I understand that the comments and statements of my fellow Community Liaisons are confidential unless I have their permission to publically disclose those comments or statements.~~

I agree to do the following:

- I shall attend all Academy classes and activities unless there is good cause which would prevent my attendance.

- I shall attend all regular Court - Community Leadership and Liaison meetings as long as I am a Community Liaison unless there is good cause which would prevent my attendance.

- I shall serve as a Community Liaison for a period of at least one year.

- When requested, I shall furnish information and assist members of the community in a cooperative and timely manner.

- I shall avoid any impropriety and the appearance of impropriety while serving as a Community Liaison.

I have read and agree to each of the above.

_____	_____	_____
Date	Print Name	Signature

Court Location: ❑ Stockton ❑ Lodi ❑ Tracy
❑ Manteca ❑ French Camp

1. PLEASE RATE THE FOLLOWING FOR TODAY'S VISIT:

	Outstanding	Good	Average	Fair	Poor
Promptness	❑	❑	❑	❑	❑
Courtesy	❑	❑	❑	❑	❑
Efficiency	❑	❑	❑	❑	❑
Information	❑	❑	❑	❑	❑

Reason(s) for your visit:

❑ Small Claims ❑ Criminal ❑ Records ❑ Civil
❑ Family Law ❑ Probate ❑ Appeals ❑ Traffic
❑ Jury Services ❑ Juvenile ❑ Passports
❑ Other _____

2. HOW LONG DID YOU WAIT IN LINE?
_____ MINUTES

3. DO YOU HAVE ANY SUGGESTIONS TO IMPROVE OUR SERVICES? _____

_____

_____

4. IF A MEMBER OF OUR STAFF WAS ESPECIALLY HELPFUL, PLEASE LET US KNOW SO THAT WE MAY SHOW OUR APPRECIATION.

_____

HOW WOULD YOU RATE OUR SERVICE OVERALL?

Outstanding	Good	Average	Fair	Poor
❑	❑	❑	❑	❑

TODAY'S DATE _____ AND TIME _____
OF YOUR VISIT.

PLEASE PRINT THE FOLLOWING INFORMATION (Optional):

NAME _____

ADDRESS _____

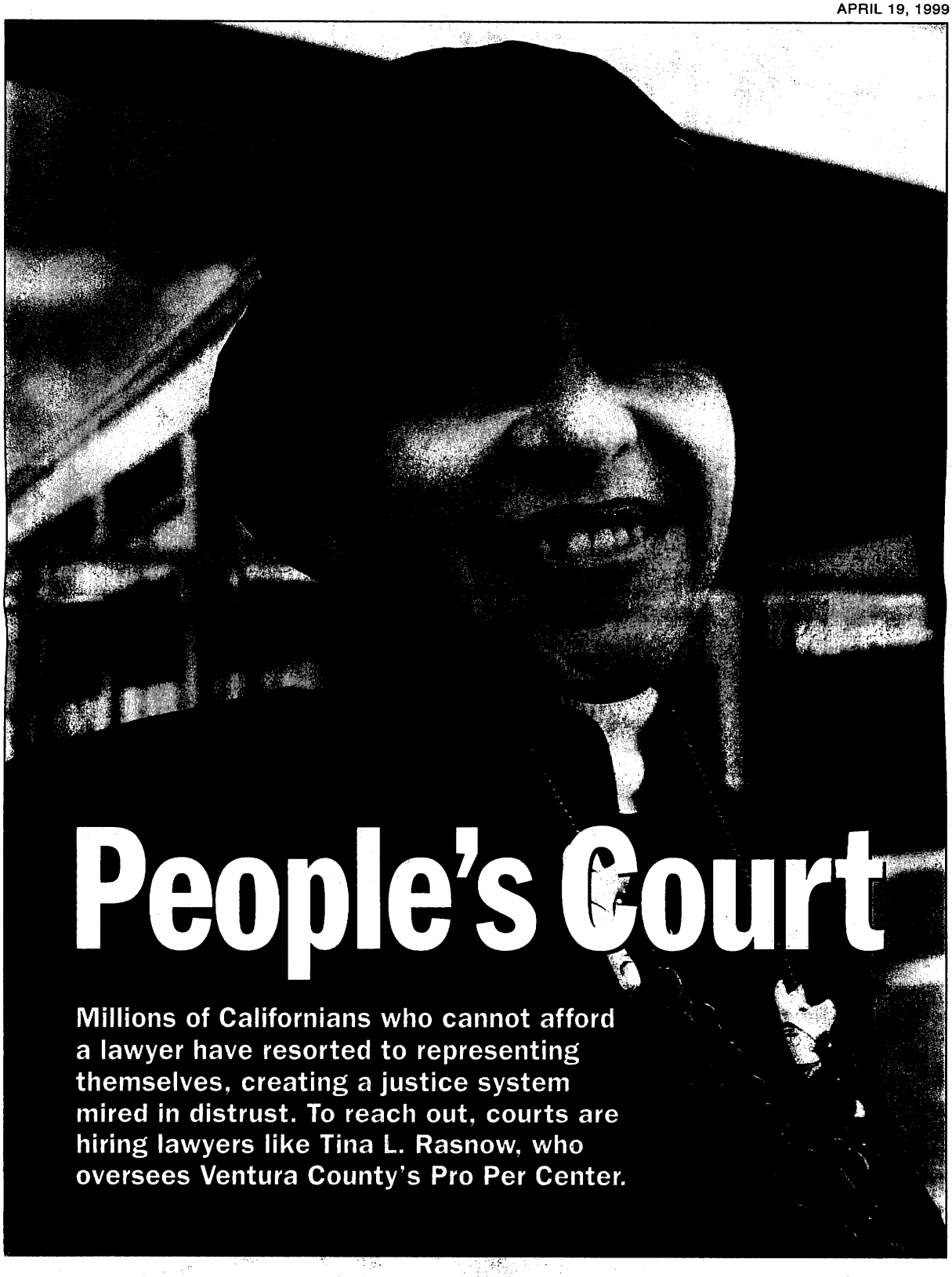
CITY _____ ZIP _____

PHONE _____

Thank you for your comments.
Your opinion will make a difference.
Please drop this card in the Comment Box
before you leave today.

Sup. Ct. 283 (9/98)

CALIFORNIA
LAWBUSINESS
APRIL 19, 1999



People's Court

Millions of Californians who cannot afford a lawyer have resorted to representing themselves, creating a justice system mired in distrust. To reach out, courts are hiring lawyers like Tina L. Rasnow, who oversees Ventura County's Pro Per Center.

SUPPLEMENT TO THE LOS ANGELES DAILY JOURNAL AND SAN FRANCISCO DAILY JOURNAL

The pro per center's Tina L. Rasnow.

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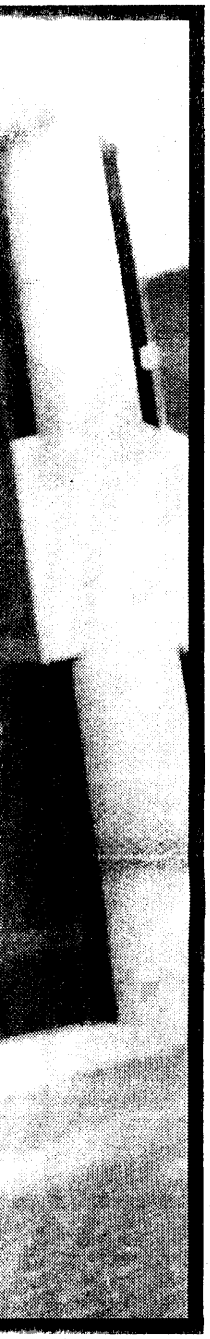


California promises a fair legal shake for everyone but often fails to deliver, thanks to a financial gap that prevents thousands from hiring a lawyer. Now, a few courts are hoping to connect with their communities through efforts like Ventura County's pro per center. By Stephanie Francis Cahill

Not too long ago, a recent immigrant from China found her way to the Ventura County Superior Court, to file a claim against the Los Angeles Police Department. LAPD officers had served "Sue," who did not want her real name used, with a restraining order filed by her American husband and placed her in a county mental facility, where she believed she was heavily sedated. Before turning to the courts, Sue had contacted the LAPD, City Hall and the county hospital where she was detained. All to no avail.

At the end of her rope, Sue found her way to the Ventura courthouse, where she was directed to Tina L. Rasnow, who runs California's first court-sponsored program for pro pers who need legal help with civil, nonfamily law problems.

Rasnow explained to Sue that not only had her statute of limitations expired, she was also in the wrong county to file a tort claim against the LAPD. For weeks, Sue continued to come to the Self-Help Legal Access Center for consolation while she obtained help with related legal matters. "She would come in here and cry, and we would give her Kleenex," says Rasnow, adding that the center — described by some visitors as "a recovery room" — was one of the few places where Sue had found anyone who would listen to her. "She had a language barrier and was very emotional about what happened," Rasnow says. "We just listened to her and didn't treat her like she was crazy."

For her help, Sue hand-sewed Rasnow a red dress as an expression of gratitude. "Through the process she was able to get closure, and say somebody in your police department wronged me," Rasnow says. "We really couldn't help her get the results she wanted, but we helped her understand why there's a [time] limit and what she could still do."Sue is just one ▶

ce for All

person in a wave of pro pers that have washed over California's courts in the past decade — creating chaos for judges and greatly diminishing the individual's chance of attaining a measure of justice. Like Sue, most of these parties have little choice. Many are unaware of or don't qualify for help provided by legal services organizations — which themselves have been hit by decreased funding and cutbacks in service. Millions of Californians are simply unable to afford the services of a private lawyer.

As more Californians have been shut out of the system, studies have consistently found public distrust and confusion about the court system has increased. A 1992 study by the Judicial Council of California, for instance, found that 52 percent of respondents had a fair or poor opinion of the court system. Only 17 percent reported feeling "extremely confident" about the system. A nationwide survey conducted by the American Bar Association in 1999, however, showed 80 percent of respondents had strong confidence in the American justice system.

What they lacked was much knowledge of it. About 37 percent of the respondents believed a criminal defendant had to prove his innocence in court; only 39 percent could identify the three branches of government.

One avenue to respond to the problem is to guarantee legal services in civil matters — much as counsel is constitutionally required for criminal defendants. This year, California Assemblyman Darrell Steinberg, D-Sacramento, proposed a bill that would increase funding for legal services providers through California's unclaimed property fund. Approximately $180 million in unclaimed property reverted to California's general fund this year.

'The system and judges do everything they can to make sure that people are treated fairly,' says Veronica Simmons McBeth, supervising judge of the Los Angeles County Municipal Court. 'But if people walk into this courthouse and don't have counsel they are lost.'

Whatever the fate of proposals like Steinberg's, judges and poverty lawyers see a need to greatly broaden the access to justice for civil litigants throughout the state. In addition to pro per centers, courts are developing access to justice commissions to consider such measures as automated systems at traffic courts that allow tickets to be paid over the telephone.

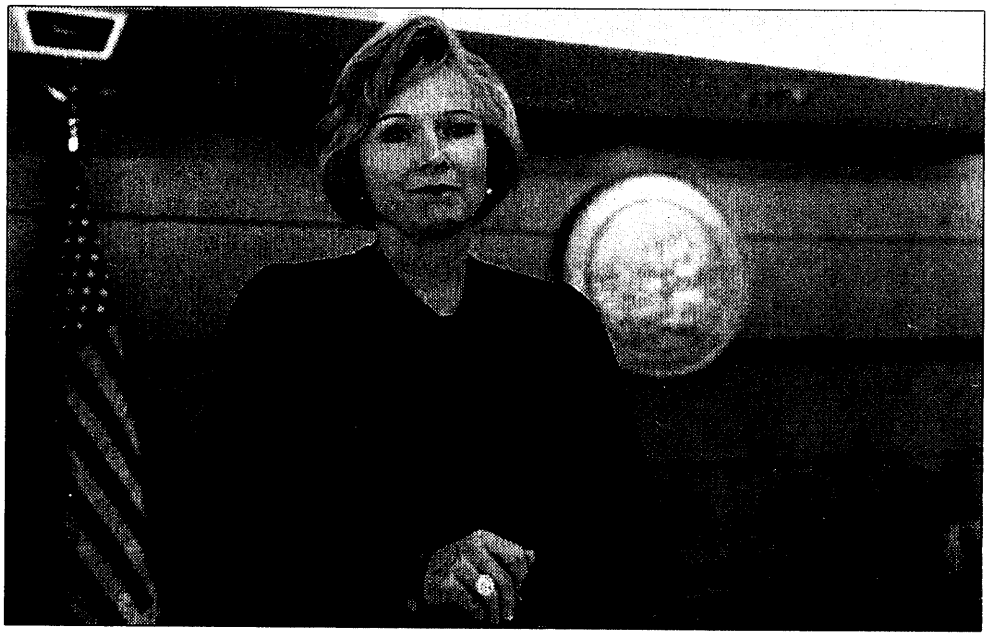
"In the olden days there was an aloofness and sense of separation, and judges really didn't have an interest in making it easier for people. That has completely changed in the last 10 years," says San Diego County Superior Court Judge Judith McConnell, who has been recognized by the Judicial Council of California for her outreach in the areas of gender equity and jury system improvement.

"There's a growing awareness that respect for the court has been diminishing, and part of the reason people have lost respect is because they don't think they are being treated fairly," McConnell said. "What courts do is resolve disputes, and we need to do that as fairly as possible, and make sure people feel they've had a fair hearing."

Backing up judges like McConnell is the Judicial Council, which in February recommended community outreach be considered an official judicial function. Judges should serve as guest speakers about the court system, develop public education programs and work with the public to find ways for the court to be more responsive to their needs, the council recommended.

Those recommendations stemmed from a community outreach task force chaired by Veronica Simmons McBeth, supervising judge of the Los Angeles County Municipal Court. Since she was appointed to the bench in 1981, McBeth has played a large role in bringing the courts closer to the community, for which she has twice been honored by the National Center for State Courts. As part of her efforts, she's also chaired commissions on racial and ethnic bias in the courts.

Currently, McBeth is involved in a Los Angeles municipal court outreach program, called "What Every Priest, Minister, Rabbi and Priest Ought to Know About the Justice System." The program will give judges an opportunity to address the concerns of parishioners in such areas as criminal law and child custody. Additionally, clergy members at the May program, which will take place at the Los Angeles Church of God, will explain problems and concerns the parishioners have about the court system.



'In the olden days there was an aloofness and sense of separation, and judges really didn't have an interest in making it easier for people. That has completely changed in the last 10 years,' says San Diego County Superior Court Judge Judith McConnell.

Top photo by Mark Robert Halper; bottom by Hugh Williams

"So we can modify operations, not decisions," McBeth says.

In her years reaching out to the community, McBeth has found that many people, particularly people of color, believe true access to justice is only attainable by those with money. She witnessed that firsthand in 1985, when she sentenced Milton Avol — a retired Beverly Hills neurosurgeon and slumlord — on a probation violation.

McBeth gave Avol the novel choice of serving 60 days in county jail — or a combination of 30 days in county jail and 30 days under house arrest in one of his own apartments. Avol picked the latter, and moved into a pre-World War I Hollywood apartment he owned, which had been cited for numerous health, fire building and safety code violations.

Newspapers all over the world covered the story and McBeth received more than 400 letters — all of which supported her for holding a wealthy person accountable.

"I think that until we are able to make sure that people have adequate representation in court, that will be a perception that most people have," McBeth says. "The system and judges do everything they can to make sure that people are treated fairly, but if people walk into this courthouse and don't have counsel they are lost."

In Los Angeles, the Superior Court is also working with the Los Angeles County Bar Association to establish a pilot pro per program similar to Ventura County's. If the county board of supervisors agrees to fund the program, it will start this year in the San Fernando branch court. If the program is successful, McBeth would like to see it offered in other Los Angeles County courts.

"We're waiting to see if it works, work out the bugs and see how much it costs," she says.

Los Angeles is not alone in keeping an eye on the Ventura Center. Courts throughout the United States have expressed interest, as have legal representatives from Singapore and Canada.

"I don't see why [the program] wouldn't work in other places, it's pretty simple," Rasnow says. "We just make the courts more accessible to people, and provide information that allows them to navigate the system."

The pro per center opened in January 1998. Staffed by Rasnow, a former sole practitioner, and a senior court clerk, the center does not give legal advice. Its staff and volunteers listen to the visitors' problems and help them understand the law that applies to their issues, free of charge. Since it opened, the center has helped more than 6,000 people. In December 1998, the county opened a second branch in Oxnard. Annual funding for the self-help center costs Ventura County approximately $115,000.

"A lot of people just need to vent, and they want someone to listen to them," says Rasnow, who in addition to law student, paralegal and attorney volunteers relies on volunteers with no background in the law. Their job is to listen to the people who come to the center for help, and determine what the actual legal problem is. Once they've accomplished that, the pro per is directed to Rasnow.

Besides directly assisting pro pers, much of Rasnow's job is writing booklets about laws and codes. She writes the text in short sentences, and uses words with fewer than three syllables, so they can be comprehended by someone with a fifth-grade reading level.

Instead of saying "describe what happened," Rasnow explains, "we use the word 'put,' because describe is a big word for some people."

The booklets are broken up into two-page sections, "so we don't give people 12-page sections and they are overwhelmed," Rasnow continued. At the end of each booklet a choice, along with the potential consequences of the choice, is listed.

"We tell them if they want to answer [a complaint] go to the next booklet, which shows them how to fill out an answer form," Rasnow says. "Then it explains an affirmative defense, and if you want to learn about an affirmative defense, go to the next packet."

If the person is illiterate, or doesn't know how to read the language in which the pamphlets are written, someone from the center will explain the section, and write out the person's responses. As the booklets are written, they are also translated into Spanish.

"A lot of the people we see tend to feel as if the government and the courts are really there to victimize the little guy," Rasnow says. "Once they understand the law and it makes sense to them, they don't feel the courts are here to victimize them, or the government is their enemy."

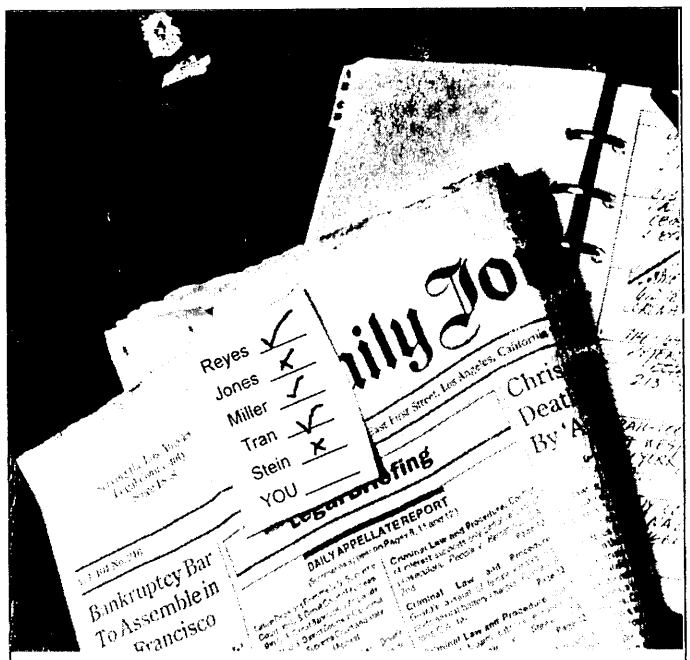
Still, a small number of lawyers and judges question whether community outreach is an appropriate role for members of the bench. Some also worry about ethical issues, like being linked to a political activity that is not law-related, or saying something controversial, which leads the public to conclude she is unwilling to enforce the law. Los Angeles County Municipal Court Judge Kevin Ross ran for a spot on the Inglewood municipal court bench last year and saw those issues up close. Much of Ross' campaign was centered around being from and understanding the Los Angeles South Bay community.

"Oftentimes I would hear from the legal community that was not what being a judge is about, it's about knowing the law," says Ross, a former Los Angeles County deputy district attorney.

However many Inglewood voters also appeared to feel community was important. Ross was elected to the bench in June.

As a judge, Ross is making good on his community-outreach campaign platform. His February enrobing ceremony was held at Crozier Junior High School, across the street from the Inglewood Municipal courthouse. The school's student body president attended the ceremony, which included a drill team performance by the school's ROTC unit.

"I knew it would be a good opportunity for students to see living history, and see all of the other African American judges and lawyers involved in the justice community," says Ross, who is African American. "That was my first statement, and I thought that would be a good statement to make." ■



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