B. Program Designs

The development of services to make legal information and education available to the public was the primary concern in all the action plans, but it was not the only concern. Assessments of the needs of self-represented litigants led the 45 courts that submitted action plans to design assistance programs around four strategic access-to-justice concerns:

a. Access to legal information and assistance, including legal representation;
b. Usability of legal systems;
c. Physical access to courthouse services; and
d. Usability of courthouse facilities.

Each group of courts, regardless of size, addressed these four areas to some degree.

ACCESS TO LEGAL INFORMATION AND ASSISTANCE

The areas of the law in which the local action plans proposed providing services reflected those set out in the needs assessments, with family law being the largest category. Forty-two (96 percent) of the 45 action plans proposed the establishment or extension of a self-help center, with staff to answer the questions of self-represented litigants. One of the small courts and two of the medium-sized courts proposed self-help-only services, without staff to assist.

The small court that proposed self-help-only services planned to provide those services in outposts in the community. Service delivery would consist of written and technological vehicles, including forms with written instructions, educational brochures, videos, computers, the Web, and a telephone tree.

The two medium-sized courts that proposed self-help-only services also planned to provide those services outside the courthouse, in the community. One planned to use a mobile van. Both plans provided for instructional materials, computers, kiosks with interactive forms, and videos. One plan included a telephone tree, and another proposed educational programming on cable television.

Staff-Assisted Self-Help Centers

Staffing strategies for the self-help centers did not vary much among the counties. Thirty-three (79 percent) of the 42 plans proposing self-help centers with staff to answer questions structured the staff around attorneys. Their staff descriptions also included paralegals, legal assistants, court clerks, law students, and resource coordinators.

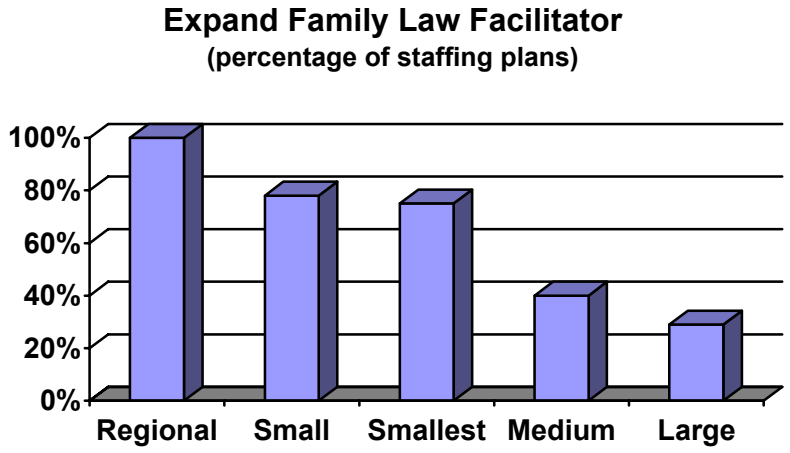
For the most part, the action plans provided for attorney supervision of the non-attorney staff. Only four counties proposed using paralegals or legal assistants without attorney supervision. Each size category had one of those four. Two of the smaller counties

proposed using court clerks in its self-help center, without attorney supervision. Two courts proposed using resource coordinators without attorney supervision, but these individuals were simply intended to provide referrals to other service providers. All of the plans that proposed staff in the "other" category also proposed attorney supervision. The use of attorneys and attorney supervision did not seem to vary according to court size.

Proposed Staffing Structures								
Counties	**Number of Counties With Staff**	**Type of Staff Proposed**						
		Attorney Supervisors		**Paralegal/ Legal Assistant**	**Court Clerk**	**Law Student**	**Resource Coordinator**	**Other**
		No. of Plans	% of Plans	No. of Plans	No. of Plans	No. of Plans	No. of Plans	No. of Plans
Smallest < 5 judges	8	6	*75%*	4	3	0	1	0
Small <15 judges	9	9	*100%*	3	4	0	1	2
Medium <50 judges	10	5	*50%*	4	3	0	1	2
Large 50+ judges	7	5	*71%*	1	0	0	1	4
Regional	8	8	*100%*	0	0	3	0	5
Totals	42	33	*79%*	12	10	3	4	13

The "other" category includes small claims advisors, interpreters, individuals to walk self-help litigants with special needs through the entire court process, and various volunteers from the community.

There was variation, however, in whether and how the counties proposed to expand the services of their family law facilitators' offices. Twenty-seven (82 percent) of the 33 counties planning to provide attorney assistance proposed expanding their family law facilitators' offices. Some of the plans sought to expand the facilitator services to include matters other than child support. Others were simply seeking to increase existing facilitator services from part-time to full-time. The fact that the smaller counties were more likely to propose expansion of the family law facilitator services probably reflects a number of courts with only part-time facilitator services. One of the large courts included expansion of the facilitator service to provide case management and settlement conference services in family law. Several plans proposed building their self-help centers upon the foundations already established by the family law facilitators and expanding that service to provide assistance in all areas of civil litigation.



Service Delivery Methods

Individual Assistance and Workshops. The most frequent method proposed for providing legal information and education was the use of staff to answer questions. Twenty-eight (67 percent) of the 42 plans proposing staffed self-help centers envisioned delivery of this service through one-on-one communication. They proposed that staff be available in the self-help centers to help with the completion of correct paperwork and give information about court procedures throughout the process, from filing until judgment.

Another 14 (33 percent) of the courts proposing staffed programs planned to provide legal information and education through the use of workshops and clinics. Two of the three regional plans included workshops. Seven of the smallest and small courts also proposed conducting workshops.

None of the medium-sized courts and only one of the large courts proposed using workshops to provide legal information and assistance. In the large counties, this may reflect the fact that the action plans tend to focus on unlawful detainer and other civil litigation matters. Workshops are less optimal in time-sensitive matters such as answering unlawful detainer actions. Also, other civil matters do not have the same types of legal and procedural uniformity found in many family law matters. Workshops are less effective for groups with a wide diversity of issues.

Telephone Assistance. Nine (21 percent) of the action plans proposing staffed self-help centers also proposed a telephone help line to provide legal information and education to the public. All size categories except the smallest included at least one plan that proposed access to legal information by a telephone line answered by staff. Two of the regional plans included telephone access to legal information. One small county and one large

county also proposed making telephone assistance available. Two of the medium-sized county plans included help lines.

Courtroom Assistance. Ten (24 percent) of the local action plans proposing staffed self-help centers put forward the idea of using staff to provide assistance either in or near the courtroom. Specific courtroom services that were mentioned included providing procedural information to the litigants who were there for a hearing, conducting settlement negotiations on financial matters, and preparing orders after hearings. There were two action plans each from the small and medium counties and one regional plan that proposed one or another of these services.

Only one of the smallest counties included courtroom assistance in its action plan. That plan proposed providing compliance assistance to self-represented litigants by explaining court orders and helping them obtain court-ordered services, such as batterers' intervention, parent education, or supervised visitation.

Two of the large counties proposed courtroom assistance. One plan included family law facilitator staff to conduct case management conferences in addition to other courtroom assistance. The other large county plan included the provision of staff to accompany litigants with special needs to their court hearings and to help them obtain court-ordered services.

Written Materials. Thirty-two (71 percent) of the action plans specifically mentioned the use of written materials to instruct self-represented litigants in forms completion and basic court procedures. Written materials mentioned included forms packets with instructions, self-help books, procedural flowcharts, and easy reference cards. Also mentioned were instructional audiotapes and general information brochures about the court and how it operates. All three of the non-staffed plans relied heavily on such materials to assist the public. Twenty-nine (69 percent) of the courts proposing staff also proposed the use of written materials to supplement their services. Written materials were a major strategy for supplying language access. Most materials were planned to be translated into two or more non-English languages.

Use of Technology. All three of the action plans proposing self-help-only service centers also proposed various kinds of technology to assist the public. In addition, more than 90 percent of the 42 plans proposing staffed self-help centers also included technological strategies. The technology proposed by the local action plans fell into two major categories. First was technology intended to support and facilitate communication between self-represented litigants and staff. The second category was technology designed for use by litigants alone, without the necessity of staff.

Communication With Staff. Of the 42 action plans proposing staffed self-help centers, 38 (90 percent) proposed the use of technology, and 18 of those (47 percent) included technological ways by which communication between self-represented litigants and staff could be facilitated.

- *Telephone help lines*. As already discussed, 9 (21 percent) of the plans proposing staffed self-help centers also proposed implementing telephone help lines that would be answered in real time by the centers' staff . It is important to differentiate these help lines from telephone trees in which no live person would be available to answer individual callers' questions.

- *Videoconferencing*. Eight (19 percent) of the 42 counties with staffed action plans proposed using videoconferencing to connect litigants from more remote areas with staff at the self-help centers. Two of the smallest county plans and two of the regional plans proposed using videoconferencing technology to conduct workshops for the public. One plan each from the small and medium courts also proposed using videoconferencing to help staff assist the public. There were also two video-conferencing proposals from the large counties. In one of those plans, videoconferencing was proposed for conducting child custody mediations, and in the other it was to be used to conduct hearings for nonresident litigants.

- *Fax or e-mail.* One of the small courts proposed using the fax transmission to assist with forms completion for customers who could not make it to the court. One of the regional plans proposed answering questions for the public by e-mail.

- *Computer networking.* One of the smallest counties and two of the medium counties proposed creating a networking system between the court and community service providers. One of those in the medium courts also planned to develop a touch-screen referral network to help litigants contact service providers directly from the courthouse.

- *Other communication technology.* One of the medium-sized courts planned to use a telephone interpreter service to address language issues. One regional plan mentioned communication technology without further specification. Two plans proposed giving educational presentations on local cable television channels.

Self-Help-Only. Forty (93 percent) of all the action plans proposed the use of self-help-only technology. All three of the counties whose action plans did not include the use of staff to answer questions proposed the use of self-help-only technology. Thirty-seven (88

percent) of the 42 plans proposing staff also included self-help-only technology to provide additional assistance.

- *Computers available to the public*. All of the plans without staff and 31 (74 percent) of the ones with staff specified that they will have computers available for the public to use.

  1. Online assistance—One of the two medium-sized counties proposing non-staffed self-help centers proposed giving self-represented litigants online computer assistance with forms completion. Twenty-one (50 percent) of the plans with staff also included online assistance for the public.

  2. Website expansion—The two medium-sized courts proposing non-staffed programs indicated that they intended to expand their court web sites to provide more information to self-represented litigants. Nineteen (45 percent) of the plans with staff included expansion of court web sites to provide more information.

  3. Interactive forms programs—Two of the plans without staff and 12 (29 percent) of the plans with staff proposed the use of interactive forms programs to help self-represented litigants with paperwork.

- *Kiosks.* Two of the 3 plans without staff proposed the use of kiosks to help litigants fill out forms. The kiosks would contain interactive forms programs that include instructions. Sixteen of the programs with staff also proposed the use of kiosks, particularly in outpost locations. Eleven of these 16 plans proposed using kiosks in locations such as mobile vans, libraries, domestic violence shelters, or other community service locations.

- *Videos.* Two of the three plans without staff propose making instructional videos available to self-represented litigants. Seventeen (41 percent) of the plans with staff also included the use of instructional videos.

- *Telephone trees*. All three of the plans without staff proposed the use of telephone trees to deliver information to litigants. One of the regional plans suggested a 24-hour telephone tree service. None of the other staffed plans proposed the use of telephone trees.

Legal Representation Referrals

The majority (71 percent) of the action plans did not address the issue of full-service legal representation for self-represented litigants. The collaboration with local bar associations in most plans focused on providing services to litigants who would remain self-represented.

One of the plans without staff proposed having a directory of attorney referrals, promoting unbundling, and offering incentives for attorneys to work pro bono, such as calendar preference, pro bono credit, or MCLE credit. One of the regional court groups and one large court also proposed attorney incentives, such as calendar preference.

There was one action plan with staff in each of the county size categories that proposed making attorney referrals.

Eleven (26 percent) of the plans with staff proposed working with local bar associations to promote the unbundling of legal services.

USABILITY OF THE LEGAL SYSTEM

Thirty-two (71 percent) of the 52 total local action plans proposed system changes intended to improve the efficiency of court operations and increase the usability of the justice system for the public. Of those plans that proposed systems changes, 18 (56 percent) included changes in legal procedure and operations. The medium-sized and large courts were more likely to propose changes in legal processing.

Case Management

Eleven (61 percent) of those 18 counties proposed case management techniques to improve the processing of pro se cases. A variety of case management ideas was proposed.

One large court proposed assigning self-help center staff in family law cases to conduct status reviews for pro se litigants. This court had assessed the volume of pro se cases that were not prosecuted to judgment. It sought to clear its backlog of abandoned actions and to assist litigants in completing their cases. Litigants would be noticed to appear for a status conference with the self-help staff. The staff would then help the litigants proceed with the case, should they so desire. Settlement discussions would be conducted whenever possible, stipulations prepared and submitted, default paperwork completed, and the case set for trial when no agreement was possible.

Another large court had conducted a survey of courthouse users on a given day and found that a major complaint was the amount of time it took to conduct business at the courthouse. As a result, that plan included a proposal for staggered hearing times in hopes of reducing the amount of waiting time at court.

One of the smallest courts proposed clustering its domestic violence cases into a domestic violence court based on the assessment that this population was nearly 100 percent pro se. The clustering of cases is intended to facilitate making ancillary support services more available at the courthouse for the litigants. Another of the smallest courts proposed post-

hearing case management to help litigants comply with their court orders by facilitating access to court-ordered services. One of the largest counties also proposed providing post-hearing compliance assistance to self-represented litigants.

One medium-sized court proposed a system by which orders after hearings would be prepared for the litigants so that everyone could leave with an order in hand.

Another medium-sized court proposed having self-help center staff conduct pre-hearing orientations for litigants. This staff would review files prior to hearings to determine readiness to proceed. One regional plan and one small court also proposed pre-hearing orientations.

Simplification and Uniformity—Local Rules and Procedures

Eight (44 percent) of the 18 plans that included changes in legal rules and procedures proposed simplifying rules and procedures to assist both the court and litigants in case processing.

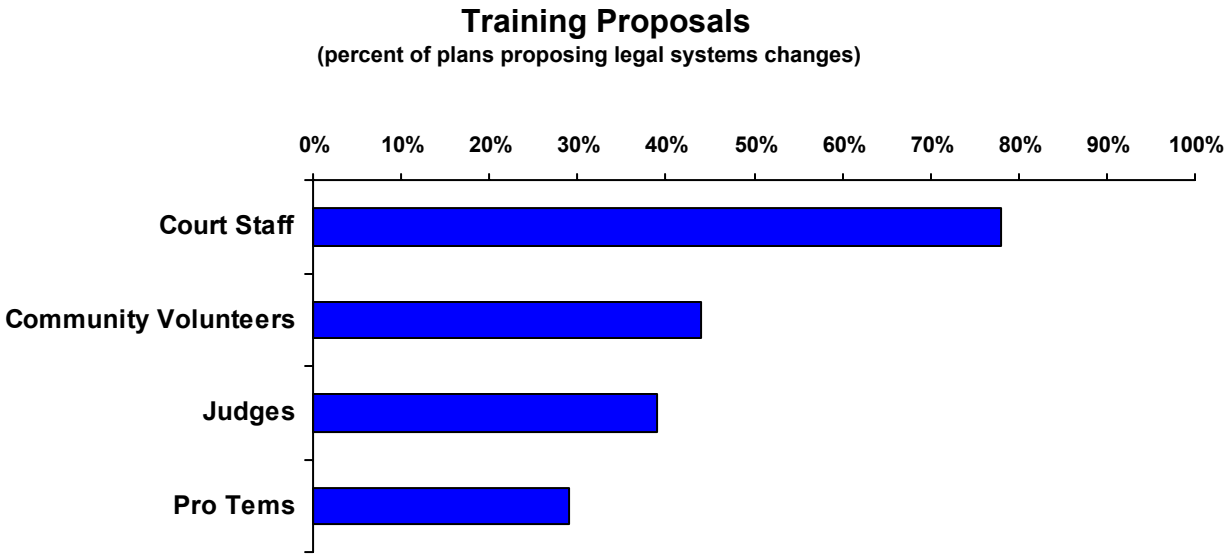
Four medium-sized counties made such proposals. Two proposed simplifying legal forms. One proposed simplifying local rules in family law, and another suggested simplifying the instructions that were handed out with the forms.

Three of the large counties also proposed changing local rules to simplify procedures. One of the counties also wanted to simplify the process by which the public could access case registry information and minute orders.

One of the regional plans clearly set the goal of developing uniform local rules among the three counties the program was servicing.

Training of Court Personnel

All 18 of the courts whose plans included changes in legal systems proposed training for court staff, judicial officers, and community volunteers with respect to the handling of pro se cases.



Fourteen of these 18 courts cited lack of training in their needs assessments. The other four included training in their program designs.

At least one plan from each county size group included training for court staff. The medium-sized and large counties were more likely to have plans that included training for staff. All eight of the medium-sized counties proposing legal systems changes included training for court staff. Those 8 counties made up 75 percent of all the medium-sized county action plans.

In the large counties, three mentioned training in their needs assessments; however, four included training for court staff in their program designs. Those four counties make up 75 percent of those proposing legal systems changes, and 57 percent of all in the large courts group.

Three of the smaller courts and one regional group also included training for court staff in their program designs.

Eight (44 percent) of the 18 courts that proposed training included training for volunteers from the community. None of the smallest counties proposed training for community volunteers. Two small counties, four medium counties, and two large counties proposed training for community volunteers. Two of the medium counties proposed a "train the trainers" strategy designed to teach community service providers how to assist self-represented litigants.

Eleven (61 percent) of these 18 action plans included proposals for training judges and pro tem judges. Eight of these plans came from large and medium-sized counties. Only two

small counties included judicial training in their plans. None of the smallest counties or regional plans proposed judicial training.

PHYSICAL ACCESS TO COURTHOUSE SERVICES

All of the local action plans had some strategy to address the issue of physical access to the courthouse. The plans for physical access fell into two basic categories: (a) in-person access and (b) technological access. As already noted, the smaller courts were more likely to propose technical access solutions. In those counties, resources tend to be scarcer, and the development of critical centralized services is still in progress. For example, many of the courts that still have only part-time family law facilitators fall within these smaller court categories. As a consequence, many of the action plans in this group focused on expanding the family law facilitator service and completing the development of other critical centralized services.

In-Person Access

The majority of plans citing geographic access as a barrier for self-represented litigants in their needs assessments proposed strategies to provide in-person physical access to the court facilities. The proposed solutions for in-person access follow.

Counties	Geographic Access Issues Cited		Proposed Solutions		
			Outpost Facilities	Mobile Vans	Transportation to Courthouse
	Number of Counties	Percentage in size category	Number of Counties	Number of Counties	Number of Counties
Smallest < 5 judges	5	63%	2	1	—
Small <15 judges	7	70%	5	—	1
Medium <50 judges	8	67%	4	3	
Large 50+ judges	3	43%	4	3	1
Regional	3	37%	3	5	3
Totals	**26**	58%	**18**	**12**	**5**

Proposed "outposts" included expansions of services to additional court locations in remote areas and placing specified services in libraries or community centers. One court proposed establishing regional traffic centers. Another proposed taking legal information services into the jails to make assistance with family law matters available to prisoners.

Technological Access

Nearly all of the action plans citing geographic access as a barrier for self-represented litigants made some sort of proposal for technical access to the court. There were 40 of the total 45 action plans that included technology strategies of various kinds. Over half of these included technology to help solve the geographic access problem.

Extended Hours. Seven counties proposed to extend the hours that the courthouse was open so that those unable to make it to the court during the workday could access the court after work or on a weekend day. One of the smallest, one small, and two medium-size counties proposed extending their hours. One of the regional plans also proposed to extend court hours. None of the large counties included this strategy in their action plans.

Courthouse Security. One court identified courthouse security as a physical access issue for victims of family violence. That plan included a proposal to increase security measures to protect the safety of such individuals when they have courthouse business to conduct.

TECHNOLOGICAL GEOGRAPHIC ACCESS STRATEGIES

Counties	Geographic Access Issues Cited		Proposed Solutions						
			Telephone Help Line (staffed)	Video-Conf.	Fax/ Email	On-Line/ Kiosks	Websites	Phone Tree	E-Filing
	Number of Counties	% in size category	Number of Counties	Number of Counties	Number of Counties	Number of Counties	Number of Counties	Number of Counties	Number of Counties
Smallest < 5 judges	**5**	63%	**0**	**2**	**0**	**3**	**2**	**0**	**0**
Small <15 judges	**7**	70%	**1**	**1**	**1**	**1**	**3**	**1**	**0**
Medium <50 judges	**8**	67%	**2**	**1**	**0**	**6**	**8**	**2**	**0**
Large 50+ judges	**3**	43%	**1**	**1**	**0**	**4**	**2**	**0**	**2**
Regional	**3**	37%	**5**	**3**	**3**	**8**	**6**	**3**	**0**
Totals	**26**	58%	**9**	**8**	**4**	**22**	**21**	**6**	**2**

USABILITY OF COURTHOUSE FACILITIES

General Information

Eighteen (40 percent) of the 45 action plans contained a proposal to provide the public with general information at the courthouse that would make it easier to use while doing court business.

Information Booths. Thirteen counties proposed installing information booths. These booths would have written materials about the court, instructions, and directions for courthouse facilities. No legal information or assistance would be available at the booths. Most of the plans that included information booths proposed that they be staffed with volunteers from the community.

Maps and Signage. Nine of the action plans proposed using signage at the courthouse to help litigants negotiate the facility. Five of the plans described detailed maps in the courthouse that would help people find the location they needed.

Facilities

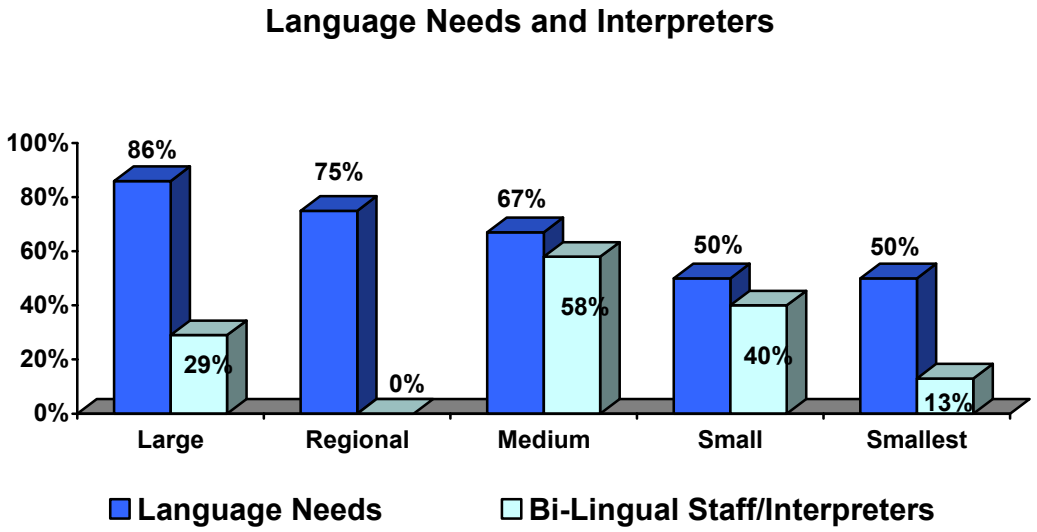
Sixteen (36 percent) of the action plans included proposals for changes in courthouse facilities that would help self-represented litigants use the courthouse.

Children's Waiting Rooms. Seven of the counties proposed the creation of children's waiting rooms. One regional court and at least one court from each of the other size categories proposed a children's waiting room. Thus, the need for this facility was not related to the size of the court but the number of children anticipated. Some plans included detailed descriptions of parents under tremendous stress coming to the courthouse and trying to conduct their business with small children in tow. The lack of a place for the children to wait causes frustration for both litigants and court staff.

Other Waiting Areas. One of the regional plans and one of the small counties proposed waiting areas for litigants who are at court for hearings. There was concern about overcrowding in the courtrooms. An additional concern was the need for a safe waiting area for victims of family violence who have a court hearing at which the alleged perpetrator is present.

Space for Self-Represented Litigants to Work. Nine courts proposed creating space in the courthouse for self-represented litigants to sit down and work. At the minimum, litigants need tables and chairs so they can sit and read instructions and complete forms. Additionally, five of the plans specified providing copy machines for the public to use at the courthouse.

Interpreter Services. As already mentioned, 29 (64 percent) of the total action plans cited language as a barrier for self-represented litigants. Fourteen (48 percent) of those 29 proposals included plans to make staff available to provide services in more than one language. All of the counties proposed the use of translated self-help materials. Fifteen (52 percent) of these counties have chosen to rely exclusively on such translated materials. The regional plans, for example, rely exclusively on translated materials.



The small and medium-sized counties were more likely to propose bilingual staff or interpreters to address the language issue. Seven out of the eight medium sized counties citing language access as a serious issue made such proposals. Two of the largest county plans proposed the use of bilingual staff or interpreters, while six proposed relying on translated self-help materials.

C. Community Partnerships

Partnerships between the court and other community service providers were pivotal to the development of these action plans. All the plans included multiple partners from both government and community in their planning process.

Other government agencies that were included were victim-witness programs, the Department of Child Support Services, district attorneys, public defenders, the Department of Social Services, boards of education, public health agencies, law enforcement agencies, a state hospital, departments of probation, and child care councils.

Examples of community social services and other community organizations that were included were churches, domestic violence services, chambers of commerce, the Rotary, Elks Clubs, Moose Lodges, vocational schools, neighborhood resource centers, senior citizen centers, parenting