

Chapter 3

Fresno County: Spanish-Speaking Model

PROGRAM SNAPSHOT

MODEL TYPE: SPANISH-SPEAKING MODEL

Hours:	Monday through Thursday 8 a.m. to noon and 1:30 to 4 p.m. (closed Friday for workshops/training)
Location:	City of Fresno, one mile from court; next to Office of the Family Law Facilitator
Number of Customers Served:	Monthly average (February 2003–April 2004): 194 Approximately 160 legal assistance and 34 interpretations per month
Number of Staff:	Two full-time staff: the community resource manager and the court examiner
Number of Volunteers:	2 part-time clerical 24 interpreters 2 interns
Types of Services Rendered:	Assistance with completion of forms, procedural information, explanation of court orders, written materials translated into Spanish, document review, case management, referrals to additional legal assistance, and interpretation in court and custody mediation
Case Types Served:	Family law (dissolution; custody/visitation; grandparent visitation; child support, spousal support, paternity, domestic violence); Probate (guardianship); Landlord/tenant (unlawful detainer); General Civil (civil harassment, elder abuse, name change); Immigration
Methods of Service Delivery:	Individual assistance and workshops, interpreter services at court

Background

Fresno County is located in central California and is the 10th largest county in the state. It covers about 6,000 square miles, and is the most productive agricultural area in the nation. The population of Fresno County is 799,407. Slightly more than 50 percent of the population resides in the city of Fresno, which is the largest urban area in the county and the location of the main courthouse. The county includes 26 other cities, predominantly small farming communities heavily populated with Hispanic migrant workers. There are nine outlying courts that range from Coalinga (65 miles southwest) to Reedley (20 miles east). In rural areas of Fresno County, the Hispanic population ranges from 65 percent to 98 percent of the total. As of July 2001, Fresno Superior Court had 36 judges, 8 commissioners, and about 461 employees.

Both economic and language barriers have created a critical demand on the court to provide services to a population of self-represented litigants who require legal information and education in Spanish.

Currently, Fresno County is experiencing double-digit unemployment. Whereas the unemployment rate in California is just under 7 percent, Fresno County has peaked at almost 14 percent.¹² The poverty rate in this county (24 percent) is 13 percentage points higher than the state average and double the national average. About 37 percent of Fresno's children live below the poverty line, compared with the statewide average of 18 percent. The median household income for Fresno County (\$34,735) is less than that for the state of California (\$47,493). Almost one-third of the population lacks a high school degree.

Fresno County has one of the highest concentrations of Latino and Spanish-speaking people in California, with a 44 percent Latino population.¹³ About 41 percent speak a language other than English at home, and 77 percent of those speak Spanish. During the last six months of 2001, the Fresno Superior Court provided interpreter services for 19,051 mandated cases; 90 percent involved Spanish-speaking litigants. No interpreter services are mandated for most family law, probate, small claims, or other civil cases. During the fiscal year of 2001–2002, cases filings in these categories were as follows:

- Family law: 4,673
- Probate: 910
- Small claims: 5,051
- Limited civil: 11,275¹⁴

In 2001, about 40 percent of the Spanish-speaking litigants in these cases required language assistance. As they attempt to navigate the process successfully, these individuals face huge challenges, which affect both their ability to seek justice and the court's ability to serve them efficiently. Prior to the establishment of the model self-help project Centro de Recursos Legales, the Fresno court had two assistance programs for self-represented litigants: the family law facilitator and Family Law Information Center. Combined, they provided a wide array of services in the area of family law. However, neither dealt with other civil issues, and neither offered services in Spanish. Furthermore, the Fresno Court responded to budget cuts by withdrawing funds from the Family Law Information Center, and it was closed at about the same time Centro de Recursos Legales was opened. This left the family law facilitator as the only family law self-help program

¹² California Department of Finance, "California Statistical Abstract 2004. Table c-2 Civilian Unemployment Rate by County (2003)".

¹³ U.S. Census Bureau, "Fresno County, CA, Table (1), American Community Survey Office," <http://www.census.gov/acs/www/Products/Profiles/Single/2003/ACS/CA.htm> (accessed January 28, 2005).

¹⁴ Administrative Office of the Courts, "2003 Court Statistics Report (2004)".

for non-Spanish-speaking litigants, and the facilitator program is basically limited to working on issues of child support.

Some community legal services are available in Fresno County. Central California Legal Services provides assistance to individuals who meet the income guidelines on cases involving housing and other civil matters as well as domestic violence. Centro La Familia Advocacy provides assistance to income-qualified individuals in the family law area. Neither program is able to meet the demand for representation, particularly in family law. In addition, no services are available for those litigants who fall outside the income restrictions, yet cannot afford counsel.

The goal of the Centro de Recursos Legales was to fill the gap in services to Spanish-speaking litigants and minimize the barriers they face by providing assistance in completing forms, education about the court process, workshops on various case types, and interpreter services at the court.

Description of Model

Goals of Program

Centro de Recursos Legales was designed to provide court-operated, self-help legal assistance to Fresno County's large Spanish-speaking population. The central goals of the project were as follows:

- Increase access to justice and education by establishing a Spanish-language self-help center that would include instructional materials and workshops in Spanish, and Spanish-speaking staff and volunteers. These services should extend to potential litigants in outlying courts as well as in the main court in the city of Fresno;
- Increase the efficiency and effectiveness of the court system by providing Spanish-language document review of *pro per* forms and by building a volunteer interpreters' bureau through extensive community collaborations; and
- Increase user satisfaction with the court process by making assistance available through the self-help center and volunteer interpreters' bureau.

Focus Areas of Law

Originally, the primary focus of Fresno County's pilot program was to help Spanish-speaking self-represented litigants in guardianship, unlawful detainer, civil harassment, and family law cases. The program expected about half of its customers to need assistance with family law; the Office of the Family Law Facilitator and the Family Law Information Center were expected to continue handling the remaining family law issues, particularly for English-speaking litigants. Due to the unexpected closure of the Family Law Information Center (FLIC), however, services for non-Spanish-speaking family law litigants on issues other than child support were virtually eliminated. The FLIC had been

servicing more than 6,000 self-represented litigants per year, providing assistance in all areas of family law, domestic violence, and guardianship.¹⁵ Its closure left Centro de Recursos Legales as the only court resource available for assistance with family law matters not involving child support. As a result, almost all of the center's customers turned to Centro de Recursos Legales for assistance with family law cases, including divorce, paternity, custody, and visitation, and there is substantial demand for services in English (about 20 percent of customers). In April 2004, the Family Law Information Center was reopened. This has helped to relieve Centro de Recursos Legales of much demand for English-speaking family law assistance.

Project Planning and Start-Up

Two key members of the court staff wrote the grant proposal for Centro de Recursos Legales: a grant writer and the outreach coordinator. The outreach coordinator also organized an advisory committee, which became a critical component during early implementation (see Appendix K for a list of advisory committee members). Involving community members, particularly those in or serving the Spanish-speaking community, was a successful mechanism for establishing trust within that community. It also ensured that the center was not duplicating services available through another community agency.

The advisory committee, formed in July 2002, is composed of nine members, including three court employees. During the planning and early implementation phases, it met monthly to discuss its vision, community needs, and resources available to meet these needs. As the center's operations became more institutionalized, the advisory committee began meeting quarterly.

Also in July 2002, start-up tasks were completed. These included locating space for the center, purchasing furniture and other equipment and supplies, and installing telephone lines. Other start-up tasks completed between July and October of 2002 include:

- A contract with Key Writing to simplify instructions: family law, guardianship, civil harassment, and unlawful detainer cases;
- A contract with Panagraph to develop a poster and brochure as promotional materials for the center;
- Arrangements for the dedication of the center on October 10, 2002; and
- Translation of the first set of simplified instructions (in family law) into Spanish by the Court Interpreter Division.

Centro de Recursos Legales is located in a one-story building about one mile from the Fresno County Superior Courthouse. The self-help center and the Office of the Family Law Facilitator are located across from each other (a small courtyard separates the two

¹⁵ Administrative Office of the Courts, "A Report to the California Legislature - Family Law Information Centers: An Evaluation of Three Pilot Programs (2002)".

offices) in the same building. Litigants can use the clerk's office in the family law facilitator's office to file documents so they do not have to travel to the courthouse. Signage (in either English or Spanish) directing visitors to the center is limited, which may make locating the center more difficult. As the number of customers has increased, the space has become insufficient, particularly in the lobby/waiting area.

People interviewed by the evaluation team (hereafter respondents; see Appendix B) during the first site visit expressed concern about the center's location away from the main court, but during the second site visit, this concern had lessened somewhat. Respondents explained that the center's proximity to the Office of the Family Law Facilitator mitigates the negative aspects of the location for several reasons: (1) individuals can file paperwork with the clerk in the facilitator's office, making a trip to the court unnecessary for most customers; (2) the majority of customers receiving assistance at Centro de Recursos Legales are doing so for a family law case, and many are already familiar with the facilitator's office or may be referred there if the case involves only child support; and (3) the physical location is close to the highway, has ample street parking, and is on a bus route. There is a significant advantage in locating the center near the family law facilitator's office because the two programs can operate a seamless system of referrals. The attorney in the facilitator's office can provide valuable legal expertise to the center's director, and the center can assist monolingual Spanish-speaking customers who come into the facilitator's office. However, respondents continued to express the desire to see the center moved either to the court or to a building within walking distance of the court. A continuing concern expressed by interviewees is security, which is not provided by the court at the center or the Office of the Family Law Facilitator.

The advisory committee encouraged the director of the Fresno Health and Consumer Center, a project of Central California Legal Services, to apply for the position of community resource manager at the center. Hired in September 2002, this individual is bilingual and has strong ties to the Latino community. Although not a licensed attorney, he has a law degree and has gained substantial relevant experience while administering a service that provided legal assistance in matters of health care, information and education on legal issues, and representation at administrative hearings. In addition to his legal experience, he was well-respected and trusted within the Spanish-speaking community. His involvement during the planning and start-up phases was critical to gaining the trust of the community and other service providers. He laid the groundwork for the program by establishing linkages with sources for volunteers (see below for more information about volunteers), setting up the office, obtaining written materials for advertising, facilitating the process for translating forms and instructions, and developing volunteer training.

A series of budget cuts that gave priority to senior court staff caused this individual to leave the position at Centro de Recursos Legales early in 2003. In April 2003, a nonattorney and court employee who is also Spanish speaking replaced him. She had

more than 15 years of experience within court operations and brought an important set of skills to the position. Also due to budget cuts, a non-Spanish-speaking document examiner with extensive family law experience was assigned to the center. In 2004, a Spanish-speaking document examiner replaced this person.

Centro de Recursos Legales officially opened its doors in October 2002. By the end of that year, three volunteers had completed legal training and were assisting litigants. Two volunteer clerical workers and four volunteer interpreters had been recruited. The recruiting and training of volunteers has remained a central strategy for this program.

Populations Served

Volume

As illustrated in figure 3.1, according to quarterly reports and service tracking forms, Fresno’s center serves roughly 150 customers per month, and this number appears to be increasing. Both the quarterly report and the service tracking forms report that more than 200 customers were served in the most recent month for which data are available, March 2004.¹⁶

Figure 3.1
Fresno Center Volume Data

Month	Quarterly Reports	Intake Forms	Service Tracking Forms
June 2003	170	13	64
July 2003	163	53	153
August 2003	157	65	156
September 2003	116	63	228
October 2003	156	60	161
November 2003	156	62	151
March 2004	204	64	223
Monthly average	160	54	162

Demographics

Gender. Most customers at Centro de Recursos Legales are female (59 percent), and most cases are in the area of family law. About 63 percent of the customers in cases involving dissolution are female; however, if the case involves paternity, 70 percent of customers are men. In domestic violence cases, 58 percent of customers are female.

Age. More than 60 percent of customers are age 39 or younger. The Fresno program has a larger percentage of customers in this age range than the programs in San Francisco and

¹⁶ Data from intake forms suggest much lower customer rates because not every customer may have been willing to fill out an intake form.

Butte/Glenn/Tehama counties. In the latter, about half the customers are between the ages of 40 and 60.

Children. Most of the Fresno center’s customers have at least one child (83 percent), and many (38 percent) have three or more children. By comparison, 9 percent of customers in San Francisco county and 18 percent in Butte/Glenn/Tehama counties report three or more children.

Race/ethnicity. About 94 percent of the Fresno center’s customers are Latino.

Language. Most of the customers (87 percent) speak a language other than English at home, usually Spanish (99 percent). About one-third of those customers prefer to receive services in English. Overall, almost half (42 percent) of customers reported they prefer to receive services in English.¹⁷

Education. About 44 percent of customers have an 8th-grade education or less, a proportion approximately eight times as high as the similar group in either the San Francisco or Butte/Glenn/Tehama County programs. Another 23 percent of Fresno’s customers have educational levels between 9th and 11th grade; one-third have graduated from high school, but less than 1 percent earned a bachelor’s degree or more. Although the size of this last group is similar in the Butte/Glenn/Tehama counties program, almost one-third of San Francisco’s customers, by contrast, have a bachelor’s degree or more.

Employment. Half of the Fresno center’s customers are employed (13 percent part-time and 36 percent full-time). These percentages are similar to those reported by the other direct services programs. However, among those who are not working, the Fresno center’s customers are about twice as likely attribute their unemployment to reasons other than disability or retirement. (See figure 3.2 for a summary of demographic information.)

Figure 3.2
Population Served by Fresno Center: Summary Statistics
Customer Intake Forms

	%	N
Gender		
Female	59%	279
Male	41%	195
(missing)		5
Total		479
Age		
10-19 years	1%	4
20-29 years	28%	127
30-39 years	36%	162
40-49 years	25%	112
50 or older	11%	51
(missing)		23
Total		479

¹⁷ A total of 214 customers completed this question, less than half of those completing intake forms overall. It is not clear why so many customers did not answer this question, but it might have affected the results.

Figure 3.2 (continued)

	%	N
Race/Ethnicity ¹		
African American	2%	10
Hispanic	94%	439
White/non-Hispanic	3%	16
Other (including Native American and Asian/Pacific Islander)	0%	2
Speak a language other than English at home		
Yes	87%	406
No	13%	61
(missing)		12
Total		479
If yes, which language?		
Spanish	99%	394
Other	1%	3
(missing)		9
Total		406
Preference of Service Provision Language (for only those who speak a foreign language at home)		
English	33%	57
Spanish	67%	116
Other	1%	1
(missing)		82
Total		406
Monthly household income		
\$500 or less	25%	99
\$501-\$1000	40%	157
\$1001-\$1500	23%	91
\$1501-\$2000	8%	31
\$2001 or more	5%	19
(missing)		82
Total		479
Education		
8th grade or less	44%	188
9th to 11th grade	23%	96
High school graduate or GED	22%	94
Some college	7%	28
Associates Degree, Bachelors Degree, Graduate Degree	4%	18
(missing)		55
Total		479
Number of children		
None	17%	71
One	21%	86
Two	25%	102
Three	22%	90
Four or more	16%	67
(missing)		63
Total		479

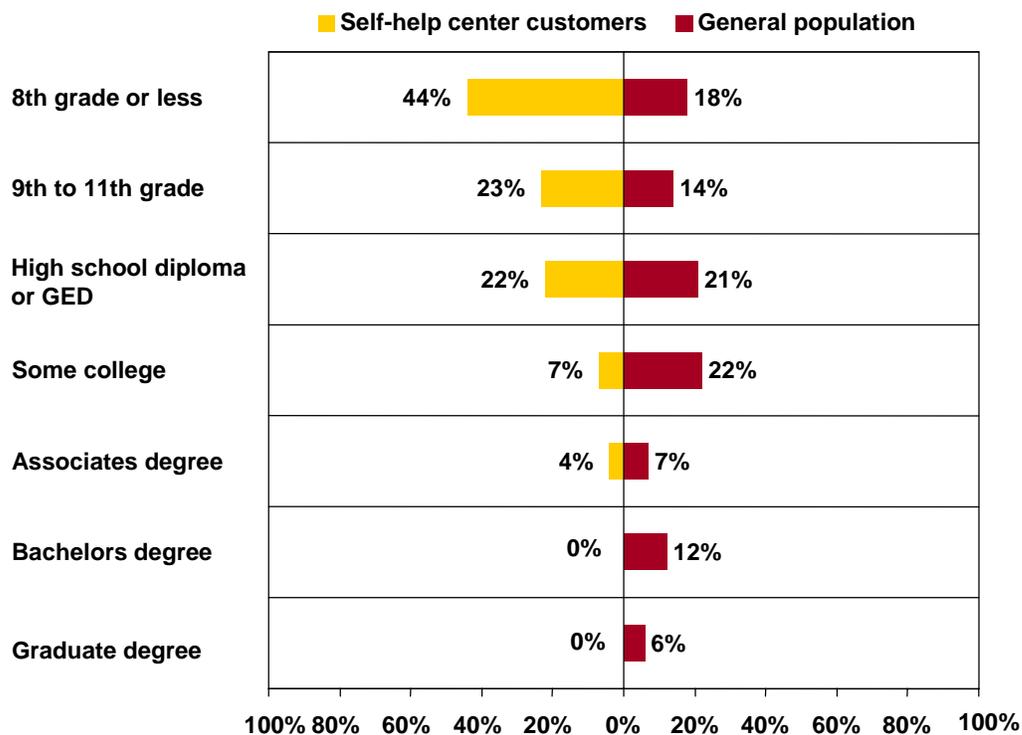
¹ Percentages sum to more than 100 because respondents could select more than one race/ethnicity.

Household income. Although the employment rates of customers in the Fresno center are comparable to those at the centers in Butte/Glenn/Tehama and San Francisco counties, the incomes reported are lower. About 64 percent of the Fresno center's customers report a monthly household income of under \$1,000. This group is more than 20 percentage points larger than the same category in either of the other two direct services programs. In the Fresno center, only 13 percent of customers report incomes exceeding \$1,500 per month. In Butte/Glenn/Tehama counties, about one-third of customers report incomes exceeding \$1,500 per month, as do almost half of the San Francisco center's customers. At the Fresno center, most customers (78 percent) say they cannot afford to hire an attorney.

Other demographic comparisons. Aside from the ethnicity and language characteristics that are expected in a Spanish-speaking self-help center model, the customers of Centro de Recursos Legales are differentiated from customers at the two other direct service programs in Butte/Glenn/Tehama and San Francisco counties in several ways. Centro de Recursos Legales customers tend to be younger and have larger families. There is a higher rate of unemployment. As previously discussed, educational and monthly income levels are also lower.

The Fresno center's customers are also different than the general Fresno County population. Although customers have a high school completion rate similar to the county population, the percentage of customers with less than high school completion is greater, and the percentage with some college is lower. (See figure 3.3). The center was designed to serve the Hispanic population in Fresno county, and when center demographics are compared to the census data for the county's Hispanic population, the distribution of education levels is fairly comparable. Centro de Recursos customers reflect higher rates below the high school graduate level lower rates above high school.

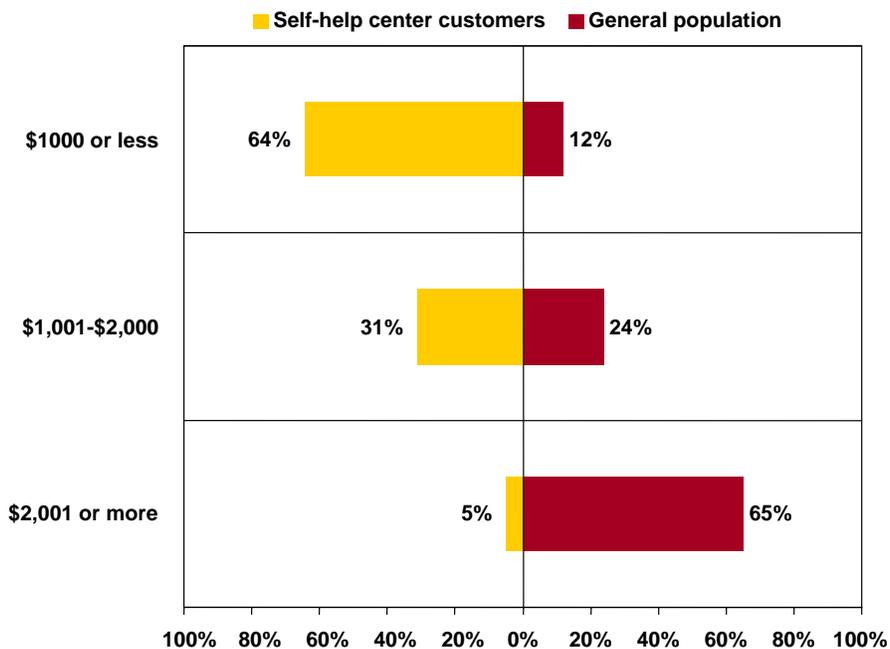
Figure 3.3
Comparing Center Customers With the General Population in
Fresno County: Education



U.S. Census Bureau; Fresno County, CA, DP-2 Profile of Selected Social Characteristics: 2000, American FactFinder. Retrieved July 22, 2004 from the U.S. Census Bureau Web site: <http://quickfacts.census.gov/qfd/states/06/060191k.html>
 Note: Numbers have been rounded and may not sum to exactly 100 percent.

With respect to income, Centro de Recursos Legales customers are similar to the county population in the middle income range (\$1,000-\$2,000 per month), a greater percentage make under \$1,000 per month and a lower percentage make more than \$2,000 per month (see figure 3.4). These differences are also found when comparing the Centro de Recursos Legales customers to census data for the Hispanic population of Fresno County.

Figure 3.4
Comparing Center Customers With the General Population in
Fresno County: Household Monthly Income in Dollars

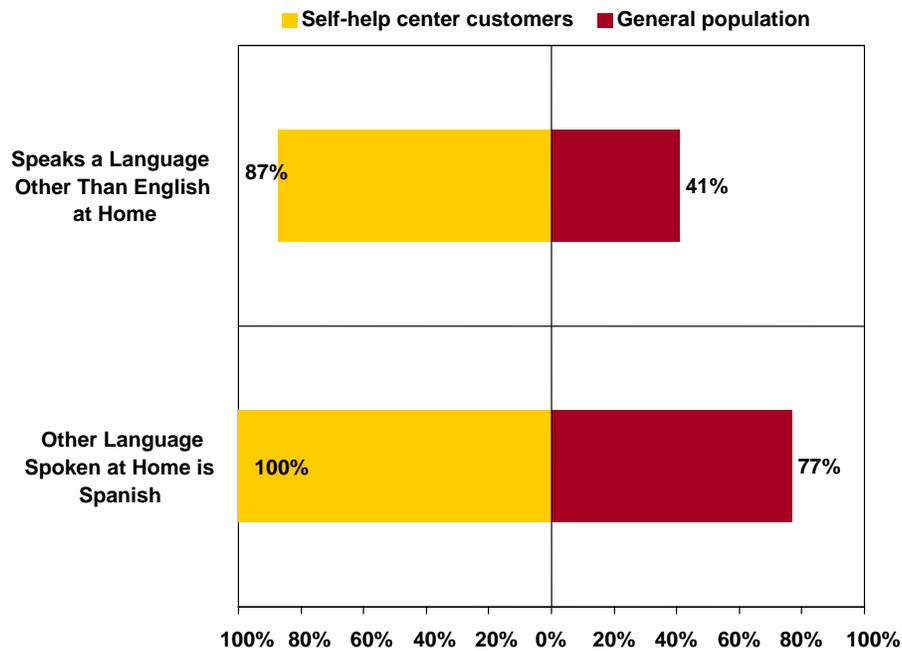


U.S. Census Bureau; Fresno County, CA, DP-3 Profile of Selected Economic Characteristics: 2000, American FactFinder. Retrieved July 22, 2004 from the U.S. Census Bureau Web site: <http://quickfacts.census.gov/qfd/states/06/06019lk.html>

Note: The self-help pilot project data and the census data do not perfectly match. The census data categories are as follows: \$833 or less; \$834 to \$2084 and over. Numbers have been rounded and may not sum to exactly 100 percent.

As shown in figure 3.5, the percentage of Centro de Recursos Legales customers who speak a language other than English at home is more than double that of the general Fresno County population. Census data for the Hispanic population of Fresno County indicate that 29 percent speak English at home. Only 13 percent of customers speak English at home.

Figure 3.5
Comparing Center Customers With the General Population in
Fresno County: Speaks a Language Other Than English at Home



U.S. Census Bureau; Fresno County, CA, DP-2 Profile of Selected Social Characteristics: 2000, American FactFinder. Retrieved July 22, 2004 from the U.S. Census Bureau Web site:
<http://quickfacts.census.gov/qfd/states/06/060191k.html>

Service Staffing

Paid Personnel

Centro de Recursos Legales employs two full-time staff members. In interviews conducted during site visits, respondents spoke very highly of the two full-time staff members. Specifically, respondents said both are highly skilled in their respective positions, committed to the center’s success, and respectful of the customers being served.

Community resource manager. This individual is responsible for daily operations. Respondents described the contributions of the first community resource manager, focusing on his ability to engage other community service providers and the Spanish-speaking community. Several people interviewed said his contributions were vital during the planning and early implementation of the program, and many individuals were concerned about the center’s viability after he left. However, those interviewed during the second site visit reported that his successor, the current community resource manager, has also made crucial contributions to the project, primarily through her operational and administrative skills as well as her close relationship with other court employees. She has worked for the court in Fresno County for 15 years, has been assigned to almost every task in court operations, and is experienced in all court procedures. Furthermore, she has

a high level of credibility with other court employees and can communicate well with them.

Court examiner. This individual works directly to provide assistance to customers. During the first evaluation site visit, several respondents expressed concern about the court examiner's inability to speak Spanish. However, during the second site visit, most respondents reported that this had proven not to be as large an obstacle as they had thought. This was primarily due to the consistent availability of volunteers to assist the staff person in communicating with customers, as well as the staff person's excellent skills in performing her job duties (especially document review and procedural knowledge). The court examiner worked previously at the Office of the Family Law Facilitator, and respondents said she has a strong understanding of family law issues. However, interviewees reported that this is not the ideal staffing situation for two reasons: (1) her presence does not contribute to building trust between the court and the Spanish-speaking community and (2) using a volunteer's time to interpret for a staff member is inefficient. In April 2004, a bilingual court examiner who previously worked as a clerk in the family law department replaced the previous court examiner.

Volunteers

Fresno County's self-help center relies heavily on volunteers, all of them bilingual, to help customers at the center and to provide courtroom interpreting services.

Direct self-help center service. Since it opened, the Centro de Recursos Legales has recruited 44 volunteers to work in the center itself. Volunteers provide services directly to the public by answering phones, assisting customers at the front desk, completing and entering evaluation forms, interpreting for the staff, and providing one-on-one assistance.

Volunteers who assist at the center are recruited from a variety of sources. Two local senior citizen organizations have placed four volunteers at the center since its inception. All of these have been full-time and, according to respondents, have been important contributors to the success of the program. The partnership is mutually beneficial to both organizations; the self-help center benefits from having no- or low-cost help, and the senior citizen center benefits from having stable and professional placements for its customers.

There have also been five volunteers from the general public, several who have been with the center since before it opened. Individuals interviewed explained that these are very dedicated individuals who care deeply for the population served by the center and want to ensure greater access to the courts.

Interpretation services. Since it opened, the Centro de Recursos Legales has recruited 31 volunteer interpreters. Having interpreters available has cut down substantially on the number of continuances due to language barriers, which allows the court to function more efficiently. The volunteers themselves are gaining valuable real-world experience in court interpretation and, as a result, are passing the written state interpreter test at a much

higher rate than the state average. Litigants are also benefiting by being able to understand court proceedings and communicate with the court, resulting in greater access to justice.

Volunteers are recruited primarily from the Southern California School of Interpreting, which has a branch in Fresno. Interpreters are asked to commit to a minimum of four hours per week of volunteering. The center's community resource manager goes to the school each semester and describes the volunteer opportunity. Some volunteers are recruited through that mechanism, and others hear about the opportunity through classmates. In addition, the center developed a small brochure that advertises the volunteer interpreters' bureau. When a potential volunteer calls the center, he or she speaks with the community resource manager, who describes the self-help center, the interpreter program, the application process and background check, and the standards of the court. The individual then comes into the center and completes a basic application and consents to a background check, which is the standard check used for court employees. The community resource manager converses with the individual in Spanish to ensure fluency. She then sends the person to the court for the background check.

Clerical support. A consistent challenge from the center's beginning had been the lack of paid clerical staff. Volunteers or the two professional paid staff must operate the front desk, answer phones, and perform other clerical duties. Since the second site visit, however, the court has hired two of the clerical volunteers. The center is still only allocated part of their time. Training that these individuals have received from the center has been of significant benefit to their work in other parts of the court. The rotation of staff that has been trained by the center out to work in other parts of the court has not been optimal for the program's operations.

Supervision and Training

Attorney supervision. Attorney supervision is available on call at the Office of the Family Law Facilitator (in the same office complex as the center). Also, a managing attorney is located at the court. Initially, there was no on-site attorney supervision. Due to concerns about the off-site location of the original managing attorney, the family law facilitator was asked to play a supervisory role and make herself available to Centro de Recursos Legales staff when necessary. Neither of these attorneys spends time at the center on a daily basis.

In April 2004, the Family Law Information Center (FLIC) was reopened. There is a good working relationship between the attorney from FLIC and the director of the Centro de Recursos Legales. Beginning in January 2005, staff from the center will be going with the attorney from FLIC to outlying areas of the county in an effort to bring services to a greater portion of the community.

Training of service volunteers. The volunteer training program for individuals who provide direct assistance to customers at the self-help center includes six modules:

- Customer service training (providing quality service for the public);
- Code of ethics for court employees;
- Training on what constitutes legal advice;
- Information about sexual harassment;
- Diversity training; and
- Disability awareness.

The center has prepared training manuals and information packets for all volunteers. In addition, new volunteers observe the triage process, and they are asked to complete packets of forms and instructions for review by staff. The process of filling out the forms not only provides education to new recruits, it also gives them a taste of the experience of self-represented litigants in the court. Training also includes watching a video on family law mediation and observing subject-matter workshops.

In addition, learning occurs on the job as volunteers begin to work with customers. Volunteers are carefully supervised by experienced staff, who are always available for questions. Volunteers learn by repeated use of the forms and instructions. They are not, however, permitted to conduct the document review for customers. The staff document examiner performs this task. The volunteers, however, are located near this person and benefit from her expertise throughout the day.

Training of interpreters. Training for the volunteer interpreters has several phases and is extensive. A 90-minute orientation conducted by the center's community resource manager covers ethics (confidentiality, sexual harassment, improprieties, etc.), security, terminology, logistics, and the activity sheets volunteers must complete to track their activities. The volunteer is given a packet of information that includes center brochures, a glossary of legal terms (in English), a list of commonly used abbreviations and acronyms, and two documents translating common legal terms from English into Spanish. After the orientation is complete, an appointment is scheduled with the coordinator of the court interpreter program¹⁸. She then conducts an additional four-hour orientation for volunteers. The orientation explains the volunteer program, discusses the ethics of court interpreting, and provides a court tour (where volunteers are introduced to several bench officers and other court personnel); then an ID badge is issued. During the orientation, the individual's Spanish-language skills are assessed. After this orientation, the individual (or group) meets with one of the paid court interpreters for an additional four hours of training. This includes observing in court and observing a family court orientation session as well as a mediation session. Volunteers start by using a listening device so they can hear the proceedings being interpreted.

¹⁸ The interpreter coordinator's primary responsibility is to work with paid court-certified interpreters (those appointed in cases in which interpreters are mandated); however, she also works closely with the center's volunteer interpreters.

During site visits, respondents explained that individualized mentoring of volunteers is an important aspect of the volunteer interpreters' bureau. Paid court interpreters, if they express an interest, are paired with a volunteer to "show them the ropes." One staff member has been instrumental in developing the mentor aspect of the program, and respondents said that her contributions have been invaluable. Volunteers are continually assessed to see where they have developed and what areas need further work.

Analysis of Customers Served

Language of Service Provision

According to service tracking data, almost 80 percent of services at the Fresno center are provided in Spanish and the other 20 percent in English. This is interesting, given that only 55 percent of customers completing intake forms say they prefer to receive services in Spanish. An underreporting by Spanish-language customers on the intake forms may cause this. Regardless, the service tracking and intake form data support the feedback given by respondents: Having one of the two primary staff members speak only English did not substantially reduce the center's ability to serve Spanish-speaking customers.

On the intake forms, only a handful of individuals report speaking a language other than English or Spanish at home. However, according to a few respondents, Fresno County has an increasing number of individuals who speak other languages, including Hmong and Laotian. These respondents expressed the hope that the court eventually would assist individuals in these languages as well, in part because so few community resources are available for those populations.

Case Types and Issues

About 90 percent of Centro de Recursos Legales customers seek help with family law matters (see figure 3.6 for an overview). This figure is far higher than the comparable percentage in Butte/Glenn/Tehama or San Francisco counties. The closure of the Fresno Family Law Information Center and the restriction of the Fresno family law facilitator to provide assistance only in child support matters may well have contributed to this high percentage of family law customers. For example, in San Francisco County, the family law facilitator has funding to handle a wide array of family law matters in addition to child support, thereby allowing the model self-help project to focus on other areas of civil litigation. The remaining 10 percent of Centro de Recursos Legales customers bring a mixture of civil/small claims and unlawful detainer cases to the center.

**Figure 3.6
Fresno Center: Case Types Served¹
Service Tracking Forms**

Case Type	%	N
Family*	89%	1,266
Dissolution	74%	729
Adoption	0%	2
DVPA	10%	96
Paternity	12%	115
Other	4%	42
Civil	3%	55
Unlawful detainer	3%	54
Probate	1%	26
Other	1%	14
(missing)		67
Total		1,482

¹ Percentages sum to more than 100 because respondents could select more than one case type.

* Many tracking forms indicated a family law case but did not provide further details on type of issue being addressed.

Within the family law area, 74 percent of customers are working with dissolution, 12 percent with paternity, and 10 percent with domestic violence prevention matters. The most frequently raised issue across all family law case types is child visitation (80 percent), followed by child support (12 percent) and custody (8 percent).

Almost all divorce cases (92 percent) involve visitation issues. Domestic violence cases most often involve visitation (44 percent) and child support (38 percent) issues. The vast majority (86 percent) of paternity cases involve visitation issues. Custody is most often an issue in divorce (46 percent) and paternity (30 percent) cases. Visitation is most often an issue in divorce (70 percent) and paternity (24 percent) cases.

Overall, the Fresno program assists moving parties 79 percent of the time. Whether customers are seeking help with family law, civil/small claims, or unlawful detainer, most need assistance to start a case or to make a motion within an existing case.

It is noteworthy that this holds true for unlawful detainer cases in which the moving party is the landlord. About 72 percent of the customers seeking help with unlawful detainer cases were landlords. The Butte/Glenn/Tehama project also assisted landlords more frequently (67 percent of unlawful detainer cases). In both locations, local legal services agencies provide community-based assistance to defendants in public eviction defense matters. In San Francisco County, however, the model self-help program collaborated with a legal services agency to conduct eviction defense clinics at the court as part of its program, and the resulting proportion of landlords to tenants was predictably reversed.

Types of Services

Most of the customers at Centro de Recursos Legales receive either legal procedural information (54 percent) or other general information about the court (37 percent).

Assistance with forms is provided primarily through the use of written instructional materials or through workshops. Forms with instructions are provided to customers 37 percent of the time. Once forms are completed, the court examiner reviews them for accuracy and completeness. Document review is provided to 34 percent of the customers.

The center also provides help to litigants by explaining court orders. Interestingly, 67 percent of customers requesting this service are male.

Interpreter services are provided to 23 percent of Centro de Recursos Legales customers. In addition, in January through August 2004, these interpreter volunteers assisted 194 self-represented litigants in court and 78 in mediation sessions.

Description of Service Delivery

Virtually all services provided by the Fresno self-help center are provided in a one-on-one manner.¹⁹ Individual assistance is provided to help customers complete court forms correctly and to understand the court process better. In addition, the Fresno center assists customers individually with court interpretation.

One-on-One Assistance

According to service tracking data, almost all of the Fresno center's services are provided on an individual basis. Intake and service tracking data do not include interpreter services, but those services are provided individually as well.

According to respondents, one-on-one assistance is crucial for most of the Fresno center's customers due to several possible factors. Family law cases, for example, tend to be legally complex. A diagnostic assessment of their case status (triage) is required to identify what options may be available to customers. They may be required to prepare various combinations of forms. Once a customer has completed a set of forms, center staff reviews the documents to make sure they are complete and ready to file and serve. Furthermore, many customers must face the language barrier with very little formal education.

Respondents believe that the need for in-depth assistance may contribute to the lower overall volume of Centro de Recursos Legales when compared to the other direct service programs.

¹⁹ The center did not complete service tracking forms on all individuals who came to the center only to buy forms/instruction packets, so those individuals are not accurately represented in administrative data.

Workshops

Centro de Recursos Legales offers dissolution workshops every other Friday at 8:30 a.m. No respondents to petitions for dissolution were scheduled to attend workshops. Presumably, this is because of the time-sensitive nature of the need to prepare and file responsive papers.

The workshops are held at the self-help center, which is closed to the public when the workshops take place. The court examiner and a volunteer who interprets into Spanish facilitate the workshop. Workshops typically last three to four hours and average five attendees. According to administrative data, the workshops help individuals with preparing forms, referrals, and legal/procedural information. Each week, the workshop covers a specific topic. Topics include:

- Starting a divorce/legal separation;
- Notice of motion/order to show cause; or
- Petition to establish parental relationship.

The workshops are conducted in a “small group” style. Respondents explained that this format has been very successful in addressing English language and general literacy barriers. For example, if an attendee is not comfortable writing in English, another attendee might complete the answer to a particular question on the form for herself first and then help the other person fill in the answer on the form (based on what that person asked her to write). Self-help center staff pretype as much personal information as possible on the forms prior to the workshop and give attendees copies of those forms so that they do not have to rewrite the same information on every form.

Through the assistance of an advisory board member, the self-help center was able to obtain space at the adult school to offer a divorce workshop in the evening. However, the first time it was offered, only one person came, and the second time, no one attended. As a result, evening workshops are no longer being offered, at least until there is greater demand.

Beginning in January 2005, the attorney from the Family Law Information Center and staff from Centro de Recursos Legales are traveling to outlying locations in Fresno County to deliver self-help services. The attorney from FLIC does not speak Spanish; therefore, the volunteer interpreters’ bureau is working to recruit interpreters from community centers in the locations where services will be offered. The Centro de Recursos Legales director expects that more workshops will be developed to serve these outlying areas.

Interpreter Services: In-Court and Mediation

Interpretation services are provided at the court during hearings, for child custody mediations at family court, and during orientation to family court services. Those interviewed during site visits report that the volunteer interpreters’ bureau has been an

extremely successful aspect of the self-help center, providing all participants with substantial benefits.

Phone Assistance

Centro de Recursos Legales staff and volunteers answer telephone calls from self-represented litigants. Various kinds of tasks can be accomplished over the telephone. For example, brief case assessment can take place. Identification of issues, determination of whether or not the center can provide the help needed, case status information from the court's registry of actions, and substantial procedural information and education can be provided on a variety of legal topics. In some cases, an unnecessary trip to the center or to the court might be avoided. Access to the Centro de Recursos Legales by telephone facilitates assistance to individuals who cannot get to the center during business hours due to work, lack of child care, or disability. The center receives an average of 25 calls per day.

Written Materials

Centro de Recursos Legales offers many written resources to the public. It has English and Spanish instructions on how to fill out the eight most commonly filed forms in family law, guardianship, civil harassment, and unlawful detainer.

The center was fortunate to have numerous volunteers from the community and the court assist with the process of translating the materials into Spanish. The center hired a consultant to translate the materials into plain English or accessible text.²⁰ Once the consultant translates the materials into plain English, they are reviewed and edited by various court divisions and then translated into Spanish with the assistance of center volunteers. A review of the Spanish-language translation revealed that as a result, the instructions were no longer in plain or accessible text. Therefore, the Spanish-language instructions were re-translated into plain or accessible Spanish text. Fortunately, these services were provided on a voluntary basis; otherwise, the costs of re-translating the instructions could have become prohibitive.

Respondents explained that these instructions have been very useful to customers. Although many still need assistance completing the forms correctly, having understandable instructions in Spanish accomplishes two purposes: (1) it gives individuals a place to start in completing forms and (2) it makes the court seem more accessible to the general public (i.e., nonattorneys). Some individuals expressed a hope that the Administrative Office of the Courts (AOC) would take the lead in translating instructions into accessible text in English and other languages, particularly Spanish, so that counties would not have to duplicate efforts but could instead concentrate on creating supplemental county-specific instructions.

²⁰ Accessible or plain English text refers to text that is easy to understand and read for individuals with average levels of literacy. For more information, please refer to the Transcend Web site: <http://www.transcend.net/at/index.html>

Internet/E-mail Services

Fresno County's court Web site has a link to the center and includes a description of the center's services and hours of operation. The Web site also includes links to all the instructions and forms packets in both Spanish and English. The court's information technology department maintains the Web site.

The center also has the I-CAN! domestic violence module installed on its computers. I-CAN! is an interactive program designed to help self-represented litigants complete their own pleadings by answering questions in plain English or Spanish. It was purchased by Central California Legal Services (CCLS), the legal aid provider in Fresno County, and was shared with the self-help center. Initially, it was not available in Spanish, but the translated version has subsequently become available. At first, the center staff had to resolve technical problems. Once that had been accomplished and the staff trained, the I-CAN! program was made available to the public. Use of the program, however, has not proven practical for the center. Centro de Recursos Legales customers are not experienced with the use of computers, and the amount of staff time required to help customers use the program has turned out to be prohibitive. As a result, the program is almost never used.

Chronological Description of Service Flow

Referrals to the Center

According to respondents, most customers hear about the self-help center through word of mouth in the community. However, administrative data show a more diverse referral base, as seen in Figure 3.7. About 31 percent of customers hear about the center from friends or family. The court clerks refer customers to the center in 20 percent of the cases. Centro de Recursos Legales has the lowest rate of referrals from the court clerks of all three direct service programs. Family Court Services refers 17 percent of the customers. Customers also heard about the center from a variety of sources, including legal aid, the Office of the Family Law Facilitator, the child support agency, and community organizations.

Figure 3.7
How Customers Heard About the Fresno Center¹
Customer Intake Forms

Source	%	N
Friend or family	31%	120
Clerk's office	20%	76
Family court services	17%	66
Legal aid, legal services	10%	38
Family law facilitator	7%	28
DA, local child support agency	6%	25
Community service agency	6%	25
Pamphlets, written materials, posters	2%	9
Attorney	1%	5
Judge, commissioner	1%	5
Other court personnel	1%	2
Other	2%	6
Total		405

¹ Percentages sum to more than 100 because respondents could select more than one source.

Men are somewhat more likely than women to hear about the center through the district attorney or local child support agency (5 percent difference) or family court services (8 percent difference). Women are more likely than men (9% difference) to hear about the center through friends or family.

Only 2 percent of individuals reported learning about the center from written materials/pamphlets, even though the center prioritized print-advertising materials for the public. Most of the posters/brochures are distributed within the court, which might explain this finding. The center distributes its brochures within the Spanish-speaking community via a community newspaper, which may increase the success of print-advertising materials. In addition, a foto-novella has been created and distributed to various locations in the community. The foto-novella, a common medium in the Hispanic community, is a short, eight-page magazine that tells a story with pictures. The foto-novella from Centro de Recursos Legales tells a story about a customer getting help from the center.

Previous Attempts to Get Help

Most of the center's customers (77 percent) had not sought help with their legal problem from any other source prior to coming to Centro de Recursos Legales. Of those that had

sought help, 45 percent went to legal aid. Other common sources of help included family and friends (21 percent), paralegals (12 percent), and private attorneys (8 percent).

Intake Procedure

The Centro de Recursos Legales director reports that initial case assessment (triage) is critical to the program's ability to provide services. When customers first arrive at the center, they sign in at the front desk. They are provided with an intake sheet containing questions designed to guide staff in identifying their particular legal need. Triage is necessary to determine what cases are appropriate for the center to address.

Customers who have already completed forms and simply require a document check are assisted in an expedited manner. Other customers require more in-depth interviews to determine what it is they are trying to accomplish. These customers are taken on a first-come-first-served basis.

The court's computer system must be checked to see if the customer has a case pending and, if so, the status of that case. Other related cases must be identified and the relationship among the cases clarified.

Emergency matters must be identified. Examples are requests for restraining orders, time-sensitive matters such as deadlines for responses in family law or answers in unlawful detainer or other civil litigations.

Possible options must be identified for customers with respect to the problem they brought to the center. Procedural information is provided based on the status of the case. Once customers decide what procedure they want to pursue, forms and instructions packets are provided. If customers are successful in completing the forms, staff check the documents to make sure they have been completed correctly, and procedural information is given about the next steps in the process. If customers are having trouble completing the forms, they are scheduled into a workshop or receive individual assistance.

The process for scheduling an interpreter can happen in two ways. The individual needing assistance can call the self-help center and provide the dates an interpreter is needed, and the community resource manager will then e-mail the request to the coordinator who manages the volunteer interpreters' schedules. Requests can also come directly from the bench. These go straight to the volunteer interpreters' bureau for scheduling.

Referrals From the Center

As seen in figure 3.8, service tracking data show that 11 percent of customers assisted by the center are referred to another provider. The two most frequent referrals are to a lawyer referral service (35 percent) and the Office of the Family Law Facilitator (34 percent). Legal aid is another common referral (18 percent). The Fresno center does not make many referrals to nonlegal community resources (less than 10 during the period under review).

**Figure 3.8
Fresno Center Referrals Made to Legal Service Providers¹
Service Tracking Forms**

Referral	%	N
Lawyer referral service	34%	51
Family law facilitator	34%	50
Legal services	17%	26
Other legal service	9%	14
Local child support agency	4%	6
Small claims advisor	2%	4
Public defender	1%	2
Total		153

¹ Percentages sum to more than 100 because respondents could select more than one provider.

Returning for Service

Overall, Centro de Recursos Legales has a high rate of customers returning to the center for additional help (51 percent), compared with the Butte/Glen/Tehama regional project (27 percent) and the San Francisco project (22 percent). Most customers come in initially for assistance with procedural information and the process of filing a case. Both administrative data and reports from respondents indicate that customers take the forms and instructions home to complete, then return to the center for a review of their paperwork (45 percent). They also return for help with the next step in their court procedure (51 percent) or with additional questions (36 percent). (See figure 3.9 for more detail.)

**Figure 3.9
Fresno Center: Reason for Customers' Return Visits¹
Service Tracking Forms**

Reason	%	N
Next step in the process	51%	439
Document review	44%	385
Has additional questions	36%	310
Needs help with forms	10%	86
Filing	5%	51
Needs access to an interpreter to help translate in court	2%	22
Needs help understanding a court order	1%	16
Court appearance preparation workshop	1%	15
Responding to new papers	1%	13
Other	5%	49
Total		1,386

¹ Percentages sum to more than 100 because respondents could select more than one reason.
Note: About 51 percent of visits were from customers who returned for assistance.

Budget and Expenditures

During the first year of operation, the majority of program expenses were for operations (63 percent). The remaining 37 percent was spent on personnel. That is due in part to staff savings accruing during the period of recruitment. Half of the operational expenditures went for the design of publicity materials and development and translation into Spanish of forms and instructions. An additional 25 percent went to purchase office equipment. The remaining 25 percent was for office supplies, postage, photocopying, rent, and travel for training.

During the second year of operations, as staffing was in place, the distribution between the cost of personnel (67 percent) and operations (33 percent) was reversed. In this year, the bulk of operational costs was for equipment (39 percent). Advertising and development of materials accounted for 28 percent of operating expenses. Photocopying (13 percent), rent (12 percent), and other miscellaneous charges accounted for the rest of operating expenses.

In the third grant year, an even higher percentage (76 percent) of program expenditures were devoted to personnel, with the remaining 24 percent covering operating expenses. The largest proportions of operating expenses were for printing and photocopying (23 percent), including usage of the photocopier at the center and reproduction of publicity materials such as foto-novelas, and office equipment (23 percent). Significant operating expenses also involved professional and specialized services (19 percent), including Web site development and development of forms instructions, and rent (18 percent).

Collaboration and Outreach

The Fresno center has made strides in communicating information about its services within the court and in the community. Court leadership and court resources have been particularly helpful in the outreach efforts of the self-help center.

Collaboration Within the Court

Because of the center's location next to the Office of the Family Law Facilitator, the two offices work together often. The facilitator's staff often send Spanish-speaking people to receive assistance from the center's staff and volunteers. Likewise, the self-help center sends people to the facilitator's office when (1) they have a child support-only case and (2) they are either bilingual or there is a center volunteer available to interpret. In addition, individuals receiving assistance at the center can file papers at the facilitator's office, which eliminates the need to go to the court to file.

At an administrative level, Centro de Recursos Legales works closely with the other divisions of court operations. Relationships between the program and other parts of the court are facilitated by the fact that two primary staff members currently with the center were court employees for several years and are respected by the court leadership. In addition, the proposal for the creation of the center was originally drafted by two court administrative staff members, the grant writer and outreach coordinator. These two individuals were the driving force behind the center's vision and proposal, and they were very involved during the planning phase.

Individuals interviewed during site visits explained that the support and involvement of the court leadership (executive officers, judges) is very important when starting a new center or expanding existing services. For example, the close working relationship between the center and other areas of court operations allowed for a working partnership with court interpreters to jointly refine the volunteer interpreters' bureau process.

Although the court leadership is very supportive of the program, court employees in general do not appear to have a clear understanding of the actual services the center provides. This observation is supported by the low levels of referrals from court clerks reflected in the intake data. Many respondents were not able to accurately describe the assistance that self-represented litigants can receive from the center. However, even without an accurate understanding of services, court staff are able to refer Spanish-speaking customers to the center for assistance or, if necessary, for a referral to another service provider. Before the center opened, clerks were largely unable to refer Spanish-speaking customers to community resources because few were available for individuals who lacked an interpreter. Respondents said that few court clerks are able or willing to assist customers in Spanish, and to address this, the center created written materials that can be handed out to the public explaining in Spanish how the self-help center can help. However, according to individuals interviewed, except for the "post-it" note with the center's address and a map on it, these materials are not routinely distributed.

Collaboration and Public Relations Outside the Courts

Fresno County's self-help center works closely with local community-based legal and social service providers and local colleges and vocational schools to recruit volunteers and assist with outreach. During the early planning and implementation phase, the community resource manager was actively involved in reaching out to these organizations and made presentations to a number of community-based social and legal service providers. Respondents stressed that building relationships was crucial to the success of the program, especially in terms of volunteers, outreach, and the center's development. During the early development stages of the project, legal providers and organizations in the community, along with court personnel, were asked to participate on an advisory committee. This established an early and meaningful collaborative relationship between the center and other organizations. Agencies represented on the advisory committee include Central California Legal Services, Fresno County Bar Association-Pro Bono Section, Fresno-Madera Area Agency on Aging (FMAAA), United Health Center, Centro La Familia, Economic Opportunities Commission, and Cesar Chavez Adult School. Respondents said the advisory board has been a successful vehicle for collaborating with the community to refine the center's strategies and improve awareness of the center.

The first formal advertising of the Fresno County program took place in fall 2002, when the California chief justice dedicated the center. The dedication generated strong publicity, although the timing was not optimal because the center was not yet ready to serve the public (the center was still creating instructions, recruiting volunteers, and hiring staff).

The center developed colorful posters and brochures, which include a map to the center, to be distributed to court and outside community agencies. The Spanish-language newspaper, which reaches about 20,000 readers each month, recently began running advertisements about the center. A foto-novella that explains center services through a story told using words and pictures has recently been distributed at various locations in the community. Respondents expressed the fear that if the center becomes better known, the demand for services will be too high to accommodate.

Impact on Litigants

Views of Court Personnel and Other Stakeholders

People interviewed during site visits reported that the impact of the self-help center on self-represented litigants has been large, primarily due to three basic factors:

- Volunteer interpreters' bureau;
- Assistance with completing forms; and
- Information provided about the court process (steps that must be taken in a case).

Litigants have a more accurate understanding of the steps that must be taken to move a case forward, which has reduced frustration and mistrust of the judicial system. As a result, litigants are more patient and less hostile with court employees, particularly clerks, when submitting paperwork or doing other court business.

According to respondents, self-represented litigants also are experiencing fewer continuances of hearings due to the unavailability of interpreters, which reduces their sense of being kept outside the judicial process.

Last, respondents reported that Spanish-speaking self-represented litigants feel more positive about their access to court, primarily because they can better understand what is happening and can better communicate about their cases.

However, according to respondents, there is still a great level of unmet need. Spanish-speaking individuals still need more help, primarily with name changes, domestic violence restraining orders (other resources often have a long waiting list), unlawful detainer cases, and guardianship. Some respondents noted a growing conflict because of the availability of services for Spanish-speaking litigants but not for English-speaking individuals, primarily as a result of the closure of the Family Law Information Center and cutbacks at the Office of the Family Law Facilitator. Respondents expressed anxiety that this conflict may grow, and they felt that the court should address this issue strategically. With the reopening of the Family Law Information Center in April 2004, however, the problem may recede naturally.

Views of Customers

Customer satisfaction surveys and reports from self-help center staff indicate that Centro de Recursos Legales is meeting an important need in the community and that customers provide extremely positive feedback on their experiences at the center.

Vignette: Forms Assistance, Mediation Assistance, and In-Court Interpreting in a Child Custody Case

Isabel's husband had recently filed for divorce and was seeking custody of their three children. Isabel spoke only Spanish. She had received a letter in English from Family Court Services that included a four-page questionnaire she was required to complete. When she first came to the center, Isabel was visibly upset because she felt she would lose her children due to her lack of understanding of the English language and inability to understand the forms. A bilingual staff member was able to explain the mediation process to her. The court examiner then assisted Isabel by translating the letter and the questionnaire. Together, they were able to complete Isabel's forms. The court examiner further informed Isabel that the center would assign a volunteer interpreter to assist her at the mediation, as well as any court hearings pertaining to her case. Isabel was relieved and grateful for the assistance she received at the center. Isabel indicated that she was delighted to hear that she, too, could have a voice with regard to her children.

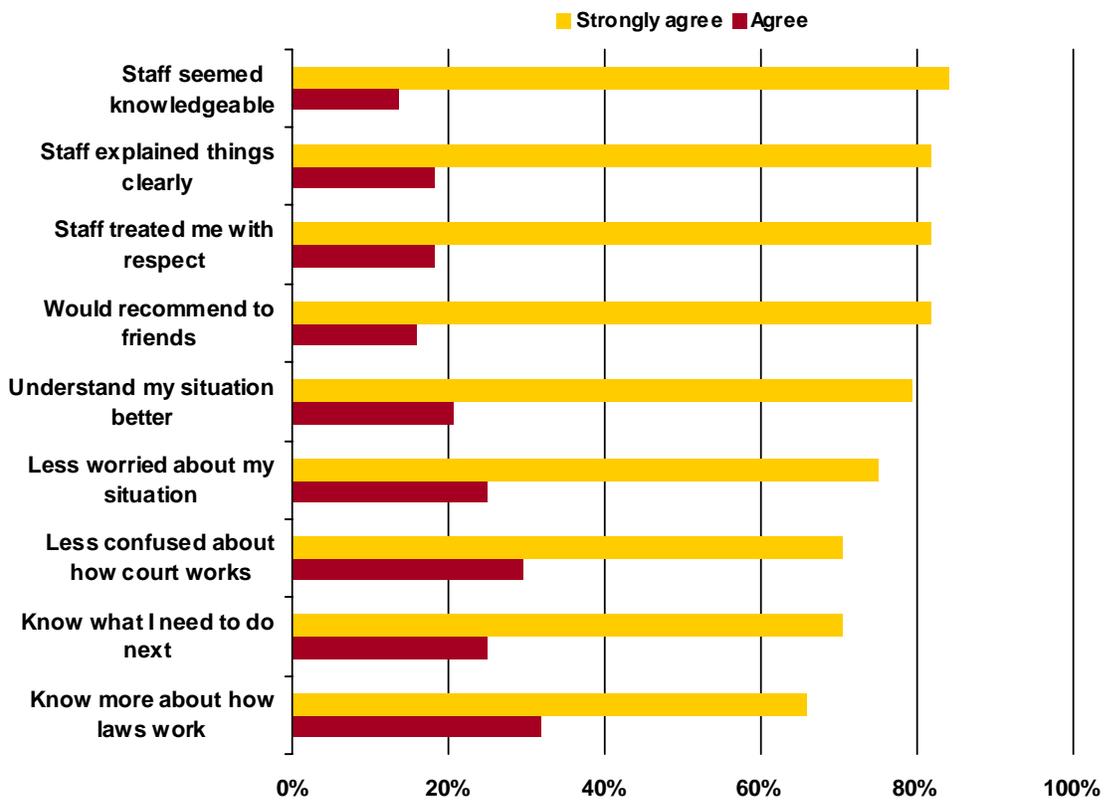
Customer satisfaction surveys were distributed to Centro de Recursos Legales drop-in customers²¹ during a two-week period in May 2004. Surveys were received from an estimated 58 percent of those visiting the center during this period. Although the response rate is somewhat low in terms of drawing conclusions about customer satisfaction at the center, the ratings of customer satisfaction received from Fresno customers were consistently high.

Customers of Centro de Recursos Legales expressed extremely high levels of satisfaction with the services they received (see figure 3.10). Two-thirds or more of customers strongly agreed with each of the general satisfaction questions, and no customers disagreed or strongly disagreed. Customers were somewhat less likely to strongly agree that they know more about how the laws work (66 percent), that they are less confused about how the court works (71 percent), and that they know what they need to do next (71 percent).

“Me escucharon y me trataron muy bien todo el personal.”
 Translation: All the staff listened to me and treated me very well.
 Centro de Recursos Legales
 customer

Customers provided especially high ratings on their interactions with center staff and said they would be very likely to recommend the center to friends.

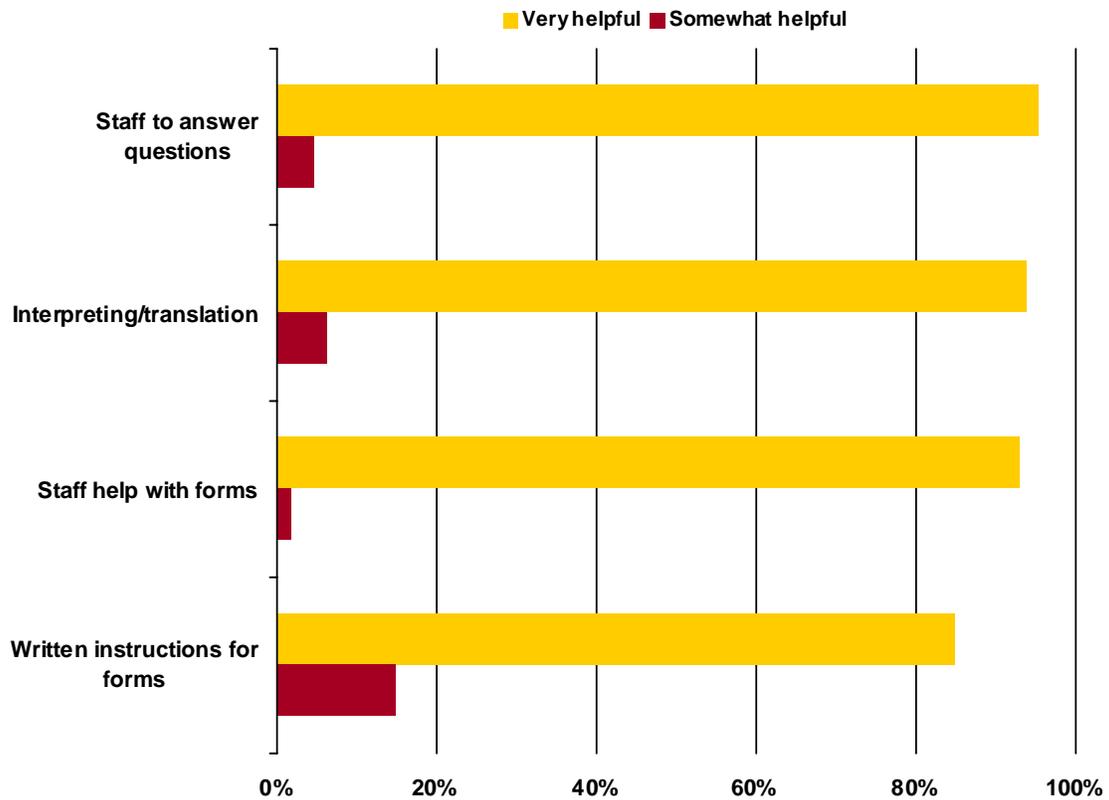
Figure 3.10
Overall Satisfaction
Fresno Center Customer Survey



²¹ The Fresno program offers workshops, but no workshops were held during the sample period.

Customers rated most of the services they received as very helpful or somewhat helpful (see figure 3.11). They especially valued having staff to answer their questions (97 percent rated them *very helpful*), receiving assistance with interpretation or translation (94 percent *very helpful*), and getting staff help with forms (93 percent *very helpful*). Relatively few customers responding to the survey received assistance through educational materials, referrals, help to prepare for a court hearing, or help following up with court orders.

Figure 3.11
Satisfaction With Specific Services
Fresno Center Customer Survey



Vignette: Forms and Procedural Assistance in Child Custody and Visitation Case

Juan is a divorced father with one child. He came into Centro de Recursos Legales requesting assistance in modifying his child custody and visitation court orders. Because of Juan's limited ability to speak and write English, he was fearful that he would not be able to adequately convey his concerns regarding the welfare of his child to the court. The court examiner helped Juan to complete his declaration, conveying all of his concerns regarding the urgent need to modify the existing court order. The court examiner explained to Juan the additional steps he needed to take before the hearing date. Several months later, Juan returned to the center with his child to express his heartfelt thanks for the assistance he received and to share with the staff the positive outcome of his case. Juan indicated that it would not have been possible without the existence of the center and staff.

Impact on Court Process

Respondents said that judges express extremely high levels of support for the program. The program has had a positive impact on courtroom processes and is viewed as an integral part of the court process as a whole.

Respondents said that self-represented litigants who receive assistance from the center are able to understand the process better and present their cases more clearly than those self-represented litigants who have not received assistance. For example, respondents often mentioned that when litigants receive help from the center, their forms have far fewer mistakes, they present more complete and more relevant information to the court, they include information that is fact based, and they more often have taken the appropriate steps to move the process along (e.g., notice has been served appropriately). The outcome, according to respondents, is a fairer decision, less work for clerks assisting Spanish-speaking self-represented litigants, the perception by litigants of increased access to justice, and a calmer environment in the court.

The majority of respondents stated that the self-help center has had a strong impact during hearings due to the availability of interpreters, which reduces continuances caused by litigants who are not able to present their cases. Interviewees explained that, in some cases, lack of access to court-certified or trained interpreters results in unfair proceedings due to the inadequacy of the interpretation. Prior to the availability of volunteer interpreters, many self-represented litigants had to rely on a friend, family member, or another individual present in the courtroom, and these interpretations were often biased or inaccurate.

Court File Review

AOC staff abstracted and analyzed family law dissolution files in Fresno County. The purpose of the file review was to identify areas in which the Centro de Recursos Legales

provided help that can be quantified through the broad case indicators found in the court file and, more generally, to identify the problems self-represented litigants face in the course of their dissolution cases. (See Appendix E for the complete file review tables.)

Cases, taken from the period between April and December 2003, were chosen at random from (1) a list of litigants who received help from Centro de Recursos Legales and (2) a list of all self-represented litigants who were not on record as having received help from the center. After excluding certain cases because the litigants had received help from an attorney, the final dissolution sample included 69 cases in which the petitioner received help from the center and 119 cases in which there was no record of the petitioner receiving help from the center.

Several caveats to the findings presented below should be noted. Self-help centers may have an important role in assisting customers in proceeding to judgment when their dissolution cases have been unresolved for periods over a year. The sample, by taking cases filed since April 2003, does not capture those cases. In addition, it is possible that the litigants who are not on record as receiving help from the Fresno center actually did receive assistance but did not fill out an intake form. It also appears from the file review data that cases receiving assistance from the Fresno center in the period sampled are more likely to involve children and, as a result, may have been more complex than cases in the comparison group. It was not possible through the court files to identify the language spoken by the litigants, so the comparison group sample could not be limited to Spanish-speaking litigants, the population that the center is targeting. Therefore, the comparison group may have more facility with the English language than those in the group receiving services from the center. Finally, a court case file does not by any means capture the full extent of the center's assistance to its customers.

Background of cases. The Fresno center's customers, on average, filed petitions sooner after their date of separation (601 days) than the comparison group (718 days). Customers' cases were significantly more likely to involve children (96 percent, compared to 75 percent for the comparison group)—and a larger number of children—and less likely to involve property (58 percent, compared to 67 percent for the comparison group). Interestingly, however, among cases that did involve property, customers' cases were more likely to involve some kind of real property (28 percent, compared to 13 percent for the comparison group).

Center customers and comparison group similar in terms of filing paperwork.

Customers of Centro de Recursos Legales were as successful as the comparison group at including key elements in their filings. In both groups, 97 percent of litigants filed a UCCJEA declaration if the case involved children. The groups were also similar in the proportion who provided some kind of income information with the petition (35 percent for the center sample, 33 percent for the comparison group) and filed petitions with missing or inconsistent information (54 percent for the center sample, 58 percent for the comparison group). Petitioners who had been to the center were less likely to fail to ask

for the establishment of paternity for children born before the marriage (8 percent, compared to 14 percent for the comparison group).

Center customers were more likely to effect service, file an order to show cause or motion, and to have a response filed in their case. Petitioners who had been to the center were somewhat more likely to serve the responding party with the petition and summons successfully (68 percent, compared to 62 percent for the comparison group). They were significantly more likely to file an order to show cause or motion (32 percent, compared to 20 percent), which may be an indication that the center is assisting customers in addressing issues such as child custody or visitation prior to the termination of marital status. Center customers were also more likely to have a response filed in their case (32 percent) than the comparison group (24 percent). Some of these findings may indicate greater case complexity and longer time frames for cases in which the petitioner had been to the center.

Proceeding to judgment. Consistent with the finding that petitioners who had been to the center were more likely to have responses filed in their cases, center customers were less likely to request a default judgment (16 percent, compared to 28 percent in the comparison group). Cases of center customers were also less likely to reach judgment (22 percent, compared to 31 percent for the comparison group). Of those cases that did proceed to judgment, default judgments were the most common (due in part to the time frame in which data were collected). The mean number of days between petition filing and termination of marital status was somewhat longer for center customers (253 days) than for the comparison group (225 days), which may be explained in part by center customers' cases being more complex.

Given the fact that the center group was more seriously challenged by language, cultural, and educational barriers than the non-center group, these findings are an important indication of the efficacy of the Centro de Recursos Legales program.

Comparison group subsamples. Files in the comparison group were examined for indications that the petitioner had received some assistance with paperwork, even if not from Centro de Recursos Legales. In about one-third of the cases in the comparison group (32 percent), litigants appeared to have received no assistance with paperwork. When this subgroup is compared to the cases from the Fresno center, some interesting differences are revealed. Petitions in these cases were substantially more likely to have missing or inconsistent information (66 percent), and litigants were less likely to have successfully served the responding party with the petition and summons (50 percent).

Key Findings and Lessons Learned

Accomplishment of Goals

Providing services in Spanish is viable for self-help centers. It is possible to integrate services for Spanish-speaking litigants into a self-help center located in a county with a high proportion of residents who speak Spanish and who have few resources to seek legal assistance. Building relationships with the Spanish-speaking community and organizations that serve that community is crucial.

The Centro de Recursos Legales has made great strides toward accomplishing the goals laid out in the original AOC proposal.

- Centro de Recursos Legales tapped a large and growing unmet need for services for Spanish-speaking self-represented litigants;
- Two successive community resource managers were successful in designing, opening, and developing the center;
- Working with community and court volunteers, the center created more than 90 understandable English and Spanish self-help instructions for completing court forms; and
- The center collaborated with community-based organizations, educational institutions, and other court departments to create a volunteer interpreters' bureau to assist self-represented litigants with interpretation needs in court.

Almost all respondents asserted that the self-help center is providing crucial assistance to a very needy population and is doing so with a limited budget. The assistance provided at the actual center and via the volunteer interpreters' bureau is increasing individuals' ability to seek justice and, as a result, increasing their satisfaction with the court process and its outcomes.

Limiting services to non-English speaking litigants is not practical. While all programs with significant populations of Spanish-speaking litigants should have bilingual staff, limiting services to non-English speakers does not appear to be practical. In response to the AOC's request for a program targeting Spanish-speaking self-represented litigants, Centro de Recursos Legales designed its program to serve this group. Implementation of the design, however, was seriously impacted by the closure of the county's Family Law Information Center. That decision left the English-speaking population without any comparable service. The court also elected to withdraw its additional funding to its family law facilitator, thereby restricting those services to matters of child support and related issues. Furthermore, there was no court-operated service in non-family law matters for English-speaking litigants (or those who spoke other languages). Providing help to some litigants and not others on the basis of language

is not a workable strategy. As a result, services at Centro de Recursos Legales were provided in English a great deal of the time.

Service Issues

Volunteer interpreters' bureau yields numerous committed volunteers. The volunteer interpreters' bureau is providing much needed assistance to Spanish-speaking litigants who need interpretation in family law and other civil law proceedings. It is also providing training opportunities for individuals interested in becoming court-certified interpreters. The institutionalization of this volunteer opportunity has allowed it to be mutually beneficial to litigants, the court, and the volunteers. Ensuring an adequate quantity of committed and well-trained bilingual volunteers has been crucial to success of the interpreters' bureau.

Advisory committee helped ensure a successful center start-up. The center was able to form a strong and active advisory committee, which includes members of the court, community-based social and legal service providers, and representatives of the local educational system. The committee assisted with program development, implementation, recruitment of volunteers, and outreach. Particularly during the planning and early implementation phases, the advisory committee was crucial in helping the center build trust in the Spanish-speaking community.

The extent of legal assistance may be related to the availability of attorney staffing. Although knowledgeable and well-trained nonattorney staff can perform many self-help center functions, the day-to-day availability of attorney staff serves to enhance legal education and assistance techniques and to support other staff. The focus and design of any program will be significantly affected by the training and professional experience of its director. Centro de Recursos Legales is the only direct service program that was not headed by an attorney. Initially, the director was a law school graduate with legal services experience; however, he left within the first year of operation. The current director is an experienced court clerk who is bilingual in Spanish. She has extensive professional experience within the court, a thorough understanding of the difficulties encountered by non-English-speaking litigants trying to use court services, and knows the challenges for court staff trying to provide high-quality justice in civil cases where there is no statutory requirement for interpreters. She is dedicated to improving access to the courts for the Spanish-speaking population through the provision of interpreter services. The volunteer interpreters' bureau in Fresno has been an enormous success and should be regarded as a model for any court facing similar language barriers.

It appears as though the legal services component of the program might benefit from the regular participation of an attorney. The program experiences a significantly lower volume of customers and a higher rate of return customers than the other direct services programs. Furthermore, the variety of services and types of service delivery techniques are more limited than the other direct services programs. Fewer staff and volunteers are allocated to the various forms of legal assistance such as preparation for hearings or

completion of orders and judgments. There appears to be less interaction between the center and the local bar and legal services.

Beginning in January 2005, the attorney from the newly reopened Family Law Information Center will be working directly with staff from Centro de Recursos Legales to provide services in outlying areas of Fresno County. It seems likely that the Centro de Recursos Legales staff will benefit from daily interaction with the attorney from the FLIC and that the attorney will benefit from the interpreter services and cultural expertise of the Centro de Recursos Legales staff.

Developing instructions for forms is time consuming but helpful. Developing instructions for Judicial Council forms was very time consuming during the center's start-up phase. With the assistance of volunteer interpreters and the cooperation of department heads and other court staff, instructions in English and Spanish were developed for 90 forms pertaining to family law, civil harassment, unlawful detainer, and guardianship matters. Respondents reported that these instructions are very helpful to customers seeking assistance.

Program staff suggested that the AOC consider developing basic instructions for all forms in accessible English and Spanish for distribution throughout the state. Counties could add to those instructions or revise them to reflect county practices.

Inadequate staffing affects capacity. Centro de Recursos Legales does not have any paid clerical staff, and this staffing decision negatively impacts the center's ability to serve customers efficiently. Professional staff members are left to handle all clerical responsibilities, including answering the phone or welcoming customers into the center, unless a trained volunteer is available. Furthermore, when volunteers are available, a better user of their time is having them assist customers directly (either by assisting with questions or forms or interpreting for the court examiner).

Court employees should be fully aware of center services. Respondents during both rounds of site visits reported that many court employees, including clerks, were not fully aware of the services Centro de Recursos Legales offers to self-represented litigants. Program staff members periodically meet with managers and supervisors to discuss the center's services, but it appears that these initial efforts may not have been sufficient. After the center decided to do outreach directly with line staff rather than managers and supervisors, awareness of and referrals to the center increased.

Location away from the courthouse may not be optimal. Centro de Recursos Legales is located about one mile from the Fresno County Superior Courthouse. Although the inconvenience to litigants is mitigated by the fact that papers can be filed at the facilitator's office next door, and the center is close to the highway, the location has potential drawbacks. For example, courthouse staff may lack awareness of the services Centro de Recursos Legales offers because there is no day-to-day informal contact with the center. Furthermore, clerks may be less likely to refer non-English-speaking litigants to the center because they would have to explain how to get there. In addition, locating

the center away from the courthouse may have contributed to the relatively low number of customers served by the center compared to the other direct service pilot programs. Outpost locations may be efficacious, but a main center at the courthouse appears to be most efficient for the public and for court operations.

Spanish language capacity is important for program efficiency and building trust in the community. The Fresno center has been fortunate to have a consistent pool of volunteers who speak Spanish. Because the first court examiner did not speak fluent Spanish, there was a risk of alienating the Spanish-speaking community. In addition, using volunteers to interpret for a paid staff member raises questions of efficiency. Yet, according to respondents, the center was able to build trust within the community because of the availability of Spanish-speaking volunteers and the community resource manager's language skills. In addition, the court examiner's other skills were highly valued by respondents. Having bilingual staff creates efficiencies for the program and builds trust with the Spanish-speaking community.

Telephone assistance can facilitate access to services of the self-help center. Various kinds of tasks can be accomplished over the telephone. Identification of issues, determination of whether or not the center can provide the help needed, case status information from the court's registry of actions, and substantial procedural information and education can be provided on a variety of legal topics. Telephone assistance makes it possible to help people who cannot get to the center during business hours due to work, limited transportation, lack of child care, or disability.

Triage is critical to the operation of Centro de Recursos Legales. The center director identified the initial case assessment (triage) function as the critical first step to providing assistance to self-represented litigants. Determining whether or not a case is appropriate for the center, identifying issues, and ascertaining the existence and status of existing cases must all occur before any services are provided. Assistance with forms and information about options and procedures cannot realistically occur prior to a detailed and careful triage procedure.

