

Chapter 9

Lessons Learned From Evaluation and Directions for Future Research

A wealth of information has been gathered about the planning and implementation of the centers, the populations being served and their satisfaction with services, the range of services being provided at the centers, and the views of court and program staff and other stakeholders regarding the need for and benefits of the centers. Although there is still much to learn, especially in terms of the impacts of self-help centers on litigants and on the court, this research will mark a significant contribution to the somewhat limited body of research and evaluation on self-represented litigants and self-help services.

Evaluation for Self-Assessment

One important benefit of evaluation is that it allows programs to monitor their progress and assess whether any changes or improvements need to be made. Below are some examples of how pilot self-help center staff have used the evaluation results to make adjustments to their programs.

The director of the Fresno County program started out disseminating information about the center and its services to managers and supervisors, who she assumed would then pass on the information to their staff. However, she learned through site visit interviews that court staff had limited awareness of the center and could not accurately describe its services. Therefore, she decided to do outreach directly to line staff to ensure that they were receiving the correct information. As a result, referrals from clerks and other court staff are on the rise.

Through the process of user testing of the Virtual Self-Help Law Center Web site at the Contra Costa law library, the Administrative Office of the Court's (AOC's) technology attorney identified a need to include a local guardianship form on the site. The form was added to the site within a week.

The director of SHARP is planning to use the results of the court file review to reassess and retool the program's workshops.

Court File Review

As noted in the methodology section and throughout the chapters, the court file review results provide a limited view of the impact of the programs. However, with some adjustments to the methodology, the review can still be an important tool for assessing the effectiveness of the centers' services, as well as for gaining a baseline understanding of the difficulties faced by self-represented litigants.

Because orders to show cause were filed in a small percentage of cases, it was not possible to examine in detail family law hearings related to those orders or other matters. Similarly, it was not possible to take an in-depth look at judgments because so few cases reached judgment. (This is due in part to the fact that cases being reviewed were filed fairly recently and in part to the fact that litigants were having problems completing their cases.) Because these are areas in which the centers could have an important impact, sample sizes of at least 200 to 300 per group are required to facilitate in-depth analysis.

The court file review focused on cases filed during the time the self-help centers were in operation; cases that had been open for more than a year or two were not captured. Self-help centers can be particularly helpful in moving older, unresolved cases to judgment. Therefore, rather than matching cases filed during a particular time period to a list of self-help center customers, the sample should be drawn from a list of self-help center customers whose cases were filed during a more extended time frame; then, a matched sample should be identified from court records. This would be a more labor-intensive process, but it would allow for a more appropriate comparison of cases.

Descriptive information indicates that litigants assisted by the self-help centers may have different individual and case characteristics than those who are not assisted. Cases should be matched on key characteristics so that comparisons can be made across similar categories of cases.

To the extent possible, court file review should be combined with other research methods (for the same cases) to provide more context for the results.

Litigant-Focused Research

Customer satisfaction surveys provided a somewhat limited view of litigants' perspectives on the services provided at the centers. More in-depth research, such as focus groups or structured interviews with self-help center customers, is needed to more fully understand how the information and services litigants receive affect their decisions and the actions they take. Follow-up with litigants throughout various stages in the process is needed to assess the longer term benefits of the assistance the centers provide.

The evaluation has also not been able to explore the extent to which cases are being kept out of court or filings are being reduced as a result of the self-help centers. As a result of the education that centers provide, litigants may realize that their cases do not have merit or that they have other options, such as alternative dispute resolution, to resolve their issues.

Increased Compliance With Court Orders

Self-help providers report that they believe the assistance that they provide increases the compliance with court orders. They identify a number of factors that would appear to improve compliance.

- They assist the litigant in providing information to the court that allows the court to create an order that is more reflective of the facts and law in the case;
- They increase the litigants' trust and confidence in the court system by listening to them, letting them know the factors that will be considered in a court decision, and assuring them that the system will work for them; and
- They encourage parties to comply with orders.

Little information is available about compliance with court orders and the factors that enhance compliance. Particularly key in child support and domestic violence cases, this is a critical area for the court system as a whole and merits further investigation.

Evaluating Particular Strategies and Service Delivery Modes

Although some information is available from customer satisfaction surveys on the perceived helpfulness of particular services, more focused work should be done to understand the relative effectiveness of various modes of service delivery (e.g., forms instructions, pamphlets, videos, and other educational materials). In particular, it is important to understand how the broad range of new technologies—both stand-alone services and those integrated into self-help center operations—can be used to assist litigants and self-help center staff.

Interplay Between Self-Help Centers and the Court

Some of the more intangible work of the self-help centers has been to identify problems or issues in the processing of cases and to open up lines of communication with judicial officers, clerks, and other court staff. Some of the changes may, in turn, result in overall benefits to litigants and to court operations that extend beyond the self-help centers and their customers. Systems changes such as these deserve closer examination.

More work is needed to understand the interaction between the self-help center and judicial officers. Different judicial officers have different standards and requirements, which may affect the way self-help centers develop their services and even their potential impacts.

Other Recommendations for Future Research

To identify the problems self-represented litigants face in the courtroom, as well as to better understand the dynamics of the interactions between litigants and judicial officers, structured courtroom observation should be considered.

Results of court file review suggest that self-represented litigants who seek assistance from self-help centers may be materially different than those who do not. Further research should be done in this area to identify to what extent customers self-select and whether comparisons to other groups of self-represented litigants are valid.

Evaluations should extend beyond pilot programs. Pilot programs are by definition relatively new and still in the process of developing and refining their programs, so it is in a sense unfair to expect large impacts. More established programs, and a range of programs throughout the state, should be evaluated to gain a deeper understanding of the overall impact of self-help centers.

Similarly, much remains unknown about the population of self-represented litigants and the issues they face. A statewide baseline study of self-represented litigants would assist self-help centers in setting priorities for their programs and may provide some more direction for future research efforts.