

# DEVELOPING AND MAINTAINING COURT/COMMUNITY PARTNERSHIPS TO BETTER SERVE THE *PRO SE* LITIGANT

By Tina Rasnow, Senior Attorney/Coordinator,  
Self-Help Legal Access Center, Ventura County Superior Court

- I. WHY PARTNERSHIPS ARE SO IMPORTANT
  - A. The court does not have the resources alone to meet the public need.
  - B. Other community agencies may have a better read on public need.
  - C. Courts may have difficulty communicating information to diverse communities.
  - D. Strong court/community ties help improve public access to the courts.
  - E. Strong court/community ties help improve public perception of the courts.
  
- II. TYPES OF PARTNERSHIPS
  - A. Local Bar Association
    1. Work with Volunteer Legal Services (*Pro Bono*) Committee to increase volunteer lawyer participation
      - a. Presiding Judge signs letter sent to all bar members encouraging *pro bono* service
      - b. Giving attorneys appearing *pro bono* priority on the law and motion hearing calendar
      - c. Explore new ways of delivering legal services to meet diverse needs, such as task-by-task representation or “unbundled” legal services
    2. Work with Community Relations Committee and Public Education Committee to submit question and answer articles on the law to the local newspaper, and produce videos on legal topics for local public access television
    3. Work with minority and women bar associations to address diversity issues pertaining to the court
    4. Work with the Lawyer Referral and Information Service (“LRIS”) Committee to ensure that the bar association maintains quality control over the attorneys on the LRIS panels, and that attorneys are available to provide 30 minute consultations in all areas of law where the public has need.
    5. Work with Ethics Committee to address complaints commonly raised about attorneys, their services (or lack thereof) and their fees
  - B. Local Cable Television Stations
    1. Develop programming on legal topics of interest to the public
    2. Produce videos on substantive legal topics for airing on local cable stations
    3. Produce “how-to” videos for appearing in court
  - C. Law Schools
    1. Provide internship and externship opportunities for law students
    2. Students can earn school credits for working in the SHLA Centers

3. Students help staff the self-help centers
  4. Students learn how to interview people to glean the legal issue from their other issues
  5. Student volunteers in the SHLA Centers free up the attorneys' time by allowing people to vent their frustrations to someone with the time to listen
- D. Legal Secretaries, Paralegals and Legal Assistant Professional Organizations
1. Experienced legal secretaries, paralegals and legal assistants with flexible or part time work hours can volunteer time in the SHLA Centers to help the public with court forms and legal procedure
  2. Often secretaries and legal assistants are more familiar with court forms and filing procedures than attorneys, who often delegate such tasks to their support staff; thus volunteers from the legal secretary and related professional organizations serve as invaluable assets to the SHLA Center staff.
- E. California Rural Legal Assistance (CRLA) and other Legal Aid Providers
1. Referrals back and forth between our programs
    - a. We can refer those who need an attorney, qualify financially for legal aid, and have the type of matter the legal services program handles.
    - b. Legal aid can refer its clients to the SHLA Centers who do not qualify for legal aid services due to the subject matter being outside the scope of the program's services, or the client not meeting the Legal Services Corporation ("LSC") eligibility requirements.
  2. The cross referral allows each program to focus its limited resources on the subject matter and population best served by the particular program.
  3. Referrals are also made between the legal aid providers, SHLA Centers, the bar association's *Pro Bono* program, and the LRIS
- F. Adult Protective Services
1. Referrals are made for both physical and financial elder abuse
  2. Information is provided to the SHLA Centers for distribution to the public to educate about elder abuse
- G. District Attorney's Office
1. Referrals are made to the consumer fraud unit
  2. Information is shared between the SHLA Centers and the consumer fraud units regarding current consumer fraud scams
  3. Brochures and public resource information is exchanged to better help the public with consumer rights issues
  4. Referrals are made to the small claims advisor, and vice versa, for people to get help with their small claims cases
- H. Public Defender's Office
1. Misdemeanor and felony matters are referred by the SHLA Center

2. The SHLA Center helps people to understand the reason for court appointed counsel in misdemeanor and felony cases
  3. The public defender's office helps with information related to all types of criminal matters which we can incorporate in our traffic and infraction notebooks
- I. Victim Services---victims of domestic violence can be referred for assistance
- J. Interface Children and Family Services, the Coalition to End Domestic & Sexual Violence, and other domestic violence shelters and programs
1. Victims of domestic violence can be referred
  2. Those in volatile family relationships can be referred for counseling services
  3. Minors seeking emancipation can be referred for counseling
- K. Protection and Advocacy, Inc.----Caregivers and relatives of developmentally disabled children or adults can be referred for assistance in getting LPS Conservatorships established, or other special needs of the disabled.
- L. Grey Law, Inc.---Those dealing with senior issues can be referred for private legal counsel
- M. Tri-Counties Regional
1. Helps people with severely developmentally disabled children
  2. Helps with all types of advocacy from housing issues to education
- N. Jewish Family Services
1. Legal counseling
  2. Family counseling
  3. Financial counseling
  4. Non-denominational---helps anyone
- O. Catholic Charities
1. Homeless assistance
  2. Rent assistance
  3. Food and utility assistance
  4. Referral to other community service agencies
- P. Greater Los Angeles Area Agency on Deafness (GLAD)
1. Advocacy for the hearing impaired
  2. We provide our self-help materials to GLAD and GLAD advocates help the hearing impaired to complete their forms at the GLAD office. When a question arises beyond the capabilities of GLAD staff, they can call us for help over the phone. When personal help is needed in the SHLA Center, a GLAD advocate can accompany the hearing impaired so we can communicate without having to locate a sign language interpreter.
- Q. Law Library
1. Provides more comprehensive research and writing material than the SHLA Center.
  2. When we send people to the law library we write which books to use and the librarian can show them where to find the books.

3. The law library has copies of our instructional materials so people can access them outside the hours the SHLA Center is open.
- R. Public Libraries
1. We refer people to adult literacy programs
  2. We refer people to legal self-help informational materials
  3. People can access legal sites on the Internet from lists provided in the SHLA Center
- S. Community Colleges
1. Paralegal educational programs provide student interns
  2. The students get school credit for volunteering in the SHLA Center
  3. Instructors from the community colleges teach Spanish classes during the lunch hour in the SHLA Center, attended by court staff and SHLA Center
- T. Court Interpreters
1. Also provide Spanish instruction for court staff
  2. Translate self-help materials into Spanish
  3. Help to interpret for people in the SHLA Centers, when not busy in the courtroom
- U. State Bar Association
1. Provides consumer information on selecting an attorney
  2. Provides information on what to do when people have problems with their attorneys
  3. Provides educational materials for the public on the justice system, which we use in the SHLA Center
- V. Local Primary and Secondary Schools
1. Provides host sites for Teen Court
  2. Integrates Teen Court and other law related programs into school curriculum
  3. SHLA Center helps schools with speakers and materials to teach the justice system
  4. Court tours led by volunteer docents bring students into the SHLA Center where they can ask questions about legal subjects and see what materials are available to help them and their parents
- W. Consumer Credit Counseling Service
1. Provides free counseling assistance to people who find themselves in spending patterns beyond their means
  2. Helps people reduce their debt without filing bankruptcy
- X. Soroptimist International of Oxnard, Inc.---is working with the court to develop a clothes closet to provide work attire for graduates of the drug court program who lack means to by a wardrobe suitable for job interviews and work.
- Y. Mental Health
1. Provides emergency assistance to those in crisis
  2. Works with SHLA Center to provide assistance to those with civil matters pending in the court

- Z. Private Foundations---provide grant funding for programs such as the Mobile Self-Help Center
  - AA. Law Enforcement
    - 1. Provide training on how to drive the Mobile Self-help Center
    - 2. Refer people to us who are involved in civil disputes
    - 3. Take reports from crime victims who are too frightened to call the police because of their immigration status
  - BB. Department of Fair Employment and Housing (“DFEH”) and Labor Commissioner
    - 1. SHLA Center refers people with discrimination or wage claims
    - 2. Explains that filing an administrative claim is a prerequisite to suing in court
    - 3. DFEH and Labor Commissioner can refer people to the SHLA Center when they have exhausted their administrative remedies, and still and a judge to hear their case
- III. HOW TO DEVELOP PARTNERSHIPS
- A. The art of networking
    - 1. Being involved in many of the organizations with which the court needs to develop a partnership
    - 2. Listening to the needs of others
    - 3. Encouraging participation
  - B. Thinking “outside the box”
- IV. HOW TO MAINTAIN PARTNERSHIPS
- A. Recognize the contributions of others, especially volunteers
    - 1. Annual recognition event
    - 2. Sending personal “thank yous”
  - B. Solicit input from your “partner” organizations as to how the court can improve services and work more efficiently to meet the needs of the community.
  - C. Be honest with the limitations of the court and the legal system, and emphasize the important role other organizations play in ensuring justice.
  - D. Mentor students and new attorneys to start them on the path of community service.
  - E. Help steer students and new attorneys to possible work opportunities in the court and the private sector. Even though we will lose the volunteer to a paid job, which are really what most people need. We develop a better reputation as a good place to volunteer if people know they will be exposed to possible job opportunities, and will not be exploited.
- V. HOW PARTNERSHIPS SERVE THE *PRO SE* LITIGANT
- A. Partnerships can provide comprehensive assistance to individuals and families.
  - B. The impartiality of the court limits what we can do.
  - C. Funding limits what we can do.

- D. Actual examples of how SHLA Center partnerships serve *pro se* litigants:
1. A woman victim of domestic violence was afraid to call the police because of immigration concerns. Through the SHLA Center the woman learned there was protection for her even though she did not think her immigration status was secure. The SHLA Center allows the police to interview victims of domestic violence in the safety of the center, and lets them know they do not have to be victims in order to stay in this country.
  2. A 16-year-old desperately needed a kidney transplant. With only days to live, there was no adult who could authorize the transplant operation. He needed a legal guardian to give consent. The SHLA Center was approached by local clergy for help. The youth's pastor offered to serve as the youth's legal guardian. The SHLA Center was able to help the pastor complete the voluminous guardianship petition and supporting documents, and get the case scheduled for an emergency *ex parte* hearing. Within 4 hours from the time the pastor first came into the Oxnard SHLA Center, the judge signed the order and the youth received his kidney transplant. The operation was successful.
  3. Hearing-impaired people were coming into the SHLA Center needing help with their civil cases, or simply needing information about available services. No one in the SHLA Center could communicate with them, except by writing things back and forth, a time consuming and frustrating exercise. The court does not keep sign language interpreters on duty all the time. Rather than have the hearing impaired person wait until the court could possibly locate a sign language interpreter, or return on another day, the SHLA Center arraigned with GLAD to provide assistance to the hearing impaired at the GLAD office near the court. SHLA Center materials were provided to GLAD to allow GLAD staff to assist people with completing court forms. More complicated questions could be addressed over the phone, or if necessary, GLAD advocates would accompany the hearing impaired person to the SHLA Center for more comprehensive assistance.
  4. Landlords struggling to evict tenants who have not paid rent for months can receive assistance with court forms, but they are also given information about the bar association's LRIS where they can hire an eviction attorney for a fixed fee, often for far less than one month's rent.
  5. Tenants facing eviction because of a financial crisis are referred to Catholic Charities, which can arrange to pay back rent to the landlord, thereby preventing another family from joining the homeless ranks.
  6. Parents needing assistance with raising difficult teens are referred to Jewish Family Services or Interface where they can get low cost

or free family counseling. Information about youth mentor programs is also provided.

8. A couple caring for their mentally disabled adult son find themselves being harassed by their homeowner's association because members of the community do not want a mentally disabled person living among them. The SHLA Center not only refers the couple to the Department of Fair Employment and Housing where they can file a discrimination complaint, but also refers them to Tri-Counties Regional, and Protection & Advocacy, Inc. where they can get additional support for dealing with their son.