

ACTION PLAN TO ASSIST SELF-REPRESENTED LITIGANTS

1. Description of Need:

Inyo County is located east of the Sierra on the eastern border of California and shares that boundary with the State of Nevada. Geographically, the county is the second largest in CA with some 10,192 square miles of total land area that includes two mountain ranges. However, all but .3% of the land is owned by various government agencies. Almost 90% of the 18,250 population lives in the Owens Valley in the northwest corner of the county. Bishop is the largest community and the only incorporated one. The county seat is Independence, located 45 miles south of Bishop on Highway 395. 18 other communities are located to the south, most scattered along Highway 395. There are four American Indian Reservations in the county with a significant Native American population. The senior citizen and Hispanic populations are increasing.

In March 2001, the Court formed a Self-Represented Litigants (SRLs) Planning Committee to determine the problems and potential solutions to the needs of self-represented litigants. Invitations to participate were extended to the general public through local newspapers, T.V., and radio. Committee members include Judge Stout, Court's CEO, the Victim-Witness Coordinator, Family Law Facilitator, Director of Family Support Division, an attorney from California Indian Legal Services, two attorneys from the local bar association, and two paralegals.

The committee discussed all aspects of providing services to self-represented litigants, and designed an action plan for continued improvement planning. Four Committee members attended the AOC sponsored Northern Regional Conference on Assisting Self-represented Litigants. The committee has implemented several action items that surfaced concerns and suggestions from citizens across the county on the issue of self-represented litigants. Various sub-committees have worked on particular action items to address these concerns.

Surveys, needs assessment, and town meetings have identified specific target groups of self-represented litigants who most need the services of the Inyo County Superior Court. They include people who live in the southern regions of the county and for whom travel costs and logistic block access to the court in the north, family law self-represented litigants, people with child custody/visitation issues, those with guardianship issues, elders, and persons needing answers to general civil questions or assistance with infractions, civil harassment, and employment issues.

Specific needs of self-represented litigants were discussed. Generally there are three main issues or areas of concern:

- Lack of legal information
- Being overwhelmed or fearful of the court system
- Limited resources and available assistance

Generally, the people identified above, lack information and education about the court. They have little understanding of legal processes and don't know where to go for legal assistance. Many have literacy problems, or physical and mental disabilities, that prevent them from utilizing or having access to court processes. Many cannot afford legal assistance or court fees or to take time off from jobs to work on their case. As a result, many people simply do not use the court system as a resolution process. They find it easier to just live with the problem than to go to the time, expense, and frustration of the legal process and court system.

Those self-represented litigants who do participate in the court system are often overwhelmed, fearful and confused about the processes. They don't know what to expect. The attorney representing the opposing party intimidates them. They don't know whom to trust and what information to share. They don't understand filing and courtroom procedures. The paperwork and the court process itself overwhelm those attempting to represent themselves.

Limited resources and legal assistance are available to self-represented litigants. The Self-Represented Litigants Committee found through the surveys and needs assessment activities that there are substantial service and resource gaps for self-represented litigants in the county. Limited legal assistance is provided by the Family Law Facilitator and California Indian Legal Services. Local attorneys already provide some *pro bono* service and are in dialogue with the court about this. A major block to creating a volunteer legal clinic is the cost of malpractice insurance.

For those individuals who choose to represent themselves, there are few resources to help them. The law library is inadequate and inaccessible to many. There are few programs or informative publications to guide them. The Family Law Facilitator can offer only limited service, as this is currently a part-time position. Travel costs and logistics block many citizens who live in the southeastern area of the county from accessing the limited services currently available.

2. Program Areas:

The Self-Represented Litigants Committee identified three overall goals for the self-represented litigants project. These are:

- *Education for self-represented litigants*
- *Expansion of services and resources for self-represented litigants*
- *Extension of services in the area of Family Law.*

Education for Self-Represented Litigants:

A prioritized aspect of the Court's strategic goal of an educated citizenry is educating self-represented litigants about legal/court processes and applicable portions of the law. Activities that the Committee is undertaking to implement this are the development of self-help publications, the dissemination of information in printed form and on-line access, and the media, and educational programs, references, video, and assistance from court staff

Expansion of resources and services for Self-represented litigants:

The Committee has begun working toward this goal. Exploration of the feasibility of purchasing and installing video conferencing equipment between the Tecopa Community Center and the County seat for use in small claims cases is being done. Additionally, the Committee is investigating funding and feasibility of public access to a computer with appropriate software, including judicial council forms, to assist self-represented litigants. Advertising the availability of the AOC Online Self-Help Center will be ongoing. AOC videos will be made available at various locations in Independence and Bishop.

Extension of services in the area of Family Law:

The Strategic Planning Team and the Self-Represented Litigants Committee have identified Family Law as by far the area of greatest need with respect to self-represented litigants. A priority of our plan is to obtain adequate funding to supplement AB1058 facilitator funding to create a full-time family law facilitator position. This will provide extended services including child custody/visitation, and guardianship services. The facilitator would also coordinate the delivery of "family courts services., providing referrals, pre-mediation orientation services, and facilitate litigants' compliance with mediation, child custody evaluation, and other family law court orders for counseling and parenting classes.

3. Program Action Plans:

a. **Program Title and Description:**

Education For Self-Represented Litigants:

A prioritized aspect of the Court’s strategic goal of an educated citizenry is educating self-represented litigants about legal/court processes and applicable portions of the law. Activities that the Committee is undertaking to implement this are the development of self-help publications, the dissemination of information in printed form and on-line access, and through community organizations, community events, and the media, and educational programs, references, video, and assistance from court staff.

b. **Program Partners:**

Initial partners for this program are the Inyo County Superior Court, Inyo Bar Association, Family Court Services, Family Law Facilitator, Inyo County Law Library, County Libraries, California Indian Legal Services, Victim-Witness Program, Dept. of Health & Human Services, IMAAA, Wild Iris and various civic and non-profit organizations. The SRL Committee is partnering with local newspapers, radio and TV stations in program advertisement and dissemination of information.

b. **Program Plan:**

| <i>Task</i> | <i>Deadline</i> | <i>Person/Org Responsible</i> |
|--|-------------------|-------------------------------|
| Ascertain scope of need for SRLs assistance and resources | June 30, 2002 | Judge Stout |
| Participate in the AOC sponsored Northern Regional Conference on Assisting SRLs | April 20-21, 2002 | Four SRL Committee members |
| Conduct written community survey to identify providers of services that might be helpful to SRLs | June 30, 2002 | Ginnie Bird |
| Conduct community stakeholder needs assessment | Ongoing, 2003 | Ginnie Bird |
| Conduct community-focused Town Meetings in remote areas of County (Death Valley, Shoshone, and Tecopa) to ascertain needs, concerns, and ideas for improved services for SRLs in these areas | December, 2001 | Judge Stout |
| Research court records and files to develop relevant information related to SRLs (e.g. types & numbers of cases involving one or more SRLs.) | December, 2001 | CEO Nancy Moxley |
| Review publications designed to assist SRLs | June 30, 2002 | Ginnie Bird Judge Stout |
| Inventory Inyo County Law Library and Public | June 30, 2002 | Judge Stout |

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Date Submitted: May 29, 2002

Contact: Nancy Moxley – 760-878-0297

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|--|-------------------|----------------------------------|
| Libraries for availability of resources appropriate for SRLs. | | |
| Member of SRL Committee to serve as a member of the Inyo County Law Library Board of Trustees | Currently ongoing | Judge Stout |
| Advertise availability of services to assist self-represented litigants (e.g. AOC Online Self-Help Center) | Ongoing; | Judge Stout |
| Create a single handout for Clerks to provide to SRLs that contains referral information and brief descriptions of local services available to assist SRLs. | June 30, 2002 | Judge Stout |
| Translate court handouts, brochures, and informational packets into Spanish | January, 2003 | Administrator Linda Mills |
| Expand availability of informational packets (with forms) to additional areas of legal procedures. Packets currently available include dissolution, legal separation, annulment; domestic violence, civil harassment, elder abuse restraining orders; and name change. | December, 2001 | Sandy Anderson |
| Continue to expand and improve the Court's website | Ongoing | Judge Stout, Jeff Roberts |
| Increase advertisement of availability of AOC videotapes (English & Spanish) on domestic violence restraining order cases and uncontested family law cases. | Ongoing | SRL Committee |
| All staff participate in the AOC satellite training on the different between legal advice and information. | June 30, 2002 | Court Staff |
| Encourage court staff to take an active, but appropriate role in providing helpful information to SRLs. | Ongoing | Judge Stout, CEO N. Moxley |
| Include in quarterly staff meeting agendas information and discussion related to serving SRLs, including updated referral sources | Ongoing | Judge Stout, CEO Nancy Moxley |
| Involve staff in developing meaningful training related to serving SRLs by encouraging staff to submit hypothetical situations or common questions that they feel uncomfortable answering. | Ongoing | Judge Stout, CEO Nancy Moxley |
| Encourage staff to make suggestions to improve services to SRLs. | Ongoing | Judge Stout, CEO Nancy Moxley |

c. **Existing Resources That Will Be Used:**

Many of the programs require staff time to accomplish.

c. **Additional Resources Needed:**

Additional resources that may be needed to support the educational activities will be staff time to prepare materials, translation services, advertising services, training equipment (laptop, TV/VCR, multi-media projector, overhead projector) and materials preparation equipment (printer, copier, camera, software.) The very limited space available may also be a block to efficient delivery of services. Additional monies will be needed to develop and disseminate educational materials.

d. **Evaluation:**

Several methods will be used to evaluate the success of the programs. The quality of handouts and pamphlets will be assessed through feedback both from the self-represented litigants and the judicial officer they appear before. They will also be assessed by the number used and requests received.

a. **Program Title and Description:**

Expansion of Services and Resources for Self-Represented Litigants

The Committee has begun working toward this goal. Exploration of the feasibility of purchasing and installing video conferencing equipment between the Tecopa Community Center and the County seat for use in small claims cases is being done. Additionally, the Committee is investigating funding and feasibility of public access to a computer with appropriate software, including judicial council forms, to assist self-represented litigants. Advertising the availability of the AOC Online Self-Help Center will be ongoing. AOC videos will be made available at various locations in Independence and Bishop. Dialogue continues with the Bar Association around the possibility of creating a volunteer legal clinic and expanding the current pro bono services members of the Bar now provide.

b. **Program Partners:**

Inyo County, Tecopa Community Center, Bar Association, and various civic and non-profit organizations.

c. **Program Plan:**

| <i>Task</i> | <i>Deadline</i> | <i>Person/Org Responsible</i> |
|--|--|---------------------------------|
| In response to the Death Valley Outreach meeting, explore feasibility of purchasing and installing video conferencing equipment between Tecopa Community Center and County seat for use in small claims cases. | June 30, 2003 | CEO Nancy Moxley |
| Discuss with County Administrator about installing the video conferencing equipment in the meeting room of the County Board of Supervisors (instead of the Court) for sharing of costs and allowing increased access to Board of Supervisors meetings as well as the Court | Initially June 30, 2002 & ongoing June 30, 2003 | Judge Stout CEO Nancy Moxley |
| Investigate funding and feasibility to provide public access to a computer with appropriate software, including judicial council forms to assist SRLs | Ongoing through 2003 | CEO Nancy Moxley |
| Continue dialogue with the local Bar Association to encourage increased provision of <i>pro bono</i> reduced fee legal services | Ongoing through 2003 | Judge Stout |

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| Solve problems associated with providing some form of a volunteer legal clinic (e.g. malpractice insurance) | Ongoing; 2003 | Judge Stout SRL Committee |
| Increase advertisement of availability of AOC videotapes (English & Spanish) on domestic violence restraining order cases and uncontested family law cases. | Ongoing; 2002 | SRL Committee |
| Make videos available at various locations in Independence and Bishop | Ongoing; 2002 | SRL Committee |

d. **Existing Resources That Will Be Used:**

Court staff, Bar Association, County of Inyo, California Indian Legal Services

e. **Additional Resources Needed:**

Funding, video conferencing equipment, infrastructure, maintenance costs, computer, monitor, printer, software, funding for court staff attorney (other than legal research), and secure space.

f. **Evaluation:**

The SRL Committee will gauge the success of this program by the extent to which the program activities are accomplished and the extent to which the programs are used and valued by the self-represented litigants.

a. **Program Title and Description:**

Extension of Services in the Area of Family Law:

The Strategic Planning Team and the Self-Represented Litigants Committee have identified Family Law as by far the area of greatest need with respect to self-represented litigants. A priority of our plan is to obtain adequate funding to supplement AB1058 facilitator funding to create a full-time family law facilitator position. This will provide extended services including child custody/visitation, and guardianship services. The facilitator would also coordinate the delivery of “family courts services, providing referrals, pre-mediation orientation services, and facilitate litigants’ compliance with mediation, child custody evaluation, and other family law court orders for counseling and parenting classes.

b. **Program Partners:**

Inyo Superior Court; Family Law Facilitator; Department of Child Support Services; County government agencies including County Welfare Program, Mental Health, Drug & Alcohol Program, and Victim/Witness Program; Private Psychologists, counselors, and the local Bar Association

c. **Program Plan:**

| <i>Task</i> | <i>Deadline</i> | <i>Person/Org Responsible</i> |
|---|-----------------|----------------------------------|
| Obtain adequate funding to supplement AV1058 facilitator funding to create a full-time family law facilitator position | July, 2003 | CEO Nancy Moxley |
| Hire a full-time Family Law Facilitator | July 1, 2003 | Judge Stout CEO Nancy Moxley |
| Provide extended services including child custody/visitation and guardianship services. | July, 2002 | Judge Stout, CEO Nancy Moxely |
| Obtain funding for the development of a mobile SRL/Supervised Visitation unit and for staff and materials for same. | July, 2003 | CEO Nancy Moxley |
| Expand and coordinate the delivery of “family court services.” | Ongoing; 2002 | Family Law Facilitator |
| Expand and improve referral services and pre-mediation orientation services | Ongoing; 2002 | Family Law Facilitator |
| Facilitate litigants’ compliance with mediation, child custody evaluation, and other family law court orders for counseling and parenting classes | Ongoing; 2002 | Family Law Facilitator |

d. **Existing Resources that will be Used:**

Family Law Facilitator; absorb costs of expanded Facilitator/Coordinator; Victim Witness Program; partnering with private psychologists and counselors to provide mediation services, child custody evaluations, counseling service and parenting programs.

e. **Additional Resources Needed:**

Space for staff; space for self-represented litigants to view pre-mediation orientation videos and other self-help videos; funding for development of mobile Self Represented Litigants/Supervised Visitation unit; funding for staffing and materials for mobile Self-Represented Litigants /Visitation unit; funding for Family Court Services Coordinator and expanded facilitator services.

f. **Evaluation:**

Evaluation of this program will be done through several surveys: a survey of users, a survey of court staff, and a survey of judicial officers.

4. *State Support:*

The court requires support from the AOC and the state budget authorities to approve funding to implement some of the items in this action plan. Special funding will be needed outside of the Budget Change Request. The Committee on Self-represented Litigants has devoted staff time to the development and implementation of portions of this Action Plan that can be accomplished within existing resources. Some of the short-term objectives are being addressed in this way. Many of the long-term objectives will require additional funding to implement. Resource needs are estimated and identified in each of the program action plans.

The court plans to continue to participate in the formal processes of budget and grant applications to the AOC and other sources as appropriate in order to implement this plan. Collaboration will continue with community non-profit agencies that provide some legal and support services; and with other local funding entities that approve programs and budgets for services that either directly or indirectly impact the court and self-represented litigants.

5. *Unique Approaches:*

Limited resources prohibit the development of legal assistance programs. Acquiring funding for partnering with operational legal aid agencies in other counties, telephonically or on-line, would be one possibility for our isolated area.

Funding and acquisitions of a motor home for use in delivering self-help material, computers, and assistance to remote areas of our county is being considered in conjunction with the development of a mobile unit to be used for delivering supervised visitation/exchange services throughout Inyo County (geographically the second largest county in California).

6. *Sustaining the Action Plan:*

Self-Represented Litigants Committee meets regularly to guide program activities. The Community-Focused Planning Team meets periodically to continue the planning and research needed to implement all aspects of the Strategic Plan.

7. *Other Comments:*

Proper facilities and adequate space continue to present a barrier to legal services. Regular meetings and dialogue with involved entities are taking place and plans are moving forward toward the construction of a new court complex in Independence (the county seat) to house court staff, courtrooms, and storage. In addition, funding to secure space in the southern area of the county is needed, so that the court is able to offer all services in both southern and northern locations. This would improve access to legal services for those populations that tend to represent themselves. Additionally, appropriate, modern court facilities in both northern and southern locations will allow secure areas (both physically and technologically) for the use of computers and materials for Self-represented litigants to access appropriate forms, public information from the court system, as well as legal reference and self-help materials.