

Superior Court for the County of Los Angeles

TECHNICAL ASSISTANCE GRANT
FINAL EVALUATION REPORT
MOU #00-97
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I. INTRODUCTION

A. Background

According to the Access to Justice Working Group appointed by the State Bar in its report, *And Justice For All: Fulfilling the Promise of Access to Civil Justice in California*, the legal needs of three out of four poor Californians are not being met. In addition, they found that the shortage of quality legal services for self-represented litigants also had a negative effect on the functioning of the judicial system. In 1993, the Task Force on the Future of California's Courts recognized the importance of a broader clerk's office information-giving role, and the critical need to refine the traditional limitation on the giving of legal advice to accomplish it. Recently, the Judicial Council reported a growing trend of self-representation in some family law cases estimated as high as 83%. To address these trends, many courts have successfully developed and implemented programs designed to assist self-represented litigants.

Most self-represented litigants are unfamiliar with legal terminology and are confused by the numerous court forms and complicated procedures. As a result, many self-represented litigants become so discouraged that they give up their attempts to seek relief through the judicial system. If they do attempt to represent themselves, they must depend to a large degree on court staff for information on the court system. Unfortunately, most court staffs have been told they cannot give legal advice when answering questions. While that is true, there is a great deal of legal and procedural information that can be given. Our goal is to establish Self-Help Centers throughout the County where a trained staff will play the role of "gatekeeper" providing access into the court system through legal information and education.

II. ACTION PLAN

ACTION PLAN TO ASSIST SELF-REPRESENTED LITIGANTS

1. *Description of Need:*

Recent research and innovations have drawn attention to the plight of self-represented litigants and the additional costs they create for the courts when they are unprepared. In Los Angeles County in the year 2000, more than 250,000 cases were filed with at least one party filing *in pro per* (out of a total of approximately 2.7 million filings). While many Legal Service Corporation-related programs have been serving this population for years, court-based innovations across the state of California have raised the expectations of many of those in the justice system as to the level of services that can and should be offered by the court. The Superior Court of Los Angeles County is actively looking for feasible means of meeting these heightened expectations, and providing access to self-help services throughout the county. While we recognize that self-help provides a minimal level of support, inferior to representation-based support or legal services models, our aspiration is to create a safety net: a network of self-help

services that reaches across the county and addresses the major types of litigation in which self-represented litigants engage.

2. Program Areas:

At the centers, the public will have ready access to informational materials about the court, its proceedings and procedures, instructions on how to complete the forms (including sample forms), reference materials regarding legal service providers, social service and governmental agencies. In addition, the centers will provide educational materials, including flyers on a variety of legal topics and self-help legal books and make referrals to legal services when needed. In some centers, litigants will also have access to work tables, use of computers with access to court web sites and links, word processing and legal access workshops.

Volunteer attorneys, law students, paralegal students and college students, assisted by court staff, will provide customer service in the centers. Some services, such as initiating a dissolution or a paternity action will be provided in a workshop format to maximize resources. Unlawful detainer, small claims, guardianships and other civil services will be provided either on a one-on-one basis or through simplified form packets and instructions, depending upon the capacity of the center.

3. Program Action Plans:

a. Program Description:

Our plan is to develop a Self-Help Management Center to coordinate the establishment of multiple self-help centers in Los Angeles County. This plan is highly contingent on the availability of additional state and local resources including volunteers from the Bar and law schools. With over 58 court locations throughout the county, it is virtually impossible for our court to establish a self-help center in each courthouse. The purpose of this centralized office is to identify available space in the various court locations, assess community needs, recruit and train volunteers, develop self-help materials and distribute them to the multiple self-help centers established as a result of this program. Through the coordination of resources, we hope to provide a more seamless service delivery to litigants.

b. Program Partners:

Currently, our most important partner is the County of Los Angeles because of their funding support, which has established the Van Nuys Self-Help Legal Access Center. The Van Nuys Center, run by Neighborhood Legal Services (NLS), has assisted the Court with planning efforts and with written materials. In addition, NLS has provided the Court with training programs for volunteer staff and with legal support at our Pomona Self-Help Clinic. The County's Department of Consumer Affairs has also been an important partner in our planning efforts by including the Court in all planning and expansion discussions. We hope that the County will continue to partner with us in the future by providing financial support for additional Self-Help Centers in other areas of the county.

The County Law Library is fast becoming an important partner as well. Many of our branch courts need space to establish self-help centers and under a desire to do this we have approached the Law Library. We believe the current space in some of our Law Libraries can be reconfigured to accommodate our needs and complement theirs as well. Many Law Libraries throughout the country have taken the lead in establishing self-help centers. With this in mind, I believe this growing trend will help us develop a meaningful partnership with our County Law Library in the future.

Involvement by the Los Angeles County Bar Association and other local and specialty bar associations is crucial. The private bar is an important partner in a Self-Help Center's success. They provide the encouragement and support for a ready stream of volunteers and they help connect the community to the centers through referrals and publicity. In turn, the centers are an effective screening tool for private bar lawyer referral programs. Self-Help Center staff and volunteers become expert at knowing which types of pro per cases will benefit from a lawyer referral panel. Some cases are just too complicated to proceed without a lawyer and self-represented litigants should not be encouraged to do so.

Given the high volume of self-represented litigants at each court location, each center must utilize volunteers in order to meet the needs of litigants. All volunteers must be trained, supervised, and regularly evaluated in order to ensure quality assistance is provided. Integral to the success of each center is the development of meaningful partnerships between the court, the local bar, local schools and local community service organizations. In addition, the local bar, law schools and colleges are a rich source of volunteers. It is anticipated that the Court will identify an individual responsible for countywide volunteer coordination either from the legal services community or from within the court. Volunteer coordination is a time consuming and important function to this program and must be treated as such.

Center staff must meet regularly with file clerks, courtroom clerks, bench officers and court administrators. Staff must establish an open communication with court personnel in order to be aware of problems with the services they are providing. Likewise, center staff needs to communicate to the court problems they have observed with the court processes, procedures and personnel.

Local community service organizations must be part of an integrated referral system. Most pro per litigants do not have discrete legal problems. There are usually some associated problems that may be helped by a referral to a local service organization. The intake screener needs to know exactly where to refer litigants to find these needed services. The idea of utilizing "Resource Coordinators" to assist with social service referrals has been experimented with and appears to be a good idea. With additional funding sources available, this concept may be expanded to Self-Help Centers.

c. Program Plan: Identify tasks, deadlines, and persons responsible for implementing the Program.

Task	Deadline	Person/Org Responsible
Convene Self-Help Summit	July 2001	Bryan Borys
Conduct Needs Assessment	September 2001	Shana Wallace
Form Self-Help committee	October 2001	Judge Zelon
Draft Concept Paper	January 2002	Susan Matherly
Obtain Court Approval Of Self-Help Plan	April 2002	Peggy Shuttleworth
Hire or Designate Self-Help Coordinator	June 2002	Susan Matherly
Develop Self-Help Materials	On-Going	Self-Help Coordinator
Identify and Obtain Space	July 2002	Self-Help Coordinator
Purchase Equipment	September 2002	ISTB
Develop Volunteer Training Materials	October 2002	Self-Help Coordinator
Recruit Volunteers	On-going	Self-Help Coordinator
Train Volunteers	On-going	Self-Help Coordinator
Develop Roll-out plan	November 2002	Self-Help Committee
Phase-in Self-Help Centers	Beginning December 2002	Self-Help Coordinator
Open Inglewood Self-Help Center	December 2002	Darrel Mahood

d. Existing Resources:

Following the AOC's lead, we propose to create a full-time position devoted not to direct service *delivery*, but to the *coordination* of existing resources across the county, including the following:

- Through the Van Nuys Self Help Legal Access Center (SHLAC), Neighborhood Legal Services has contributed a wide range of programming and materials to the public domain that could be utilized across the county.
- Law schools are looking for real-world internships for students who, with the proper supervision, could provide adequate assistance to many self-represented litigants.
- Local Bar groups are willing to help organize *pro bono* attorney services.
- Cost savings to the Superior Court provide an incentive for local managers to contribute clerical support for the administration of self-help centers.
- Grant funding from the Administrative Office of the Courts will provide funding for the Self-Help Coordinator position; Superior Court staff will

provide necessary internal support for creating satellite centers; Superior Court will solicit the help of the Center for Children Families and the Courts (of the Administrative Office of the Courts) in evaluating the pilot; and a strong partnership already exists to leverage the resources of the Van Nuys SHLAC.

e. Additional Resources Needed:

Center staffing patterns will be correlated to the volume of potential pro per litigants. Each center may have different staffing patterns and hours, commensurate with the available court and community resources. Additionally, some centers may be “unmanned” and located in areas such as law libraries and in close proximity to Public Information Booths. It is hoped that these “unmanned” centers provide a wide variety of written materials and technology-based kiosks as the primary service delivery method. In centers with staff, they must be able to function well in a fast-paced and diverse environment. In addition, they must be able to understand and meet the needs of self-represented litigants and be able to work effectively as part of a team. Most self-represented litigants do not often communicate their legal needs effectively which requires staff to be patient, exhibit good listening skills and knowledgeable about the services available to self-represented litigants.

In our most recent budget request we proposed the following:

“The court is requesting a total of \$1,322,438 for 26 new positions to develop a comprehensive, countywide program to help self-represented litigants in the Los Angeles Court System, which consists of 58 locations throughout the county. The positions requested are; one (1) Self-Help Coordinator, fourteen (14) Paralegals, six (6) Resource Coordinators, two (2) Staff Assistants and sixteen (16) Office Assistant IIIs, to establish 13 Self-Help Centers across Los Angeles County. The requested funding will provide a centralized Self-Help Management Center to coordinate and manage eleven satellite Self-Help Centers located in each of the eleven Court Districts and two Centers in the Central District.

Four positions, the Self-Help Coordinator, one Paralegal and two Staff Assistants, assigned to the centralized Self-Help Management Center which will coordinate and standardize self-help intake procedures and protocols throughout the county, prepare and distribute self-help materials to each of the District Self-Help Centers, develop additional funding sources such as grants, increase human resources through volunteer coordination and develop meaningful partnerships with the Bar, local law schools and community organizations. The remaining positions, 13 Paralegals, 16 Office Assistant IIIs, and 6 Resource Coordinators will provide a variety of services to the estimated 200,200 self-represented litigants using the court system. Service will consist of providing assistance with their legal forms, social service referrals and information needed to navigate without an attorney in the justice system of Los Angeles County.”

f. Evaluation:

As these self-help centers have not previously been the subject of in-depth investigation, the proposed evaluation will begin with an examination of the fundamental components of the program in order to provide insight into what, precisely, these programs provide to self-represented litigants who partake of the services offered by the programs (this step will be informed by the work already done through the AOC-sponsored Pro Per Task Force and with the State Bar Foundation).

After this preliminary, but essential step, the evaluation will proceed to a survey of litigants who have, and who have not, received services from the center. The main focus of this part of the survey will be determining whether the center increases pro per understanding of, and satisfaction with, the legal process and case outcome. This information will be interpreted in the context of previous studies on distributive and procedural justice and previous evaluations of self-help centers (as available).

We propose to survey litigants at time of filing, asking them (1) what type(s) of assistance they have received, if any; and (2) a set of questions about outcomes of interest, to be defined through consultation with the consultants and a review of existing evaluation methodologies. A large enough sample size will allow us to control for type of litigation, thus allowing us to identify the effects of service delivery type on outcomes of interest. The survey methodology will be complemented by a process analysis of the major service delivery types, allowing us to suggest which factors are responsible for better outcomes.

4. State Support:

The state should support the concept of making dramatic changes to the forms we use to resolve family law and evictions or establish a more stable funding source to fund legal help for people.

5. Unique Approaches:

As good as are the services provided by the numerous self-help models established by other jurisdictions, the problems of Los Angeles County require unique solutions. If our most recent budget request is not funded, we have chosen an alternative model, the Self-Help Coordinator model, that can conceivably deliver minimal acceptable levels of service to the over 9 million residents of the county.

Our plan is to develop a three-tiered approach to Self-Help Centers. We want to establish and maintain some full-service centers, operating five days per week and eight hours per day, similar to the center already established in Van Nuys. But, we also realize that we may have to build some partial service or part-time centers as well. In some locations, we may only offer self-help packets and informational materials, while at other locations we may have workshops or self-help assistance one day per week.

This proposal recommends the establishment of multiple Self-Help Legal Access Centers across Los Angeles County by creating a centralized Self-Help Management

Center to coordinate and manage the process. The goals of the Self-Help Management Center are to:

- Develop meaningful partnerships between the court, the local bar, local schools and local community service organizations;
- Standardize self-help intake procedures and protocols throughout the County;
- Develop on-going funding sources such as grants; and
- Increase access to justice for self-represented litigants.

Coordination of the Centers makes sense from an organizational and a practical perspective. Centralization would make management of Center staff more efficient and make it easier for smaller Centers to share staff. Moreover, self-help intake procedures and protocols could then easily be standardized throughout the County.

Perhaps the most important reason for central coordination is to avoid "re-inventing the wheel" for each Center. Effective methods would be replicated in all Centers. Judicial Council forms change twice a year. All self-help materials need to be modified to reflect these and other changes made in the law. Central coordination would enable one team to make the needed updates and circulate them to all the Centers.

6. *Sustaining the Action Plan:*

Much of the action plan can be sustained through existing resources and one time only expenses for facilities improvements and equipment. Therefore, our plan to provide a minimal service level can be sustained provided the evaluation process recommends that the program be continued. If, on the other hand, the evaluation recommends improvements that require increased or permanent staffing, we will have to work the budget process for permanent resources. Grant funding does not provide the stability a program with such high public expectations needs. The reality of the situation is that once we start doing something the public likes they expect us to continue. Without a stable funding source, unfunded, non-mandated programs do not have the same opportunity to become institutionalized, as do funded programs. Therefore, by coordinating and leveraging existing resources, we believe we can implement the action plan by the deadlines listed.

III. HOW GRANT FUNDS WERE USED

A description of how grant funds were used, including the products delivered by the consultant.

The Los Angeles Superior Court has recognized the growing number of self-represented litigants as a pressing issue. A Self-Help Legal Access Center in Van Nuys has proven to be a successful response to aiding self-represented litigants in navigating their way through the legal system. Therefore, it is the intention of Los Angeles Superior Court to establish Self-Help Centers in other (if not all) of its districts. With limited resources, funding, space and manpower, however, it is necessary to assess Pro Pers' various levels and types of need around the county. Therefore the Court decided that a needs assessment was necessary to provide the basis for such determination for the Self-

Help Center Committee. The contractor provided a Self-Help Needs Assessment for the Los Angeles Superior Court (Attachment A).

The contractor/consultant helped us determine where there were gaps in available services to assist self-represented litigants and where the greatest needs for service are. The consultant also helped us identify potential program partners including specialty bar groups, local bars, laws schools and legal service providers for low-income people. She also attempted to identify potential space for centers within the various courts. One of the most interesting services provided by the consultant was a survey of the courtroom judicial assistants regarding their experiences with self-represented litigants. The survey results revealed that legal advice vs. legal information training is needed because we found that courtroom staffs are extremely confused between the two. It also revealed that most judicial assistants do not know about existing programs available to self-represented litigants. As a result of these findings, we incorporated some of this educational information about legal advice and resources in our customer service-training program that we recently gave to all of our court employees.

The needs assessment report prepared by the consultant consists of statistics regarding self-represented litigants in both comparative chart form, and in the context of district and court location descriptions. The assessment was done as a “gap analysis”: i.e. after seeing what the statistical needs were in each district/court location, we tried to track what programs already exist to address those needs. In this way the assessment is an attempt to diagnose the “gap” between what each districts’ needs are and what the district is already able to address.

Finally, in each section and at the back of the needs assessment there is an extensive list of possible local resources that could be called upon in developing a Self-Help Center or specific programs to help self-represented litigants. Generally the Legal Aid or non-profit group is listed under the district/court location where it is specifically located. However, many groups work with clients and courts outside of that geographic location. Therefore, there are directories in the back of the needs assessment to get a better feel of what resources exist countywide. This needs assessment was intended to be a starting place in our discussions about where the need to establish a Self-Help Center exists. To that end, the contractor provided the Court with the information and the tools for taking the next step.

IV. ASSESSMENT OF CONSULTANT’S WORK

The court’s assessment of the quality of work provided the consultant.

The contractor performed all of the tasks stated in the Statement of Work, performed them on time and in an acceptable format. The quality of the work performed by the contractor was outstanding and the data gathered was extremely valuable in determining the countywide needs of self-represented litigants.

V. MAJOR ACCOMPLISHMENTS TO DATE

Other information relevant to providing a comprehensive description of the status of countywide community-focused court planning activities relating to self-represented litigants.

The following is a list of the major accomplishments to date relating to self-represented litigants:

1. Written and applied for three grants to help fund Self-Help Centers.
2. Conducted a Self-Help Summit on July 27, 2001.
3. Formed a Self-Help Committee that meets bi-monthly to develop policy, strategy and next steps. Judge Laurie Zelon chairs the committee.
4. Formed a Probate Self-Help Committee consisting of Probate Attorneys, Probate Bar, Public Counsel, Neighborhood Legal Services and Court Managers to develop Probate self-help materials.
5. Established a Guardianship Clinic in two locations.
6. Developed a self-help partnership with Ventura County, Orange County and Neighborhood Legal Services to share information and self-help materials.
7. Formed a partnership with the County Law Libraries to share resources and space.
8. Participated in County Self-Help planning meetings through the Judicial Procedures Commission to establish additional County-funded Self-Help Centers.
9. Conducted monthly meetings with the Department of Consumer Affairs to share information and resources regarding self-represented litigants and small claims programs.
10. Established a Self-Help Clinic in the Pomona Courthouse using the Law School/Bar partnership model.
11. Developed paralegal training program partnerships between the Court and Cerritos College, Mount San Antonio College and the University of La Verne.
12. Developed a plan to partner with the Norwalk Department of Social Services to provide self-help clinics in their offices as part of their one-stop approach to public services.
13. Completed construction on a Self-Help Center in the Inglewood Courthouse, which includes a children's waiting area.
14. Began construction on a Self-Help Center in the Torrance Courthouse.
15. Created an extensive inventory of self-help materials and information packets, which will be used in the upcoming Self-Help Centers.