

ACTION PLAN TO ASSIST SELF-REPRESENTED LITIGANTS

1. Description of Need:

Yolo County is a semi-rural county with a population of 168,660. The majority of the population lives in the county's four cities: Woodland, Davis, Winters and West Sacramento. The Action Planning Team began assessing community needs for self-represented litigants on July 20, 2001, at a general planning meeting. Subsequently, the team sponsored two community meetings to collect input directly from the community. Community meetings were held in West Sacramento on October 31, 2001, and in Davis on December 12, 2001. The team then reviewed and analyzed the community input to develop this action plan to assist self-represented litigants.

Outreach to the community identified the following groups most in need of services in the Yolo Superior Court jurisdiction:

- Spanish speaking
- Russian speaking
- Recent immigrants
- Working poor
- Persons without transportation
- University students

Yolo County continues to be a key destination for newly arrived immigrants. Spanish and Russian are the primary non-English languages spoken. Large concentrations of Russian speakers reside in West Sacramento, which has one of the largest Russian/Ukrainian populations in the west. The Hispanic population grew to 70,500 in 2001, representing just under half of the county's population as a whole. The majority of the newest Hispanic immigrants are primarily Spanish speaking. Language and cultural barriers continue to present a significant challenge for the court. Interpreters are provided in criminal cases, as required by statute, at a cost of \$170,000 per year. At the court's public counters and in civil cases, limited translation services are available. A survey indicates there is a need for additional interpreters primarily in the areas of civil domestic violence, family law and small claims, and at public counters.

Court accessibility is especially difficult for the working poor and for those without transportation. Many of these people live in remote areas of the county that lack public transportation services. Generally, the working poor do not qualify for legal aide services because they fall above the 200% of poverty eligibility threshold, yet they do not have enough income to afford to hire legal representation. Many of these people make up a large part of the self-represented litigants' population, or they opt out of participation in the court system altogether.

The University of California at Davis attracts students to Yolo County with a different set of problems and expectations of the legal system. Many of the students are primarily renters with landlord/tenant and small claims issues, with a desire to

represent themselves. Many students who live on campus sometimes have difficulty assessing court services in Woodland.

The fact remains that large numbers of people represent themselves in the Yolo Superior Court. An audit conducted one week in October 2001 showed that self-represented litigants filed all of the harassment, guardianship, name change and domestic violence cases initiated at Yolo Superior Court. The Family Law Facilitator assists over 1,800 self-represented litigants per year. The facilitator assists self-represented litigants three days per week, as well as providing court support. A line is formed at 8 a.m., and many people wait hours for service; some are not served because of the priority of court cases and must return another day. On a daily basis, the facilitator turns away more people than those who are served. The facilitator can only provide limited services based on part-time funding availability, the subject matter of law, and the centralized court location in Woodland. One community group rated "increased hours for the Family Law Facilitator" as their highest priority need; the other group rated it as their second highest priority, right after "a general self-help center at the courthouse."

The self-represented litigants in Yolo County need assistance beyond what is offered currently by the court and the community. As part of the planning effort, all of the groups that provide assistance to this population were inventoried and considered. The conclusion is that the main problems and needs of self-represented litigants are:

- Interpreter services for non-English speakers in civil court and translators for Spanish, Russian, Lao, Hmong, Thai, Hindi, Punjabi, Farsi and Urdu. Increased access to the Family Law Facilitator for non-English speakers, especially monolingual Russian speakers.
- Increased assistance in immigration issues, small claims, family law, debt collection, and unlawful detainer. Assistance in filling out forms and what to do after the forms are completed.
- Information about how the court system works, services and options in various legal situations such as tenant rights. Education on how to use the court to accomplish goals and to address the fear of the court system that currently exists. Assistance with enforcement of judgments.
- Knowledge about ways to resolve disputes prior to entering the court system.
- Transportation for those in remote areas of the county, or a way to bring the people and the services together.
- Expanded court services such as service hour extensions, on-line filing, childcare and user-friendly signage.

Some of the issues raised by the community go to the very basic policy issues of what courts can and should do.

- Court representation – attorney services in and outside of court.
- Advocacy for people with mental disabilities.
- Education and direction for the clerks in providing information versus legal advice to self-represented litigants.

The community focus groups and the Action Planning Team determined practical ways to address the problems and needs of self-represented litigants. After

discussion, the community participants rated the items and determined a priority. The Action Planning Team reviewed the priorities and the team determined program areas.

2 Program Areas:

The Action Planning Team recommends development of several program areas. A summary of each program is listed below. The summaries are followed by action plans to implement each program.

Public Access Desk (PAD): The court has committed to developing a Public Access Desk (PAD) at the main courthouse in Woodland to assist self-represented litigants. Volunteers will staff the PAD. The court eventually would like to develop a highly structured legal assistance center that has permanent legal staff. The PAD is a first step to provide greater legal assistance to self-represented litigants.

Expand Family Law Facilitator Availability and Services: The court would like to expand the current hours of the facilitator from three to five days per week in Woodland and at least three days per week in West Sacramento to meet current service needs. Permanent support staff is needed to reduce exclusive dependency on interns.

Monthly Clinic Program: The Monthly Clinic Program will be the primary method whereby the public will be educated about the court system. Volunteer attorneys will present clinics on an array of topics of interest to self-represented litigants. The goal is to provide step-by-step explanations on how to file matters in court. The clinics will be videotaped and will be available for viewing at the Public Access Desk.

Traveling Court: The traveling court would address the need to link court services to outlying areas. This plan addresses the transportation issues and helps create an accessible way for those who are reluctant to use the court system. This year, the court intends to travel to outlying areas eight times to hear traffic and small claims cases. The court would eventually like to develop a regular traveling court that would also have an advisory program to assist self-represented litigants.

Mandatory Small Claims Mediation: The court will implement a program by which all small claims cases will be sent first to mediation before having their case heard. The Yolo Court has a successful family mediation program and the small claims mediation program will be modeled accordingly.

Public Information Development and Dissemination: The court is committed to developing and distributing information to the public in a variety of ways via brochures, the media and Web site access. The goal would be to develop and disseminate information in the three dominant languages in our county: English, Spanish and Russian.

Court Community Liaison Program: The court plans to develop a Court Community Liaison Program modeled after a similar program implemented in San Joaquin County. Court Community Liaisons would attend an academy sponsored by the court and learn about all aspects of the court and legal system. An emphasis would be placed on liaisons that already represent and interact with either geographically remote, culturally isolated or non-English language-dependent communities. The Court Community Liaisons would transfer the information to these communities.

3 Program Action Plans:

The following pages contain the specific action plans for each of the above program areas.

PROGRAM ACTION PLAN

Program Title: Public Access Desk (PAD)

Program Description: The Public Access Desk (PAD) will be located in office space within the main courthouse in Woodland. There will be a variety of resources available for public/self-represented litigants use such as civil forms, reference materials, Nolo books, pamphlets on various legal topics translated into Russian and Spanish, computers equipped with the Essentials Software, a fax machine and a photocopier.

Program Partners: The court has collaborated with the University of California at Davis Law School. Plans have been made to staff the Public Access Desk with law student interns, who will receive academic credit, to help facilitate the needs of self-represented litigants in civil matters.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Obtain Public Access Desk grant funding.	Complete - March, 2002	Kathlyn Lamoure
2. Visit nearby self-help centers.	Complete - April 2002	Kathlyn Lamoure
3. Purchase equipment, software, materials and references.	June 1, 2002	Kathlyn Lamoure
4. Determine space location within the courthouse, remodel and furnish.	July 1, 2002	Kathlyn Lamoure
5. Develop manual, volunteer guides, surveys, forms, report formats, security plan, and signage.	July 1, 2002	Kathlyn Lamoure
6. Coordinate obtaining, training and scheduling of volunteers with the University.	July 1, 2002	Kathlyn Lamoure

7. Prepare press releases, advertisements and announcements of services.	August 1, 2002	Kathlyn Lamoure
8. Start services and evaluate the program as described below.	August 30, 2002	Kathlyn Lamoure

Existing Resources That Will Be Used:

The court has received \$30,000 in grant funding from the Administrative Office of the Courts to establish the Public Access Desk. Volunteer law students will staff the PAD.

Additional Resources Needed:

A court staff person is needed to coordinate the volunteer effort and to ensure that the Public Access Desk materials and resources are developed.

Evaluation:

Intake questionnaires, similar to the forms used by the Family Law Facilitator, will be designed. These forms will identify who is using the services and why. Satisfaction surveys will also be used to assess the quality of services. By analyzing the data, service successes and gaps can be identified for continued improvement. Tracking the number of case continuances due to incomplete information will provide an indicator of the overall effectiveness of the program.

PROGRAM ACTION PLAN

Program Title: Expand Family Law Facilitator Availability and Services

Program Description: The court would like to expand the current hours of the facilitator from three to five days per week in Woodland and at least three days per week in West Sacramento to meet current service needs. Permanent support staff is needed to reduce exclusive dependency on interns.

Program Partners: The Family Law Facilitator Program directly impacts the citizens of Yolo County. Program partners will include community volunteers, University of California at Davis law school students and the judicial administration fellowship program of the Center for California Studies at California State University Sacramento.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Determine funding vehicles for expansion of Family Law Facilitator services.	July 1, 2003	Kathleen M. White
2. Apply for and obtain funding for expanded services.	December 1, 2003	Kathleen M. White
3. Purchase (equipment) and/or materials (volunteer guides, surveys, and references).	February 1, 2004	Kathleen M. White
4. Coordinate obtaining, training and scheduling of volunteers with the University.	March 1, 2004	Kathleen M. White
5. Prepare press releases and announcements of services.	April 1, 2004	Kathleen M. White
6. Start services and evaluate the program as described below.	July 1, 2004	Kathleen M. White

Existing Resources That Will Be Used: The court has received funding to support the Family Law Facilitator program on only a part-time basis. Existing resources will be used to provide existing services.

Additional Resources Needed: Funding is needed for support staff and for additional attorney and paralegal staff to meet the current demand and to accommodate future service augmentations.

Evaluation: Intake questionnaires, similar to the forms used by the Family Law Facilitator, will be designed. These forms will identify who is using the services and why. Satisfaction surveys will also be used to assess the quality of services. By analyzing the data, service successes and gaps can be identified for continued improvement. Case continuances due to incomplete information will be used to track the overall effectiveness of the services.

PROGRAM ACTION PLAN

Program Title: Monthly Clinic Program

Program Description: The Monthly Clinic Program will be the primary method whereby the public will be educated about the court system. Volunteer attorneys will present clinics on an array of topics of interest to self-represented litigants. The goal is to provide step-by-step explanations on how to file matters in court. The clinics will be videotaped and will be available for viewing at the Public Access Desk. The first four clinics are currently scheduled beginning June 5, 2002.

Program Partners: The court has collaborated with the local Bar Association and local volunteer attorneys to conduct the clinics. A partnership is being developed with the local cable company to have the recorded clinics aired on the community network channels.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Obtain grant funding for the Monthly Clinic Program.	Completed - May, 2002	Kathlyn Lamoure
2. Determine topics and recruit local attorneys to conduct clinics.	May 30, 2002	Kathlyn Lamoure
3. Coordinate logistics and scheduling of clinics.	May 30, 2002	Kathlyn Lamoure
4. Develop and circulate advertising materials.	May 30, 2002 - ongoing thereafter	Kathlyn Lamoure
5. Start monthly clinics and evaluate the program as described below.	June 30, 2002 - ongoing thereafter	Kathlyn Lamoure

Existing Resources That Will Be Used: The court has received \$7,500 in grant funding from the Administrative Office of the Courts to establish the Monthly Clinic Program. Volunteer attorneys will conduct the clinics.

Additional Resources Needed: No additional resource needs are anticipated at this time.

Evaluation: A survey will be developed to measure the value of the clinic to the participants. In addition, each clinic instructor will be encouraged to develop a quiz that could be administered before and after the clinic to determine if actual learning was transferred. Information about the number of self-represented litigants who are able to navigate the court system will be used to track the overall effectiveness of the program. It is anticipated that this program will help reduce the demands on the Family Law Facilitator.

PROGRAM ACTION PLAN

Program Title: Traveling Court

Program Description: The traveling court addresses the need to link court services to outlying areas. This year, the court intends to travel to outlying areas eight times to hear traffic and small claims cases. A commissioner, court clerk, legal process clerk and interpreter will travel to those who are isolated either geographically or, by socioeconomic reasons, lack court access. This program is being piloted for possible future expansion.

Program Partners: The court intends to work with community liaisons, particularly those that attended community meetings, to tailor court services to the needs of the community. For example, the Russian Slavic Center in West Sacramento has already been working with the court in meeting the cultural and language needs of this community.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Obtain grant funding for the limited services traveling court.	Completed - June, 2002	Kathlyn Lamoure
2. Coordinate logistics, scheduling and notifications of traveling court dates within the court and with community liaisons.	June 1, 2002	Kathlyn Lamoure
3. Prepare needed materials and case files for each trip.	July 1, 2002	Kathlyn Lamoure
4. Begin services and evaluate the program as described below.	October 1, 2002	Kathlyn Lamoure
5. If pilot program is successful, prepare funding applications for continuation and/or expansion of services.	March 1, 2003	Kathlyn Lamoure

Existing Resources That Will Be Used: The court has received \$10,000 in grant funding from the Administrative Office of the Courts to establish the limited services Traveling Court. Existing staff (a commissioner, court clerk, legal process clerk, interpreter and security officer) will staff the Traveling Court. A community liaison will be available to assist both self-represented litigants and the court.

Additional Resources Needed: No additional resource needs are anticipated at this time; however, if this pilot program is successful, the court will prepare a funding application for continuation and/or expansion of services.

Evaluation: The court plans to track the number of cases heard in the outlying areas and the number of people serviced by the legal process clerks. The court anticipates that it will take time to establish trust with those who have been traditionally underserved, so seeing an increase in numbers served over the months will be indicative of success. Satisfaction surveys will also be used to assess the quality of services and to further tailor services to meet local community needs. Community liaisons will be asked to participate in this evaluation.

PROGRAM ACTION PLAN

Program Title: Mandatory Small Claims Mediation

Program Description: The court will implement a program by which all small claims cases will be sent first to mediation before having their case heard. The Yolo Court has a successful family mediation program, and the small claims mediation program will be modeled accordingly.

Program Partners: Program partners will include an appointed panel of mediators, an advisory panel of retired judges/mediators and local bar members.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Form advisory panel. Recruit and orient members.	June 30, 2002	Kathleen M. White
2. Establish calendaring protocols and mediation procedures.	June 30, 2002	Marilyn Mitchell
3. Determine contract structure and retain contract mediators.	July 30, 2002	Kathlyn Lamoure
4. Develop tracking device to determine mediation success rate.	July 30, 2002	Kathlyn Lamoure
5. Begin program.	August 15, 2002	Marilyn Mitchell
6. Establish evaluation calendar protocol.	Ongoing	Kathlyn Lamoure

Existing Resources That Will Be Used:

The court plans to utilize existing small claims court staff to develop and implement the program. The court will redirect existing Alternative Dispute Resolution (ADR) fee revenue from the prior mediation services program to appoint and reimburse panel mediators.

Additional Resources Needed:

Additional resources the court will need are panel mediators and conference space to conduct mediations.

Evaluation:

There will be statistics to track how many cases will be resolved at mediation. This will provide an indicator of court time saved and serve to evaluate the effectiveness of the overall program.

PROGRAM ACTION PLAN

Program Title: Public Information Development and Dissemination

Program Description: In the community meetings conducted this year, the public continued to express the need for more information about the court and court process. To bridge the information gap, the court is committed to developing and distributing information to the public in a variety of ways via brochures, the media and Web site access. The goal would be to develop and disseminate information in the three dominant languages in Yolo County: English, Spanish and Russian.

Program Partners: The court plans to partner with local sources that already disseminate information such as local newspapers, public/cable television, the county, community organizations and over twenty other organizations that provide legal services that were identified during the community meetings.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Obtain funding and/or staff to begin development of public information and, specifically, for the items listed below.	January 1, 2003	Kathlyn Lamoure
2. Prepare and translate articles for local news and community organization publications.	January 1, 2003	Kathlyn Lamoure
3. Coordinate airing of clinic videos with public/cable television.	January 1, 2003	Kathlyn Lamoure
4. Coordinate dissemination of information with county agencies and outreach workers.	January 1, 2003	Kathlyn Lamoure
5. Develop multi-language self-help Web site, including available legal services.	To be determined	Kathlyn Lamoure
6. Develop court handout and brochures to assist self-represented litigants.	January 1, 2003	Kathlyn Lamoure

Existing Resources That Will Be Used: The grant funding requested to develop a multi-language self-help Web site was denied. The court will use available staff and interns to the extent possible to develop materials; however, funding will be required for development of more costly items.

Additional Resources Needed: The court is planning on applying for the \$15,000 self-representatives implementation grant. A portion of the funding will be utilized to begin development of these public information items.

Evaluation: Tracking the usage of various publications/information resources will provide the court feedback on the effectiveness of these information vehicles.

PROGRAM ACTION PLAN

Program Title: Court Community Liaison Program

Program Description: This program will be modeled after a similar program implemented in San Joaquin County. Court Community Liaisons would attend an academy sponsored by the court and learn about all aspects of the court and legal system. An emphasis would be placed on liaisons that already represent and interact with either geographically remote, culturally isolated or non-English language dependent communities. The Court Community Liaisons would transfer the information to these communities.

Program Partners: The court plans to collaborate with a large cross section of the community in developing and implementing this program. Court Community Liaisons would be invited from all diverse/remote Yolo communities. The court will also partner with other justice/law enforcement agencies, community legal groups, the local Bar Association and others in delivery of the academy programs.

Program Plan:

<i>Tasks:</i>	<i>Deadline</i>	<i>Person Responsible</i>
1. Obtain and analyze information about the San Joaquin Court Community Liaison program. Invite Judge Murray to present.	July 1, 2003	Kathlyn Lamoure
2. Work with diverse/remote communities to identify potential liaisons.	July 1, 2004	Kathlyn Lamoure
3. Determine participants and develop invitation from Presiding Judge for academy attendance.	August 1, 2004	Kathlyn Lamoure
4. Coordinate academy training structure, logistics and scheduling of presenters.	September 1, 2004	Kathlyn Lamoure
5. Prepare training materials, hold academy and evaluate the program.	October 1, 2004	Kathlyn Lamoure

Existing Resources That Will Be Used: The court will be asking both the participants and the presenters to volunteer their time and expertise. The court will use existing resources to develop and duplicate training materials and will use existing space to hold academy classes.

Additional Resources Needed: The court will seek additional resources to begin development of this program, prepare training materials and conduct community outreach.

Evaluation: Satisfaction surveys and learning quizzes/tools will also be used to assess the quality of each one of the academy programs. Feedback from these evaluations will be used to improve future programs.

4. *State Support:*

The court requires the support from the Administrative Office of the Courts and the state budget authorities to approve funding to implement many of the items in this action plan. Some of the programs for implementation this year have been funded although staff has not been allocated. For those that have not been funded, additional resource needs are identified in each of the program action plans. The court plans to continue to participate in the formal processes of budget and grant submissions from the Administrative Office of the Courts and other sources as appropriate.

The court does receive state support indirectly through the interns supplied by the University of Davis Law School. This has been a good vehicle for obtaining volunteers. To take full advantage of this resource, a volunteer coordinator/public information officer is needed.

Locally, the County Board of Supervisors approves programs and budgets for services that either directly or indirectly impact the court. A member of the Yolo County Board of Supervisors serves on the Self-Represented Litigants Planning Team to ensure this linkage is maintained. The county's ability to provide these services is increasingly limited by budget constraints and the probability of worsening state and county budget picture. Community non-profit agencies provide legal and support services that also benefit self-represented litigants, and the court plans to continue to collaborate with these entities.

5. *Unique Approaches:*

The Action Planning Team has gone to the community for direction and has polled the community participants about solutions. We have designed practical ways to deal with issues and we have successfully tapped into a large volunteer base for implementation of programs. The team has also looked to the experiences of other courts for answers on how to improve service to self-represented litigants and will integrate those strategies in ways that work for the Yolo County population.

Unique approaches arise from Yolo's unique situation. The county generally is money poor but talent and volunteer rich. For example, Yolo Connections is a community-based organization that sponsors and coordinates with other community-based organizations, creating a rich network of easily accessible volunteers and programs. These organizations allow the county and the court to sponsor innovative, cost-effective collaborations. Several court/county collaborations have won statewide recognition.

6. *Sustaining the Action Plan:*

The start-up grant funds provided by the Administrative Office of the Courts have been helpful in development and testing of new approaches to meeting the needs of self-represented litigants. For example, funding for the clinics will allow us to

develop presentation materials that can be used again for the subsequent sessions, and the videotapes can provide immediate information to those at the Public Access Desk.

However, no amount of creativity or collaboration resolves the court's underlying dilemma: the court needs space, staff and standards to enhance service. The court has maximized the use of all existing resources and needs funding. Without additional staff, further community programs are unsustainable.

There are some services that absolutely require sustainable on-going funding to be offered and maintained. For example, increased facilitator services, which is the main priority for the community and the court, will need to have increased staffing and on-going funding.

7. *Other Comments:*

The court plans to develop a program area for intensive outreach to the non-English speaking communities. The scope of their unmet needs has not yet been defined. As part of that program, we plan to explore ways to increase staff diversity.