

**Invitation to Comment**

Title	Judicial Administration: Court Self-Help Centers (adopt Cal. Rules of Court, rule 10.960)
Summary	Proposed rule 10.960 identifies assistance to self-represented litigants as a priority for California courts and requires that funding for self-help centers be budgeted as a core court function. It defines self-help centers as including attorneys and other qualified staff who provide neutral and unbiased information and education to the public about the justice process. It requires the Administrative Office of the Courts (AOC) to develop guidelines and procedures for the operation of court self-help centers by March 1, 2008. These guidelines and procedures will be reviewed at least every three years.
Source	Task Force on Self-Represented Litigants Hon. Kathleen O’Leary, Chair
Staff	Deborah J. Chase, 415-865-7598, deborah.chase@jud.ca.gov
Discussion	<p><i>Background</i></p> <p>In February 2004, the Judicial Council approved the Statewide Action Plan for Serving Self-Represented Litigants in California (action plan). This action plan was developed by the Task Force on Self-Represented Litigants, which was created by the Chief Justice in May 2001. This group of judges, court administrators, legal services providers, self-help attorneys, law librarians, members of the bar, and others was charged with coordinating a statewide response to self-represented litigants in the California courts and to prepare a plan for the Judicial Council.</p> <p>The action plan called for the statewide development of court-based, staffed self-help centers in order to expedite the processing of cases involving self-represented litigants and to increase access to justice for the public. It also highlighted the need to continue searching for a stable funding source for courts so that the self-help centers could be budgeted in an ongoing manner as a core court function.</p> <p>In fall 2006, the Judicial Council approved ongoing funding to the courts for self-help assistance, totaling \$8.7 million. This allows each court to provide a basic level of self-help center services.</p> <p><i>Proposed rule 10.960</i></p> <p>The purpose of rule 10.960 is to identify assistance to self-represented litigants as a core court function, to define a minimum level of service, and to allow for the creation of guidelines and procedures for the</p>

operation of self-help centers. These guidelines and procedures are intended to provide the highest quality of service to the public. They will incorporate the perspective of interested stakeholders and be flexible and fluid over time as the operational and budgetary needs of the courts change.

For example, the rule would require that the self-help center be staffed and that the staff include an attorney; however, it would leave the qualifications and experience of that attorney and other staff to the more flexible guidelines. Attorney resources vary widely from county to county, as do other staff resources. Nevertheless, a key finding in the action plan is that self-help centers must be appropriately staffed in order to provide effective service. Lack of staffing was a serious concern expressed in task force interviews about inadequate service levels in self-help centers. Therefore, having available staff must be a basic service for any court self-help center.

The rule would also require that the information and education provided by the self-help center be neutral and unbiased and be available to both sides in litigation, such as in a dissolution, domestic violence, or eviction case; however, the scope of services or method of service delivery is left to the guidelines. Each court must develop its own program design based on the needs of its own community. At the same time, the services of any court self-help center must be available to all self-represented litigants and not be viewed as being biased, such as appearing to favor one side of a case over the other or helping only one class of litigants. The self-help center must always act in conformance with the neutrality of the court and protect the court's appearance of neutrality.

The rule also requires the AOC to develop and disseminate guidelines and procedures for the operation of court self-help centers and sets out a nonexclusive list of topics that must be covered. These topics are derived from the work of the Task Force on Self-Represented Litigants, which was charged in November 2004 with developing a set of uniform guidelines for operation of the courts' self-help centers. The task force members conducted and reviewed numerous interviews with judges, administrators, and practitioners in the field, and reviewed a detailed survey and analysis of 10 courts with active self-help centers. The guidelines and procedures for the operation of self-help centers will be initially based on the work of the task force and be completed by March 1, 2008. This document will serve as a detailed guide to which courts can refer as they continue to implement, expand, and develop their self-help centers. It will be updated at least every three years to make sure that it remains current to the needs of the

public and the courts.

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Attachment

Rule 10.960 of the California Rules of Court would be adopted effective January 1, 2008, to read as:

**Title 10. Judicial Administration Rules**

**Division 4. Trial Court Administration**

**Chapter 13. Court Self-Help Centers**

**Rule 10.960 Court self-help centers**

**(a) Purpose and core court function**

Providing access to justice for self-represented litigants is a priority for California courts. The services provided by court self-help centers facilitate the timely and cost-effective processing of cases involving self-represented litigants and improve the delivery of justice to the public. Court programs, policies, and procedures designed to assist self-represented litigants and effectively manage their cases at all stages must be incorporated and budgeted as core court functions.

**(b) Staffing**

Court self-help centers provide assistance to self-represented litigants. A court self-help center includes attorneys and other qualified staff who provide information and education to self-represented litigants about the justice process, and who work within the court to provide for the effective management of cases involving self-represented litigants.

**(c) Neutrality and availability**

The information and education provided by court self-help centers must be neutral and unbiased, and services must be available to all sides of a case.

**(d) Guidelines and procedures**

The Administrative Office of the Courts must develop and disseminate guidelines and procedures for the operation of court self-help centers to the trial courts by March 1, 2008. The guidelines and procedures must include, but not be limited, to the following topics:

(1) Location and hours of operation

(2) Scope of services

(3) Attorney qualifications

- 1           (4) Other staffing qualifications and supervision requirements
- 2
- 3           (5) Language access
- 4
- 5           (6) Contracts with entities other than the court providing self-help services
- 6
- 7           (7) Use of technology
- 8
- 9           (8) Ethics
- 10
- 11          (9) Efficiency of operation
- 12
- 13          (10) Security
- 14

15           The Administrative Office of the Courts, in collaboration with judges, court  
16           executives, attorneys, and other parties with demonstrated interest in services to  
17           self-represented litigants, must review and update the guidelines and procedures at  
18           least every three years.

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20   **(e) Budget and funding**

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22           A trial court must include in its annual budget funding necessary for operation of its  
23           self-help center. In analyzing and making recommendations on the allocation of  
24           funding for a court self-help center, the Administrative Office of the Courts will  
25           consider the degree to which individual courts have been successful in meeting the  
26           guidelines and procedures for the operation of self-help centers.

## Item SPR07-35 Response Form

**Title:** Judicial Administration: Court Self-Help Centers (adopt Cal. Rules of Court, rule 10.960)

- Agree** with proposed changes
- Agree** with proposed changes **if modified**
- Do not agree** with proposed changes

Comments: \_\_\_\_\_

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**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

- Commenting on behalf of an organization**

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

Please **write** or **fax** or **respond using the Internet** to:

**Address:** Ms. Camilla Kieliger,  
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San Francisco, CA 94102

**Fax:** (415) 865-7664      **Attention:** Camilla Kieliger

**Internet:** [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment)

<b>DEADLINE FOR COMMENT: 5:00 p.m., Wednesday, June 20, 2007</b>
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Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council, the Rules and Projects Committee, or the Policy Coordination and Liaison Committee. All comments will become part of the public record of the council's action.*