

SUPERIOR COURT OF CALIFORNIA COUNTY OF AMADOR

Date Submitted November 15, 2002 Evalyn Ghormley 209-223-6323

ACTION PLAN TO ASSIST SELF-REPRESENTED LITIGANTS

1. Description of Need:

Amador County is a small central California county located in the Sierra Nevada Foothills approximately 45 miles southeast of Sacramento. The population of the county is 35,100. There are two Native American Indian Reservations in the county. There is a large number of working poor and fixed income retirees. The senior citizen and Hispanic populations are increasing. The increasing number of litigants who are unable to afford an attorney or elect to represent themselves has resulted in the need for a self help center to provide increased access.

In general there are three major challenges to self-represented litigants in Amador County. First, there is no assistance in numerous areas of the law. Although Northern California Legal Services provides legal advice on some issues to those that meet certain financial guidelines, there is no assistance to the working poor other than the Family Law Facilitator. There is no help for self-represented litigants with guardianship, civil harassment, name change, adoption, termination of parental rights, or unlawful detainer cases, and very limited assistance to those in need of restraining order cases or to those who wish to file for a dissolution.

The second challenge is a cultural and linguistic challenge. The monolingual Spanish speaking community often is afraid of the judicial system, and this is compounded by the fact that there is virtually no Spanish speaking assistance, which creates an urgent need for Spanish Speaking assistance.

The third challenge is a geographical challenge. The Amador Superior Court is located in the town of Jackson, and a large number of the self-represented population live in rural areas in the eastern part of the county and must travel, in some instances, over 50 miles. It is very difficult for many of the self-represented who do not have a vehicle to obtain court services as public transportation is extremely limited in Amador County.

The committee discussed all aspects of providing services to self-represented litigants and designed an action plan for continued improvement planning. Five committee members attended the AOC sponsored Northern Regional Conference on Assisting Self-represented Litigants.

Surveys and needs assessment have identified specific target groups of self-represented litigants who most need the services of the Amador Superior Court. They include people who live in the eastern regions of the county and for whom travel costs and logistics block access to the court, 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 infraction, civil harassment, and employment issues.

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Specific needs of self-represented litigants were discussed. The following issues or areas of concern were identified.

- 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 cases. 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 paper work 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 the Northern California Legal Services.

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 rural eastern area of the county from accessing the limited services currently available.

2. *Program Areas:*

The committee identified three overall goals for the self-represented litigants improvement project. These are:

- Education for self-represented litigants.
- Expansion of resources and services for self-represented litigants.
- Development of sustainable infrastructure to support continued planning and service delivery system.

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Education for self-represented litigants:

The initial objective of this program is for every family law litigant to be educated about legal/court processes and about substantive portions of the law. The ultimate goal of this program is for every self-represented litigant in Amador County to be educated and informed about legal/court processes. Activities that the planning team will undertake to further this objective include:

- Development of self-help publications
- Dissemination of information in written and on-line access
- Education programs, references, videos and assistance from court staff.

Expansion of resources and services for self-represented litigants:

The initial objective of this program is to make some resources immediately available for self-represented litigants. The ultimate goal of this program is to develop a self-help center in the public law library that would include providing the public access to a computer with appropriate software, including judicial council forms, to assist self-represented litigants. Exploration of the feasibility of purchasing and installing an electronic kiosk in the public law library has begun. The kiosk would provide information on legal services and improve access to the court. Advertising the availability of the AOC Online Self-Help Center will be ongoing.

Development of sustainable infrastructure to support continued planning and service delivery system:

The initial program objective is for the Court Action Planning Team to develop a structure of governance to continue planning activities. Initially, the team will explore funding sources and collaborate on funding opportunities. The ultimate goal of this program is to have on-going service collaboration, a centralized referral system, shared services and funding, consolidated services, where appropriate, and a sustainable organizational infrastructure with a large community volunteer support base.

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 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 assistance from court staff.

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b. Program Partners:

Initial partners for this program are the Amador Superior Court, the Amador County Bar Association, Family Court Services, Family Law Facilitator, and the Legal Services of Northern California. The Court Planning Team is partnering with media entities, local schools and law enforcement in program advertisement and dissemination of information

c. Program Plan:

<i>Task</i>	<i>Deadline</i>	<i>Person/Org Responsible</i>
1. Prepare, publish and disseminate do's and don'ts handout/pamphlet of representing yourself.	June 30, 2002 Done	Helen Page, FLF
Prepare and adapt pamphlets for reading about court processes. Coordinate distribution space.	April 30, 2003	Helen Page, FLF Evalyn Ghormley, Assistant CEO
Advertise availability of services to assist self-represented litigants (e.g. AOC Online Self-Help Center)	Ongoing	Judge Harlan
Continue to expand and improve the Court's website	Ongoing	Anthony Giron, IT
All staff participate in the AOC satellite training on the difference between legal advice and information.	June 30, 2002	Court Staff
Encourage staff to make suggestions to improve services to SRL's	Ongoing	Rachelle Agatha, CEO Evalyn Ghormley, Assistant CEO
Use media as a dissemination vehicle. Provide information to radio and newspapers.	Ongoing	Varies depending on event.

d. Existing Resources That Will Be Used:

Many of the program activities require staff time to accomplish. The Court Action Planning Team members have been using existing staff time and budget to prepare materials and disseminate information to the community.

e. Additional Resources Needed:

Additional resources that may be needed to support the educational activities will be staff time to prepare materials, advertising services, training equipment and materials. Additional monies will be needed to develop and disseminate educational materials.

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f. **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 that they appear before. They will also be assess by the number used and requests received.

4. ***Program Action Plans:***

a. **Program Title and Description:**

Expansion of Resources and Service for Self-Represented Litigants

The initial objective of this program is to make some resources immediately available for self-represented litigants and the public. Services will be developed in the family law, small claims and unlawful detainer cases in particular.

b. **Program Partners:**

The Court Action Planning Team is partnering with various agencies to expand resources and services. These include the Amador Superior Court, Law Library, Small Claims Advisor, Bar Association, Family court Services, Family Law Facilitator, Legal Services of Northern California, Law Enforcement, Probation, Drug and Alcohol Program and Victim/Witness Program.

c. **Program Plan:**

<i>Task</i>	<i>Deadline</i>	<i>Person/Org Responsible</i>
Promote unbundled services. Organize and host program on unbundled legal services for local attorneys	March 2003	SRL Steering Committee
Develop action plan for case management system to track family law cases	December 2003	Janet Davis, Supervisor Evalyn Ghormley, Assistant CEO
Develop a self-help kiosk in the public law library, located in the courthouse.	March 2003	Anthony Giron, IT Janet Davis, Supervisor
Develop resource for supervised visitation.	December 2002	Diane Goodman, FCS Director

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

Members of the Court Community Action Planning Team have been using existing resources to the extent possible to expand services. The program on unbundled legal services for local attorneys was a collaborative effort in which the court participated. Other resources to be used are existing building space, staff resources and court equipment.

e. **Additional Resources Needed:**

Many of the activities in this program will require additional resources to address. As a first step, the court is planning on applying for the \$15,000 self-representatives implementation grant to further development of the self-help kiosk in the public law library, located in the lobby of the courthouse. Many of the educational products that have been developed by the team will be available in this central location as well as in the second floor lobby of the courthouse.

f. **Evaluation:**

The committee will gauge the success of this program by the extent to which the program activities are accomplished and to the extent these programs are used and valued by self-represented litigants. Once programs are established, evaluation methods that measure usage and surveys that measure effectiveness of services and materials will be administered.

5. ***Program Action Plans:***

a. **Program Title and Description:**

Development of Sustainable Infrastructure to Support Continued Planning and Service Delivery System

The initial program objective is for the Court Action Planning Team to develop a structure of governance to continue planning activities. Initially, the team will learn about funding sources and collaborate on funding opportunities. The ultimate goal of this program is to have on-going service collaboration, a centralized referral system, shared services and funding, consolidated services, where appropriate, and a sustainable employee infrastructure with a large community volunteer support base.

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b. Program Partners:

Participants of the committee are also the program partners. The group appointed a steering committee to guide program activities. Representatives on the "SRL Steering Committee" are the Assistant Court Executive Officer, the Family Law Facilitator, Amador Bar Association, the Small Claims Legal Advisor and Child Support Services Director.

c. Program Plan:

<i>Task</i>	<i>Deadline</i>	<i>Person/Org Responsible</i>
Steering Committee meets to plan future implementation strategies	June, 2002 Done	SRL Steering Committee
Organize meeting of all the partners to assess program.	Ongoing	SRL Steering Committee
Learn about funding from each other. Brainstorm service-sharing options.	Ongoing	SRL Steering committee
Develop Bench/Bar partnerships to better serve self-represented litigants as a team.	Ongoing	SRL Steering Committee
Develop volunteer program (AARP, high school or college students, etc.).	Unassigned	SRL Steering Committee

d. Existing Resources That Will Be Used:

Currently, the Court Community Action Planning Team is using existing resources and the existing SRL planning grant to develop the program plans for each of the items indicated above.

e. Additional Resources Needed:

The court is planning on applying for the \$15,000 self-representatives implementation grant to further development of this program. Additional funding is needed to develop the centralized referral system and support the expansion of services.

f. Evaluation:

The Steering committee will coordinate and assess progress and program effectiveness. Tracking the usage of various resources will provide the Court Action Planning Team feedback on the effectiveness of these programs.

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6. *State Support:*

The court requires the support from the Administrative Office of the Courts and the state budget authorities to approve funding to implement some of the items in this action plan. The Court Action Planning Team 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; however, many of the long-term objectives will require substantial 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 process of budget and grant submissions to the Administrative Office of the Courts and other sources as appropriate, in order to implement this plan. Collaboration will continue with community non-profit agencies that provide legal and support services. Locally, collaboration will continue with other funding entities, such as the County Board of Supervisors, that approve programs and budgets for services that either directly or indirectly impact the court and self-represented litigants.

7. *Unique Approaches:*

There is much interest in Amador County in addressing the needs of self-represented litigants. As a result, the court has been able to gather a wide range of partners and community members on the Court Community Action Planning Team. As partners continue to learn from each other, there are opportunities for service and funding collaboration. There is a good base of programs to build additional service capacity. There are opportunities for strengthening existing programs that could meet many of the needs and only because of funding shortages cannot address the full range of needs currently. The Amador unique approach will be based on research, collaboration, service sharing, partnership and volunteerism.

8. *Sustaining the Action Plan:*

Sustaining the action plan was a concern of the Court Action Planning Team from the beginning of the project. To respond to this concern, a sustainable infrastructure to support continued planning and service delivery was discussed and adopted by the group as a whole. This was made a separate program within this document entitled, "Development of sustainable infrastructure to support continued planning and service delivery system." An ongoing entity, the SRL Steering Committee meets regularly to guide program activities. The whole Court Action Planning Team meets every six months to continued program planning and research. As a result, some of the objective identified last year have been accomplished.

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Other Comments:

Proper facilities and space continues to present a barrier to legal services. This barrier is especially significant for self-represented litigants. The limited legal services that exist are housed in various locations around the county making access even that much more difficult for the public and self-represented litigants. The team has pursued a central location concept, but Amador County does not have a facility (in place or planned) where all services could be housed together. The team thinks that a central self-help facility would allow the court and agencies to pool and share resources, such as staffing so that overall cost of delivery of services would be reduced. In addition, it would improve access to legal services for the working poor, seniors, disabled and those with transportation problems.