

ACTION PLAN TO ASSIST SELF-REPRESENTED LITIGANTS***Introduction:***

The Marin County Self-Represented Litigants Action Planning Team first met on September 17, 2001 after an April conference on self-represented litigants was held. At that time, an initial action plan was drafted. The team reviewed the services currently available in Marin to assist self-represented litigants and invited representatives of all service providers to join the Action Planning Team. The team discussed the challenges that self-represented litigants face in the community and brainstormed services that should be developed to address those needs. Out of these discussions, the team established its *key goal, the creation of a Legal Self Help Center to serve as the central point of entry for self-represented litigants*. Since establishing this goal, the Action Planning Team has met monthly as a large group to develop plans for proceeding. Sub-committees have convened between meetings to complete tasks and develop many of the products attached to this action plan.

Description of Need:

In its Civil Division, Marin Superior Court has averaged in excess of 4,000 cases annually in which one or more of the parties represented themselves. A four-year statistical analysis found at least one self-represented litigant in 16,740 cases that had at least one self-represented litigant. Better than two-thirds of those cases came from two case areas, Small Claims with 6,273 and Civil with 5,137. Rounding out the numbers are Family Law with 3,067 cases, Juvenile with 2,131 and Probate with 132. In its Traffic Division, the Court estimates that, on an annual basis, more than 7,000 individuals seek some type of judicial review of citations and approximately 1,000 of these reviews result in contested hearings. Please see Attachment A.

In addition to addressing issues concerning case volume, the Team looked at the geographic areas of the county that have a need for services. A large number of self-represented litigants come from Marin City, East San Rafael, South Novato, and West Marin. As a result of geographic constraints and poor public transportation, many self-represented litigants have difficulty getting to the courthouse. There is regular transportation along the Highway 101 corridor, but a deficiency of transportation to remote areas where self-represented litigants live. There is no transportation to West Marin at this time. It is hoped that the Legal Self Help Center will be located in the courthouse or Civic Center area to minimize transportation difficulty. The action plan includes strategies to deal with transportation challenges.

Communication was identified as a barrier to the self-represented population, in its ability to understand court procedures and protocol. There is a significant need for interpreters, particularly in Spanish, Vietnamese, Farsi, French, Chinese, and for the deaf. There is a need to include reasonable accommodation for those with disabilities in the Legal Self Help Center. Community representatives that understand the languages and culture of

those likely to be served by the Legal Self Help Center have joined the Action Planning Team to provide expertise in those areas.

Limited services currently exist in Marin County to meet the needs of self-represented litigants. Following is a listing of services currently available:

- *Legal Aid of Marin* represents parties in court. In addition, it provides advice to self-represented litigants, pleadings assistance, and court preparation. It holds clinics for eviction defense, divorce, family law motions, labor/employment, immigration, consumer protection, motor vehicle issues, bankruptcy issues and wills. Legal Aid charges no fee to eligible low-income clients.
- *The Family Law Center* prepares papers and advises self-represented litigants in family law and domestic violence matters. They also represent parties in court. Fees are charged on a sliding scale.
- *The YWCA* presents two civil legal clinics per month.
- *Marin Lawyer Referral Service* provides access to a network of attorneys countywide.
- *Marin County Mediation Services* provides free and low-cost mediation in landlord/tenant law and other civil matters.
- *Fair Housing of Marin* provides mediation in housing discrimination cases.
- *Family Court Mediation* provides mediation for child custody and visitation issues only.
- *The Marin Superior Court* sponsors the *Family Law Facilitator* and the *Small Claims Advisor* programs, both of which are described in the program operations section of the draft "Self-represented Litigants Program Organizational Concept" paper (Attachment B).
- *The County of Marin* sponsors the *Law Library* program, which is described in the program operations section of the draft "Self-represented Litigants Program Organizational Concept" paper (Attachment B).

Program Areas:

The primary goal of the self-represented litigants action plan is the creation of a Legal Self Help Center. The Center will serve as the central point of entry for self-represented litigant assistance by directing them to appropriate resources within the Center, and to more extensive services offered by other agencies, such as the ones listed above. This Legal Self Help Center will provide resources and assistance that are not available from other resources in Marin County. The Action Planning Team contemplated the Legal Self Help Center as a completed project and developed the following vision for the Center:

- Bi-lingual triage area that services clients in several languages, and refers eligible clients to other free and low-cost legal services agencies, where appropriate
- Telephone assistance
- Many people served each week
- Advisors and directors
- Volunteer attorneys and paralegals
- Children's area

- Computers with multiple workstations, printers and electronic connections
- Reference books and available forms
- Videos describing various court processes
- Comprehensive list of everything that is available at the Center
- Meeting/interview rooms
- All civil services - restorative justice forum
- Access and referrals to private attorneys
- Description of attorneys that provide unbundled services
- Other forms of expertise (for example: real estate)
- References for non-legal services (for example: accounting, social services)
- Fax services
- Year-round training and clinics by volunteer attorneys

1. Program Action Plans:

a. Program Description:

This action plan is to create a Legal Self Help Center to serve as the central point of entry for self-represented litigants. The vision for the center is described above in detail.

b. Program Partners:

The Marin Superior Court has a strong coalition of program partners to assist in reaching the goal of creating the Legal Self Help Center. The Action Planning Team recruited a large number of partners, representing a cross section of the community as well as organizations that currently provide services to self-represented litigants. Special consideration was taken to recruit members from Marin’s culturally diverse communities. A roster of partners and their representatives is included in this report as Attachment C.

These partners are actively engaged in the planning process. They meet monthly to assist in planning and strategy development. They also work between meetings in committees to complete tasks. The survey and outreach committee is surveying a sample of self-represented litigants through personal contact and focus groups. The facilities committee has investigated various space options has completed a Legal Services Provider Space Questionnaire, required to apply for space at the new Justice Center, located across the street from the Courthouse (Attachment D). This committee is also spearheading negotiations with the County of Marin for space in the Civic Center. The administrative concept team has developed a Draft Self-Represented Litigants Program Organizational Concept (Attachment B) for the Legal Self Help Center and a start-up budget (Attachment E). This committee has also developed a Memorandum of Understanding (MOU) (Attachment F) to document the commitments of support from each of the partner organizations. The products described above have been attached to this action plan to provide additional information on the coalition, the agreements, and the completed work to date.

c. Program Plan:

The program partners have been actively planning and implementing the following program plan. For this reason, a comprehensive list of tasks that have been implemented in the first eight months (September 2001 – May 2002) are included. This action plan outlines tasks to be accomplished by the Action Planning Team by June 2003. The goal is to have an operational Legal Self Help Center in place on July 1, 2003.

Marin SRL Action Plan Tasks Timetable

Months 1-3 (September, 2001 - December, 2001) - all tasks completed

Task	Timeline	Responsible Party
1. Convene planning team to discuss current services, discuss team membership expansion and develop a vision for the project. (completed)	September 17, 2001	Judge Adams, chair
2. Existing team members contact and recruit new team members.	September, 2001	SRL Team members Judge Adams, chair
3. Planning team meeting. New member orientation. Committees organized. Six- month action plan developed.	October 11, 2001	SRL Team members Judge Adams, chair
4. Needs survey team determines assessment process (agency survey, SRL interviews, public forum).	November, 2001	Needs survey team Kris Cirby, chair
5. Administrative concept committee drafts court issues paper.	November, 2001	Administrative concept committee & John Montgomery
6. Space/location team, meets with the Justice Center about potential space.	November, 2001	Space/location team, Richard Marcantonio, chair
7. Planning team meeting. Tentative date for move in set for July 1, 2003. Needs survey team duties expand to include community outreach. Administrative concept committee duties expand to include funding, staffing, hiring & job descriptions.	December 17, 2001	SRL Team members Judge Adams, chair
8. Recruitment of Board of Supervisor's representative.	December, 2001	SRL Team members Judge Adams, chair
9. SRL exit survey designed. Agency survey designed. Personal contact strategy designed. Agency letter drafted.	December, 2001	Needs survey team Kris Cirby, chair
10. Community planning grant application submitted to Administrative Office of the Courts.	December, 2001	Kim Turner & John Montgomery, Court Administration

Months 4-6 (January, 2002 - March, 2002) - all tasks completed

Task	Timeline	Responsible Party
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SUPERIOR COURT OF CALIFORNIA

Date Submitted: June 1, 2002

COUNTY OF MARIN

Contact - Kim Turner - 415-499-6237

1. Planning team meeting. County of Marin representative welcomed. Review of exit survey and survey to agencies. Committees brainstorm resources and needs.	January 14, 2002	SRL Team members Judge Adams, chair
2. Application for space submitted to the Justice Center with tentative interest in Suite 4 (1200 square feet).	January, 2002	Space/location team, Richard Marcantonio, chair
3. Concept paper formulated. Different methods to administer program are investigated.	January 28, 2002	Administrative concept committee Judge Adams, chair
4. Agency survey sent & members of the committee have personally contacted agencies.	February, 2002	Needs survey team Kris Cirby, chair
5. Survey analyst contacted for question editing and possible survey analysis work for SRL exit survey (telephone interviews).	February, 2002	Needs survey team Kris Cirby, chair
6. Planning team meeting. Team brainstorms potential (non AOC) funding sources & plan for follow-up on five items. Start-up planning budget guidance obtained.	February 11, 2002	SRL Team members Judge Adams, chair
7. Start-up planning budget is developed of \$165,000 is set for 1 paralegal, 1 clerk, space & materials is set.	February, 2002	Kim Turner & John Montgomery, Court Administration
8. Meeting with Cynthia Murray, Marin County Board of Supervisors, to gain support for Self Help Center.	February 20, 2002	Administrative concept committee Judge Adams, chair
9. Meeting with survey consultant (Joe Therrien) to determine survey population.	February, 2002	Needs survey team Kris Cirby, chair
10. Planning team meeting. Funding up-date. Committee activities reported. SRL survey distribution method devised.	February 26, 2002	SRL Team members Judge Adams, chair
11. Submit application for Spanish speaking model Self Help Center. Seek letters of support from committee members.	March 1, 2002	Kim Turner & John Montgomery, Court Administration
12. Submit application for public access project to translate written materials and web-site information.	March 1, 2002	Kim Turner & John Montgomery, Court Administration
13. Visit to Nevada County SRL program, facility tour and meeting with staff.	March, 2002	Judge Adams, SRL chair Presiding Judge Lynn Taylor
14. Visit to Sacramento County SRL program for consideration as a model for service delivery	March, 2002	Faye D'Opal, Administrative concept committee
15. Contact Chief Probation Officer, Mike Robak, about collaborating with Civil Mediation to provide staff and oversight.	March, 2002	Judge Adams, SRL chair
16. Obtained two volunteers to administer SRL telephone survey.	March, 2002	Needs survey team & Faye D'Opal
17. Obtained \$25,000 grant to translate court information into Spanish.	March, 2002	Kim Turner, Court Administration

SUPERIOR COURT OF CALIFORNIA

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18. Planning team meeting. Team member assistance on selection of publications for translation & contract with Latino Council of Marin.	March 18, 2002	SRL Team members Judge Adams, chair
19. Letter to distribute to Bench to announce SRL survey in courtrooms & sign-up participants. Bar recruitment.	March, 2002	Needs survey team & Judith Beck
20. Obtain community planning grant for \$28K to assist in community out reach.	April, 2002	Kim Turner, Court Administration
21. Self help center concept is discussed with Board of Supervisors/Judicial information meeting. Explore space options with the county.	April 19, 2002	Judge Adams, SRL chair Presiding Judge Lynn O. Taylor
22. Pursue funding opportunities with OCJP for a potential pilot grant. It declined.	April, 2002	Kim Turner, Court Administration
23. Pursue funding opportunities with Joe Nation. Funding not available.	April, 2002	Kris Cirby and David Escobar
24. Complete administrative concept and description of project and how it will function. Phasing. Master plan. (completed as much as possible without funding information)	April, 2002	Administrative concept committee

Months 7-9 (April, 2002 - June, 2002) - all tasks either completed or in progress

Task	Timeline	Responsible Party
1. Contact Civic Center Branch of Marin Library to coordinate legal materials purchases.	May, 2002	Judith Beck, Family Law Facilitator
2. Review Family Law Report (commissioned by Administrative Office of the Courts) for recommendations for SRL program.	<i>May, 2002</i>	SRL Team members
3. Make formal budget request to the county during regular budget cycle for Self Help Center funding.	May, 2002	Kim Turner, Court Administration
4. Talk to the family law facilitators to see how others are funding self-help programs.	May, 2002	Judith Beck, Family Law Facilitator
5. Obtain some demographic information to support talking to the San Francisco Foundation	Included in survey	Judith Beck, Family Law Facilitator
6. Forward data & information from agencies to facilitator for action plan support.	May, 2002	All members
7. Expand team to include representatives from the Mental Health Division of the Dept. of Health and Human Services to assist in specifying clear service deliver boundaries for those clients with severe mental impairments and from Family Support Division of the District Attorney's Office to address issues of child support.	May, 2002	Judge Adams, SRL chair
8. Survey other courts (all aspect of helping SRLs) at the AOC meeting in June and at the May workshop.	May, 2002	Court Administration staff

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9. Committee reorganization and task assignment rethinking.	May, 2002	All members
10. In conjunction with Probation Dept., submit budget proposal to the county to provide space and \$10,000 for Self Help Center, effective October 2002.	May, 2002	Kim Turner, court Administration
11. SRL focus group in Spanish. Agencies to provide names for SRL focus group.	June, 2002	Needs survey team
12. Pursue self-help implementation grant for \$15,000.	June, 2002	Funding/evaluation team
12. Pursue alternative space with contacts (MCF)	June, 2002	Funding/evaluation team
13. Document progress and submit action plan to Administrative Office of the Courts.	June, 2002	All members
14. Finalize Memorandum of Understanding among partners.	June, 2002	Kim Turner, Court Administration

Future SRL Action Plan**Months 10-12 (July, 2002 - September, 2002) - Planned activities**

Task	Timeline	Responsible Party
1. Conduct court staff focus groups on their impressions of the needs of SRLs and analyze data.	July, 2002	Needs survey team
2. Explore the mobile van option for service delivery. Research cost effectiveness.	August, 2002	Needs survey team
3. Develop Public Relations Plan for promoting Self Help Center funding and service delivery.	August, 2002	Access team
4. Find and secure location with accessible space in or near the Civic Center.	August, 2002	Physical Infrastructure team
5. Seek corporate donors (Autodesk, FFIC, Fair Isaac, Bank of Marin, etc.)	August, 2002	Funding/evaluation team
6. Seek approval of budget change proposal for county with Probation's Mediation Services	August, 2002	Funding/evaluation team
7. Conduct cost effectiveness study to determine the most viable options for service delivery.	September, 2002	Funding/evaluation team
8. Protect existing resources and county Law Library funding.	September, 2002	Hal Aigner, Law Librarian
9. Review survey and focus group information and determine specific services.	September, 2002	All members

Months 13-15 (October, 2002 - December, 2002) - Planned activities

Task	Timeline	Responsible Party
1. Outreach activities to let people know about Self Help Center.	October, 2002	Access team
2. Develop detailed procedures and timelines to guide SRL's (filing date, responses, etc.)	October, 2002	Operations team

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3. Develop detailed instructions (for form completion, etc.)	October, 2002	Operations team
4. Provide an overview of legal procedures in Marin County.	October, 2002	Operations team
5. Prepare space usage plan. Research alternatives for assistive technology.	October, 2002	Physical Infrastructure team
6. Prepare initial staffing plan (paralegal, interpreters, etc.) and job descriptions.	October, 2002	Personnel team
7. Develop volunteer staffing plan (legal, personal assistance for disabled users, etc.)	December, 2002	Personnel team
8. Begin space improvements/modification to optimal space usage. Monitor construction.	December, 2002	Physical Infrastructure team

Months 15-18 (January, 2003 - March, 2003) - Planned activities

Task	Timeline	Responsible Party
1. Develop plan for sustaining an ongoing SHC.	January, 2003	Administrative concept committee
2. Plan for physical infrastructure requirements and general office needs (phone, insurance, children's area).	January, 2003	Physical Infrastructure team
3. Continue outreach activities and develop off-site or satellite presence.	January, 2003	Access team
4. Develop concept for legal services vehicle - Law Mobile.	February, 2003	Access team
5. Partner with Whistlestop to provide transportation to the Self Help Center.	March, 2003	Access team
6. Provide referral to alternatives and additional services (eliminate some court appearances).	March, 2003	Operations team
7. Prepare final staffing plan. Recruit staff.	March, 2003	Personnel team
8. Recruit and orient volunteers.	March, 2003	Personnel team
9. Seek donations for equipment, materials, furniture for SHC.	March, 2003	Physical Infrastructure team

Months 19-21 (April, 2003 - June, 2003) - Planned activities

Task	Timeline	Responsible Party
1. Communicate plan and coordinate moves to new Self Help Center.	April, 2003	Physical Infrastructure team
2. Develop service announcements and press releases. Publicity through community organizations. Design multi-lingual brochures.	April, 2003	Access team
3. Develop building and street signage. Develop building maps in other languages.	April, 2003	Access team
4. Develop Web presence.	May, 2003	Access team

5. Purchase or seek donation of equipment (typewriters, computers, furniture, coffee maker, etc.).	May, 2003	Physical Infrastructure team
6. Develop voice and data infrastructure.	May, 2003	Physical Infrastructure team
7. Hire staff. Staff development and volunteer training	May, 2003	Personnel team
8. Plan grand opening of Self Help Center.	June, 2003	All members
9. Develop attorney referral system to attorneys who will provide educational and low cost legal services in specific legal specialties. Set up structure to provide legal rights training and education clinics.	June, 2003	Operations team
10. Train court and partner agency personnel to provide information to SRLs about Self Help Center.	June, 2003	Operations team

d. Existing Resources That Will Be Used:

The Self-represented Litigants Action Planning Team is pursuing every available resource for funding the Legal Self Help Center. Following is a listing of the resources that have been made available or that have been pursued.

- Each partner organization is donating staff to the planning process and staff time to complete tasks. All of the tasks completed above have been accomplished by planning team volunteers.
- Volunteers from the Marin County Bar Association and other community organizations are covering court calendars to make contact with self-represented litigants for later telephone survey interviews. The interview team is staffed with community volunteers.
- The Superior Court of Marin is sponsoring the planning meetings on a monthly basis. The cost of the meeting facilitator is partially offset by a \$7,050 planning grant from the Administrative Office of the Courts used to fund the action planning process. The court has made available approximately \$2,000 in additional funds for the action planning process.
- The Superior Court of Marin applied for and received \$28,000 planning augmentation grant from the Administrative Office of the Courts that is being used for improving public signage, purchase and distribution of legal directories, research into internet sites for self-represented litigants and community outreach/surveying.
- The Superior Court of Marin applied for and received \$25,000 to translate legal forms, brochures and the Court's website into Spanish.
- The Superior Court of Marin applied for but did not receive the Spanish Self Help Pilot grant.
- The Action Planning Team inquired about funding from the Marin Community Foundation. It is reluctant to fund services that it believes should be funded by public funds.
- The Action Planning Team contacted various community leaders, legislators and state organizations about funding resources.

- The Action Planning Team approached the County Board of Supervisors regarding space and funding. The committee is requesting that the County of Marin allocate space in the Civic Center for the Legal Self Help Center. This request is under consideration. Alternative space in the Justice Center is available at a greater expense (\$3 per square foot). This application is in process.
- The Action Planning Team is applying for \$15,000 through the Superior Court of Marin to finance a part-time attorney to provide legal guidance for the Legal Self Help Center. If this request is approved, the Court and partner organizations would reallocate staff to provide administrative support.
- The Action Planning Team plans on contacting local businesses about donations for the start-up of the Legal Self Help Center.
- The Action Planning Team plans on soliciting volunteers to provide some of the services for the Legal Self Help Center. For example, volunteer attorneys will be asked to present clinics on various legal topics.

e. Additional Resources Needed:

Start-up budget: Approximately \$163,000 is required for a start-up budget to establish the Legal Self Help Center at a minimum service level. Approximately \$100,000 is needed for salaries and benefits to fund one full time equivalent bi-lingual clerk/receptionist and one full time equivalent paralegal. The remainder of the funding would be for services and supplies. It is assumed that furniture would be donated. The long-range budget has not been determined but ongoing funding will be required to provide legal and administrative support staff for the Legal Self Help Center.

Administrative oversight: The Action Planning Team and the County Probation Department are partnering to prepare a budget change proposal (Attachment G) to request funding from the County of Marin for Legal Self Help Center administrative oversight, a small amount of funding and space. The County Probation Department currently provides administrative oversight for the Mediation Services Program and this collaboration would be an extension of those activities.

f. Evaluation:

The Action Planning Team is currently conducting a personal survey of self-represented litigants to determine their needs and opinions of existing services. The survey team is working with an evaluation expert in drafting the questions and analysis of the data. The personal survey questionnaire and recruitment procedures are attached to this action plan to provide additional information about the process (Attachments H, I, J and K). This process will provide baseline data. Exit evaluations, similar to the Exit Survey form, will be conducted once the Legal Self Help Center is established to evaluate services.

Further, an intake questionnaire (Attachment L), similar to the one used by the Family Law Facilitator, will provide the basis for information about the type of contacts and the

need for certain services. Legal Self Help Center participants will be asked to evaluate services anonymously, using the survey instrument. This information will be compiled and reviewed to ensure that services are effective.

2. **State Support:**

Ongoing state support and resources are necessary in order to realize the vision of the Legal Self Help Center and to provide the kinds of assistance that self-represented litigants need. The community entities that provide assistance to self-represented litigants currently are struggling with their own budget difficulties. A base of dedicated funding that is predictable year after year is needed to provide financial stability and the organizational foundation for the Center. If the Court can provide base funding, the County and other community partners will contribute volunteers and other resources to augment the program. Marin Superior Court and the Action Planning Team will continue to pursue a wide range of possible funding avenues, including state support.

3. ***Unique Approaches:***

The County of Marin is unique in the way it has approached development of the Legal Self Help Center concept. The vision for the Center is ambitious. The idea grew out of the Action Planning collaboration, brought together initially by the Court, and has evolved into an Action Planning Team of diverse community members all committed to the same goal. The Team has methodically planned the tasks of developing the Center and has looked at the needs from a variety of aspects. All of the members are aligned with the same goal and all are contributing to the development of the Center. The development of this Team has been possible because of a strong commitment from the Marin Superior Court Bench and the leadership of Judge Verna A. Adams.

4. ***Sustaining the Action Plan:***

The Action Planning Team's approach to sustaining the Legal Self Help Center is to integrate it closely with other organizations that also provide services to self-represented litigants and with the Superior Court functions. The purpose of the Legal Self Help Center is to fill organizational gaps where services are currently not available. Another purpose is to provide assistance through referrals, to avoid confusion and duplication of effort. Each partner organization has a role in assisting in the Legal Self Help Center's success. The Action Planning Team has created a fundamental set of tasks around sustaining the Legal Self Help Center and will be specifically planning these tasks once the Legal Self Help Center is operational.

5. ***Other Comments:***

Much of the detailed work and planning for the Legal Self Help Center is contained in products drafted by the Action Planning Team. The detailed information contained in these documents was referred to but not reiterated in this action plan. Following are the documents that are attached to this action plan that contain more specific information about the plans for the Legal Self Help Center:

- Four-year Self-represented Litigants Statistical Analysis by case type – *Attachment A*
- Draft Self-represented Litigants Program Organizational Concept – *Attachment B*
- Self-represented Litigants Action Planning Team Committee Roster – *Attachment C*
- Legal Service Provider Space Questionnaire – *Attachment D*
- Legal Self Help Center Start-up Budget – *Attachment E*
- Marin Self Help Center Project Memorandum of Understanding (MOU) – *Attachment F*
- County Probation Department Budget Change Proposal – *Attachment G*
- Self-represented Litigants Survey Notice – *Attachment H*
- Volunteer Survey Respondent – *Attachment I*
- Judge’s Announcement – *Attachment J*
- Self-represented Litigants Exit Interview Questionnaire – *Attachment K*
- Family Law Facilitator Intake Questionnaire – *Attachment L*