

Superior Court of California County of San Joaquin

Action Plan to Assist Self-Represented Litigants

DESCRIPTION OF NEED

In the State of the Judiciary delivered by Chief Justice Ronald M. George on March 12, 2002, he stated “For many individuals, retaining an attorney in order to vindicate one’s rights simply is not possible, and as a result, their ability to make full and fair use of our justice system is limited.” In an effort to increase the access of justice to all, the Superior Court of California, County of San Joaquin has created a plan to address the needs of our self-represented litigants.

According to the 2000 Census, the population in San Joaquin County is 563,598, which represents a 20% increase within the last ten years. The Department of Finance projected San Joaquin County will grow to 728,000 people by 2010. As the population has grown, so has the number of self-represented litigant, who require extensive staff support. Currently, the self-represented services offered to the residents in this county are not sufficient for a county of our size.

A survey conducted by the Superior Court, County of San Joaquin named “Pulse of the Community 2000”, surveyed twelve focus groups. These focus groups represented a wide range of citizens within the county. The overwhelming consensus of these groups was there is inadequate availability of self-help services.

Family law has one of the greatest numbers of unrepresentative litigants. In 2001, the San Joaquin County Family Law Facilitator provided 6,249 people with legal assistance.

During 2000-2001, San Joaquin County had the following:

	<u>Number of cases 7/01/00 - 06/30/01</u>	<u>Number Filed Pro Per</u>
Family Law:	6,184	5,341 (86%)
Unlimited Civil:	8,079	859 (10.5%)
Juvenile Dependency:	957	340 (40%)

Throughout the country, the number of people attempting to represent themselves in propria persona (pro per) has increased dramatically during the past five years, and this increase is expected to continue. While the numbers vary from county to county in California, the number of persons filing cases in family law matters without the assistance of attorneys is estimated to be 65% statewide and is 87% in San Joaquin County. A poor economy in this county has a direct impact on these figures. Due to a lack of understanding and knowledge of the justice system, these litigants require extensive staff support. There are few legal aid alternatives available to these litigants in San Joaquin County.

Language Barriers

Chief Justice George said “access is meaningless without the ability to understand the proceedings” in his State of the Judiciary. He was referring to the language barriers many California residents face. Of the 563,598 residents in San Joaquin County, 30.5% or 171,897 are Hispanic and 64,250 or 11.4% are Asian. During FYE 2001, 5,544 people with cases before the court used our interpreter services. Thirty languages were spoken with the top five as follows: Spanish 57%; Cambodian 13%; Hmong 8%; Vietnamese 5%; and Lao 5%.

The court’s ability to provide equal access to all is increasingly challenged by the linguistic diversity of these customers. Linguistic barriers often deter court customers from even

seeking the service they need or desire. Many court customers who contact the court by phone, who visit the court information booth, or who visit the clerk's counters do not speak English and need translation services. While the court has a sufficient number of Spanish-speaking clerk staff to assist customers who speak only Spanish, there are no counter-staff available to speak any of the other languages spoken by many of our customers.

Program Action Plans

Program Areas to be Addressed:

- 1. Self Help Center**
- 2. Technology**
- 3. Language**
- 4. Written Materials**
- 5. Signage**
- 6. Advertising**
- 7. Library Partnerships**
- 8. Public Education**
- 9. Additional Partnerships**
- 10. Court Staff**

1. Self-Help Center:

Long Range Goal:

The court hopes to eventually meet its long term Strategic Plan Goal 12.1 with the establishment of a full-service Self-Help Center, modeled after Sacramento County's Family Law Facility and Self Help center.

Our Family Law Facilitator would be located in the Self Help Center, and would continue to offer assistance to unrepresentative litigants under the provisions of the existing Family Law Facilitator Act found at Section 10000, et seq. of the Family Code.

In addition, we would like to provide help with family law issues including: child support and spousal support calculations, child custody, visitation, dissolution, legal separation, nullity and establishment of paternity. We would also like to provide help with guardianship, will and estate advice, and conservatorship, civil harassment or domestic violence restraining orders, contempt proceedings, qualified domestic relations orders, minor emancipation, unlimited civil cases, unlawful detainers, limited civil, small claims and traffic matters. The Center would also provide public access to computers with website access, a self-help library and forms.

In the meantime, interim activities will be undertaken to fulfill the great unmet need. We are currently seeking and obtaining funding from all available sources, and plan to publish informational materials in many of the languages spoken by the people in our community. We are working on integrating our Self-Help projects with the existing Family Law Facilitator and Pro Per Clinic programs. Studies will continue on existing centers in other jurisdictions, consulting with ethnic communities within this county, and collaborating with existing community based organizations like the “Community Partnership for Families of San Joaquin County.”

Program Partners:

We will look to the business community for help in finding and leasing an appropriate facility for a permanent Self-Help Center. We will also partner with the Local Bar Association and look to private citizens for support.

Resources:

The court has no way to obtain lease funding for a facility for the Self-Help Center, as well as for staff, equipment and research materials.

Manteca Family Law Center:

The court hopes to create a Family Law and Self-Help Center in Manteca to serve the exploding population in the south county, which includes South Stockton, Manteca, Lathrop, Escalon, Ripon and Tracy.

Resources:

The court has access to modular office space in Manteca for this use, but minor modifications are necessary which would require grant funding. New furniture has already been acquired, and our Family Law Facilitator would work in Manteca once a week.

Evaluation:

The Facilitator will keep statistics on the clients he assists.

Sustaining the Action Plan:

Once the modular office space is modified, the program will be self-sustaining. We will continue to apply for grant money for additional staff and will be able to use court resources for supplies.

2. Technology:

Website Expansion:

We seek to improve our website to allow customers to fill out Judicial Council forms online. This will extend access to the courthouse to 24 hours per day, especially useful to our many customers who work out of town or are unable to take time off work to come to the courthouse. The forms would include interactive prompting features, which will simplify the process.

We expect to make special efforts to connect community organizations to our website, so that they may assist their clients who have language barriers or who do not have access to a computer.

Program Partners:

We will partner with other courts within California, such as San Mateo, that have similar websites to share techniques and approaches. We will also work with community organizations to design a user-friendly website.

Resources:

Our Information Technology staff has the ability and expertise to help with the website expansion. The court will also look for grant funds for additional hardware and consulting services to assist in set-up.

Evaluation:

To gauge the effectiveness of this program, the website will track the number of people using the various components available.

Sustaining the Action Plan:

After the program has been established, our Information Technology staff will be able to maintain and update the website.

Other Comments:

It would be helpful if the State Task Force would take the lead in the area of on-line form availability, since most courts have a link to the Judicial Council's self-help website.

Video Conferencing:

The court will explore the use of video conferencing linking the downtown facility with various community centers in the County. Those who are disenfranchised with the system would thus be provided an alternative way of seeking justice. This would be especially helpful for domestic violence restraining orders and for people who have physical barriers. This would also be an advantage for our large immigrant population, which tends to have significant linguistic barriers and distrust of the justice system.

Videoconference dates would be made in advance and a representative from the court would participate.

Program Partners:

The court will seek grants, and partner with local community organizations and county agencies.

Resources:

The court currently has video conferencing capabilities with DVI and would be able to use the current infrastructure to expand conferencing capabilities to community centers. (In

collaboration with other Central Valley Courts, San Joaquin County has applied for funding for video conferencing capabilities among the Central Valley branches. If funding is granted, the infrastructure would be in place for expansion.)

3. Language

Language Line:

Goal 21.1 of our Strategic Plan is to provide translation services to all non-English speakers who do business with the Clerk's Office, a goal that can be advanced by the expanded use of the Language Line service.

We can accomplish this goal by expanding the use of Languages Lines Services to every clerk's counter. The court currently uses the service for translation of some court matters by providing immediate telephone access to interpreters who speak 140 languages. Interpreters are available 7 days per week, 24 hours a day. We are investigating revising the existing phone trees to accommodate multilingual access and information. We will also investigate the possibility of advertising the Language Line services currently offered by our court.

Resources:

The court will seek grant money for these projects.

Evaluation:

We will track the number of people who use the service and survey community liaisons to assess awareness of the service in their communities.

4. Written Materials

The court currently has 21 different packets of information available on subjects such as “Dissolution of Marriage” and “Domestic Violence Retraining Orders.” We will look at expanding the instructions on these packets and translating them into other languages as well as the possibility of simplifying the forms used by self-represented clients. The court will also print out information from the AOC’s self-help website to distribute at the counters. We will also look to distribute informational brochures published by the Mediation Center.

Program Partners:

The court will borrow from and collaborate with other courts in California to develop helpful materials for our self-represented clients. The court will look to the AOC for additional help.

Resources:

The court will look for grant money to fund this program.

Comments:

It would be helpful if the AOC took on the responsibility for translating Judicial Council forms, which would then be available for all California Courts.

5. Signage

Goal 13.1 of our Strategic Plan is to improve general public accessibility to necessary information at the courthouse. We believe that that accessibility includes adequate signage in a multiplicity of languages.

Multiple barriers exist that make navigating the system difficult for the public in general and more difficult for non-English speaking customers and users. We are reviewing the

courthouse signage for clarity and consistency. We are reviewing daily calendar postings for ways to improve, and are considering placing video monitors in public areas with daily calendar information.

Program Partners:

We will work with ethnic communities in San Joaquin County to help design and translate the signs in our most commonly used languages.

Resources:

County Facilities Management has completed preliminary work designing signs to help the courts comply with ADA laws. In addition to partnering with Facilities Management, we are exploring possible grants for the purchase of additional signs.

6. Advertising

Manteca Publicity:

When the Family Law Center in Manteca is opened, the court will place advertisements in the local newspapers, and will seek other free media coverage. Then regular hours and services will be advertised.

Resources:

The court will look into using grant money to purchase airtime on local radio and television stations to inform the public on the services offered by the court.

Countywide Directory of Services:

The court is also working with local charities and community organizations to develop a countywide directory of services available to court customers and self-represented litigants. This directory will be listed on the court's website and hard copies will be distributed at the court's lobby information desk, clerks' windows, and at local libraries.

Program Partners:

The court will work with community organizations, the county, the Bar Association, and other providers of free or low cost legal services.

Resources:

The court will utilize its current staff for this project.

Telephone Book Ads:

Long Range goal 14.1 is to devote a page in the local telephone books concerning the local justice system. The court is investigating the possibility of providing additional information in the "Customer Guide" section of the phone book concerning the courts.

Alternatively, a purchased yellow page advertisement could be placed under C for "Courts."

Such an ad would not only provide court phone numbers, but also other helpful numbers such as local agencies that provide services to our self-represented litigants. The information would be provided in several different languages and would mention the translation services available at the courthouse.

Program Partners:

The court will partner with local organizations that provide services to self-represented litigants such as Lawyer Referral Service, Catholic Charities, El Concilio, Family Resource and Referral, as well as other county and non-profit organizations.

Resources:

The court will seek grant money for paid advertisements and staff for the translation and design of the ads.

7. Library Partnerships

We are developing working partnerships with local public and academic libraries to offer additional resources to self-represented litigants. After the libraries' existing inventory has been assessed, the court will look for grant money to purchase additional self-represented books, videos, etc. The court will train the local library staff on the court's self help website, and then set up a "Legal Self-Help" section in the library.

Program Partners:

We will also partner with the County Law Library, University of the Pacific, Delta College, Humphreys College, and other community organizations such as the Women's Center, senior centers, and Catholic Charities to establish a self-help section in each location. These sections will be stocked with brochures, handouts, no-loan books and manuals, forms, and notices of future workshops.

We will also look to our partners in academia to establish volunteer or paid internships for advanced legal students to staff these "Legal Self-Help" Sections.

Resources:

The court has existing sources for brochures and packets of information available for distribution. Some of the libraries have computers that can be devoted to the "Legal Self-Help" section, while others may need supplementation. We will seek grants to purchase materials and other necessary equipment.

Evaluation:

Statistics on usage and customer inquiries will be maintained, which will be used to adjust the resource inventory and staffing hours.

8. Education

Goal 31.2 of our Strategic Plan is to provide educational opportunities to the general public about the justice system.

Self-Help Videos:

San Joaquin is working in partnership with several Central Valley courts to produce videos on self-help topics. Eventually these videos will be shown in a court meeting room once per week on a published and advertised schedule. The court will coordinate a panel of volunteers who will be available to answer questions after participants have viewed a video.

Program Partners:

The court will partner with community organizations, including El Concilio, for translation services and will partner with the local law schools for staff volunteers.

Resources:

The court will seek grant assistance to acquire video equipment and staff to produce the tapes, and to finance translations and the printing of handouts.

Evaluation:

A log will be maintained on where the tapes were presented. An exit questionnaire or public response poll mechanism will be developed to evaluate public response to the programs.

Phone Resource Center

We are exploring a phone resource center that would provide useful information to our clients. We would like to have several different languages available to our customers. This line could serve clients that have questions regarding the court and could offer the ability to be transferred to the appropriate department such as small claims, family law or criminal.

Resources:

The court will investigate the cost of this additional line and look for grant money to fund this project.

Court-Community Leadership and Liaison Academy

The court has just reached an agreement with Delta Community College to offer this curriculum to the public via an accredited 3-unit course. Classes include an introduction to the justice system, and sessions on family law, traffic, domestic violence, small claims, and pro per services.

Resources:

As enrollment grows, additional resources will be needed to staff the sessions.

9. Additional Partnerships:

Partnerships with the local colleges and the Bar Association will be strengthened in order to provide additional free or low cost services to self represented litigants.

The court will continue to work with the local Bar Association on offering unbundled legal services.

10. Court Staff

The court will continue its existing training program for staff, which includes regular classes on justice system topics taught by judges, and the AOC-produced satellite feeds and training tapes.