

## ACTION PLAN TO ASSIST SELF-REPRESENTED LITIGANTS

### **Tuolumne County Historical Background and Overview**

Tuolumne County is one of the original 27 counties established in 1850 and has always had Sonora as its county seat. Calaveras, Alpine, and Mono counties lie on its north side. Mono also lies on its east, and Madera and Mariposa counties on its north.

Across the boundary of the Stanislaus River on the west lies Calaveras County, and below it Stanislaus County. Most of Tuolumne County beyond its southwestern section lies in the Stanislaus National Forest, across which runs the Sierra Nevada Mountain Range. The northern part of Yosemite National Park lies in the county's eastern segment.

The county name derives from that of an Indian tribe, either Miwok or Yokut, which was visited by the first white explore Gabriel Moraga (1806). Later voyagers through this area were transcontinental travelers like John Bidwell's Party (1841) and those who went during the gold rush. Many took the route through Sonora Pass (9,628 feet in elevation), in the northeast corner of the county, but other routes of entry include Conness Pass and the now much used Tioga Pass (9,941 feet in elevation), near which Mt. Dana rises to a height of 13,050 feet.

In this eastern part of the county lies the spectacular Grand Canyon of the Tuolumne, where the Tuolumne River drops 5,000 feet from Tuolumne Meadows down the Hetch Hetchy Reservoir To the west and north, outside Yosemite, lie numerous mountain lakes in the National Forest including such resort areas as Twain-Harte, Long Barn, Strawberry, and Pine Crest along Dodge Ridge. Farther north and west on the county line lays the South Grove of the Calaveras Big Trees State Park.

The major mining activity in the county occurred near or at Table Mountain, a huge basalt mesa stretching some 30 miles along the Stanislaus River. Close to the northern end of the county is Columbia, best preserved and most restored of the southern mining towns. Columbia is also a state park.

Near it is Sonora, the town in whose very streets rich diggings were uncovered. Sonora is the county seat of Tuolumne, and the only incorporated city in the county. Four miles farther south is Jamestown. Close to both is Tuttletown the cabin (now reconstructed) in which Mark Twain spent five months during the winter of 1864-65 is located.

Farther down the Tuolumne River are the mining towns of Chinese Camp and Big Oak Flat, first mined and settled by James Savage. On the Stanislaus River border lays the Melones Water Project. And in the southwestern most corner of Tuolumne Count lays New Don Pedro Reservoir, another of the county's many developments for water and power.

Cattle ranching, lumbering, poultry rising, and field crops, in addition to tourism, are the mainstays of the economy.

In 1983 the county had a population of 37,100, with an area of 1,455,360 acres, it had 16 persons per square mile. Census 2000 puts the current population at 54,501, a 32% increase over the 17-year period. Population projections estimate this figure will be 77,200 by the year 2020 reflecting a projected 40% increase in the county's population.

**Tuolumne County Population Distribution**

<i>Race &amp; Hispanic Origin, 2000</i>	
White	47,750
Black/African American	1,146
American Indian/Alaska Native	992
Asian	395
Pacific Islander	91
Other race	1,577
Two or more races	1,550
Hispanic origin, total	4,445
Mexican	3,394
Puerto Rican	101
Cuban	31
Other Hispanic	919
<i>Gender, 2000</i>	
Male	28,737
Female	25,763
<i>Age, 2000</i>	
Under 5 year	2,466
18 years and over	43,201
12 years and over	41,279
65 years and over	10,067
85 years and over	967
Median age	42.9 years

**Education**

There are a total of 13 school districts providing services to a total of 7,947 enrolled students. Student performance on the standardized Stanford 9 Scores, an evaluation tool which attempts to represent scoring at or above the 50<sup>th</sup> National Percentile Rank, reflects the following data:

<i>Area / Subject Matter</i>	<i>Percentile</i>
3 <sup>rd</sup> grad reading	70%
3 <sup>rd</sup> grade math	75%
7 <sup>th</sup> grade reading	70%
7 <sup>th</sup> grand math	74%
11 <sup>th</sup> grade reading	43%
11 <sup>th</sup> grade math	47%

The average 12<sup>th</sup> grade student SAT score in this county is 527 for verbal and 522 for math. This however only reflects the 34.3% of enrolled students who went through the evaluation process. The Superintendent of Schools for Tuolumne County is Dan White.

**County Governance**

A general law form of governance prevails within Tuolumne County. As of February 2001 the county had 29,749 registered voters equating to 54.6% of the population. The county’s fifty-eight (58) legislative districts are comprised of 19 Congressional, 14 State Senatorial and 25 State Assembly districts. There are five district county supervisors as well as five county officials.

Public Safety personnel consists of a Sheriff in combination with (59) sworn officers, all 59 positions within the Sheriff’s department. Total reported crimes for year 2000 were 1,378 with 202 (14.7%) reported as violent crimes.

**Income & Poverty Information**

The median household income per 1997 available data was estimated to be \$33,810.

**Types of Households**

<i>Type of Household</i>	
With person under 18	6,071
With person over 65	6,917
Family households	14,249
Single Person households	5,453
Receiving Public Assistance	n/a
Receiving Social Security	n/a
Persons per Household	2.36
Persons per Family	2.82
Institutionalized Population	4,417
<b>Total Households</b>	<b>21,004</b>

**Housing & Construction**

<i>Housing Units, 2000</i>	
TOTAL	28,336
Occupied	21,004
Seasonal / Recreational Use	5,856
Single Family Units	N/a
Owner Occupied Units	14,978
Renter Occupied Units	6,026
Median Value Single Family	N/a
Median Rent	N/A
<b><i>New Private Housing Units Authorized by Permit</i></b>	
<b>1998</b>	<b>250</b>
<b>1999</b>	<b>165</b>
<b>2000</b>	<b>255</b>

## SELF-REPRESENTED LITIGANT ACTION PLAN

### Introduction

This Action Plan is the product of the Tuolumne Superior Court. A committee made up of court, service provider community members and a planning consultant assisted the Court in the development of this action plan. (See Attachment 1 for the Committee Membership.) The Court wishes to acknowledge the contribution of all who helped in the development of this Action Plan and looks forward to continuing its collaboration with the community in fully achieving the desired results: more informed court users who have ready access to justice services.

**1. Description of Need:** The Superior Court of California, County of Tuolumne, is committed to providing access to justice for all the people it serves. A survey of both Court staff and visitors to the courthouses identified the following as target groups most in need of services:

- Family Law self-represented litigants
- Self-represented litigants seeking restraining orders
- Self-represented litigants with unlawful detainer issues
- Self-represented litigants with guardianship issues

Preliminary results from these surveys and corroboration from community service providers indicate a strong need by self-represented litigants for information about the legal system and an overwhelming need for low cost legal aid in this county.

Self-represented litigants in Tuolumne County currently have access to a County Law Library that is only open 20 hours a week. The Family Law Facilitator, by law, is able to offer only limited services. There are no established legal aid programs available at present in this county.

**Program Areas:** To best address the needs of Self-Represented Litigants in Tuolumne County, the court with the assistance of its Action Planning Committee, has identified the following three areas for action.

1. ***Self-Help Services.*** Provide Assistance to Self-Represented Litigants who can help themselves to a certain point, utilizing resources that have been or are being developed by the courts, and coordinating those resources with the community partners.
2. ***Enhanced Availability of Legal Services.*** Provide Assistance to Self-Represented Litigants who absolutely need specific legal advice, by contracting with an attorney who will provide low or no cost legal aid to potential litigants referred from the collaborating agencies.

**3. Community Outreach and Education.** Reach out to the community to inform them of available self-help and other legal and social services.

These Action Areas are described in more detail in Section 3, below.

**3. Program Action Plans:**

**3.a.1. Program Description: SELF HELP SERVICES**

2004        Develop and provide resources to assist those self-represented litigants who are able to help themselves by providing a mix of educational opportunities and resources, including but not limited to the following:

- Provide a Legal Resources Directory
- Provide training for other Agencies
- Expand Family Law Facilitator services
- Provide videos on court procedures
- Deliver pro bono workshops to the public
- Distribute brochures county wide

**Service Locations:** Court House locations, other community locations such as the local public libraries, County Law Library, Columbia Community College facilities, the Senior Center, and local service club centers such as the IOOF hall or Shriner’s Hall.

**3.b.1. Program Partners:** Relationships between the court and actual or potential partners have been established for many years. Long-term agencies will ensure that this program continues. Commitment by these agencies preexisted the State’s identification of Self-Represented Litigant “needs” as a part of the this project grant. However, these agencies have operated to date with the caveat that they could not address the broad scope of issues commonly experienced by many self-represented litigants.

Current and potential community partners that may participate in efforts to ensure access to court information are:

- Mountain Women’s Resource Center
- Kene Me Wu Family Healing Center, Inc.
- Amador Tuolumne Community Action Agency
- Child Welfare Services
- Local BAR
- Department of Child Support Services
- Jamestown Family Resource Center
- Infant Child Enrichment Services

**3.c.1. Program Plan: SELF HELP SERVICES**

<i>Task</i>	<i>Resources Required</i>	<i>Person/Org. Responsible</i>	<i>Time</i>
Research self represented litigant resources already available which can be replicated/duplicated	FTE hrs. Retrievable relevant data.	Court staff	2002 ( - months)
Locate spaces for Self-Help Program services	FTE Hrs.	Fran	2002 ( - months)
Plan and configure space: furniture and furnishings, computers, printers, copy machines, other resources	FTE hrs.	Mgmt. Team	2002 ( - months)
Procure resources	Funding, FTE hrs.	Mgmt. Team	2002 – 2003 ( - months)
Design & deliver pro bono workshops on <b>F....A....Qs....</b>	Area Law students, California Indian Legal Services, Law Library after 5:00p.m, Jury Assembly Room		2002 – 2003 ( - months)
Coordinate & develop local legal resource directory-referral list.	List of attorneys and their specialties.	Court	2002 ( - months)
Contact agencies, those interested apply / provide pool of funds.	Funding to hire professional legal help who could provide services in rotating locations. Space, Office supplies	A.T.C.A.A. Senior Center Women's Ctr.	
Acquire if available, or Design & produce videos on Court Procedures	AOC, <b>C.J.E.R.</b> Funding, FTE hrs. Venders	Court Staff	2002 – 2003 ( - months)
Training for Agencies	FTE Hrs.	Mgmt. Team	
Develop and distribute needs assessment tool	FTE Hrs., printing & materials	Mgmt. Team	September 2002
Interpret Data	FTE Hrs.	Mgmt. Team	November 2002
Market Training Sessions	FTE Hrs.	Julie	January 2003

**3.a.2. Program Description: ENHANCE AVAILABILITY OF LEGAL SERVICES**

2004 For those self-represented litigants who are require assistance of counsel in preparing their legal paperwork, the Court plans to contract with an attorney to provide direct, individualized services, as well as general area workshops. The following is a non-exclusive listing of activities to achieve this goal:

- Prepare an RFP to advertise for a limited term, part time attorney
- Contract with an attorney to provide a finite number of one hour appointments in their office, and to provide a certain number of workshops on specific topics (related to Family Law)
- Conduct a pilot program to determine the breadth and types of needs that would not be met, but for this limited term low or no cost legal aid program
- Require the attorney to maintain certain specified statistics in order to document met and unmet needs
- Utilize findings at the end of the pilot program as the statistical basis for obtaining funding from other local or charitable funding sources, if warranted

**Service Locations:** Court House locations, other community locations such as the local public libraries, County Law Library, Columbia Community College facilities, the Senior Center, and local service club centers such as the IOOF hall or Shriner’s Hall.

**3.b.2. Program Partners:** See 3.b.1 above.

**3.c.2. Program Plan: ENHANCE AVAILABILITY OF LEGAL SERVICES**

<i>Task</i>	<i>Resources Required</i>	<i>Person/Org. Responsible</i>	<i>Time</i>
Assess need for legal services determined by case type.	FTE hrs.		
Prepare <b>RFP</b> for attorney services.	FTE hrs.	Fran	
Recruit attorney to provide legal services on appointment basis for Self Represented Litigants	Funding at \$60/hr. for PT attorney services.	Court	2003 ( - months)
Develop brochures on court services and programs countywide addressing topics such as courtroom etiquette, <b>TRO</b> guidelines	Funding, FTE hrs. Content & printing	Julie Rowe M.W.R.C. Mary Lou B. Dana Mathews Sue Tompson	2002 Short Term ( - months)
Establish a Forms Assistance program	Jamestown Family Resources Center,	Court	2002-2003 ( - months)

similar to or adapted from Riverside County's "Forms" program.	Software is free		Mid-Term
Assess Need for Public Presentations & Clinics	Assessment tools	Julie R.	September 01'02
Develop Team for Workshop Presentations		Michelle Dana Mathews	January 2003
Distribute Assessments tools	FTE Hrs., printing & postage	Court Staff	September 01'02
Publicize / Market		Julie R.	January 2003
Schedule presentations		Julie R.	March 2003

**3.a.3. Program Description: COMMUNITY OUTREACH AND EDUCATION.**

**Population To Be Served:** People in the community who need information or access to the court in order to effectively represent themselves. Potential users of the self-help program would be referred by collaborating agencies.

**Types of Services To Be Offered:** A comprehensive community outreach program focusing on SLR issues. "Town meetings" in various community venues to assess the legal needs of the community. Outreach and education programs developed in connection with county school districts, Columbia Community College and other community resources.

**Service Locations:** Services will be delivered in both courthouse locations, Columbia Community College, high school and adult education centers, the law library, and other community centers (recreation centers; Senior Centers, Elks; Moose, etc.). TV and radio will be used to get the word out about outreach and educational activities.

**3.b.3. Program Partners:**

- Bench
- Tuolumne County Bar Association
- Community colleges, Law Schools
- Adult education facilities
- Community business organizations (Chamber of Commerce, etc.)
- Family Court Services
- Bar
- Private consultants who will develop research methods to assess community needs
- School districts
- Community organizations such as Elks, Moose and other fraternal organizations
- Court clerks, techs and staff
- Family Law Facilitator

**3.c.3. Program Plan: COMMUNITY OUTREACH AND EDUCATION**

<i>Task</i>	<i>Deadline</i>	<i>Person/Org Responsible</i>
Identify community needs through surveys, interviews at court, questionnaires, town meetings/focus groups; identify target groups and analyze and synthesize data	2002 (12 mo.)	Court staff, college interns, volunteers, program coordinator; consultants
Develop outreach and education schedule/calendar for resources, locations, media	2003 (12 mo)	Consultants; court staff
Staff and volunteers go into community to inform about court innovations: programs, services for SRLs, resources	2004 (9-12 mo.)	Non-profit legal services (i.e. Legal Services for the Elderly; Bay Area Legal Aid); court staff; bench; Family Court Services; Family Law Facilitator
Community outreach and education program instituted and institutionalized	2004 (continuous)	Court staff Bench Local and Bay Area media (TV; radio; print)

**3.d Existing Resources to be Utilized:** Many existing resources are currently available to litigants who are able to help themselves after being pointed in the appropriate direction. These resources include the AOC’s self help web-site, informational videos and brochures, and the local law library.

**3.e. Additional Resources Needed:** The primary additional resource required to provide assistance to those self-represented litigants in need of individualized legal advice is an attorney. The court has applied for the \$15,000 implementation grant to fund this position. Workshop space will need to be located as well.

**3.f. Evaluation:** Several evaluation methods will be used to determine the success of the self-help program. The usefulness of brochures and videos will be assessed with feedback from the litigants and the bench officer. Informational workshops will conclude with an evaluation by participants. Staff will keep track of the number of requests for appointments with the self-help attorney. Additionally, the attorney will track the types of requests by area and the numbers in each area.

**4. State Support:** The Court requires the financial support available through the Administrative Office of the Courts grant opportunities and state budget authorities to implement this self-help program. The program requires substantial long term funding for full implementation. The Court will continue to participate in formal budgeting processes and grant submissions. Collaboration with community agencies and local government will also continue.

**5. Unique Approaches:** The local community is very supportive of the Court's efforts to improve access for self-represented litigants. Local service agencies are able to provide limited assistance with preparation of court documents; such assistance is generally limited by the type of legal problems an individual has. There was broad consensus among the collaborative partners that self-represented litigants in this county would benefit greatly from a program designed to address the individual self-represented litigants abilities, in regards to accessing and understanding the legal system, and their needs for individualized, direct assistance.

**6. Sustaining the Action Plan:** The goal of providing direct legal assistance to litigants in the Tuolumne courts is ambitious. Once resources such as brochures, videos and workshops have been developed, they can be used again and again. The ability to provide consultations with counsel is dependant on obtaining adequate funding. The Court hopes to obtain initial funding from the Administrative Office of the Courts. Obtaining continuing grant funding for this position through program partners is a possibility discussed at this court's action planning sessions. Pooling of funding opportunities is a possibility. Seeking grant funding outside of traditional state sponsored grants has also been discussed, and will be pursued.

## **ATTACHMENT 1**

### **Self-Represented Litigant Action Planning Committee Membership**

- Tuolumne County BAR Association
- Kene Me Wu Family Healing Center, Inc.
- Child Welfare Services
- Tuolumne County Family Law Facilitator
- Mountain Women's Resource Center
- Tuolumne County Department of Child Support Services
- The Court, including Bench officers, administrative and management staff
- Infant Child Enrichment Services
- Action Planning Project Consultant: Coyote Moon Consulting