

Agenda

Committee on Resources for Self-represented Parties

February 11, 2011
12:00 to 1:30 p.m.

Administrative Office of the Courts
Scott M. Matheson Courthouse
450 South State Street
Education Room, Suite N31

Welcome and Approval of Minutes	Tab 1	Judge John Baxter
Recognition of departing members: James Backman, Christine Decker, Jay Kessler, Neil Hansen, Christine James, Christina Micken, James Shumate, Linda Smith		Judge John Baxter
Self Help Center	Tab 2	Mary Jane Ciccarello Jessica Van Buren
Website and forms development	Tab 3	Tim Shea
Strategic planning	Tab 4	Tim Shea

Committee Web Page: <http://www.utcourts.gov/committees/ProSe/>

Meeting Schedule: Matheson Courthouse, 12:00 to 1:30, Judicial Council Room,
unless otherwise stated.

May 13, 2011 (Education Room)

August 12, 2011

November 18, 2011 (Education Room)

Tab 1

Minutes	Committee on Resources for Self Represented Parties				
Meeting Date	October 8, 2010			Meeting Room	Judicial Council Room
Committee Member	Present	Excused	Committee Member	Present	Excused
Fred Anderson	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Christine James	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
James Backman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Robert Jeffs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Pat Bartholomew	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Jay Kessler	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Judge John Baxter, Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Jose Lazaro	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Jane Ciccarello	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Christina Micken	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Judge Christine Decker	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Stewart Ralphs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Judge Michael DiReda	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Judge James Shumate	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Carol Frank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Linda Smith	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rep Neil Hanson	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Jessica Van Buren	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Staff	Tim Shea				

Topic	Self Help Center	By	Mary Jane Ciccarello Jessica Van Buren
<p>Discussion: Ms. Ciccarello and Ms. Van Buren reported on the progress at the Self Help Center. The Center has expanded to 3 part-time attorneys serving a combined 53 hours per week plus one full-time attorney. This provides 3 attorneys at any given time, and covers all of the state except Districts 3, 4, and 5. The Center now provides a Spanish-speaking attorney 3 days per week.</p> <p>The grant money that funds the part-time attorneys has run out or will run out at the end of this fiscal year. The Judicial Council has allocated \$50,000 in one-time money to maintain operations for the balance of the fiscal year. Ms. Van Buren showed the growth in the number of contacts since 2009 that has been met by the additional part-time attorneys.</p>			

Topic	Website and forms development	By	Tim Shea
<p>Discussion: Mr. Shea reviewed the progress to date and the topics in the queue.</p>			

Topic	Unbundling efforts with the bar	By	Tim Shea
<p>Discussion: Mr. Shea reviewed the efforts with the Utah State Bar to encourage limited legal help as a resource for people who cannot afford full representation. He recommended that the Bar's lawyer referral service include more than the current four categories in which lawyers could declare their willingness to provide limited legal help. There are 16 categories on the Fifth District list. The lawyers on the aging limited legal help lists from the Second, Fourth and Fifth Districts should be advised that they should participate in the Bar's up-to-date program.</p>			

Mr. Jeffs said that limited legal help fits well with his efforts to try to connect lawyers without clients with pro se parties who need lawyers. Mr. Jeffs said that lawyers had not yet adopted limited legal help as a business model outside of the traditional areas, such as family law. Ms. Ciccarello said that she had seen some limited expansion into other areas.

Mr. Jeffs said that he is trying to convince the Bar Commission to use Bar resources to encourage lawyers to participate in his program and to market the program with the public. The common public perception is that a person cannot afford an attorney, so they don't even look. Among other messages, Mr. Jeffs wants to tell the public that buying legal services to protect and enforce one's legal rights has a valuable return.

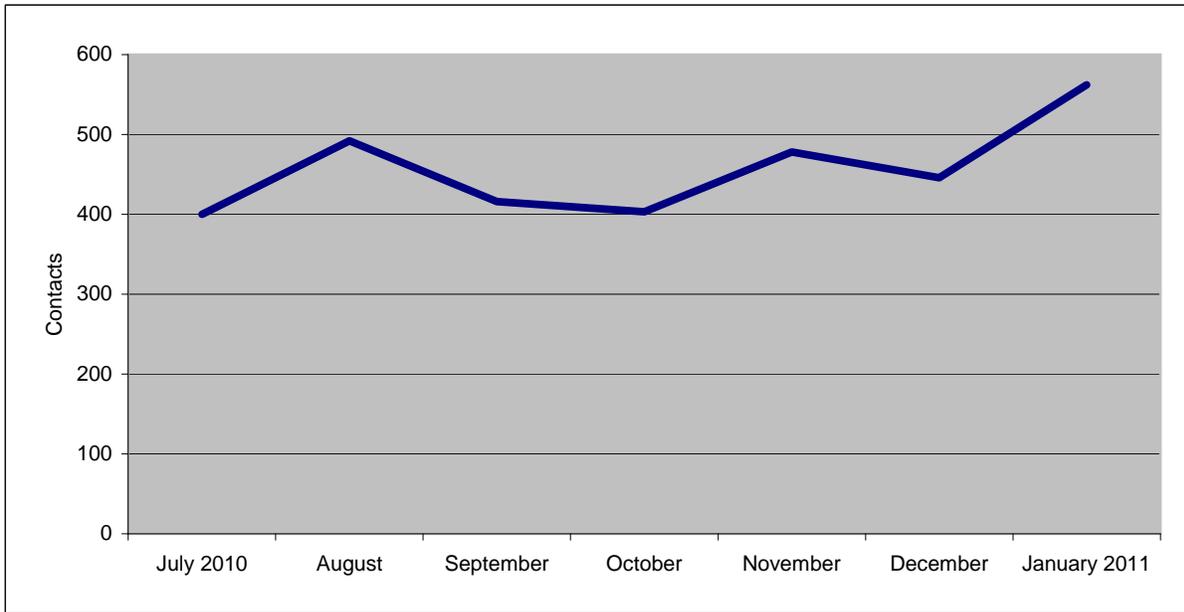
Mr. Anderson explained his pricing and representation practices and suggested that firms recognize low fee and no fee services as part of a lawyer's billable hours.

Action: Mr. Jeffs will try to expand the categories in the lawyer referral service in which lawyers can declare their willingness to provide limited legal help. Mr. Jeffs will present his proposed program to the Bar Commission in October and feature limited legal help as a part of that program. He will report back on how this committee might be able to help implement the program.

Topic	Strategic planning	By	Tim Shea
<p>Discussion: Mr. Shea described the progress being made in each of the areas. Mr. Shea recommended that the committee eliminate as a strategic goal studying how to meet the needs of self-represented parties through the court's website. He explained that the workgroup developing webpages and forms focuses on the products that will be the most help to the self help center. The committee agreed.</p>			
<p>The committee discussed whether to retain as a strategic goal "Promote a legal service organization to recruit lawyers to provide such services and to raise and distribute funds to do so." Judge Baxter observed that, as stated, the goal is at odds with the Code of Judicial Conduct because judges cannot solicit funds. After discussion the consensus was to retain the goal but modify it to eliminate the reference to raising money and add instead expanding the availability of legal services.</p>			
<p>Action: Remove from the strategic plan studying how to meet the needs of self-represented parties through the court's website. Remove reference to raising money and add expanding the availability of legal services.</p>			

Tab 2

**Self-Help Center Contacts by Month
FY 2011**



Month	Number of Contacts	Number of Calls	Number of Emails	Number of Texts	Number of Service Days
July 2010	400	340	49	11	16
August	492	390	78	23	17
September	416	338	62	15	17
October	403	317	40	43	15
November	478	376	60	35	16
December	446	365	52	28	18
January 2011	562	487	41	34	18

Total Contacts	3197	
Total Calls	2613	81.73%
Total Emails	382	11.95%
Total Texts	189	5.91%
Total Service Days	117	
Average Contacts Per Day	27.32	

1. Did help line staff treat you with courtesy and respect?	
Answer Options	Response Percent
Yes	99.4%
No	0.0%
Don't Know	0.6%
Refused	0.0%
Other (please specify)	0.0%

2. Did you understand the information you received?	
Answer Options	Response Percent
Yes	98.2%
No	0.0%
Don't Know	0.0%
Refused	0.0%
Other (please specify)	1.8%

Comments
Not a 100% but I called and they explained the documents.

3. Do you know what to do next?	
Answer Options	Response Percent
Yes	96.3%
No	0.6%
Don't Know	1.8%
Refused	0.0%
Other (please specify)	1.2%

Comments
Don't know the next step till I go to the court I believe.
I will when I get the material being sent to me.
Not sure, will call for help.
Pretty much.
Up to a point. I'm working it out as I go.

4. Do you have any comments about our program you'd like to share?
Center staff was very friendly and explained why, when she couldn't answer a question, very nicely.
Didn't have to wait forever which is very nice. Wait time was excellent. She was very helpful and answered all my questions.
Every time I've called you've all been very helpful and given me the information I've needed.
Good.
Good to have this.
Grateful.
Grateful to have questions answered without paying \$2,000. \$2,000 is unaffordable.
Great.
Great. Much better than other government programs.
Great help! Thank you.
Happy that it's available for people like me who need help.
I appreciate a lot that it's there.
I definitely appreciate it; I have no idea about the legal system. Having someone break it down for me is very helpful.
I don't know what I would do without it.
I honestly appreciated Debbie going the extra mile for me. She even took the time to get the information and call me back. I'm very very grateful for the service.
I love that you are so helpful to those of us that dont speak legal ;) Thank you so much!
I really appreciate this because I have called at least three different people. They were helpful.
I received direction but not answers.
I spoke with Debbie and she was very good. She explained everything and was very helpful.
I think it's great. It's frustrating to do things on your own.
I think it's great for a person like me with no money to see an attorney.
I think it's quite helpful.
I think that it was very, very helpful.
I think this program is absolutely wonderful.
I thought it was an excellent program. I was sitting here totally in the dark.
I thought she was very patient and doing her best to help me out.
I'd like to see extended hours from eight to five.
I'm a single mom and disabled. It's nice to know we have this program out there to help.
I'm glad I got to talk to her, otherwise I would have been stuck.
I'm just glad that this is available.
I'm really grateful it's there; I like the fact that I spoke directly to someone without getting bounced around.
I'm thoroughly grateful that it's even there. The woman I spoke with was very helpful.
It has been extremely helpful to me.
It is very beneficial and helpful to the public to have something like this.
It needs to be advertised more, in the main stream society, so people like myself can get help. It could open doors to options in the judicial system.
It was just very helpful.
It was very helpful. It took me through all the steps.
It was very helpful w/o it we wouldn't know how to proceed.
It was awesome.
It would seem that our legal system is too complicated for most of the individuals that need something from it. Our only answer seems to be, "hire a lawyer" that you can't really afford and hope they really do have your best interest at heart.
It's a pretty good program.
It's helping me out a lot - really appreciate the service.
It's just very helpful. They seem very professional and knowledgeable.
It's put me at ease and led me in the right direction.
It's the most help I've ever been able to find.
It's wonderful that the court offers this type of self help.
It's wonderful, what else would people like me do?
I was completely lost. Debbie was simply amazing. She walked me through the paperwork, answered by questions, and guided me to government websites for additional forms.
I was greatly appreciative. I was between a rock and hard place. They have been very helpful, especially Mary Jane.
I wish it was better known.
I wish that they could give more advice.
Keep it going. Keep Mary Jane and Susan going.
Keep up the good work when everyone else tells us no.
Lady was very nice.
Learned a lot today. It's awesome.
Person helping me was a great listener and gave very good directions.
Really hard to get your number, but excellent customer service.

She answered my questions.
She was a great help.
She was fantastic. She called me back. She was the one and only. God bless Susan. I'm falling apart. She told me everything I needed to hear. It's the first time anyone has taken the time out to explain anything to me. I love that lady to pieces.
She was good. A lot of help.
She was great. She explained things that will help me in the long run.
She was really helpful and answered all my questions.
She was very helpful. Gave good information about where to find information on the website.
She was very helpful and gave me step by step guidance.
She was very helpful and understanding. She let me get frustrated and cry and didn't get mad at me.
She was very kind and helpful.
She was very nice and helpful.
She was very nice and professional.
She was very nice and very patient. I was so emotional and Debbie took the time to listen to me. It was so nice that someone listened to me.
She was very, very helpful.
The help the Utah self-help assistant has provided has been a god send. We could never have achieved so much without her help. Thank you.
The information I received was concise and precise.
The representative was so helpful, and told me to call if I needed further assistance. Thanks so much.
The service is phenomenal.
They have been very helpful and awesome. They've given us so much information.
They were extremely helpful and I wish that I had found them sooner.
They were very helpful and informative, it was amazing to be able to speak to someone and they could help you. Outstanding people working there.
They were very helpful and took the time to answer my questions fully.
They were willing to repeat things until I understood them.
This is an awesome program for people like me and would suggest all states to start something like this.
Very glad that staffer asked questions to help her explain her problem.
Very good.
Very helpful (15)
Very helpful, esp. Debbie.
Very informative.
Very informative. I wish I would have known about it sooner then I wouldn't have all the problems I'm having.
Very informative. Terrific. Took me through the steps of my case.
When you don't know anything about this tyep of stuff you are lost. You don't know what to do. Very helpful.
Wonderful.
Wonderful. It helps people who can't afford to hire an attorney.
You responded to my email. You are always courteous and friendly.

5. What is your primary language?	
Answer Options	Response Percent
English	97.6%
Spanish	2.4%
Don't Know	0.0%
Refused	0.0%
Other (please specify)	0.0%

6. What is your race or ethnic group?	
Can select more than one category	
Answer Options	Response Percent
White (Non-Hispanic)	79.3%
Hispanic (All Races)	10.4%
Asian	1.8%
African American	2.4%
Pacific Islander	1.2%
Native American - American Indian / Native Alaskan / Native Hawaiian	0.6%
Don't know	0.0%
Refused	2.4%
Other (please specify)	1.8%

Comments
Afro-American & German
African-American & White
American
Arabic (2)
White legal guardian on behalf of an Hispanic child.

7. What is your annual income?	
Answer Options	Response Percent
\$6,000 or less	17.7%
\$6,001 to \$12,000	6.7%
\$12,001 to \$18,000	9.1%
\$18,001 to \$24,000	9.1%
\$24,001 to \$30,000	5.5%
\$30,001 to \$36,000	7.9%
\$36,001 to \$42,000	7.3%
\$42,001 to \$48,000	2.4%
\$48,001 to \$60,000	7.3%
\$60,001 to \$72,000	6.7%
\$72,001 to \$84,000	3.0%
\$84,001 to \$96,000	3.0%
\$96,001 or more	3.0%
Refused / Skipped	11.0%

8. How did you hear about the Self-Help Center?	
Answer Options	Response Percent
Bar Association	0.0%
Clerk's office / Court	82.3%
Community Agency	0.0%
Domestic violence shelter	0.0%
Family / Friend	4.3%
Internet	4.3%
Judge / Commissioner	0.0%
Law Enforcement / Sheriff	1.2%
Lawyer	0.6%
Legal Clinic	1.8%
Library	0.0%
Newspaper / Media (please specify)	0.6%
Don't Know	0.6%
Refused	0.0%
Other (please specify)	4.3%

Comments
Davis County School District
DCFS
ORS
Ogden school district
Phone directory
Prosecutor
Workforce Services

9. How often have you tried to reach the Self-Help Center?	
Answer Options	Response Percent
Just today	80.0%
For a couple of days	17.3%
For a week	1.3%
More than a week	1.3%
N/A (emailer)	

10. Do you have an attorney?	
Answer Options	Response Percent
No - I am representing myself	93.9%
Yes - full representation	4.9%
Yes - for part of my case (limited legal help)	1.2%

Distribution of Survey Responses	Response Percent
Phone	91.5%
Email	8.5%

1. Contacted SHC by ...	
Answer Options	Response Percent
Telephone (toll-free line)	81.6%
Telephone (direct line)	0.4%
Email (SHC)	11.3%
Email (direct)	0.8%
Text	5.9%
Other (please specify)	0.1%

Comments
Law Library (2)

2. Person contacting the SHC is ...	
Answer Options	Response Percent
Public	97.5%
Court Staff	1.3%
Judge	0.1%
Attorney	0.7%
Law Enforcement	0.1%
Social Worker	0.0%
Other (please specify)	0.3%

Comments
Adult Protective Services
Bar pro bono coordinator (2)
Church
DCFS Caseworker
DV advocate
Paralegal
Public librarian
School district

3. Residence Location	
State/Judicial District	Response Percent
Alabama	0.1%
Alaska	0.0%
Arizona	0.5%
California	1.0%
Colorado	0.6%
Connecticut	0.0%
Florida	0.0%
Georgia	0.1%
Hawaii	0.0%
Idaho	0.7%
Illinois	0.1%
Kansas	0.1%
Kentucky	0.1%
Louisiana	0.0%
Maryland	0.0%
Massachusetts	0.2%
Minnesota	0.0%
Missouri	0.0%

Montana	0.2%
Nebraska	0.0%
Nevada	0.3%
New Jersey	0.0%
Ohio	0.0%
Oklahoma	0.1%
Oregon	0.1%
Puerto Rico	0.0%
Tennessee	0.1%
Texas	0.2%
Virginia	0.1%
Washington	0.3%
West Virginia	0.0%
Wisconsin	0.1%
Wyoming	0.3%
1st District	3.8%
2nd District	57.2%
3rd District	4.5%
4th District	1.3%
5th District	0.3%
6th District	5.0%
7th District	9.5%
8th District	6.9%
Australia	0.9%
Canada	0.0%
Iraq	0.0%
Italy	0.0%
Unknown	5.1%

District Breakdown	Response Percent
1st District	3.8%
2nd District	57.2%
3rd District	4.5%
4th District	1.3%
5th District	0.3%
6th District	5.0%
7th District	9.5%
8th District	6.9%
Out of State	5.4%
Out of US	0.9%
Unknown	5.1%

Total Number of Contacts	3197
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Language (October 2010)	Response Percent
English	96.8%
Spanish	3.2%

Tab 3

Webpages and Forms

(1) Progress since last meeting

- [Motions](#)
- [Modifying Child Custody](#)
- Motion for Alternative Service (Approved but not yet published)
- Adopting a Minor Step-child (Approved but not yet published)
- Petition to Recognize a Relationship as a Marriage (Submitted to the Board in February)

(2) Planned

(a) Priority

- Order to Show Cause (Domestic Order)
- Satisfaction of Judgment
- Motion to Appoint Child-Custody Evaluator (Parent Coordinator)
- Petition to Modify Divorce Decree (Generic)
- Landlord/Tenant (Debbie)

(b) Petition Topics

- Petition to Unseal Adoption File
- Petition to Annul Marriage
- Petition for Temporary Separation
- Petition for Judicial Review of Final Agency Action (informal adjudicative proceedings)

(c) Motion Topics

- Motion to Forfeit Bail to Judgment Creditor
(http://www.utcourts.gov/courts/dist/distsites/3rd/docs/3rd_Defendants_Motion_to_Release_Bail.pdf)
- Motion to Set Aside Default Judgment
- Motion to Vacate Dismissal and Reinstate Petition
- Motion to Reschedule Hearing
- Motion to Appear by Telephone
- Motion to Appoint a Guardian ad Litem
- Motion to Change Venue

- Motion to Classify Court Records as Private
- Motion for Order Nunc Pro Tunc

(d) Juvenile Court Topics

- Petition to Modify Custody
- Petition to Terminate Parental Rights (private petition)

(e) Probate Topics

- Informal probate (with will)
- Informal probate (without will)
- Guardian and Conservator materials conforming to new statutes and rules

(f) Miscellaneous

- Notice of Limited Appearance (URCP 75).
- Debt collection cases

(3) Done

- [Self-Help Front Page](#)
- [Answer](#)
- [Default Judgment](#)
- [Fees and Fee Waiver](#)
- [Going to Court](#) (English and Spanish)
- [How to Collect a Judgment](#)
- [Lawsuits Involving Military Service Members](#)
- [Modifying a Parent-time](#)
- [Modifying Child Support](#)
- [Motion to Appoint Parent Coordinator](#)
- [Motion to Waive 90-day Waiting Period](#)
- [Motion to Waive Divorce Education](#)
- [Non-public Records](#)
- [Parenting Plans](#)
- [Petition to Expunge Records](#) (Adult and Juvenile)
- [Petition to Register a Foreign Custody or Support Order](#)
- [Service Member Attorney Volunteers](#)

- [Small Claims](#) (English and Spanish)
- [Summons](#)
- [Writ of Execution](#)
- [Writ of Garnishment](#)
- Template for motion practice before court commissioners
- [Petition to Expunge Records](#)
- [Modifying a Parent-time Order](#)
- [Motion to Appoint Parent Coordinator](#)
- [Default Judgment](#)
- [Lawsuits Involving Military Service Members](#)
- [Service Member Attorney Volunteers](#)

Tab 4

Strategic Plan Review

Objective	Status
1. Staff a Self Help Center.	<ul style="list-style-type: none"> • SHC services available in Districts 1, 2, 6, 7, and 8. • Spanish language available.
2. Develop court-sponsored clinics and workshops.	<ul style="list-style-type: none"> • Classes on small claims, collecting a judgment, guardianships, self help resources, landlord-tenant, mediation. • Develop online module.
3. Promote the state law library as a resource for self-represented parties.	<ul style="list-style-type: none"> • Family law clinic back up. • Information center. • Training for public library staff. • Develop online module.
4. Develop forms most needed by self-represented parties.	Continual work in progress.
5. Train clerks and judges on the needs of self-represented parties and effectively responding to those needs.	Continual work in progress. Develop online module.
6. Study how community service organizations can assist in providing self-help information.	Social Services Network
7. Promote clinics and workshops, low-fee and no-fee legal representation, and unbundled legal services among the legal community.	<ul style="list-style-type: none"> • Unbundled legal services: • Multiple CLE sessions. • Consumer law clinic. Salt Lake City Public Library. 4th Thursday of each month • SCRA
8. Promote a legal service organization to recruit lawyers to expand the availability of legal services.	