

# Court-Based Self-Help Centers

National Survey Findings, Recommendations, and Best Practices

July 2023



# Acknowledgements

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It was prepared by NCSC's Access to Justice Team in partnership with Massachusetts Appleseed Center for Law and Justice.

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# Executive Summary

The civil justice gap leaves millions of Americans without legal assistance to navigate the complex civil legal system. Self-help centers play a pivotal role in expanding access and bridging the justice gap. Self-help centers empower litigants and benefit the courts by reducing reliance on clerks, improving legal filings, and enhancing litigant preparedness. In 2022, the National Center for State Courts (NCSC) and Massachusetts Appleseed conducted a national survey of court-based self-help center programs. Here are our findings and recommendations:

### **Findings**

Self-help centers report increasing demand for services. Nearly all self-help centers report more demand than they can meet. Staffing was cited as a top impediment for most self-help centers. Many self-help centers use volunteer and probono staff, but this is not enough to meet demand. Most self-help centers indicated a need for increased funding to hire more staff.

Self-help centers use remote services to reach underserved groups. Remote services can increase access for users who live in rural areas, individuals who lack transportation, and individuals who cannot visit a court in-person due to work or family obligations. Self-help centers offer service via phone, chat, videoconferencing, text, and email. However, remote services do not work for everyone. Some individuals lack access to high-speed internet or devices, and some prefer to communicate face-to-face.

Self-help centers use technology to increase efficiency. Technology is increasingly accessible, inexpensive, and is being used to help self-help centers increase efficiency. Traditionally, self-help centers relied on paper to complete many business processes. Now, inexpensive off-the-shelf products can be used for staff training, data collection, and project management. Web-based software also allows programs to operate using remote staff, which aids recruitment and retention of staff and pro bono providers.



Self-help centers are dedicated to improving access for individuals with limited English proficiency (LEP) <sup>1</sup> and with disabilities. Almost all programs provide

<sup>&</sup>lt;sup>1</sup> Limited English proficiency (LEP) individuals are those "who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or 'LEP.' These individuals may be entitled language assistance with respect to a particular type or service, benefit, or encounter." See, "Commonly Asked Questions and Answers

accommodations to expand user access, whether provided by the self-help center or through partner programs. To provide services in languages other than English, self-help centers hire bilingual staff or rely on interpretation services through the court or language lines. To support individuals with disabilities, programs have accommodations available and train staff to assist with requests for reasonable accommodations. All self-help center staff require training to work with individuals with disabilities, including limited vision or blindness, and individuals who are deaf or hard of hearing, and to assist individuals with low literacy and technical skills.

### **Key Reccomendations**

### **Budget & Funding**



- Use data to communicate program impact to funders to support robust funding of self-help centers
- Use data to support funding requests

#### **Services**



- Provide substantive and procedural information, and referrals to court-based and community programs
- Assist with as many case types as possible
- Offer in-person and remote service delivery. Use data to select methods that work best in your community

#### Staff



- Staff self-help centers with at least one attorney
- Use social workers and other professionals to provide wrap-around services

#### Referrals & Partnerships



- Refer users to organizations that can help them with related needs
- Encourage staff to stay connected to organizations so referrals can be made quickly and accurately

#### **Facilities**



 Occupy a permanent space that includes a space to check-in, a waiting area, a self-service area, and a private meeting space

Regarding Limited English Proficient (LEP) Individuals." LEP.gov, <a href="https://www.lep.gov/faq/faqs-rights-lep-individuals/commonly-asked-questions-and-answers-regarding-limited-english.">https://www.lep.gov/faq/faqs-rights-lep-individuals/commonly-asked-questions-and-answers-regarding-limited-english.</a>

### **COOP & Program Closures**



• Have a Continuity of Operations Plan (<u>COOP</u>). The plan should encompass communication, which can be used for planned and unplanned closures

#### **Access**



- Train staff on how to assist individuals with unique needs
- Know your responsibilities under the Americans with Disabilities Act (ADA)
- Provide translation and interpretation services to LEP users

### **Branding & Advertising**



- Brand your program to raise awareness and build trust
- Advertise so people know what services are available and how to access them

### **Data Collection & Reporting**



- Use a web-based tool to collect data in real time, before, during and after user interactions. Collect demographic data, non-identifying case information, and data about what services were provided
- Enact a data policy to protect user privacy. Your policy should address how to handle confidential information about people seeking legal assistance

### Feedback & Complaints



- Solicit user feedback through program evaluations and short, simple surveys
- Enact a formal process to address complaints quickly and directly

# Introduction

There is a civil justice gap in America. Each year, more than thirty million Americans encounter civil legal problems without the help of a lawyer.<sup>2</sup> According to the Legal Services Corporation's 2022 Justice Gap report, "Low-income Americans do not get any or enough legal help for 92% of their civil legal problems."<sup>3</sup> The civil system covers critical areas such as housing, debt collection, and family matters. Without access to a lawyer, a litigant could lose custody of their children or be evicted from their home.

There are many reasons for the lack of access, including cost and inability to find a lawyer who can help. The American Bar Association reports that "large swaths of the United States have few lawyers or no lawyers.<sup>4</sup> More than 200 counties have two or fewer lawyers.<sup>5</sup> These "legal deserts" impact access for both low and middle-income populations.

To help address the civil justice gap, courts across the country have launched self-help centers to assist litigants without counsel. Self-help centers offer guidance in a complex system that was designed for lawyers. Self-help centers help bridge the civil justice gap by providing access to legal information, advice, help with forms, and referrals to civil legal aid providers and the private bar. Self-help centers help litigants understand legal processes, file legally sufficient pleadings and motions, and prepare for court hearings.<sup>6</sup>

Self-help centers also help courts. Litigants who visit a self-help center may rely less on the clerk's office for information, are more likely to file pleadings and motions that are legally sufficient and are better prepared for court appearances. Self-help centers provide information about court processes, which can reduce misunderstandings, and better prepare litigants to participate in hearings. Self-help centers also help litigants understand decisions and think

<sup>&</sup>lt;sup>2</sup> "Civil Legal System Modernization." The Pew Charitable Trusts. https://www.pewtrusts.org/en/projects/civil-legal-system-modernization

<sup>&</sup>lt;sup>3</sup> "The Justice Gap: the Unmet Civil Legal Needs of Low-income Americans." Legal Services Corporation. <a href="https://justicegap.lsc.gov/">https://justicegap.lsc.gov/</a>.

<sup>&</sup>lt;sup>4</sup> "Profile of the Legal Profession 2021." American Bar Association, 2021.https://www.americanbar.org/content/dam/aba/administrative/news/2021/0721/polp.pdf

<sup>&</sup>lt;sup>5</sup> *Id*.

<sup>&</sup>lt;sup>6</sup> "Tiny Chat 87: Self-Help Center Tips." National Center for State Courts, April 20, 2022. https://vimeo.com/showcase/8536177/video/701258735

about next steps, including motions and appeals. When litigants are better educated about substantive and procedural processes, courts save time and money.

Self-help centers are a lifeline to millions of court users who navigate the legal system on their own. They provide a forum for litigants to be heard and get expert assistance. For those unable to afford private counsel, self-help centers offer referrals to free or low-cost legal representation. Self-help centers ensure users receive wraparound support by connecting users with court and community resources, including rental assistance and social services programs. Self-help center staff enhance litigant access by assisting with requests for a court interpreter or accommodation. Self-help centers help enhance procedural justice by giving litigants an opportunity to be heard and ask questions. This strengthens public trust and confidence in the justice system.

In 2022, NCSC and Massachusetts Appleseed conducted a national survey of programs about their court-based self-help centers. The survey found that successful self-help centers are flexible to meet varying community needs. They evolve and iterate, combining traditional walk-in self-help center models with more modern service delivery methods, such as live chat, videoconferencing, and webinar. They offer a range of services from knowledgeable and well-trained staff. Consistent and adequate funding is crucial to the success of court-based self-help centers. With stable funding, self-help centers may recruit and train experienced staff, offer more robust services, such as extended hours, and conduct community outreach.

This report details key findings from the survey and pairs these insights with recommendations based on the collective expertise of NCSC and Massachusetts Appleseed. The recommendations support self-help center programs in their efforts to provide a vital service to their communities and incorporate best practices from the self-help centers that responded to the survey.

<sup>&</sup>lt;sup>7</sup> See, <u>Appendix E – 2022 Court-Based Self-Help Centers National Survey</u> to learn about the methodology and find a copy of the survey.

# Findings

Survey Participants Budget & Funding Services Staff **Facilities** COOP & Program Closures



# Survey Participants

Thirty-two states responded to the survey. Of those, only eight states indicated that they did not have some form of self-help center program. Vermont reported that a self-help center program is in development.

Eighty-four percent of respondents reported that their programs had operated for more than five years. Sixty percent reported that their programs had operated for more than ten years. The findings in this report focus on the responses from the twenty-five states that indicated that they have some form of self-help center.<sup>8</sup>

Would you like to be included in future reports? Submit your information here:

https://forms.office.com/r/68jA4Q RZr0

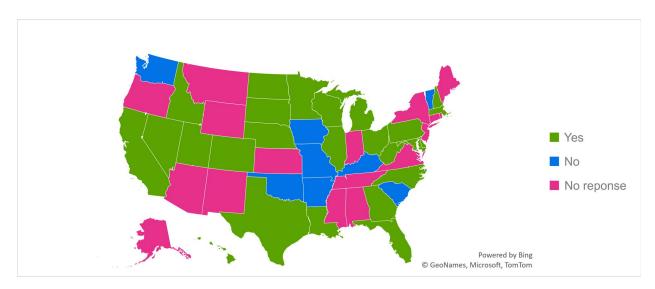


Figure 1. Map of Survey Response by State

### **Centralization**

The survey asked if self-help centers were centralized – i.e., if all centers in the state were under the supervision of one entity. Most self-help centers described themselves as decentralized. Ten states reported centralized programs, which included virtual state-wide centers, centralized materials provided through the state law library website, a state-wide website for legal information and referrals, and partnerships with law school help centers and

<sup>&</sup>lt;sup>8</sup> The twenty-five states that responded to the survey and indicated that they have some form of self-help center are referred to as "responding self-help centers."

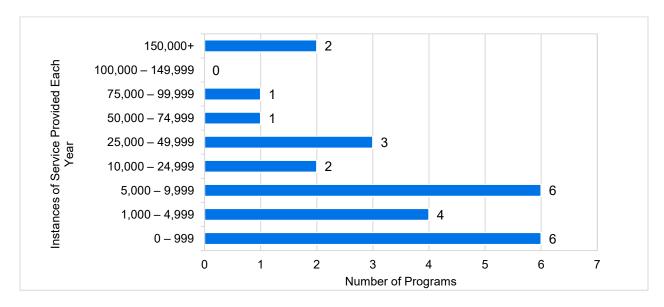
local legal aid groups. For example, in Massachusetts eight self-help centers are located across the state and are funded by the judiciary. These eight self-help centers are supervised by the director of court services.

Two states declined to describe themselves as centralized despite sharing state-wide resources. Nevada reported an online system that provides access to case information, forms, and community resources. Contents are presented in a user-friendly way, and the system has become a state-wide resource. Illinois reported a similar virtual state-wide self-help center in addition to many decentralized centers around the state. South Dakota reported that their self-help center is looking to consolidate and centralize the self-help centers across the state.

### **Instances of Service**

Instances of service refers to the number of times staff assist a user via any service delivery model. This can include one phone call, video conferencing session, or in-person interaction. One user could have multiple instances of service, depending on how frequently they visit.

The survey asked how many instances of service each self-help center provides annually. Most (sixteen programs) reported providing up to 10,000 instances of service per year.



<sup>&</sup>lt;sup>9</sup> "Forms." Civil Law Self-Help Center. Legal Aid Center of Southern Nevada, <a href="https://www.civillawselfhelpcenter.org/forms">https://www.civillawselfhelpcenter.org/forms</a>.

<sup>&</sup>lt;sup>10</sup> *Id*.

<sup>&</sup>lt;sup>11</sup> "IL Court Help." Administrative Office of the Illinois Courts. <a href="https://www.ilcourthelp.gov/hc/en-us">https://www.ilcourthelp.gov/hc/en-us</a>.

Figure 2. How many instances of service does your self-help center provide each year?

Two programs, in Colorado and Maryland, reported providing more than 150,000 instances of service per year. Both Colorado and Maryland have centralized self-help center programs, which are funded by the state judiciary. Each has a large full-time staff. This illustrates the broader impact states can have when they invest in self-help services, with states that commit to supporting self-help centers are able to assist a higher number of users.

# To the second

# **Budget & Funding**

Consistent and adequate funding is crucial to the success of self-help centers, yet survey respondents cited funding as the number one challenge they face. Funding impacts staffing, technology, program continuity, and the types of services that can be offered.

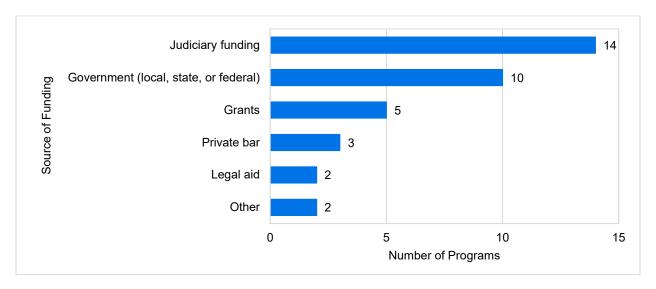


Figure 3. How is your self-help center funded?

Programs are funded by a variety of sources. The most common source was judiciary and government. Some self-help centers rely on private bar funding, legal aid, or grant funding. Six programs reported multiple funding sources, most often a combination of judiciary and local, state, or federal government funding. See page 18 for recommendations on how to demonstrate program's impact when making funding requests.

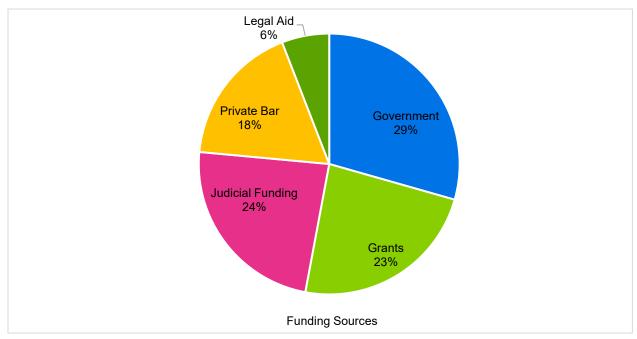


Figure 4. Six Programs Reported Multiple Sources of Funding

Most programs reported an annual budget of less than \$1 million. Of the four self-help center programs that have annual budgets that exceed \$1 million, three are centralized, are funded by their judiciary, and reported more than 25,000 instances of service per year. The fourth location is funded by state government and shares space and funding with a law library. This program reported less than 10,000 instances of service annually.

Five programs did not have a budget separate from the court that they operate in. Seven programs reported they did not know what their annual budget was.

Although budgets vary, most programs allocate significant funds to cover staffing costs. Other expenditures include office supplies, equipment, and subscriptions.



# **Services**

### **Essential Services**

Most programs reported that they offer help solely with civil case types, including general civil, family, small claims, and probate matters. Four programs reported that they provide help with both civil and criminal matters.

Most programs offer help with multiple case types. Sixty-four percent reported offering help in three or more case types. Three programs reported focusing on a single area, one in family court and two in general civil court only. Seven programs reported providing special assistance, such as criminal record expungement, housing or landlord tenant programs, and name change

programs. Nineteen programs operate exclusively in family courts; seventeen operate exclusively in small claims courts; and eleven operate exclusively in probate courts.

Self-help center programs offer a variety of programming and services, including legal information, legal advice, procedural assistance, help with forms, preparing for court appearance, and more.

All twenty-five programs reported that they provide legal information. Most also answer general questions and provide access to court documents, forms, and written instructions. Fifteen programs reported that they offer help completing court forms, nine help litigants prepare for inperson hearings, and seven help users prepare for virtual court appearances. Other services provided include assistance with e-filing; access to technology for virtual hearings; dispute resolution around child custody, support, and placement; and reading or scribing services for users that have limited English proficiency, a disability, or low literacy.

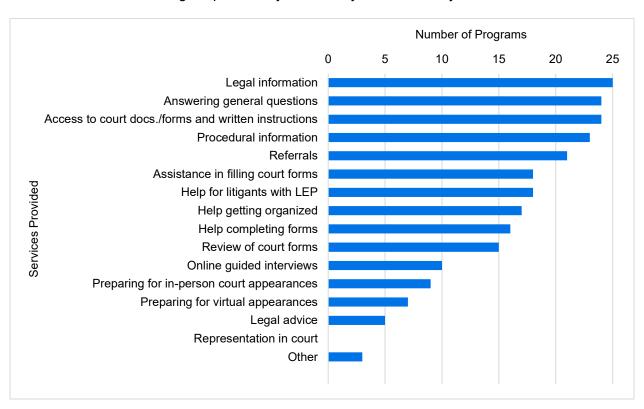


Figure 5. What services does your self-help center provide?

Five self-help center programs, in Delaware, Hawaii, Maryland, Nebraska, and Wisconsin provide legal advice at their self-help centers. Each of these self-help centers is staffed with at least one attorney. No program reported offering in-court representation.

The services provided varied based on several factors, including funding and staffing. The three responding self-help centers that reported limiting their assistance to a single case type reported having fewer than five full- or part-time staff and two or fewer attorneys. The survey revealed that it can be challenging for centers with a smaller staff to provide robust assistance in multiple case types.

# **Service Delivery**

Self-help centers report delivering services in a number of ways. Eighteen programs offer help remotely and in-person. Four reported only providing in-person assistance. Three offer remote services only. Remote service delivery systems included videoconferencing, email, webchat, text, and through a state-wide portal. California reported offering service via mail.

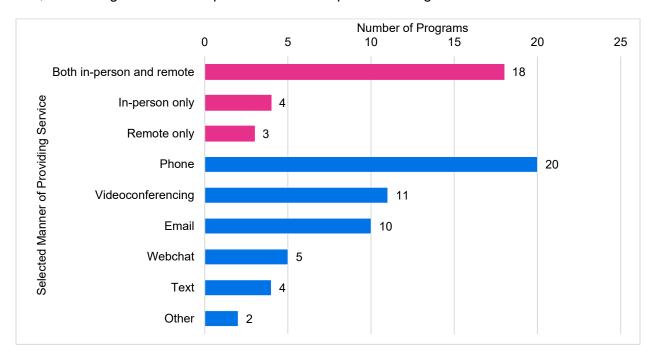


Figure 6. How do you provide services?

See page 19 for recommendations on what services should be provided and how to provide them.

# 斯達 Staff

Self-help centers are staffed in many different ways. Experienced, dedicated staff is essential to running a successful program. Yet self-help center survey respondents indicated insufficient staffing as a reoccurring struggle faced by their programs and noted a need for increased funding to support hiring additional staff. Turnover and inconsistent staffing impacts self-help center operations and can even force a program to close.

# **Staffing Structure**

Most self-help centers rely on attorneys, paralegals, or administrative support staff positions. Fourteen self-help center programs reported having lawyers on staff. Attorney staff is vital if a self-help center offers legal advice. Six programs rely entirely on administrative staff and have no attorney or paralegal staff.

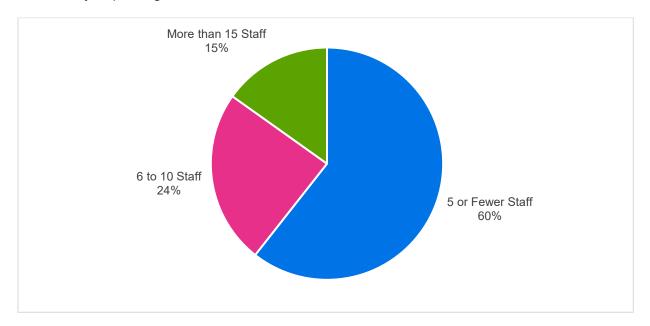


Figure 7. How many staff work at your self-help center?

Four self-help center programs reported fifteen or more staff. They are centralized, funded by the judiciary, and three of the four have budgets that exceed \$2 million annually.

# **Staffing Qualifications**

To ensure program quality, staff must have the skills and education necessary to properly advise and guide court users. Carefully crafted job descriptions ensure prospective staff have

the right knowledge, skills, and abilities to perform the job. Many of the programs reported focusing on education and years of experience in their job descriptions.

Some programs require staff to have skills aimed at meeting specific user needs. For example, experience in family law or staff that is bilingual in a language that is prevalent in the community that the self-help center serves. Other programs require a demonstrated commitment to working with underserved communities. See, Appendix A – Job Descriptions.

# **Staff Training**

Regardless of background, education, and experience, new staff must be properly onboarded. Thirteen of the responding self-help centers offer formal training programs for new staff. Programs range from one-time, two-hour online courses to six weeks of formal training. Some programs pair new staff with more experienced staff for shadowing before new staff are permitted to assist users on their own.

Self-help center programs train staff on a variety of different topics, including substantive and procedural topics, self-help center purposes and responsibilities, an overview of court forms and materials for the public, office training, and distinguishing between legal advice and information. Self-help centers also train staff on how to work with individuals with disabilities and limited English proficiency.

See page 22 for recommendations on how to hire and train program staff.

# Facilities

Self-help center location and facilities are important to assisting users. Ideally, the self-help center is located in a high traffic area of the courthouse that is accessible and easy to find. Sixty-two percent of survey respondents reported that their self-help center is located in a courthouse. Thirty-six percent reported locations in other areas of the community such as the state capital or in a law library. While some self-help centers occupy dedicated space in the courthouse, others operate in lobbies, law libraries, and in community centers. Some self-help centers are fully remote, operating with no physical space. Staff work remotely and users contact the center by phone, chat, email or videoconferencing. In Wisconsin, service is provided via a mobile legal clinic.



Figure 8. Milwaukee Justice Center's Mobile Legal Clinic

See page 27 for recommendations on how to use self-help center facility space.

# 

All programs should have a Continuity of Operations Plan (COOP). A COOP is a roadmap for staff to follow in the event of an emergency. An emergency may last a short time, or may be ongoing, such as during the COVID-19 pandemic. Self-help centers should continue to operate if it is safe to do so. If not, the COOP should include a plan that permits staff to communicate about the program to members of the public, court staff, and partner programs.

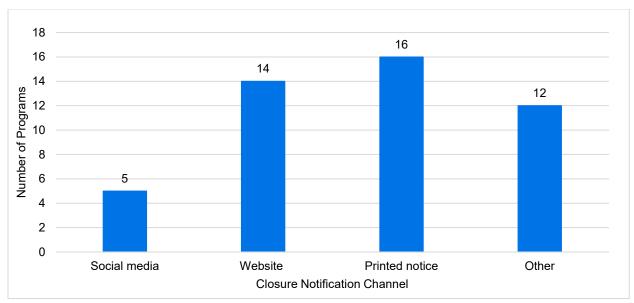


Figure 9. How do you notify litigants if the program will be closed?

Only twenty percent of self-help center programs reported having a formal COOP. Sixty-four percent of programs rely solely on printed notices when the program is closed.

See page 29 for recommendations on how to develop a COOP and manage Program Closures.

# Recommendations

The following recommendations provide actionable guidance for enhancing the effectiveness and efficiency of self-help center programs. They incorporate the perspectives of NCSC and Massachusetts Appleseed experts and program staff. The section also highlights best practices reported by survey respondents.

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# Budget & Funding

Consistent and adequate funding is crucial to the success of court-based self-help centers, yet funding was the most named challenge for court-based self-help centers in the 2022 survey. Stable funding ensures program continuity, ensures staff have necessary supplies and equipment, can hire the best staff, and have access to the technology needed to operate in a modern judicial system.

Self-help center budgets should include funds to support:

- Facilities Dedicated space is essential to a successful program. See, Facilities.
- **Staff** A well-sized, qualified staff is necessary to meet the users' needs. See, Staff.
- Supplies and Equipment Funding should support furniture, office supplies, and other resources necessary to support the program.
- **Technology and Subscriptions** Computers, internet, web cameras, headsets, and subscriptions to software necessary to perform essential tasks.

Self-help center programs play an important role in enhancing procedural justice and help improve court efficiency. Unprepared court users consume staff time spent answering questions in-person or on the phone, rejecting pleadings that are incomplete or inaccurate, and dealing with consequences when litigants fail to appear for hearings. Self-help centers help the court reduce delays, maximize limited staff resources and can impact the efficiency of the court. Wellfunded programs ensure these resources are available when judges, clerks and community partners refer litigants for help.

demonstrate program impact. Program data can help support ongoing and supplemental funding. 12 See, Data Collection & Reporting.

Program leadership should report data on self-help center impact regularly. Use data to

Recommendation

Use data to support funding

requests and communicate

program impact to funders.

<sup>&</sup>lt;sup>12</sup> The Judicial Council of California's 2007 report to their legislature described how funds were used and the impact of the program, See, "California Courts Self-Help Centers," Judicial Council of California. Administrative Office of the Courts, https://www.courts.ca.gov/documents/rpt\_leg\_self\_help.pdf; Maryland uses an annual report to describe program activities and demonstrate impact. See, "Resources for the Self-Represented in the Maryland Courts." Maryland Judiciary, https://mdcourts.gov/sites/default/files/import/accesstojustice/pdfs/srlreportfy22.pdf.



Self-help centers should provide the information users need to navigate their court case, including substantive and procedural information.

### **Essential Services**

Staff should be trained to provide:

- Case status information
- Procedural information and assistance
- Information about legal rights and consequences
- Help selecting and completing court forms<sup>13</sup>
- Access to computers and other technology and help using the technology

Staff should also provide information about court-based and community programs, including:

#### Recommendation

Provide substantive and procedural information, and referrals to court-based and community programs.

- Information about and referrals to court-based services like mediation, custody evaluations, and parenting education classes<sup>14</sup>
- Referrals to legal and social services providers. See, Referrals & Partnerships

Self-help center users depend on information and resources provided by the self-help center. Information provided must be accurate, easy to understand, clear, and user centered. The information should aim to help court users understand court processes and how to participate in a meaningful way. Self-help centers should provide help in multiple languages, offer information

<sup>&</sup>lt;sup>13</sup> New Mexico offers scribing services for individuals who are unable to read or complete court forms due to low literacy, limited English proficiency or a disability. See, "Scribing services overview." New Mexico Courts, <a href="https://www.nmcourts.gov/americans-with-disabilities-ada/scribing-services/">https://www.nmcourts.gov/americans-with-disabilities-ada/scribing-services/</a>. See also, "Tiny Chat 119: Scribing." National Center for State Courts, March 13, 2023. <a href="https://vimeo.com/showcase/7003975/video/807494797">https://vimeo.com/showcase/7003975/video/807494797</a>.

<sup>&</sup>lt;sup>14</sup> Wisconsin's self-help center program provides a dispute resolution program for parents to negotiate custody, placement, and child support.

<sup>&</sup>lt;sup>15</sup> "Best Practices for Creating Legal Self-Help Materials." National Center for State Courts, March 2023, https://www.ncsc.org/ data/assets/pdf file/0029/88652/Best-Practices-for-Creating-Legal-Self-Help-Materials.pdf.

about how to request an interpreter or an accommodation, and be knowledgeable about other programs and services, such as childcare and lactation facilities. *See*, <u>Access</u>.

# **Case Specific Information**

Self-help centers should help with as many case types as possible. The most common types of civil legal problems among low-income households are housing, consumer, healthcare, income maintenance, family and safety, and education.<sup>16</sup>

Self-help centers may not be able to meet all user needs and program staff should be knowledgeable about other programs that they can refer users to if they need more or different help. For example, programs that assist with state

#### Recommendation

Assist with as many case types as possible. Be knowledgeable about other programs for users who need more or different help.

court debt collection matters should connect with programs that offer bankruptcy assistance. Programs that assist with domestic violence matters should know where to refer litigants who need representation in a divorce, housing assistance, and mental health services. Staff should build strong connections with legal aid and community resources to supplement services. See, Referrals & Partnerships.

It can be challenging for a smaller program to provide robust assistance with multiple case types. Partner with other organizations to get free staff training in areas, like bankruptcy, that are adjacent to state court issues. Self-help centers should leverage technology, such as inexpensive knowledge management platforms to give staff a quick resource to consult during a consultation. A knowledge base is an internal library of information, like Wikipedia. See, Knoweldge Base. An electronic knowledge base provides quick reference to materials and can be updated quickly when there are changes to the law, the legal process, or court forms and as new resources become available. A knowledge management platform can also support pro bono lawyers and volunteers who many not regularly practice in certain areas.

<sup>&</sup>lt;sup>16</sup> "The Justice Gap." Legal Services Corporation, <a href="https://justicegap.lsc.gov/resource/section-3-the-prevalence-of-civil-legal-problems/">https://justicegap.lsc.gov/resource/section-3-the-prevalence-of-civil-legal-problems/</a>.

Program offerings and limitations to users should be clearly communicated up front. If case types or services are limited, programs should clearly state the parameters up front so users can easily determine whether the program will meet their needs. Clear program branding can help. For instance, if a self-help center only provides family law services, include "family" in the name of the program. If the self-help center offers more services, provide examples of available services on flyers, brochures, and on social media. See, <u>Branding & Advertising.</u>

## **Service Delivery**

Self-help centers should offer services in multiple ways, including in-person and remote options. This allows users to access services according to their preference. Offering both in-person and remote help also allows the self-help center to be more flexible with staffing, facilities, and hours.

Some users prefer to seek help remotely, while others prefer in-person interaction. Individuals may lack reliable transportation or be afraid to visit a courthouse in person. Work or childcare demands prevent some users from

#### Recommendation

Offer in-person and remote service delivery. Use data to select methods that work best in your community.

visiting during regular business hours. Some individuals prefer to meet with self-help center staff face-to-face or require use of physical materials provided by the self-help center.

Use data to select service delivery methods and platforms that work best in the community. The Use surveys to solicit feedback about service delivery preferences. Review publicly accessible data, such as the FCC's National Broadband Map to determine the level of connectivity in your community. Self-help centers in communities with poor broadband connection may not want to offer videoconferencing. Here, phone or in-person may be more successful service delivery methods. If you decide to change how services are delivered, inform users well in advance of the change date so they are not surprised.

### **Hours**

Program hours should be consistent. Once they are set, try not to make changes. Irregular and inconsistent hours are confusing for users and impede effective referrals from partners.

<sup>&</sup>lt;sup>17</sup> "Tiny Chat 122: GIS Mapping and Census Data." National Center for State Courts, April 27, 2023. https://vimeo.com/821732364.

<sup>&</sup>lt;sup>18</sup> "FCC National Broadband Map." Federal Communications Commission, https://broadbandmap.fcc.gov/home.

If a self-help center is located in a court building, the program should be open during court hours and offer assistance on evenings and weekends if possible.<sup>19</sup>

Post hours online, and include them in flyers, brochures, and other outreach materials. Post preplanned closure notices at least a week in advance. For unplanned closures, post a notice online and on social media platforms. See, COOP & Program Closures.

#### **Resources**

- "FCC National Broadband Map," Federal Communications Commission, https://broadbandmap.fcc.gov/home.
- "Alternative Court Hours Toolkit," National Center for State Courts, <u>https://www.ncsc.org/\_data/assets/pdf\_file/0029/88616/Alternative-Court-Hours-Toolkit-.pdf.</u>

# 蚌港 Staff

Hiring the right people is critical to the success of any program. Self-help center staff should be knowledgeable, dedicated, patient, adaptive, and reliable. Staff should be able to communicate effectively, multitask, and work with many kinds of people.

Some programs use volunteers to staff programs. All programs should employ at least one permanent staff person to manage the program, provide oversight and continuity, establish protocols and procedures for volunteers, and interface with partner programs and court staff.

<sup>19 &</sup>quot;Alternative Court Hours Toolkit." National Center for State Courts, https://www.ncsc.org/ data/assets/pdf file/0029/88616/Alternative-Court-Hours-Toolkit-.pdf.

### Staff Structure

Self-help centers should employ attorneys whenever possible. Attorneys can help ensure legal information is current and accurate. Attorneys help spot legal issues that must be addressed immediately or go beyond the scope of the self-help center program. See, Referrals & Partnerships.

Attorneys can also help develop effective case assessment protocols and ensure staff adhere to codes of professional conduct, which is critical to protect the public and the court.

#### Recommendation

Staff your self-help center with at least one attorney. Use social workers and other professionals to provide wrap-around services.

Some programs employ attorneys to provide legal advice.<sup>20</sup> If programs offer legal advice, they should ensure that attorney staff are admitted to practice in the jurisdiction that the self-help center is in and are in good standing with the relevant regulatory authority.

When possible, self-help centers should also employ social workers and other trained professionals who can make referrals to wraparound services.

Programs should designate a program manager, director, or lead worker. New staff should be paired with more seasoned personnel for training, shadowing, and mentoring.

### **Staff Qualifications**

Staff must have the necessary skills, expertise, and knowledge to deliver high-quality services. Tailor recruitment efforts to attract individuals with relevant experience and skills. See, Appendix A – Job Descriptions.

Self-help centers should be thoughtful in crafting job descriptions to ensure the center is able to offer high quality services that meet the needs of court users. This requires staff with a mixture of backgrounds and experience

requires staff with a mixture of backgrounds and experiences. Centers should also aim to be representative of the community that they serve.

#### Recommendation

Tailor recruitment efforts to attract staff with relevant experience and skills.

<sup>20 &</sup>quot;Maryland Court Help Centers." Maryland Courts, <a href="https://mdcourts.gov/helpcenter">https://mdcourts.gov/helpcenter</a>; "Hamilton County Municipal Court Help Center." <a href="https://cincyhelpcenter.org/">https://cincyhelpcenter.org/</a>; "Probate Resource Center." Montgomery County, <a href="https://www.mcohio.org/government/courts/common\_pleas\_court">https://www.mcohio.org/government/courts/common\_pleas\_court</a> - <a href="probate\_division/probate\_resource\_center.php">probate\_division/probate\_resource\_center.php</a>.

Attorney positions should require applicants to have a JD, a license to practice law in the relevant jurisdiction, have no pending complaints and be in good standing with the regulatory authority.

Paralegals should have a paralegal degree or certificate. In states that do not require a certificate or degree, paralegals should be experienced in the area that they are working in. Paralegals should be supervised by an attorney.

Other staff should have a bachelor's degree or equivalent years' experience working in the state courts or other customer service roles. Non-attorney staff should be trained in legal advice and information and how to avoid unauthorized practice of law.

Self-help centers should hire bilingual staff in jurisdictions with large populations of LEP individuals. Bilingual staff should be trained to competently assist litigants in both English and the other language. Even fluent speakers may require specialized training in legal terminology.

Some self-help centers require candidates to demonstrate commitment to working with underserved and marginalized communities. Demonstration of the candidate's value systems, such as a commitment to underserved and marginalized communities, can appear in many forms, including work experience, volunteer involvement, or personal connections to the community.

Many survey respondents noted that they require a specific number of years of experience to consider a candidate for a self-help center role. Job requirements should be aimed at finding quality candidates. Overreliance on years of experience rather than other important qualities, such as the quality of their experience, has the potential to create barriers to hiring talented candidates.<sup>21</sup>

Likewise, some self-help centers require experience in specific areas of law. Consider whether this is truly a requirement, or if training will suffice.

<sup>&</sup>lt;sup>21</sup> Beard, Alison. "Experience Doesn't Predict a New Hire's Success." Harvard Business Review, August 20, 2019, <a href="https://hbr.org/2019/09/experience-doesnt-predict-a-new-hires-success">https://hbr.org/2019/09/experience-doesnt-predict-a-new-hires-success</a>.

# **Staff Training**

Onboarding and training are critical to orient new staff. Onboarding sets expectations, fosters uniformity, and maintains a high quality of services.<sup>22</sup>

Ongoing training is also valuable for current staff. Ongoing training keeps the team in sync, up to date on changes within the court, and shows staff that their professional development is important.

Supervisory staff should review training materials regularly to ensure they are up to date and are meeting the needs of new and experienced staff.

### Recommendation

Train new and current staff.

Develop and maintain an electronic knowledge base to store staff materials for ongoing training.

Self-help center training programs should:

- Create a uniform process for on-boarding and training new staff
- Contemplate the needs of existing staff, including regular ongoing training
- Encourage more seasoned staff to shadow and mentor less experienced staff
- Partner with the court staff, law librarians, and legal services providers for trainings

Deliver training using a combination of written materials, video, group training, shadowing, and mentoring. Videos are especially useful for step-by-step tutorials and roleplaying.

### Knowledge Base

A knowledge base is an online collection of information. It can contain substantive and procedural information, links to court forms and other resources that staff may refer to when providing services to court users. A knowledge base may also contain workflow information, policies and procedures, court information, information about referrals, and other relevant staff resources. An electronic knowledge base can help self-help center staff keep track of important information, update electronic resources quickly, and share information between locations and staff.

<sup>&</sup>lt;sup>22</sup> Milburn, Tara. "Why Effective Onboarding Is Critical to Employee Retention." Forbes, December 5, 2022, <a href="https://www.forbes.com/sites/forbesbusinesscouncil/2022/12/02/why-effective-onboarding-is-critical-to-employee-retention/?sh=26cd52a23745">https://www.forbes.com/sites/forbesbusinesscouncil/2022/12/02/why-effective-onboarding-is-critical-to-employee-retention/?sh=26cd52a23745</a>.

An electronic knowledge base offers many benefits, including:

- **Searchability** Most self-help centers are high-volume programs. This requires staff to be nimble, and able to find information quickly. An electronic knowledge base permits staff to find forms, citations, rules, and other information with a simple search.
- Modifiability

   Electronic resources can be updated quickly and easily. Information and
  announcements can be pushed out easily to all staff, including to part-time staff and
  volunteers. Electronic resources are also easily accessible to remote workers.
- **Shareability** Self-help centers that rely on pro bono or volunteers can easily share and withdraw access to the program's knowledge base.

While there are many off-the-shelf knowledge base products available, self-help centers can create low-cost versions using Google Docs, Microsoft products such as OneNote, Word or Excel, or PDFs saved on a staff drive.

A knowledge base should include:

- Manuals
- Sample documents and templates
- Scripts
- Checklists
- Contact information for partners
- Training videos
- Webinars
- Online resources such court forms, brochures, and other information

Do not store passwords, login information, or other sensitive information in a knowledge base.

# Referrals & Partnerships

Users who visit a self-help center often need more or different help, including full representation, limited scope, or referrals to programs such as rental assistance or social services. Self-help centers should be able to identify resources and connect users to these programs quickly and accurately. Examples include:

- Private bar referral services
- Legal aid organizations
- Social services
- Domestic violence shelters
- Support groups
- Drug and alcohol treatment
- Rental assistance
- Programs for children and families

#### Recommendation

Identify users who need more or different help and connect them to outside referrals and partner services quickly and accurately.

- Job postings and career services
- Food pantries
- Homeless shelters
- Alternative dispute resolution
- ADA coordinator
- Language access services

Make referrals to a lawyer referral service or legal aid organization, not a specific attorney.

Community outreach is a low-cost way to promote program services and increase community awareness. Self-help centers should meet with partner organizations at least twice per year and offer informational sessions and circulate flyers and brochures regularly. When staff turnover, self-help center staff should reach out to introduce the program to new personnel.

Share materials and host informational presentations with:

- Public libraries
- Legal aid organizations
- Community nonprofits
- Professional organizations
- Organizations that organize professional conferences



# **Facilities**

Self-help centers should occupy a permanent space that is easy to find. If the self-help center shares space with another program, like a law library, use signage and furniture to distinguish the two programs. Add a front desk or staff clearly positioned at the front of the self-help center space to help users know that they have come to the right place.

A self-help center should include:

- A check-in space for users to sign in and queue. Use an online check-in system, which helps manage customer flow, helps automate data collection and saves staff time.
- A waiting and self-service area that contains public access computers and printed materials like brochures and flyers that users can review while they wait. Some self-help centers have TVs that play informational videos about high-volume case

### Recommendation

Occupy a permanent space that includes a check-in area, waiting and self-service area, and a private meeting area.

types.<sup>23</sup> This area should also offer a place to sit and wait and a place to complete court forms. Offer quiet activities, like books or coloring for individuals who arrive with small children.

• **Private meeting spaces for staff to meet with users**. Self-help centers often assist litigants with matters that are sensitive or traumatic. Provide a safe and healthy space for staff and patrons. If a private office space is not available, use a visual barrier, such as a privacy screen, to shield litigants from public view.

Locate self-help centers near the clerk's office, law library, or other high-traffic areas of the courthouse. Often, users will need to visit the clerk's office to file paperwork or visit the law library to do legal research. Proximity reduces the burden on users to navigate an unfamiliar space and reduces the time it takes to complete tasks. Proximity also helps foster relationships between staff in different offices.

Make sure your location is easily accessible. Furniture should be arranged to permit easy exit in case of emergency. Make sure the area is ADA compliant and that all users can move about freely. See, Disability Access.

Offer family friendly amenities, including lactation rooms and childcare services. <sup>24</sup> Validate parking and offer free transit passes. These resources can help reduce some of the burdens litigants face when they must appear in court.

#### Resources

- "Family Friendly Amenities in the Court." National Center for State Courts, <u>https://www.ncsc.org/\_data/assets/pdf\_file/0029/88841/Family-Friendly-</u>
   Amenities-.pdf.
- "Vermont Judiciary Access & Resource Center: Planning Report and Recommendations." National Center for State Courts, June 2021. <a href="https://www.ncsc.org/">https://www.ncsc.org/</a> data/assets/pdf\_file/0022/75811/Vermont-ARC-FINAL.pdf.

<sup>&</sup>lt;sup>23</sup> "Resources for Self-Represented Litigant in the Maryland Courts." Maryland Judiciary, https://mdcourts.gov/sites/default/files/import/accesstojustice/pdfs/srlexecsummaryfy21.pdf

<sup>&</sup>lt;sup>24</sup> "Family Friendly Amenities in the Court." National Center for State Courts, March 2023, https://www.ncsc.org/ data/assets/pdf file/0029/88841/Family-Friendly-Amenities-.pdf.

# 

The sudden shutdown caused by the COVID-19 pandemic demonstrated the importance of continuity planning. Self-help centers should plan for both short and long-term emergency situations and have a continuity of operations plan (COOP).

Self-help centers should have a continuity plan in case of a temporary emergency or a long, extended emergency.<sup>25</sup> Users rely on assistance programs, particularly during a time of crisis.

#### Recommendation

Have a COOP The plan should encompass communication, which can be used for planned and unplanned closures.

A COOP should include a communications plan. Whether planned or unplanned, program closures should be clearly communicated to the public and court personnel. Closure notices should be clear and direct.

#### Follow these guidelines:

- Include the date the program will be closed including the day of the week
- Include date and time that the center will re-open
- Provide alternative services and resources that can assist while the program is closed
- Post planned closure notices at least a week in advance
- Use a template for closure notices<sup>26</sup>
- Translate notices into multiple languages
- Remove closure notices once you reopen

<sup>&</sup>lt;sup>25</sup> "Court security and emergency preparedness." National Center for State Courts, https://www.ncsc.org/consulting-and-research/areas-of-expertise/courthouse-planning-and-security/court-security-and-emergency-preparedness.

<sup>&</sup>lt;sup>26</sup> Store the template and corresponding translations in your knowledge base. See, Knowledge Base.

Use multiple communication channels to inform users about closures as early as possible:

- Distribute printed notices, flyers, and posters
- Update the court website and any pages on the site specific to the self-help center
- Post on social media
- Update the hotline or voicemail message
- Use email and text message notifications
- Inform community partners
- Provide information to local news outlets

#### Resources

- "Court security and emergency preparedness." National Center for State Courts, <a href="https://www.ncsc.org/consulting-and-research/areas-of-expertise/courthouse-planning-and-security/court-security-and-emergency-preparedness">https://www.ncsc.org/consulting-and-research/areas-of-expertise/courthouse-planning-and-security/court-security-and-emergency-preparedness</a>.
- "Courts Continuity of Operations (COOP) Planning Guide and Template."
   National Center for State Courts,
   <a href="https://ncsc.contentdm.oc/lc.org/digital/collection/facilities/id/256/rec/3">https://ncsc.contentdm.oc/lc.org/digital/collection/facilities/id/256/rec/3</a>.

# Access

# **Disability Access**

Federal law requires facilities that are open to the public to serve all, regardless of ability. Self-help centers should be accessible to all. Staff should be familiar with their responsibilities under the ADA. If requested, staff must provide a reasonable accommodation that allows an individual to fully participate.<sup>27</sup>

Self-help center staff should know how to:

- Reguest and work with an ASL interpreter
- Increase font size on computers and tablets
- Read information to a user
- Write information for a user
- Share information in alternative ways. Some materials can be emailed or posted online in a format that is compatible with assistive devices
- Direct users to accessible public spaces, such as restrooms, elevators, and meeting spaces

### Recommendation

Know your responsibilities under the ADA and how to access accommodations.

Give users examples of the types of accommodations that they may request.

Be prepared for common requests and train staff on h ow to assist individuals with unique needs.

#### Offer:

- Materials with large print
- Braille handouts or reusable braille tablets
- Scripting and scribing services
- Varied or adjustable counter heights
- Seating in waiting areas. Use a ticketing system so users can wait offsite.
- Benches or chairs without arms

Check your physical and virtual surroundings and make sure:

- Signage and online resources are ADA compliant. See, <u>Websites</u>.
- Individuals can maneuver with walkers, wheelchairs, and other assistive devices

A written ADA policy helps provide transparency, sets clear expectations, and ensures consistency for both users and staff. The policy informs users about the type of accommodations that they may request and how to submit requests. Staff should regularly

<sup>&</sup>lt;sup>27</sup> "Tiny Chat 117: Down to the Struts," National Center for State Courts, February 16, 2023, https://vimeo.com/showcase/7003975/video/799530911

review the court's ADA policy and know how to connect with the court's ADA coordinator or other staff who can assist.

#### Resources

- "Guide to the ADA Accessibility Standards." USA Access Board, <a href="https://www.access-board.gov/ada/guides/">https://www.access-board.gov/ada/guides/</a>.
- "Accessibility." (Courthouse-specific ADA Requirements), National Center for State Courts.

https://www.ncsc.org/courthouseplanning/needs-of-persons-with-disabilities/accessibility.

- "Court Space reForm." National Center for State Courts.
   https://www.ncsc.org/consulting-and-research/areas-of-expertise/courthouse-planning-and-security/reforming-court-spaces-of-the-future.
- "Web Content Accessibility Guidelines (WCAG2) Overview." Web Accessibility Initiative. <a href="https://www.w3.org/WAI/standards-guidelines/wcag/">https://www.w3.org/WAI/standards-guidelines/wcag/</a>.
- "Tiny Chat 117: Down to the Struts." National Center for State Courts, February 16, 2023.

https://vimeo.com/showcase/7003975/video/799530911.

# **Language Access**

Equal justice depends on everyone's ability to understand what is happening in court and in court-adjacent settings, regardless of what language they speak.<sup>28</sup> State courts have an obligation to provide translation and interpretation services to people with limited English proficiency.<sup>29</sup>

This obligation stems from the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (Title VI); Executive Order 12250; Executive Order 13166 (2000); Omnibus Crime Control and Safe Streets Act of 1968; 34 U.S.C. § 10101, and the Court Interpreters Act, 28 U.S.C. § 1827.<sup>30</sup>

### Recommendation

Provide translation and interpretation services to users with limited English proficiency.

All program materials and promotions should be shared in multiple languages.

Courts that receive federal funding are "required to take reasonable steps to ensure that a [limited English proficient (LEP)] individual has meaningful access to the court and can communicate effectively."<sup>31</sup> LEP individuals are those "who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or 'LEP.' These individuals may be entitled [to] language assistance with respect to a particular type of service, benefit, or encounter."<sup>32</sup>

In 2019, approximately 68 million people spoke a language other than English at home.<sup>33</sup> Nationwide, Spanish is the most frequently spoken language other than English, followed by Chinese and Tagalog.<sup>34</sup>

<sup>&</sup>lt;sup>28</sup> "Statement of the Issue." National Center for State Courts, <a href="https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/statement-of-the-issue">https://www.ncsc.org/consulting-and-research/areas-of-expertise/interpreter-info/called-to-action/statement-of-the-issue</a>.

<sup>&</sup>lt;sup>29</sup> *Id*.

<sup>&</sup>lt;sup>30</sup> *Id*.

<sup>&</sup>lt;sup>31</sup> *Id*.

<sup>&</sup>lt;sup>32</sup> "Commonly Asked Questions and Answers Regarding Limited English Proficient (LEP) Individuals." LEP.gov, <a href="https://www.lep.gov/faq/faqs-rights-lep-individuals/commonly-asked-questions-and-answers-regarding-limited-english">https://www.lep.gov/faq/faqs-rights-lep-individuals/commonly-asked-questions-and-answers-regarding-limited-english</a>.

<sup>&</sup>lt;sup>33</sup> "What Languages Do We Speak in the United States." The United States Census Bureau, December 6, 2022, <a href="https://www.census.gov/library/stories/2022/12/languages-we-speak-in-united-states.html">https://www.census.gov/library/stories/2022/12/languages-we-speak-in-united-states.html</a>.

<sup>&</sup>lt;sup>34</sup> *Id*.

Self-help centers should:

- Determine the most prevalent language(s) in their jurisdiction and offer materials in those language(s)<sup>35</sup>
- Use multilingual signage to let litigants know the center has content in multiple languages
- Offer free interpretation services to LEP individuals
- Train staff on how to work with an interpreter and how to help litigants request an interpreter for upcoming court appearances

Self-help centers should deliver language services by hiring bilingual staff, using telephonic interpretation, or video remote interpretation (VRI). Self-help staff should work with the language services team to make referrals and learn about available services.

Outreach to LEP communities and let them know that services are available for all, regardless of language. See, <u>Branding & Advertising</u>.

Offer scribing services for LEP users and other users who may have difficulty reading or writing in English. A scribe can read court forms aloud and write down answers on the form. Self-help centers in both New Mexico<sup>36</sup> and Pennsylvania offer scribing services.

#### **Resources**

- "Tiny Chat 119: Scribing." National Center for State Courts, March 13, 2023. https://vimeo.com/showcase/7003975/video/807494797.
- "Scribing Program Facilitation Guide." New Mexico Judiciary
   Administrative Office of the Courts, National Center for State Courts,
   2022. <a href="https://nationalcenterforstatecourts.box.com/v/Scribing-Facilitation-Guide.">https://nationalcenterforstatecourts.box.com/v/Scribing-Facilitation-Guide.</a>

<sup>&</sup>lt;sup>35</sup> "People That Speak English Less Than 'Very Well' in the United States." United States Census Bureau, April 8, 2020. <a href="https://www.census.gov/library/visualizations/interactive/people-that-speak-english-less-than-very-well.html">https://www.census.gov/library/visualizations/interactive/people-that-speak-english-less-than-very-well.html</a>.

<sup>&</sup>lt;sup>36</sup> "What are scribing services?" New Mexico Courts, July 29, 2022, <a href="https://www.nmcourts.gov/videos/">https://www.nmcourts.gov/videos/</a>; See also, "In the Matter of Expansion of the Scribing Program to Permit Court Staff to Assist Eligible Self-Represented Litigants with Filling Out Court Forms." Supreme Court of the State of New Mexico, November 9, 2022. <a href="https://nationalcenterforstatecourts.box.com/v/Order-No-22-85000-36">https://nationalcenterforstatecourts.box.com/v/Order-No-22-85000-36</a>.

## **Literacy Skills**

One in five adults in the United States lack the English literacy skills to complete tasks that require comparing information, paraphrasing, or making low-level inferences.<sup>37</sup> More than eight million people are functionally illiterate in English.<sup>38</sup> This means they cannot successfully determine the meaning of sentences, read relatively short texts to locate a single piece of information, or complete simple forms.<sup>39</sup>

#### Recommendation

Self-help center staff should be trained to work with individuals with limited literacy.

Self-help centers should assist litigants with limited literacy by:

- Being prepared to read aloud and scribe documents
- Using plain language
- Using alternative means of delivering information such as infographics, images, video, and audio materials

## **Digital and Technical Literacy**

In recent years, courts have increasingly moved towards using technology for court appearances and other services. Remote court proceedings can enhance access to the court and reduce the challenge of attending court in person.<sup>40</sup> While technology can help promote fairness and transparency, technology may also create new barriers.

#### Recommendation

Self-help center staff should be prepared to provide assistance with technology.

A self-help center user may be unable to participate in the court process due to insufficient broadband and internet

access, unsuitable devices, unfamiliarity with computers and smart electronic devices, or because they have limited technical literacy that makes remote appearances more difficult. 41,

<sup>&</sup>lt;sup>37</sup> "Adult Literacy in the United States." U.S. Department of Education, National Center for Education Statistics, July 2019, <a href="https://nces.ed.gov/pubs2019/2019179.pdf">https://nces.ed.gov/pubs2019/2019179.pdf</a>.

<sup>&</sup>lt;sup>38</sup> *Id*.

<sup>&</sup>lt;sup>39</sup> *Id*.

<sup>40 &</sup>quot;Remote Proceedings Toolkit." National Center for State Courts, <a href="https://www.ncsc.org/">https://www.ncsc.org/</a> data/assets/pdf file/0027/82377/Remote-Proceeding-Toolkit-Final.pdf.

<sup>&</sup>lt;sup>41</sup> "Cut Off from the Courthouse: How the Digital Divide Impacts Access to Justice and Civic Engagement." Next Century Cities, <a href="https://nextcenturycities.org/wp-content/uploads/2021/05/cut-off-">https://nextcenturycities.org/wp-content/uploads/2021/05/cut-off-</a>

#### Self-help centers should:

- Train staff so they are familiar with court procedures related to remote proceedings and resources that support users without access to technology such as public libraries, community kiosk locations, and areas with free public Wi-Fi<sup>42</sup>
- Inform users how they may request an in-person appearance and help them complete a request to change their appearance type
- Offer step-by-step instructions including screenshots to support litigants with logging in
- Offer a private space where litigants can attend virtual hearings using public access computers or bring their own device
- Be patient. Technology is challenging and is a new or unfamiliar skill to some users.
   Even individuals with experience may not be aware of procedures that are unique to virtual proceedings

Navigating court processes requires users to acquire new skills and traverse unfamiliar territory. Technology adds an additional hurdle. Self-help centers that assist litigants with technology can help courts address the digital divide by providing tools and assistance.

#### **Resources**

- "Remote Proceedings Toolkit." National Center for State Courts, <u>https://www.ncsc.org/\_\_data/assets/pdf\_file/0027/82377/Remote-</u>
   Proceeding-Toolkit-Final.pdf.
- "Tiny Chat 4: Digital Divide." National Center for State Courts, https://vimeo.com/showcase/7003975/video/412333503.

<sup>&</sup>lt;u>from-the-courthouse.pdf</u>. *Also see*, "Tiny Chat 4: Digital Divide." National Center for State Courts, <u>https://vimeo.com/showcase/7003975/video/412333503</u>.

<sup>42 &</sup>quot;Chromebook Kit." Anne Arundel County Public Library, <a href="https://www.aacpl.net/library-of-things/chromebook-kit">https://www.aacpl.net/library-of-things/chromebook-kit</a>; "Legal Kiosk Locations." Minnesota Legal Kiosk Project, <a href="https://a.flexbooker.com/home/legalkiosk">https://a.flexbooker.com/home/legalkiosk</a>; "Hawai'i Free Wi-Fi HotSpots." Hawai'i State Law Library System, <a href="https://histatelawlibrary.com/home/hawaii-free-wi-fi-hotspots/">https://histatelawlibrary.com/home/hawaii-free-wi-fi-hotspots/</a>.



## Branding & Advertising

Program promotion is critical to increase program recognition and build trust. If people are not aware of the program, they cannot get help. Staff should communicate about the program clearly and directly, using appealing marketing materials.

## **Branding**

Branding is how a self-help center program distinguishes itself from other services. Use branding to build program recognition and trust.

#### Branding may include:

- A logo
- Motto or tagline
- Color palette
- Font

#### Recommendation

Use program branding to raise awareness and build trust.

Use consistent branding on signs, posters, and flyers. Make sure promotional materials clearly communicate what your program does and what services are offered.

Use flyers to share information about programs and services. Distribute flyers to court and community partners. Calendar a reminder to regularly update flyers if there are program changes. Translate flyers into multiple languages. See, <a href="Appendix C - Promotional Flyers & Logos">Appendix C - Promotional Flyers & Logos</a>.

## **Advertising**

Advertising takes branded materials and pushes them into the community, creating awareness among the target market. Start small, using low-cost channels. Focus on places where your target market is likely to be.

Two survey respondents reported using paid advertising to promote their programs. They advertise on public transit, on billboards located in high-traffic areas, digital and print advertising, social media, and radio

#### Recommendation

Focus advertising efforts on places where your target audience is likely to be.

commercials. Maryland's Administrative Office of the Courts coordinates statewide paid advertising efforts for their statewide self-help center program.<sup>43</sup>

If funding is not available, leverage free opportunities. Places like libraries, grocery stores, gas stations, and other government entities often offer places to post advertising materials.

## Websites

Self-help center programs should have a website. An online presence is a low-cost way to build credibility and communicate information about the program. Court based self-help centers may create a page that is connected to the court's website.

#### Self-help center websites should be:

- User focused and written in plain language. Lead
  with information that is the most relevant to users.
   Prominently feature eligibility requirements, services provided, and hours of operation at the top of the page. Demote information that is not as important to users, such as the
  - the top of the page. Demote information that is not as important to users, such as the program's mission statement
- Accessible to both mobile and desktop users
- ADA accessible
- Translated into multiple languages
- User tested

Website content should be reviewed at least twice a year to keep the information up to date.

Use a clear, simple interface. Use section headings and titles to orient users. Use FAQs and icons to help users find what they need.<sup>44</sup>

#### Recommendation

Self-help centers should develop and maintain a website that is connected to the court's website.

<sup>&</sup>lt;sup>43</sup> "Best Practices for Maryland Court Help Centers." Maryland Administrative Office of the Courts Access to Justice Juvenile & Family Services, February, 2021, https://mdcourts.gov/sites/default/files/import/accesstojustice/pdfs/bestpracticesmdcourthelpcenters.pdf.

<sup>&</sup>lt;sup>44</sup> See, "Choose a Topic." Georgia Legal Aid. <a href="https://www.georgialegalaid.org/issues">https://www.georgialegalaid.org/issues</a>.

#### **Resources**

- "What does a good Court Self-Help website look like?", Open Law Lab, <a href="https://www.openlawlab.com/2015/05/19/what-does-a-good-court-self-help-website-look-like/">https://www.openlawlab.com/2015/05/19/what-does-a-good-court-self-help-website-look-like/</a>
- "WCAG2 Overview." Web Accessibility Initiative, https://www.w3.org/WAI/standards-guidelines/wcag/
- "Turning on the Lights: How the Massachusetts Trial Court Could Deploy a Virtual Court Service Center to Assist Self-Represented Litigants." Massachusetts Appleseed, https://massappleseed.org/reports/turning-on-the-lights/
- "Tiny Chat 2: Clear Communications." National Center for State Courts, April 14, 2020. https://vimeo.com/showcase/7003975/video/407555606.
- "Tiny Chat 55: Search Engine Optimization." National Center for State Courts, June 11, 2021. <a href="https://vimeo.com/showcase/7003975/video/561913323">https://vimeo.com/showcase/7003975/video/561913323</a>.
- "Tiny Chats 101: Website Design." National Center for State Courts, August 30, 2022.
   <a href="https://vimeo.com/showcase/7003975/video/74456389">https://vimeo.com/showcase/7003975/video/74456389</a>.
- "Best Practices for Creating Legal Self-Help Materials." National Center for State Courts, March 2023.

https://www.ncsc.org/\_\_data/assets/pdf\_file/0029/88652/Best-Practices-for-Creating-Legal-Self-Help-Materials.pdf

## Social Media

Increasingly, people are turning to social media for news and information.<sup>45</sup> Self-help centers should leverage this inexpensive medium to communicate with users in real time.

When managing social media accounts, self-help centers should:

- Assign staff to manage social media accounts
- Post regularly to garner recognition and trust
- Schedule posts in advance to ensure consistency
- Remove posts, such as location closure notices, as soon as possible to avoid confusion.
- Translate posts into multiple languages
- Add descriptive text to images, called alternative (alt) text, to describe the image that is read aloud by users who use screen reader software and can be indexed by search engines

#### Recommendation

Leverage social media platforms as an inexpensive medium to communicate directly with users in real time.

<sup>45 &</sup>quot;Social Media and News Fact Sheet." Pew Research Center. September 20, 2022 <a href="https://www.pewresearch.org/journalism/fact-sheet/social-media-and-news-fact-sheet/">https://www.pewresearch.org/journalism/fact-sheet/social-media-and-news-fact-sheet/</a>.

## Data Collection & Reporting

Data is a valuable tool for program leadership to use to maximize program efficiency and effectiveness. Data can help program managers understand what services are in highest demand, what is missing or is less utilized, and areas for improvement. Data should be reported regularly to court leadership, stakeholders, and funders to demonstrate program impact.

## **Collecting Data**

Successful self-help centers collect information in real time, before, during and after user interactions. Data should be collected from both the self-help center user and staff. Collect information about the user, their case, the interaction, and services provided.

Only collect that you plan to regularly review and use. Collecting data that sits unused is a waste of time, energy, and money. To decide what data to collect, first determine what you will do with the information. What decisions are you trying to make? What problems are you trying to solve?

Self-help centers can collect data like:

- Case type
- Party type
- Procedural posture of the case
- Average engagement length
- Wait times
- Referrals
- Type of assistance provided
- User demographics
- Language
- Disability
- User feedback and satisfaction

Collect data for each instance of service. Instance of service refers to the number of times staff assist a user. One unique user could have multiple instances of service.

#### Recommendation

Use a web-based tool to collect data in real time, before, during and after user interactions.

Collect demographic data, non-identifying case information, and data about what services were provided.

### Data Collected from Users

Collect data in real-time. Solicit user data as part of the intake and triage process. Real-time data permits program leadership to make decisions more quickly and allows programs to respond to stakeholder requests for information more quickly and completely.

Collecting information about users, particularly sensitive information like income, gender, or race, may be uncomfortable. Explain to users why this data is collected and how it is used. Allow users to decline to answer. See, <u>Data Security & Policies</u>.

### Data Collected from Staff

Ask staff to provide data that may be difficult for users to determine. For example, a self-represented litigant may not know the procedural posture of the case or even the case type. Staff are also better suited to provide data about outcomes, including referrals made, information provided, and the nature of the consultation.

### External Sources of Data

Court data can help inform program improvements. For example, court interpreter data can help determine which languages are the most in demand in a jurisdiction. Program staff can use this information to decide which languages materials should be translated into. Court data can also inform scope of service. If there are a large number of self-represented litigants in a particular case type, like debt collection, a self-help center may consider offering new or additional resources to meet user needs.

Not all data must be collected via survey or questionnaire. Telephone systems often record information such as the average call length, wait times, and the number of hang-ups or abandoned calls. Web analytics track rates of use, downloads, and the length of time spent on a webpage.

Census and American Community Survey data can demonstrate community need, such as language access and broadband access.<sup>46</sup> These data might inform decisions about what services to offer, like internet connected kiosks, or how to prioritize the translation of materials.<sup>47</sup>

<sup>&</sup>lt;sup>46</sup> "About the American Community Survey." United States Census Bureau, June 15, 2023. <a href="https://www.census.gov/programs-surveys/acs/about.html">https://www.census.gov/programs-surveys/acs/about.html</a>.

<sup>&</sup>lt;sup>47</sup> "Tiny Chat 122: GIS Mapping and Census Data." National Center for State Courts, April 27, 2023. https://vimeo.com/821732364.

## Tools for Collecting Data

Web-based surveys like Google Forms, Qualtrics, and Survey Monkey are easy to use and accessible from any location.

Web-based surveys can help staff:

- Collect consistent, real-time data
- Increase efficiency for staff who provide services via multiple delivery methods
- Save time spent on data entry
- Reduce errors that occur during transcription and data entry
- Collect data from users with limited English proficiency when surveys are programmed in multiple languages

Staff should be trained to read surveys to users with limited literacy. If a user cannot or refuses to access the web-based tool, offer a printed version of the survey.

Survey participants reported using Microsoft Excel as a data collection tool. Excel is a data analysis and calculation tool, not a database. It should not be used to capture user data. Spreadsheet data is at risk of being deleted, overwritten, or changed because of human error and does not have proper security to prevent improper access to user information.

## **Data Reporting**

Report self-help center data regularly to demonstrate program impact. Program leadership should review data at least weekly, and report findings to staff. Program leadership should also report findings to stakeholders, including court leadership and funders.

Add context and incorporate user feedback to help tell the story about program impact. Use historical data and year-over-year comparisons to demonstrate growth in demand and program success. Remember to protect user privacy and deidentify data in external reports, unless you have written permission to share it. See, Data Security & Policies.

#### Recommendation

Data should be reviewed and reported on regularly by staff. Use data to report to stakeholders regularly.

If your court publishes annual reports, include self-help center data in those reports. See, Appendix D – Data Reports.

## Data Reporting Tools

Many web-based survey tools such as Qualtrics or Survey Monkey include built-in reports. Raw data can also be exported to Excel for further analysis. PowerBI is another powerful reporting and visualization tool that can be used to update repeat reports automatically.

Store instructions and checklists for data collection and report writing in your knowledge base. See, Knowledge Base.

## **Data Security & Policies**

The National Cybersecurity Center of Excellence defines data security as "the process of maintaining the confidentiality, integrity, and availability of an organization's data."<sup>48</sup> Self-help centers manage significant confidential information, such as financial and medical information and must carefully protect user data.

Programs must implement appropriate security measures to safeguard their data and protect user privacy. A data breach could have significant consequences for both users and the program.

#### Recommendation

Enact a data policy to protect user privacy. Your policy should address how to handle confidential information about people seeking legal assistance.

Follow these practices to support data security:

- Use strong passwords and change them regularly
- Keep software and operating systems up to date
- Use encryption to secure data in storage and when sharing
- Establish user permissions that limit people and systems access to only the specific access they need to perform their role or task<sup>49</sup>
- Backup data regularly
- Monitor data breaches to ensure rapid detection and response
- Create an opt-in or opt-out consent policy for electronic notifications and data use
- Conduct tabletop exercises annually on how the self-help center would respond to a data breach

Document data security practices in a data security policy. Secure personal information from unauthorized access, use, alteration, and disclosure. Establish data policies that create clear expectations and guidelines to manage user data.

<sup>&</sup>lt;sup>48</sup> "Data Security." National Cybersecurity Center of Excellence, <a href="https://www.nccoe.nist.gov/data-security">https://www.nccoe.nist.gov/data-security</a>.

<sup>&</sup>lt;sup>49</sup> "Cybersecurity Basics for Courts." Joint Technology Committee Resource Bulletin, September 15, 2021, <a href="https://www.ncsc.org/">https://www.ncsc.org/</a> data/assets/pdf file/0037/68887/JTC-2021-05-Cybersecurity-QR Final-Clean.pdf.

#### A good data policy includes:

- Guidelines on how data is collected, stored, and protected
- An outline for use and sharing of data what data will be shared, when, and with whom
- A procedure to request use and sharing of data outside of standard practice
- Consent procedures for collection of data from users, staff, and other sources of data
- Policies and procedures to detect, respond and recover from data breaches
- Restrictions on collection and use of personally identifying information (PII), including only collecting data that is used, when it is needed
- Confidentiality policies of the self-help center data
- Access guidelines and use restrictions
- Data retention policies



## Feedback & Complaints

## **Feedback**

Use short, simple surveys to solicit feedback from program users. Feedback encourages user engagement and helps build trust. Leadership should use program feedback to build a more user-centric program. <sup>50</sup>

It is also valuable to collect program feedback from stakeholders, including judges, clerks, legal services providers, and other community partners. Are users who visit a self-help center better prepared for court hearings? Are referrals to community partners appropriate? Are there areas that can be improved?

#### Recommendation

Solicit user feedback through program evaluations and short, simple surveys.

Use a web-based survey to collect feedback.<sup>51</sup> Online surveys give users multiple opportunities to participate. They may complete the survey in-person immediately after receiving service or can access the survey at a later time. Some self-help center programs automate the feedback loop by allowing users to opt in to receive an email or text following service.

<sup>&</sup>lt;sup>50</sup> Heimbrock, Sydney, Chelsie Bright, and Jenna Milani. "How U.S. Government Agencies Can Fix Their Customer-Service Problem." Harvard Business Review, March 21, 2023. https://hbr.org/2023/03/how-us-government-agencies-can-fix-their-customer-service-problem.

<sup>&</sup>lt;sup>51</sup> "We Value Your Opinion Survey." Hawai'i State Judiciary, https://www.courts.state.hi.us/we-value-youropinion; "Customer Feedback Form." Santa Clara County Superior Court Self Help Center/Family Law Facilitator's Office/ Restraining Order Help Center/ Family Court Clinic, https://www.scscourt.org/forms and filing/forms/SHC FLFOCustomerComplaint.pdf

Keep surveys short. Use fields like a thumbs up or thumbs down. A text box gives individuals space to provide more detailed feedback.

Make users comfortable providing honest feedback by allowing for anonymous participation. If the survey requests a litigant's name or case number, the field should be optional. Make sure staff regularly reviews feedback and follows up promptly. Never pressure users to provide feedback.

Review feedback with staff at least once a month.

## **Complaints**

Self-help centers should have a formal process to address litigant complaints.<sup>52</sup> A formal process ensures that complaints are handled promptly and consistently.

The complaint process should:

- Identify issues that can be addressed through the complaints process and what should be directed elsewhere
- Identify who will address complaints and include a path for escalation
- Provide a timeline for investigation and resolution
- Keep a history or log of complaints to be aware of patterns or repeat issues
- Offer communication guidelines to keep a user informed about the status of their complaint
- Have a system for submission of complaints separate from other feedback

Leadership should address complaints as quickly as possible in a manner that is consistent and fair. Establish channels of escalation for complaints that need action by greater authority.

Do not collect complaints with other feedback or data. If using the same tool for complaints and feedback, the tool should include a function to separate complaints from other feedback.

#### Recommendation

Enact a formal process to address complaints quickly and directly Do not group complaints with intake information or data that may be evaluated less frequently.

<sup>&</sup>lt;sup>52</sup> See example, "To File a Complaint Concerning a Court Employee." New York State Unified Court System, https://www.nycourts.gov/howdoi/courtemployee.shtml.

## Connect with Us

Connect with us, provide feedback about this report, or opt in find more resources for nationwide self-help center programs: <a href="https://forms.office.com/r/68jA4QRZr0">https://forms.office.com/r/68jA4QRZr0</a>.

Questions or comments related to the material contained in this document may be submitted to: <a href="mailto:asouza@ncsc.org">asouza@ncsc.org</a> or <a href="mailto:kayla@massappleseed.org">kayla@massappleseed.org</a>.

For more information, please visit: <a href="https://massappleseed.org">www.ncsc.org/a2j</a> and <a href="https://massappleseed.org">https://massappleseed.org</a>.

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## Appendix A – Job Descriptions

Example self-help center job descriptions are available online here: <a href="https://nationalcenterforstatecourts.box.com/v/Appendix-A-JobDescriptions">https://nationalcenterforstatecourts.box.com/v/Appendix-A-JobDescriptions</a>.

Court Guide, Illinois Court Help	https://nationalcenterforstatecourts.box.com/v/court- guide-IL-court-help
Part-Time Remote Self-Help Center Navigator, Michigan Legal Help	https://nationalcenterforstatecourts.box.com/v/MI-self-help-navigator
Self Help Center Eviction Court Navigator, Franklin County Municipal Court, Ohio	https://nationalcenterforstatecourts.box.com/v/ohio- eviction-court-navigator
Self-Help Center Attorney, Utah State Law Library	https://nationalcenterforstatecourts.box.com/v/self-help-attorney-utah
Senior Clinic Supervisor – Milwaukee Justice Center, Wisconsin	https://nationalcenterforstatecourts.box.com/v/clinic- supervisor-wisconsin
Salary Grade and Class Specification, North Dakota	https://nationalcenterforstatecourts.box.com/v/salary- grade-north-dakota

## Appendix B – Language Access Policies

Examples language access policies are available online here: <a href="https://nationalcenterforstatecourts.box.com/v/Appendix-B-LanguagePolicies">https://nationalcenterforstatecourts.box.com/v/Appendix-B-LanguagePolicies</a>.

Language Access Plan, North
Dakota Trial Court Administration

https://nationalcenterforstatecourts.box.com/v/language-access-ND

Foreign Language Interpreter Appearance, Franklin County Municipal Court, Columbus, Ohio

https://nationalcenterforstatecourts.box.com/v/interpreterappearance-OH

## Appendix C – Promotional Flyers & Logos

Example self-help center promotional flyers and logos are available online here: <a href="https://nationalcenterforstatecourts.box.com/v/Appendix-C-FlyersLogos">https://nationalcenterforstatecourts.box.com/v/Appendix-C-FlyersLogos</a>.

Illinois Court Help, Flyer	https://nationalcenterforstatecourts.box.com/v/IL-Court-help-flyer
Marquette Volunteer Legal Clinics, Flyer	https://nationalcenterforstatecourts.box.com/v/marquette-volunteer-flyer
Pennsylvania, Information Flyer	https://nationalcenterforstatecourts.box.com/v/PA-informational-flyer
IL Court Help, Logo	https://nationalcenterforstatecourts.box.com/v/IL-Court-help-logo
North Dakota Legal Self-Help Center, Logo	https://nationalcenterforstatecourts.box.com/v/ND-center-logo
Ohio, Self Help Resource Center, Logo	https://nationalcenterforstatecourts.box.com/v/OH-resource-logo
Travis County, Law Library & Help Center, Logo	https://nationalcenterforstatecourts.box.com/v/law- library-logo

## Appendix D – Data Reports

Examples self-help center data reports are available online here: <a href="https://nationalcenterforstatecourts.box.com/v/Appendix-D-DataReports">https://nationalcenterforstatecourts.box.com/v/Appendix-D-DataReports</a>.

Honolulu District Court Access to Justice Room & Neighbor Island Self-Help Centers, Monthly Report July 2022	https://nationalcenterforstatecourts.box.com/v/HI-monthly-report
Ohio, Self-Help Resource Center Quarterly Report, Quarter 1, 2022	https://nationalcenterforstatecourts.box.com/v/OH-quarterly-report
North Dakota Court System Annual Report, 2021	https://nationalcenterforstatecourts.box.com/v/ND-annual-report

## Appendix E – 2022 Court-Based Self-Help Centers National Survey

NCSC and Massachusetts Appleseed joined forces to provide support to the network of court-based self-help centers across the country. Recognizing the pivotal role played by self-help centers in expanding access to the legal system and court services, we conducted a national survey to gather insights from these self-help centers. Our objective was to understand their operational practices, identify best practices, and pinpoint areas where self-help centers require further support.

## **Identifying Contacts**

Massachusetts Appleseed gathered contact information for directors of court-based self-help centers in all 50 states and the District of Columbia using web searches, email, and cold calls. Some states have unified self-help center programs, with one director that oversees statewide operations. Others operate as independent self-help centers in various locations throughout the state. For the states with various locations, there were sometimes multiple contacts.

### **Survey Design**

NCSC drafted survey questions designed to gather information about how court-based self-help centers operate across the country. Questions focused on a variety of topics including staffing, scope of services, facilities, data collection and reporting, language services, disability access, funding, and outreach and marketing. NCSC vetted questions internally and with the Massachusetts Appleseed team. Ultimately, 85 questions were loaded into Qualtrics, a web-based survey tool. The questions were divided into 10 topics: Staffing; Models and Scope of Services; Ethics, Funding/ Budget; Data Collection/ Reporting; Accessibility; Literacy; Referrals, Continuity Planning/ Program Closures; Program Branding, Promotion, Outreach, and Advertising; and Best Practices.

A copy of the 2022 Court-Based Self-Help Centers National Survey (the survey) can be found in as a PDF here: https://nationalcenterforstatecourts.box.com/v/Appendix-E-Qualtrics-Survey.

The survey took approximately 30 minutes for users to complete.

### **Survey Administration**

NCSC emailed the survey to the contact list in September 2022. Fifteen states responded within the first two weeks. Appleseed sent reminder emails to each state that did not respond, and two additional programs completed the survey.

Appleseed followed up with states that did not complete the survey. Some states indicated that they did not respond because they did not have a self-help center. Others had incorrect or

incomplete contact information that required additional research. Through supplemental web research and phone calls, Massachusetts Appleseed produced more contacts.

The team offered telephone or teleconference interviews. One additional response was completed via telephone interview. In all, 32 states responded.

## **Survey Results**

NCSC staff exported the data to Excel directly from Qualtrics.

This report aims to present an overview of the state of self-help centers that participated in the survey, while also leveraging their responses to identify specific areas where guidance and assistance can benefit these vital centers. The responses from the survey are discussed in the <a href="Findings">Findings</a> section. Some best practices from responding self-help centers are also highlighted in the <a href="Recommendations">Recommendations</a> section.

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## Authors

The **National Center for State Courts (NCSC)**, headquartered in Williamsburg, Va., is a nonprofit court organization dedicated to improving the administration of justice by providing leadership and service to the state courts. Founded in 1971 by the Conference of Chief Justices and Chief Justice of the United States Warren E. Burger, NCSC provides education, training, technology, management, and research services to the nation's state courts and courts around the world.

The Access Team focuses their work to help courts understand, develop, and implement a continuum of services to ensure that every community member can access court services and legal resources when experiencing a legal problem regardless of their income, race, gender identity, disability status, language preference, technological skills, or any other individual factor.

The Massachusetts Appleseed Center for Law & Justice (Massachusetts Appleseed) is part of a nonprofit network of 18 public interest justice centers in the United States and Mexico. Massachusetts Appleseed is driven by a mission to promote equal rights and opportunities for Massachusetts residents by developing and advocating for systemic solutions to social justice issues. Seeking systems-level change, Massachusetts Appleseed strives to ensure Massachusetts families and youth can exercise their legal rights, build pathways out of poverty and crisis, and thrive. In close collaboration with pro bono and community partners, Massachusetts Appleseed works across several policy areas including education, youth homelessness, and accessing the legal system.