

# Fifth Judicial District of Pennsylvania, Family Division Self-Help Center

Equal Justice Conference  
May 6-8, 2015





# So What Did The Strategic Plan Tell Us Anyway?

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- Survey Question: “The court does a good job of assisting people who represent themselves or do not have an attorney”
  - Court Users/Litigants: ranked 21 out of 25
  - Judges and Court Staff: ranked 23 out of 38
  - Not asked to Attorneys and External Partners
  - Mean ranking for the 5<sup>th</sup> Judicial District was 4.44 but for the Family Division specifically was 4.26



# So What Did The Strategic Plan Tell Us Anyway (cont.)

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- Survey Question: “If it were possible to increase the current level of programs/services, or add new programs/services...which of the following would you MOST like to see...”
- “Self-help/pro se assistance”
  - Court users/litigants: ranked 5 out of 17
  - Attorneys and justice system partners: ranked 8 out of 17
  - Judges and court staff: ranked 5 out of 17



# What an Innovative Idea!...Or Is It?

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- ◉ Fifth Judicial District Taskforce
- ◉ Review of Successes Nationally:
  - Maricopa County, AZ
  - Orange County, CA
  - Hennepin County (Minneapolis), MN





# Where Will We Begin, Where Will We End?

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## ● Phase-in Process

- Phase 1: Pro Se Motions Topic Areas
- Future: All Family Division Subject Matter Areas

## ● Automation: 24/7, DIY Online Version of the Live Services



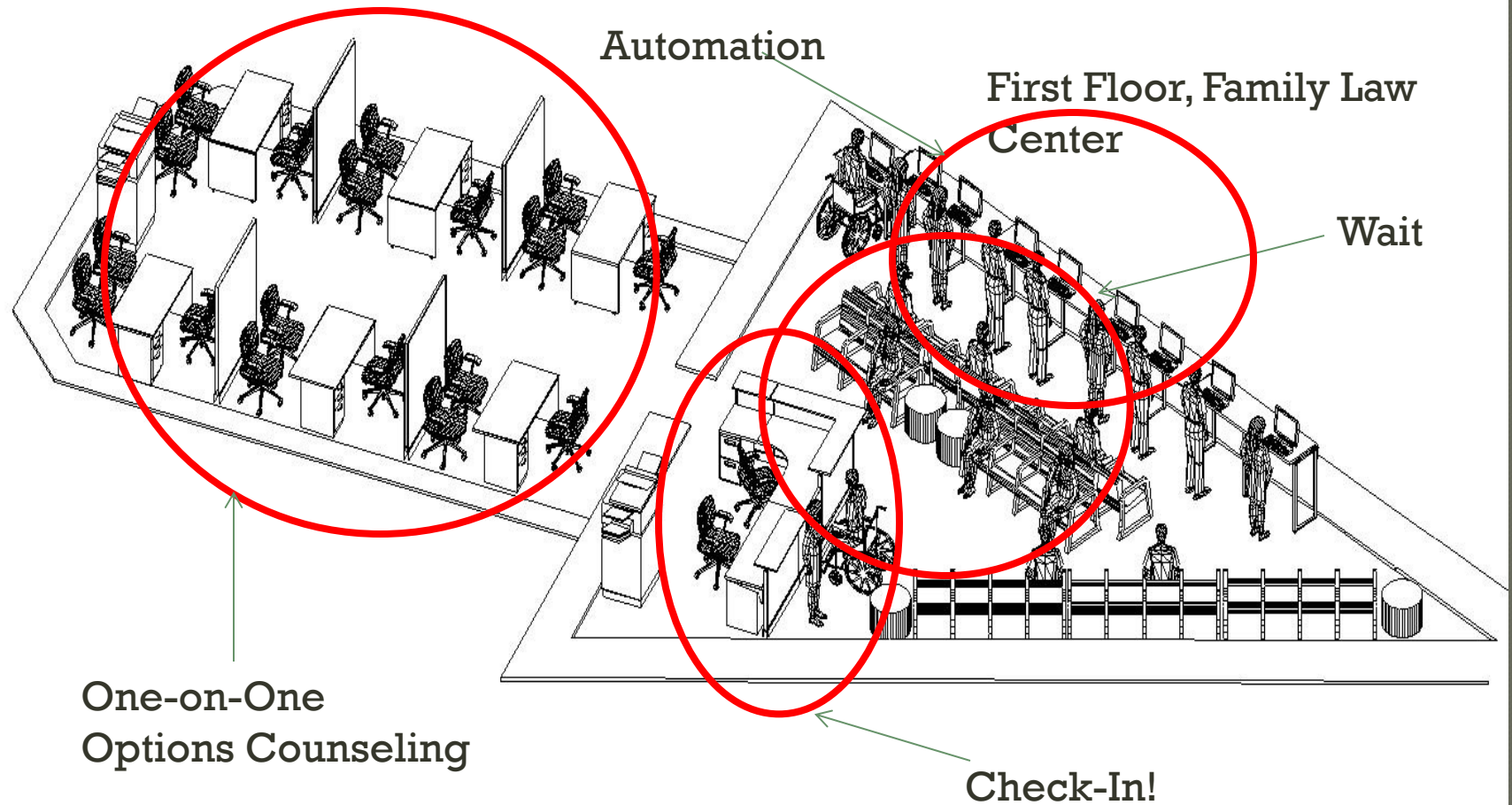
# General Concept: Services Provided Based on Complexity of Case

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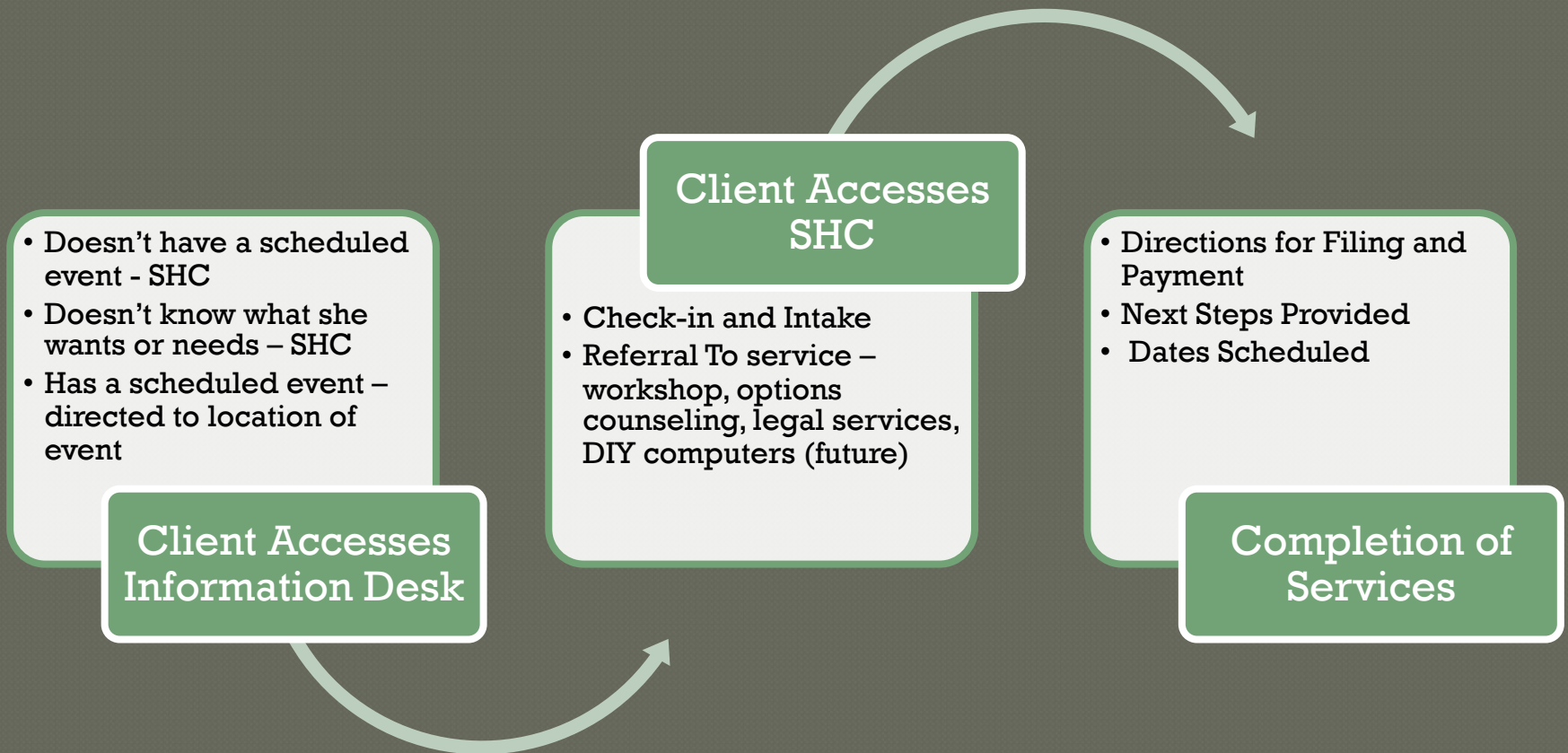
- Common issue with minimal complexity?
  - There's a **workshop** for that!
- Lot's of things going on and not sure what your options are for resolving your issue?
  - One-on-One **options counseling** with court staff
- Really need some **legal advice**? – law students, volunteer attorneys, referral to unbundled legal services



# Walk Me Through This...



# One More Time...





# Workshops

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- ◎ **Goal:** Educate many people on less complex items at once
- ◎ **Preliminary Topics:**
  - Completing an IFP Petition
  - Explanation of Custody Options
  - Ideas?
- ◎ **Format:**
  - Classroom style interaction
  - Court staff providing information
  - Opportunity for Law Student/Volunteer Attorney Involvement in Q&A section of workshop



# Options Counseling

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- Completed by DRO Level Staff
- Process:
  - Client tells story
  - Options Counselor listens to story
  - Options Counselor explains court processes and options for resolution of problems
  - Client chooses option
- Options Counselor may refer to law student, volunteer attorney or unbundled legal services
- Options Counselor may NOT provide legal advice



# Where Do the Attorneys Come In?

## Law Students

- Assist in Q & A in Workshops
- Work on the complex cases
- Our Hope: Follow the case through to “finality”

## Volunteer Attorneys

- Assist in Q & A in Workshops
- Work on the complex cases
- Option to follow the case through to “finality”

## The Bar

- Create a list of those willing to provide unbundled legal services
- List may include subject matter
- List may include collaborative law options



# Partnerships: The Good and the Bad

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- ◉ Steering Committee – A Must!
- ◉ Don't forget internal Buy-In!
- ◉ Consider the partnership audience –
  - How familiar with the concept?
  - Burdens, Opportunities, Challenges
  - Training Needs?
  - Mutual concerns



How Did Things Shake Out?



		Statistics for Self Help Center (SHC) & Legal Advice Clinic (LAC)			
		Clients referred to LAC	Scheduled for LAC Appt.	Assisted by Options Counselor	Fee Waivers from LAC
January 2014	Clients referred to SHC				
January 6 - 10	75	19	1	55	
January 13 - 17	71	26	16	29	
January 20 -24	92	25	11	56	
January 27 - 31	58	30	5	23	
MONTH TOTALS	296	100	33	163	0
YEAR TO DATE	296	100	33	163	0
February 2014	Clients referred to SHC	Clients referred to LAC	Scheduled for LAC Appt.	Assisted by Options Counselor	Fee Waivers from LAC
February 3 - 7	57	30	5	22	9
February 10 - 14	85	37	17	31	13
February 17 -21	85	35	4	46	14
February 24 - 28	98	35	10	53	17
MONTH TOTALS	325	137	36	152	53
YEAR TO DATE	621	237	69	315	53
March 2014	Clients referred to SHC	Clients referred to LAC	Scheduled for LAC Appt.	Assisted by Options Counselor	Fee Waivers from LAC
March 3 -7	91	40	8	43	12
March 10 - 14	93	22	11	46	7
March 17 - 21	104	27	10	65	8
March 24 - 31					
MONTH TOTALS	288	89	29	154	27
YEAR TO DATE	909	326	98	469	80



# Let's Talk About What the Statistics Show

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- We helped **909** clients
  - Our former program would have been able to help about 440 clients by now
- There has been a steady increase in traffic as the months progress
- Fully staffing the department has allowed more clients to be seen by options counselors
- The amount of fee waivers requested v. the amount of clients qualifying for the Legal Advice Clinic is low
- What do you see?



# How Did Things Shake Out?

## (cont'd)

### LEGAL ADVICE CLINIC REFERRALS

DAY OF THE WEEK	NUMBER OF REFERRALS
<b>Monday</b>	45 (12%)
<b>Tuesday</b>	102 (26%)
<b>Wednesday</b>	63 (16%)
<b>Thursday</b>	106 (27%)
<b>Friday</b>	70 (18%)

Let's talk about what this shows:

- Days with the most traffic for the Legal Advice Clinic
- Need for volunteer attorneys and students
- This is the aggregate, what are the daily trends?



# Automation Goals

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- ◉ A2J Author
- ◉ Simultaneous work
- ◉ Self-writing – really challenging!



# A Court Based Help Center

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In July 2013, The Bronx County Family Court opened its new Help Center. This Center takes a comprehensive and multifaceted approach to serving the legal, procedural and informational and diverse needs of our court users.



# Access to Justice

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All Help Centers are part of NYS Deputy Chief Administrative Judge Fern Fisher's Access to Justice Programs.

As such this new space, designed with access to justice as a priority and allowed us to expand upon our volunteer legal services partnerships.



# Why the Bronx Needed a Center

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- ◉ The Bronx had the most Judicial Filings of any Family Court in NYS (approx. 57,000)
- ◉ Poorest County in NYS, great demand for legal services
- ◉ Large non-English speaking population
- ◉ Lowest educational levels in NYS
- ◉ Old building, difficult to navigate
- ◉ Poor service, long wait time, cutoffs



# Breakdown of Bronx Help Center

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- ◉ Eight room complex conveniently located on first floor
- ◉ Large waiting area
- ◉ Petition or docketing room
- ◉ DIY (A2J) room with 10 Public access workstations
- ◉ Courtroom
- ◉ Interview rooms for partners and pro bono



# Services Provided in Help Center

- File a petition, motion or OTSC (over 200 p/day)
- Appear before the Intake Judge/Referee in the Help Center courtroom
- Meet with a Volunteer Attorney for legal advice
- Request and/or receive a copy of court orders
- Select from an array of informational booklets.



# Some Resources/Partners

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- ◉ **The NYC Volunteer Lawyer Project**
- ◉ **Elder Abuse Program**
- ◉ **Domestic Violence Advocate Assisted Petition Program**
- ◉ **Court Advocate Project (Sanctuary for Family)**
- ◉ **Kinship Caregiver Project**
- ◉ **Internship program – Multi-disciplinary, incl. Public Administration**



# Family Court Volunteer Lawyer Project

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- Overseen by NYS DCAJ Fern Fisher's Access to Justice Program
- The project started in 2006 with only 6 law firms.
- To date, 40 solo practitioners and 350 attorneys from large law firms and corporations participate in the program.
- In 2014 alone, over 2,700 litigants were assisted by the program
- With the assistance of Court staff, DoT and Pro Bono Net, program expanded to rural courts via video conference.



# Elder Abuse Project

## WHY NEEDED?



## BACKGROUND

- Each County in NYS has a designated agency to assist the elderly.
- An elderly or mobility challenged victim of DV had 3 ways to file petition: hire attorney, power of attorney or find way to make it to court.
- Even if filed, waiting times proved difficult.



# Highlights of Elder Abuse Project

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- Reached out to the Elder Agency workers, trained them in filing petition.
- Worked with Family Justice Centers and DV groups that review petition and Sheriff's Dept.
- Petition e-mailed to court with date/time attorney or social worker will be with elder client and contact info.
- Person testifies from home, hospital bed, etc.
- Future cases either done via phone or in person with time certain starting & ending times.



# DV-APP

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- Started as pilot in Bronx County March 2013, within 18 months available in all 62 Counties
- DV advocates file petition offsite via LHI, all data and pedigree info electronically transferred to Court System's case management system.
- When litigant comes to court takes on average 20 minutes to docket, appear before judge and receive paperwork,
- Since inception, 8,000 petitions filed.



# Need

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- 68,000 Family Offense Petitions filed in the New York State Family Courts each year
- More filed in the Criminal Courts
- Serious Ramifications for Victims
- Victims in great need of advice and information



# Partnership

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- ◉ UCS Office of Policy and Planning
- ◉ Probono.net
- ◉ Center for Court Innovation (CCI)
- ◉ NYS Courts Access to Justice Program
- ◉ Family Court personnel
- ◉ UCS Department of Technology (DOT)
- ◉ Domestic Violence Advocate Groups



# Funding

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- Grant funding from the Dept. of Justice Office on Violence Against Women STOP Program funded this project
- Other expenditures absorbed by in-house personnel, including legal, technical and clerical staff



# How It Works

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- Advocates only HotDocs interview
- Creates the Petition, Address Confidentiality Affidavit, other forms & instructions.
- Data collected in program is transferred from LHI to Court's "E-Share Wizard"
- Litigant goes to Court Clerk to sign and file
- After Clerk review, data transferred to Court's case management system



# Probono.net - LHI



powered by **probono.net**

English [Español](#)

[Sign Up](#)[Log In](#)[Help](#)[Email Us](#)

## Welcome to LawHelp Interactive

You can use this site to create the documents you selected. This is a free service.

**Note:** Your interview session will expire after 2 hours (120 minutes) of inactivity.

Inactivity means you have not clicked or typed somewhere within the interview for 2 hours.

Please **SIGN UP TO SAVE** your answers periodically, if possible. You will need to register with the site to do this.

### Advocates & Court Personnel Only - Log In



- NYS Advocate Assisted Family Offense Petition Program for New York
- This program is for approved advocate use only. It produces the Family Offense Petition (Form 8-2). If required, the Address Confidentiality Affidavit (GF-21) and the Affidavit in Support of Issuance of Family Court Temporary Order of Protection from the local criminal court can also be generated.

### You can also...

 [Sign Up to Save Your Work](#)

 [Already Signed Up? Log In](#)

Username

Password

[Proceed](#)

[Forgot your password?](#)











# HotDocs Program

## NYS Advocate Assisted Family Offense Petition Program

### Interview Outline



-  Introduction
-  Petitioner's Information
-  Respondent Information
-  More About the Parties
-  Offenses Committed
-  Respondent and Firearms
-  Conditions of the Order of Protect
-  Finish

### Introduction

#### Welcome!

This program makes a Family Offense Petition and an Address Confidentiality Affidavit, if needed.

\*In what county are you filing this petition?

Bronx



\*Select your program:

- ☐ The Children's Aid Society
- ☐ The Legal Aid Society
- ☐ New York Legal Assistance Group
- ☐ NYC Family Justice Center, Bronx
- ☐ Safe Horizon
- ☐ Sanctuary for Families
- ☐ Sauti Yetu
- ☐ The Weinberg Center for Elder Abuse Prevention, Hebrew Home at Riverdale



# Nights and Weekends

## Temporary Order of Protection

\*If Family Court is not in session, the local criminal court may issue a temporary Family Court Order of Protection.

Would you like to generate an "Affidavit in Support of Issuance of Family Court Temporary Order of Protection (by Criminal Court)?"

☒ Yes ☐ No

\*Will you be filing for the Temporary Order of Protection from your local criminal court in Bronx County?

☐ Yes ☐ No

\*On what date was the family offense committed?



\*Select one:

- ☐ Petitioner will file a petition in Family Court on the next day the Court is in session.
- ☐ Petitioner filed a petition under Article 8 of the Family Court Act in Family Court.



# Conditions

## Conditions of the Order of Protection

### Conditions of the Order of Protections

\*What conditions is the Petitioner asking the court to impose on Respondent in the Order of Protection?

- ☐ Stay away from Petitioner
- ☐ Stay away from Petitioner's children
- ☐ Stay away from Petitioner's home
- ☐ Stay away from Petitioner's job or workplace
- ☐ Stay away from Petitioner's and/or Petitioner's children's school/day care
- ☐ Do not menace, harass, assault or commit any family offenses against Petitioner or Petitioner's children
- ☐ Do not interfere with the care or custody of the children
- ☐ No communication and no contact through social media including, but not limited to, Facebook, twitter, etc.
- ☐ Exclude Respondent from Petitioner's home
- ☐ No third party contact
- ☐ Pay temporary child support
- ☐ Surrender firearms
- ☐ Other condition
- ☐ None of the Above



# Mobility Challenged

Is the Petitioner elderly or mobility challenged who is homebound or in a abuse shelter and wishes to appear by telephone?

- ☒ Yes  
☐ No

For the initial appearance on this family offense petition , I am requesting:

\*First choice time certain (hh:mm)

\*am/pm

- ☐ am ☐ pm

\*First choice date

\*Second choice time certain (hh:mm)

\*am/pm

- ☐ am ☐ pm

\*Second choice date

\*The Petitioner's preferred method of appearance on the ex parte application (first appearance before the Court):

- ☐ Petitioner is homebound and wishes to appear by telephone.  
☐ Petitioner is at Domestic Violence Shelter/Elder Abuse Shelter and wishes to appear by telephone from the shelter.  
☐ Petitioner will appear in person at Family Court on the ex parte application.  
☐ Attorney for Petitioner will appear at the ex parte appearance.

\*With respect to receipt of the temporary order of protection paper, I am requesting the following: (Pick preferred option.)

- ☐ Pick up at Family Court the same day.  
☐ Pick up at Family Court the next day.  
☐ Family Court scans the TOP paperwork to filing agency.

\*With respect to service of the temporary order of protection on Respondent, I am requesting the following: (Pick preferred option.)

- ☐ Petitioner will serve Respondent and will pick up paperwork at Family Court the same day.  
☐ Petitioner will serve Respondent and will pick up paperwork at Family Court the next day.  
☐ Petitioner will serve Respondent. Family Court scans the TOP paperwork to filing agency.  
☐ Police to serve paperwork - mail paperwork to Precinct.  
☐ Sheriff to serve paperwork.



# Instructions/Petition

## Family Offense Petition Advocate Assisted Program

### What happens now?

This petition is not filed with the Family Court yet. You **MUST** take your papers to the Family Court Clerk's Office as soon as possible to get your Order of Protection.

### What do I do now?

DO NOT SIGN the petition unless you are in front of a Court Clerk, Attorney or a Notary Public.

Do not sign the Address Confidentiality Affidavit unless you are in front of a Court Clerk, Attorney or a Notary Public. A Notary must see you sign it.

### How do I file my petition with the court?

Bring your papers to the Family Court Clerk's Office. Inform the clerk that you have filed the petition with assistance of a domestic violence advocate.

Since your information was previously sent, you will spend much less time for your case to be processed.

### What other papers do I bring to Family Court when I file my petition?

- Copies of any police reports.
- Pictures of any injuries
- Address Confidentiality Affidavit – notarized

### Where is the Family Court located?

Bronx County Family Court  
900 Sheridan Avenue  
Bronx, NY 10451

(718) 618-2098

### How much is the filing fee?

There are no filing fees in Family Court.

### Can I mail my petition to Family Court?

No. You will need to see a judge on the same day you file your petition.

### What happens after I file my petition?

You will be sent to see a Judge. The Judge will decide if a temporary Order of Protection will be issued.

### What happens if I do not bring my papers to the court?

Your case will not be filed with the court. The information that was sent to the court will be deleted within a few days.

### My petition has been filed, what happens now?

The court clerk will tell you where to wait to see a judge. The judge will determine whether or not to issue a temporary order of protection.

### What do you mean by "petitioner" and "respondent"?

You are the petitioner if you are filing the petition. Minnie Mouse is the respondent, the person you are filing against.

### Where do I get the temporary order of protection?

After you have seen the judge, you must wait to pick up your papers. If a temporary order of protection was issued, you will get a copy. If you are arranging service on Minnie Mouse, you will also receive a summons.

### What do you I do with the temporary order of protection?

Minnie Mouse has the right to a hearing. She must be "served" with the summons with notice, copy of the family offense petition and copy of the temporary order of protection.

F.C.A. §§ 812, 818, 821

Form 8-2 (8/2010)

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

**Mickey Mouse**

Petitioner,

– against –

**Minnie Mouse**

Respondent.

Docket #: \_\_\_\_\_

## FAMILY OFFENSE PETITION

TO THE FAMILY COURT:

The undersigned Petitioner respectfully states that:

- (a) My home address is **CONFIDENTIAL**.
- (b) The Respondent's home address is 123 Fifth Street, New York, NY 10011.
- The Respondent and I are related as follows: **we were married**.
- The Respondent committed the following family offenses(s) against me and/or my children, which constitute(s):

- ☐ Disorderly conduct
- ☒ **Harassment in the first or second degree**
- ☐ Aggravated harassment in the second degree
- ☐ Assault in the second or third degree
- ☐ Criminal mischief
- ☐ Sexual abuse in the second or third degree
- ☐ Strangulation

- ☒ **Menacing in the second or third degree**
- ☐ Reckless endangerment
- ☒ **Stalking**
- ☒ **Attempted assault**
- ☐ Sexual misconduct
- ☐ Forcible touching
- ☐ Criminal obstruction of breathing or circulation

[Describe incident, state date, time and place of most recent incident, specify if anyone was injured (how seriously) and if any weapons were used. If there were earlier incidents as well, describe them in additional paragraphs.]

**Since February 14, 2013, Minnie has stalked me and harassed me at my home address and work address and even once at the grocery store. On April 30, 2013, she came up to me at my bus stop and threw hot coffee in my face and proceeded to yell at me. I had to go to the hospital for the burns.**

- I have not filed a criminal complaint concerning these incident(s)



# E-Share Wizard

UCMS - Bronx-Family - E-Share

File Edit File/Docket Tools Administration Window Help

✂ 📄 📁 🖨 📅 🗓

Attorney

Submitted By: DIY

Case Create

Pending Petition(s)

Court Activity

Limit By:

☒ All ☐ Interviews Received: (from) \_\_\_\_ (to) \_\_\_\_

Show

E-Courts

E-Justice

**E-Share**

Forms

Inquiry

Inquiry - OP/TOP

Motions

Objections

Select DIY Petition

Pet #	Date/time Received	Case Type	Under Review By	Petitioner(s)	Respondent(s)
1	04/22/2013 4:49 PM	Family Offense		Lynequa Allen	Antwann Tucker
2	04/25/2013 4:17 PM	Family Offense		Ana Gomez	Alberto Serrano
3	04/29/2013 3:32 PM	Family Offense		Sharon Jones	Fabian Gentle
4	04/29/2013 3:35 PM	Family Offense		Sharon Jones	Fabian Gentle
5	04/30/2013 3:13 PM	Family Offense		Mickey Mouse	Minnie Mouse



# E-Share Wizard

Pending Petition(s)

## Final Review

File Member	DOB	Gender	Address	
Maurice Mouse	09/15/1997	Male	** Confidential **	▲
Mickey Mouse	04/02/1965	Male	** Confidential **	
Millie Mouse	01/03/1995	Female	** Confidential **	
Minnie Mouse	06/01/1965	Female	123 Fifth Street, New York, NY 10011	▼

Select

## Person Information

Name: (First) Minnie (Middle) (Last) Mouse (Seniority)

DOB: 06/01/1965 ☐ Unk Height: ' " NYSID:

Sex: Female Weight: 130 Distinguishing Marks:

Race: Other Hair Color: Black NYSPIN Caution:

Ethnic Origin: Unknown Eye Color: Brown

## Contact Information

Mail C.O. Address Type: Home

Apt: Floor: Room: Address Confidential? ☐ Yes ☒ No

Street: 123 Fifth Street Email Address:

City: New York Phone Number:

State: NY Zip Code: 10011

Apply

Reset

Finish

Cancel Review

Cancel



# Training

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- Partnered with Safe Horizon, Largest DV Agency in nation to train court personnel and advocates statewide
- Trained court clerks and dozens of advocate agencies & hundreds of advocates in all 62 counties of NYS.
- Manuals, training guides, webinars & Sharepoint site were developed.
- Designated court clerks serve as liaisons within each county and district.



# Benefits

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- ◉ Easily prepare detailed Petitions
- ◉ Faster processing
- ◉ Better service to clients
- ◉ Saves time
- ◉ Strengthens relationship with Court
- ◉ Legible Court forms
- ◉ Saves hours of data entry time
- ◉ Faster adjudications
- ◉ Streamlined process
- ◉ Court staff can process more cases per day



# Results - where are we now?

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- Over 8,000 petitions were successfully filed since inception.
- Judge Fisher is expanding its availability to Legal Service providers.
- Created more uniformity of DV practice.
- What was initially considered a tech project is now an Access to Justice Project.
- Expansion to other case types.



THANK YOU EJC!!!

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