

The Self Help Access Center (SHAC)

*An Established Partner
In the Sonoma County Justice System*

an Evaluation by:

Sonoma County Legal Aid

37 Old Courthouse Square, Suite 100

Santa Rosa, CA 95404

(707) 542-1290

Fax (707) 542-1195

scla@sonic.net

March 1, 2003

Implemented in mid-2000, the *Self Help Access Center* is meeting a critical need of low income people in Sonoma County.

On August 22, 2000, an exciting new service was launched in the Sonoma County court system. The Self Help Access Center (SHAC) was the culmination of three successful efforts that converged in 2000 to respond to the growing flood of unrepresented litigants showing up in courts everywhere in the state. These included:

- ◆ Efforts by Sonoma County Legal Aid to find additional ways to increase access to legal assistance for low income Sonoma County residents.
- ◆ Strategic planning in the Sonoma County court system, which began in 1998 and included town hall style meetings, community surveys and judicial and employee focus groups.
- ◆ Availability of \$1 million in state grants for assistance to self-represented litigants, part of a \$10 million appropriation for civil legal aid enacted by the California legislature in 2000.

Many *in pro per* (self-represented) litigants face serious legal problems such as child custody, support or eviction. They are distraught by the conflict in which they find themselves and confused by the legal processes they face in the court system. They are unable to afford a private lawyer, yet face waiting lists at Legal Aid.

The SHAC is located in the Sonoma County Courthouse. It serves walk-in visitors, people referred to it by court personnel and people sent over to it by Sonoma County Legal Aid. It is staffed by a lawyer, a paralegal, the project manager and several volunteers. It provides four types of services:

- ◆ **Information and materials.** SHAC staff provide directions, explain legal processes and give visitors written materials explaining their legal rights and responsibilities in common legal situations such as divorce, eviction, name change, drivers license retrieval, child custody and child support.
- ◆ **Legal advice and counseling.** The lawyer at the SHAC is available to provide *self represented litigants* with legal advice about their problems and assistance in preparing for court.
- ◆ **Assistance in completing legal forms.** The Center's paralegal and law interns prepare legal forms and applications. Computers, software and printers are available to assist in forms preparation.
- ◆ **Referrals to other providers of legal and non-legal assistance.** SHAC staff provide referrals to other Legal Services providers, private lawyers, court programs, and community agencies as appropriate.

A Rising Tide of Self-Represented Litigants

Self-represented litigants have increased in court systems all across the country. For example, the California Office of Family Court Services has estimated that between 60 and 80 percent of the family law litigants in the state represent themselves.

In Sonoma County, in the 1998-99 fiscal year 30 percent of the people who filed legal papers in family and civil courts were indigent and represented themselves. By the end of 2000, this figure had grown to 70 percent and remains at that level.

The implications of this trend for our system of justice are severe.

Court staff are finding themselves overwhelmed with people who don't understand the processes they are involved in. Without assistance, these litigants...

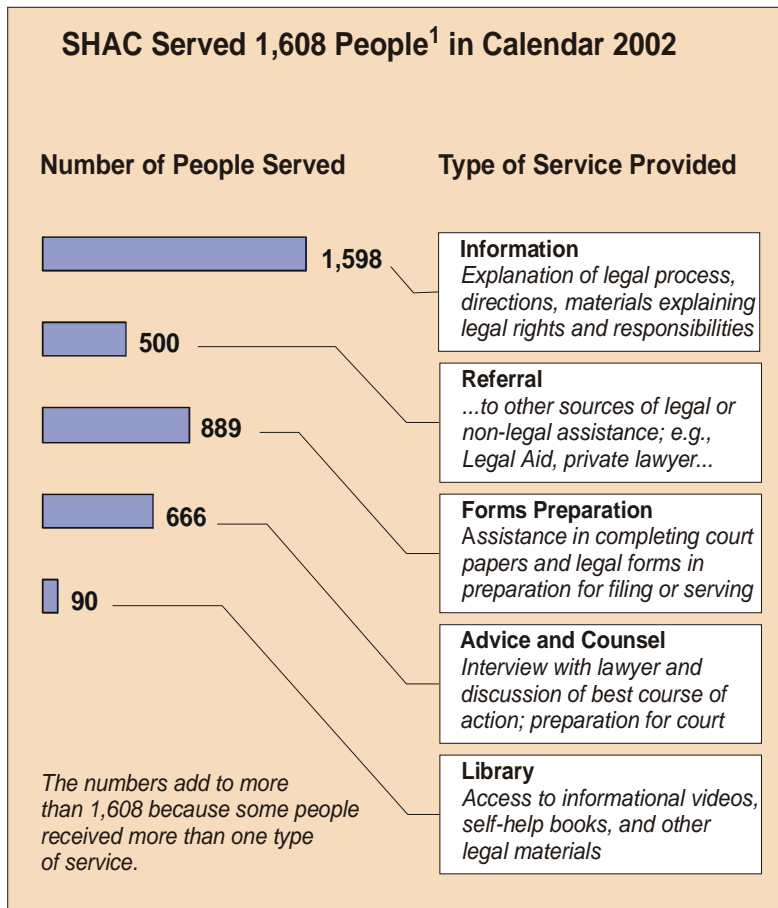
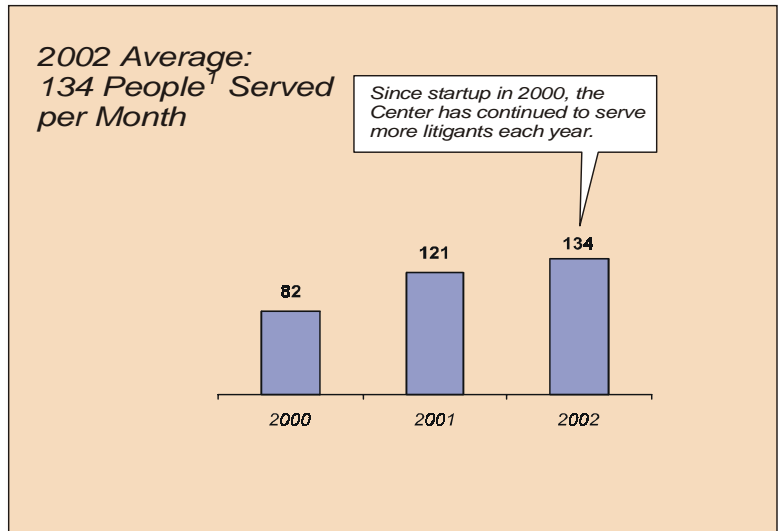
- ◆ Often fail to get the outcomes they seek.
- ◆ Express frustration and disillusionment with our system of civil justice.
- ◆ Place a heavy burden on an already overtaxed court system.

By the end of the first year, the Self Help Access Center was helping 82 visitors a month to navigate through the court system. The number of visitors each month has increased to an average of 134 by the end of 2002.¹

About 75 qualified litigants received assistance in preparing legal forms to file with the court (both initial filings, answers and responses.) each month. This was approximately 62 percent of the low income people who actually filed legal forms with the family law and civil clerks at the Sonoma County Court.² Because of limited resources, the Center is open only three mornings a week, or 30 percent of the time the courthouse is open.

Interviews with court personnel, clients and project partners indicated a resounding consensus: *“More days and hours open for service and an expansion of services provided.”*

The Center is a success. People wanted more of it.



¹For simplicity in this report, we count each visit for a distinct legal problem as a one “person” served. SHAC statistics indicated that a growing proportion, 30 percent, visited the Center more than once during the current year of the evaluation. Taking repeat visits into account, an unduplicated count of 1209 individuals were served.

²FY 2000-01 court statistics indicated an average of 120 civil filings per month by low-income litigants. SHAC prepared legal forms for about 75 visitors per month. If we assume that 2001-02 filings continued at least at the 2000-01 rate, it can be estimated that the SHAC figures represented approximately 62 percent of the total.

The Self Help Access Center fills a critical niche.

Until 1997, Sonoma County Legal Aid (SCLA), a small pro bono program, was the only source of legal help in Family Law matters in Sonoma County for those who couldn't afford to hire a lawyer. In addition, there were other problems (for example, eviction defense) for which there was little or no help available.

Starting in 1997, SCLA dramatically increased its capacity to provide services. It expanded its family law services, which at that time included a pro bono referral panel, dissolution clinic and community legal education workshops, by adding a Family Law Clinic and Mediation Panel. Additional new projects included a Home Loss Prevention Project and a Domestic Violence Assistance Project. Unfortunately, the funding from the U.S. Department of Justice for the Domestic Violence Assistance Project was not renewed after only one year.

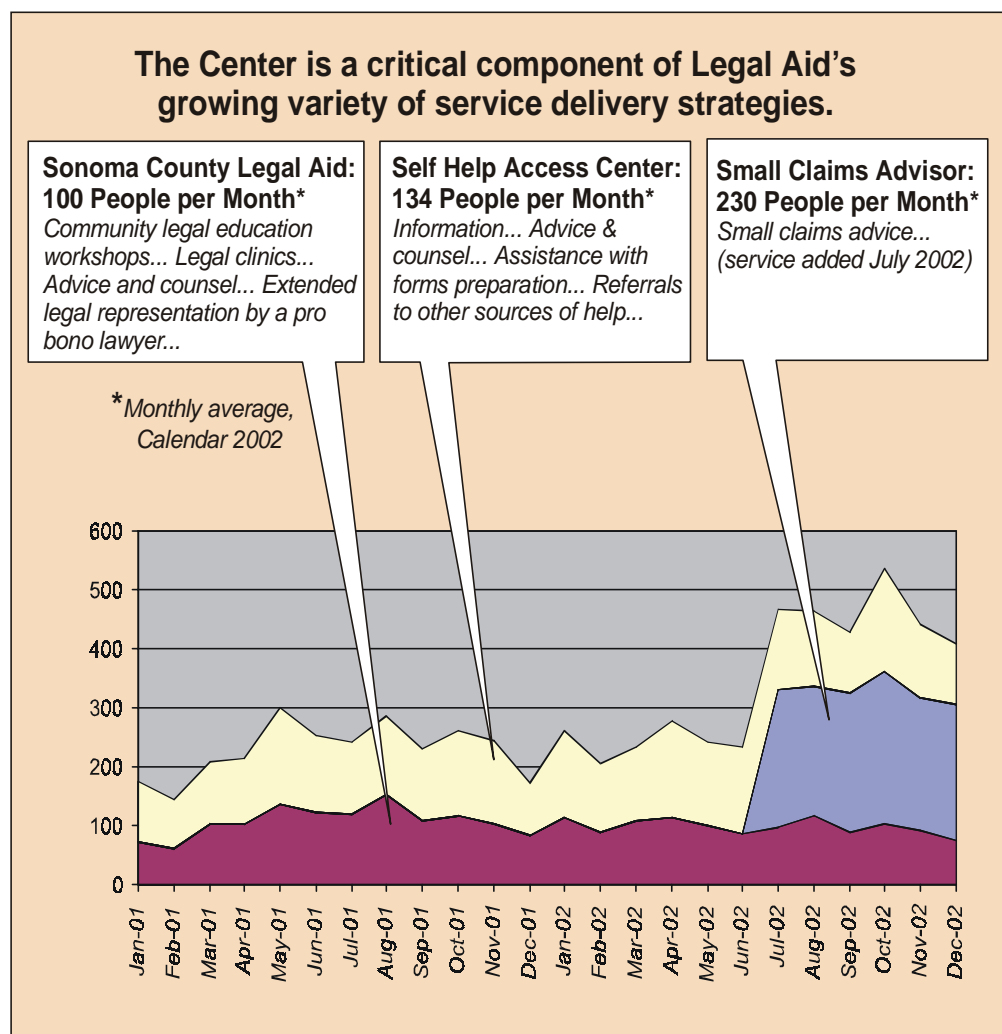
Yet, even with these efforts, many low income people were still unable to get help from a lawyer. The availability of pro bono attorney volunteers to staff these projects was finite, and little room for additional growth was apparent. Many people were showing up in the court system with family law, housing and other civil matters and no lawyers to represent them.

The Self Help Access Center was created by a planning team that included, in addition to SCLA, a Family Law Judge, the Court Executive Officer and Deputy Court Executive Officers, the Family Law Facilitator, a representative from California Rural Legal Assistance, the Law Library Director, the Court's Civil Division Manager and the Dean of Empire Law School.

SHAC operates as part of a mixed strategy for meeting the legal needs of low income people.

- ◆ **Courthouse walk-ins.** Many people enter the legal system at the Courthouse. By providing a point of intake there, the SHAC dramatically increases the reach of Sonoma County Legal Aid. People who appear willing and able to handle a matter themselves are helped to be as successful as their situation allows. People who are not able to proceed unrepresented by a lawyer are referred to SCLA or other sources of help.
- ◆ **Legal Aid intake.** Some people who are good candidates for *in pro per* filing appear in SCLA's traditional intake process. They are directed to the SHAC, saving SCLA's resources for those who need them yet providing the client with access to the level of help he or she needs.
- ◆ **Some people who go through the SHAC are not ready for *pro per* representation.** Some who are obviously unable to represent themselves are referred to one of SCLA's other components, such as the Dissolution Clinic or the Eviction Defense Clinic. Here they can get more information and individual attention. When they are ready, they return to the Courthouse and proceed with their case; otherwise they may be referred to a pro bono lawyer or other source of representation.

As the graph at right shows, the Center greatly increased the number of low income Sonoma County residents who were able to receive help with their legal problem. Since the Center's opening in August 2000, the numbers of people assisted nearly tripled, from an average of 85 clients a month being served by SCLA alone to an average of 234 clients a month by the two programs combined in 2002. These figures do not include another 400 calls for information and referral fielded by SCLA. The Small Claims Advisor program provides assistance to the public without regard to income. However, it is estimated that about 1/3 of those served (76 people per month) are low income.



The Center makes the legal system more user-friendly.

Many of the people who come to the SHAC are going through fearful and painful experiences — divorce, separation from their children, eviction from their homes. They are stressed out and bewildered by a legal process that often seems overwhelming.

SHAC staff offer a sympathetic ear as well as a road map for obtaining the best possible outcome from an experience in the court system. By providing the SHAC as a source of information and support, the Sonoma County legal community has sent an important message to the growing number of people who use the legal system for resolving their civil disputes.

For many people seeking legal assistance, being heard with respect and compassion is rare. Indigent litigants are appreciative of SHAC staff's kindness and understanding. This can't be measured, but it is an integral part of the staff's role in providing holistic assistance.

SHAC provides support for people in crisis.

The SHAC provides not only direct assistance but encouragement, dignity, a sense of self reliance and confidence, and a place where people are heard and valued.

In exit surveys, clients were uniformly appreciative for this support:

- ◆ *“You are providing a great service that makes a tough situation a little easier.”*
- ◆ *“This has been an incredible relief for me. I know my anxieties affect my sons no matter how hard I try. Thank you for all your help today.”*
- ◆ *“I was extremely nervous and ignorant on all what needed to happen. The staff was awesome and I really appreciate the help and kindness I received.”*
- ◆ *“Great job and great experience.”*

The Self Help Access Center Improves Litigants' Chances of Success.

An evaluation produced six overall conclusions:

- ◆ The Self Help Access Center improved the performance and prospects of people representing themselves.
- ◆ SHAC helped the court fulfill its mission.
- ◆ SHAC clients were highly satisfied with the assistance they received.
- ◆ Partnerships with local agencies produced win-win solutions to community problems.
- ◆ The Self Help Access Center was a cost-effective model for providing assistance to in pro per litigants.
- ◆ The SHAC model works! With more resources it could serve all of the people who need assistance.

The following sections of this report discusses those conclusions in detail.

The SHAC Evaluation

An important condition of the Partnership Grant providing SHAC's principal funding was that an evaluation be performed using both qualitative and quantitative information.

SCLA carried out an evaluation having the following six components. *See Appendices for further information and copies of the data collection instruments used.*

Service statistics. SHAC staff captured information in a Service Log as each client was served. The data included the client's legal problem and the services provided.

Exit survey. Each client who received more than quick directions or a brochure was asked to complete a short questionnaire indicating their assessment of the service they'd received and suggestions for improving service.

Follow-up client interviews. Telephone interviews were conducted by SHAC staff with a randomly-selected sample of SHAC clients to determine their success in applying the advice they'd received and the outcome of their case.

Court observation. A sample of SHAC-assisted clients was observed in court by staff and law student volunteers.

Court personnel interviews. Court personnel in Sonoma County Superior Court, and judges who had an opportunity to observe SHAC clients, were interviewed for their assessment of SHAC's performance in preparing litigants for *in pro per* representation.

"Partner" interviews. The major partners who had been instrumental in getting the SHAC project underway were interviewed, including the law library director, court supervisors, the Child Support Commissioner, the family court manager and the family law facilitator.

The Self Help Access Center improved the performance and prospects of people representing themselves.

Assisted *in pro per* litigants were better prepared than unassisted litigants. Court clerks indicated that SHAC-assisted litigants filed properly completed papers, understood the filing process better, were less confused and required less time to process than unassisted litigants. Overall, they reported that the existence of the Center made their lives easier in dealing with people coming into the courts without the assistance of a lawyer.

Court Supervisors also see improvement in the efficiency of the clerks’ office. The court supervisors note that the filing process operates more smoothly for self represented litigants who are assisted by the SHAC.

SHAC-assisted litigants felt SHAC helped them to do better than they could have on their own. Clients felt they understood the system better, were able to make better decisions about their cases, had better opportunities to make their case and generally did better than they could have on their own.

**Court Staff Interviews:
“SHAC’s services
make the system work better.”**

**Percentage of Court Clerks who felt that
SHAC-assisted litigants...**

- ◆ Filed better papers than unassisted litigants 88%
- ◆ Understood the filing process better than unassisted litigants 88%
- ◆ Were less confused than unassisted litigants 94%
- ◆ Required less time to process papers 88%
- ◆ Made life easier for clerks 94%

**Client Interviews:
“I was able to do better than
I could have on my own.”**

**Percentage of clients who felt SHAC’s help
enabled them to...**

- ◆ Understand the system better 84%
- ◆ Make better decisions about case ... 83%
- ◆ Have a better opportunity to make case 77%
- ◆ Do better than they could have on their own 100%

SHAC-assisted litigants present themselves in court more effectively than unassisted litigants.

The court observers who watched court proceedings reported that SHAC-assisted clients were better prepared, more confident, less confused, more convincing and generally better able to present their cases than they would have been without the assistance they received.

Of the 49 court observations attempted for SHAC assisted litigants, 8 clients did not appear (3 family cases and 5 eviction cases) and 2 appeared with counsel. We do not know why the 8 failed to appear.

As the charts below show, family law clients fared much better in court than did those defending against evictions. This may be a reflection of the extreme situation those faced with homelessness find themselves. The majority of those facing eviction, who seek assistance at the SHAC, were evicted because of nonpayment of rent and did not have the money to pay the rent owed. The hopelessness of the situation along with the challenges of transportation and child care may combine to impact their ability to present themselves effectively or even attend the court hearing.

We will take a closer look at this variation in the coming year to determine whether additional services or improved techniques might bring better results for housing clients.

**Combined Court Observation Results:
SHAC-assisted clients
perform better in court.**

Performance Observed in Court	SHAC-Assisted	Un-Assisted
Well-prepared	51%	35%
Confident	51%	42%
Confused	21%	27%
Convincing	56%	42%
Had documentation	64%	46%
Respectful	95%	85%

**Court Observation Results:
SHAC-assisted family law clients
perform better in court.**

Performance Observed in Court	SHAC-Assisted	Un-Assisted
Well-prepared	57%	47%
Confident	57%	47%
Confused	23%	24%
Convincing	67%	53%
Had documentation	70%	65%
Respectful	93%	94%

**Court Observation Results:
SHAC-assisted housing clients
perform somewhat better in court.**

Performance Observed in Court	SHAC-Assisted	Un-Assisted
Well-prepared	33%	13%
Confident	33%	25%
Confused	11%	38%
Convincing	22%	25%
Had documentation	44%	13%
Respectful	100%	65%

A high proportion of SHAC-assisted litigants actually applied the assistance they received.

One of the questions that legal aid managers often ask is what happens to clients when they receive only brief advice or assistance from a lawyer? Do they follow through on the instructions they have been given? And if they do, are they able to get the results they wanted without further help?

Many clients selected for interviews could not be reached. Fifty-three percent of those who could be reached indicated the legal matters for which they had sought assistance were still pending.

However, the evaluation’s findings on one of the questions were encouraging. A very high percentage – between 96 and 100 percent, depending on the type of instructions that were given – said they had followed through on the steps, directly related to their case, the SHAC staff had suggested. Follow-up on other referrals was more sporadic – between 56 and 59%.

Clients were generally positive about the outcomes of their efforts at self-help. Fifty percent of the clients interviewed said their cases were still pending but they had been able to file their papers successfully and were optimistic about the ultimate outcome. Of the 34 clients interviewed only 20 percent indicated they had not gotten what they had sought.

The vast majority of clients felt that SHAC’s assistance was useful. Depending on what type of help they had been given, 67 to 90 percent of SHAC clients indicated that the Center’s assistance was “very useful.”

These results were based on only a small sample of those assisted, i.e., those who could be reached with a reasonable amount of effort. Even this small sampling reflects optimism about the value and utility of the services being provided.

We are excited about the success of the focus groups used by Neighborhood Legal Services in Los Angeles and will explore the feasibility of conducting similar groups in 2003.

**Client Interviews:
“I did what the SHAC staff suggested .”**

Suggestions Provided	Client Followed	Did not Follow
Referral	59%	41%
Behavior in court	96%	4%
Filing court papers	100%	0%
Serving papers	96%	4%
Getting non-legal help	56%	44%

**Client Interviews:
Results point toward positive outcomes for clients.**

Outcomes reported by clients...

- ◆ Filed papers *pro per*, no reason to think case would not conclude successfully . . 50%
- ◆ Filed papers *pro per*, case not going well 3%
- ◆ Case finished; obtained results sought 27%
- ◆ Case finished; did not get result sought 20%

**Client Interviews:
“SHAC’s assistance helped me.”**

Assistance or Advice Provided	“Very Useful”	“Somewhat” or “Not Useful”
Info and/or written materials	90%	10%
Interview about situation	97%	3%
Legal advice and/or explanation how the law works	90%	10%
Suggestions about how to get more information	67%	33%

SHAC helps the court fulfill its mission.

The SHAC provides litigants with not only professionally prepared paper work but information on how to conduct themselves during their court proceedings. These two factors among many others certainly can be construed as effective tools in helping the courts function more effectively.

The evidence gathered from the personal interviews make it abundantly clear that forms prepared by the SHAC are filed quicker with fewer rejections and that the SHAC litigants appear to have a clearer understanding of the procedures. This also impacts the court as operations are running smoother from the first step in the process of filing cases.

It was clear that the implementation of the Center had achieved two of the primary goals of the Court's strategic planning process: to make the justice system more user-friendly for Sonoma County residents and to become more efficient in dealing with the growing numbers of self-represented litigants coming into the Court.

What Court Personnel Say About SHAC

Legal Aid staff and volunteers conducted in-person interviews with Clerks, Judges, and Managers. They spoke not only for themselves but related comments from their colleagues about SHAC services.

Benefits of SHAC for low income litigants:

- “Paperwork filled out for free”
- “Empowerment”
- “Helping them understand the procedures”
- “A place to turn to”
- “Emotional support”
- “Help reduce crisis in their lives”
- “Getting the people through the system easier”

Benefits for court personnel:

- “Forms filled out correctly”
- “Have a place to refer people”
- “Staff are great resource for me”
- “Makes my job easier”
- “Great working relationship”

What Court personnel would like to see changed:

- “Expand to other areas of legal needs”
- “More days, time, space, staff”
- “On-going funding to expand program”
- “More - time, staff, space, services”

Partners delighted with Center services, but want more.

An important part of the evaluation was a series of interviews conducted by staff of the Self Help Access Center and Legal Aid with the people who serve on the planning team that had designed the Center and continue to monitor it's operation.

Those who were interviewed included the Presiding Judge, Court Executive Officer, Family Law Facilitator, Law Library Director, the Civil and Family Court Managers and the Dean of Empire Law School.

The Partners felt that the Center continues to provide excellent service and is fulfilling the intended goals. They indicated that the SHAC provided access for litigants, reduced stress in the courthouse, encouraged partnership with the community and had received a great response from the public. They liked the fact it was located in the Court House, accessible to litigants and also close to the governmental units with whom forms had to be filed and information obtained.

Everyone interviewed was clear from their experience that the Center needed to be expanded, to provide more hours of operation and services and be accessible to all the people who came into the Courthouse, not just those who came in during the limited hours in which the Center was currently open.

In his remarks to the Sonoma County legal community at the 2002 Annual Presiding Judges Luncheon, Presiding Judge, Mark Tansil touted the Self Help Access Center as "one of the most important initiatives of the court".

What the Partners Say About SHAC *What's working well?*

Doing a great job. "The SHAC helps empower litigants by assisting individuals to present their issues clearly in court, while reducing the intimidation factor."

Presiding Family Law Judge

They support court personnel: "The frustration level for court personnel is much lower because of improved time management, decreased emotional pressure. SHAC has created more stability resulting in a greater retention of employees due to less stress."

Family Court Manager

Everything. "SHAC is working well. Don't know what we'd do without them."

Law Library Director

You are just wonderful! "A great asset for people and the court. Keep up the good work!"

Court Executive Officer

Location in the courthouse. "We have open communication and a good working relationship with the SHAC. It is well staffed, consistent and in close proximity."

Civil Court Supervisor

Focal point. "Having a resource to refer people I cannot see allows the Family Law Facilitator program and the SHAC to provide help to more people."

Family Law Facilitator

Learning experience. "Very beneficial program. It provides a much-needed forum for self-represented clients and is a valuable teaching/learning tool for the law interns."

Dean, Empire Law School

Nothing but praise. "The SHAC is a great solution to an old problem. People receive access to legal staff and attorneys, validation, education, and information."

Court Operations Manger

SHAC clients are highly satisfied with the assistance they receive.

Clients of the SHAC were given an “exit survey” to fill out indicating their satisfaction with the services they’d received.

Clients were uniformly appreciative of the service they’d received. When asked, “What suggestions do you have for improving the Center?” most said, in various ways, “None. It’s great.” Of the few who made suggestions, most repeated the theme heard from court clerks and project partners: *“Be open for more hours, on more days.”*

Client Satisfaction Survey Results

Each client who received more than quick directions or a brochure was asked to complete a short questionnaire indicating their assessment of the service they’d received and suggestions for improving service.

Clients gave SHAC high ratings.

Overall rating of service 4.87
(Average of ratings on 1 to 5 scale)

Clients felt they were able to get useful help.

Average of responses to question below 2.99
Were you able to get info or assistance that will help you solve your problem?
(1=Not at all; 2=Somewhat; 3=Definitely)

The vast majority expressed appreciation for the assistance they received.

The following comments were typical:

“Keep up the good work. You are helping more than you know.”

“Keep this place open for people like me.”

“I’m grateful to have such people and a program as this. All of my questions and concerns were taken care of.”

“The staff is very helpful & polite and I felt very comfortable talking to them.”

“Very knowledgeable, helpful & truthful.”

Partnerships with local agencies produce win-win solutions to community problems.

Many times legal issues and problems are merely the tip of the iceberg for families. In order to provide a seamless support system for individuals and families, the SHAC staff makes every effort to provide appropriate and needed referrals to existing human service agencies within the community.

Outreach and linkage to human service providers both within the legal area as well as other support areas keep the staff up-to-date on any changes or additions to current agencies.

The expansion of the SHAC is just one of the goals of the newly formed Commission on Community Resources and Access to Justice. This county wide working group is the result of a Human Services Summit sponsored by the Court in 2002 (supported by a development grant from the Judicial Council as part of the court's plan to increase services to self represented litigants). SCLA's executive director is a member of the Commission's steering committee.

This exciting partnership holds the prospect of new service delivery models, more structured client services management among agencies, increased use of technology, more effective referrals, and the development of alternative dispute resolution strategies.

The combined efforts of the Court, Legal Aid and our partners locally, with the support of the Legal Services Trust Fund, and at the Judicial Council's Administrative Office of the Courts have provided a sound foundation for the development of this expanded venture. Improved services for self represented litigants is a more visible and higher priority for more people in Sonoma County.

Collaborating on Solutions for Clients

Working toward the best interest of the client.

Legal Aid staff presented information on our services to the Drug Abuse Alternatives Center (DAAC) clinical staff. The clients who attend both residential and outpatient services almost always have family or housing legal problems and are eligible for Legal Aid services. Since then, the case managers, program managers, and clinical line staff have referred clients to the SHAC for a legal needs assessment and services. The SHAC staff have had substance abuse training and recognize the priorities in a recovering individual's life. This working collaboration helps litigants gain perspective on their legal issues as well as compassionate and truthful information on the legal process.

Sensitive issues and collaboration.

The SHAC staff have worked with the Parental Child Abduction Unit on several cases. The Investigator determines if parental abduction has occurred and then begins legal action when appropriate. When the SHAC staff identifies possible abduction issues a call is placed to the investigator who responds almost immediately. A consultation with the litigant involved may take place at the SHAC with the Investigator and the SHAC staff member. Action is taken if needed. The Abduction Unit Investigator said of the SHAC "You folks do such a service for people. I can't think of much that is more important to people than their children and their families. I remember when we didn't have this service and we just had to turn people away if they could not afford to hire an attorney. It was really tragic, keep up the good work!"

The Self Help Access Center is a cost-effective model for supplementing other forms of legal assistance.

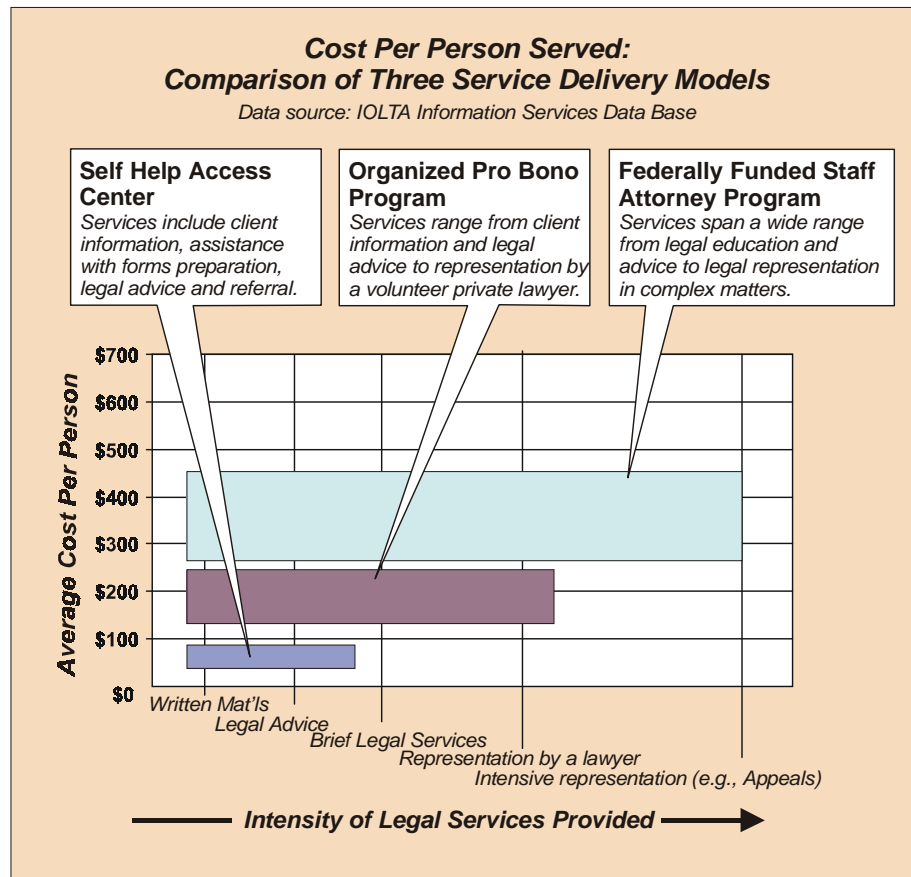
SHAC is effective.

The evaluation underscored several important benefits being delivered by the Center:

- ◆ It helps litigants to maximize their prospects for success.
- ◆ People put the information and advice they receive to good use.
- ◆ SHAC-assisted clients are well prepared.
- ◆ SHAC-assisted clients present fewer strains on the court system than unassisted *in pro per* litigants.

SHAC is economical.

- ◆ In 2002, SHAC's total costs were \$50,252, or \$31 per person assisted.³



To put these figures in perspective, the graph above compares them with the cost-per-person-served performance of two other service delivery models widely used in legal assistance programs serving low income populations: organized pro bono programs and Federally funded staff attorney programs.⁴

The type of model represented by SHAC is a low-cost way of efficiently providing information, advice, assistance with forms preparation and referrals to large numbers of people. Because the range of services it provides is limited, it cannot replace other programs such as Sonoma County Legal Aid or California Rural Legal Assistance. However, as a complement to these programs, it can be a very cost-effective addition to the legal services delivery system. With a limited investment of resources it can dramatically increase the number of people who have access to the level of help they need when circumstances present them with a serious legal problem.

³ This figure represents total expenditures for twelve months' part time operation not including in-kind contributions from the Court.

⁴ The data used for these comparisons come from The Resource for Great Programs national data base of legal services program data.

**The SHAC model works!
With more resources it could serve all of the people
who need *pro per* assistance.**

The experience to date with the Self Help Access Center indicates it is working and it is cost-effective. The current level of staffing is barely adequate to handle the number of litigants coming through the Court during the hours when the Center is open. In 2002, 173 people were unable to obtain SHAC services on the first day they sought help. All were referred to other available services and invited to return to the SHAC on the next day it was open. With its current hours, 3 hours in the morning, three days each week (approximately 30 percent of the time the Court is open), it appears to be helping approximately 60 percent of the low income people filing family and other civil actions in Sonoma County Superior Court.

A reasonable estimate indicates it would cost \$200,000 annually to operate the Center on full-time basis. This would provide a full time attorney, two full time paralegals, several part time volunteer staff and accompanying administrative and non-personnel support.

This investment would provide the capacity to provide approximately 4,000 people a year with the same level of *pro per* assistance currently being provided, at an average cost of \$50 per person assisted.

This investment would represent a major step in providing access to our court system for people unable to afford the services of a lawyer. It would mean that everyone entering the Court system in Sonoma County wishing to represent oneself would be able to receive the information, expert assistance and, when necessary, referral to appropriate additional levels of support one needs to function as a full participant in our civil justice system.

It would not substitute for providing a lawyer for every person faced with a serious legal problem and unable to afford legal representation. However it would represent an important and cost-effective way of expanding what is currently in place. It would complete an important step in building a full-access legal services system for citizens of Sonoma County.

Appendices

- (1) The SHAC Evaluation (overview)
- (2) Summary of Service Statistics
- (3) Client Satisfaction Survey
- (4) Client Interview Instrument
- (5) Court Observation Instrument
- (6) Court Personnel Interview Instrument
- (7) Partner Interview Instrument
- (8) Judges Interview Instrument

Appendix 1

The SHAC Evaluation

A. Description of the Evaluation

The annual evaluation of the Self Help Access Center is an important condition of the Partnership Grant providing SHAC's principal funding as well as an opportunity to look at this "snap shot" in terms of program operations, outcomes, and relationship with our partners.

Sonoma County Legal Aid thanks Ken Smith and his staff at the *The Resource for Great Programs* for their invaluable assistance in designing and producing the first SHAC evaluation in 2001. Special thanks also to the Legal Services Trust Fund for funding that first effort.

Now, after our third year in operation, Legal Aid has incorporated the data collection, compilation and analysis tasks into our routine work activities. *The Resource* helped with some of the graphics again this year, but we are well on our way to an independently produced evaluation.

The SHAC evaluation includes the six components outlined below.

The evaluation delivered several benefits.

- ♦ **It produced evidence that the SHAC was producing important benefits for "customers"** — self represented litigants coming through the Sonoma County Superior Court system, court clerks, judges, other court staff, law students and residents of Sonoma County.
- ♦ **It answered several questions about the effectiveness of *pro per* assistance** — whether clients took the suggestions they were given, whether they performed better in court, whether they produced better papers, whether they took less time to process than unassisted litigants.
- ♦ **It engaged all the customers of the SHAC.** It provided them with a direct opportunity to express their opinions about the Center's strengths and limitations. It prodded them to think about it, to reflect on its strengths and limitations, and to give suggestions for making it work better for them.
- ♦ **It gave SHAC staff an opportunity to get out into their "market" and engage their "customers."** It provided an important perspective on their work that could not help but improve their performance. And the answers they got continues to reinforce their conviction that they were providing an important service that improves the lives of people coming through the Court system.
- ♦ **It provided the ammunition for a campaign to enable the SHAC to grow.** It produced the clear finding that all the customers of the SHAC wanted more hours and more days of operation. The SHAC's partners could take the evidence of the Center's success out into the community and use it to enroll more support and raise more funding — to grow this clearly successful project.

Six Components of the Evaluation

1. **Service statistics.** SHAC staff captured information in a Service Log as each client was served. The data that were captured consisted of the following:
 - a. Date
 - b. Client's Name
 - c. Legal Problem (Family, eviction, other civil)
 - d. Whether Spanish-speaking (Y or N)
 - e. Types of Assistance Provided (advice, assistance with forms, information, referral, library)
 - f. If referral, what agency and reason for referral (priorities, problem, complexity...)

A summary of the service statistics collected during 2002 is provided in Appendix 2.

2. **Exit survey.** Each client who received more than quick directions or a brochure was asked to complete a short questionnaire indicating their assessment of the service they'd received and suggestions for improving service. A copy of the questionnaire is provided in Appendix 3.
3. **Follow-up client interviews.** Telephone interviews were conducted by Legal Aid staff with a randomly-selected sample of SHAC clients to determine their success in applying the advice they'd received and the outcome of their case.

The interview instrument was adapted from one developed for another study of a legal services delivery model -- the telephone intake and advice "hotline" study conducted by the Project for the Future of Equal Justice under a grant from the Soros Foundation. The hotline model addressed by the study had certain characteristics shared by pro per programs like the Self Help Access Center:

- ◆ Services limited in scope -- information, advice, brief assistance, referrals to other sources of assistance.
- ◆ Limited or no contact with the client after the assistance has been provided.

The hotline study had just completed its design and testing phase. The questionnaire was simple, reasonably thorough yet brief enough for an interview lasting not more than 15 minutes, designed for a low income population, and had been pilot-tested. SHAC and *Resource* staff reviewed the questionnaire and modified it slightly in 2000 to focus on the goals of the evaluation and the types of services provided by the Center. A copy of the instrument is provided in Appendix 3.

Six out of ten attempted client interviews were completed in 2002. The sample was randomly selected from the list of clients who had been served during 2002. The data from a total of 34 interviews, conducted since the SHAC opened, were used to compile the statistics included here.

Many who were selected could not be reached; when this happened, another name was selected at random and an interview attempted.

The difficulty of contacting clients was especially pronounced for people with eviction problems. Many could not be reached, suggesting that they had in fact been evicted and were either homeless or living at another address. While at one level this suggests their pro per representation was ineffective (they were evicted), a bit of reflection suggests that this is not necessarily the case. In many eviction cases there are no defenses available, and "success" means getting an opportunity to present one's side of the story to an impartial mediator and having time to seek alternative housing

before having to vacate. Our difficulty in reaching eviction clients and the court observation results (found on page 8 of the Evaluation) seem to indicate that numbers alone cannot provide a clear picture of the impact of *pro per* assistance in maximizing clients' performance and outcomes in these types of cases.

The interviews that were completed were very useful, and SHAC staff will continue to use this feedback format in the future. Although the number was small, the interviews did provide insights that could have been gained in no other way. And on some questions, the results were clear; for example, the interviews indicated that clients followed the suggestions they were given and felt they had done much better than they could have without the assistance they received from the SHAC. Most of the few clients (23 percent of those interviewed) who had obtained negative outcomes attributed those results to the facts of their cases, not to deficiencies in the assistance they had received from the Center.

However, a larger sample would improve the confidence one can have in the evaluation's results, and likely would have shed light on questions such as the outcomes obtained by eviction defense clients. If more resources were available, contracting out the client interviews to a research organization would address this limitation.

These problems are not insurmountable, but they require substantial resources to overcome. The pilot phase of the "hotline" study conducted by the Project for the Future of Equal Justice in 2000 (see www.equaljustice.org) revealed similar difficulties. As a result, the data collection plans involve selecting a sample of 1,600 clients in order to complete 400 interviews for each hotline program. This number is required to carry out detailed comparisons of outcomes by delivery models employed, legal matters addressed, service provided and demographics of clients.

- 4. Court observation.** A sample of SHAC-assisted clients was observed in court by law student volunteers, SHAC staff and Legal Aid staff. A "blind sample" of unassisted litigants was also observed to gather comparative data on their level of preparation and their performance in court.

An observation protocol was developed for the evaluation, keyed to the questions in the evaluation plan. A copy of the instrument used is provided in Appendix 5.

Thirty-nine SHAC-assisted and 25 unassisted litigants were observed in 2002, bringing the total number of observations conducted to 64. As with client interviews, this number was limited by the availability of human resources and the constraints of the students' schedules. SHAC clients were sprinkled through the docket, so observers had to time their observation periods to conform with the court schedule. Often the hearings backed up and observers had to leave for other appointments before the SHAC client's case was called.

The court observation information turned out to be very useful, however. Although the number of litigants observed was small, some differences between assisted and unassisted litigants were so obvious that it would not take a huge sample to spot them: assisted litigants were more confident, better prepared and more inclined to bring documents they needed to their court appearance. Other differences were more subtle, yet the data from this part of the evaluation tended to confirm what logic would suggest: assisted litigants appeared more convincing, less confused than unassisted ones. It would appear that having access to a coach before going into court cannot hurt, and in most cases helps, a self-represented litigant's ability to perform well.

- 5. Court personnel interviews.** The court clerks, supervisors in Sonoma County Superior Court, and most of the judges who had an opportunity to observe SHAC clients, were interviewed for their assessment of SHAC's performance in preparing litigants for *self* representation. Interview instruments were prepared to cover the questions required for the evaluation. A copy of

the interview protocols used is provided in Appendix 6 and 8.

Interviews were done by Legal Aid staff and volunteers, and were completed with few difficulties. The staff enjoyed the interviews; it gave them an opportunity to connect with important “customers” and to hear how valuable the SHAC was to court personnel.

- 6. “Partner” interviews.** The major partners who had been instrumental in getting the SHAC project underway were interviewed, including the law library director, the family court manager, the civil court manager and the family law facilitator.

The instruments developed for these interviews are provided in Appendix 7. Three open-ended questions were asked: what aspects of the Center were working well; what should the Center work on in terms of making improvements; and what could the Center do differently? The first question elicited the partners’ perspective on the strengths of the Center. The second provided an opportunity for partners to raise any concerns in the context of making suggestions for improvement rather than appearing critical. And the third opened the discussion for new service or ideas.

Interviews conducted by Legal Aid staff and volunteers were completed without significant problems, other than the usual scheduling challenges. As with the court personnel interviews, staff enjoyed their conversations with the partners.

B. The Ten Evaluation Questions

The Partnership Grant documents identified ten questions that recipients should attempt to address through their evaluation efforts. These are addressed in turn below.

Some caveats on our answers.

It remains very difficult to fully address all the issues requested due to small size of our organization and the limited resources available for the task.

Approximately **80** hours were spent gathering data during the past year, and another **40** hours spent compiling and synthesizing the data and preparing the evaluation report. The actual time spent on evaluation activities is not that great. The challenge for us is the timing of the evaluation. It is due during the same time period as a number of other grant applications, year end reports, and preparation for the audit. The burden then is not conducting evaluation activities, but finding the time to produce the evaluation report in a timely manner.

The evaluation was strong in gathering perceptions from customers of the SHAC about its benefits and identifying ways in which litigants’ performance was improved by the help they had received. It was weakest in measuring outcomes of those services.

Part of this was due to the difficulties in staying in touch with clients who visit the SHAC once for assistance in filing papers, when the outcome won’t be known for months. It can easily take 4 or 5 months to complete activity on a custody modification including court hearing, scheduling, and continuations.

Another limitation in measuring outcomes was the difficulty of reaching clients after their cases were completed. Some types of legal problems have a built-in difficulty: eviction cases, for example, result in

clients changing addresses, often moving far away. Other problems arise in any survey: people move, don't have phones, don't have answering machines, don't return calls. The often difficult living situations of low income people make these problems more pronounced. The limited resources of the SHAC made it possible to complete only six client interviews in 2002, for a total of 34 since the SHAC opened. This is too small a number to allow comparisons of outcomes by types of services provided, legal problems and other factors on which answers were sought.

A final caveat that must be attached to our answers to the questions that were posed is the fact that the SHAC covered only a portion of the range of services and legal problem types that *pro per* assistance programs in general cover. We could only address the questions from the perspective of the SHAC's limited scope.

Response to the Ten Questions

1. Which case types were most amenable to self-help assistance, and are there case types where self-help assistance is not effective?

All of the case types handled by the Center — eviction defense, child support, visitation, custody, etc. — turned out to be amenable to assistance in terms of improving the litigant's understanding of the processes and his or her ability to file papers and appear in court. We were not able to collect enough data on outcomes to carry out a meaningful comparison of success rates by legal problem. However, as stated by a Superior Court Commissioner, one would expect that cases involving a trial would not be as amenable to self-help as those that are uncontested and only require completion of a process. Certainly the educational, social, psychological, and emotional deprivations an individual may have make self-representation difficult. In these cases, referrals to SCLA for a pro bono attorney were made.

2. Which types of assistance (introductory workshops, written and video materials, one-on-one assistance, follow-up sessions) were most effective in various legal matters?

The services of the SHAC covered only a small portion of the range implied in this question and its data base was too small to provide a meaningful comparison of different types of assistance in terms of effectiveness. See discussion of client interviews, item 3 under "Components of the Evaluation" above.

3. Were pro pers more prepared after using a self-help center? Were forms more adequately prepared, and on balance, were cases less time-consuming for bench officers and clerks after self-help assistance?

The answer to these questions is a clear "Yes." According to court clerks and their supervisors, forms were professionally prepared, which provided a better flow of customer assistance as well as fewer forms being turned away. Filings were quicker and better which made the process less time consuming for the courts.

4. Where, and for what reasons, were litigants referred for representation or more complete assistance - was the referral due to the complexity of the subject matter; due to personal reasons, such as their relative skills, language barriers, etc.; or due to other reasons?

About 1/3 of SHAC visitors, or 500 people, were referred to other sources of assistance. Some of those referred elsewhere were also provided with other SHAC services. This number is down from the 725 referrals reported in 2001. One possible reason for the decrease is the success of our community education program. More people know what services are available at the SHAC and

other legal services providers. A second reason may be that court personnel provide better referrals, reducing the need for people to come to the SHAC for a specific referral.

The reasons for referral and agencies to whom clients were referred included the following:

- ◆ **Type of legal problem not handled by Center (91 - 18%):** referred to other SCLA programs, e.g., the Small Claims Advisor or the Welfare to Work Project or to other legal assistance programs such as, the TRO Clinic or California Rural Legal Assistance.
- ◆ **Complex problem - need more assistance (82 - 16 %):** referred to SCLA pro bono referral panel or other SCLA programs, e.g., the Home Loss Prevention Project; others were referred to other sources of legal assistance such as the Family Law Facilitator program.
- ◆ **Financially ineligible for SCLA services (113 - 23 %):** referred to Legal Services Foundation or other sources of legal assistance not subject to the eligibility criteria of SCLA.
- ◆ **Needed other than legal assistance (26 - 5 %):** referred to community agencies.
- ◆ **Other reasons (188 - 38 %):** referred to all of the above, including SCLA programs, other sources of legal assistance in the community and to non-legal human services providers.

5. To what extent did pro per litigants have reasonable expectations before they received pro per assistance, and did expectations change as a result of the assistance?

Many times pro per litigants came to the SHAC with unreasonable or impossible expectations given the facts of their case. For example, a mother in very early recovery from addiction wanted to regain full custody of her children although she had minimal contact due to her substance abuse. SHAC staff were able to help her focus on her needs in recovery, the best interest of her children and preparation for her Mediation appointment. In her interview, she was appreciative of the time and effort to help her focus on the Mediation process and she acknowledged that the outcome was probably the best that could be obtained given her situation.

In the process of working with SHAC staff, clients seemed to adjust their expectations to what was reasonable and possible. It is arguable that this was an important benefit of SHAC — by explaining what clients could reasonably expect to achieve given the law and the facts of their case, SHAC staff helped clients come to terms with their own role in creating their legal problem and to develop reasonable expectations about what they could expect other parties or “the system” to contribute in its solution.

6. Were pro pers satisfied with the assistance they received from the project?

A high level of satisfaction was expressed in the responses to the Client Exit Survey: on a scale of 1 to 5, the average response was 4.87. See the evaluation report, page 12 for details.

7. Were pro pers satisfied with their opportunity to make their case?

77 percent of the 34 clients interviewed to date said that SHAC’s help enabled them to have a better opportunity to make their case than if they had not had the help. Eighty-three percent said they were able to make better decisions about their case, and 84 percent said they understood the system better. All (100 percent) said they did better than they could have on their own.

7. Were the outcomes of cases changed as a result of self-help assistance?

As outlined in the beginning of this section, the data on outcomes were too thin to permit empirical analysis on this question. At a threshold level, one would expect that people who were provided with information about the process in which they were involved and coached on how to perform in that process would have better outcomes than those who had no access to those kinds of assistance. The evaluation did produce evidence that people were able to perform better, to produce better papers, to understand basic principles like the importance of adhering to court deadlines, than unassisted litigants. Fifty percent of those interviewed indicated that they had filed their papers and were anticipating a satisfactory result. Another 27 per cent obtained the result they sought. This indicates a high percentage of positive outcomes for those assisted by the SHAC. However, no data on outcomes were collected from people who had not received assistance. That remains for a bigger, better-funded study to address.

8. Did the representation of opposing parties interfere with the effectiveness of self-help assistance?

None of the SHAC clients who were observed in court were opposed by litigants who had legal counsel representing them, nor did the clients interviewed have such representation. Accordingly, there were no data from the evaluation to address this question.

9. On average, did self-represented litigants achieve results more consistent with the law and facts in their case, after receiving self-help assistance?

As with question 9, the outcomes data that were collected were not sufficient to support the kind of analysis that would be necessary to answer this question.

C. Service Counting Methods and Results

As indicated in section A, item 1, logs were kept of each client who received more than quick directions or a brochure. A summary of the service statistics that were collected in 2002 is provided in Appendix 2.

Sonoma County Legal Aid

37 Old Courthouse Square, Suite 100 Santa Rosa, CA 95404-4938
(707) 542-6664 Fax 542-1195 Email sclaed@sonic.net

Self Help Access Center a project of Sonoma County Legal Aid and Sonoma County Superior Court

2003 Project Agreement

Sonoma County Legal Aid (SCLA) and the Sonoma County Superior Court (the Court) recognize the need for targeted legal information and help for self represented litigants and share a strong commitment to providing ongoing assistance to this underserved group in Sonoma County. As a demonstration of that commitment, the Court and SCLA joined together in 1999 to establish a Self Help Access Center (SHAC) located at the courthouse. The SHAC is one part of a growing system of assistance for self represented litigants sponsored by the Court and SCLA.

The Court and SCLA have agreed to the following distribution of duties for the successful operation of the Self Help Access Center:

1. The Court will provide space, personnel, furniture, equipment (copier, 2 computers and 2 duplex printers, telephone access) and computer access to the County's integrated justice system at the main courthouse. Court staff will manage any space sharing issues that may arise and provide equipment maintenance and technical assistance.
2. The Court will provide the resources of the family law legal assistant to the SHAC (Kathy Pettit).
3. Court staff will make referrals to the SHAC and assist in recruiting volunteers.
4. Court personnel will participate in an ongoing evaluation system for the project.
5. SCLA will retain primary responsibility for staffing the SHAC, establishing and monitoring the administrative systems and procedures, monitoring grant compliance, and coordinating planning team activities.
6. SCLA will provide for financial management including, payroll services, accounts payable, budget/expense tracking and comparison, monthly reports, annual financial review, and annual tax return preparation.
7. SCLA will maintain service records and coordinate an ongoing evaluation system of the project.
8. SCLA will provide 2 computers and the software for legal form preparation and child support calculation.
9. The Court and SCLA will work closely with the SHAC planning group to secure local funding for the continuation of the project.

(Continued on page 2)

10. The Court and SCLA will work closely to maintain a coordinated system of assistance for self represented litigants including the exploration of new technologies and innovative delivery systems which may involve other partners in the community.
11. Denise Gordon, Court Executive Officer, Sonoma County Superior Court, will oversee the project for the Court.
12. Andrea Agloro, SCLA Executive Director, will oversee the project for Sonoma County Legal Aid.

For Sonoma County Superior Court:

Hon. Mark Tansil, Presiding Judge

Date: _____

For Sonoma County Legal Aid:

Andrea M. Agloro, Executive Director

Date: _____