

FAMILY DIVISION SELF-HELP CENTER

The Fifth Judicial District of Pennsylvania

Family Division

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Program Summary

The Self-Help Center (SHC) project is designed to better manage the increasing presence of self-represented litigants (SRLs) entering our court system and needing assistance to navigate the process. In addition to achieving this goal, collateral benefits were also realized such as improving client satisfaction, increasing efficient caseload management by providing effective assistance to SRLs, and promoting an environment conducive to electronic filing and processes. The project allowed the court to address gaps in service identified by its Strategic Planning process in a method that promoted a collaborative spirit with court users, external and internal partners and the community. The SHC concept is one which provides a tiered level of service that meets the needs of the client and addresses the complexity of the matters for which the client seeks court intervention while increasing client convenience and satisfaction. The court provides options counseling and referral to the Legal Advice Clinic (LAC) or legal services. It is the court's hope that providing the level of service each individual client requires, rather than a "one size fits all" approach, will allow the client to better understand the process and the outcome, feel more invested in, and thus satisfied with, the outcome, and help the client to move through the court system more efficiently and effectively. Long-range goals for the SHC include (1) automating most processes to allow litigants to access the same services online as they would be able to access in person at the center, (2) to allow for e-filing of pleadings created through document assembly technology, (3) expanding hours of operation to include evening hours, and (4) expanding subject matter areas that may be addressed within the SHC.

Project Narrative

The Existing Process and Specific Problem

The Fifth Judicial District, under the supervision of then President Judge Donna Jo McDaniel and former District Court Administrator Raymond L. Billotte, published a strategic plan for 2012 – 2015 intending to document the long-range planning goals of the Court. Through the continued leadership of President Judge, Jeffrey Manning, and the District Court Administrator, Claire C. Capristo, Esq., the Court is currently in the implementation phase of many projects outlined in this plan. In the months leading up to the publication of this document, surveys were conducted of court users, litigants, external partners and Judges and staff. As a result of that survey and internal discussions, the need to better serve our SRLs was highlighted as a priority of the Fifth Judicial District and, more specifically, the Family Division.

Two survey questions in particular helped to shape the Court's goal to improve services to SRLs:

First, court users and litigants as well as Judges and court staff were asked to rank a series of statements in the order of their validity, with the statement ranked first considered the most valid and the statement ranked last considered the least valid. Within this series of statements, the following statement was considered: "The court does a good job of assisting people who represent themselves or do not have an attorney". Out of twenty-five statements ranked, this statement ranked twenty-first among the court users and litigants survey respondents. Out of thirty-eight statements ranked, this statement ranked twenty-third among Judges and court staff. The mean ranking of this statement for the Fifth Judicial District on the whole was 4.44 but for the Family Division specifically was 4.26. This highlights the overwhelming need to improve services to SRLs generally and the specific need for improved service to SRLs in the area of family law matters.

Second, court users and litigants, Judges and court staff as well as attorneys and justice system partners were similarly asked to rank programs or services in the order that the survey respondent would like to see implemented, with the program or service ranked first considered the most desirable and the program or service ranked last considered the least important. Within this listing of programs and services appeared "self-help/pro se assistance". Out of seventeen identified programs or services, respondents in the court users and litigants as well as the judges and court staff survey groups ranked this as the fifth most desirable while respondents in the attorneys and justice partners survey group ranked this the eighth most desirable. These rankings show survey respondents saw providing additional or improved programs designed to assist SRLs as an important goal for the Court to pursue.

Prior to the publication of the strategic plan, the Family Division, under the supervision of then Administrative Judge Kathryn M. Hens-Greco, identified this as a need and began exploring possibilities. Through this process, a review of all business processes related to domestic relations matters was conducted. Through the collection of data associated with the business process reviews, it was discovered that the Family Division was serving roughly only twenty-five

percent (25%) of the SRL population requesting assistance. The program model used did not have the capacity to serve the growing population. Anecdotally Judges were able to connect the capacity problems with poorly prepared litigants and, consequently, poorly drafted pleadings. In a similarly anecdotal fashion, staff could connect growing discontentment of clients to the idea that they were not able to receive the service that was advertised as available.

Prior to the implementation of the SHC, the program model used to serve SRLs in domestic relations matters operated as such: every Tuesday and Thursday morning, the first twenty clients that appeared and met the indigency requirements were assisted with their issues, which primarily involved child custody disputes, by certified legal interns, under the supervision of a law school professor and one court staff, or a volunteer attorney, as the case may be.

There were many positives gained from this model. First, it was the only service ever offered to this population of client in this jurisdiction in the Family Division meaning the alternative was no service or assistance. Secondly, it provided a valuable legal experience to new lawyers that may go on to practice locally, including allowing them to understand local process and procedure and exposing them to some complex legal issues while under the supervision of a seasoned and well-respected practitioner. Third, it helped a population of clientele navigate a justice system, often designed to be navigated with the guidance of someone with legal training.

It was these successes that caused the need to exceed the available resources. In the end, the program, with minimal advertisement, attracted on average eighty clients a day when the capacity only allowed for twenty to be served. This caused clients to arrive at the courthouse very early and form a line often in inclement weather and with children and other family members in tow. Once clients were permitted entry to the building, there was considerable delay going through security and a bottleneck in the rotunda of the facility, among other challenges.

The combination of the business process review conclusions and the survey results attendant to the strategic plan brought to light the true extent of the need to improve services to SRLs.

Target Group

The SHC is designed to assist SRLs in domestic relations matters. Any SRL, regardless of income, and whether they are choosing to be self-represented or find themselves self-represented due to the challenges of poverty, may access the services of the SHC, and more specifically the options counseling, a service described in greater detail below.

The SHC project endeavors to help SRLs with pleadings associated with case initiation and case re-activation. Specifically the first phase of the SHC project focuses on child custody issues although this can include discussion of private actions for dependency (cases in which a child is

considered under the supervision of the court due to allegations of abuse, neglect or incorrigibility), private adoptions and guardianships for children.

The long-range goals of the SHC project will allow clients to access assistance on a variety of domestic relations matters both in person and online. The project hopes to transcend the idea of traditional business hours for the court by offering evening hours for in-person consultation and 24/7 access to services online.

Work Team

The importance of collaboration is a constant theme attendant to the planning associated with the SHC project. The project planning team consisted of court executives including the Court Administrator, representatives of the Court's information technology team and managers and administrators in the Family Division. In addition to internal court partners, the project planning team included representatives from the Clerk's office including the Director and Deputy Director as well as members of the Clerk's information technology team. Finally, the Administrative Judge as well as two judge champions worked on the core team.

Throughout the planning stages of the project and continuing after implementation, Steering Committee meetings were conducted. Invitees included members of the local bar, representatives from community partner organizations, representatives from our local law schools, representatives from the Clerk of Court's office, and internal partners including department managers, quasi-judicial officers, judicial officers and the Court Administrator.

Alternatives and Selected Solution

Alternative solutions considered included merely online assistance, merely phone assistance, and initial implementation beginning with assistance with Protection From Abuse (PFA) matters rather than custody matters. Ultimately these solutions were discarded as either having minimal impact on the clear growing need or, in the case of PFA matters, not addressing the most pressing need, albeit a nearly equally pressing need¹.

Recognizing that all clients have case related issues with varying levels of complexity and not all clients need or want the same level of service, it was clear that a "one size fits all" approach would not serve our clients effectively. Thus, the selected solution incorporates a tiered level of service (See Exhibit A). Clients now may access the SHC any day that the court is open and during regular court hours. This alone is improved access to justice for clients.

¹ It is worth noting that the long-range project plan includes incorporating all Family Division subject matter areas, for which SRLs are populous, as case types for which a litigant may seek assistance through the SHC, with PFA matters as the next subject matter area to be included.



Through Exhibit A, one can note the tiered level of service, with each step needed by less and less clients, further described below.

Once a client accesses the SHC, he or she will engage in a brief intake process whereby the client is briefly questioned regarding the issues presenting. At this stage, the intake personnel identifies the level of service needed. For clients that understand their next steps and merely need to complete paperwork, they are provided that paperwork and given instructions on filing.

Clients that would like to better understand the procedural options available to them prior to determining how to proceed are directed to a one-on-one options counseling session. Options Counselors are mid-level staff that work with a client to understand the issues with which the client is dealing, to provide the client the feeling of being heard, and to inform the client of the options available to resolution of the issues as well as the procedural ramifications of these options. The Options Counselors inform the client of what the client *can* do not what the client *should* do, and therefore do not provide legal advice. From there, the client decides what option works best for him or her and works with the Options Counselor to complete and file the necessary paperwork.

Finally, for clients that are unable or unwilling to determine how to proceed without the benefit of legal advice, the SHC has partnered with some community organizations to provide legal advice to clients depending on the income of the client. Those clients desiring legal advice through the LAC must meet income eligibility requirements by showing income at or below 125% of the federal poverty guidelines. Those clients desiring legal advice that are unable to show indigency at the rate listed above, are referred to the local bar association for information regarding legal counsel, however they may always return to the Options Counselors and proceed without the benefit of legal advice. The LAC is staffed by volunteer attorneys and certified legal interns under the supervision of a licensed attorney law professor and one court staff. Clients that qualify for the LAC will meet with counsel that day or have a time certain

appointment scheduled. Clients that do not qualify for the LAC will be referred to the local bar association.

Project Details

The project's goals include, among other things, increasing the feeling of procedural fairness while improving both access to justice and allowing cases with SRLs to process in a more efficient and effective manner. In order to accomplish those goals, more resources were dedicated to the assistance of SRLs to assist in their understanding of court procedure and, in some instances, to provide a forum to acquire minimal but meaningful legal assistance.

The planning of the project was nearly a three year process. The initial workgroup was originally formed to brainstorm the idea of mandatory e-filing for domestic relations matters. It was through this workgroup that the challenges associated with management of SRLs was brought to the forefront. More specifically we asked ourselves whether mandating e-filing to a population of court users that struggle to understand court process is effectively denying that population access to justice.

Out of that debate, the workgroup decided to research method used by other courts across the country to tackle this issue. We studied Maricopa County, AZ, Hennepin County, MN, and Orange County, CA. We came away from that study having learned of three incredibly effective Self-Help Centers and realized that was the first step to assisting our SRL population.

Our planning and implementation took nearly three years because this was the first SHC of its kind in Pennsylvania and is therefore a new concept to litigants, court users, attorneys, justice partners, judges and court staff. This alone required time to gain the needed support to have a successful operation. Therefore, much of our time in implementation was negotiating a palatable project. This included understanding how the SHC would be staffed and with whom, where the SHC would be located and how the court would allocate resources to the project. Our partners played an active role in understanding our process and model and requested transparency in our decision-making. Accommodating this request helped to usher the project through implementation.

The court was determined to make this as much of revenue neutral project as possible. Therefore, a small reengineering effort was made whereby the SHC was not granted new positions for staffing the department but was rather allocated existing positions that were reorganized from other departments. Further, as much existing equipment and furniture was repurposed as possible. All told, the cost to implement was a one time cost of under \$10,000 for a small amount of furniture inclusive of intake counters and waiting room seating. The resources needed to sustain the department were transferred from the departments from which the positions were transferred to the SHC budget as a per person operating cost. This means, that beyond the first year, there is no increase in needed resources merely to sustain the SHC included in a budget request to the funding authorities.

In addition and simultaneous to these discussions relative to understanding resource allocation, it was imperative to gain the support and partnership externally through extraordinary amounts of outreach and communication. Monthly steering committee meetings were conducted, communication and advertisement internally and with staff was ever-present and the project director visited any group or community organization that would welcome discussion on the issue. In the end, great partnerships were won with many community organizations.

Evaluation

Below you will find the statistics that were reported at the first quarterly steering committee meeting in an effort to evaluate the program (See Exhibit B).

Exhibit B: Evaluation of the SHC and LAC²

	Statistics for Self Help Center (SHC) & Legal Advice Clinic (LAC)				
January 2014	Clients referred to SHC	Clients referred to LAC	Scheduled for LAC Appt.	Assisted by Options Counselor	Fee Waivers from LAC
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

A summary of some of the evaluative statistics is as follows:

² Statistics are tabulated from the opening day of the SHC, January 6, 2014, through March 21, 2014. Statistics were reported to the Steering Committee on March 28, 2014. Statistics can be updated for future presentations.

1. The SHC has helped 909 clients. Based on the capacity we had in the former program, at the same point in the year only 440 clients could have been helped. This means the SHC has helped more than double the amount helped in the past.
2. You will see a steady increase in traffic as the weeks progress in the SHC, with the last recorded week being our highest volume week. Although merely speculative, there are a number of things one could surmise from this statistic including (1) increased “word of mouth” referrals connoting satisfaction with services rendered, (2) increased referrals from community partners, (3) a better understanding that the program has changed and is now able to serve the demand.
3. The amount of clients the Options Counselors are able to help without needing to refer to the LAC is increasing. There were some challenges with the hiring process that affected this statistic in the beginning. Notwithstanding those challenges, this statistic could be construed to indicate that more clients have an understanding, after minimal assistance, of how they would like to proceed with their case.
4. You will notice that the amount of appointments needing to be scheduled for the LAC has decreased. This could be construed to mean that the clients referred are mostly those with complex and true legal challenges allowing a more robust legal experience for the law students and a more valuable use of the time of the volunteer attorneys. This also means that there are less appointments needed and more walk-in services rendered for the LAC, likely improving customer satisfaction.

You will see that at the inception of the program, we are most concerned with evaluating noticeable benefit of the SHC versus the former program by understanding the increase in assistance provided. We are also interested in understanding what services clients are requesting, i.e., options counseling alone or options counseling and legal advice. Future evaluation goals include understanding customer satisfaction metrics. As we continue to show success we see increased support internally and externally for the change in program.

Transfer or Replication Characteristics

We see great ability for other jurisdictions to replicate this project. It merely involves a commitment to reallocation of resources and an understanding of the need of the population assisted. Further it is important to foster recognition that customer satisfaction and understanding of court processes impacts case management.

Closing Comments

In sum, the SHC has helped improve customer satisfaction as well as show the community and our partners that we are committed to improving services based on their reasoned and thoughtful responses to our survey questions during the Strategic Planning process. It is important to recognize the impact business process has upon the public and the manner in which that impact shapes the public perception of the court. While the statistics showing the increased ability to provide effective services to our clients are pleasing to report, some of the most rewarding feedback has been on an ad hoc basis from clients themselves indicating

satisfaction via a positive endorsement of the SHC and the services offered. It is very powerful to receive personal thanks from a client merely for listening. We encourage other courts to share in this satisfaction by replicating this project in their jurisdictions.