



TURNING ON THE LIGHTS

How the Massachusetts Trial Court Could Deploy a Virtual Court Service Center to Assist Self-Represented Litigants



**Massachusetts
Appleseed**
Center for Law & Justice

In partnership with the Massachusetts Trial Court

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The Massachusetts Appleseed Center for Law & Justice

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“It felt very much like wandering through a room with no lights on, and you’d bump into something, you’d ask somebody about it, and they’d give you a little flashlight and say, ‘go that way’ Nobody ever turned the lights on in the whole room to give us an idea of exactly what it should look like and how the process should look.”

-Anonymous self-represented litigant, Honoring Families Initiative 2016A, p.30

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The Massachusetts Appleseed Center for Law and Justice (Massachusetts Appleseed) is part of a non-profit network of 17 public interest justice centers in the United States and Mexico. Massachusetts Appleseed's mission is to promote equal rights and opportunities for Massachusetts residents by developing and advocating for systemic solutions to social justice issues. Collaborating with volunteer lawyers and community partners, we identify gaps in services and access in areas such as education, homelessness, and the legal system. Our goal is to create systemic change through in-depth research, community problem-solving, and consensus building. Central to this work is identifying ways to make the civil justice system in Massachusetts more inclusive, fair, and accessible for everyone in the Commonwealth.

As part of this work, Massachusetts Appleseed began a partnership with the Trial Court at the end of 2016 to provide recommendations for a website to complement Massachusetts's Court Service Centers and expand the Court's ability to accommodate the growing numbers of litigants navigating the system without counsel. In 2017, we officially launched our "Turning on the Lights" project to research the potential for an online self-help center called the Virtual Court Service Center. The following report represents the culmination of this two-year process of extensive research and collaboration with the Trial Court, pro bono partners, and other community organizations. "Turning on the Lights" reflects Appleseed's belief that user-focused technology, together with creative, practical, and community-oriented solutions, can make a significant impact in realizing the larger goal of meaningful access to justice for all.

This project would not have been possible without the support and contributions of the Massachusetts Trial Court and our pro bono partners. Massachusetts Appleseed would like to thank the Trial Court's leadership for their support of this project including allowing Massachusetts Appleseed access to internal data, survey court staff, and visit Court Service Centers. Massachusetts Appleseed would also like to specifically recognize the Honorable Dina Fein and Sheriece Perry for their efforts in supporting and reviewing this report. Within the Trial Court, the Department of Research and Planning as well as the managers of the individual Court Service Centers were instrumental in enabling Massachusetts Appleseed to access data as well as interview court staff and Court Service Center users. Finally, Massachusetts Appleseed recognizes the essential research contributions of its pro bono partners at Nelson Mullins Riley & Scarborough LLP and Nutter McClennen & Fish LLP.

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EXECUTIVE SUMMARY

Every day in courthouses across the country, thousands of ordinary people must attempt to navigate a legal system designed for lawyers and judges. Unlike in criminal proceedings, where defendants are guaranteed attorneys, civil court litigants must either represent themselves, pay for an attorney, or find pro bono representation. With the latter two options often unaffordable or unavailable, many litigants are forced to self-represent. In Massachusetts alone, most Probate and Family Court as well as Housing Court litigants did not have legal representation in 2018.¹ This phenomenon represents not only an administrative challenge for the court system but also a serious impediment to ensuring equal access to justice for all litigants in Massachusetts and across the United States.

The growing number of self-represented litigants (SRLs) in Massachusetts is transforming our civil courts into institutions that inhibit low- and middle-income people from accessing their rights to legal protection and redress. In addition to entrenching systemic barriers for lower income Americans, the surge in SRLs is correspondingly worsening the disparities between wealthy and poor litigants in Massachusetts courthouses. SRLs, on average, are less likely to obtain favorable outcomes for their cases compared to litigants with attorneys.² As a result, two individuals with the same legal claim may receive different judgements from the courts solely because one had the money to hire an attorney and the other did not. Compounding this issue is the reality that navigating the court system demands specialized legal training, something few SRLs, let alone members of the general public, possess. Thanks to this unofficial requirement, SRLs will continue to have slim prospects at being able to effectively represent themselves without legal assistance or expanded self-help tools.

To address this growing challenge, the Massachusetts Trial Court has made significant efforts to reduce the disparities between those with representation and those who self-represent. Court Service Centers (CSCs) in six courts across the Commonwealth provide legal information and guidance—though not advice or representation—to litigants who seek assistance. For those seeking representation, the courts allow legal aid organizations to operate Lawyer for the Day programs in many of its facilities. In addition, the Trial Court provides informational self-help materials through its Courts Self-Help website. With all due credit to the Trial Court's efforts, these solutions have been inadequate in addressing the numbers of SRLs entering Massachusetts courts every day.

To address this challenge, the Trial Court can take advantage of innovations in the legal technology sector to better equip SRLs to navigate the court system. Combining technological advances with the best practices identified by other state courts, the Trial Court could replicate many of the CSCs' services online and create a Virtual Court Service Center (VCSC) that would provide an array of innovative services to assist SRLs. In its fully realized form, the Virtual Court Service Center would "turn on the lights" for court users, allowing them to understand the processes, actions, and outcomes that await them in their cases, while simultaneously presenting them with the opportunity to take action in their legal matters.

1 "Third Annual Report of the Third Commission for 2017-2018" (Massachusetts Access to Justice Commission, August 2018), 7. <http://www.mass2j.org/a2j/wp-content/uploads/2018/09/Third-Annual-Report-of-the-Third-Commission-for-2017.pdf>.

2 Emily Taylor Poppe and Jeffrey J. Rachlinski, "Do Lawyers Matter? The Effect of Legal Representation in Civil Disputes," *Pepperdine Law Review* 4, no. 4 (2016): 925

To explore how the Trial Court could design, develop, and deploy a Virtual Court Service Center, Massachusetts Appleseed reviewed studies on SRLs and online self-help tools; analyzed data from all six Court Service Centers; and cataloged other states' self-help resources. Our review of the research on self-represented litigants across the United States indicates that:

- State courts are failing to adequately serve SRLs, who, on average, have worse outcomes than litigants represented by attorneys.
 - ◆ Most litigants represent themselves because they cannot afford an attorney or are unable to receive legal aid due to programs' lack of capacity or strict income eligibility.
- SRLs experience confusion, frustration, and anxiety in navigating court processes that have been designed by attorneys for attorneys.
 - ◆ SRLs regularly have difficulty filling out and filing the proper forms for their cases, as well as understanding how court processes work.
- State courts across the country have developed many online self-help tools to assist SRLs. Best practices include using LiveHelp services, document assembly programs, and navigable collections of legal information.
 - ◆ The best online self-help tools are both navigable and accessible. Best practices include deploying LiveHelp services, document assembly programs, and individualized portals.
 - ◆ Although some states, notably California, Oregon, New York, Maryland, and Utah, have extensive self-help tools on their state court websites, no state has yet to weave existing technologies together in a comprehensive online help center.

In Massachusetts, our research indicates both an ongoing need for legal assistance for SRLs and an appetite for online self-help services. Surveyed attorneys, social service providers, and court staff indicated that legal aid organizations are stretched too thin to provide services to everyone who needs them. Similarly, despite their excellent work, CSCs do not have the staff to provide services to the large numbers of court users needing assistance. Our findings show that the most demanded self-help services and resources, such as legal information and help filling out forms, can be replicated online through technology such as document assembly programs. This approach would allow the VCSC to present self-represented litigants with solutions to the reoccurring challenges they face.

- The challenges facing SRLs in Massachusetts mirror those occurring nationally. Court Service Center users need more assistance to navigate civil court processes.
 - ◆ Legal aid attorneys and social service providers report that many of the SRLs in Massachusetts are overwhelmed, confused, and frustrated by complex and unfamiliar court processes.
 - 78.6% of court staff rank explaining court processes such as making motions, submitting evidence, and filing court forms as one of the most valuable services from CSCs.
 - 32% of CSC users think that having practice representing themselves through an online help center would be valuable, and 68.9% indicate that written or video how-to information for their cases would be valuable online.

- SRLs and CSC users in Massachusetts need help with finding the correct forms for their cases and then filling out those forms correctly.
 - ◆ 76% of CSC 1-on-1 assistance sessions involved helping CSC users with forms according to two years of intake data from the CSCs.
 - 60.7% of court staff indicate that assistance with legal paperwork is one of the primary services court users request from them, while 84.8% of staff rated help with forms as one of the most important services CSCs provide.
 - 57.3% of court staff and 56.3% of CSC users indicated that help filling out forms would be a valuable feature for any online help center.
- An important service of Court Service Centers is providing users with legal information about court processes and their case type. Two years of intake data from CSCs indicate that 68% of all those who received individualized assistance requested general legal information from CSC staff.
 - ◆ 54.6% of court staff rank providing legal information as one of the most important services provided by CSCs.
 - Legal information included explaining what type of case a CSC user had, what the general outline of the steps involved was, and what options a CSC user might have in resolving their legal challenge.
- A vast majority of CSC users are seeking assistance with Family and Probate Court cases with smaller numbers looking for help with Juvenile or Housing Court cases.

Figure E.1: Individuals served by CSC by referring department, Sept. 2015-July 2017

Court	Number of Individuals Served	Percentage
Probate & Family	31,279	80%
District/BMC	3,562	9%
Housing	3,100	8%
Superior	488	1%
Juvenile	369	1%
Other	69	<1%

Figure E.2: Department case served is in for 1-on-1 Assistance, Sept. 2015 to July 2017

Case Type	Number of Cases	Percentage
Child Support	10,443	33%
Divorce	10,406	33%
Guardianship	4,880	16%
Other	3,112	10%
Paternity	1,513	5%
Name Change	496	2%
Protective Order	259	1%
Estate	123	<1%

After extensive study of the overall effectiveness of online self-help services, the demand for assistance from CSCs, and self-help resources in other states, Massachusetts Appleseed recommends that the Trial Court should create a Virtual Court Service Center to meet the need for expanded online self-help services in Massachusetts. The VCSC would serve as a centralized repository for written resources, remote assistance, and interactive features for SRLs. In its realized form, the VCSC would provide SRLs with a single, easily navigable website where they could find information or self-help assistance they need for their cases. Massachusetts Appleseed makes the following recommendations for the Trial Court:

The VCSC should consist of LiveHelp, self-help resources, and document assembly programs.

- LiveHelp programs should replicate the services of CSCs remotely, using phone and chat lines staffed by attorneys and paralegals to provide basic information and answer the legal questions of court users.
 - ◆ Using the Maryland Courts Self-Help Center as a model, the Trial Court should develop pilot programs based on case type or geographic area to test the most effective versions of LiveHelp programs.
- The Courts Self-Help website should be reorganized to make it be more navigable as well as more centralized. Using better navigational features such as a sidebar and/or triage functions that link users to their specific legal concerns would also enhance the website's utility.
 - ◆ The Trial Court will also have to consider whether to integrate features of the VCSC into the existing website or create an entirely new online help center.
- The VCSC should develop a repository of document assembly programs that allows users to complete guided interviews for specific case types and then receive completed documents they can print and file at Massachusetts courthouses.
- The Trial Court should intentionally design all online tools and resources for SRLs and ensure that the VCSC is accessible to those with lower educational and technological literacy levels.
 - ◆ The Trial Court should phase in different aspects of the VCSC through pilot programs and develop a working group including partners such as legal aid organizations, law schools, and legal technology companies.

- ◆ The Trial Court will need to ensure that the VCSC properly integrates with the existing online self-help resources currently offered through Court's Self-Help website.

By developing a Virtual Court Service Center, Massachusetts has the potential to improve access to justice for the growing number of self-represented litigants in the legal system. Without serious efforts to aid SRLs, Massachusetts civil courts will become two-tiered systems where those who can afford an attorney or are lucky enough to find pro bono assistance can exercise their legal rights while those who self-represent struggle receive fair judgment. A Virtual Court Service Center, paired with ongoing in-person assistance from Court Service Centers, Law Libraries, and existing legal aid programs, has the potential to reduce this growing justice gap in Massachusetts. The VCSC would also serve as an important model for other state courts to follow, elevating Massachusetts' court system as a standard for how judicial systems can use technology and innovative programs to increase access to justice.

I. LITERATURE REVIEW AND BEST PRACTICES

The number of self-represented litigants in civil courts across Massachusetts and the United States represents a serious challenge in ensuring all court users receive fair and equal access to justice. With attorneys' fees often unaffordable and legal aid organizations' capacities too strained to take on every case that needs help, many court users are left with no option but to represent themselves. Forced into complex court processes with insufficient guidance, self-represented litigants (SRLs) are, on average, less successful in obtaining favorable legal outcomes than those litigants with attorneys. The growth in this disparity risks creating a two-tiered civil legal system where represented litigants receive favorable or at least fair treatment while those without representation cannot navigate the complexity of court processes let alone exercise their legal rights. Uneven access to justice threatens the foundational identity of our civil court system as a body that strives to administer justice without consideration to the wealth, influence, or stature of litigants.

The scale of this challenge is daunting as SRLs also appear to represent the majority of litigants in civil court proceedings, especially in family, housing, and consumer law. In Massachusetts alone, between 50 to 75% of all litigants in Probate & Family Court were unrepresented in 2015.³ In Housing Court in Massachusetts in 2018, 90.3% of tenants and 37.7% of landlords similarly went unrepresented.⁴ Although the exact number of self-represented litigants in civil cases nationwide is difficult to determine, a 2015 survey of cases in state courts across the United States found that in 76% of civil cases at least one party did not have an attorney.⁵ The case types where SRLs appear are relatively consistent as well. According to the literature on SRLs, the most common types of cases where litigants must represent themselves are small claims, housing, and family law cases.⁶ In family law, most litigants go unrepresented in divorce, custody, guardianship, and domestic violence cases.⁷

The reasons that litigants forego representation are multifaceted, reflecting primarily financial constraints, and to a lesser extent, conscious decisions to navigate court processes independently. Although SRLs are sometimes successful in representing themselves, many experience confusion and frustration with court processes which lead to measurably worse case outcomes for SRLs.⁸ Frustrations with court processes may also lead to negative feelings toward the legal system. With massive expansions of free or low-cost legal representation in civil cases unlikely, state courts will need to leverage technology and existing self-help practices to provide

3 "Final Report of the Second Massachusetts Access to Justice Commission" (Massachusetts Access to Justice Commission, April 2015), 7, <https://www.mass.gov/files/documents/2016/08/qf/massachusetts-access-to-justice-commission-final-report-april-2015.pdf>.

4 "Housing Court Department, Fiscal Year 2018 Statistics: Additional Departmental Statistics," 2018, <https://www.mass.gov/files/documents/2018/10/01/2018%20Housing%20Court%20Self-Represented-Represented%20Litigants%20by%20Court%20Location.pdf>.

5 Rebecca Love Kourlis and Riyaz Samnani, "Court Compass Report: Mapping the Future of User Access through Technology" (Institute for the Advancement of the American Legal System, May 2017), 1, https://iaals.du.edu/sites/default/files/documents/publications/court_compass_mapping_the_future.pdf.

6 John Greacen, "Self Represented Litigants and Court and Legal Services Responses to Their Needs: What We Know" (Center for Families, 2003), 2, <http://www.courts.ca.gov/partners/documents/SRLwhatweknow.pdf>; James Sandman and Glenn Rawdon, "Trends in State Courts: Technology Solutions to Increased Self-Representation." National Center for State Courts" (National Center for State Courts, 2014), 55, https://www.ncsc.org/~media/Microsites/Files/Future%20Trends%202014/Technology%20Solutions%20to%20Increased%20Self-Rep_Sandman-Rawdon.ashx.

7 Greacen, 2.

8 Poppe and Rachlinski, 925

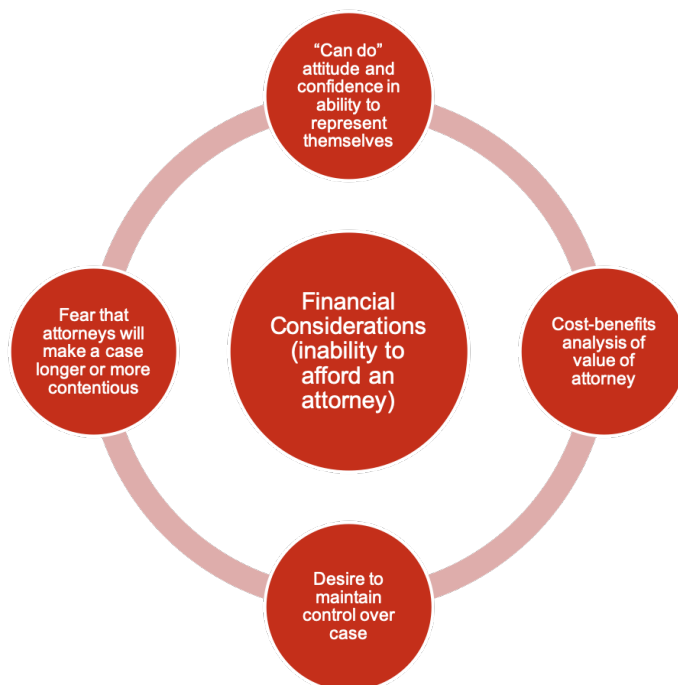
as much assistance to as many self-represented litigants as possible.

This section will outline the ways that academic research and other studies have addressed the topic of self-represented litigants and the possibility for providing legal assistance in digital formats. The first subsection explores the literature's surveys of why litigants choose to self-represent and the effects that not having an attorney can have on their experiences in court. The second subsection examines how technology can be used to increase access to justice for SRLs. Finally, in the third and fourth subsections we explore the best practices for online self-help resources and the current condition of state court self-help websites across the United States.

A. Why do litigants self-represent in civil cases?

Although the decision to self-represent in civil matters is complex and can involve several factors, being unable to afford an attorney is the most common cause, especially for low-income court users.⁹ According to multiple studies conducted on SRLs, the most commonly cited factors motivating self-representation are (1) financial considerations; (2) negative perceptions of attorneys; and (3) the desire to self-represent.¹⁰ Although financial considerations are by far the most impactful, these factors are multifaceted and not mutually exclusive.

Figure 1.1: Why do litigants choose to represent themselves?



9 "The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans" (Legal Services Corporation, June 2017), 6, <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-FullReport.pdf>.

10 Greacen, 3-5, 8; Natalie Anne Knowlton et al., "Cases without Counsel: Research on Experiences on Self-Representation in U.S. Family Court" (Institute for the Advancement of the American Legal System, May 2016), 12, https://iaals.du.edu/sites/default/files/documents/publications/cases_without_counsel_research_report.pdf.

1. Financial considerations

Financial concerns are a key factor in determining whether or not litigants will seek representation.¹¹ Given the high prices attorneys charge for their services in civil cases and the lack of access to legal aid, many low to middle income litigants are unable to afford counsel.¹² Similarly, some SRLs have incomes too high to qualify for free legal aid, but too low to afford an attorney out of pocket.¹³ Other litigants may be able to pay for an attorney in theory, but the cost of representation may be too much of a burden for themselves or their families. In these cases, litigants often make a cost-benefit analysis, determine that the price of an attorney is simply too high, and decide to devote their efforts to self-representation instead.¹⁴

2. Litigants' desire to represent themselves and distrust of attorneys

Although financial considerations are the most important factor in self-representation, a minority of SRLs consciously decide to represent themselves, reflecting both a subjective judgment of the complexity of their own cases and a “can-do” attitude.¹⁵ This decision to self-represent is especially frequent in cases that litigants view as simple or not contentious, such as an uncontested divorce.¹⁶ Some SRLs are also highly educated and feel confident in their own ability to manage their legal proceedings.¹⁷ Similarly, some litigants may not recognize their case as a legal matter, leading them to believe a lawyer is unnecessary or even inappropriate.¹⁸

Although most litigant self-represent due to necessity, a minority simply do not want attorneys involved in their cases. Litigants sometimes believe that attorneys will only make an intensely personal family law case more contentious and harmful to their relationship with a former partner or relative.¹⁹ Similarly, litigants looking for a rapid conclusion to their cases often fear that attorneys will drag out cases through unnecessary filings, motions, and contestations.²⁰ Finally, some SRLs may forego representation due to a belief that an attorney will detract from their ability to control their case.²¹

B. What are the effects of self-representation?

SRLs frequently find themselves disadvantaged by their efforts at self-representation. SRLs have difficulty navigating court processes due in part to their own unfamiliarity with the legal system and what they perceive as unwelcoming attitudes from some judges and attorneys. These factors contribute to markedly worse outcomes for SRLs in civil cases and regularly foster frustration, anxiety, and resentment in court users.

11 Knowlton et al., 12; “The Justice Gap,” 6-7.

12 Knowlton et al., 12-15.

13 Knowlton et al., 15.

14 Knowlton et al., 15; Greacen, 3.

15 Knowlton et al. 21.

16 Knowlton et al., 16, 18-19; Greacen, 3-4.

17 Knowlton et al., 9; Greacen, 3.

18 “The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans,” (Legal Services Corporation, June 2017), 3.

19 Knowlton et al., 18, 21.

20 Greacen, 5; Knowlton et al., 21-22.

21 Knowlton et al., 19.

1. The practical effects of self-representation

Most SRLs encounter similar obstacles in their efforts to manage their own cases, all of which lead to SRLs receiving less favorable outcomes when compared to those litigants who are represented.²² SRLs regularly struggle with their proceedings due to their unfamiliarity with both court processes and the technical legal language employed by judges, court staff, and attorneys.²³ SRLs may also have difficulty with basic practices such as how to behave in courtrooms and what clothes to wear due to a lack of exposure to the legal system.²⁴ As a result of not knowing what to expect in court, SRLs regularly struggle to prepare questions and submit evidence that is crucial to their cases to the court.²⁵ These difficulties may connect to a lack of education among some SRLs, but in many cases, it is due to a lack of available information about how cases will proceed and what types of evidence are needed.²⁶ All of these factors, especially challenges related to the submission of evidence, can have negative impacts on SRLs' receiving favorable judgements from the legal system.²⁷

In addition to presenting their cases effectively in court proceedings, SRLs also have difficulty filling out the required paperwork for their cases. SRLs may not know they need to complete certain forms for their cases or may complete their paperwork incorrectly.²⁸ Without legal advice or guidance, SRLs regularly find themselves confused and overwhelmed by the forms they have to submit for their cases.²⁹ Issues with completing forms and submitting motions are not simple fixes as they can delay or disrupt SRLs' cases.³⁰ Confusion over paperwork can also lead to negative outcomes for SRLs, such as missing deadlines or failing to complete filings that would support their cases.³¹ Without access to legal aid or guidance, SRLs are left with few tools to help them navigate the paperwork or processes their cases involve.

Finally, SRLs regularly perceive unwelcoming attitudes from lawyers, judges, and court staff due to their lack of representation. In the studies and research examined for this report, SRLs report some judges do not take their efforts at self-representation seriously and may encourage, or in some cases order, them to obtain counsel.³² SRLs feel to be at a particular disadvantage when the adverse party has obtained counsel and they notice personal relationships between attorneys and judges.³³ Unsurprisingly, SRLs report feeling intimidation and anxiety when they are forced to argue their cases against trained legal professionals.³⁴

22 Poppe and Rachlinski, 925; Knowlton, at 44.

23 Julie Macfarlane, "The National Self-Represented Litigants Project: Identifying and Meeting the Needs of Self-Represented Litigants" (Treasurer's Advisory Group on Access to Justice, May 2013), 95, https://lawsocietyontario.azureedge.net/media/lso/media/legacy/pdf/s/self-represented_project.pdf.

24 Macfarlane, 99.

25 Taylor Poppe and Rachlinski, 925; Knowlton et al., 31; Macfarlane, 56-69.

26 Taylor Poppe and Rachlinski, 925.

27 Knowlton et al., 44.

28 Knowlton et al., 2; Macfarlane, 56-69; Joy Moses, "Grounds for Objection: Causes and Consequences of America's Pro Se Crisis and How to Solve the Problem of Unrepresented Litigants" (Center for American Progress, June 2011), 5, <https://cdn.americanprogress.org/wp-content/uploads/issues/2011/06/pdf/objection.pdf>.

29 Moses, 5.

30 Knowlton et al., 30-31.

31 Knowlton et al., 31.

32 Macfarlane, 99.

33 Knowlton et al., 44.

34 Rebecca L. Sandefur and Thomas M. Clarke, "Roles Beyond Lawyers: Summary and Recommendations of an Evaluation of the New York City Court Navigators Program and Its Three Pilot Projects," December 2016, 15-16, http://www.americanbarfoundation.org/uploads/cms/documents/new_york_city_court_navigators_executive_summary_

2. The experience of self-representation

Without guidance or legal assistance, self-represented litigants also feel intimidated by their court proceedings. SRLs regularly report feeling alone in their efforts to navigate what can be an extremely complex and confusing legal system.³⁵ This high level of stress and anxiety further complicates SRLs' ability to effectively present their cases before the court. All in all, these experiences leave SRLs feeling "frustrated, lost, disempowered, and disillusioned."³⁶ Feeling lost or overwhelmed creates additional feelings of stress and anxiety related to often deeply personal civil cases.³⁷ SRLs often experience anxiety while they speak in court and leave their proceedings feeling shaken and humiliated.³⁸ These feelings may continue for days or even weeks afterwards.

Given these negative emotions and demonstrably worse case outcomes, SRLs frequently report a loss of faith and confidence in the judicial system.³⁹ SRLs frequently view the courts as unfairly biased against them simply because they were unable to afford an attorney to represent them in their cases.⁴⁰ SRLs also report a lack of confidence in the fairness of the judicial system and a sense that it is prejudiced against them despite what may be valid legal claims.⁴¹ SRLs may feel excluded by legal processes, especially when they are unaware of obscure rules or details that a litigant with an attorney might have been able to take advantage of.⁴² These attitudes may further discourage litigants and other individuals without the means to pay for an attorney from seeking courts' assistance with their legal issues.

C. Principles for online self-help platforms

Despite the serious challenges associated with SRLs' navigation of the courts, research has identified numerous ways in which online self-help tools can improve SRLs interactions with the legal system. On a systemic level, programs for SRLs should be as comprehensive as possible while maintaining a user-friendly design for SRLs. Similarly, self-help solutions should also be accessible for SRLs with Limited English Proficiency (LEP), disabilities, or lower levels of education. To further improve self-help programs, policy solutions should both increase the awareness of existing resources for SRLs and create a feedback loop in which users can indicate what tools have the most utility for them.

The ideal self-help ecosystem for SRLs should be comprehensive.⁴³ Such a system would provide "one-stop shopping" for SRLs where they can diagnose their legal issues, learn about their rights and potential outcomes, access resources and attorneys, and submit documents to courts.⁴⁴ In

final_with_final_links_december_2016.pdf.

35 Knowlton et al., 44.

36 "Court Compass Report: Mapping the Future of User Access through Technology," 2.

37 Knowlton et al., 30-37.

38 Macfarlane, 95.

39 Macfarlane, 110-111.

40 Rebecca L. Sandefur and Thomas M. Clark, "Roles Beyond Lawyers," 36-37.

41 Knowlton et al., 31-32.

42 Knowlton et al. 31-32.

43 Phil Malone et al., "Preliminary Report: Best Practices in the Use of Technology to Facilitate Access to Justice Initiatives" (Berkman Center for Internet & Society at Harvard University, July 30, 2010), 13, https://cyber.harvard.edu/sites/cyber.harvard.edu/files/A2J_Report_Final_073010.pdf.

44 "Preliminary Report", Appendix A, 1; J. David Griener, Dalie Jimenez, and Lois Lupica, "Self-Help, Reimagined," *Indiana Law Journal* 92, no. 3 (2017): 1146-51.

a more advanced form, this centralized hub would also allow SRLs to track their cases, receive actionable alerts, and engage in the mediation and resolution of cases, including enforcing judgment.⁴⁵ Although maintaining a comprehensive repository of self-help resources and solutions is important, these tools must be user-friendly or else risk creating an unnavigable, confusing tangle of information and features for SRLs. Tools should be intuitive and streamlined, including the interface for websites.⁴⁶ Websites should also be navigable, meaning that users can easily move through topics and sections, while maintaining uniform, consistent, and coherent design.⁴⁷

Accessibility is also key to ensuring that self-help solutions are both physically available and comprehensible to SRLs. On a basic level, friendly tools should be plain language as well as multilingual.⁴⁸ For visually impaired or low-literacy users, multimedia resources such as videos and other audio-visual features allow greater access.⁴⁹ Finally, for those who may not have access to a computer or internet in their homes, self-help solutions should include publicly available technology, such as tablets in courthouses or computer access terminals in public spaces like libraries.⁵⁰

To be fully realized, self-help solutions for SRLs must have an outward facing orientation and accept feedback from their users. Self-help tools' utility depends on SRLs' awareness of their existence. As such, self-help programs should include components that publicize their effectiveness to SRLs both inside and outside of courthouses.⁵¹ A feedback loop between those administering self-help programs and SRLs can ensure that existing solutions are meeting the needs of those they are meant to serve. Multiple tools can collect this information, including exit surveys, individual interviews, or focus groups.⁵² This feedback is most useful when cross tabulated by demographic information and stored in databases for future comparison and evaluation.⁵³ After collecting this information, administrators can adjust self-help solutions to ensure that they are serving SRLs effectively.

D. Best practices for online help for self-represented litigants

The key components of any self-help center, including the Virtual Court Service Center, are the programs and tools that SRLs interact with to help them with their cases. Examining applied research and the programs of other state courts, there are consistent online features and practices that can empower SRLs in their efforts at self-representation. These best practices include online triage, LiveHelp services, document assembly programs, accessible online resources, navigable websites, and the collection of these programs in fully functional self-service portals.

45 "Preliminary Report," Appendix. A, 1-2.

46 "Preliminary Report," 7-12.

47 "Preliminary Report," 7-12, 18. Griener et al., 1134, 1154, 1158-1160. "Preliminary Report," 17.

48 Griener et al., 1134-1138, 1142, 1156-1158; Dana D. Dyson and Kathryn Schellenberg, "Access to Justice: The Readability of Legal Services Corporation Legal Aid Internet Services," *Journal of Poverty* 21, no. 2 (June 15, 2016): 142.

49 "Preliminary Report," 18-19.

50 Rochelle Klemptner, "The Case for Court-Based Document Assembly Programs: A Review of the New York Court System's 'DIY' Forms," *Fordham Urban Law Journal* 41, no. 4 (March 2016): 1222-23.

51 Klemptner, 1222-1224.; "Preliminary Report," 31.

52 "Preliminary Report," 32.

53 Jennifer Romano Bergstrom and Jonathan Strohl, "Improving Government Websites and Surveys With Usability Testing and User Experience Research," 2013, 7, https://nces.ed.gov/FCSM/pdf/A3_RomanoBergstrom_2013FCSM.pdf.

Figure 1.2 Online triage using a chatbot for housing law cases from Idaho Legal Aid Services, Inc

Are you a tenant or a landlord?

Tenant

Are you living in Idaho?

Yes

Will you be representing yourself if the issue goes to court?

Yes

No

This section will outline both the research into the programs that best serve SRLs and how these best practices manifest in existing state courts' self-help websites. The final portion of this section will review the online resources available from courts in all fifty states. Each of the features discussed represents important practices to consider in the development of a Virtual Court Service Center in Massachusetts. Based on Massachusetts' existing resources and the feasibility of implementation, LiveHelp services, document assembly programs, and easier-to-navigate self-help resources represent the most promising starting points for a VCSC.

1. Online triage

Automated or online triage is a key feature in ensuring that remote court self-help services direct users to the proper self-help resources. Generally, triage refers to connecting users to the proper resources or the specialized in-person assistance they require for their case type. Triage can also include sorting complex and simple

cases to reduce staff time spent dealing with easily answered questions at remote or in-person help centers. Online triage seeks to replicate this service on a court webpage or helpline.

Effective online triage skips the step of in-person review and immediately refers a request for assistance to the appropriate resources or department.⁵⁴ Although these processes can follow several models, users generally answer a series of questions or select their case type before being routed to informational materials or being connected to LiveHelp services such as phone lines or chat services. The use of chatbots, computer programs that can have basic conversations with a user, can also eliminate the need for staff-directed triage and automatically sort litigants seeking assistance.⁵⁵

In their most advanced form, these systems take basic information provided by users and direct them to the case-specific services they need, such as representation, legal information, or interactive programs.⁵⁶ Online triage not only ensures that users are receiving the most relevant information for their cases but also reduces staff time spent discerning what type of case a user has and what type of assistance he or she needs. At the same time, automated triage's deployment on digital self-help portals should not prevent users from identifying their own legal issue or from being able to retrace their steps to find a different type of legal guidance or assistance.⁵⁷ This flexibility prevents user error from reducing navigability.

54 "Preliminary Report," 49.; Knowlton et al., 10.

55 "Delivering Better Tools to Self-Represented Litigants: Tips for Websites and Document Assembly" (2017 Equal Justice Conference, Pennsylvania, 2017) https://www.americanbar.org/content/dam/aba/directories/pro_bono_clearinghouse/ejc_2017_11.pdf.

56 Thomas M. Clarke, Richard Zorza, and Katherine Alteneder, "Triage Protocols for Litigant Portals: A Coordinated Strategy Between Courts and Service Providers" (National Center for State Courts, December 2013), 5, <https://ccj.ncsc.org/~media/Microsites/Files/CCJ/Web%20Documents/Civil%20Justice%20Initiative/Clarke%202014%20TriageGM.ashx>.

57 Clarke et al., "Triage Protocols for Litigant Portals," 17.

Most existing state court self-help websites do not use online triage. Given that most state court websites only have informational resources and not interactive tools, they do not require a complex system of triage to prevent LiveHelp services from being overwhelmed. The closest most state court websites come to triage is homepages that are intentionally designed to direct users to resources for specific case types and, when present, interactive resources. Similarly, the search function on many websites acts as an initial form of triage for those users looking for specific self-help materials.

Although examples of triage on state court websites are relatively sparse, Alaska's and Maryland's self-help websites provide the best examples of basic triage systems since both states offer LiveHelp services to court users through their websites. In the Maryland People's Law Library, a menu on the top of the homepage offers three separate options for website users. In allowing users to choose between legal services, LiveHelp, and self-help materials, the webpage allows users to both quickly find what they need and encourages them not to reach out to LiveHelp services for basic questions that can be answered by the list of common concerns on the far left of the menu. Similarly, the Alaska Family Law Self-Help Center also provides a disclaimer that users should read the website before calling the self-help phone line.

Figure 1.3: Introduction for homepage of Maryland People's Law Library

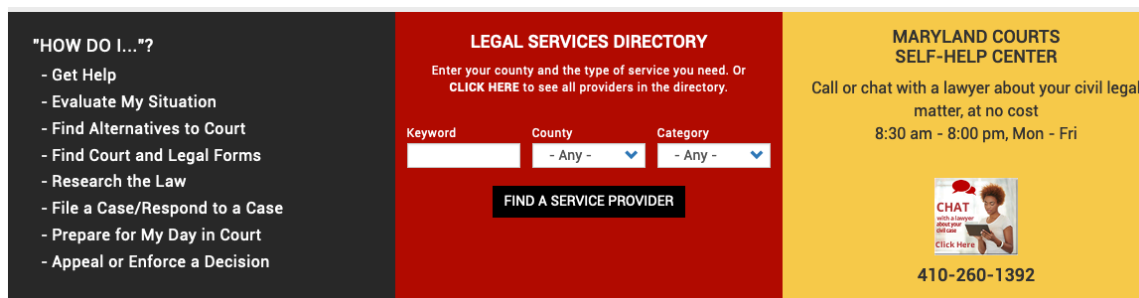


Figure 1.4: Alaska Family Law Self-Help Center disclaimer

How do I get help from the Family Law Self-Help Center?

The Center provides services in 2 ways:

1. this website which includes detailed information and forms for each stage of the case
2. a statewide toll-free telephone [Helpline](#) which is staffed by highly trained court employees who can speak to you about your case. The Helpline is very busy. **We encourage you to read the information on this website before calling - the answer to your question may be easier to find than you think.** If you decide to call for help with filling out a form, be sure to print it out and have all of your other paperwork handy.

If you need help with an existing Alaska court case, **please have your case number when you call the FLSHC.** If you do not have the case number, you may [look it up](#).

2. LiveHelp

Although online features such as document assembly programs and self-help resources have the potential to assist many SRLs, a significant portion of litigants, especially those with limited technological skills, will always require direct assistance from self-help centers. Self-help services, however, can be provided remotely through LiveHelp programs. Live assistance via phonelines and web-based platforms allows for more efficient use of self-help centers' staff time and represents an important complement to automated services.⁵⁸ LiveHelp services fill in the gaps of self-help websites by giving users an option to receive human assistance on questions that are too specific to their individual cases to be answered through self-help materials.

LiveHelp can include an array of services including phone lines, video chat, and messaging via self-help webpages. Although not digital, phone lines are still the most powerful tool for LiveHelp services. Phone lines ensure accessibility as chat services tend to favor those who are educated and technologically literate.⁵⁹ Phone lines also can allow for deeper connections with court users who may prefer a level of human interaction to legal processes completed entirely online.⁶⁰ At the same time, chat services are the most efficient method as they allow staff or automated systems to send pre-written text with legal information and guidance to users.⁶¹

Online self-help services with the option for receiving services through messaging or phone lines also report higher user satisfaction from webpages than those provided without LiveHelp.⁶² Besides user satisfaction, these programs also show evidence of real-world effectiveness. A study of a videoconferencing system for SRLs in California found that 70% of those receiving remote assistance filed forms related to their cases and 80% obtained relief in their cases.⁶³ Similarly, 84 to 89% of SRLs in Utah who received remote assistance for divorce cases successfully completed their cases in a timely fashion.⁶⁴ Both of these studies indicate how LiveHelp services not only inform court users but also empower them to take practical steps to resolve their cases efficiently.

58 "Preliminary Report," 49.

59 Sarah Coffrey Frush, (2018, 5 October). Phone interview with J. Hofstetter.

60 Sarah Coffrey Frush, (2018, 5 October).

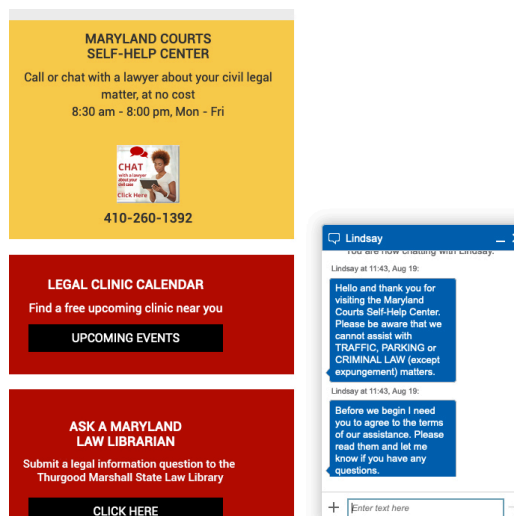
61 Sarah Coffrey Frush, (2018, 5 October); Lonni Kyhos Summers (2018, 27 December). Phone interview with J. Hofstetter.

62 "Preliminary Report," 51.

63 John Greacen, "Serving Self-Represented Litigants Remotely: A Resource Guide" (Self-Represented Litigation Network, July 1, 2016), 24, https://www.srln.org/system/files/attachments/Remote%20Guide%20Final%208-16-16_0.pdf.

64 John Greacen, "Serving Self-Represented Litigants Remotely: A Resource Guide," 23.

Figure 1.5: LiveHelp from Maryland Courts Self-Help Center webpage



Minnesota, Utah, Maryland, and Alaska all offer LiveHelp services while a larger number of states offer users chat programs with law librarians or the phone lines of clerks' offices. Although direct communication with law librarians is helpful to SRLs, it does not represent the same level of assistance offered by dedicated centers of attorneys and paralegals to answer the legal questions of SRLs. Maryland's People's Law Library, Minnesota's Self-Help Centers and Utah's Self-Help Center all offer LiveHelp assistance via phone, messaging/email, and in the case of Utah, texting. Alaska only offers a phone line for court users to call.

Figure 1.6: Utah Self-Help Center LiveHelp information

Self-Help Center Services

The [Self-Help Resources page](#) provides information and forms for many kinds of cases.

Email

Monday - Thursday
11:00 am - 5:00 pm

selfhelp@utcourts.gov

Toll-free Telephone Help Line

Monday - Thursday
11:00 am - 5:00 pm

888-683-0009

The help line is very busy.

Look for information on the [Self-Help Resources page](#) before calling - the answer to your question may be easier to find than you think.

[State Law Library](#) staff can help you navigate the courts' website.

Text

Monday - Thursday
11:00 am - 5:00 pm

801-SHC-1TXT (801-742-1898)

3. Guided interviews and document assembly programs

Guided interviews and document assembly programs are two related features that enable court users to easily fill out forms and find appropriate self-help materials with limited in-person assistance.⁶⁵ Guided interviews refer to programs that allow users to answer questions and enter information regarding their case in an easy-to-understand process. This information can either direct users to appropriate self-help resources or be used for the completion of document assembly programs.⁶⁶ If used for document assembly programs, the information collected is mapped onto a set of documents which is delivered to the user at the end of the session. Through this system, users can finish an online interview with a complete set of legal forms for their cases that they can either e-file or submit to the court.⁶⁷

Guided interviews and document assembly programs are powerful tools for online self-help since they “convey simple, organized information and guidance” in an accessible manner for SRLs without the need for court staff assistance.⁶⁸ The use of background questions also provides a form of triage that blocks users who have different case types from filling out incorrect forms. Similarly, the autofill features of document assembly programs ensure the correct completion of court forms and reduce user uncertainty about what information goes where. For court staff, auto-complete forms can reduce the amount of staff time spent filling out forms for litigants. A study of interactive forms provided by Idaho Legal Aid Services confirmed that document assembly programs saved both SRLs’ and clerks’ time and reduced the number of SRL-filled out forms that were rejected by courts.⁶⁹

Several state courts and many legal aid organizations currently use document assembly programs to assist SRLs in filling out the paperwork they need for their cases. Among state court websites, both Oregon’s iForms program and New York’s Do-It-Yourself (DIY) collection of forms represent models for how state courts can leverage document assembly programs to aid SRLs. Both webpages give court users the opportunity to complete legal forms in accessible and easy-to-understand formats for housing and family law cases.

The Oregon Courts’ Self-Help Center webpage allows users to complete interactive forms for a range of types of civil cases. This document assembly program, known as iForms, allow users to select their case type and then fill in fields that are mapped onto legal forms that can be e-filed with the court online. The online forms are available for a range of cases including family, small claims, eviction, and restraining orders. In addition, the ability to e-file forms completed online provides users with the added convenience of not having to print out forms and then file them.

65 “Preliminary Report,” 24.

66 “Preliminary Report,” 16.; Knowlton et al., 9.

67 Document assembly programs use specially designed software such as Access to Justice Author, a program developed specifically for guided interviews and document assembly (a full discussion of this program and its components can be found in the Berkman Center’s report that was prepared for the Trial Court in 2010).

68 “Preliminary Report,” 16.

69 Richard Zorza. “Idaho Legal Aid Interactive Forms Evaluation” (Idaho Legal Aid Services, October 2010), 18.

Figure 1.7: Oregon interactive online form home

OJD iForms

ONLINE SERVICES

- OJCIN OnLine
- OJD Courts ePay
- OJD Records and Calendar Search
- OJD eFile
- Appellate eFile
- OJD iForms**

Interactive Online Forms

Using Odyssey Guide & File

Oregon circuit courts now provide interactive forms (iForms) for self-represented individuals to electronically complete, file, and respond to cases. Using Guide & File tools in an online self-guided interview process, filers can generate completed court forms on any computer.

[Start Now](#)

OJD iForms are currently available for the following cases:

- Family Cases** - divorce, children, separation, parenting plan, etc. Create a parenting plan that you can use on your own, or with the court as part of a family case.

Figure 1.8: Oregon document assembly page through iForm system

Petitioner's Information
Enter your information below

You can use the "TAB" key to move between fields, but you have to use the mouse to click "NEXT" when you are ready to advance to the next screen

Your Name (Petitioner)

First * Middle Last * Suffix

First Middle Last [Select]

Your Date of Birth * **Age**

MM/DD/YYYY

The Respondent will receive a copy of this information. If you do not want the Respondent to have your residential address or telephone number, use a contact address in the state where you reside or a contact telephone number so the court can reach you if necessary. The court assumes you receive all notices sent to your contact address, so please check for mail at this address frequently.

Notify the court in writing if your contact address changes or if you want to receive mail at a different address

Enter your contact address

Address * Apartment/Unit

Street Address Apt./Unit

City * State * Zip Code *

City OR 12345-6789

Enter your phone number
Use a SAFE contact number *

###-###-####

Using the DIY program, residents of New York can select their case type and complete a document assembly program to initiate their cases. The DIY Forms webpage allows users to complete forms for a range of civil cases including family, housing, and consumer debt cases.

Figure 1.9: DIY Forms homepage

These computer programs ask you questions. The program then uses your answers to make a form for your case or to make an information sheet to help you in court. These programs are not e-fileable. Your paper must be printed, then filed at the Court.

Available DIY Forms		
NYS DIY Forms are only for court users who don't have a lawyer and legal services and pro bono attorneys and staff helping clients who cannot afford lawyers. Commercial use is prohibited and no one may charge for using these programs. When you begin the program, you will be asked to accept these terms of use.		
Case type	Program	Court
Divorce	Uncontested Divorce	Supreme Court
Custody/Visitation	Custody/Visitation Enforcement Petition Custody/Visitation Modification Petition	Family Court
Child Support	Support Modification and Enforcement/Violation Program	Family Court
Paternity	Paternity Petition Petición de Paternidad (Paternity Petition in Spanish)	Family Court
When Someone Dies	Safe Deposit Box Petition Small Estate Affidavit	Surrogate's Court
Guardianship	Guardianship Article 17A	Surrogate's Court

The DIY Forms webpage also provides a version of triage by first providing an informational screen about the document assembly program the user is about to utilize. In order to ensure users are filling out the correct forms, the DIY Forms also employ a rigorous set of screening questions. New York does not currently permit e-filing, so users must print out the packet of forms they receive at the end of the program and bring it to court for filing. Beyond being well-designed and intuitive to use, the DIY Forms have shown success through evidence-based research. A study specific to DIY Forms also found that litigants found them easy-to-use, empowering, and helpful in moving their cases forward.⁷⁰

Figure 1.10: Informational page preparing user to complete DIY Form


Information Checklist

You will need the following information with you when you use this program:

- The name, previous last names (if any), current address, social security number, and phone number of the person you want to divorce.
- A copy of your marriage certificate.
- If you have any of the following: Settlement Agreement, Order of Protection, etc.
- If you have an extreme financial hardship and can't afford the court fees: information about your income, the things you own, and how much you spend a month on utilities and rent.

[Download and print the checklist](#) of information you will need to complete this program.

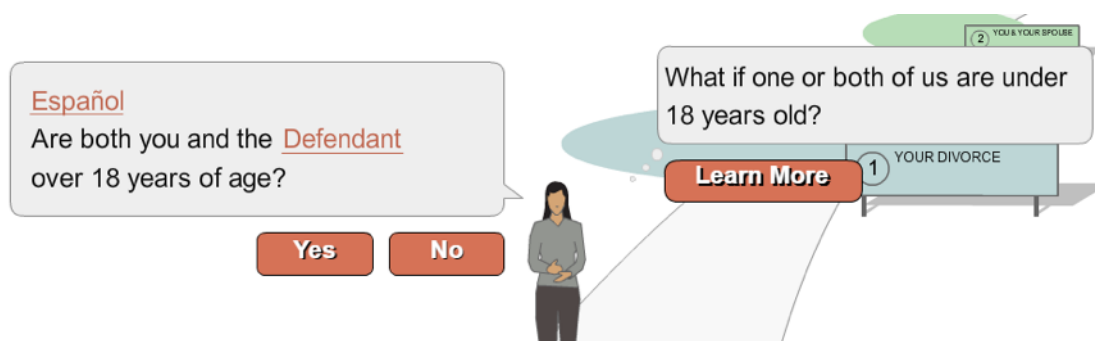
Start


[Uncontested Divorce Program](#)

Note: You will be taken to our partner website called LawHelp Interactive.

⁷⁰ Rochelle Klempner, "The Case for Court-Based Document Assembly Programs: A Review of the New York Court System's 'DIY' Forms," *Fordham Urban Law Journal* 41, no. 4 (March 2016): 1198–1214.

Figure 1.11: Guided interview at start of program to ensure eligibility

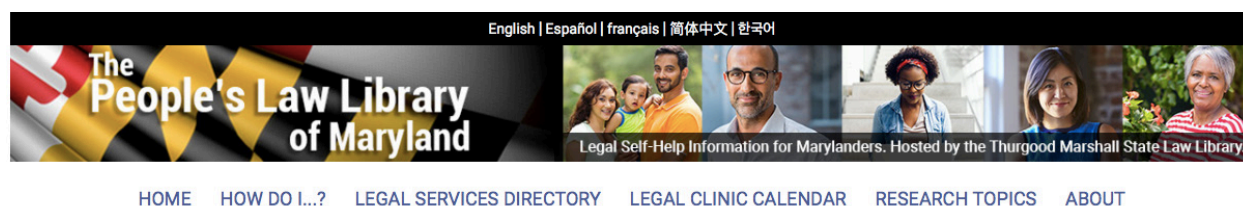


4. Accessibility

As mentioned in the previous subsection, accessibility ensures that self-help solutions have utility for the wide range of SRLs from diverse backgrounds who will be using them. Although accessibility can encompass several categories, it primarily refers to tools and resources that are both physically available and comprehensible to SRLs. Self-help resources should be multilingual for LEP users as well as accessible for users with disabilities.⁷¹ For all users of online self-help services, resources and programs should be mobile-optimized and use techniques such as pop-ups and how-to guides to ensure that resources are easy to understand and use.

The growing number of court users who are LEP will also continue to require tools and information pages that can be entirely translated into common languages.⁷² Translation can be a slow and expensive process, so the best language access strategies first complete the translation of key phrases and of particularly key disclaimers or documents.⁷³ For LiveHelp tools such as phone lines and messaging, interpretation is also necessary either through the use of bilingual staff or telephonic interpretation services. For users with disabilities, features such as voice chats or pages that can be read back to users are necessary.⁷⁴ Videos, audio, and PowerPoint presentations can also increase access to sites for users with disabilities.⁷⁵ The benefits of these features are not limited to users with disabilities, however, as videos and other audio-visual features allow greater access for low-literacy users.⁷⁶

Figure 1.12: Options for different languages on the People's Law Library of Maryland



⁷¹ "Preliminary Report," 18.

⁷² "Preliminary Report," 18.

⁷³ "Preliminary Report," 13.

⁷⁴ "Preliminary Report," 21.

⁷⁵ "Preliminary Report," 21.

⁷⁶ "Preliminary Report," 18-19.

Figure 1.13: Informational videos from Indiana Judicial Branch's Self-Service Legal Center webpage



All online self-help resources need to be accessible and easy to use on mobile devices.⁷⁷ Mobile-friendly tools are more convenient for many users as they allow litigants to access information or tools anywhere and at any time and not just when they have access to a laptop or desktop computer. Mobile-friendly tools also create more inclusive self-help resources since many of those people who depend on their smartphones for internet are from lower socioeconomic backgrounds.⁷⁸ At the same time, there will continue to be segments of the populations using civil courts that do not have any access to reliable internet. As such, self-help solutions should include publicly available technology in courthouses, along with computer access terminals in other public spaces.⁷⁹

In addition to ensuring that those with lower levels of English proficiency, literacy, and internet access can utilize online self-help resources, there are several practical techniques online self-help resources should use in order to ensure they are useful for those with lower levels of technological literacy and legal knowledge. Courts' self-help pages should avoid the use of hyperlinks and limit the number of PDFs presented to users. Hyperlinks that navigate users away from the page they are using reduce the navigability of resources, especially for those with limited experience using technology.⁸⁰ Similarly, PDFs often lead to users becoming "lost" and are often difficult for users to read online.⁸¹ PDFs also reduce how "searchable" terms and phrases can be on websites.⁸²

77 "Court Compass Report: Mapping the Future of User Access through Technology," 12.; "Delivering Better Tools to Self-Represented Litigants: Tips for Websites and Document Assembly" (2017 Equal Justice Conference, Pennsylvania, 2017), 42.

78 "Internet/Broadband Fact Sheet" (Pew Research Center, February 5, 2018), <http://www.pewinternet.org/fact-sheet/internet-broadband/>.

79 Rochelle Klempner, "The Case for Court-Based Document Assembly Programs: A Review of the New York Court System's 'DIY' Forms," 1222-1223.

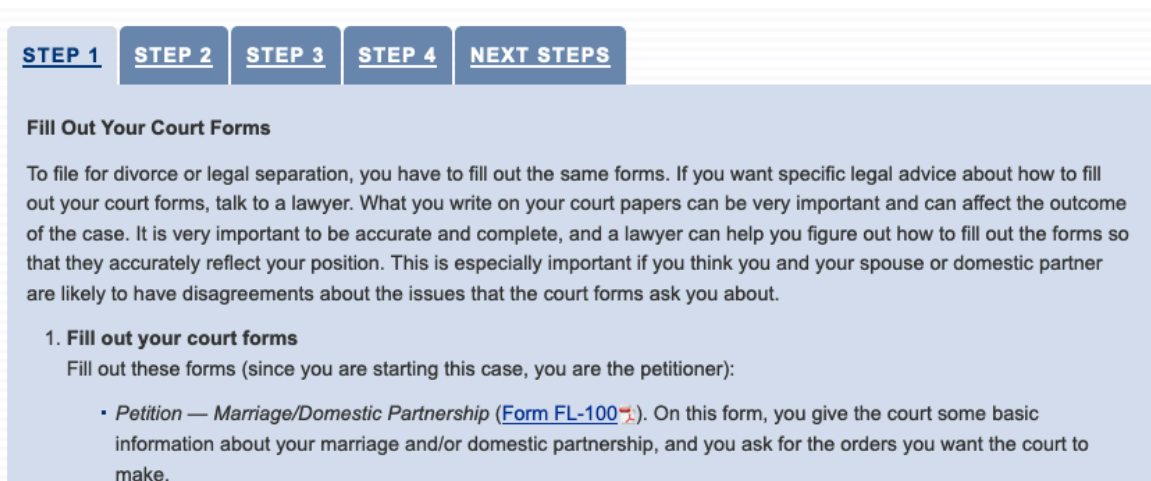
80 "Delivering Better Tools to Self-Represented Litigants: Tips for Websites and Document Assembly," 39.

81 "Delivering Better Tools to Self-Represented Litigants," 3.

82 "Delivering Better Tools to Self-Represented Litigants," 3.

Self-help websites should also provide orientation for users who are unfamiliar with the court system and the legal processes for their case. How-to guides that provide simple, step-by-step guidance give users an opportunity to understand the broader process into which their forms, filings, and court dates fit. Even more basic information, such as how to dress in court and how to speak to judges can be useful for SRLs who are often intimidated by and unfamiliar with court processes. Currently, 44% of all state courts' self-help pages contain these basic orientation materials.

Figure 1.14: Step-by-step guide on divorce from the California Courts Self-Help Center



STEP 1 **STEP 2** **STEP 3** **STEP 4** **NEXT STEPS**

Fill Out Your Court Forms

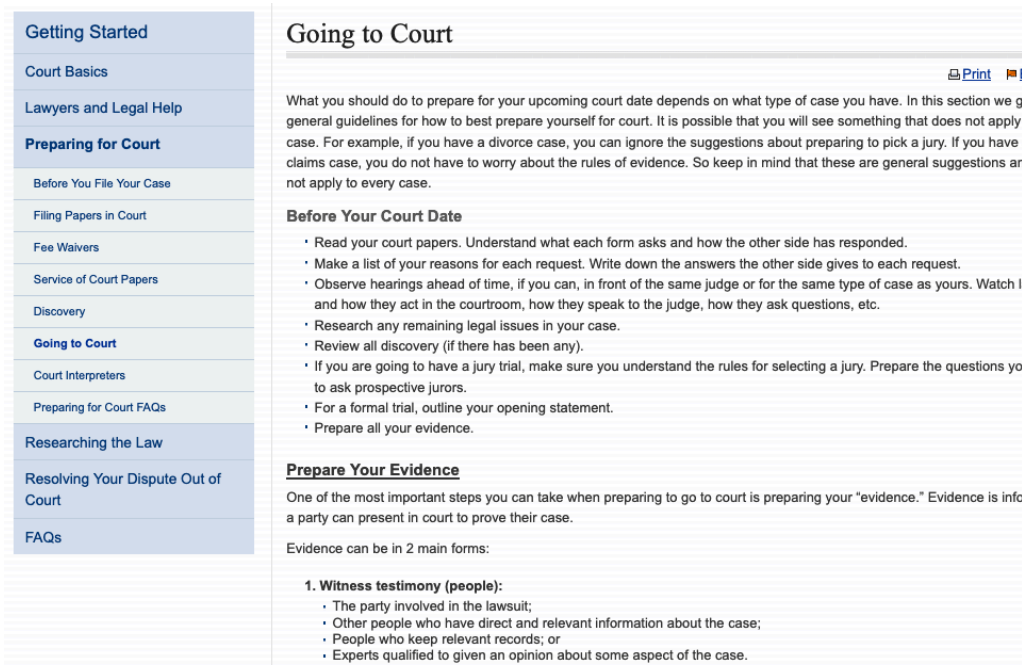
To file for divorce or legal separation, you have to fill out the same forms. If you want specific legal advice about how to fill out your court forms, talk to a lawyer. What you write on your court papers can be very important and can affect the outcome of the case. It is very important to be accurate and complete, and a lawyer can help you figure out how to fill out the forms so that they accurately reflect your position. This is especially important if you think you and your spouse or domestic partner are likely to have disagreements about the issues that the court forms ask you about.

1. Fill out your court forms

Fill out these forms (since you are starting this case, you are the petitioner):

- *Petition — Marriage/Domestic Partnership (Form FL-100)*. On this form, you give the court some basic information about your marriage and/or domestic partnership, and you ask for the orders you want the court to make.

Figure 1.15: Orientation on court basics from California Courts Self-Help Center



Getting Started
Court Basics
Lawyers and Legal Help
Preparing for Court
Before You File Your Case
Filing Papers in Court
Fee Waivers
Service of Court Papers
Discovery
Going to Court
Court Interpreters
Preparing for Court FAQs
Researching the Law
Resolving Your Dispute Out of Court
FAQs

Going to Court

[Print](#) [Help](#)

What you should do to prepare for your upcoming court date depends on what type of case you have. In this section we give general guidelines for how to best prepare yourself for court. It is possible that you will see something that does not apply to your case. For example, if you have a divorce case, you can ignore the suggestions about preparing to pick a jury. If you have a claims case, you do not have to worry about the rules of evidence. So keep in mind that these are general suggestions and not apply to every case.

Before Your Court Date

- Read your court papers. Understand what each form asks and how the other side has responded.
- Make a list of your reasons for each request. Write down the answers the other side gives to each request.
- Observe hearings ahead of time, if you can, in front of the same judge or for the same type of case as yours. Watch how they act in the courtroom, how they speak to the judge, how they ask questions, etc.
- Research any remaining legal issues in your case.
- Review all discovery (if there has been any).
- If you are going to have a jury trial, make sure you understand the rules for selecting a jury. Prepare the questions you want to ask prospective jurors.
- For a formal trial, outline your opening statement.
- Prepare all your evidence.

Prepare Your Evidence

One of the most important steps you can take when preparing to go to court is preparing your "evidence." Evidence is information a party can present in court to prove their case.

Evidence can be in 2 main forms:

1. Witness testimony (people):

- The party involved in the lawsuit;
- Other people who have direct and relevant information about the case;
- People who keep relevant records; or
- Experts qualified to give an opinion about some aspect of the case.

Figure 1.16: Information on preparing for court, Indiana Judicial Branch's Self-Service Legal Center

Preparing for Court

In Indiana, the Courts are open to each and every person. Although there is no requirement that a person have a lawyer to go to Court, you are encouraged to talk with lawyer to make sure you know your rights and all your legal options. Courts have a lot of rules and procedures that have to be followed. If you do not follow the rules, you may not be able to give the Judge all of the information you want to about your case. If you represent yourself, you must be prepared. When preparing for your Court hearing, keep in mind the following things.

Before your Court date

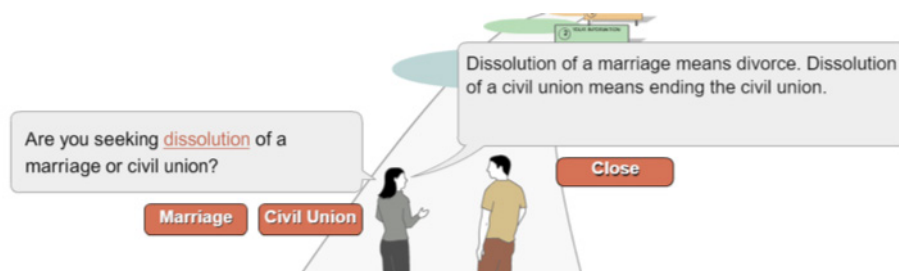
1. Read over all of your [Court documents](#). Be familiar with all the documents that you and the other side have submitted to the Court.
2. All parties in a court action must be given proper notice of all pending matters and hearings. Make sure you deliver a copy of each document or piece of information that is filed or delivered to the court to the other party. It is your responsibility to do this in most instances, not the court's. Failure to provide notice of a hearing or to give the documents to the other party could delay your case.
3. Review and research the statutes, rules or procedure, and case law that apply to your type of case. You need to be prepared "legally" for court. The Court will require you to follow the same rules and procedures that an attorney must follow.
4. Often it is helpful to observe another case similar to yours in the same court at some point before your hearing date so that you can see how the court conducts its proceedings.
5. Gather all the papers you want the judge to see. Make several copies to take to Court. The court may not be able to consider all of your information if it is not properly presented to the court as required by court rules. For information on how to properly admit documents and testimony into evidence at trial, see the [Indiana Rules of Evidence](#) and the [Indiana Rules of Trial Procedure](#).
6. Decide who you want to testify in Court on your behalf. Remember, in Court, you cannot tell the judge what someone else said, so if you need that statement introduced in Court, the person who made the statement needs to testify.
7. Write out your questions in advance. Go over your questions with your witnesses ahead of time. This will prepare both you and them for the actual hearing.
8. Create an outline or a brief summary of your side of the case. It may be helpful to prepare a brief list of your main points so you will be sure you state all that is necessary.

On the day of your Court date

1. Be on time. Better yet, arrive early for your court hearing. However, be prepared to wait in case earlier cases take longer than expected. Give yourself plenty of extra time to [get to the Courthouse](#). Most courts have metal detectors at their entrances, so it may take extra time to enter the Courtroom. Any bags or packages that are brought to court are subject to inspection. Weapons are not permitted. When you come to court, bring copies of any papers you want the judge to see. The court will keep any item or papers offered in evidence.

Although self-help resources should aim to be as plain language as possible, legal terminology is often necessary, especially when explaining court processes or paperwork. A best practice for courts self-help pages is to provide pop-ups that users can click on to receive plain-language definitions of legal terms.⁸³ Through this tool, users can either click or hover over a term that will then be defined in clear language on their screen.

Figure 1.17: Pop-up from a New York DIY divorce form



83 "Preliminary Report," 13.

5. Navigability

Although the features and practices detailed in this section all represent powerful tools for SRLs, they can become a confusing tangle of information and programs if they are not organized in a navigable manner. To achieve a navigable self-help website, resources and webpages should be intuitive and streamlined, including the interface for websites.⁸⁴ This step ensures that users – especially those who have a lower level of technological literacy -- can easily move through topics and sections.⁸⁵

Many existing state court self-help websites suffer from a lack of navigability. Typically, court websites that are not navigable fail to provide users with a clear homepage that can direct them to resources or do not include sidebars that serve as guides and allow users to easily move from topic to topic. An overreliance on PDFs, hyperlinks, and long, text-heavy webpages also limits users' ability to collect information on their cases and easily navigate between the resources presented. There are, however, an extensive number of websites from state courts and legal aid organizations that do provide excellent levels of navigability for users, particularly the self-help websites from Oregon and California.

The homepage of state courts' self-help centers provides an important first step in navigability. Two examples from California and Alaska are provided below. Alaska's succeeds in providing links to common concerns that are also explained in plain language. California's self-help center homepage displays the most common case types for which users would search, while also offering an option for users to find more detailed pages listed alphabetically. In addition, Maryland's People's Law Library includes an easy-to-understand homepage that directs users to LiveHelp or other resources in a clear manner. All these approaches ensure that users can quickly find the information they need without having to dig through the website.

Figure 1.18: Alaska Family Law Self-Help Center homepage

NOTE: Helpline hours: 7:30 am - 6:00 pm, Monday - Thursday

About the FLSHC How to Contact Us		
Family Law Videos	FAQs	Forms
Child Custody for Unmarried Parents	Child Support	Divorce and Dissolution Ending Your Marriage
Domestic Violence	Grandparents - Visitation and Custody	Guardianship and Conservatorship
Paternity	Property and Debt When Ending the Marriage	Other Issues Adoption , Annulment , Change of Name , Emancipation , Legal Separation , Powers of Attorney

⁸⁴ "Preliminary Report," 7-12.

⁸⁵ "Preliminary Report," 7-12.

Figure 1.19: California Courts Self-Help Center homepage

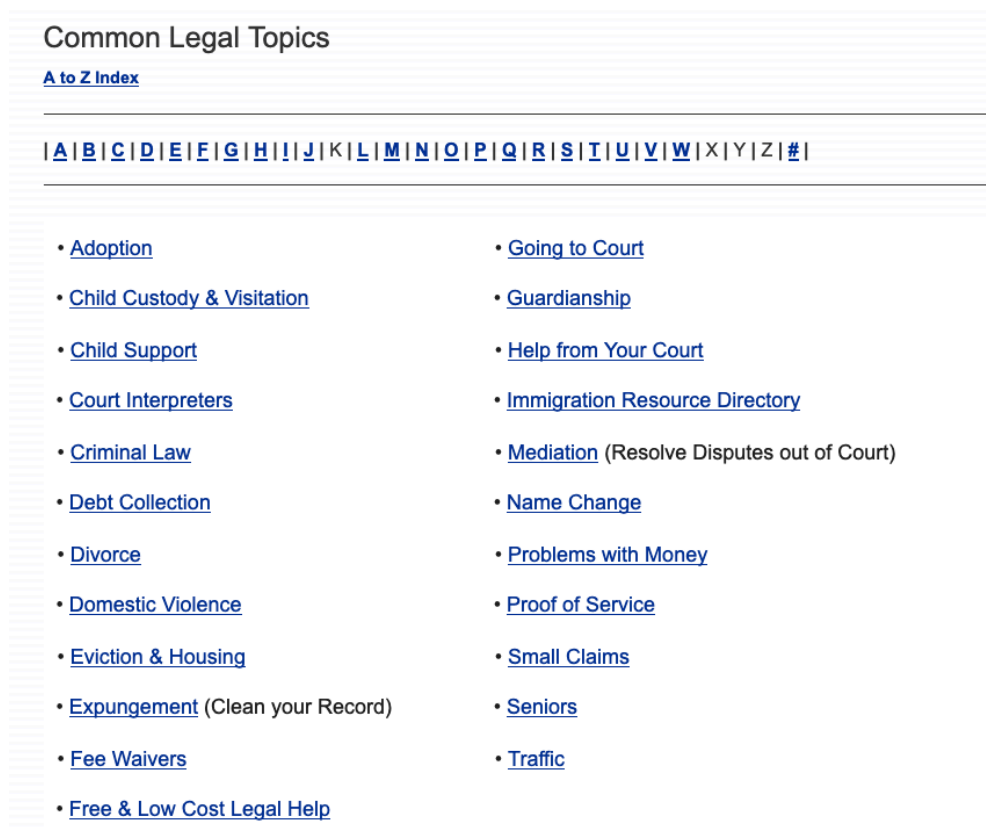
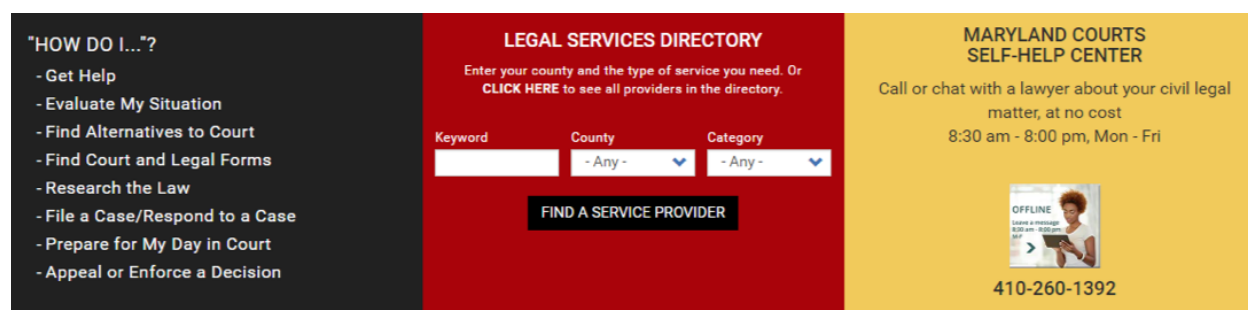


Figure 1.20: Maryland People's Law Library homepage



After users have found the page for the information or case type they are seeking, a navigable court website should allow users to move between topics and subtopics while maintaining an understanding of where they are on the webpage. Navigational sidebars are particularly effective in allowing users to know where they are and where they can go from the resources they are using. California's and Oregon's self-help pages both use these sidebars well and present self-help information in a way that is easy to understand and move through. These sections flow, allowing users to move naturally through the progression of a case as they gather legal information from the webpage. As such, these pages provide users with the specific information they need for their cases in addition to a general outline of how their cases will progress through the court system.

Figure 1.21: Divorce self-help resources from Oregon Self-Help Center

FORMS

SELF-HELP

CHILDREN & FAMILIES

DIVORCE, SEPARATION, ANNULMENT

Property and Debt

Spousal Support

Mediation

Temporary Orders

NOTE: This web page provides general legal information in summary form. The information is not a complete explanation of law in this area, and it is not intended to substitute for legal advice. The law in this area may change, and the changes may be noted here. Contact a lawyer for legal advice.

Divorce

[What is a divorce?](#)

[Where should I file for divorce?](#)

[How are parties notified?](#)

Figure 1.22: California Courts Self-Help Center resources with convenient side menu for navigation

Divorce or Separation

Basics

Filing for Divorce or Separation

Responding to Divorce or Separation

Completing Divorce or Separation

Summary Dissolution

Annulment

Spousal/Partner Support

Property and Debt in a Divorce or Legal Separation

Forms

FAQs

Divorce or Separation

Find information about ending a marriage or registered domestic partnership.

[Basics of Divorce, Legal Separation, and Annulment](#)
Learn about the different ways to end your marriage or domestic partnership, the requirements for each, and basic information about the court process.

- [Filing for Divorce or Legal Separation](#)
- [Responding to a Divorce or Legal Separation](#)
- [Completing a Divorce or Legal Separation](#)

[Summary Dissolution](#)
Summary dissolutions are a simpler way to get divorced for married couples and registered domestic partners.

[Spousal or Partner Support](#)
Learn about spousal or partner support, how to ask for it, how to respond to a request, how to change or end an order, how to pay an order, or how to collect on a court order.

Figure 1.23: California Courts Self-Help Center with navigable menu and process displayed in resources

The screenshot displays the California Courts Self-Help Center website. At the top is a navigation bar with links: Courts, Self-Help, Forms & Rules, Opinions, Programs, Policy & Administration, and News & Reference. Below this is a breadcrumb trail: Self-Help > Problems with Money > Collection of Credit Card Debt > Paying the Judgment.

On the left is a sidebar menu under the heading 'Problems With Money'. The menu items are: Basics, Cases for \$10,000 or Less, Cases for \$25,000 or Less, Cases for Over \$25,000, Collection of Credit Card Debt (highlighted), Being Sued, Before the Trial, Prepare for Trial, The Trial, Collecting the Judgment, Paying the Judgment (highlighted), Resolving the Case Out of Court, Bankruptcy, FAQs, and Wage Garnishment / Earnings Withholding for Employers.

The main content area is titled 'Paying the Judgment'. It includes a 'Print' and 'Español' link. The text explains that if you lose a civil case and are ordered to pay money, you become a judgment debtor. It lists two steps: 1. The judgment has been entered. You can go to the court clerk's office and check the court's records to confirm that the judgment has been entered; and 2. There is no stay (suspension or postponement) on enforcement of the order because of an appeal, a stay from a bankruptcy, or other legal action.

Below the steps, it states: 'The judgment creditor has different legal options available to collect the judgment from you if you do not pay on your own. In response, you may also have options if these tools cause you an undue hardship. Click on the topic below for more information on your options.'

There are three expandable sections: 'Paying in installments or setting up a payment plan', 'Wage garnishments', and 'Other non-wage garnishments and levies'. Each section has a '+' icon to expand it. At the bottom right of the main content area, there are links to '+ expand all' and '- collapse all'.

At the bottom of the main content area, it says 'Keep in mind that if you do NOT pay the judgment:' followed by a list of consequences:

- The amount you owe will increase daily, since the judgment accumulates interest at the rate of 10% per year.
- The creditor can get an order telling you to reimburse him or her for any reasonable and necessary costs of collection.
- Your credit may be damaged because credit reporting agencies will know you have not paid the judgment when your name

6. Individualized self-service portals

Self-service portals represent the culmination of self-help tools, features, and resources into a single, individualized profile. These portals would provide an ideal, comprehensive self-help ecosystem for SRLs.⁸⁶ Self-service portals would provide “one-stop shopping” for SRLs where they could diagnose their legal issues, learn about their rights and cases, access resources and attorneys, and generate and electronically submit documents to courts.⁸⁷ In a more advanced form, this centralized hub would also allow SRLs to track their cases, receive actionable alerts, and engage in the mediation and resolution of cases, including enforcing judgment.⁸⁸

Self-service portals present a dashboard or home screen to inform court users about their cases and provide them with options to complete or review court processes online.⁸⁹ In order to provide a complete orientation for court users, effective self-service portals give users case status, updates, and next steps, as well as options for future action. For example, a user should be able to check their upcoming court dates and see what action items he or she can complete prior to the next step in the case. To access this information, users can either create profiles which they can return to or log in using secure information provided by the court.⁹⁰

⁸⁶ “Preliminary Report,” 13.

⁸⁷ “Preliminary Report,” Appendix A, 1.; Griener et. al., 1146-1151.

⁸⁸ “Preliminary Report,” Appendix A, 1-2.

⁸⁹ “Preliminary Report,” Appendix A, 1-2.

⁹⁰ Thomas M. Clarke, “Building a Litigant Portal: Business and Technical Requirements” (National Center for State

Self-service portals also prevent users from accessing extraneous or incorrect information for their cases. These platforms provide users with only the information and guidance needed for their case.⁹¹ This component prevents court users from accessing informational guides or filling out forms that are not relevant to their cases. More importantly, personalized dashboards with specific to-do lists also prevent litigants from filing the incorrect paperwork for their cases. By reducing confusion and time wasted on irrelevant resources, individualized profiles can streamline court users' experiences.

Currently, there are no statewide individualized self-service portals that achieve all the described features and goals. More limited existing self-service features include Litigant Case Manager (LCM) which provides case management for court users and can be combined with case alerts, as it uses Customer Relationship Manager (CRM) software through the Orange County Court in California.⁹² Similarly, U.S. Bankruptcy Courts allow users to track their cases and receive electronic case updates from the Court through Debtor Electronic Noticing (DeBN).⁹³ As such self-service portals represent a long-term goal that would be most effective once e-filing, LiveHelp, electronic tracking of cases, and document assembly programs were all already established.

Figure 1.24: Litigant Case Manager home screen from the Orange County, CA court system


CIVIL CASE ACCESS

The Civil Case Information Website contains case summary and register of action information for cases dating back to 1996 for unlimited/complex civil actions and dating back to 2005 for limited civil actions. Additionally, most documents filed on or after January 1, 2008, may be viewed and downloaded (fees apply). For cases and documents filed prior to these dates, contact the court where the case was filed. [Click here](#) for more information regarding viewing/purchasing documents and sanctions warning for including social security numbers and financial account information in documents submitted to the court.

Search By [View Previously Purchased Documents](#)

▼ CASE

Case Number: Year Filed:

☒ I'm not a robot  reCAPTCHA [Privacy](#) [Terms](#)

FAQ for inputting your case number [?](#)

Search by Person or Business Name: [click here](#)

► FILING DATE

► UNLAWFUL DETAINER

Courts, November 2015), 17, <https://www.srln.org/system/files/attachments/Report%20Building%20a%20Litigant%20Portal%20%28Clarke%202015%29.pdf>.

91 "Court Compass Report: Mapping the Future of User Access through Technology," 5.; Thomas M. Clarke, "Building a Litigant Portal: Business and Technical Requirements," 17.

92 "Court Compass Report," 6.

93 "Court Compass Report," 6.

E. Existing online resources per state

State court websites across the United States offer a variety of online tools to assist self-represented litigants. The availability of specific types of resources, however, varies widely from state to state, creating an uneven network of self-help resources across the country. While nearly all states provide SRLs with access to basic court forms, less than a quarter have implemented document assembly programs or LiveHelp services. In addition, while almost every state offers connections to legal aid organizations, only half provide general tips for appearing in court. This section will examine the overall state of online self-help tools across the United States by detailing our findings on each state courts' online resources available to litigants.

1. Methodology

To identify the existing online resources for SRLs at the state level, Massachusetts Appleseed examined the official court self-help websites for all 50 states, as well as the District of Columbia and Puerto Rico. While many legal aid websites provide a wealth of knowledge for SRLs and interactive features, we excluded them from this study since this report aims to focus on court-run websites. For each state and US territory, the availability of the following resources was examined: LiveHelp features, document assembly programs, e-Filing (for SRLs and/or attorneys), court forms, case-specific legal information, court basics, connections to legal aid, common legal terms, and language options. Massachusetts Appleseed employed the following definitions and standards for our analysis:

- **LiveHelp:** any phone number, email address, or chat function that allows SRLs to receive information about their case and/or assistance with court forms. LiveHelp does not include law libraries or general office phone numbers, such as clerks or administrative directories.
- **Document assembly programs:** guided interview programs that allow SRLs to compile and fill out the correct documents for their cases.
- **e-Filing:** the option for SRLs and/or attorneys to submit court forms online.
- **Case-specific information:** general information about the various types of cases that SRLs may encounter, along with specific guidance on how to navigate them. For example, "how-to" guides for a divorce, adoption, or tenancy case would qualify as case-specific information.
- **Court basics:** general tips for appearing in court such as attire, acceptable behavior, and court protocols.
- **Connections to legal aid:** a hyperlink, email, phone number, or chat function that connects SRLs with legal aid organizations.
- **Common legal terms:** a glossary of legal terms written in plain language.
- **Language options:** court websites were categorized as English-only, English & Spanish, or 3+ languages. While this investigation does not require that the entire website be translatable, most self-help resources must have been available in at least one other language to receive the "English & Spanish" or "3+ language" categorization.

2. Findings

Our analysis found that self-help resources provided by state courts are widespread though regularly lacking in the interactive features that have the most utility for SRLs. Most states offer online connections to legal aid and access to court forms, while about half of states offer case-specific information, basic court tips, and glossaries of common legal terms. In addition, while e-filing is becoming increasingly prevalent on court websites, some states still reserve this resource for attorneys and their clients. LiveHelp and document assembly, two of the most technologically advanced resources, are relatively scarce with less than a quarter of states offering these tools. Finally, English-only websites make up nearly half of state court websites, followed by multilingual and bilingual websites, respectively.

Figure 1.25 shows select statistics (in both raw number and percentage form) of the availability of online legal resources nationwide. For a full breakdown of the resources by state, please see Appendix A.

Figure 1.25: Existing self-help resources per state

Online Resources	Number of States	Percentage
Connections to legal aid	49	94.2%
Court forms	47	90.4%
e-Filing	37	71.2%
e-Filing for attorneys only	10	19.2%
e-Filing for SRLs & attorneys	27	51.9%
Common legal terms (legal glossary)	28	53.9%
Case-specific information	27	51.9%
Court basics	23	44.2%
English-only:	23	44.2%
English & Spanish	11	21.2%
3+ languages	18	34.6%
LiveHelp	11	21.2%
Document assembly programs	8	15.4%

E-filing is becoming the norm across the United States, but in many states, it is limited to attorneys, their clients, and court staff. In states where SRLs are permitted to e-file, they must often complete several hours of training before receiving access to the programs. Additionally, e-filing is not as useful for SRLs without document assembly programs. Although many SRLs can e-file, if they are unsure how to fill out the forms due to a lack of guided interviews, the resource may go unused. When SRLs are unable to e-file through document assembly programs, or are

prohibited from e-Filing altogether, they are denied the same access that people represented by lawyers receive for the same types of cases, creating an unjust disparity.

State courts are doing better at providing on-line resources such as online case-specific information, court basics, and glossaries of common legal terms. These resources do not require complex algorithms or development, and they do not require staff to regularly service them. The relatively low cost of placing these resources, as well as court forms, online most likely explains why so many courts have begun offering them on their websites. Yet, despite these features being low-hanging fruit for expanding access to SRLs, over half of all state courts websites are missing at least one of these resources.

It is also important to note that this report only considers the availability of these resources, not their quality in each state court. Due to a lack of a clear system for evaluation, we also did not consider the navigability of the court websites, their visual aesthetics, or the quality of their translations. As a result, even where a state is marked as having specific resources, it is not necessarily true that the state courts' website or resources are effective and accessible for court users. In fact, resources that are available but neither accessible nor helpful may serve little to no purpose for SRLs.

II. EXISTING RESOURCES IN MASSACHUSETTS

Massachusetts has made significant, though incomplete, progress in providing remote self-help services and resources for court users. The Trial Court provides an extensive collection of self-help documents and forms, although the collection of these resources on Mass.gov lacks navigability and plain language explanations. The Trial Court, Attorney General's Office, and several other state agencies also provide legal information and tools for court users, but these programs are severely limited in scope. Overall, Massachusetts' self-help resources also suffer from a lack of interactive features, such as document assembly programs or LiveHelp services, that have been shown to benefit SRLs in other states.

This section will review the existing legal self-help resources provided by the Commonwealth's court system and government. In addition to indicating which resources exist, this section will also review the self-help materials' effectiveness in relation to the criteria laid out in the Best Practices section of this report. In order to best compare these resources to those listed in the Best Practices section of this report, the existing resources in Massachusetts will be sorted into the following categories:

A. LiveHelp

The court system of Massachusetts currently does not offer LiveHelp services to self-represented litigants or court users. The Law Libraries feature the closest example to LiveHelp provided through the courts. A chat function for the Law Libraries' webpage allows users to message librarians in order to receive help in finding relevant cases, laws, and references for their cases. This interactive feature also enables users to email more complicated questions to librarians and to text their questions to librarians. Although useful, this feature does not represent LiveHelp since librarians cannot provide users with direct information on their cases or assist them with taking legal action. Although limited to those using the Law Libraries, the current messaging system represents an important model for the creation of an instant messaging feature for a potential VCSC.

Figure 2.1: Chat function on Law Libraries' webpage

Chat or text with a law librarian

Get help finding and using Massachusetts legal information via online chat or text messaging

Online chat

This service is offered Monday-Friday from 9 a.m. to 4 p.m. Online chat works best for questions that can be answered quickly by using online resources. Please use our [email reference service](#) for more complicated questions.

Available **Ask a Law Librarian!**

Type here to chat. Press ENTER to send.

B. Document assembly programs and court forms

Although the Trial Court does provide a large number of court forms online through the Trial Court's website, the only document assembly programs in Massachusetts are offered by the Attorney General's Office (AGO) and the Small Claims Court.

The Attorney General Office's website allows users to fill out consumer complaint forms online. Because it does not use guided interviews, this program does not screen out those who are not eligible or ensure that users are entering the correct information. Despite this drawback, the program is an effective model for the VCSC since it allows users to complete legal forms in a relatively intuitive way from the convenience of wherever they access the internet.

Like the AGO, the Small Claims Court page allows users to begin filing their cases online. Unlike the AGO, however, the Small Claims Court online form provides a traditional guided interview and document assembly program. Users answer a series of questions, and the program then auto-fills the required forms and submits them to the courts. Due to its guided interview structure, this feature ensures that forms are completed correctly. Coupled with the information and disclaimers provided at the start of the guided interview which act as a form of triage, this program represents a powerful tool for SRLs in Massachusetts and a promising model for the expansion of document assembly programs for the VCSC.

Figure 2.2: Portion of online form to file a consumer complaint function on the Attorney General Office's

About Your Issue

Complaint Type (Required)*

- ☐ Healthcare and Health Insurance
- ☐ Insurance, Banking, or Investment
- ☐ Auto Sale, Loan, Lease, or Repair
- ☐ Student Loan
- ☐ Mortgage or Landlord/Tenant Dispute
- ☐ Discrimination or Civil Rights Violation
- ☐ Telephone Scams, Robocalls, or Do Not Call List Violations
- ☐ Other

Complaint Against

Enter full name of the company, business or organization you are complaining about.

Company or Entity Name (Required)*

☐ This is an online business or I don't know the location

☐ This business address is outside the US

Street Address

City **State** **Zip Code**

Phone (Optional)

Figure 2.3: Guided interview for filing of Small Claims Court case

Select Interview **Complete Interview** Review Summary

Information about the Plaintiff * = required field

If you are the person suing and filing this claim, you are the Plaintiff. Please enter your information below.
If you are filling out this form on behalf of someone else, please enter that person's information.

Is the Plaintiff a person or a business? *

☐ Person ☐ Business

Exit Go to: Information about the Plaintiff ▾ **Previous** **Next**

Although lacking in document assembly programs, the Trial Court's self-help resources do provide court users with extensive access to court forms and instructions for completing them through the Courts Self-Help webpage and the Law Libraries' website. For each case type listed on the Courts Self-Help webpage, users can access a repository of forms that relate to their case. Most of these forms include instructions on filling them out, along with the documents that must be submitted with the forms. Embedding the forms as part of the step-by-step instructions for each case type also enhances their utility for SRLs. The primary issue with the availability of these forms is that many users may not have the education, English language fluency, or literacy levels required to understand how to fill out the forms, especially given that many of the instructions are not written in plain language. Guided interviews, document assembly programs, and plain language instructions would make these forms even more accessible for court users.

Figure 2.4: Instructions for filing forms, not in plain language

File with the complaint form

The following must be filed with this complaint:

- Certified copy of civil marriage certificate.
- R-408 - [Certificate of Absolute Divorce or Annulment Statistical Information form](#). (See G.L. c.208, [Section 6B](#)) Please complete items #1 through #10B. Please type or write neatly. Do not leave fields blank. If the field cannot be completed (e.g. number of prior marriages is unknown), place dashes ("---") in the field to indicate it is deliberately left blank.
- Affidavit of Care and Custody if parties have children together (form available at the courthouse).
- Allegations in Paragraph 5 must comply with G.L. c.207, Sections [1](#) and [2](#) and [Massachusetts Rules of Domestic Relations Procedure Rule 8](#).

Figure 2.5: Example of available forms on the Massachusetts Courts Self-Help webpage

Divorce forms

Form	Description	Related Information
Divorce or Annulment, Certification Vital Statistics Revised: April 2015 Form Number: R-408	Statistical Form to be filed with all Complaints/ Petitions for Divorce and/or Annulment.	*Instructions: See G.L. c.208, Section 6B and note below Printing standards
Divorce, Complaint for Revised: July 2007 Form Number: CJD 101	Use when one spouse wants a divorce.	Instructions Printing standards
Divorce under G.L. c.208, Section 1A, Joint Petition for Revised: Oct 2007 Form Number: CJD 101A	Use when both spouses want a divorce claiming irretrievable breakdown of the marriage. Also available in	Instructions Printing standards Portuguese version of form

C. Case-specific resources, information on court basics, connections to legal aid, and language options

Through the Courts Self-Help webpage as well as the websites of several state agencies, Massachusetts offers an extensive collection of informational self-help resources for court users and SRLs. This subsection will deal with several of the interrelated aspects of self-help websites evaluated in other states, specifically case-specific resources, information on court basics, connections to legal aid, and options for reviewing resources in languages other than English. Massachusetts provides all these resources to court users, but their presentation, especially through the Courts Self-Help page, suffer from a lack of navigability.

1. Case-specific resources

Through the Courts Self-Help webpage, the Trial Court provides an extensive range of legal information on a variety of civil and criminal concerns. This information is organized by case type with the initial categories on the home page including sections such as “Court Basics” as well as case-specific pages on civil, consumer, criminal, family, and housing court cases. As displayed below, these sections also provide links to the most common types of cases associated with each type of law. From the homepage, users can find both their legal issue as well as the most common actions or case types associated. In addition to the Trial Court’s webpage, similar case-specific information guides are available on the websites of other state agencies such as

housing concerns from the AGO and the adoptions process from the Department of Children and Families.

Figure 2.6: Examples of case-specific links on the Courts Self-Help webpage

To the Trial Court's credit, dozens of types of cases are provided on the website. This section will trace through the process of divorce to succinctly illustrate the types of resources available to SRLs and other court users on the webpage. To start the process, a litigant finds the "Divorce" section through the homepage and then can select several common topics or view the entire menu for the section. The expanded section of the Divorce category then provides court users with both a list of common tasks relating to divorce as well as further information on the court processes and forms needed to complete or respond to a divorce.

Figure 2.7: Header for Divorce section of the Courts Self-Help webpage

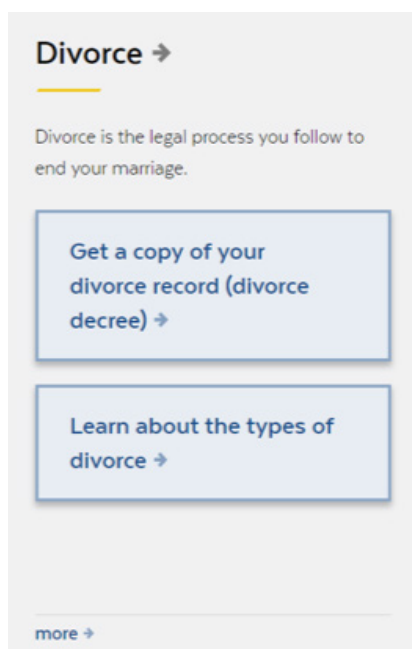


Figure 2.8: Homepage for Divorce section of the Courts Self-Help website



The information on divorce includes a plethora of legal information for SRLs that guides them on what kind of divorce they might have and what forms or actions are then needed for the case. The how-to portion of these pages also provides step-by-step guides explaining how litigants can complete the tasks required for their cases. Although providing plenty of information, the webpage uses some legal jargon such as “no-fault 1B divorce” that could be confusing for SRLs. Similarly, the lack of an obvious step-by-step guide on the homepage could also inhibit SRLs ability to use the page.

After clicking on a divorce type, the webpage provides a useful step-by-step guide for litigants outlining the process, steps, and forms needed for moving the case forward. Presented in a clear, visually appealing format, this page represents a powerful self-help tool for SRLs though it does require a significant amount of navigation and pre-existing knowledge about case type to access.

Figure 2.9: Step-by-step directions for a 1A divorce from the Courts Self-Help webpage

What you need	What you need
Fees	You can file for divorce in Massachusetts if:
How to get	<ul style="list-style-type: none">• You've lived in the state for 1 year, or;• The reason the marriage ended happened in Massachusetts and you've lived in Massachusetts as a couple
More info	In addition to the required court forms, you need a certified copy of your civil marriage certificate. This is available from the Registry of Vital Records or from the city or town hall where you applied for a marriage license.
Downloads	
Contact	The forms you'll need are listed under "File your papers" below.

Of particular use for SRLs and all court users is the list of forms needed for each type of divorce. This guide allows court users to fill out their forms in PDF format and understand what fees are required before going to court. These sections should enable SRLs to come to court with both complete paperwork packages for their cases as well as a basic understanding of how those forms fit into the broader civil process of their cases. The lack of document assembly tools, however, could lead to users filling out the forms incorrectly or requiring in-person assistance to properly complete the paperwork.

Figure 2.10: Instructions on filing forms for a 1A divorce on the Courts Self-Help webpage

File your papers

To begin, you need to file:

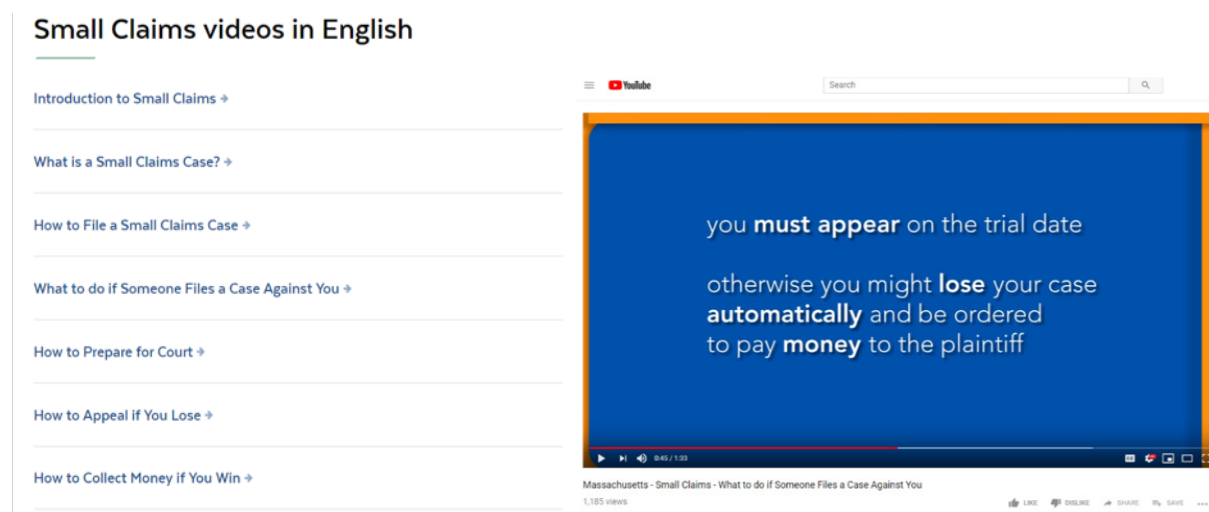
1. Certified copy of your marriage certificate, which you can get from the [Registry of Vital Records](#) or your city or town.
2. Separation agreement (you should have already prepared this).
3. [Joint petition for divorce under section 1A \(CJD-101A\)](#) signed by both parties or their lawyers.
4. [Joint affidavit of irretrievable breakdown](#) signed by the parties.
5. [Record of Absolute Divorce\(R-408\)](#) from the Registry of Vital Records.

Bring these to the Registry office at the Probate and Family Court along with your fees.

You also need to file a [financial statement](#). Both spouses must complete and file financial statements with the court.

The Trial Court also provides some case-specific resources for users in audiovisual formats. Most notably, through the Small Claims Court users can watch easy-to-understand videos that lay out the entire process of a small claims case. These videos are a powerful tool for court users and SRLs who may struggle with understanding dense written resources. Funded by a Technology Innovation Grant from the Legal Services Corporation, this feature of Massachusetts' self-help materials represents a promising model for the expansion of audiovisual resources in the development of a VCSC.

Figure 2.11: Self-Help videos on Small Claims cases



Overall, these resources suffer from a lack of navigability. The Courts Self-Help page does not offer a navigational sidebar like other state's self-help websites, preventing users from seeing where they are on the website and the specific resources for their case. The self-help resources provided for users are most effective for those litigants who know what type of case they have and what general course of action they need to take. The issue, however, is that many SRLs may not understand their legal issues well enough to navigate through the Courts Self-Help page effectively.

2. Court basics and legal glossary

In addition to its extensive collection of self-help information specific to different case types, another strength of the Courts Self-Help webpage is its collection of resources on court basics for SRLs. These resources provide general tips for appearing in court such as attire, acceptable behavior, how to address the court, and legal protocols. On the Courts Self-Help site, the "Basic Help" section includes instructions on "How to conduct yourself in court" and "Representing Yourself in a Civil Case." The section also provides a glossary of legal terms to help court users understand legal jargon.

The "Representing Yourself in Civil Case" section provides exactly the type of guidance that many SRLs need for their cases. The home screen provides an array of options including links to how to navigate court processes, get legal assistance from CSCs, and how to advocate for oneself in court. This type of information, though at times difficult to navigate through the existing

webpage, is incredibly important, especially for those litigants seeking general legal information or how-to guidance on court procedures for their cases.

Figure 2.12: Tips on court procedure for litigants from the Courts Self-Help page

Tips

1. **Dress in a way that shows respect for the court.** You don't have to buy new clothes for court, but halter tops, worn out jeans, and T-shirts aren't appropriate. Don't chew gum, eat or drink in the courtroom.
2. **Be on time.** If you miss your hearing, the judge can make orders that you might not agree with and which could seriously affect you and your children.
3. **Don't bring children into court.** Many of the topics discussed in court aren't appropriate for young children. Please arrange for a friend or relative to watch your children while you're in court.
4. **Stand when the judge enters or leaves the courtroom.** The court officer will tell you when to sit and stand. If you're in doubt, stand when the judge is standing. You can usually sit down once the judge is seated, unless you're speaking with the judge.
5. **Stand and speak when the judge talks to you.** Remain standing as long as you and the judge are talking. You may need to stay standing even if the judge talks to the person on the other side of your case. If in doubt, ask the judge before sitting down.
6. **The judge will let you know when to speak.** Never get into an argument or even a discussion with the other side in front of the judge. Always speak directly to the judge, unless the judge allows you to answer formal questions from the other side.
7. **Speak clearly and always address the judge as "Your Honor."** The judge must keep order in the courtroom and will be making important decisions about you and your children. Be respectful and understand that the judge likes to keep the proceedings as orderly as possible. This helps keep the process fair to everyone.

Figure 2.13: Homepage for "Representing Yourself in Court" section of the Courts Self-Help site

Top tasks

- Representing yourself in a civil case: Learn about the process →
- Get help filling out forms at a Court Service Center →

What you need to know

- Get help from an attorney with parts of your case →
- Learn about Lawyer for the Day programs →
- Asking for help with court matters →
- How to conduct yourself in court →
- Massachusetts law about self-represented litigants →
- Chat or text with a law librarian →

The self-help page also provides an extensive collection of pages explaining exactly how the court process works for civil cases, including orientations on who is who in a courthouse and how and when different parts of a case should be completed. Each subsection also provides a detailed description of how the process of a civil case proceeds and what needs to be completed by a litigant at each stage of the case. These descriptions are also written in relatively plain language, allowing litigants who do not have higher levels of education to understand what each step and stage of a case signifies and requires. In order to facilitate further accessibility to these documents, each page is also offered as a printable PDF at the end of each section.

Figure 2.14: Explanation of court processes for SRLs

TABLE OF CONTENTS
Introduction and print resources →
I. Access and Fairness →
II. Deciding Whether to Represent Yourself →
III. If You Decide to Hire a Lawyer... →
IV. Who's Who in the Courthouse →
V. Getting Ready for Your Day in Court →
VI. Starting a Civil Case →
VII. Proceeding with a Civil Case →
VIII. Going to Trial in a Civil Case →
IX. After the Court's Decision →
X. Settling Your Case →

Figure 2.15: Definitions of legal terminology for SRLs

What is discovery?

Discovery is a way for you and the other side to exchange information. Typically this process occurs after a complaint and answer have been filed and one party asks another party to produce documents or respond in another way to a request for information. In some cases, however, for example in certain family law cases, the parties are required to exchange financial information within a certain amount of time after the complaint is filed even if one party does not request it from the other party.

Discovery will help you prepare your witnesses and determine which documents you want to submit to the court if your case goes to trial. All aspects of discovery are governed by rules and law. You need to know the rules that apply to your case.

There are several types of discovery. Some examples are:

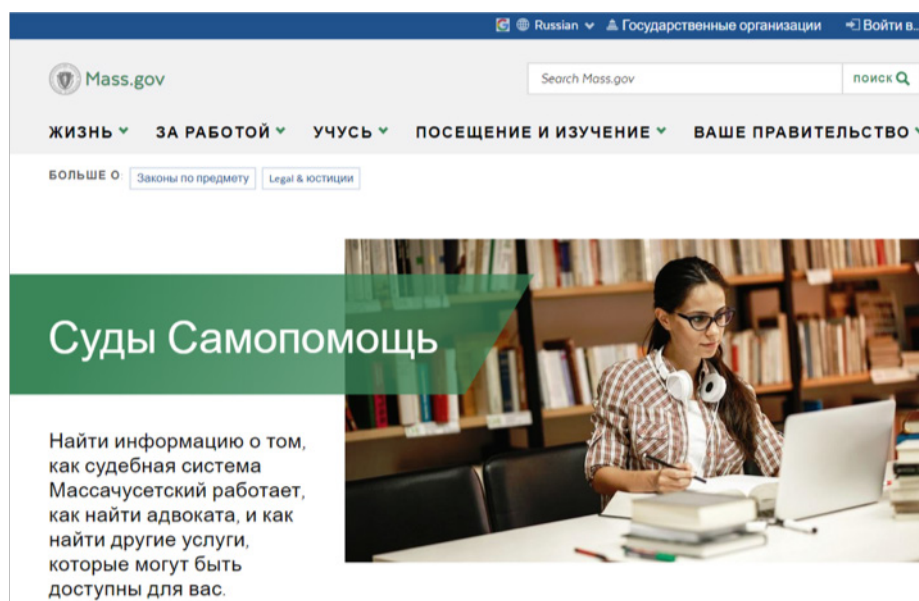
- **Interrogatories:** Interrogatories are written questions to be answered in writing and signed under oath that one side sends to the other.
- **Requests for Production of Documents:** Each side can ask the other side to provide copies of documents relevant to the case.
- **Depositions:** A deposition is an opportunity to question the other party or a witness in the case. Depositions are typically recorded by a court reporter and a transcript may be prepared. Usually the party scheduling the deposition pays the costs involved.
- **Requests for Admissions:** Each side can ask the other side to admit or deny statements related to the case.
- **Independent Medical Examinations:** In some cases, the other side can request that a physician or therapist hired by them be allowed to examine the injured party.

3. Connections to legal aid and language options

Through the basic help section of the Courts Self-Help page, the Trial Court also provides users with connections to legal aid if they need representation. Through a link, users can also access MassLegalHelp.org, a website that also provides extensive self-help information to residents of Massachusetts. The Courts Self-Help page also displays information on “Lawyer for a Day” programs and Court Service Centers, as well as traditional representation from private attorneys and legal aid organizations. Notably, the section on finding representation features steps on how to work with a lawyer and what rights clients have regarding their attorneys. These additional instructions on how to ensure quality representation are important for those litigants who choose to pay for representation and need further guidance on how to protect their interests when hiring an attorney.

The Courts Self-Help page also provides an intuitive option for users with Limited English Proficiency (LEP). Through an icon on the top of the Trial Court’s website, users can select from twelve different languages commonly spoken in Massachusetts. Although our research has not been able to verify the quality of these translations, the option for so many different languages on much of the self-help website provides a tremendous boost to the accessibility of the Trial Court’s resources to LEP users. That said, many of the forms and instructions for filling out court forms are still only available in English.

Figure 2.16 The Courts Self-Help webpage translated into Russian



D. Review of Massachusetts resources

Overall the Courts Self-Help page provides a diverse collection of powerful tools for litigants who seek to represent themselves in civil court. Although providing an extensive amount of useful information for SRLs, the Courts Self-Help webpage can be difficult to use given its lack of navigability. In addition, the self-help resources are most useful for those who know exactly what type of case they have. Litigants who do not know what type of case they have or who do not even know if they have a legal issue may have higher levels of difficulty finding the resources they need on the webpage. The Trial Court also deserves credit for its dedication to providing language access and explaining court basics to SRLs.

At the same time, the lack of interactive tools such as document assembly programs or LiveHelp features limits the utility of the Courts Self-Help page. Without online triage or guided interviews, users may complete the wrong paperwork for their cases or file incorrect forms with clerks' offices. Many of these litigants seeking help with their cases may not be technologically literate or may lack the necessary education level to put together an entire civil case, even with instructions. In many cases, these individuals may not even know what type of case they are dealing with. Without concrete guidance from CSCs or legal professionals through remote services, this population will continue to struggle to complete and file cases no matter how many resources the Courts Self-Help page provides.

III. FINDINGS

Our analysis of intake data from Court Service Centers and surveys of court staff, CSC users, and stakeholders all illustrate how SRLs interact with the Massachusetts court system as well as the ways that the Trial Court could employ online features to meet the needs of SRLs. Overall, our findings indicate a high demand for assistance with filling out forms, navigating court processes, and obtaining legal information, largely for Family and Probate Court cases. Our surveys and data point to common challenges for SRLs and an enthusiasm for online tools such as document assembly, how-to guides, and LiveHelp services.

A. Stakeholders

As part of our research on a Virtual Court Service Center, Massachusetts Appleseed sent out two rounds of surveys to stakeholders whose work regularly involves self-represented litigants. The stakeholders surveyed included those who provide legal assistance to litigants and others who provide social services such as housing, food, or counseling to low income populations that regularly include SRLs. Due to this diverse set of stakeholders, the surveys collected for this report provided insight into populations that regularly include SRLs rather than solely individuals who sought out direct representation from legal aid groups.

Surveying stakeholders provides valuable input for the potential creation of a VCSC due to the breadth and depth of the stakeholders' interactions with SRLs. These individuals have interacted with large numbers of SRLs over their careers, giving them a broad sense of the common challenges facing those without representation in Massachusetts' court system. In addition, their roles as attorneys, advocates, and service providers have allowed them to gain a large-scale, systematic understanding of the issues SRLs face.

1. Profile of stakeholders surveyed

A total of 29 experts from 27 organizations in Massachusetts responded to the surveys Massachusetts Appleseed disseminated. These stakeholders included executive directors, program managers, and attorneys from a range of non-profits and service providers. The sample of stakeholders represents a broad swath of individuals who work on issues pertaining to SRLs on both staff and supervisory levels. The individuals surveyed had an average of 9 years of experience working in their respective fields and reported working with both court users and SRLs on a regular basis. The stakeholders completed the surveys with the promise of anonymity, but a full list of the contacted organizations can be found in Appendix B.

Figure 3.1: How frequently do you interact with court users in the course of your job?

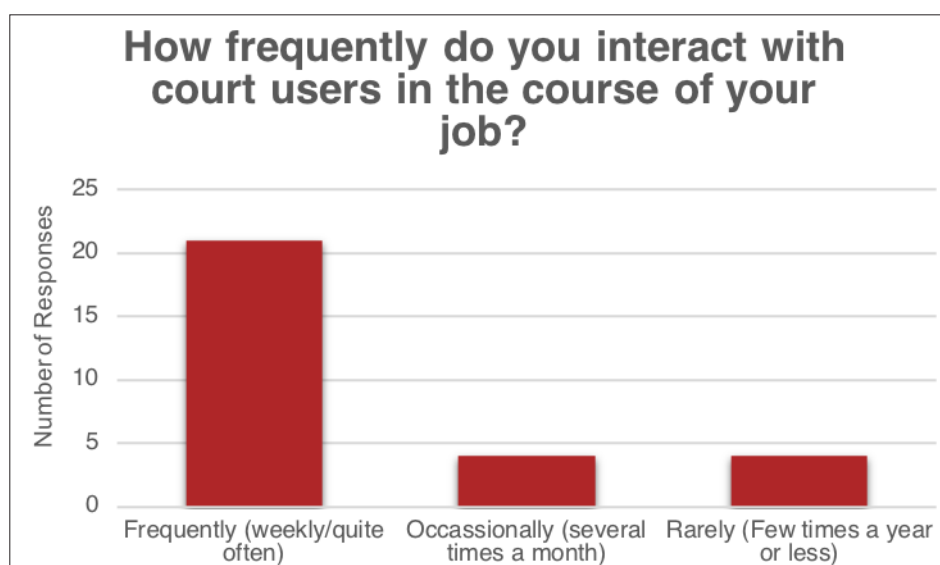
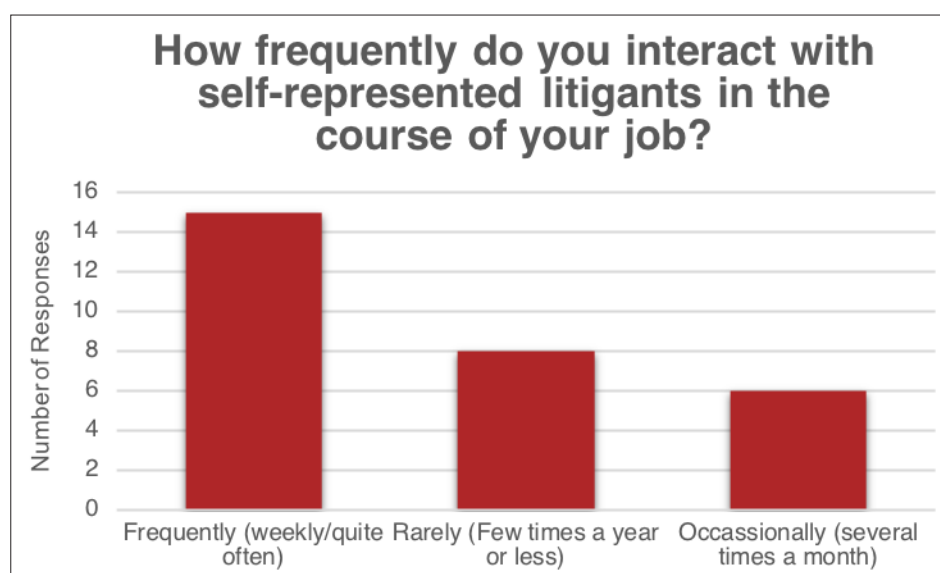


Figure 3.2: How frequently do you interact with self-represented litigants in the course of your job?



2. Stakeholders' perspectives on self-represented litigants

The stakeholders surveyed for this project indicated that the SRLs they have interacted with have common challenges navigating the legal system in Massachusetts. In terms of case type, SRLs are most common in family, housing, consumer, and juvenile law cases. Specifically, the stakeholders cited guardianship, divorce, custody, and child support as the most frequent cases in which litigants represent themselves. Although they identified serious challenges, the stakeholders surveyed also pointed towards several policies that could assist SRLs such as help with filling out forms and greater access to legal guidance on their cases.

Stakeholders also reported that SRLs face serious obstacles in their efforts at pro se representation. According to the surveys conducted for this project, stakeholders identified three primary challenges SRLs face: not understanding court processes and norms, lacking the communication skills to represent themselves, and not trusting the court system to fairly consider their cases.

Figure 3.3: Primary challenges for self-represented litigants in Massachusetts

SRLs are overwhelmed by the complexity of the legal system and are not familiar with court norms.	SRLs often lack the education or communication skills to properly represent themselves.	SRLs often fear court processes and do not trust the system to give them a fair hearing.
<ul style="list-style-type: none"> ▶ “The legal system is complex and they often don’t understand what is happening throughout the process.” ▶ “The foundational problem is the court is not designed for the people who use it.” ▶ SRLs often “lack knowledge of the law.” ▶ SRLs “face an overriding challenge of trying to navigate systems that were intended for lawyers.” ▶ SRLs have trouble “understanding the legal process - and its language.” 	<ul style="list-style-type: none"> ▶ SRLs are often “unable to clearly articulate their problem.” ▶ SRLs often do not have the “ability to argue on behalf of themselves” and an “inability to translate their personal experience into the language of the court.” ▶ SRLs may not have the “higher educational level to understand proceedings.” ▶ SRLs often have “poor communication skills.” ▶ SRLs do not understand their rights in court. 	<ul style="list-style-type: none"> ▶ “Courts are not set up to accommodate the needs of poor people. Scheduling is an example, but there is rarely anyone in a position to answer questions ahead of time or once people arrive at the court.” ▶ SRLs have a “lack of trust in ‘the system’ treating them fairly.” ▶ Some court staff can be hostile and unwelcoming towards SRLs.

“The biggest challenge is the lack of readily comprehensible information available to self-represented litigants. The information is simply not delivered to them in a way they can understand. The self-represented litigants face certain limitations, whether it be a lack of orientation or educational limitation, that prevents them from being able to digest even well-articulated information.”

-Anonymous Stakeholder

“Those of us that work in courts take a lot of knowledge for granted from little things like where to stand in the courtroom to understanding burdens of proof and relevant evidence.”

-Anonymous Stakeholder

“A lot of the time, I see clients who have already tried to represent themselves in court, and so their situations are worse off than if they had had a lawyer or other information from the start.”

-Anonymous Stakeholder

Stakeholders also identified several resources that would better serve SRLs. Most notably, the stakeholders called for greater legal representation for SRLs, whether through legal assistance programs or an expansion of “Lawyer for a Day” programs that currently exist at many courthouses. In addition to expanded representation, stakeholders also identified helping court users fill out the correct paperwork for their cases as a key step to aid SRLs. Stakeholders also called for greater translation services and new online tools such as instructional videos or document assembly programs.

Regarding existing services for SRLs, stakeholders also identified Court Service Centers and “Lawyer for the Day” programs as being important resources for SRLs. Several stakeholders called for the Trial Court to expand these services’ capacity to serve SRLs, reflecting a confidence in the self-help resources the Trial Court has set up to serve SRLs.

3. Stakeholder views on a Virtual Court Service Center

In the final section of our surveys, we asked stakeholders to rate from 1 to 5 (with 1 being the highest) which features of an online court service center would be most helpful for SRLs. The stakeholders broadly agreed that LiveHelp features would be the most valuable for SRLs. In total, 77.2% of stakeholders listed the phone line as the first or second most important feature while 53.4% identified digital communications as the first or second most important component of online assistance. In addition to LiveHelp services, stakeholders also identified several other useful features such as video libraries and document assembly programs as being useful components of a VCSC.

Figure 3.4: Highest-ranked features for an online service center according to stakeholders



In terms of what areas of law would be most useful to include in a VCSC, stakeholders identified the same areas in which they most frequently encountered SRLs. These types of cases included family law (such as divorce, guardianship, and child support) as well as housing, consumer, and juvenile law. Stakeholders also called for greater centralization of self-help resources as well as ensuring that any new self-help tools are as plain language and accessible as possible for SRLs.

B. Court Service Center users

Massachusetts Appleseed surveyed 117 Court Service Center users across the state about what services they received at CSCs, their level of satisfaction with those services, and their perspectives on virtual self-help services. Our findings show that an overwhelming majority of CSC users were seeking assistance with Family and Probate Court cases. For these cases, users most commonly sought assistance with the forms required for their cases as well as general legal information on their issues in court. Although CSC users reported high levels of satisfaction with the services they received, many also noted that they would need additional legal assistance or representation for their cases.

Users were also surveyed on the value of a potential VCSC. Overall, most of the CSC users surveyed indicated an interest in features such as LiveHelp, assistance filling out paperwork, and general information on their cases. Users favored online tools that were accessible and did not require high levels of technological ability. Apart from user-friendly features, the survey results also indicated a clear preference for online tools that could be accessed easily from a mobile device.

1. Profile of Court Service Center users

Massachusetts Appleseed conducted surveys in all six CSCs across the state and collected a total of 117 surveys. This process included two rounds of surveys at the CSCs in Boston, Worcester, and Lawrence as well as one round at the Springfield, Brockton, and Greenfield CSCs. The surveys were conducted between the summer and fall of 2018 and were completed on days when court staff reported CSCs to be the busiest, typically Mondays and Wednesdays. While conducting the surveys, an Appleseed staff member stayed at the CSC for an entire day and recruited any willing users to complete a survey either orally or in writing. The surveys included Spanish versions and were presented as voluntary and anonymous to all participants.

In addition to a variety of legal needs, the surveys also indicated the linguistic diversity of those served by CSCs. The surveys asked for users' language preferences and found that while a large majority spoke, read, and wrote English, a sizeable minority also spoke Spanish as well as Portuguese. The surveys asked both which language was spoken at home as well as the individual's best language for reading and writing. This second question accounted for those who may have spoken English while receiving services but would have been more comfortable in their native languages.⁹⁴

⁹⁴ Although these results indicated a high number of CSC users that speak a language other than English, many non-English speakers may also avoid in-person assistance at CSCs due to a lack of awareness of the resource or reluctance to place themselves in the uncomfortable situation of having to communicate in their non-native language.

Figure 3.5 What language do you speak at home?

Language	Responses	Percentage
English	91	79.82%
Spanish	33	28.95%
Portuguese	7	6.14%
Haitian Creole	4	3.51%
Other (please specify)	3	2.63%
Cape Verdean	2	1.75%
Mandarin	1	0.88%
Vietnamese	1	0.88%
Arabic	1	0.88%

Figure 3.6 What language do you read and write the best?

Language	Responses	Percentage
English	91	80.53%
Spanish	28	24.78%
Portuguese	7	6.19%
Cape Verdean	3	2.65%
Haitian Creole	2	1.77%
Mandarin	1	0.88%
Vietnamese	1	0.88%
Other (please specify)	1	0.88%

2. Services received from Court Service Centers

CSC users were overwhelmingly looking for assistance with Family and Probate Court cases. In total, 86.2% of users indicated they were seeking assistance for a family law case with the most common varieties being child custody, divorce and separation, and child support. The second and third largest categories of cases were from Housing Court cases as well as the category “Other.” Users did not always specify what the “Other” category meant, given that it included users who were still unsure of exactly what type of case they had as well as those who had non-legal concerns.

Figure 3.7: What type of help did you need today?

Case Type	Responses	Percentage
Child custody or visitation	39	33.62%
Divorce or separation	25	21.55%
Child support or Dept. of Revenue (DOR)	17	14.66%
Eviction / Housing	16	13.79%
Other (please specify)	16	13.79%
Domestic violence / abuse / harassment	8	6.90%
Small Claims / Debt Collection	8	6.90%
Guardianship	6	5.17%
Paternity	2	1.72%
Family member's estate or will	2	1.72%
Changing birth certificate	1	0.86%
Passport	1	0.86%

CSC users looked for consistent services during their visits to Court Service Centers with the most sought-after service from CSCs being obtaining general legal information about their cases. This category included everything from brief questions to more in-depth discussions of their legal challenges and possible options for legal remedies. The users surveyed for this report also frequently sought help with their case's paperwork from the CSC. These results are not mutually exclusive (given that users could receive more than one service at once), and just under half of all CSC users looked for assistance in filling out their required forms or learning what specific forms they had to file for their cases.

Figure 3.8 What type(s) of help did you want from the CSC today?

Type of Help Wanted	Responses	Percentage
General legal information	56	49.56%
Figuring out what paperwork I needed to file	53	46.90%
Court forms	51	45.13%
Finding an attorney	14	12.39%
Legal research	12	10.62%
Other (please specify)	12	10.62%
Responding to something I got in the mail	9	7.96%

3. Levels of user satisfaction with Court Service Centers

In addition to what services and case types users brought to the CSCs, the surveys collected for this report also evaluated users' experiences at CSCs. Overall, users reported high levels of satisfaction at CSCs with almost 95% reporting they had received the assistance they needed while 98.3% reported being "satisfied" or "somewhat satisfied" with the services they received. These results point towards not only positive views of the CSCs--and presumably their staff--but also the success CSCs are having in providing an initial level of assistance to users.

Figure 3.9: Did you get the help you needed today?

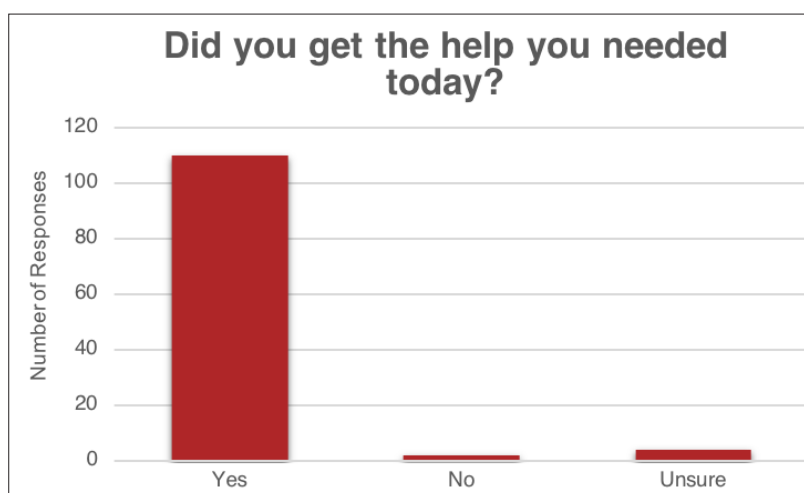


Figure 3.10: Rating of visit to the CSC

Level of Satisfaction	Responses	Percentage
Very Satisfied	96	83.48%
Somewhat Satisfied	17	14.78%
Neither Satisfied nor Unsatisfied	2	1.74%
Somewhat Unsatisfied	1	0.87%
Not Satisfied	1	0.87%

At the same time, users indicated they had remaining legal challenges after receiving services at CSCs. Most users (52.2%) noted that they needed further assistance with their cases. Similarly, the portion of users indicating that they needed assistance "finding an attorney" grew from 12.4% to 29% of users. This result suggests that some users realize the complexity of their cases and the need for representation after receiving services at CSCs. In addition, a sizeable portion of CSC users indicated that they continue to need further legal information on their cases even after receiving services from a CSC.

Figure 3.11 Do you need more help with your case?

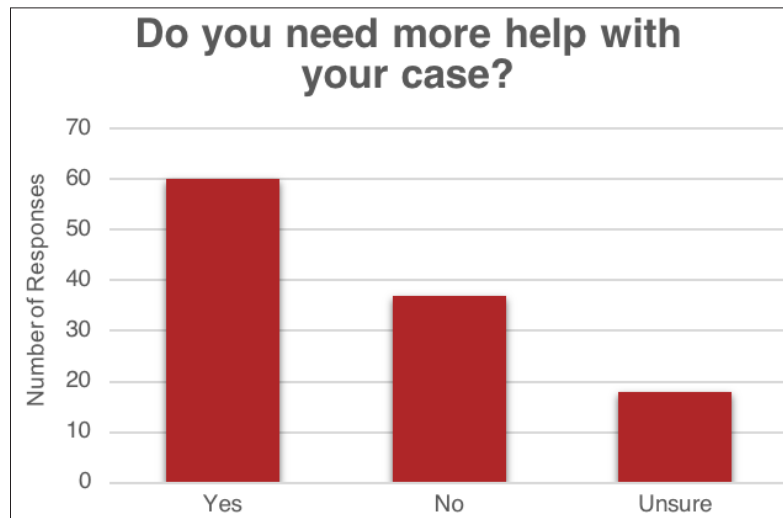


Figure 3.12 If you need more help, what kind do you require?

What kind of help	Responses	Percentage
General legal information	35	46.05%
Court forms	22	28.95%
Finding an attorney	22	28.95%
Figuring out what paperwork I needed to file	20	26.32%
Other (please specify)	14	18.42%
Legal research	11	14.47%
Responding to something I got in the mail	4	5.26%

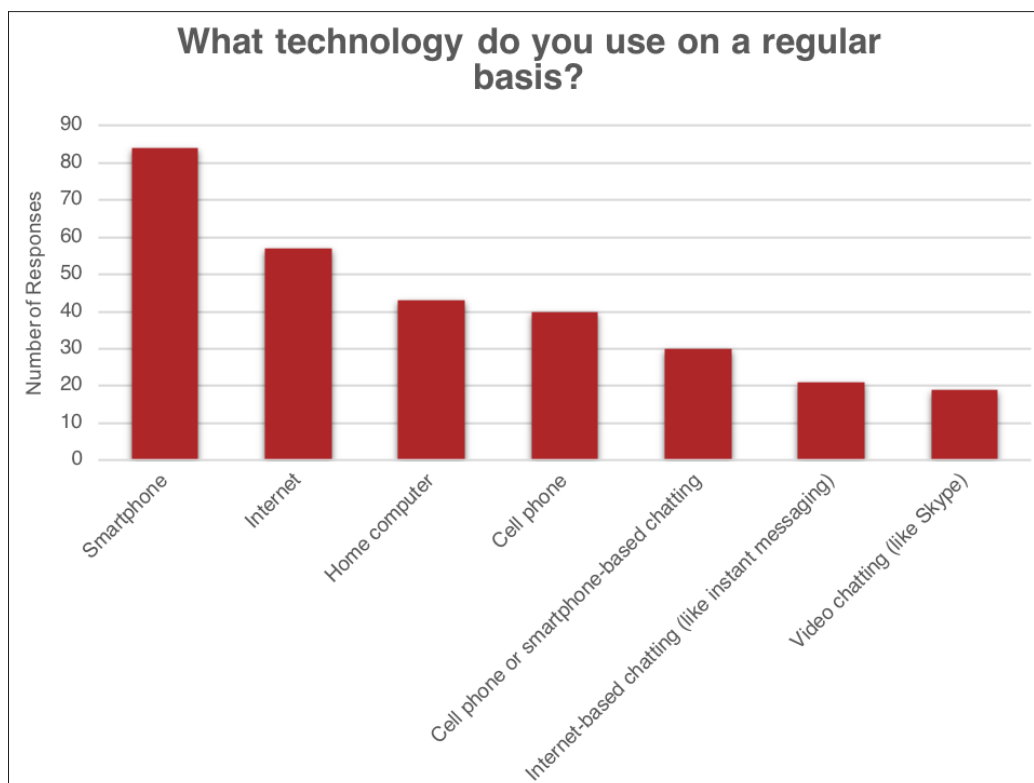
Overall these results suggest that CSCs are successful in assisting users in filling out and filing paperwork given that the proportion of users who needed assistance with forms dropped after visiting a CSC. At the same time, CSCs are not completely meeting the legal needs of users possibly due to an inability to provide advice or representation, limited staff time, or complex cases that cannot be addressed in a single session. In addition, speaking with CSC staff may also have expanded users' understanding of their legal issues and caused them to have more questions about the court processes facing them.

4. Court Service Center users' preferences for a Virtual Court Service Center

To assess how a VCSC could best serve those who currently use CSCs, litigants were also asked to rate what features of a potential online help center would be most useful to them. Overall, users favored mobile and user-friendly features that could help them with the issues they went to CSCs for, namely help finding general legal information and filling out forms.

In terms of how they would access a VCSC, users reported utilizing smartphones and cellphones on a regular basis. Many of those surveyed may not have made a distinction between these two choices. Although a sizable portion of users reported using a home computer, smartphone and usage still greatly overshadowed the use of desktop computers. This result supports the idea that any new online legal features developed in Massachusetts should be accessible and easy-to-use on smartphones.

Figure 3.13 What type of technology do you use on a regular basis?



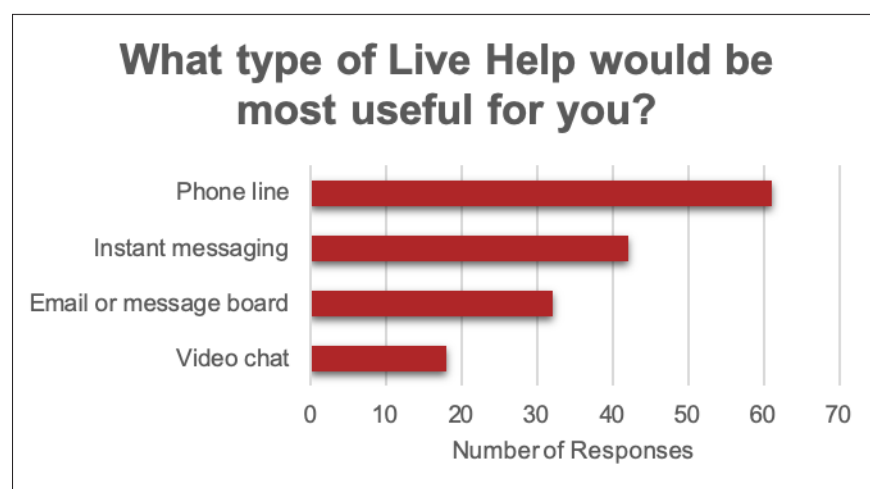
The surveys conducted for this report also allowed CSC users to select up to 3 features that they thought would be useful in a VCSC. Mirroring the help that users sought from in-person CSCs, the surveys indicated that approximately half of CSC users selected online tools that helped complete the forms for their case. Many users also selected “How-to” materials either in written or video form as well as the opportunity to practice or prepare for representing oneself in court. The survey results also speak to the accessibility of any online tools. A sizeable portion of CSC users indicated the need for public computers where they could access the website along with in-person assistance while accessing any online features.

Figure 3.14: Which features would be most helpful for a Court Service Center Website? (Users picked the three they thought would be most useful)

Features	Responses	Percentage
Help filling out forms	58	56.31%
Help finding the forms you need	48	46.60%
Written “How-to” instructions and information	39	37.86%
Practice for representing yourself in court	33	32.04%
Informational and instructional “How-to” videos	32	31.07%
Court website access on smartphone	32	31.07%
In-person help using website at public location (like a library, community center, or health center)	22	21.36%
Alerts, information or reminders sent to you via email or text	18	17.48%
Information available in different languages	13	12.62%
Public computers in my community to use website	12	11.65%
Scheduling tools	12	11.65%

In the final section on a potential virtual CSC, the surveys explained what LiveHelp meant (providing CSC-style assistance through chat, phone, video chat, etc.) and then asked what type of LiveHelp would be most useful for CSC users. Again, CSC users indicated a broad preference for phone lines, although email and instant messaging were also popular. This result again points to the fact that many CSC users may not have the technological skills to use advanced digital features as well as a general preference among many users for direct human assistance with their legal issues.

Figure 3.15: What type of LiveHelp would be most useful for you?



C. Court staff

In addition to CSC users, Massachusetts Appleseed also gathered survey data from the staff at all six court facilities with Court Service Centers (Boston, Brockton, Lawrence, Springfield, Greenfield, and Worcester). The results largely mirrored our findings from stakeholders and CSC users. Staff indicated that SRLs in Massachusetts are looking for assistance with filling out forms and obtaining answers to questions about legal processes related to their cases. Court staff members also stressed the importance of CSCs and identified several areas where a VCSC could be the most helpful, most notably in providing additional how-to resources coupled with assistance for SRLs filling out court forms.

1. Profile of court staff surveyed

Massachusetts Appleseed conducted two rounds of surveys through emails sent out to over 1,600 staff members at the six courts with CSCs across the state. We received 323 responses from a range of staff at the courthouses including judges, attorneys, security officers, and a variety of clerical and administrative professionals. The staff who completed the survey also worked at a broad range of court types including District, Superior, Probate & Family, Juvenile, and Housing.

Figure 3.16: At what courthouse/court complex do you work?

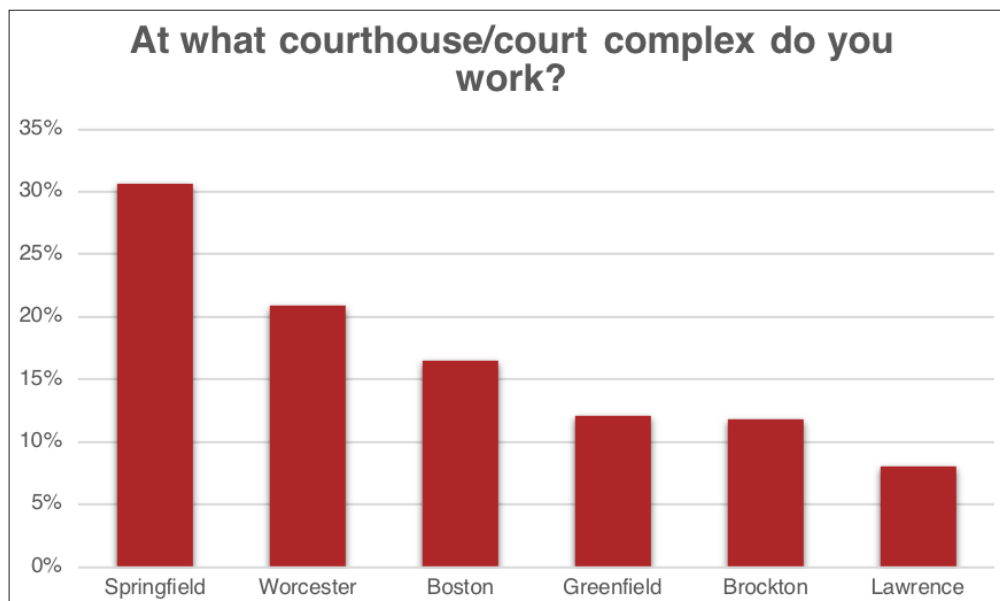


Figure 3.17 In what Trial Court Department do you work?

Trial Court Department	Responses	Percentage
Probate & Family Court	95	29.41%
Juvenile Court	67	20.74%
District Court	53	16.41%
Housing Court	35	10.84%
Superior Court	27	8.36%
Boston Municipal Court	14	4.33%
Massachusetts Probation Service	13	4.02%
Other (please specify)	11	3.41%
Office of Court Management	8	2.48%

Figure 3.18: What is your job title?

Job Title	Number of Responses	Percentage
Chief Probation Officer/Probation Officer/ Associated Titles	79	24.53%
Case Specialist	58	18.01%
Other (please specify)	37	11.49%
Clerk Magistrate/Assistant Clerk Magistrate	35	10.87%
Sessions Clerk	19	5.90%
Judge	17	5.28%
Security Staff	16	4.97%
Operations Supervisor	14	4.35%
Case Coordinator	10	3.11%
Judicial Secretary	9	2.80%
Housing Specialist	8	2.48%
Office Manager	7	2.17%
Court Service Center Staff	7	2.17%
Head Administrative Assistant	4	1.24%
Facilities Staff	4	1.24%
Register/Assistant Register	3	0.93%
Law Librarian	3	0.93%

2. What services are court users seeking?

To gauge what services court users were seeking both in the CSC and in other parts of the court, the surveys asked staff members to identify what information or services SRLs are most regularly looking for when they interact with staff members. The most common questions from SRLs concerned court forms and the court processes surrounding users' cases. Other common requests include asking for legal advice and information for cases. More basic concerns such as asking for directions, interpretation, or scheduling indicate both the diversity of staff input (for example, security staff are most often asked for directions) as well as the struggle for everyday people to orient themselves in the foreign environments of courthouses.

Figure 3.19: What information are court users most seeking or looking for when they come to you?

Types of Help	Number	Percentage
Questions about processes related to their cases	220	68.11%
Help completing court forms	196	60.68%
Help filing court forms	120	37.15%
Legal advice	112	34.67%
Directions to offices, courtrooms, or events	103	31.89%
Legal information	87	26.93%
Scheduling	50	15.48%
Court interpreter	48	14.86%
Other (please specify)	23	7.12%
Accommodation for a disability	10	3.10%

These results demonstrate the struggles SRLs face in navigating court processes and paperwork as well as the types of assistance that would be most useful for SRLs. As is clear from these results, court staff are regularly providing basic information and help with forms that could be available through other formats such as document assembly programs. Some of these relatively straightforward concerns, such as providing directions, can be a burden on staff time that could be spent either performing expected functions or, in the case of CSC staff, assisting SRLs with more complex concerns.

Court staff themselves appear to recognize this issue. In their survey responses, staff were asked to select the three most valuable services provided by CSCs. These responses largely matched the most common challenges staff identified for SRLs: understanding court processes, helping with paperwork, giving legal information.

Figure 3.20: What are the 3 best services provided by the CSCs? (Percentages indicate what percentage of total respondents listed service as one of best services provided by CSC)

Services	Responses	Percentage
Helping court users complete forms and other documents	274	84.83%
Explaining court processes	254	78.64%
Giving legal information	176	54.49%
Providing information about social services, community organizations, and legal aid	109	33.75%
Directing court users to locations within the court	99	30.65%
Connecting court users to interpreter services and ADA Coordinators	37	11.46%
Other (please specify)	20	6.19%

In addition to the most valuable services offered by existing CSCs, the staff surveys also asked what improvements could be made to CSCs to help them and the courts in general function more effectively. The free text responses were varied and often specific to the unique circumstances of each courthouse, but several themes emerged including a need for improved triage, greater staffing and interpretation, as well as the ongoing tension between the role of CSCs and their inability to offer legal advice to court patrons.

Figure 3.21 Are there any additional services would you like to see offered by the CSC to help court users, improve system efficiency, and/or help you do your job more effectively?



In addition to expanding resources for self-help, several of the suggestions for CSCs operations from court staff focused on practices to improve services. As suggested by the surveys, routine questions such as directions, interpreter requests, or basic questions about court processes could be handled by information desk staff or a webpage rather than CSCs. The need for bilingual staff speaks to CSC efficiency as well since staff time may be consumed by interpretation (in which each sentence must be repeated by the interpreter) as well as the misunderstanding of basic instructions to court users who have limited proficiency in English.

The final point on the efficacy of CSCs were calls for increased latitude for attorneys to offer legal advice for CSC users. Some respondents felt that this step would allow for faster resolution of CSC cases since staff would not have to carefully lay out options for users and could instead directly tell CSC visitors what their best option is. Although this service may be demanded by some staff and court users, it would require a serious rethinking of the purpose of CSCs as well as malpractice liability insurance coverage for CSC staff.

3. Court staff views on a Virtual Court Service Center

As the final part of Massachusetts Appleseed's survey, court staff listed what VCSC features from a pre-established list would be most useful for SRLs. Staff respondents noted that providing more assistance filling out and filing court forms would be a useful feature for any online help center. Staff also identified "how-to" resources such as FAQ pages, videos, or manuals to be promising features for a VCSC. The high praise many court staff had for their in-person CSC also indicates the need to replicate the services of CSCs online rather than replacing them entirely.

Figure 3.22: Of the following website features, which do you think would be the most valuable? (Staff could select up to 3)

Online Features	Responses	Percentage
Help filling out forms	185	57.28%
Written "How-to" instructions and information	136	42.11%
Help finding necessary forms	136	42.11%
Informational and instructional "How-to" videos	132	40.87%
Information available in different language	117	36.22%
In-person assistance using website at public location (like a library, community center, or health center), alerts, information, or reminders sent to litigants via email or text	90	27.86%
Ability to access website on smartphones	71	21.98%
Practice for litigants to represent themselves in court	49	15.17%
Locations in the community to use website on public computer	34	10.53%
Additional features	19	5.88%

As detailed in the free response comments at the end of the surveys, many court staff were enthusiastic about both the services their CSCs were providing, and the prospect of services being deployed online. At the same time, others were skeptical of how effective a VCSC could be for many of the people the CSCs currently serve. Staff noted the challenge of social conditions such as education and health in litigants' abilities to address their legal issues. In addition, others voiced concern that online forms would be filled out incorrectly or that litigants would slow the court down more by bringing in incomplete or incorrect case documents to clerks and judges. The praise for CSCs and the concerns about online help highlight the importance of maintaining robust, in-person services for those who are not able to effectively access or utilize online court services. These results also reinforce the idea that a VCSC would need to imitate and replicate the services provided at in-person CSCs to be useful to court users, most likely through the development of LiveHelp services such as phone lines or messaging services.

Figure 3.23 Praise for Court Service Centers from court staff

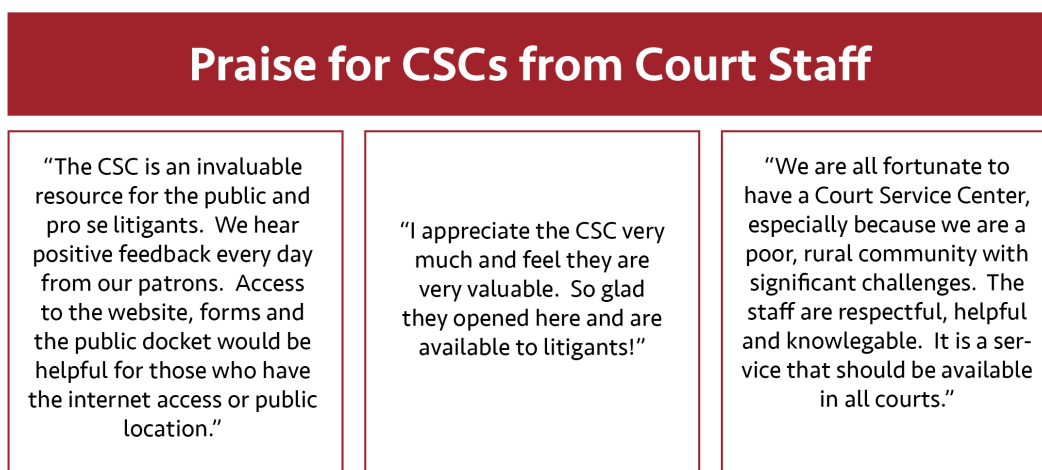


Figure 3.24 Concerns regarding a Virtual Court Service Center from survey respondents

Impact of social conditions on self-representation

"Over 90% of litigants in my court are unrepresented. They cannot have the understanding of a lawyer and we cannot make them lawyers. A website may be helpful to some, but most need legal advice and review of documents prior to filing. More professionals need to be dedicated to this effort for it to help the majority of litigants. Also the courts are dealing with many social problems which hamper their ability to successfully address their legal problems. We need better intergrated social services, so we can administer justice and providers can provide treatment."

Limits of online services without LiveHelp

Most people who come to the CSC do so because they need help completing court forms. Samples are often not sufficient because there is never a one size fits all when it comes to legal matters. Unless litigants can reach an actual person from their computer screen, I am not sure the litigant will get the help they truly need."

Need for triage and effective document assembly programs

"They just keep coming. I worry about a simple online model without triage. People often come here thinking they need to file one thing, when they really need to file something else. I worry that without some kind of triage, we're going to have folks filing complete packages that are inappropriate."

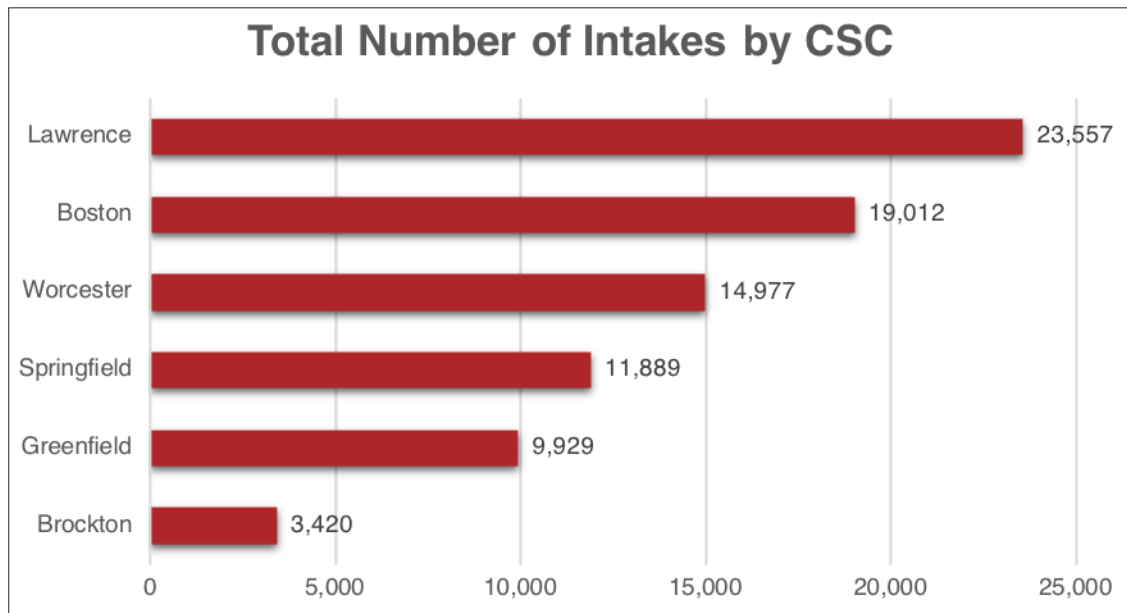
D. Intake data

As part of its analysis of the Trial Court's CSCs and the prospects for a Virtual Court Service Center, Massachusetts Appleseed also examined intake data collected from the six CSCs. These thousands of entries documenting users' interactions with CSCs illustrate the most common services that CSCs provide and the ways in which online assistance could potentially be the most useful for SRLs. As with the data collected from court users, staff, and stakeholders, the intake data suggests that litigants are most in need of assistance with filling out and filing court forms and general information for Probate & Family Court cases.

1. Profile of cases served at Court Service Centers

To analyze interactions between CSCs and court users, Massachusetts Appleseed examined several sets of data provided by the Trial Court for this project. The first and most significant were 82,812 recordings of interactions between staff and users in CSC locations between September 2015 and July of 2017. These results included data from all six CSCs over this period. Massachusetts Appleseed and its research partners also analyzed several smaller segments of data from portions of both fiscal year (FY) and calendar year (CY) 2017. These distinctions in timeframes are reflected in the captions for all the graphics for the following section.

Figure 3.25: Total number of intakes by CSC, Sept. 2015-July 2017



Most litigants had cases in the Probate & Family Court. According to the data from the CSCs, the Probate & Family, Housing, and District departments represented 97% of all cases that are brought to CSCs. Data collected from instances of 1-on-1 assistance (when the CSC employee provides more in-depth services) further identified the most common case types for CSC users. Most of these fell under the jurisdiction of Probate & Family Court and reaffirm the case types that stakeholders, literature, and court staff identified as the most common for SRLs.

Figure 3.26: Individuals served by CSC by referring department, Sept. 2015-July 2017⁹⁵

Court Department	Number of Individuals Served	Percentage of those served
Probate & Family	31,279	80%
District	3,562	9%
Housing	3,100	8%
Superior	488	1%
Juvenile	369	1%
Other	69	<1%

⁹⁵ Figures 2.31 and 2.32 indicate only the intake data for 1-on-1 Assistance, the referring department for Basic Help cases was not recorded in the data.

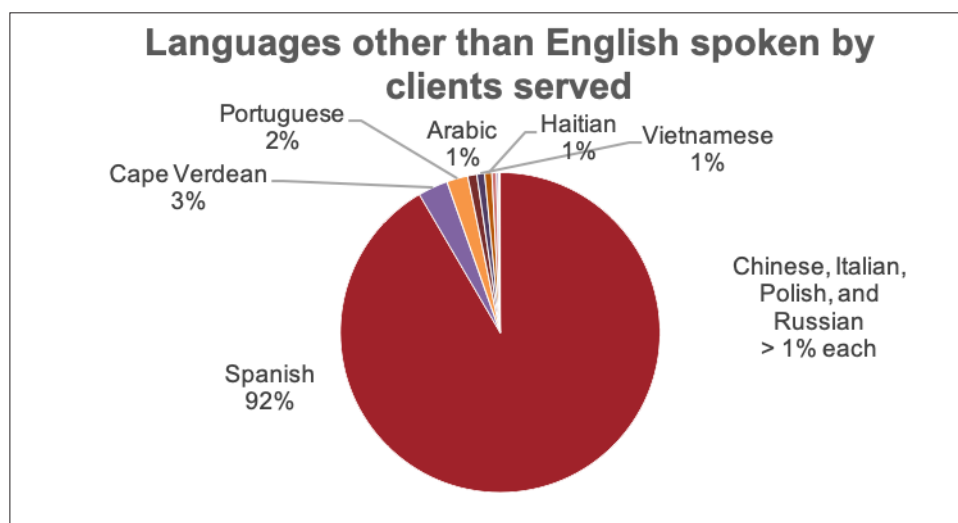
Figure 3.27: Type of case for 1-on-1 Assistance, Sept. 2015 to July 2017

Case Type	Number of Cases	Percentage
Child Support (CSP)	10,443	33%
Divorce	10,406	33%
Guardianship	4,880	16%
Other	3,112	10%
Paternity	1,513	5%
Name Change	496	2%
Protective Order (209A)	259	1%
Estate	123	<1%

The intake data provided by the Trial Court also marked the linguistic diversity of both CSC users and users of Massachusetts Courts in general, with 6,630 (7.68%) of CSC users speaking a language besides English when being served at CSCs. This number, however, represented only CSC users who used an interpreter while at the CSC. Other CSC users may have used English during their interaction with CSC staff but may have been more comfortable speaking in their native language.

Although these LEP individuals were overwhelmingly Spanish speakers (5,283), significant numbers also spoke languages like Cape Verdean (193), Portuguese (136), Arabic (59), and Vietnamese (50). Although these numbers may seem low given the large numbers of LEP residents of Massachusetts, it is important to consider that many LEP individuals may avoid CSCs due to discomfort or embarrassment with operating in English-dominated spaces. Similarly, due to a lack of English fluency, some of these LEP court users may be unaware of CSC services. These findings again stress the importance of having easy access to bilingual staff (especially Spanish speakers) and interpretation services in CSCs.

Figure 3.28: Languages other than English spoken by clients served, Sept. 2015-July 2017



2. Types of assistance provided to Court Service Center Users

The data also demonstrated similar patterns of services as described by court staff, CSC users, and stakeholders. CSCs categorize their services in two ways: 1-on-1 Assistance and Basic Help. Basic Help refers to general questions and services that can be provided rapidly, often by those at the front desks of CSCs. 1-on-1 Assistance refers to interactions where a court user sits with an attorney, paralegal, or intern at the CSCs who go over the individual's case and provide guidance and information on a variety of legal concerns related to the case.

Figure 3.29: Type of assistance provided at CSC, Sept. 2015-July 2017

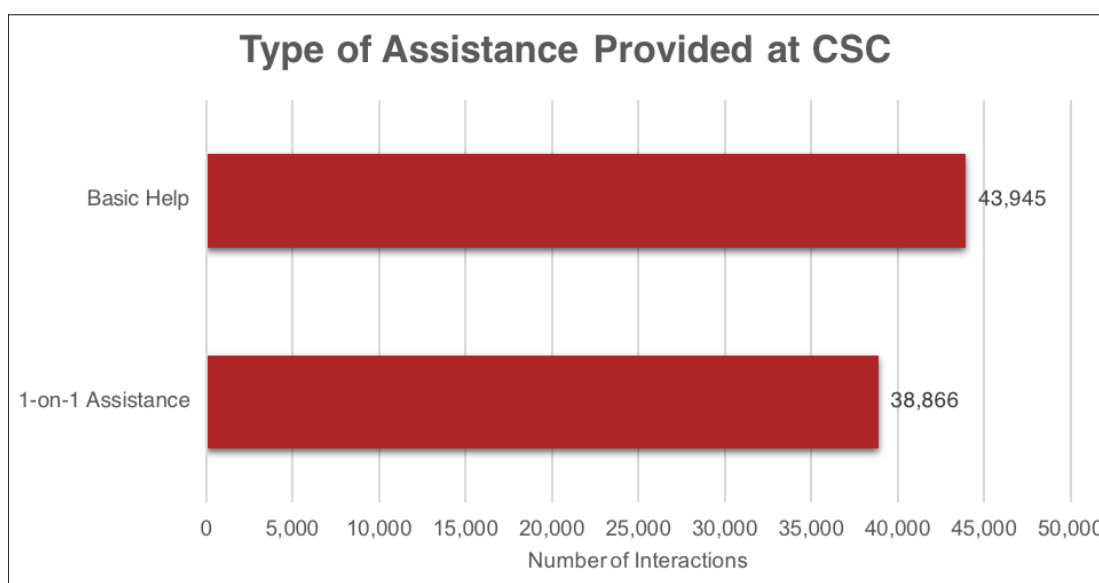
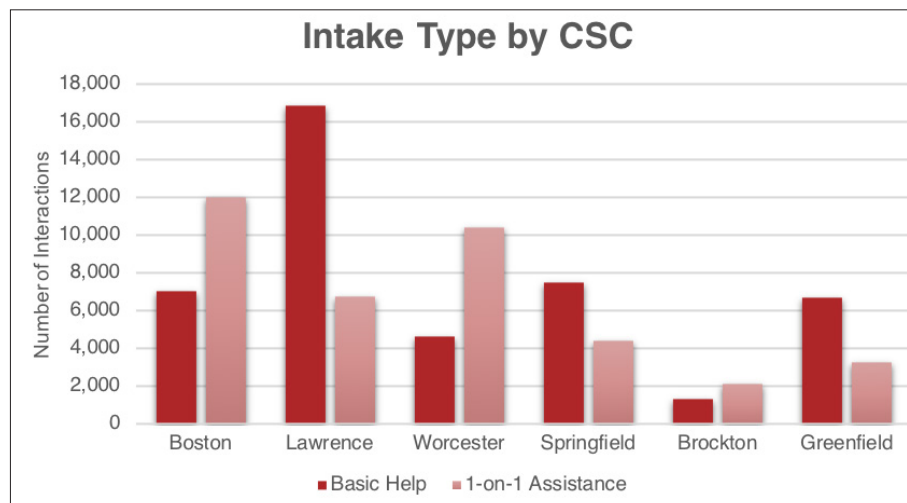


Figure 3.30: Level of assistance provided by CSC, Sept. 2015-July 2017



Overall, tracked from September 2015 to July 2017, CSCs provided more Basic Help services than 1-on-1 Assistance. In data from FY 2017, CSCs reported different ratios of Basic Help vs. 1-on-1 Assistance with CSCs. For instance, Boston and Worcester reported providing more individualized help while CSCs in Lawrence and Greenfield provided more Basic Help. These results suggest that either the levels of assistance may shift throughout the year or that the practices of CSCs encourage different levels of assistance for each category.

For Basic Help cases, CSCs provided a range of services from notarization to answering brief questions to providing users with computer access. Based on Appleseed's analysis of the Trial Court's intake data, over half of Basic Help interactions involved a brief question. When counting directions as well, these services represented 82% of all Basic Help services provided by CSCs. As suggested in the staff survey responses, directions and other minor issues are common requests from court users and could be handled by court information desks or electronic kiosks rather than CSCs, thus saving staff time for more complicated issues. Brief questions about cases that could be answered quickly by staff could also potentially be looked up online by SRLs if that information was clear and accessible on a VCSC.

Figure 3.31: Type of Basic Help provided at CSCs, Sept. 2015-July 2017

Type of Basic Help	Number of Individuals Served	% of Basic Help Services
Brief question	23,102	53%
Directions	12,792	29%
Forms pickup	2,859	7%
Computer access	1,416	3%
Printing	1,266	3%
Notary	1,257	3%
Assistance total	978	2%
Library	588	1%
Phone	382	1%
General info	265	1%

1-on-1 Assistance represents a more diverse set of services provided by CSCs. The data collected on 1-on-1 Assistance in all six CSCs from September 2015 to July 2017 showed the same services requested as the surveys of stakeholders, staff, and CSC users indicated. Over three out of every four users who came to the CSCs and required staff assistance needed help with forms related to their cases. A healthy majority of CSC users were also looking for information about their cases or a basic orientation from CSC staff on what their cases would entail.

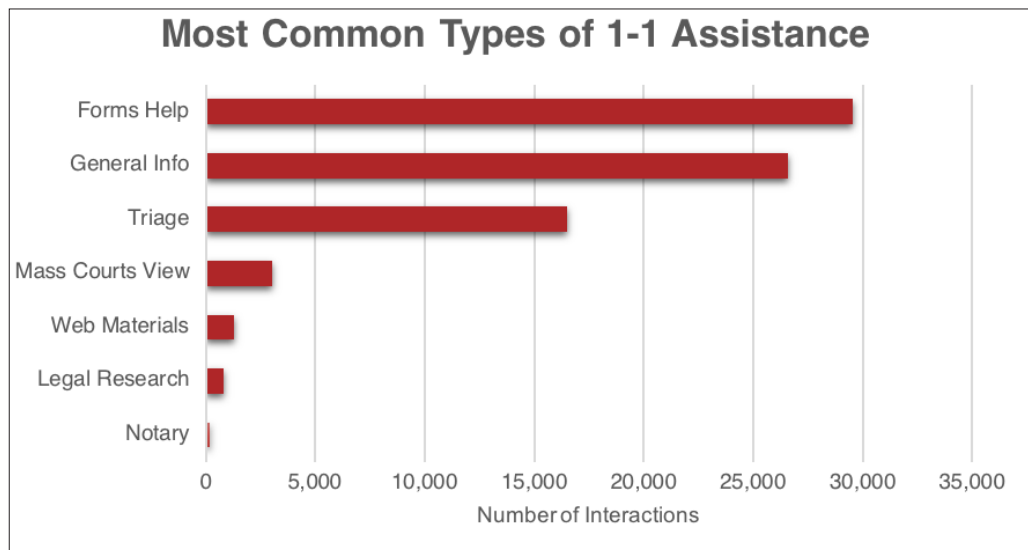
Triage represented the only service not listed by other groups surveyed for this project. Although not directly specified in the intake data, triage generally involves determining what help a CSC user needs, how to provide it, and what department or individual should assist said user. The CSC services recorded were not mutually exclusive, so the data reflects that those receiving triage services were usually receiving them in addition to more common assistance such as help with forms or general legal information. In addition, the groups surveyed for this project may not have considered triage a separate or unique service from those that they selected, especially given that it was not an option for them to select on their surveys.

Figure 3.32 Most Common Types of 1-on-1 Assistance provided at CSCs, Sept. 2015-July 2017

Type of Assistance Provided	Number of Individuals Served	Percentage
Forms Help	29,522	76%
General Info	26,608	68%
Triage	16,473	42%
Mass Courts View	3,017	8%
Web Materials	1,294	3%
Legal Research	826	2%
Notary	193	0%

*These services are not mutually exclusive as CSCs regularly provide more than one during interactions with users.

Figure 3.33 Most Common Types of 1-on-1 Assistance Provided, Sept. 2015-July 2017



These results suggest that at least some of the tasks that CSCs are regularly asked of by court users could at least be partially offered online. For example, document assembly programs or guided interviews to fill out routine court forms could reduce the amount of time staff must spend filling in legal documents for court users. Document assembly programs that were available in CSCs themselves on public computers could also allow CSC staff to direct patrons to fill out the program while they assisted other customers with separate legal concerns.

Figure 3.34 Most common types of cases for 1-on-1 assistance Sept. 2015-July 2017

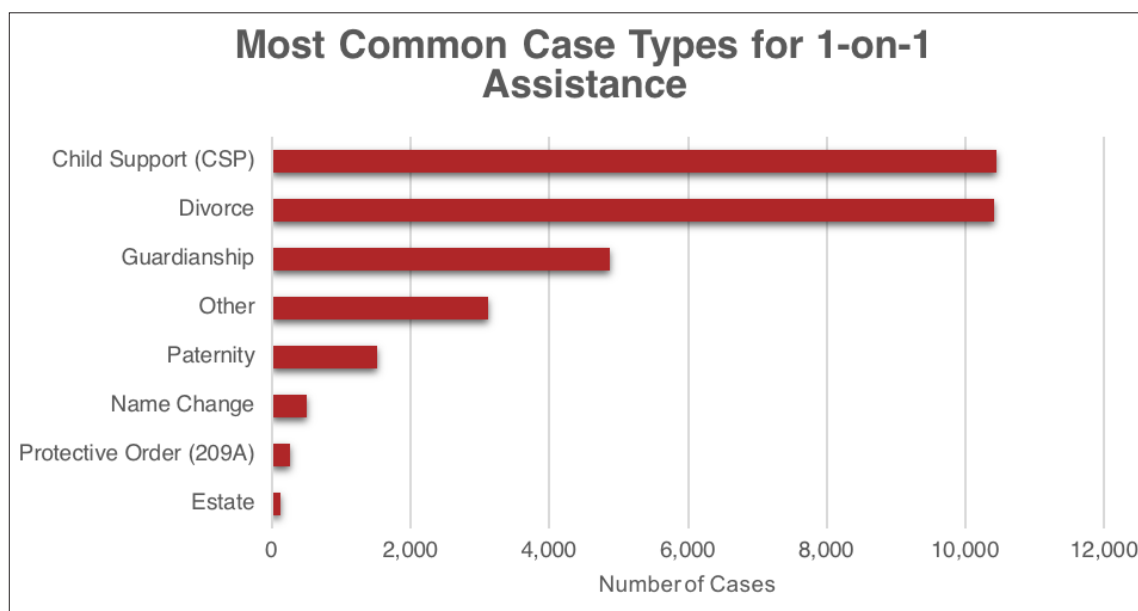
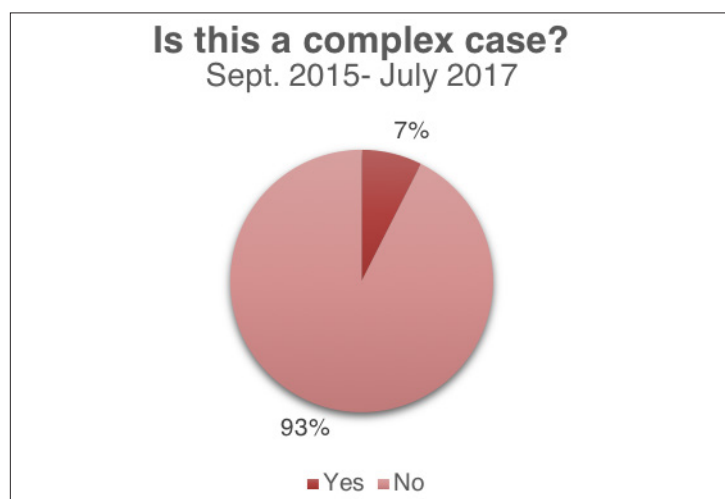


Figure 3.35 Is this a complex case? Sept. 2015-July 2017



As a final example of the utility of online self-help tools, an overwhelming majority of cases at CSCs were marked as “not complex” by CSC staff. This result further reinforces the idea that a large portion of the services of CSCs could be replicated online for patrons who are technologically literate. The issue, as these results indicate, may be that users are either not aware that many of these resources exist on the Courts Self-Help page or that these resources are not presented or organized in a manner that is logical to SRLs. In addition, the lack of complexity in many of these cases also means that LiveHelp could be an integral part of a VCSC, answering relatively easy questions and preventing litigants from having to travel to CSCs to have minor concerns or questions explained.

E. The need for a Virtual Court Service Center

Massachusetts Appleseed's analysis of data from stakeholders, court staff, CSC users, and CSC intakes indicates continuing need for legal self-help resources, many of which that could be delivered online. All the groups surveyed pointed to a consistent need for help with filling out legal paperwork, obtaining more legal information on cases, and understanding court processes. The intake data from the court service centers reinforces the fact that these services are the most useful by court users and SRLs. Users, staff, and stakeholders all agree that any online help center should include help with filling out forms, expanded "how-to" guides, and easily digestible information on case types and court basics.⁹⁶ In addressing the need for human assistance, users also widely supported LiveHelp programs that would include phone lines, a service that stakeholders' and staff's experiences also supported.

All our findings support the utility of a Virtual Court Service Center for self-represented litigants in Massachusetts. From the CSC intake data analyzed, there are consistent types of cases (Family & Probate- specifically Divorce, Guardianship, and Child Support cases) that require consistent types of assistance (help with forms, legal information, answering basic questions). These concerns all have ready answers from existing technology and remote self-help practices. Consequently, a Virtual Court Service Center can pair proven technologies such as document assembly programs with needed self-help services such as filling out forms to address the everyday challenges faced by SRLs throughout Massachusetts.

⁹⁶ The fact that many of these resources exist on the Courts Self-Help page but few of the CSC users appear to have been aware of them also indicates an issue with the publicizing or utility of these resources.

IV. RECOMMENDATIONS AND CONCLUSION

The Massachusetts Trial Court has the opportunity to develop a Virtual Court Service Center that centralizes existing self-help resources in Massachusetts and creates new, innovative programs for SRLs. The three foundations of the VCSC should be 1) LiveHelp services, 2) extensive and navigable legal information in written and audio-visual forms, and 3) document assembly programs featuring guided interviews. Combined, these features will enable the VCSC to replicate in-person Court Service Center operations online and provide new tools for litigants representing themselves in Massachusetts. This section will first provide an overview of the principles that should guide the creation of a VCSC before discussing the specific features that should be included. The following segment explains how the VCSC could be integrated into Massachusetts' judicial ecosystem. This section will conclude with a brief discussion of the potential cost of the development of a VCSC.

A. Virtual Court Service Center goals and principles

The goal of any online replication of Court Service Center services should be to empower self-represented litigants to effectively advocate for themselves in court. Our analysis of the literature and Massachusetts-specific data on the challenges SRLs face shows a consistent need for specific types of services such as how-to guides, LiveHelp, and assistance with court forms. The VCSC should strive to provide these services to SRLs in a manner that is accessible to those with lower levels of education and technological literacy. Although these services will not replicate legal representation or eliminate the need for ongoing in-person assistance, a robust set of online legal tools has the potential to empower a greater share of litigants to effectively manage their own cases. In a fully realized form, a Virtual Court Service Center would “turn on the lights” for court users, allowing them to understand the processes, actions, and outcomes that await them in their cases.

Though the exact policies and programs the Trial Court implements will be important, there are also important principles that should guide the creation of any additional online self-help tools for Massachusetts. Based on our research on the successes of other online tools and the challenges SRLs face in civil court, these principles are user-friendly tools, phased-in programs, and accessibility. Given that the exact design and implementation of the VCSC may vary based on funding and capacity, these three concepts will provide important guidelines for the Trial Court in any scenario.

1. User-friendly tools

All tools, features, and components deployed to build a VCSC should be designed and developed with the mindset that court users, especially self-represented litigants, will be the ones using them. Such a user-friendly approach will ensure that self-help materials, LiveHelp programs, and online features serve the needs of the SRLs who use them. Although this approach is somewhat broad, it can be best achieved by using plain language and SRL-centered tools.

Plain language and audiovisual self-help materials are necessary to ensure that court users with lower levels of education can access and use online tools. Plain language means ensuring

that all text on the VCSC is at a level that those who have less than a high school education can understand. More concrete steps that can be taken to make materials plain language include avoiding legal jargon whenever possible (or including definitions in pop-ups or glossaries) and avoiding complex sentences. Language framed in commands or clear step-by-step directions can also aid comprehension for those with lower education levels.

A user-friendly approach should also consider SRLs' perspectives on the court system and their legal issues. As outlined in the Literature Review section of this report, SRLs are regularly confused and frustrated by complicated court processes and unfamiliar practices that leave them with a sense of "being in the dark." A user-friendly VCSC would address this issue by clearly explaining court processes. In addition, tools should prepare users to represent themselves in court. For instance, materials that identify how hearings will proceed, how to act in court, or how to submit evidence or motions could be particularly useful for SRLs.

An important component of user-friendliness for a VCSC is also navigability. As discussed in the Best Practices section, navigable self-help websites allow users to easily find and keep their place on websites. This design, which can include navigational bars on the side or top of webpages or clear links back to homepages, allows users to move back and forth through a website without relying on steps that require technological literacy such as opening new tabs or using the "back" command of web browsers. Navigable websites also enable users who do not know what type of case they have to view and evaluate their options. A well-designed self-help page would also provide users with a logical order of materials starting with informational guides before moving on to how-to or step-by-step guides.

2. Phased-in design

Key to the development of a VCSC will be a phased-in, intentional design and implementation of online features. Although the recommendations in this report are based on research into the experiences of SRLs in Massachusetts, our vision of a VCSC is based on best practices from other states and inferences from the data analyzed for this report. As such, it will be important to test which features and projects are most effective both in helping SRLs and using the state's resources. The development of the VCSC should be gradual and based on evidence obtained in a step-by-step process rather than a top-down approach in which the Trial Court designed, developed, and implemented a VCSC without first testing its features.

Attorneys and developers who have helped create online self-help centers in Maryland and Illinois both stressed the principle of phased-in programs using pilot projects.⁹⁷ Pilot projects can either target specific geographic areas or, given the statewide nature of many legal issues, a specific case type. A well-designed pilot project will provide the evidence needed for evaluating which features are useful for SRLs and the Trial Court. The goal of these projects should be to build an evidentiary base for expanding VCSC features and programs to a statewide level or to cover additional topics.

⁹⁷ Sarah Coffrey Frush, (2018, 5 October).; John Mayer, (2018, October 2), Phone interview with J. Hofstetter.

3. Accessibility

Accessibility in several areas will be a key principle for the success of a VCSC in Massachusetts. New online features and programs should be available to those with LEP, disabilities, or of varying levels of technological literacy. In terms of language, our analysis of Trial Court data shows thousands of CSC users who speak a language other than English, primarily Spanish and Portuguese. LEP users will require newly developed tools to have translation and interpretation features built into them to ensure fair and equal access to the VCSC. The existing Courts Self-Help page published on Mass.gov should act as a model for this endeavor since it provides extensive and easy-to-use translation tools.

The VCSC should also be accessible to those Massachusetts residents with disabilities. Several features such as voice chat and audiovisual tools currently exist and can be utilized to ensure that users with disabilities receive fair access to self-help materials. Similarly, a LiveHelp telephone line would provide an important tool in ensuring access to the VCSC. In developing the VCSC, the Trial Court should collaborate with advocates for people with disabilities to ensure that tools are developed with a sensitivity toward the needs of this population.

Technological literacy is also an important accessibility consideration for the VCSC. Although most users will require a basic grasp of technology to even access the VCSC, there will still be a spectrum of comfort and competence with using online features. As such, the VCSC should stress navigability as well as step-by-step tools that are easy to use. Part of this component of accessibility is also maintaining in-person and LiveHelp assistance for SRLs and other court users. A VCSC should also be mobile-friendly to include the large numbers of SRLs who may not have access to the internet through any means except their smartphones.

B. Design and features recommended

The following section will detail the specific features, tools, and components that should be included in a VCSC for Massachusetts. Each recommendation includes a justification of why the feature could be useful and a general strategy for implementation. These recommendations are based on observed best practices from other states, guidance from the literature on self-help tools, and inferences from the data analyzed for the Findings section of this report. As outlined in the principles section, each feature should be evaluated on its own accord through pilot projects or other forms of testing and evaluation to confirm its utility for a VCSC.

The VCSC should include LiveHelp programs that use phone lines and chat, written self-help resources, as well as document assembly and guided interview programs and video tutorials. Combined into a single online help center, these features would enable SRLs to gain legal information about their cases and then take actions to move their cases forward.

Figure 4.1: VCSC Structure



Figure 4.2: Existing resources and resources to be completed for VCSC

Self-help resource	Provided by Trial Court?	Comments
Basic information on court processes	✓	Navigability needs improvement
Case-specific self-help information	✓	Navigability needs improvement
Forms available online	✓	
Online triage	X	Needs guided interviews to bring users to their specific case type
Self-help videos	X	Only exist on limited scale for small claims cases
Document assembly programs	X	Only exist on small scale for small claims cases
LiveHelp	X	Only chat function for Law Libraries
Individualized portals	X	Long-term goal and system-wide
Language options	✓	Translated forms or instructions for filling out forms would enhance accessibility

1. LiveHelp: As part of the development of a VCSC, the Trial Court should develop LiveHelp programs through phone lines, messaging/email, and chatbots that connect VCSC users with CSC staff who can answer legal and procedural questions.

Justification

Our findings, based on the analysis of the data collected for this report, indicate a strong demand for LiveHelp services from a VCSC. Among stakeholders who work with low income court users, 77.3% of respondents thought LiveHelp options would be the most important component of a VCSC. In surveying CSC users across Massachusetts, over 50% of respondents marked LiveHelp, especially phone lines, as a feature they would like to see as part of a VCSC.

LiveHelp is not only popular among potential users, but it also represents an important tool for increasing access to remote self-help services. Phone or chat lines staffed with attorneys or paralegals can replicate the assistance provided by in-person CSC and thus increase access to services for those who cannot travel to courthouses. Chat services can be particularly efficient as staff can reply to questions with pre-written answers and respond to several users at once.⁹⁸ At the same time, chat and phone lines serve different populations with those with lower levels of technological literacy or education generally preferring phones lines.⁹⁹ Programs such as co-browsing or screensharing could also allow staff to provide connections to forms or guidance on how to fill them out.

LiveHelp can also serve as a form of triage for VCSC users. Staff can direct or link users to informational materials or technological tools such as document assembly programs based on their case types, ensuring that users are accessing and using the proper materials to prepare or research their cases. Chatbots, programs that use AI to answer preset questions from users, could also serve this role by allowing users to ask questions about their cases and be directed by the program to the self-help materials related to their cases.

Implementation

The Trial Court should implement LiveHelp programs through pilot programs that gradually expand staff and services to courts users across Massachusetts. Setting up LiveHelp services is not technically difficult as the programs only require technologies such as phone lines and chat services that could be adopted from existing messaging systems for Law Libraries in Massachusetts. The hiring and training of staff, primarily attorneys and paralegals, could also be adjusted based on the service capacity the Trial Court's preferences and budget.

LiveHelp staff would provide similar services to those at in-person Court Service Center by answering questions, directing users to the correct forms for their cases, and providing legal information. Remote services, especially over the phone, would not be the most effective manner to help court users fill out paperwork for their cases, but VCSC staff could email or direct users to

⁹⁸ Sarah Coffrey Frush, (2018, 5 October). Lonni Kyhos Summers (2018, 27 December).

⁹⁹ Sarah Coffrey Frush, (2018, 5 October).

the existing guides for filling out forms available on the Courts Self-Help webpage. If connected with a system that allowed texting through the messaging system, users could also potentially send LiveHelp staff pictures of the sections of forms they needed assistance with.

As a first step, pilot programs should focus on one technology (phone lines or chat systems), one case type (e.g. divorce or housing cases), or one geographic region (e.g. Worcester District Court). A geographic approach would be more challenging as it would require an additional level of triage to ensure that users reside in the jurisdiction of the court being served. An approach based on a category of cases, such as ones from Consumer or Housing Court, would be a more effective base for an initial pilot program. As described by experts, small-scale programs avoid “expensive blunders” and ensure LiveHelp services meet the actual needs of court users.¹⁰⁰

The LiveHelp system developed for the People’s Law Library of Maryland provides an instructive example for the VCSC. The remote self-help center currently has a staff of 15 attorneys, paralegals, and administrators that serve over 6,000 people each month.¹⁰¹ The initial center began with two attorneys with two phone lines serving clients during the hours in-person service centers operated. The initial center only assisted with housing and consumer cases before gradually expanding to family law cases as the center grew in staff, expertise, and capacity.¹⁰² If Massachusetts followed this model, expansion would be coupled with regular evaluation of data measuring usage, user satisfaction and wait times. This phased-in approach would also avoid wastes of taxpayer dollars on ineffective or unused services.

The experience of Maryland’s help center also points to the reality that demand will always be greater than the capacity of LiveHelp services.¹⁰³ The Trial Court should anticipate that wait times will be long even as the program grows, although some tools such as calling users back when a staff member is ready could reduce wait times. Despite these potential frustrations, a LiveHelp system that has queues of callers waiting to speak with staff is more efficient than one in which staff wait for calls. To reduce requests for LiveHelp assistance, links or advertisements for LiveHelp should also first direct users to written self-help materials wherever possible.

Although requiring more technological investment and planning, chatbots could also complement the LiveHelp section of the VCSC, especially for messaging services. Chatbots would prompt users to answer a few basic questions about their cases in order to direct them to the proper staff member to assist them. In more advanced forms, chatbots could also ask users what types of services they are looking for and link them with informational materials or court forms. Similarly, phone lines could also be equipped with initial options that triage calls to the most appropriate staff member or even pre-recorded messages that provide some basic information such as directions to courthouses or to the Courts Self-Help page.

100 Sarah Coffrey Frush, (2018, 5 October).; John Mayer, (2018, October 2).

101 Sarah Coffrey Frush, (2018, 5 October).

102 Sarah Coffrey Frush, (2018, 5 October).Lonni Kyhos Summers (2018, December 27).

103 Sarah Coffrey Frush, (2018, 5 October). Lonni Kyhos Summers (2018, December 27).

2. Self-Help Resources: The Trial Court should redesign and centralize its self-help materials to emphasize navigability for self-represented litigants.

Justification

Our analysis of two years of intake data from CSCs and surveying CSC staff, users, and stakeholders all reinforce the appetite among self-represented litigants for expansive and effective information on their legal issues. Such resources include basic information on court procedures, orientations on different types of cases, and step-by-step guides that provide how-to instructions for SRLs. The fact that many of these resources already exist in Massachusetts but are not widely referred to by CSC users indicates SRLs either do not know about these resources or do not find them useful.

As detailed in the Existing Resources section of this report, the Courts Self-Help webpage along with several other Mass.gov webpages provide an extensive amount of information for self-represented litigants. Although these resources are substantial, they suffer from limited navigability, less-than-ideal organization, and a lack of centralization. If these resources were better presented and packaged for SRLs, they could form a powerful foundation for a VCSC. Additional links to legal aid websites such as MassLegalHelp.org and other interactive tools from legal aid organizations could also enhance the utility of self-help resources for SRLs. In its ideal form, the VCSC could act as a hub for all the legal assistance available both from the Trial Court and legal aid organizations across Massachusetts.

Implementation


Overall, the primary issue facing the Courts Self-Help webpage is limited navigability. Although well-designed for users who know what type of case they have and what action they need to take, the self-help resources currently provided are less effective for those who have a limited understanding of the legal challenge facing them. In order to improve these resources for a VCSC, the Trial Court should endeavor to reorganize its sections following the model of California's online Courts Self-Help Center.

The homepage of the California webpage represents an effective model for the Massachusetts Courts Self-help webpage to emulate. Currently, the Massachusetts homepage requires users to know what court their case falls under or scroll down to find resources for their legal issue. The California homepage clearly lays out the options and resources for users. These resources can also be accessed in a single click while Massachusetts website users must navigate through two pages to access resources. Increasing the speed at which users can access the sections they need for their cases would improve the navigability and effectiveness of the Courts Self-Help page.

Figure 4.3: Massachusetts homepage (left) vs California homepage (right)

Courts Self-Help

Find information on how the Massachusetts Court System operates, how to find a lawyer, and how to locate other services that might be available to you.



Court Basics

Obtain information to help you with legal issues. Topics include a glossary of legal terms, a guide to representing yourself in court, resources to help you find an attorney, information for understanding court procedures, and more.

[Preparing for Court](#)

[Glossary of Court Terms](#)

[Legal Assistance](#)

[Representing Yourself in a Civil Case](#)

[more](#)

Extreme Risk Protection Orders

An Extreme Risk Protection Order (ERPO), also known as a red flag law, is an order from a judge that suspends a person's license to possess or carry a gun.

[Eligibility for Extreme Risk Protection Orders \(ERPO\)](#)

[Request an Extreme Risk Protection Order](#)

[more](#)

Civil Appeals

Information on appeals in all court departments.

[Appeals Court Help Center](#)

[Appeals from State Agency Decisions](#)

[District Court Appellate Division](#)

[Legal Assistance](#)

[more](#)

Consumer Protection with the Courts

Find information about the Massachusetts Consumer Protection Act and the court process for consumer complaints.

[How to send a 30 day demand letter](#)

[Sue a business over a consumer complaint](#)

[more](#)

Abuse & Harassment Court Orders

Find information about getting or responding to abuse and harassment prevention orders and restraining orders.

[Abuse Prevention Orders for Plaintiffs](#)

[Abuse Prevention Orders for Defendants](#)

[Harassment Prevention Orders](#)

[Extreme Risk Protection Orders](#)

[more](#)

Criminal Law

Learn about the criminal court process, from arrest, through pre-trial proceedings, to trial and verdict. You can also learn how to file a request to seal a record.

[Understanding the Criminal Court Process](#)

[Bail](#)

[Seal Your Criminal Record](#)

[more](#)

Family Matters in the Courts

Find information on family law issues, including adoption, alimony, annulment, child custody, child requiring assistance (CRA), child support, divorce, and separate support.

[The Court Adoption Process](#)

[Alimony](#)

[Annulment](#)

[Child Custody and Parenting Time](#)

[more](#)

Guardianship

Find information about guardianship and conservatorship of minors and incapacitated persons.

[Guardianship & Conservatorship of Incapacitated Persons](#)

[Guardianship of Minors](#)

[Actions Filed Under the Uniform Adult Guardianship & Protective Proceedings Jurisdiction Act](#)

[Rogers Guardianships](#)

[more](#)

Housing Matters in the Courts

Find information on eviction and other landlord-tenant issues in court.

[Eviction](#)

[Security Deposits](#)

[more](#)

Common Legal Topics

[A to Z Index](#)

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#) <#>

- [Adoption](#)
- [Child Custody & Visitation](#)
- [Child Support](#)
- [Court Interpreters](#)
- [Criminal Law](#)
- [Debt Collection](#)
- [Divorce](#)
- [Domestic Violence](#)
- [Eviction & Housing](#)
- [Expungement](#) (Clean your Record)
- [Fee Waivers](#)
- [Free & Low Cost Legal Help](#)
- [Going to Court](#)
- [Guardianship](#)
- [Help from Your Court](#)
- [Immigration Resource Directory](#)
- [Mediation](#) (Resolve Disputes out of Court)
- [Name Change](#)
- [Problems with Money](#)
- [Proof of Service](#)
- [Small Claims](#)
- [Seniors](#)
- [Traffic](#)

The Trial Court should also first give website visitors a chance to understand the basics of their case before any other information. In order to display what this approach would look like, it is instructive to examine how the California and Massachusetts webpages present information on divorce cases. The Massachusetts page immediately offers users examples of how to move forward with different types of divorce cases while the California page first presents basic information on divorce cases before presenting options to users.

Figure 4.4: Massachusetts self-help resources on divorce cases

If you have decided to end your marriage, you may choose to file for divorce. You can file for divorce in Massachusetts if you have lived in the state for one year, or if the reason the marriage ended happened in Massachusetts and you have lived in Massachusetts as a couple. You can find information here on how to file for a divorce, what the types of divorce are, how to get a copy of your divorce record, and more.

OFFERED BY

Probate and Family Court →

What would you like to do?

Top tasks

Get a copy of your divorce record (divorce decree) →

Learn about the types of divorce →

All other tasks

Get a no-fault 1A divorce →

Get a no-fault 1B divorce →

Get a fault divorce →

Respond to a case filed against you in Probate and Family Court →

File a counterclaim in the Probate and Family Court →

Get access to historic divorce records →

What you need to know

Finalizing a divorce →

Divorce: court forms →

Massachusetts law about divorce →

Massachusetts law about modifications of family law judgments and orders →

Probate and Family Court filing fees →

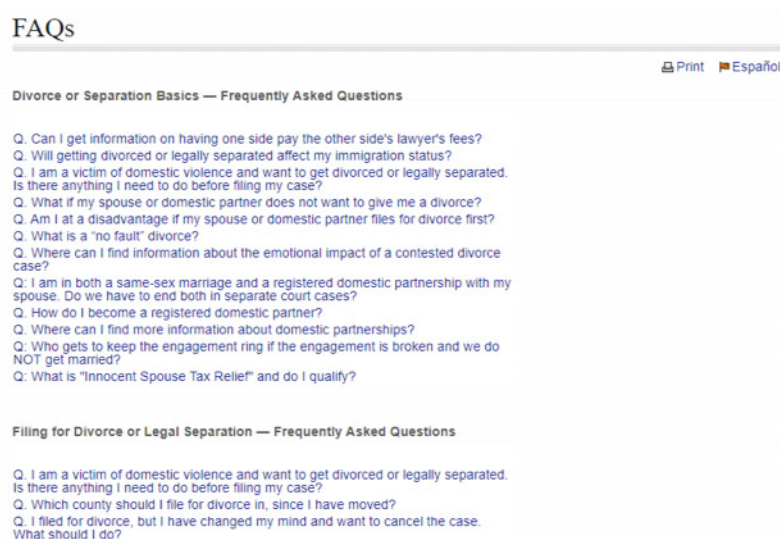
Chat or text with a law librarian →

Figure 4.5: California self-help resources on divorce



The Trial Court could also improve the navigability and organization of its self-help resources by adding a navigational bar in the side of its self-help resources. These tools currently exist once a user enters specific case types such as a “1A Divorce,” but they are not present on sections for specific case types. In addition, the inclusion of FAQs for each case type would also increase the effectiveness of the Courts Self-Help webpage by answering the most common questions that may not appear or be directly obvious in self-help guides.

Figure 4.6: California FAQ’s for divorce self-help section



The existing self-help resources on the Massachusetts' Courts Self-Help page do provide effective step-by-step guides for users who know what type of case they have and what action they wish to take. These easily navigable pages that lay out how a case proceeds are a valuable resource for SRLs who know exactly what type of legal issue they have. The presentation of legal forms for SRLs, however, could be improved by providing instructional packets or using guided interviews.

Figure 4.7: Effective step-by-step guide for users on the Courts Self-Help webpage

The screenshot shows a webpage titled "THE DETAILS" in a green header. Below the header, there is a sidebar on the left with links: "What you need", "Fees", "How to get", "More info", "Downloads", and "Contact". The main content area is titled "What you need" and contains the following text:

You can file for divorce in Massachusetts if:

- You've lived in the state for 1 year, or;
- The reason the marriage ended happened in Massachusetts and you've lived in Massachusetts as a couple

In addition to the required court forms, you need a certified copy of your civil marriage certificate. This is available from the [Registry of Vital Records](#) or from the city or town hall where you applied for a marriage license.

The forms you'll need are listed under "File your papers" below.

California's self-help webpage presents forms according to case type without first requiring users to select what specific variety of that case they have. This approach allows those who may not be familiar with their case type by its legal designation to easily find and file the forms they need for their case. California's resources are also complemented by clear instructions accompanying each form a user may download to fill out. The Trial Court could improve the legal forms available on its Courts Self-Help page by adding such instructional guides alongside the legal forms available to users.

Figure 4.8: California self-help forms section for divorce cases

The screenshot shows a webpage titled "FORMS - RESPONDING TO DIVORCE OR SEPARATION". Below the title, there are links to "+ expand all" and "- collapse all". The main content area is titled "Forms to Respond to a Divorce or Legal Separation" and contains a table with the following data:

Form Name	Form Number	Instructions
Response — Marriage\Domestic Partnership	FL-120	Click to see Legal Steps for a Divorce or Legal Separation (FL-107-INFO) .
Proof of Personal Service	FL-330	For instructions, read Information Sheet for Proof of Personal Service (Form FL-330-INFO) .
Proof of Service by Mail	FL-335	For instructions, read Information Sheet for Proof of Service by Mail (Form FL-335-INFO) .

Click for more [information on fee waivers](#).

If you have children with your spouse or domestic partner, fill out:

Form Name	Form Number	Instructions
Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)	Form FL-105/GC-120	Instructions for Form FL-105 Video instructions for FL-105
Child Custody and Visitation (Parenting Time) Application Attachment	Form FL-311	Optional form, but it may help you ensure you do not leave anything out of your request.

In addition to improving the navigability of the Courts Self-Help page through the model of California's website, the Trial Court could also employ several minor changes that were identified as best practices in the literature on self-represented litigants and technology. The current Courts Self-Help page makes extensive use of hyperlinks that navigate users away from the page they are on. Although useful in connecting users to other information, these links can be difficult for those with lower levels of technological literacy to navigate. A more user-friendly version of the Courts Self-Help page could make the simple adjustment of having these links open into new windows rather than navigating away from the current page.

In addition to these minor changes, the creation of additional informational or instructional self-help videos could complement and improve the self-help resources of the Trial Court's webpage. Similar videos already exist in Massachusetts for small claims cases, and these existing videos could be used as a model for expanding visual and audio informational materials for other case types. These case types should include Family and Probate Court cases such as divorce, guardianship, and child support as well as eviction cases. Self-help videos would be especially powerful tools for SRLs as they increase access to informational and how-to materials for litigants who have disabilities, lower levels of education, or prefer to learn through audiovisual means.

3. The Trial Court should develop new online features, most importantly document assembly programs, to enhance SRLs ability to represent themselves and complete legal forms online.

Justification

Innovative tools, such as guided interviews, document assembly programs, and individualized profiles for court users, represent powerful technologies the Trial Court could leverage to build a VCSC. In addition to allowing users to better represent themselves, features such as document assembly programs could allow in-person services to be more effective by outsourcing the time-consuming task of filling out forms for litigants to computers or tablets at in-person CSCs.

Document assembly programs represent the most potent technology that the Trial Court could harness to improve self-help services for SRLs. As detailed in the Literature Review and Findings of this report, one of the primary demands of CSC and court users is for assistance in filling out legal forms for their cases. Designed with SRLs in mind, these tools can make filling out court forms easy and efficient for court users. In the most effective models, guided interviews pose a series of yes or no questions in addition to asking for personal information required for the forms to be completed. These questions prevent users from filling out the incorrect forms and ensure that they can complete the legal action. The program then takes the individual's personal information and maps it onto legal documents required for the case. At the end of the process the forms can either be e-filed with the court or printed out and brought to a courthouse to be filed. With simple questions and navigable technology, these programs can ensure that even SRLs with lower levels of education and technological literacy can complete their cases' forms.

Guided interviews could also be deployed as a form of online triage to ensure that users were accessing the self-help resources they need for their cases. Although published basics on what a case entails and who is eligible for its benefits are important, some users may still access the wrong information or be confused at what type of legal issue they have. Designed with this population in mind, guided interviews can create legal decision trees where court users fill out basic questions that then link them to the resources or document assembly tools they need. The development of interactive tools that allow users to input their concern and receive direct links to relevant self-help services or resources also has the potential to serve as a powerful form of triage for the Trial Court.

Finally, individualized portals for litigants represent an important, though long-term goal, for a VCSC and the Trial Court at large. With such a system, as deployed in Orange County's Courts in California, court users can create profiles that correspond to cases they have filed or in which they are named defendants. Upon logging into their profiles, users see what type of case they have, what actions they can take, and what the overall process of their case will look like. Presented in an individualized homepage or dashboard, self-service portals allow users to find all the information pertaining to their case in a centralized location. With alerts for court dates and filing deadlines, these resources ensure that users are informed of the key processes and events in their cases. These dashboards could also connect users directly to self-help materials for their specific type of case, thus avoiding users having to search for the most relevant information to their cases. In the long-term, the development of individualized user portals could expand the capacity of SRLs to understand their cases and take legal action online through a variety of user-friendly technologies such as document assembly tools.

Implementation

In the short and medium term, document assembly programs should be a foundational component of a VCSC. State courts have already created extensive and effective versions of these tools. New York's and Oregon's courts have document assembly tools through their DIY and iForms programs, respectively. In addition, Illinois Legal Aid Online has also created a model set of guided interviews and document assembly programs that a VCSC could emulate.

The software for creating document assembly programs is available and, in some cases, free or low-cost. Programs such as Access to Justice Author provide services that the Trial Court could engage to create its own document assembly programs. The creation of these tools does not involve intensive efforts beyond the cooperation between an expert attorney and developer to design the progression of the guided interviews or forms. In this process, an attorney or team of legal experts build the legal decision tree of the form, designing the yes and no questions as well as those that require the user to enter personal information. These questions not only auto-fill the forms at the end of the program but also screen for eligibility to use the given form. The design team should also ensure that upon completing the program, users receive a complete packet of forms that they can then file. Given that these forms already exist for many case types in New York, Oregon, and Illinois, the Trial Court could easily adopt the questions and structure of these existing forms while modifying them for the Massachusetts laws and procedures.

The development of document assembly programs for a VCSC should be tailored to the most common types of cases observed among CSC users. Based on our data, these cases include

divorce, child support, guardianship, and eviction cases. CSC staff should be engaged to determine what forms are most commonly needed for these types of cases. Unlike LiveHelp services, once a document assembly program is completed, it can be used by as many users as demand it. The only upkeep required is ensuring that these programs are updated as forms or court procedures change.

In the longer term, the Trial Court could make document assembly programs even more powerful by fully implementing an e-filing system. This technology would allow users to auto complete their forms through document assembly programs at a VCSC and then directly file with the court. Such systems exist in other states such as Oregon and provide users with the opportunity to file or respond to cases without having to go to or mail forms to a courthouse. This aspect of e-filing especially favors SRLs who may be unable to take time off work or access transportation to travel to court to manage their cases as well as those with mobility impairments. Although an effective tool, e-filing like individualized case portals represents a long-term, ambitious goal for a VCSC. E-filing would require significant policy changes within the Trial Court that could extend beyond the scope of a VCSC.

C. Integration into the judicial ecosystem

With a redesigned self-help section, LiveHelp services, and document assembly programs, a VCSC could replicate many of the services provided by in person CSCs. The VCSC, however, cannot be created in a vacuum. The Trial Court will need to effectively integrate new online tools into the existing judicial ecosystem of Massachusetts. Collaborating with legal assistance organizations, complementing CSCs as well as other self-help locations, and rethinking the role of the Courts Self-Help page will all be key to the effective integration of the VCSC.

1. Collaboration with legal aid organizations

A broad range of online self-help tools exist in Massachusetts outside of the resources provided by the Trial Court. These resources, such as MassLegalHelp.org, provide many of the services that the Courts Self-Help webpage do and help connect users to legal service providers and other tools such as Mass Legal Answers Online. In developing a VCSC, the Trial Court should aim to collaborate with these organizations to ensure that new self-help tools complement rather than duplicate existing resources.

A working group of representatives from legal aid providers and the Trial Court should cooperate to map out where there is the greatest need for online services and how a VCSC could address these needs. Although this report provides important contributions to these considerations, the perspectives of the state's legal aid community would be invaluable in determining what tools or what case types would be most valuable to feature in pilot programs or other initial projects of a VCSC. Of interest to the Trial Court should be Greater Boston Legal Services (GBLS), the Massachusetts Legal Assistance Corporation (MLAC), the Massachusetts Law Reform Institute (MLRI), and legal services providers outside of Boston such as Merrimack Valley Legal Services and Western Mass Legal Services. Given that the staff from these organizations work extensively with the populations the VCSC will aim to serve, legal aid groups could also aid in the creation of pilot programs as well as the provision of expertise for the development of self-help videos

or document assembly programs. Beyond those providing direct legal representation, there are also several academic institutions, most notably Harvard Law School's Access to Justice Lab, Northeastern Law's NuLawLab, and Suffolk Law School's LIT Lab that could provide the Trial Court with access to expertise and cutting-edge technology for a VCSC.

In addition to local legal aid groups and law schools, the Trial Court should also aim to engage with experts and professionals from other states who have worked on the development of self-help tools. These may include experts from networks such as the Self-Represented Litigation Network, who could provide additional input on the best tools for SRLs. The Trial Court should also reach out to staff from courts across the country that have implemented self-help programs. Based on our research, the most useful state courts to contact would be New York and Oregon for document assembly tools as well as California, Alaska, and Maryland for the general organization and implementation of self-help resources and LiveHelp programs. Through this outreach, the Trial Court should examine how the experiences of these courts can inform the creation of a VCSC for Massachusetts. In addition to state courts, the Trial Court should meet with technology companies, especially those in Massachusetts, that can provide a better sense of trends in the private sector and how the newest legal technology could be adopted for the VCSC.

2. Leveraging Court Service Centers and Law Libraries

The VCSC should complement existing in-person self-help services across Massachusetts. The Trial Court should integrate and leverage a VCSC to improve CSC, law libraries, and other public spaces across Massachusetts. Implemented strategically, a VCSC could improve the efficiency of existing in-person assistance from CSCs and allow staff to focus on more complicated cases that need their attention.

Court Service Centers will both benefit from a VCSC and be necessary for any online help center's long-term success. A VCSC could greatly reduce the amount of staff time spent helping users filling out forms. Attorneys and other CSC staff could direct users to public computers or tablets and select the proper forms for them to complete via a document assembly program. In addition, LiveHelp programs would be most effective if operated in or near CSCs. Such practices could allow staff to provide remote services if the number of visitors was low and help with in-person assistance as needed. This approach would also be more cost effective in centralizing resources such as space, phones, and computers for CSC and VCSC staff.

Law libraries and public libraries represent potential partners for the VCSC as well. If the Trial Court trains law librarians on the resources created for the VCSC, they could connect users or visitors to the informational, LiveHelp, or document assembly assistance they were seeking. The public computers at law libraries and public libraries will also represent important access points to a VCSC for Massachusetts residents who may not have access to a desktop computer or internet at their homes. Ensuring that library staff was aware of the VCSC and how it could aid SRLs would also add to efforts to publicize the VCSC to populations beyond just those at courthouses.

The exact integration of the VCSC into the Trial Court's operations should be both gradual and intentional. Pilot programs based in specific regions or on specific case types would enable the Trial Court to evaluate which programs and services are most useful and most popular among those using Court Service Centers. Although this report has detailed the expectations and desires of court staff, CSC users, and stakeholders, these perspectives were offered without the respondents having used the theoretical components of a VCSC. Pilot programs will be necessary to ensure that new self-help tools and programs have utility and are cost-effective and user-friendly.

3. Integration with Courts Self-Help website

The location of the VCSC online and its relationship with the existing Courts Self-Help webpage will be an important consideration in the integration of the VCSC into Massachusetts' judicial ecosystem. Reorganizing the components of the Courts Self-Help page should be a priority in developing the VCSC, but the challenge will be whether to incorporate the VCSC into the existing Courts Self-Help webpage or to incorporate the existing self-help page into a new VCSC website. Keeping separate websites would be duplicative and possibly confusing for users who would be receiving the same self-help information from the Trial Court in two different spots.

Both approaches could support the development of a VCSC. A new website would allow for a blank slate and reorganization while using the existing website would maintain the resources that many court staff and SRLs may already be aware of. On the negative side, a new website may be more expensive while utilizing the existing webpage could lead to a muddled and confusing VCSC. The best approach will have to be determined after the components of the VCSC are decided upon by the Trial Court. This decision should also be made in consultation with CSC staff and members of the VCSC working group. Regardless, the Trial Court should be aware of this consideration and factor it into the development of features for the VCSC.

The new website and features developed for VCSC should also be widely publicized once they are fully completed. A challenge for the VCSC will be informing litigants of its existence before they arrive at court or a CSC. The most effective forms of outreach would be through CSCs where staff could inform users about the possibility of using online tools. Advertisements in law libraries, public libraries, and courthouses could also increase awareness of whatever statewide resources the Trial Court decides to develop for the VCSC. Legal aid groups and social service providers could also provide links to the communities where SRLs are largely coming from. In the longer term as the VCSC becomes more developed, the Trial Court could also consider placing links and information about its existence on notices and forms that litigants receive or use for their cases.

D. Cost analysis and timeline

Without a more developed idea of what features will be included in the VCSC, it is difficult to make a firm estimate of the cost for the development of additional online self-help resources. Speaking with several experts who have worked on the roll out of other states' self-help resources, we were able to develop a general sense of where expenses come from for each type of feature. The cost of developing a VCSC will also depend on the scale of projects, especially those related to LiveHelp. If the Trial Court decides to build a new website for the VCSC, there will also

be a cost associated with the development of a user-friendly, navigable site.

For developing document assembly programs, an expert estimates the cost to generally be at least \$1,000 per form. These forms generally have 25-50 questions and take 10 to 20 hours to compose in addition to anywhere from 5 to 10 to test.¹⁰⁴ The primary costs come from paying both the developer and attorney working on the form, who generally receive an hourly wage. Legal aid attorneys and law students could represent a source of volunteers to help with developing online forms. Guided interviews may take on a similar cost structure depending on their length and complexity. The cost of completing online forms will decrease as the attorneys and developers gain more experience working on Massachusetts-specific forms and thus can complete them more efficiently. Alternatively, the Trial Court could also work with legal aid organizations to develop tools that can be used both in the VCSC and through the organizations' websites.

LiveHelp would represent the most expensive component of a VCSC. The expense is almost entirely for staff.¹⁰⁵ Maryland began its LiveHelp services with a supervising attorney, staff attorney, paralegal, and administrator, and the vast majority of expenses were for paying the staff.¹⁰⁶ Alaska's LiveHelp services began with two paralegals and one attorney.¹⁰⁷ The cost for these remote services could also be lowered by housing them in existing CSCs (or at legal services organizations) during their pilot phase and eventual implementation. Although paying staff members is expensive, it should be noted that remote services are generally more cost effective per individual served than in-person services.¹⁰⁸ The staffing could also include AmeriCorps volunteers to defray costs. In addition, law students and volunteer attorneys could also assist with operating LiveHelp programs similar to the way Lawyer for the Day programs are currently operated. The Trial Court, however, should be wary of becoming dependent on free or volunteer assistance to operate LiveHelp programs.

The exact timeline of the development of a VCSC would ultimately depend on the features and programs the Trial Court chooses to implement. In the short-term, a working group should be developed at the same time as the initial stages of the most needed document assembly programs are developed. In the longer term, LiveHelp programs should be developed for a specific case type as was done in Maryland before gradually expanding the staffing and capacity of remote self-help services based on evaluation of initial pilot programs and input from the working group. While these programs are tested and developed, the Trial Court should consider how to integrate the VCSC and Courts Self-Help page to best serve SRLs. As a final product, the VCSC would be a single webpage where court users could find links to LiveHelp services, easily research their legal issues, and complete documents online for filing or responding to cases. This centralized location would empower SRLs to learn about their cases, receive direct assistance, and take action to address the legal challenges facing them.

104 John Mayer, (2018, October 2).

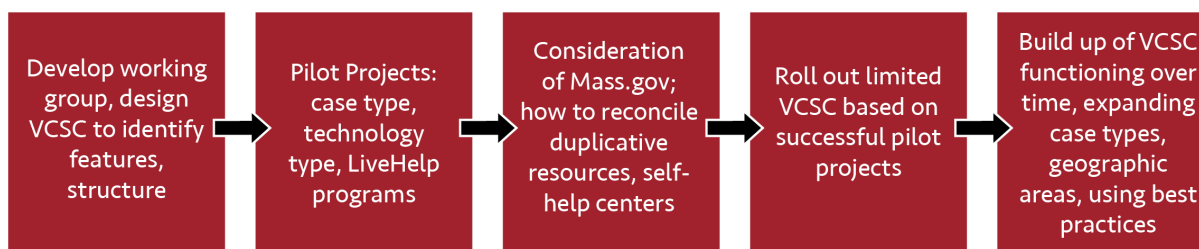
105 Sarah Coffrey Frush, (2018, 5 October).

106 Sarah Coffrey Frush, (2018, 5 October). Lonni Kyhos Summers (2018, 27 December).

107 Katherine Alteneder, (2018, September 27). Email interview with J. Hofstetter.

108 Sarah Coffrey Frush, (2018, 5 October).

Figure 4.9 Proposed implementation of the VCSC



E. Conclusion

The growing justice gap between those with the resources to hire attorneys and those who are forced to self-represent endangers the fundamental mission of Massachusetts' courts—to provide fairly administered justice to everyone in the Commonwealth. The development of new legal technologies and innovative self-help programs have created powerful tools for the Trial Court to leverage to close the gap between those who have representation and those who do not.

Initiatives such as document assembly programs and LiveHelp services address the same areas of self-representation that our research indicated litigants in Massachusetts need the most assistance with. Combined with a reimagined and redesigned depository of informational resources, these expanded self-help services can enable all litigants to have a better chance at protecting and advocating for their legal rights. The services recommended in this report have also been successfully implemented by state courts across the country, providing the Trial Court with models from which to test and create the components of a Virtual Court Service Center.

The development of a Virtual Court Service Center will require a cooperative approach with the legal community in Massachusetts and innovative thinking from the Trial Court. The process of “turning on the lights” for self-represented litigants in Massachusetts demands the careful consideration of what court users need to be successful in their cases and how the Trial Court can present that information in the most accessible manner possible. With patience and an evidence-driven approach, the Virtual Court Service Center could be the most integrated, effective online self-help center offered by any state court in the United States.

APPENDIX A. SELF-HELP RESOURCES BY STATE COURT WEBSITES

State (or U.S. Territory)	LiveHelp^	Document Assembly	e-Filing	Court Forms	Case-Specific Info	Court Basics	Connections to Legal Aid	Legal Glossary	Language Options		
									English	English & Spanish	3+ Languages
Alabama			✓*				✓		✓		
Alaska	✓			✓	✓	✓	✓				✓
Arizona			✓	✓	✓		✓	✓			✓**
Arkansas			✓	✓			✓			✓	
California	✓			✓	✓	✓	✓	✓		✓	
Colorado				✓	✓		✓	✓		✓	
Connecticut			✓	✓	✓	✓	✓	✓			✓
Delaware			✓	✓	✓		✓	✓		✓	
District of Columbia		✓	✓	✓	✓		✓	✓			✓
Florida			✓	✓	✓		✓			✓	
Georgia			✓				✓			✓**	
Hawaii			✓	✓		✓	✓				✓
Idaho		✓	✓	✓			✓		✓		
Illinois			✓	✓			✓				✓
Indiana			✓	✓		✓	✓	✓			✓**
Iowa			✓	✓	✓	✓	✓	✓	✓		
Kansas				✓		✓	✓	✓	✓		
Kentucky			✓*	✓			✓	✓	✓		
Louisiana									✓		
Maine				✓	✓	✓	✓	✓			✓**
Maryland	✓		✓	✓	✓	✓	✓				✓
Massachusetts			✓	✓	✓	✓	✓	✓			✓**
Michigan				✓	✓		✓		✓		
Minnesota	✓		✓	✓	✓	✓	✓	✓			✓
Mississippi							✓		✓		
Missouri			✓*	✓			✓	✓			✓

State (or U.S. Territory)	LiveHelp [^]	Document Assembly	e-Filing	Court Forms	Case-Specific Info	Court Basics	Connections to Legal Aid	Legal Glossary	Language Options		
									English	English & Spanish	3+ Languages
Montana	✓		✓	✓	✓		✓		✓		
Nebraska			✓*	✓		✓	✓	✓	✓		
Nevada				✓	✓		✓		✓		
New Mexico		✓	✓*	✓	✓	✓	✓			✓	
New York	✓	✓		✓	✓	✓	✓	✓	✓		
North Carolina			✓	✓	✓	✓	✓	✓			✓
North Dakota			✓	✓	✓		✓	✓	✓		
Ohio			✓						✓		
Oklahoma				✓			✓		✓		
Oregon		✓	✓	✓	✓		✓	✓			✓**
Pennsylvania				✓	✓			✓	✓		
Puerto Rico	✓			✓			✓	✓		✓	
Rhode Island			✓	✓			✓		✓		
South Carolina		✓	✓*	✓	✓	✓	✓			✓	
South Dakota	✓	✓		✓	✓	✓	✓	✓	✓		
Tennessee	✓		✓*	✓		✓	✓		✓		
Texas			✓	✓			✓		✓		
Utah	✓	✓	✓*	✓	✓	✓	✓	✓		✓	
Vermont			✓	✓	✓	✓	✓	✓			✓
Virginia			✓*	✓	✓		✓	✓			✓
Washington			✓	✓		✓	✓	✓			✓
West Virginia			✓	✓			✓		✓		
Wisconsin			✓	✓		✓	✓	✓	✓		
Wyoming			✓*	✓			✓		✓		

[^] A phone-number, email, or chat function that allows SRLs to receive information about their case and/or assistance with forms. LiveHelp does not include law libraries or general office phone numbers.

✓* Electronic filing for attorneys only | ✓** Language options powered by Google Translate

APPENDIX B. LIST OF ORGANIZATIONS SURVEYED FOR STAKEHOLDER SECTION

A2J Lab + Atty - Access to Justice	Domestic Violence and Family Law Clinic
Adams Free Library	Domestic Violence Services Network
American Civil Liberties Union MA	Everett Family Resource Center
Ashby Free Public Library	Family Law Advocacy Clinic
Barnstable, Sturgis Library	Family Law Mediation Clinic
Boston ABCD	Family Resource Center (Lowell Public Schools)
Boston Bar Association	Family Resource Centers
Boston Medical Legal Partnership	Fenway Health Center
Boston Public Library	Foley Hoag - Pro Bono Managing Atty.
Boston Public Library	Greater Boston Legal Services
Brockton Area Multi Services Inc	Greater Boston Legal Services
Cape Cod Family Resource Center	Harvard Law Access to Justice/Technology Fellow, Legal Hackers Meetup
Casa Myrna Vazquez	Harvard Legal Aid Bureau
Center for Law and Education	Housing Law Clinic
Charles Hamilton Houston Institute, Harvard University	Irish International Immigration Center
City Life/ Vida Urbana	Law + Tech Access2J
Civil Litigation Program (Housing, Employment, Family & Disability Clinic) at Boston University	Liberty Mutual
Committee for Public Counsel Services (Immigration Impact Unit)	Mashpee Wampanoag Legal Services Clinic
Community Legal Aid	Mass Budget & Policy Priorities
Community Legal Services and Counseling Center	Massachusetts Dept. of Housing and Community Development
Delivery of Legal Services Committee, Access to Justice Commission	Massachusetts Law Reform Institute
Department of Mental Health	Massachusetts Association of Hispanic Attorneys
	Massachusetts Bar Association

Massachusetts Black Lawyers Association
Massachusetts IOLTA Committee
Massachusetts Law Reform Institute
Massachusetts Legal Assistance Corporation
Massachusetts Office of Public Collaboration
National Consumer Law Center
Non-Lawyer Roles Committee, Access to Justice
Commission
North Quabbin Family Resource Center
Northeast Legal Aid
Northern Berkshire Community Coalition
NuLawLab
Pollard Memorial Library
Ropes & Gray
Rosie's Place
Self-Represented Litigants Committee
Social Law Library
South Coastal Counties Legal Services
Springfield City Library
Sugarman, Rogers, Barshak, & Cohen, P.C.
Supreme Judicial Court (retired)
The Lawyers Clearinghouse
Union of Minority Neighborhoods
Volunteer Lawyers Project

APPENDIX C. STAKEHOLDER SURVEY¹⁰⁹

Massachusetts Appleseed Center for Law & Justice

Turning on the Lights Stakeholder Survey

Massachusetts Appleseed Center for Law & Justice is launching its Access to Justice initiative, *Turning on the Lights*, which seeks to use technology and other innovative approaches to ensure that civil court users, and particularly self-represented litigants, are able to engage with the civil legal system in a way that is effective, efficient, respectful and empowering to the litigant. The cornerstone of this initiative is a project with the Massachusetts Trial Court that involves making recommendations to the Court regarding the design and creation of an interactive and user-friendly online court help center. The recommendations will be built around the identified needs of self-represented litigants, and will incorporate cutting-edge technological features to illuminate and simplify the now confusing experience of navigating civil court processes without the assistance of an attorney. *Turning on the Lights* reflects Appleseed's belief that user-focused technology, together with creative, practical, and community-oriented solutions, can make a significant impact in realizing the larger goal of meaningful access to justice for all. Along with substantive project components, Appleseed aspires to use *Turning on the Lights* as a vehicle for changing the conversation about closing the justice gap.

In order for Massachusetts Appleseed to accurately identify the needs of court users and self-represented litigations for its *Turning on the Lights* initiative, Massachusetts Appleseed is facilitating a comprehensive needs assessment. As part of the needs assessment, Massachusetts Appleseed is administering surveys to organizations and/or individuals that it considers to be stakeholders in the push to ensure that court users and self-represented litigants have the resources and tools necessary to successfully navigate the legal system and create meaningful access to justice. You and/or your organization has been identified as a stakeholder.

INSTRUCTIONS:

Thank you for your participation in this study. This survey has 17 questions and should take about 15 minutes to complete. Please think about the types of situations you have personally encountered as you choose your responses. Your responses are confidential and will be used to help us better understand the challenges faced by litigants and the people who serve them as we think about solutions to the justice gap.

Your participation in this study is completely voluntary. You may decide not to continue at any point. If you have any questions, please contact Julia at julia@massappleseed.org. Thank you again for making time to complete this survey—your input is truly valued.

¹⁰⁹ In order to be fully transparent, Massachusetts Appleseed will make available any data used for this project so long as releasing said information will not threaten respondents' anonymity. To request any of the anonymized survey responses or other data, please contact Massachusetts Appleseed's office.

DEFINITIONS:

Court users: For this study, we are defining a court user as a litigant or other individual using the court on their own behalf or on behalf of a personal relation; for our purposes, court users do not include attorneys.

Self-represented Litigants: An individual who does not retain a lawyer and represents themselves in court. Also known as a pro se or unrepresented litigant.

STAKEHOLDER SURVEY - COURT SERVICE CENTER PROJECT

1. What organization do you work for?
2. Please choose the category that best describes the work that you do or your organization does:

(If more than one apply, choose the option that most connects you with court users and self-represented litigants)

- Legal services or legal aid provider
- Community organization, social service provider, or advocate
- Access to Justice Commission
- Research hub
- State agency
- Health center
- Private law firm or bar association
- Technology or innovation hub
- Public library
- Law School Clinic
- Other (please specify): _____

3. What is your job title?
4. How long have you worked at this job?
5. How long have you worked in your field?
6. In what capacity does your agency serve or interact with self-represented litigants or other court users?
7. How frequently do you interact with court users in the course of your job?
 - Frequently (weekly/quite often)
 - Occasionally (Few/Several times a month)
 - None (Few times a year or less)

8. How frequently do you interact with self-represented litigants in the course of your job?

- Frequently (weekly/quite often)
- Occasionally (Few/Several times a month)
- None (Few times a year or less)

9. What is/are the **subject matter(s)** of the litigation in which self-represented litigants you interact with are involved? (Ex. Child support, guardianship, divorce, landlord/tenant, custody, consumer, etc.).

10. In your opinion, what are the primary **challenges and issues** that individuals as **self-represented litigants** face? Please list three or more examples.

11. When **providing services** to self-represented litigants and other court users, what are the **greatest challenges** you experience **related to their court matters**?

12. What **resources** could the court **provide to better assist** you in serving self-represented litigants? Please be specific:

Please consider the following features as part of a court-based website to offer help to self-represented litigants and other court users:

13. Which features do you think would be most helpful to **self-represented litigants or other court users** that you interact with? (Rank the top 1-5)

- Phone line with expert staff (i.e. Staff in Court Service Centers who can provide information on the procedural options for legal proceedings, but *cannot* provide case specific legal advice).

- Digital communications with expert staff (instant messaging, video chat, email, or message board)
- A video library with informational and instructional videos
- Online courses
- Guided interviews or co-browsing to help litigants find appropriate forms
- Guided interviews or smart forms to assist with court form completion (document assembly)
- Automatic filing for completed forms (e-filing)
- Modules to teach litigants about representing themselves in court
- Ability to access website on smartphones
- Locations in the community to use website on public computer
- In-person assistance using website at public location (like a library, community center, or health center)
- Notifications or follow-up information sent to litigants via email or text
- Scheduling tools
- Online translation services

14. Which features would help you **do your job more effectively**? Rank the top 1-5)

- Phone line with expert staff (i.e. Staff in Court Service Centers who can provide information on the procedural options for legal proceedings, but cannot provide case specific legal advice).
- Digital communications with expert staff (instant messaging, video chat, email, or message board)
- A video library with informational and instructional videos
- Online courses
- Guided interviews or co-browsing to help litigants find appropriate forms
- Guided interviews or smart forms to

20. How did you get to the court house today?
(Choose all that apply)

- Public transportation (one line/no transfers)
- Public transportation (2 or more transfers)
- I drove
- Someone else drove me
- I walked or rode a bike
- Other _____

Thank you for your participation!
For more information, please contact Jake: jake@massappleseed.org.

- assist with court form completion (document assembly)
- Automatic filing for completed forms (e-filing)
- Modules to teach litigants about representing themselves in court
- Ability to access website on smartphones
- Locations in the community to use website on public computer
- In-person assistance using website at public location (like a library, community center, or health center)
- Notifications or follow-up information sent to litigants via email or text
- Scheduling tools
- Online translation services

15. Are there any **additional website features not listed here** you would like to see offered on this website?

16. Taking into consideration (but not limited to) the **types of website features** listed in Questions 13 and 14, which **area of law** do you think would be most helpful to include on the **website**? (Ex. Child support, guardianship, divorce, landlord/tenant, custody, consumer, etc.).

17. Do you have any additional comments, thoughts, or ideas you would like to share with us about a **virtual, web-based platform** or the **court user experience** more generally?

APPENDIX D. COURT STAFF SURVEY

COMMONWEALTH OF MASSACHUSETTS

ONLINE COURT SERVICE CENTER RESEARCH PROJECT

Trial Court Staff Survey

Interview # _____

Date ____ / ____ / ____

The following questions are about the interactions you have with court users, including the general public and self-represented litigants. These questions may correspond to specific functions of your job, or to broader observations.

1. At what courthouse/court complex do you work?

- Boston
- Brockton
- Greenfield
- Lawrence
- Springfield
- Worcester

2. In what Trial Court Department do you work?

- District Court
- Boston Municipal Court
- Probate & Family Court
- Land Court
- Juvenile Court
- Housing Court
- Massachusetts Probation Service
- Superior Court
- Office of Court Management
- Other

3. What is your job title?
4. What information are *court users** most seeking or looking for when they come to you?
(*For the purposes of this surveys we are understanding court users to refer to non-attorneys, and while we are particularly interested in the experience of self-represented litigants, the following questions are not meant to be exclusive to this group)

Please choose 3:

- Help completing court forms
- Help filing court forms
- Scheduling
- Court interpreter
- Accommodation for a disability
- Directions to offices, courtrooms, or events
- Questions about processes related to their cases
- Legal advice
- Legal information
- Other (please specify): _____

5. What types of services and support would improve your experience of working with court users?

Please choose 3:

- More time to fully answer questions
- More training on case types, forms, and processes
- Access to information to make referrals within and outside of the Trial Court
- Access to wifi to help court users do searches
- Public computers for court users
- More training on helping court users who are dealing with trauma, mental illness, substance use, or other challenges
- More time to fully meet the language needs of court users
- Having a better office set up for helping court users to complete forms
- If court users could bring their phones into the court
- Uniform forms and processes within our department
- Other (please specify): _____

6. What services offered by the CSC do you think are most valuable? Please choose 3:
- Explaining court processes
 - Giving legal information
 - Helping court users complete forms and other documents
 - Directing court users to locations within the court
 - Connecting court users to interpreter services and ADA Coordinators
 - Providing information about social services, community organizations, and legal aid
 - Other (please specify) : _____
7. Are there any additional services would you like to see offered by the CSC to help court users, improve system efficiency, and/or help you do your job more effectively?

Now, we would like to know your thoughts about a website of virtual services designed to support court users much in the way they currently receive support from the Court Service Center.

8. Of the following website features, which do you think would be most valuable?
(Choose the top 3)
- Written “How-to” instructions and information
 - Informational and instructional “How-to” videos
 - Help finding necessary forms
 - Help filling out forms
 - Practice for litigants to represent themselves in court
 - Ability to access website on smartphones
 - Locations in the community to use website on public computer
 - In-person assistance using website at public location (like a library, community center, or health center) Alerts, information, or reminders sent to litigants via email or text
 - Information available in different languages

Are there any additional features you would like to see offered on this website?

9. Do you have any additional comments, thoughts, or ideas you would like to share with us about the Court Service Centers, an online Court Service Center, or the court user experience more generally?

APPENDIX E. COURT SERVICE CENTER USER SURVEY

COMMONWEALTH OF MASSACHUSETTS

ONLINE COURT SERVICE CENTER RESEARCH PROJECT

Court Service Center User Survey

Interview # _____

Date ____ / ____ / ____

Part 1. Your visit today

1. I needed help with a (Choose the type of case)

- Divorce or separation
- Domestic violence/abuse/harassment
- Child custody or visitation
- Small Claims / Debt Collection
- Child support or Dept. of Revenue (DOR)
- Eviction/Housing
- Paternity
- Changing birth certificate
- Guardianship
- Passport
- Family member's estate or will
- Other: _____

2. I wanted help with (Choose the types of help you wanted)

- General legal information
- Figuring out what paperwork I need to file
- Court forms
- Legal research
- Finding an attorney
- Responding to something I got in the mail
- Other: _____

3. Did you get the help you needed today?

- Yes
- No
- Unsure

4. Do you need more help with your case?

- Yes
- No
- Unsure

4b. If yes, what kind of help?

- General legal information
- Figuring out what paperwork I need to file
- Court forms
- Legal research
- Finding an attorney
- Responding to something I got in the mail
- Other: _____

5. Please rate your visit:

- Very Satisfied
- Somewhat Satisfied
- Neither Satisfied or Unsatisfied
- Somewhat Unsatisfied
- Not Satisfied

5b. Please explain, especially if you were somewhat unsatisfied or not satisfied.

Part 2. Creating a Court Service Center Website:

6. Do you use: (Choose the ones you use on a regular basis)

- Smartphone
- Cell phone
- Home computer
- Internet
- Internet-based chatting like instant messaging
- Cell phone or smartphone-based chatting
- Video chatting (like Skype)

7. Which features would be most helpful for a Court Service Center website? (Choose 3)

- Written "How-to" instructions and information
- Informational and instructional "How-to" videos
- Help finding the forms you need
- Help filling out forms
- Practice for representing yourself in court
- Court Website access on my smartphone
- Public computers in my community to use website
- In-person help using website at public location (like a library, community center, or health center)
- Alerts, information or reminders sent to you via email or text

- Scheduling tools
- Information available in different languages

7b. Are there any other features that would be helpful on a Court Service Center website?

8. Live Help means a person would respond to you. Of the following Live Help options, which would you like the most?

(Choose one)

- Instant messaging
- Email or message board
- Video chat
- Phone line

9. When would you be most likely to use Live Help on the Court Service Center website?

(Choose one)

- Weekdays (Monday-Friday, before 5pm)
- Weeknights (Monday-Friday, after 5pm)
- Weekends (Saturday, Sunday)
- No preference/Anytime

10. Any additional comments or thoughts about a Court Service Center website?

Part 3. Tell us about yourself:

11. What language do you speak at home?

- English
- Spanish
- Portuguese
- Mandarin
- Cantonese
- Haitian Creole
- Vietnamese
- Russian
- Cape Verdean
- Khmer
- Arabic
- Other: _____

12. What language do you best read and write?

- English
- Spanish
- Portuguese
- Chinese
- Haitian Creole
- Vietnamese
- Russian
- Cape Verdean
- Khmer
- Arabic
- Other: _____

13. What is your gender?

- Female
- Male
- Other

14. What is your age?

- under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65 and over

15. What is your race/ethnicity?

(Choose all that apply)

- Hispanic or Latino/a
- American Indian or Alaskan Native
- Asian
- Black or African American
- Middle Eastern
- Native Hawaiian or Other Pacific Islander
- White
- Other _____

16. When did you finish your education?

- 8th grade or below
- Some High School
- High School or GED
- Some college
- Technical or trade school
- Associate's Degree
- Bachelor's Degree
- Graduate Degree

17. What was your total household income before taxes during the last 12 months?

- Less than \$10,000
- \$10,000 to \$19,999
- \$20,000 to \$39,999
- \$40,000 to \$59,999
- \$60,000 to \$79,999
- Over \$80,000

18. In what city or town are you living right now?

18b. What is your current zip code? (Leave blank if unsure)

19. Where are you staying tonight?

- A home I rent
- Home of friend or relative
- A home I own
- A hotel or motel
- A shelter
- I don't know yet
- Other _____

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