

Pro Se Statistics

State Court Pro Se Statistics:

Challenge to Justice-A Report on Self Represented Litigants in New Hampshire Courts— Findings and Recommendations of the New Hampshire Supreme Court Task Force on Self Representation. State of New Hampshire Judicial Branch (January 2005);

<http://www.nh.gov/judiciary/supreme/prosereport.pdf> This recent article provides some statistics on pro se litigants in New Hampshire. For example:

- One party is pro se in 85% of all civil cases in the district court and 48% of all civil cases in the superior court.
- In probate court, both sides are unrepresented by lawyers in 38% of the cases.
- In superior court domestic relations cases, almost 70% of cases have one pro se party, while in district court domestic violence cases, 97% of the cases have one pro se party.

Report of the Joint Iowa Judges Association and Iowa State Bar Association Task Force on Pro Se Litigation (May 18, 2005). AJS website;

<http://www.ajs.org/prose/pdfs/ISBA%20Task%20Force%20Pro%20Se%20Report.pdf> This report states:

- From information pulled from a random survey of a week of district court schedules in Woodbury County (district judges only), there were 72 cases where at least one party was not represented by council out of a total of 125 cases set for that week, or 58% of cases (week of June 7, 2004). Other judges and court personnel report similar information.

Challenge to Justice: A Report on Self Represented Litigants in New Hampshire Courts.

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California Statewide Action Plan for Self-represented Litigants. California Judicial Council Task Force on Self Represented Litigants (2004);

http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/Full_Report.pdf See page 2 for statistics. For example,

- Over 4.3 million court users are self represented in California
- For unlawful detainer cases: 34% of petitions at filing are self-represented, and over 90% of defendants are self-represented.
- For family law cases: 67% of petitioners at filing (72% for largest counties) are self-represented and 80% of petitioners at disposition for dissolution cases are self-represented.

Hough, Bonnie Rose. **Description of California Courts Programs on Self Represented Litigants** (June 2003); <http://www.courtinfo.ca.gov/programs/equalaccess/documents/harvard.pdf>

This report provides quite a few statistics on self-represented litigants in California. For example, the report states:

- "In San Diego, for example, the number of divorce filings involving at least one pro se litigant rose from 46% in 1992 to 77% in 2000."
- "A review of case files involving child support issues conducted by the Administrative Office of the Courts between 1995 and 1997 show that both parties were unrepresented

in child support matters 63% of the time, and that one party was unrepresented in an additional 21%.

- “In a recent survey of pro se assistance plans submitted to the Administrative Office of the Courts by 45 of California counties, estimates of the pro se rate of family law overall averaged 67%. In the larger counties, the average was 72%.”
- “In domestic violence restraining order cases, litigants are reported to be pro se over 90% of the time.”

Judge McDonald Statistics. 9th Judicial Circuit Court of Florida.

<http://www.ninja9.org/courts/judges/Statistics/McDonald%20Statistics%202000.htm> Judge McDonald tracks pro se statistics in his family court in Osceola County Florida:

- Percentage of Hearings where there was at least one Pro Se Litigant for 2001 = 73%
- Percentage of Hearings where there was at least one Pro Se Litigant for 2000 = 72%
- Percentage of Hearings where there was at least one Pro Se Litigant for 1999 = 66%

John Voelker. **Wisconsin Pro Se Task Force Report.** The Wisconsin Pro Se Working Group. A Committee of the Office of Chief Justice of the Wisconsin Supreme Court (December 2000); <http://www.wicourts.gov/about/pubs/supreme/docs/prosereport.pdf> Provides some statistics:

- “In some counties, as many as 70% of family cases now involve litigants who represent themselves in court.”
- Table 1 shows an increase in pro se litigants in family law cases from 1996 (43%) to 1999 (53%) in the Tenth Judicial Administrative District.
- Table 2 shows an increase in pro se litigants in family law cases from 1996 (69%) to 1999 (72%) in the First Judicial Administrative District.

Report of the Boston Bar Association Task Force on Unrepresented Litigants (August 18, 1998). http://www.bostonbar.org/prs/pro_se_report/pro_se.PDF For example:

- “In every court studied by the task force, litigants without lawyers are present in surprising numbers. In some counties, over 75% of the cases in Probate and Family Courts have at least one party unrepresented.”
- “In the Northeast Housing Court, over 50% of the landlords and 92% of the tenants appear without lawyers in summary process cases.”

Washington State Pro Se Statistics. The Superior Court Statistical Reporting Manual.

Washington Courts; http://www.courts.wa.gov/jislink/index.cfm?fa=jislink.stats_manual The WA Courts track pro se cases by case type, however, this webpage does not provide the statistical reports.

Probate and Family Court Department Pro Se Statistics 2005.

http://www.mass.gov/courts/courtsandjudges/courts/probateandfamilycourt/statscombined2005_page2.html Numbers are provided but not percentages.

Pro Se Statistics Data Collection Summary Sheet. Boston Bar (December 1997).

http://www.bostonbar.org/prs/pro_se_report/ex-a.pdf

Statistical overview. Supreme Court of Louisiana—Two Year Trend in Activity.

http://www.lasc.org/press_room/annual_reports/reports/2000stats.pdf This overview provides statistics including pro se writs filed, refused, and granted for 2000.

State Appellate Court Pro Se Statistics:

2005 Pro Se Statistics. **Montana Supreme Court.** <http://www.montanacourts.org/clerk/stats/pro-se05.doc> The statistics provided in this report include civil, criminal, and inmate appeals. For example:

- 31.19% of pro se civil and criminal appellate filings in 2005 were self represented.
- 71.02% of pro se inmate filings in 2005 were self represented.

New Mexico Court of Appeals keeps track of pro se statistics. See: <http://coa.nmcourts.com/statistics/> for various statistical reports. For example:

- 11.65% of cases were self-represented from July 2005-January 2006.
- 11.21% of cases were self-represented from July 2004-June 2005.

Federal Court Pro Se Statistics:

U.S. Bankruptcy Court Statistics. Eastern District of California. <http://www.caeb.uscourts.gov/caseinfo/casestats.asp> Pro se district filings are listed:

- 17% of filings were pro se in January 2006
- 17% of filings were pro se in February 2006
- 15% of filings were pro se in March 2006

Statistics on Pro Se Filings in the U.S. Bankruptcy Courts for the District of Massachusetts. http://www.bostonbar.org/prs/pro_se_report/ex-d.pdf A comparison of pro se debtor cases to total bankruptcy cases.

Other Interesting Statistics:

Critical Issues: Planning Priorities for the Wisconsin Court System Fiscal Years 2006-2007 and 2007-2008. Wisconsin Supreme Court (May 2006);

<http://www.wicourts.gov/about/committees/docs/ppac0608report.pdf> This report states:

- 80% of circuit court judges and family court commissioners are trained in technology for managing litigation involving in self represented litigants.
- 50% of counties measure the level of satisfaction of self-represented litigants.

Ryan Craig Munden. **Access to Justice: Pro Se Litigation in Indiana** (Fall 2005). AJS website; <http://www.ajs.org/prose/pdfs/Pro%20Se%20Final%20Report.pdf>

- Slightly over 88% of judges surveyed believed that the extent to which litigants committed procedural errors was a problem for pro se litigation.

Other:

See also the NCSC **FAQs** on self-represented litigants (although somewhat dated) for some statistics at: <http://www.ncsconline.org/WC/FAQs/ProSeFAQ.htm#How%20many%20self-represented>

Compiled by Madelynn Herman, National Center for State Courts, June 21, 2006