

*The Self Help Access Center (SHAC)
Is Filling a Critical Niche
In the Sonoma County Justice System.*

SHAC: The First Six Months

An Evaluation by

IOLTA Information Services

and

Sonoma County Legal Aid

April 13, 2001

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

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

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

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

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

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

A Rising Tide of Self-Represented Litigants

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

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

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

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

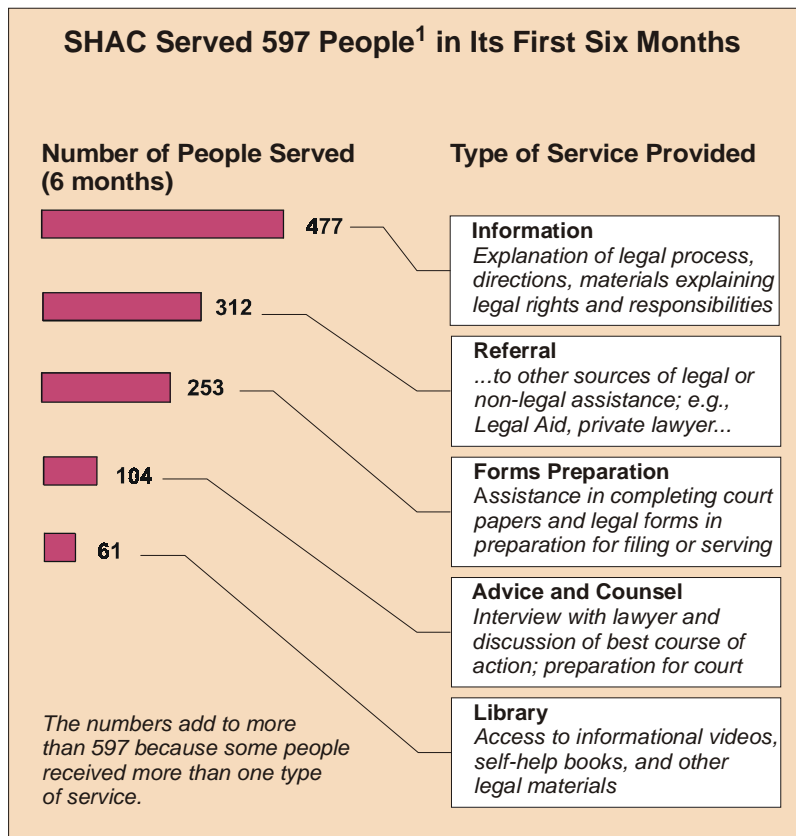
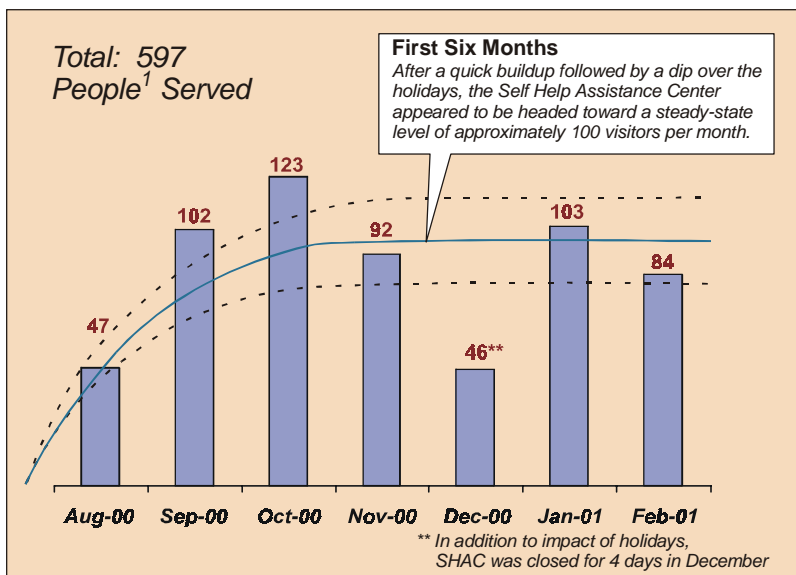
- ! Often fail to get the outcomes they seek.
- ! Express frustration and disillusionment with our system of civil justice
- ! Place a heavy burden on an already overtaxed court system.

Within six months of startup, the Self Help Access Center was helping 100 visitors a month to navigate through the court system.¹

This was approximately 40 - 50 percent of the low income people who filed legal forms with the family law and civil clerks at the Sonoma County Court.²

Because of limited resources, the Center initially was able to operate during only three mornings a week, or 30 percent of the time the courthouse was open. Interviews with court personnel, clients and project partners indicated a resounding consensus: *“Keep it open longer... Extend the hours of operation!”*

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



¹For simplicity in this report, we count each visit for a distinct legal problem as a one “person” served. SHAC statistics indicated that a small proportion, 7.5 percent, visited the Center more than once during the six months of the evaluation. Taking repeat visits into account, an unduplicated count of 552 individuals were served.

²FY 1998-99 court statistics indicated an average of 228 filings per month by low-income litigants. SHAC served 100 clients per month. If we assume that 2000-01 filings continued at the 1998-99 rate, it can be estimated that the SHAC figures represented approximately 44 percent of the total.

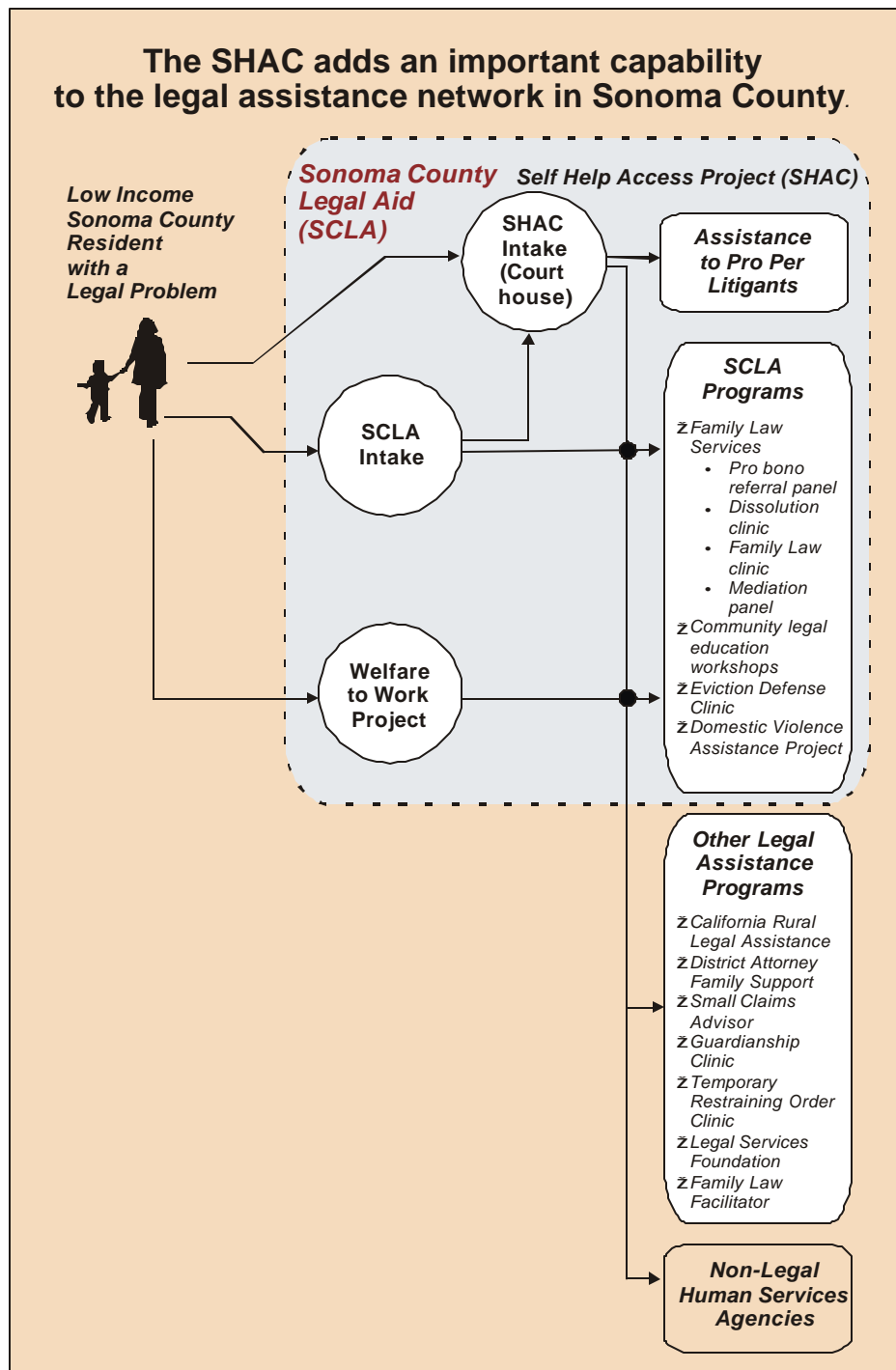
The Self Help Access Center fills a critical niche.

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

Starting in 1997, SCLA dramatically increased its capacity to provide services. It expanded its Family Law Services, which at that time included a pro bono referral panel, dissolution clinic and community legal education workshops, by adding a Family Law clinic and Mediation Panel. Additional new projects included homelessness prevention workshops and a Domestic Violence Assistance Project.

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

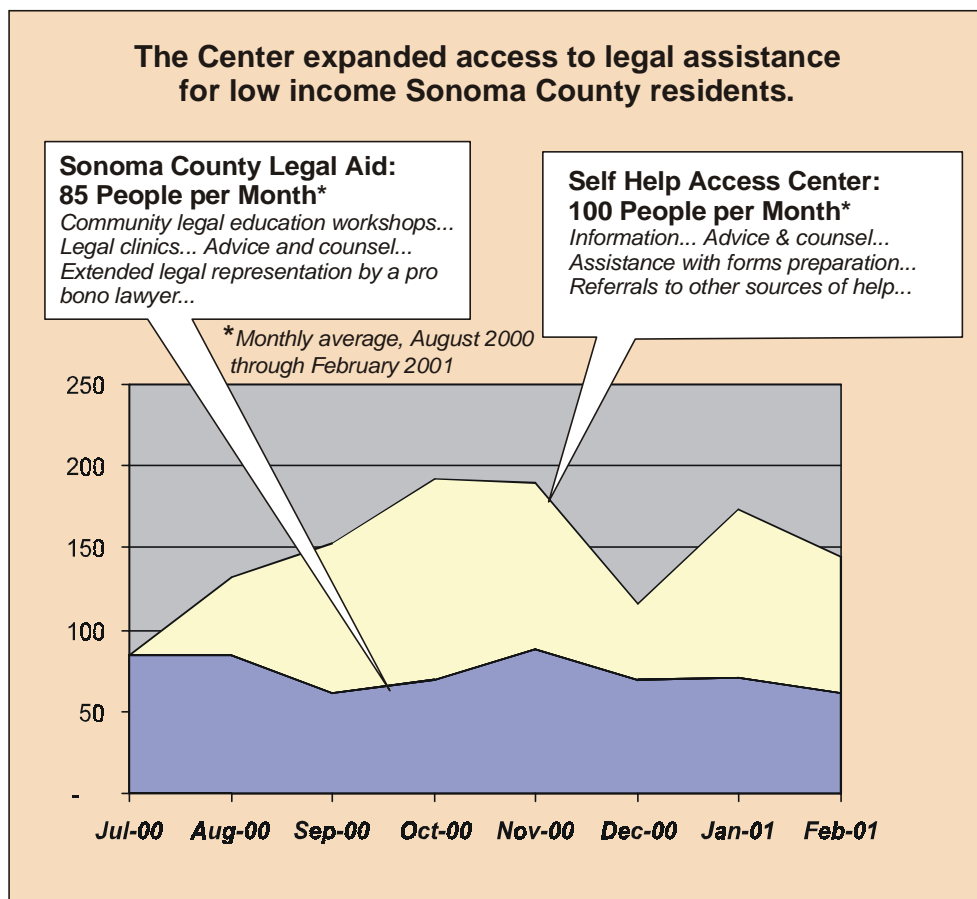
The Self Help Access Center was created by a planning team that included, in addition to SCLA, a Family Law Judge, the Court Executive Officer and Deputy Court Executive Officers, the Family Law Facilitator, a representative from California Rural Legal Assistance, the Law Librarian, the Court's Civil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



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

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

As the graph at right shows, the Center greatly increased the number of low income Sonoma County residents who were able to receive help with their legal problem. After the Center's opening, the numbers of people who could be provided with the level of assistance they needed more than doubled, from an average of 84 clients a month being served by SCLA to an average of 184 clients a month by the two programs combined.



The Center makes the legal system more user-friendly.

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

SHAC staff offer a sympathetic ear as well as a road map for obtaining the best possible outcome from one's encounter with the court system. By providing the Center as a source of information and support, the Sonoma County legal community has sent an important message to the growing number of people who are choosing to use the legal system over the other options open to them for resolving their civil disputes.

SHAC provides support for people in crisis.

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

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

- ! *"I don't know what I would have done without this help from the Center."*
- ! *"Kathy really put my mind at ease."*
- ! *"I'm extremely grateful for all the help I received."*
- ! *"They do great work and are very gentle and competent people."*
- ! *"They referred me to another agency who could help me. Thank you!"*

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

An evaluation of the Center's first six months of operation produced six overall conclusions:

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

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

The SHAC Evaluation

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

With a small supplemental grant, Sonoma County Legal Aid hired *IOLTA Information Services* to assist with the evaluation. Together SCLA and IIS designed and carried out an evaluation having the following six components. *See Appendices for further information and copies of the data collection instruments used.*

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

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

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

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

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

"Partner" interviews. The major partners who had been instrumental in getting the SHAC project underway were interviewed, including the dean of the Law School, the law library director, the court supervisor, the court operations manager and the family law facilitator.

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

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

SHAC-assisted litigants present themselves in court more effectively than unassisted litigants. Both clients and court observers who watched them perform in court reported that SHAC-assisted clients were better prepared, more confident, less confused, more convincing and generally better able to present their cases than they would have been without the assistance they received.

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

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

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

- ! Filed better papers than unassisted litigants 83%
- ! Understood the filing process better than unassisted litigants 83%
- ! Were less confused than unassisted litigants 92%
- ! Required less time to process papers 83%
- ! Made life easier for clerks 92%

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

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

- ! Understand the system better 86%
- ! Make better decisions about case 85%
- ! Have a better opportunity to make case 80%
- ! Do better than they could have on their own 100%

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

Performance Observed in Court	SHAC-Assisted	Un-Assisted
Well-prepared	67%	44%
Confident	78%	33%
Confused	11%	44%
Convincing	67%	56%
Had documentation	78%	44%
Respectful	100%	89%

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

The SHAC evaluation was done too soon after startup to provide definitive answers regarding final results. Many clients selected for interviews could not be reached. A high percentage (40 percent) of those who could be reached indicated the legal matters for which they had sought assistance were still pending.

However, the evaluation’s findings on one of the questions were encouraging. A very high percentage — between 80 and 100 percent, depending on the type of instructions that were given — said they had followed through on the steps the SHAC staff had suggested.

Clients were generally positive about the outcomes of their efforts at self-help. Forty percent of the clients interviewed said their cases were still pending but they had been able to file their papers successfully and were optimistic about the ultimate outcome. Another 40 percent said their case was completed and they had obtained the results they were after. Only 20 percent indicated they had not gotten what they had sought.

The vast majority of clients felt that SHAC’s assistance was useful. Depending on what type of help they had been given, between 73 and 93 percent of SHAC clients indicated that the Center’s assistance was “very useful.”

These results were based on only a small sample of those assisted, i.e., those who could be reached with a reasonable amount of effort. SHAC staff will continue to systematically gather feedback from clients going forward, yet these early interviews provide a great deal of room for optimism about the value and utility of the services being provided.

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

Suggestions Provided	Client Followed	Did not Follow
Referral	80%	20%
Behavior in court	100% . . .	0%
Filing court papers	100% . . .	0%
Serving papers	100% . . .	0%
Getting non-legal help	80%	20%

Client Interviews:
Early results point toward positive outcomes for clients.

Outcomes reported by clients...

- ! Filed papers *pro per*; no reason to think case would not conclude successfully . . . 40%
- ! Case finished; obtained results sought . . . 40%
- ! Case finished; did not get result sought 20%

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

Assistance or Advice Provided	“Very Useful”	“Somewhat” or “Not Useful”
Info and/or written materials	86% . .	14%
Interview about situation	93% . .	7%
Legal advice and/or explanation how the law works	79% . .	21%
Suggestions about how to get more information	73% . .	27%

SHAC helps the court fulfill its mission.

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

The evidence gathered from the personal interviews with both Family Law and Civil Clerks make it abundantly clear that forms prepared by the SHAC are filed quicker with fewer to no rejections and that the SHAC litigants appear to have a clearer understanding of the procedures. This also impacts the courts as operations are running smoother from the first step in the process of filing cases.

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

What the Court Clerks Say About SHAC

SHAC staff carried out in-person interviews with all 12 clerks in the Sonoma County courts, including six Family Law clerks, one Small Claims/Unlawful Detainer clerk, two Probate clerks and three Civil clerks. The clerks' assessment:

Benefits of SHAC for low income litigants—

- ! "Efficient, fast assistance."
- ! "Better understanding of the litigation process"
- ! "An equal footing; an opportunity to respond to opposing parties who are represented by lawyers"
- ! "Saving a lot of money in costs of document preparation"
- ! "Compassionate assistance"
- ! "Empowerment"
- ! "Access to the courts"
- ! "Access to an attorney at no cost"
- ! "On-site location"
- ! "Demystifying the system."

Benefits for court personnel—

- ! "Support; a place to refer litigants for help"
- ! "Confidence in the pleadings; forms are properly filled out"
- ! "Less stress and frustration of the clerks."
- ! "Clerks trust the preparation of SHAC litigants and feel supported by the Center."
- ! "Saves time; the forms are easier to read, they

Partners of the Center were also complimentary.

An important part of the evaluation was a series of interviews conducted by staff of the Self Help Access Center with the people who had served on the planning team that had designed the Center.

Those who were interviewed included the Family Law Judge who was most involved in the Center's formation, the Court Executive Officer and Deputy Court Executive Officers, the Family Law Facilitator, the Law Librarian, the Court's Civil Division Manager and the Dean of Empire Law School.

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

Like the Court Clerks, they felt that the Center needed to be expanded, to provide more hours of operation and be accessible to all the people who came into the Court House not just those who came in during the limited hours in which the Center was currently open.

What the Partners Say About SHAC

Access for litigants...and great training for law students.

"The Center provides assistance, information, direction... for folks who wouldn't have access... It provides great training for law students: real world issues, interviewing skills, working with diverse people, direct supervision from an attorney..."

Dean, Empire Law School

What's working well? Everything! We love it. *"The volunteers and services are wonderful... Well-informed litigants have more realistic expectations."*

Family Law Judge

Reduced stress in the courthouse. *"The clerks can't give legal advice. The ability to make a referral so an individual can get his or her question answered has been an immense help to court staff."*

Head of the court Family Law Division

Help for those who have nowhere else to go. *"Formerly the Law Library was the 'last resort' of pro per litigants. The Center, staffed with competent legal professionals, can go much further to help these people."*

Law Library Director

"It encourages partnership with the community... schools, students, attorneys, volunteers..."

Deputy Executive Officer of the Court

Location in the courthouse. *"The location on-site with the County Clerk's office is important...The accessibility for the clients is a bonus"*

Court Supervisor

Great response from litigants. *"The parties I have seen are thrilled to be getting legal help. It certainly helps fill*

SHAC clients are highly satisfied with the assistance they receive.

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

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

Client Satisfaction Survey Results

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

Clients gave SHAC high ratings.

Overall rating of service 4.86
(Average of ratings on 1 to 5 scale)

Clients felt they were able to get useful help.

Average of responses to question below 2.31
“Were you able to get info or assistance that will help you solve your problem?”
(1= “Not at all;” 2= “Somewhat”; 3= “Definitely.”)

The vast majority expressed appreciation for the assistance they received. The following comments were typical:

- ! *“There was nothing you could have done to be more helpful.”*
- ! *“I think this is a great thing and will be an asset to people.”*
- ! *“I got all the help I need and more.”*
- ! *“The Center is fine just the way it is. I don’t know what I would have done without this help.”*

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

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

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

Examples: Collaborating on Problem Solutions for Clients

Social workers and lawyers working together.

Community Resources for Independence (CRI), an agency working with and advocating for individuals with handicaps, called the SHAC Manager to see if anything could be done to help one of their clients. The Manager arranged a day and time for the client and her resource worker to come to the SHAC and the SHAC attorney provided legal advice and direction. At the completion of the meeting the resource worker and CRI client both expressed “ deepest gratitude and appreciation for the support and time” the SHAC Staff provided

Reuniting a mother with her abducted child. *In a particularly sensitive and urgent matter regarding a child abduction situation, the SHAC attorney provided assistance with paper work, gave emotional support to the 21 year old mother and facilitated the signature of a Judge for the emergency custody order. The District Attorney Investigator who brought the young woman to the SHAC stated that the SHAC services were “vital to the success” of this case and that the SHAC staff availability to “pull it all together” made the reunification of the mother and child and the extradition of the father to the Sonoma County jail possible.*

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

SHAC is effective.

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

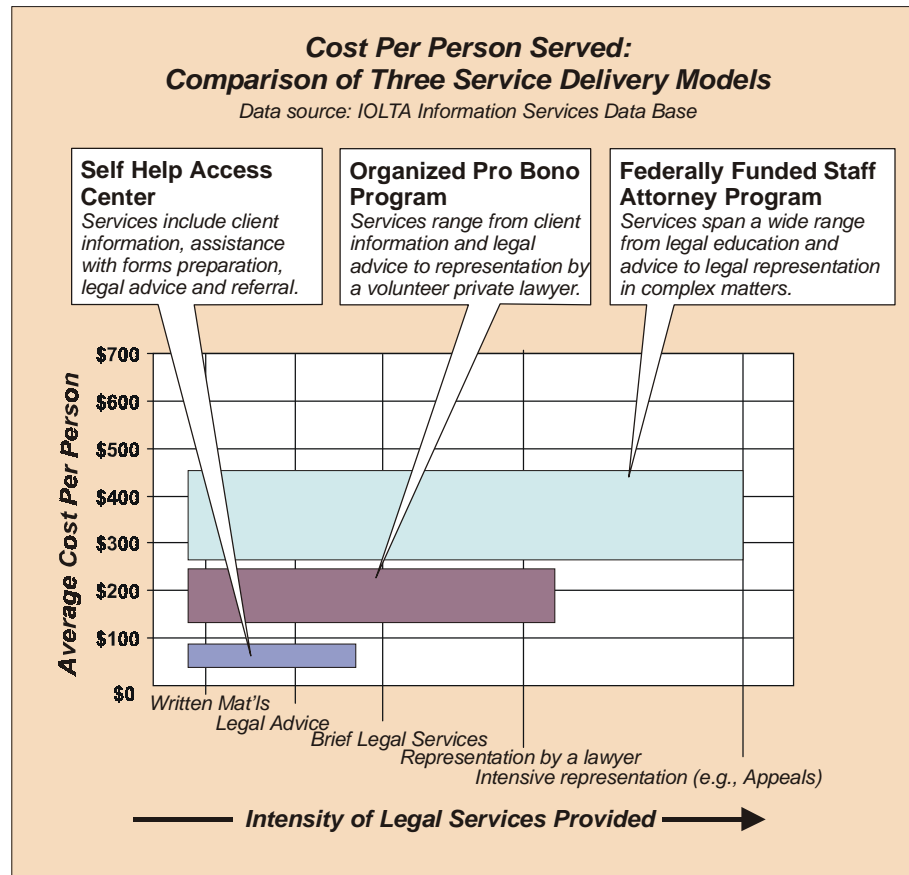
- ! It helps litigants to maximize their prospects for success.
- ! People put the information and advice they receive to good use.
- ! SHAC-assisted clients are well prepared.
- ! SHAC-assisted clients present fewer strains on the court system than unassisted *in pro per* litigants.

SHAC is economical.

- ! In its first six months of operation, SHAC's total costs were \$48,150, or \$81 per person assisted.³

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

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



³ This figure represents total expenditures for six months' part time operation, not including start-up costs.

⁴ The data used for these comparisons come from IOLTA Information Services' national data base of legal services program data.

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

The experience to date with the Self Help Access Center indicates it is working and it is cost-effective. The current level of staffing appears to be adequate to handle the number of litigants coming through the Court during the hours when the Center is open. With its current hours (approximately 30 percent of the time the Court is open), it appears to be helping approximately 40 - 50 percent of the low income people filing family and other civil actions in Sonoma County Superior Court.

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

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

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

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