

PRO SE PRESENTATION

SEPTEMBER 8, 2006

Why create simplified, uniform forms and instructions for self-represented litigants--and what are the benefits

Creating Forms and Instructions to Make Life Easier for Everyone

The speakers will each describe the history of developing self-help forms in their jurisdictions--why and how they did it and what benefits accrued and to whom. Then they will offer recommendations based on lessons they learned in the forms development and maintenance process. The recommendations will address such topics as political considerations in forms development, the benefits and drawbacks of statewide and mandatory forms, updating the forms, and elements of design that make forms understandable to users who are not law trained, such as content, language level, embedding instructions in the form, etc.

WHERE TO START?

It is necessary that some entity start the process.

If considering statewide forms, does your State have a forms oversight committee? If forms within a Judicial District, does your Judicial District have a forms oversight committee? If forms within a county, does your county have a forms oversight committee?

WHERE IS THE MOST PRESSING NEED?

What forms are most needed to assist pro se litigants?

Ask the persons who have contact with pro se litigants what forms or assistance would they like to see created.

Clerks of Court
Registers in Probate
Clerks of Juvenile Court
Clerks of Criminal Court
Judges
Magistrates
Court Commissioners
Referees
District Attorneys
County Attorneys
Corporation Counsels
Private Attorneys

What do the statistics show – in what type of cases are you seeing the highest percentage of pro se litigants?

Give list of what areas the participating States have created pro se forms

Illinois

1. Technically no but we are in the final stages of developing a set of computer-generated forms for Orders of Protection for domestic violence. (The Order of Protection forms are standardized as adopted by the Conference of Chief Judges.)
2. See #1.
3. The forms are not yet on a website but will be put on a website when they are completed

Kansas:

1. Has your state or jurisdiction (pls specify which) developed forms for pro se parties? Please respond Yes or No.
State and local: Yes
2. If yes, please list the areas of law in which forms are provided.
We have put on our statewide website information and forms for domestic violence victims in English and Spanish. Local courts have put additional forms on their individual sites in a variety of areas but primarily domestic.
3. If pro se forms are on a website, please supply the web address.
The statewide site is: www.kscourts.org
This also lists each of the judicial districts which have their own sites and connects to those sites.

Minnesota:

1. YES

2. Court Forms Categories:

[Adoption](#)
[Bankruptcy](#)
[Child Custody](#)
[Child Protection](#)
[Child Support](#)
[Civil](#)
[Commitment](#)
[Conceal and Carry](#)
[Conciliation / Small Claims Court](#)
[Contempt](#)
[Criminal](#)

[Criminal Expungement](#)
[Divorce / Dissolution](#)
[Fee Waiver / In Forma Pauperis](#)
[Forfeiture and Impoundment](#)
[Guardianship / Conservatorship](#)
[Housing / Landlord-Tenant](#)
[Judgment Enforcement](#)
[Juvenile](#)
[License Renewal](#)
[Motor Vehicles](#)
[Name Change](#)
[Other](#)

3. www.mncourts.gov/default.aspx?page=513

North Dakota.

1. Yes
2. Simple Divorce; Child Visitation; Small Claims; Informal Probate; Guardianship and Conservatorship.
3. <http://www.ndcourts.com/Court/Forms/>

Wisconsin:

Has your state or jurisdiction (pls specify which) developed forms for pro se parties?
Yes, the State has.

If yes, please list the areas of law in which forms are provided:

Divorce and Legal Separation — pre judgment and post judgment

Affidavit of for waiver of fees in civil actions

Affidavit for appointment of attorney in criminal cases

Separate petitions for domestic abuse injunctions, child abuse injunctions, vulnerable adult injunctions and harassment injunctions.

In the probate area, there are forms for informal administration of estates without an attorney and other forms for summary disposition of small estates.

If pro se forms are on a website, please supply the web address:

<http://www.wicourts.gov> which has two specific links to forms. The first is a button in the middle of the page "forms" that is a link to all state forms, including pro se forms. The second is a link on the right hand side of the page "self-

representation (pro se)" that is a link to the state family pro se site with pro se forms.

WHO SHOULD BE INVOLVED?

Create a specific committee to create the forms you need.

Political considerations

Judicial members

Clerks of Court

Attorneys

Self-help center staff

A coordinator

A technical person – who will type the forms?

WHAT DO YOU WANT TO ACCOMPLISH?

Decide if you only wish to create forms or will you also develop a website, handbooks, checklists, flow charts

Make the goals realistic – limit the goals to three or less

HOW WILL THE COMMITTEE WORK?

Most work must be done at in person meetings, away from the normal workplace.

Comfortable meeting rooms with projectors and screens are absolutely necessary.

HOW TO BEGIN THE PROCESS?

Be prepared to start from scratch and think outside the box

Policy decisions

Statewide, district wide, county

Mandatory or not mandatory

For example, in Wisconsin, the pro se family forms are not mandatory, but Clerk's offices are required to distribute the State forms (and only the State forms, so get rid of conflicting local forms) and accept State forms for filing

English language not legalese

Plain language

6th grade reading level (when possible)

What will be included – statutory/case law required information or more

There must be instructions

Where will the instructions be -- integrated into the form itself or on a separate sheet

If instructions are integrated will they be on one side and the form on another or will the instructions precede each section of the form

95% Rule