



The Case for . . . Self-Help Programs:

A Court-Based Solution for the Problems of the Self-Represented

DRAFT—DO NOT DUPLICATE

What is a Self-Help Program?

A self-help program is a service or coordinated group of services that enhance the ability of self-represented litigants to secure access to justice by providing them with legal resources that would otherwise be unavailable to them.

Why Start a Self-Help Program?

Almost all courts face increasing numbers of self-represented parties.

These parties cannot afford lawyers, do not know how to present their cases, and are unlikely to find adequate pro bono support. The result is a threat to the efficiency, quality, integrity, and credibility of the entire civil justice system. These centers provide high customer satisfaction, improve court functioning, enhance the public’s overall perception of the courts, and are helpful for all stakeholders (see sidebars).

What Can a Self-Help Program Include?

A self-help program can include the following:

- An office in the courthouse, often headed by a staff attorney

and supported by a court clerk, law students, paralegals, volunteer attorneys, or other

service providers. A self-help office usually provides printed materials and/or videos describing court processes for various types of cases (especially family law cases), access to a computer for online instructions and forms, packets of printed forms and instructions, referrals

to social service agencies and pro bono, reduced-fee, unbundled, or other attorney services, and review of completed forms before filing.

- Alternatively, some centers provide personal service through telephone and Internet, with services centrally staffed but without face-to-face service.

- A resource center in a court or library with access to packets of forms and instructions, and online forms and instructions, perhaps including educational

videos about court procedures. In-person

Benefits for Judges and Court Staff:

- Utilizes resources efficiently and effectively by centralizing self-help services and resources in one place so judges and court staff know where to refer the self-represented
- Reduces time spent by administrative and judicial staff screening pro se documents and improves overall court functioning by identifying barriers to access and making process improvements
- Improves the quality of information presented to judges so decisions can be made on the merits

Benefits for Attorneys:

- Offers attorneys manageable opportunities to offer pro bono assistance.
- Better ability to work with self-represented parties on the opposing side of the case.
- Expands potential client base through referrals and increase in understanding of need for assistance.
- Enhances credibility of justice system.



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support may be provided by a staff person or through a telephone hotline.

- Clinics or workshops for self-represented litigants that are conducted either by a court staff attorney or volunteer attorney, addressing a range of issues, such as divorce, child support or visitation. Clinics also may include pre-filing review of completed forms.
- For selected litigants and case types, attorney-led coaching sessions on courtroom procedure so the litigant can effectively present all or part of his or her case.
- Forms and instructions, whether online or in printed packets, in English and other languages.

Benefits for Other Stakeholders:

- Responds to the concerns of legislators and county board members by offering their constituents a broad range of assistance and information about court actions
- Provides public-service opportunities for interested law students, paralegals and lay volunteers
- Strengthens position of legal aid organizations by showing value of access to justice for all

Overall Benefits:

- Improved access to justice
- Higher quality justice
- Improved public trust and confidence in the courts

What Are the Keys to Starting an Effective Self-Help Program or Center?

An effective center requires:

- Strong judicial buy-in and leadership support.
- A collaborative relationship with the local bar.
- Experienced staff who can interact with and assist the whole court system.
- An accessible and visible location.
- Materials that work for actual user groups.
- Ongoing planning and evaluation.
- Integration into the court's management function.
- An understanding/agreement of what constitutes legal information vs. legal advice.

Where Is Additional Information Available?

Information and assistance are available from a variety of sources, including:

- www.selfhelpsupport.org; a website resource with more than 1300 documents in its library, including court rules governing self-help programs, pro bono reporting and unbundled legal services, ethics for judges, lawyers, and court staff. Also includes a listserv.
- *National Directory of Court-Based Self-Help Programs*: Describes 150 self-help programs, and includes contact information for program staff willing to assist those implementing new programs.
- Pro Se Listserv of the American Judicature Society, an information-sharing resource with 280 subscribers—program staff, attorneys, judges, legal aid attorneys.
- The National Center for State Courts Center for Court Solutions, <http://solutions.ncsconline.org>, includes detailed materials on starting self-help programs.