

# South Central Regional Conference on Pro Se Litigation

## *Self-Help in the South* Post-Conference Report

June 29, 2007

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Founded in 1913, the American Judicature Society is an independent, nonprofit organization supported by a national membership of judges, lawyers, and other members of the public. Through research, educational programs and publications, AJS addresses concerns related to ethics in the courts, judicial selection, the jury, court administration, judicial independence, and public understanding of the justice system.

# The South Central Regional Conference on Pro Se Litigation

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### *Contents*

Introduction .....	1
Planning the Conference .....	3
Advisory Committee .....	3
Conference Objectives .....	4
Invitation Process .....	4
Conference Faculty and Agenda .....	5
State Delegation Reports at the Conference .....	5
State Team Planning Templates .....	7
Conference Evaluations .....	9
Best Practices .....	10
Conclusion .....	12

Appendix A – Advisory Committee Roster

Appendix B – Invitation Letters

Appendix C – Participant Roster

Appendix D – Faculty Roster

Appendix E – Conference Agenda (Annotated)

Appendix F – Contents of Conference Materials

Appendix G – Action Plan Templates

### *Introduction*

From February 1-3, 2007, the American Judicature Society (AJS), with support from the State Justice Institute, the South Texas College of Law, the Alabama Law Foundation, and the Texas Bar Foundation, Inc., conducted the South Central Regional Conference on Pro Se Litigation in Houston, Texas, at the South Texas College of Law.

Building on the success of the Midwest Regional Pro Se Conference held September 7-9, 2006, at Drake University in Des Moines, Iowa, the South Central Regional Pro Se Conference was aimed primarily at participants from Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. The genesis of both conferences was an AJS survey conducted for the March 2005 Summit on the Future of Self-Represented Litigation held in Chicago, Illinois. Kathleen Sampson, AJS Senior Program Associate, prepared the paper “Progress to Date and Future Plans: Survey Results Updating Self-Represented Litigation Innovation Activities 1999-2004 and Beyond” (Survey) at the March 2005 Summit. The Survey built upon previous AJS efforts in the pro se litigation arena that primarily began with the 1998 publishing of *Meeting the Challenge of Pro Se Litigation: A Report and Guide Book for Judges and Court Managers*, a first compilation of national data and research on pro se litigation.

Following publication of *Meeting the Challenge* AJS convened the 1999 National Conference on Pro Se Litigation in Scottsdale, Arizona. This groundbreaking conference brought together 325 participants organized into teams from 49 states and the District of Columbia, Guam, the Northern Mariana Islands, and Puerto Rico. The organized teams included participants from a broad spectrum of court-system stakeholders, and about three-quarters of the teams prepared action plans designed for implementation in their home jurisdictions. The action plans catered to specific problem areas or needs in pro se litigation efforts particular to each state. Many of the action plans spurred development of needed pro se litigation services and innovations or refined established pro se efforts.

In 2004 AJS began canvassing team leaders and other knowledgeable stakeholders to gauge the pro se assistance progress in the various states and territories since the 1999 Scottsdale conference. By Spring 2005, 46 jurisdictions had responded to the survey with most reporting some progress in providing assistance to pro se litigants. The survey results categorized the status of assistance programming in respondent states as follows: (1) Comprehensive Program States; (2) Partially Integrated Program States; (3) Emerging States; and (4) Unknown Status or Inactive States.

AJS learned from the 2005 Survey that a few states in the South Central region had minimal or no pro se assistance activity, although some jurisdictions in the region did have established or emerging pro se assistance programming. In planning the South Central Regional conference AJS targeted representatives of these jurisdictions to be involved in conference planning.

The 2005 Survey results revealed a desire and need for all jurisdictions to collect and share information on effective protocols, service models, program descriptions, and training materials from other jurisdictions and service providers. Survey respondents indicated that to plan and implement pro se assistance activities they needed interaction with judges, court staff, attorneys, pro se assistance program staff, and community partners from other jurisdictions to discuss common concerns, share information, and learn about successful solutions to pro se challenges.

The Survey, in conjunction with the continued escalation of pro se litigation demands and pressures on the courts, highlighted the need for a regional conference to bring together judges, private attorneys, court staff, legal aid attorneys, and other interested stakeholders from the South Central states to share information about the volume of pro se litigation, the types of cases in which self-represented litigants usually appear, the level of need for pro se assistance, ways to ease the burden of pro se litigation on the judicial system and engage attorneys in this effort, and to develop concrete action plans to be implemented after the conference.

## *Planning the Conference*

The 2005 Survey identified various reasons for lack of progress in assisting pro se litigants,\* including the following:

- Opposition from important stakeholders such as court clerks (particularly elected clerks), attorneys (with economic concerns and reservations about unauthorized practice of law on the part of self-help program staff), and judges (with concerns about compromising their role as neutral arbiter and “encouraging” pro se litigants);
- Funding and staffing concerns and constraints; and
- The absence of strong political sponsors to champion self-help programming.

AJS observed some of these obstacles existed in states in the South Central region and began a 15-month project to help address them. The critical need for such a project was further highlighted in the aftermath of Hurricane Katrina, when a number of Gulf States began seeing a substantial increase in self-represented litigants confronting legal problems related to the storm.

Some of these states, of course, had taken more significant and effective steps towards addressing pro se litigation needs than had their neighbors, and AJS anticipated that those states could share their experiences and expertise with the emerging states.

## *Advisory Committee*

In early summer 2006, AJS began assembling a conference Advisory Committee by contacting the chief justices, state court administrators, or access to justice organizations of the nine states asking for designation of an Advisory Committee member from each state. Once established the Committee advised AJS on conference target audience and goals, the invitation process, relevant conference topics, and program format. In addition to South Central regional Advisory Committee members, the committee included at-large advisor Richard Zorza, coordinator of the National Self-Represented Litigation Network, a working group of state courts and national organizations cooperating to share information about pro se assistance issues, and as AJS liaison Louisiana Court of Appeals Judge Marc Amy, a member of the AJS Board of Directors and its Substantive Programming Committee. (The Advisory Committee Roster is attached as Appendix A.)

The Advisory Committee met through conference calls periodically during the planning stages of the conference to address planning issues and commented via email on various matters including draft agendas, speakers, resource materials, and invitations.

In consultation with the Advisory Committee, AJS determined to approach the Chief Justice of each target South Central state to designate team members to attend the conference. This approach was designed to achieve better buy-in from the highest level of court for developing pro se assistance programs and to facilitate follow-up on the state team action plans developed at the conference.

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\* In this Report the terms “pro se” and “self-represented” are used interchangeably.

## ***Conference Objectives***

AJS and the Advisory Committee identified the following conference objectives:

- To bring together teams of judges, attorneys, court staff, and other interested stakeholders from nine South Central states to share information about the volume of and challenges presented by pro se litigation in their states;
- To assemble a conference faculty of experienced presenters to convey information about successful pro se assistance programs in the targeted states and from across the nation to allow team members to adapt or adopt tested service-delivery models that fit their specific state circumstances;
- To identify effective tactics and programs that have eased the burden of pro se litigation on the judicial system in other jurisdictions;
- To inform conference participants about available pro se litigation resources for information, assistance, and expertise; and
- To provide a program agenda to facilitate team member processing of information and development of concrete action plans to pursue after the conference.

## ***Invitation Process***

After consultation with the Advisory Committee, AJS approached three nationally-known state Chief Justices to sign a cover letter to the nine South Central state Chief Justices inviting them to designate teams to attend the conference: Texas Supreme Court Chief Justice Wallace Jefferson, as chief justice of the state in which the conference was to be held; Montana Supreme Court Chief Justice Karla M. Gray, Co-Chair of CCJ-COSCA Committee on Public Trust and Confidence in the Judiciary; and Chief Judge Robert Bell of the Maryland Court of Appeals, President of the Conference of Chief Justices. The letter, mailed in early October 2006, enclosed another letter from AJS to each of the nine chief justices inviting them to designate team members from their states to attend the conference and develop action plans to establish or expand pro se litigant assistance efforts to improve access to justice and relieve the pro se burden on judges and court staff. (Sample invitation letters are attached as Appendix B.)

The AJS letter to the South Central chief justices suggested they consider the following categories of individuals as team members: state trial court judge, trial court clerk, trial court administrator, bar association leader, pro se task force or access to justice commission member, law librarian or public librarian, state legislator, and service provider from outside the court system.

The response to the invitation process demonstrated a strong desire for and need for such a conference among the targeted states. A breakdown of the number of attendees from each participating state follows:

Alabama	3	Kentucky	3	Oklahoma	2
Arkansas	4	Louisiana	5	Tennessee	4
Georgia	6	Mississippi	10	Texas	13

(The Participant Roster is attached as Appendix C.)

## ***Conference Faculty and Agenda***

The Advisory Committee and AJS project director Kathleen Sampson identified conference speakers and showcase presenters. AJS's long involvement in pro se litigation issues enabled the assembling of an impressive faculty, with national reputation, experience, and expertise in pro se litigation matters for the South Central Regional Conference on Pro Se Litigation. (The Faculty Roster for the conference is attached as Appendix D.)

Once the faculty was confirmed, AJS held conference calls with the speakers for each program plenary and breakout session to assure a thorough and accurate conference agenda. (The Conference Agenda [Annotated] is attached as Appendix E.) AJS also convened discussions on presentation content, how best to engage the target audience, program materials and handouts, and technological needs. (The Contents of Conference Materials is attached as Appendix F.)

## ***State Delegation Reports at the Conference***

During the last session of the conference, titled "State Delegation Reports," moderated by Richard Zorza, all state teams reported orally and (1) summarized the main focus of each team's plan to promote pro se litigant assistance, (2) identified a major anticipated barrier and how it might be addressed, (3) described a first step the team planned to take within 30 days of the conference, (4) highlighted one innovative idea taken from the conference, and (5) identified a major area in which the team needed assistance.

The oral Action Plan reports on the last day of the conference provided the following information from the state teams:

- 1. Main Focus.** Collectively, the teams focused primarily on educating judges and attorneys about pro se issues in order to promote change. Similarly, most teams mentioned the foreseen importance of developing and circulating user-friendly standardized forms to aid pro se litigants. More specifically, the teams noted the following plans:
  - To increase the availability, uniformity, and simplicity of forms;
  - To increase pro se assistance in the family law area;
  - To educate judges and attorneys about pro se issues;
  - To make recommendations to the court regarding pro se issues as they directly apply to domestic relations; and
  - To develop a survey to gain information about problem areas.
  
- 2. Major Barriers.** The barrier most often noted was the lack of support from judges and bar associations. Several other barriers, however, were also noted:
  - Decentralized court system;
  - Inadequate staffing;
  - Lack of funds;
  - Lack of support from judges and bar associations;
  - Logistical challenges;

- Structural barriers due to high turnover;
- In-state politics; and
- Setting the groundwork to promote change.

**3. Initial Steps.** Most teams reported that initial steps included developing standardized forms, and several states also noted that they wanted to start working to make the forms interactive. There were also several other initial steps mentioned:

- Develop user-friendly forms and turn them into plain English;
- Approach the legislature about funding for legal aid;
- Focus on a model uniform state rule for pro se help by court personnel;
- Present at state bar associations;
- Develop education programs to educate judges and attorneys;
- Extend existing programs into other counties;
- Work with existing grants;
- Work on improving web sites and interactive forms;
- Survey the pro se data currently available;
- Apply for grants; and
- Attend conferences on the topic.

**4. Innovative Ideas.** The teams noted the following innovative ideas taken from the conference:

- Involvement of law schools for programming and staffing assistance;
- Appeal to attorneys and judges by utilizing court efficiency as a basis for promoting pro se;
- Partner with community colleges to increase accessibility of clinics and information in less populated areas;
- Establish legislative relationships;
- “Ground-Up” approach; and
- Design user-friendly forms that resemble official state forms.

**5. Need Help.** Although enthusiastic, several teams expected to require help in areas related to the promotion of unbundling and pro se assistance. They also indicated several other areas of possible need:

- Educating the bench;
- Promoting limited-scope legal assistance (“unbundling”);
- Finding speakers to advocate unbundling at upcoming conferences;
- Gaining technological assistance;
- Finding data protocols or survey instruments; and
- Identifying funding opportunities.

## ***State Team Planning Templates***

With input from the Advisory Committee and building on the process and success of the Midwest Regional Conference, AJS prepared two templates to assist the South Central state teams in preparing action plans to facilitate post-conference implementation of pro se litigation assistance services in their home states. In consultation with the Advisory Committee, Planning Template A—*Designing a Planning Process* was developed for jurisdictions with little or no existing formal pro se litigant assistance; Planning Template B—*Planning Enhancement or Expansion* was designed for states or jurisdictions that already had some pro se assistance projects in place. (The Planning Templates are attached as Appendix F.)

AJS has received written action plans from two-thirds of the South Central states. Each responding state opted to use Planning Template A — *Designing a Planning Process*. Planning Template A helped the teams to identify:

- known indicators of a need for self-represented assistance;
- the stakeholders that might support or resist assistance projects;
- the bases for a realistic first step in providing an assistance program;
- geographic and demographic factors to consider;
- potential collaborators and community partners; and
- information or support needed from other states or national organizations to proceed with planning.

### **Indicators of Need**

The state teams were asked to identify the indicators of need for self-represented litigant assistance in their states. Most responding states indicated anecdotal reports from and discussions with court clerks, judges, and legal services providers of growing numbers of pro se litigants in their courts. Large rural populations combined with a bulk of attorneys centered in urban areas also highlighted the need for pro se assistance. There were few reliable data supporting these indications, but acknowledging the phenomenon of growing numbers of pro se litigants was common among the action plans. The family law arena was consistently identified as the area of law with the most urgent need for redress.

### **Stakeholder Positions**

For states and jurisdictions just beginning to address self-represented litigant needs, assessing the level of support or resistance of various stakeholders is an important initial step. Among the reporting states the following trends were evident:

- Support from court leadership was generally rated as minimal to cautious with some acknowledgement of a need and with only one high court expressly favoring assistance.
- Trial judges also reflected a cautious attitude citing concerns with becoming too involved in the litigant's case and the corresponding ethical concerns. Some states reported a sense that the trial judges feared assistance would create more pro se litigants. Those trial courts that were particularly inundated with unrepresented litigants appear more receptive to assistance reforms.
- The positions of court staff and court clerks ranged widely from wanting to avoid getting involved in assistance efforts, to reluctance to getting involved, to asking for help, to wanting to help self-represented litigants.

- Local and state bar members were consistently assessed as cautious, wary, and hesitant to engage pro se litigant assistance efforts. The primary reason given for bar members' apparent reluctance was a risk to revenue.
- With one exception the legislators and county commissioners were described as uninterested, uninvolved, and uninformed. One state team indicated its legislators were "interested" in the problem of addressing growing numbers of pro se litigants.

Universally, the state teams cited educational efforts as a critical first step in engaging the resistant stakeholders. One team suggested approaching the leadership of the state and local bar associations to emphasize with lawyers their responsibility to help those litigants who cannot afford legal representation, and approaching the state association of court clerks for "endorsement of the concept of assisting pro se litigants because it is the right thing to do and not something that other stakeholders have dumped on clerks." Another team, which reported relatively stronger interest from an overburdened court staff, planned to gain buy-in from the trial judges by first engaging the court clerks in self-represented litigant assistance efforts.

### **First Steps**

The Planning Template asked the state teams to identify "realistic first steps" in enacting pro se litigant assistance projects. Each team's response was unique to its state's circumstances. The following first steps are highlighted:

- Further efforts to engage the state bar through its volunteer lawyers project and expand a pro se divorce clinic pilot program to include additional legal subjects and beyond the original pilot jurisdictions.
- Explore collaboration with junior colleges and libraries to utilize their computers and space for forms access or obtaining legal information.
- Offering currently approved forms for statewide use via online interaction with the help of a Technology Initiative Grant from the Legal Services Corporation.
- Establish partnerships with the court and bar associations to make existing online resources more available to pro se litigants.
- "Development of a good set of user-friendly 'plain English' pro se forms" through a grant from the state bar foundation, volunteer help, and application for a technology grant to offer interactive online forms.
- Strengthen or amend court rules or legislation, and accompanying ethical rules, allowing unbundled legal services.
- Increase educational programs for judges and work to gain endorsement of bar and court clerk leadership.

### **Geographic and Demographic Concerns**

The South Central region teams were asked to identify geographic and demographic factors to account for when initiating or enhancing their planned pro se litigant assistance efforts. Similar to the Midwest Regional conference participants, the South Central region participants characterized their states as largely rural with growing urban centers where the lawyers and resources are becoming increasingly centralized. This phenomenon, of course, is prevalent across the entire United States. It is common for pro se assistance providers, from a state-wide perspective, to grapple with these geographic and demographic challenges.

### **Collaborations and Support**

When asked to identify potential collaborators or partners in activating the next steps in their pro se assistance efforts, the state teams largely iterated the need and desire to work with the common stakeholders: the state's high court, trial judges, court clerks and staff, bar associations, legal services providers, and librarians. Also identified, however, were law schools and law students, and access to justice commissions.

Sources of needed support for the teams' endeavors included learning how other states have engaged their highest court and other stakeholders at the highest level, maintaining contacts and avenues of information gained from the conference itself, attending future conferences on self-represented litigation, and maintaining open lines of communication with the expert faculty presenters and colleagues from neighboring states. Obviously, financial resources are always needed, but in these team action plans there was little emphasis on financial support, even though it was often mentioned as a barrier. One can speculate that this resulted from a focus on initial learning about pro se assistance projects compared to expanding or continuing existing efforts.

### ***Conference Evaluations***

Each conference attendee was encouraged to fill out and return the conference evaluation form provided in the binder of materials. AJS tabulated and averaged the responses from 29 conference attendees.

#### **Quantitative results**

The "Overall Evaluation," based on a rating scale of 1-3 (1 = Not Really; 2 = Somewhat; 3 = Yes, definitely), included the following grades:

- the responsiveness of the Friday plenary and breakout sessions to attendees' information and resource needs rated 2.88;
- the productivity of the teams' action planning time rated 2.68;
- the opportunity for attendees to discuss issues of concern during the conference rated 3.0; and
- the helpfulness of the conference binder of materials rated 2.96.

Each of the substantive conference sessions, beginning with the Thursday night dinner and keynote address, were rated on a scale of 1-5, with 1 = No Value, and 5 = Very Valuable. Every session rated well over 4.0.

Conference attendees were asked to evaluate each of the 20 faculty presenters on a scale of 1-5, with 1 = Poor, and 5 = Excellent. Sixteen presenters scored 4.5 or above. No presenters scored below 4.0.

The evaluation ratings for the South Central Conference were consistently very high and were generally higher than the previous Midwest Regional Pro Se Conference. One can speculate on a number of reasons for this, but it should be noted that AJS carefully reviewed the evaluation results and suggestions for improvement from the Midwest Regional Conference prior to and during the planning process for the South Central Conference.

### **Qualitative evaluative comments**

AJS received many comments praising the overall experience of the South Central Conference, not only in the Conference Evaluations but also after the conference in separate communications, including:

“The conference in Houston was my first experience with AJS, and I left much impressed with the degree of concerted effort and attention to detail.”

“The planning, agenda, presenters and materials were all superb. Your efforts—and the support of AJS—are certain to result in a higher level of delivery of legal services to those who cannot afford counsel.”

“This was a great conference! Very well organized and lots of very helpful information. Great job!”

“This is one of the best conferences I have attended.”

“Bringing in experts from other states was very helpful to see best practices across the country.”

No conference of such scope and magnitude achieves perfection. A few participants remarked that the programming began too early in the morning and that too much time was allotted for the state team meetings. Another commented that there was too much “down time,” perhaps alluding to unproductive time during the state team meeting sessions. The Overall Evaluation of the teams’ action planning time, however, rated 2.68 on a scale of 3.0.

The participants were largely enthusiastic about the Program Showcase, but one offered an interesting suggestion that a preliminary short overview of the Showcase presentations and displays would have been helpful.

### ***Best Practices***

In less than six months, AJS conducted two major regional conferences on pro se litigation. Together, the Midwest Regional Conference on Pro Se Litigation (September 7-9, 2006, Des Moines, Iowa) and the South Central Regional Conference on Pro Se Litigation (February 1-3, 2007, Houston, Texas) brought together team delegations from 20 different states, 126 conference participants, and 33 faculty presenters—including many national experts on matters relating to pro se litigation.

Participants at both regional conferences were asked to provide extensive conference evaluations, in part to assist AJS in developing a “best practices” approach to conducting regional conferences of this nature. Sixty-eight participants completed conference evaluations. In addition, AJS has extensive experience in planning and conducting educational conferences at the national, regional, and local levels and has drawn its own conclusions about what worked well and which areas needed refinement in the planning and conducting of these regional pro se conferences.

AJS submits the following regional conference planning best practices:

### **Regional Conference Planning—Best Practices**

#### ***Advisory Committee***

The experience and knowledge of a quality advisory committee is indispensable in developing relevant program content, setting a conference agenda, and identifying the best individuals from each state for faculty participation. AJS learned that a committee consisting of a representative from each state in the region and representing the major stakeholder groups—trial judges, bar representatives, legal aid attorneys, court personnel—was particularly effective. Once the committee is in place, it is important for the conference planners to *listen* to them. The committee members know the needs and issues confronting their jurisdictions, and are invaluable guides to relevant conference topics.

Conducting periodic conference calls with the advisory committee, followed by email communication for circulating draft documents, is an expedient method for settling on a quality program agenda and identifying top-notch faculty presenters.

#### ***Participant Buy-In/State Teams***

If the conference goal is to make a tangible difference, to foster reform efforts or adoption of innovative ideas, it is essential to have committed conference participants. AJS sought participant buy-in at these regional conferences by inviting the Chief Justice of each state to designate specific individuals to attend the conference on behalf of his or her state. Each chief justice was asked to designate a “state team” of conference participants that included lawyers and judges, law librarians, community partners, legal-aid attorneys, and bar and court staff.

The initial approach to the state chief justices came from three other chief justices particularly active in the subject matter of the conference.

#### ***Conference Faculty***

Including knowledgeable faculty presenters from within the region, as well as national experts, provides an invigorating mix of ideas, experience, and resources for the conference participants.

#### ***State Team Meetings***

The opportunity for state team delegates to meet and discuss their particular state’s pro se needs was very beneficial for the conference participants. During a one-and-one-half day conference, however, many participants felt that too much time was dedicated to formal state team meetings. The Midwest Regional allotted two hours and forty-five minutes for team meetings, and the South Central three hours and fifteen minutes.

#### ***Conference Schedule***

Opportunities for informal interaction or social events among teams and team delegates should be built into the conference schedule. As noted above in the discussion of evaluation results, this informal learning and networking was extremely highly rated. On the other hand, many conference attendees felt that beginning the day’s programming at 8:00 a.m. or 8:30 a.m. was too early. Both the Midwest and South Central regional conference sessions were held at law

schools, which meant that participants had to leave earlier than if the conferences were held in hotel facilities. Law school donations of space and technical services, however, significantly held down costs of the conference.

### ***Breakout Sessions and Program Showcases***

Short breakout sessions, with a choice of presentations to attend and which included smaller groups and greater interaction between presenters and attendees were positively received.

The Program Showcases were evaluated as an effective means for participants to learn about successful strategies employed in other states.

### ***Post-Conference Support***

As reported above in the evaluation summary, the conference notebook materials were rated 2.96 on a three-point scale. AJS recommends that conference planners expend significant thought and effort in working with faculty and advisory committee members to identify and include helpful information in the notebook.

Conference participants also should be offered post-conference support through referral to organizations such as AJS and the Self-Represented Litigation Network and their respective websites.

## ***Conclusion***

Reflections upon conclusion of the South Central Regional Conference on Pro Se Litigation include a sense of concern but mostly one of optimism. There is no gainsaying that much time and effort and investment of resources is necessary for large swaths of America—not just the South Central region—to begin to address effectively the burgeoning pro se litigation phenomenon and the attendant access to justice anxieties. Optimism and commitment, however, do abound, even in the states and locales confronting what can be a daunting proposition of initiating self-representation assistance efforts.

A common thread among both formal and informal evaluative comments from attendees of the South Central Regional Conference on Pro Se Litigation was the appreciation for and excited anticipation of using new personal contacts, knowledge of resources, and access of expertise discovered during the conference. One cannot ignore this common sentiment: No matter how advanced a state or jurisdiction in its efforts to tackle the pro se phenomenon and its attendant challenges to the fair and consistent administration of justice, generous help and solicitous guidance is readily available.

The challenges are indeed immense, but so are the resources; if not by way of dollars, at least by way of commitment and knowledge. The primary goal of the South Central Regional Conference, as with the Midwest Regional Conference, was to bring together stakeholders in the access to justice arena to share ideas and information, to learn from national experts and each other, and to take home new and innovative ideas tailored to addressing pro se litigation issues and concerns in their home states.

There is much work to be done, but there is much with which to do that work. The celebrated Irish author, James Joyce, once wrote: “We’ll meet again, we’ll part once more. The spot I’ll seek if the hour you’ll find.” With encouragement, support, collaboration, and perseverance, those willing to work to advance access to the courts will find success, and everyone, including judges, court clerks, lawyers—all stakeholders—and pro se litigants will benefit.

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October 3, 2006

Honorable Drayton Nabers, Jr.  
Chief Justice, Alabama Supreme Court  
300 Dexter Avenue  
Montgomery, AL 36104

Dear Chief Justice Nabers:

The American Judicature Society is pleased to invite you and individuals from your state whom you designate to participate in the **South Central Regional Conference on Pro Se Litigation** on February 1-3 2007, in Houston, Texas. The enclosed initial draft agenda (green paper) provides additional information about substantive sessions that will discuss the benefits to judges and court employees of developing new methods for serving self-represented litigants, address ethical issues for judges, court staff and attorneys, explore the role of technology in assisting pro se litigants, and other topics.

**State representatives.** A key to the success of the conference is the participation of representatives from the nine target states: Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, Tennessee and Texas. We ask your assistance in designating four to eight persons to represent your state, share information with other states' representatives and learn from national and regional faculty. Depending on the wishes of the state delegations, they may develop an action plan to help relieve the burden on courts, or they may choose to gather information and discuss issues within their own states.

Because including a mix of stakeholders has proven successful in the past, we ask you to consider the following categories of participants from your state:

- **State trial court judge** who is knowledgeable, widely respected, energetic, and has first-hand experience of self-represented litigants;
- **Trial court clerk** who also has experienced the challenges posed by pro se litigants and has a sense of their needs and perhaps ideas about reducing the burdens on line staff;
- **Trial court administrator** who has either documented the challenges, manages an existing assistance program, or would be willing to address the issues by developing an assistance program;
- **Bar leader** who can articulate attorneys' concerns and perspectives and, hopefully, help devise ways courts, the bar and other stakeholders can work together to help assist self-represented litigants;

- **Pro se task force or access to justice commission member** who has some understanding of the issues surrounding pro se litigation and would be an effective team member;
- **Law librarian or public librarian** who may be responding to requests for assistance from self-represented litigants and would be willing to cooperate with the courts and the bar to provide services;
- **State legislator** who understands the courts and would be interested in supporting programming to improve access to justice for his or her self-represented constituents;
- **Service provider from outside the courts**, such as a legal aid program director or a domestic violence advocate, who might be a potential partner in a pro se assistance program.

**Because of the practical and symbolic leadership that is crucial to pro se litigation issues, we hope your schedule will permit you to also attend the conference.**

**Conference advisory committee member from your state.** I am enclosing the roster of the conference advisory committee, on which each state in the South Central region is represented. Please note that Linda Lund, Director of the Volunteer Lawyers Program at the state bar, is a member of the committee, and will be a resource to you as you select participants from Alabama.

**Funding participation of team members.** AJS has no grant funding to pay for participants' travel, hotel and meals not provided at the conference, but we have made every effort to keep costs manageable. For example, AJS has secured a room rate of \$139 per night (plus tax) at the Hilton Americas Hotel in Houston, a two-block walk away from free meeting facilities at South Texas College of Law. We have secured funding from the State Justice Institute to pay for faculty travel and per diem. In addition, AJS has requested a grant from the Texas Bar Foundation to pay for conference meals, and will request supplemental funding for other out-of-pocket costs from the Louisiana and Alabama Bar Foundations. If all the grant awards are made, AJS will not have to charge a registration fee.

**Possible help to pay participants' travel costs.** You may wish to explore some options to pay for your designated participants to attend the conference. For example, the State Justice Institute's scholarship program enables judges and court managers to attend out-of-state educational programs they could not otherwise attend because of state, local and personal budget constraints. For more information, go to <http://www.statejustice.org/pdf/2006%20Scholarship%20Fact%20Sheet.pdf> or e-mail Candice Jackson at [cjackson@statejustice.org](mailto:cjackson@statejustice.org). **Scholarship applications must be submitted to SJI between October 2 and December 1, 2006**, for travel to programs held between January 1 and March 31, 2007.

State or local bar foundations may help fund the participation of bar members, as may legal-aid offices for their attorneys. A number of those who attended the September 2006 Midwest Regional Pro Se Conference at Drake Law School in Des Moines were funded through SJI scholarships and bar foundation support.

**Nomination form.** On the enclosed form (yellow paper), please nominate four to eight individuals, *designating one as the delegation leader*. The leader will be responsible for contacting the others before the conference to gather background information about the dimension of the pro se phenomenon in your state, and coordinate the group's activities at the conference. Please also recommend two alternates in case one or more of the original designees cannot attend the conference.

We will be grateful if you will return the enclosed team nomination form by November 3, 2006. We will send your nominees invitations and hotel and conference registration forms, as well as remind them of the SJI scholarships.

We know you receive many requests to send judges and staff to conferences, and we thank you for your time and attention.

If you have any questions, please contact me at 708/636-1494, [ksampson@ajs.org](mailto:ksampson@ajs.org), or Krista Maeder, conference coordinator, at 515/271-2284, [kmaeder@ajs.org](mailto:kmaeder@ajs.org).

Yours Truly,

Kathleen M. Sampson  
Senior Program Associate and  
Project Director

Enclosures

Draft agenda (green paper)  
State team nomination form (yellow paper)  
With self-addressed reply envelope  
Advisory committee roster

Cc: Linda L. Lund, Director  
Volunteer Lawyers Program  
Alabama State Bar  
415 Dexter Avenue  
Montgomery, AL 36104



**South Central Regional Conference on Pro Se Litigation  
February 1-3, 2007  
South Texas College of Law, Houston**

October 3, 2006

Honorable Drayton Nabers, Jr.  
Chief Justice  
Alabama Supreme Court  
300 Dexter Avenue  
Montgomery, Alabama 36104

Dear Chief Justice Nabers:

On February 1-3, 2007, the American Judicature Society (AJS) will present a South Central Regional Conference on Pro Se Litigation in Houston, Texas. It is being convened especially for participants from Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, Oklahoma, Tennessee and Texas. The South Central Regional is one of a series of recent regional meetings, including the Western Regional in San Francisco in March 2006, the Eastern Regional in White Plains, NY, in May 2006, and the Midwest Regional in Des Moines, IA, in September 2006. We write to encourage you to send a delegation to the South Central Regional.

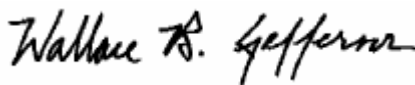
The impetus for regional conferences comes from a recommendation from the March 2005 Summit on the Future of Self-Represented Litigation in Chicago, funded by the State Justice Institute, and findings from a Summit-related survey by the American Judicature Society. A key finding of the survey and recommendation from the Summit was to provide cost-effective and convenient opportunities for judges, court personnel, attorneys and community partners working to meet the challenge of pro se litigation to share information and learn from one another. In the past several years, we have seen many new pro se assistance models emerge nationally. The South Central Regional will draw on this well of experience and expertise to inform all attendees.

Enclosed is a letter from AJS asking you to designate participants from your state to attend this conference. They will participate in informational sessions and have the opportunity to share with and learn from judges, lawyers, court staff and other stakeholders in the region and from national and regional faculty about ways to help pro se litigants better represent themselves in court and relieve some of the burden on judges and court employees. Please see the draft agenda for more information.

The conference is another piece in the mosaic of recent efforts to encourage court and community collaboration, improve service and provide access to justice to those who come to court, and enhance public trust and confidence in our justice system - initiatives that have been supported by the Conference of Chief Justices and Conference of State Court Administrators.

We encourage you to participate by identifying participants familiar with the challenges of self-represented litigation to attend the conference.


Very truly yours,



Wallace B. Jefferson  
Chief Justice of Texas



Robert M. Bell  
Chief Judge of Maryland



Karla M. Gray  
Chief Justice of Montana  
Co-Chair, CCJ-COSCA  
Committee  
on Public Trust and  
Confidence  
in the Judiciary



**SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION, HOUSTON, TX, FEBRUARY 1-3, 2007**

**STATE DELEGATION MEMBERS FROM \_\_\_\_\_ TO BE INVITED TO THE CONFERENCE  
(State)**

Please return this form to AJS in the enclosed reply envelope  
or fax to Krista Maeder at 515-279-3090 by **November 3, 2006**

**1. Delegation Leader Name**

**Title  
Address**

**City/State/Zip  
Phone  
Fax  
Email**

**2. Member Name**

**Title  
Address**

**City/State/Zip  
Phone  
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Email**

**3. Member Name**

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Email**

**4. Member Name**

**Title  
Address**

**City/State/Zip  
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Email**

State of \_\_\_\_\_  
Delegation List  
Page 2

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**Title**  
**Address**

**City/State/Zip**  
**Phone**  
**Fax**  
**Email**

**7. Member Name**  
**Title**  
**Address**

**City/State/Zip**  
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**6. Member Name**  
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**Fax**  
**Email**

**8. Member Name**  
**Title**  
**Address**

**City/State/Zip**  
**Phone**  
**Fax**  
**Email**

State of \_\_\_\_\_  
Alternate Delegation  
Page 3

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**Title**  
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**Fax**  
**Email**

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## SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION



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\* Participant requested that only his/her name be listed.



## SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION



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## **SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION**



### **ANNOTATED AGENDA**

#### **THURSDAY, FEBRUARY 1, 2007**

Hilton Americas Hotel, 1600 Lamar Street  
Room 335AB

**6:15-7:00 pm**                      **Cash Bar Reception**

**7:00 pm**                              **Group Dinner**

**7:45 pm**                              **Introductions**

*Neal R. Sonnett, Esq.*  
President, American Judicature Society

#### **Welcome**

*James J. Alfini, Dean*  
South Texas College of Law, Houston

*Honorable Harriet O'Neill*  
Justice, Texas Supreme Court

**8:00-8:30 pm**                      **Keynote Address**

#### ***Why We Should Care About Self-Represented Litigants***

*Hon. Jess H. Dickinson, Justice*  
Mississippi Supreme Court





## SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION



### ANNOTATED AGENDA

#### FRIDAY, FEBRUARY 2, 2007

South Texas College of Law  
1303 San Jacinto (2 blocks from hotel)

- 7:30 AM**                    **If you wish**, meet in the lobby of hotel to walk together 2 blocks to South Texas College of Law, 1303 San Jacinto
- 7:45-8:15 am**            **Continental Breakfast**.....E.S. Dining Room, 6<sup>th</sup> Floor
- 7:45-8:30 am**            **Registration** ..... G.T. Atrium, 1<sup>st</sup> Floor
- 8:20-8:30 am**            **Conference Overview**..... G.T. Auditorium  
*Kathleen Sampson*, Project Director, American Judicature Society
- 8:30-9:45 am**            **PLENARY A** ..... G.T. Auditorium  
***Judges and Court Staff – Facilitating Access While Maintaining Neutrality***  
What are the ethical dilemmas judges and court staff face when dealing with self-represented litigants? What protocols have been developed to guide them, and what do the case law and ethics advisory opinions say about the role of the judge? What materials have been developed to guide court staff?  
**Speakers:** *Cynthia Gray*, Director, AJS Center for Judicial Ethics and author, *Reaching Out or Overreaching-Judicial Ethics and Pro Se Litigation*; *John Greacen*, Court Consultant and expert on court staff ethics.
- 9:45-10:00 am**        **Break** ..... G.T. Atrium
- 10:00-11:15 am**        **PLENARY B** ..... G.T. Auditorium  
***The Role of Attorneys in Pro Se Litigation***  
Speakers discuss a variety of ways attorneys can profitably engage in pro se assistance, including offering limited legal assistance (unbundling) and billing for paralegal assistance on some tasks. Speakers also discuss the role of pro bono assistance and volunteer attorneys presenting workshops and clinics for the self-represented. The role of state and local bar associations and state supreme courts in providing leadership and developing and promulgating rules governing attorney involvement in pro se litigation will be addressed.  
**Speakers:** *Will Hornsby*, Staff Counsel, ABA Standing Committee on Delivery of Legal Services and author, "An Analysis of Rules that Enable Lawyers to Serve Pro Se Litigants," an April 2005 White Paper published by the ABA; *Bonnie Hough*, Supervising Attorney, California AOC Center for Children, Families and the Courts; *Shirley Williams*, Director, Mississippi Volunteer Lawyers Program.

**11:30-12:45 pm Lunch** ..... E.S. Dining Room  
 Participants seated in peer groups.

**1:00-2:15 pm Breakout Sessions** .....see below

**I. Using Technology to Assist Self-Represented Litigants** ..... Room 314

A number of jurisdictions have found it useful to establish hotlines and websites with varying levels of sophistication. Speakers examine how these projects are funded and operated. **Speakers:** *Joyce Raby*, Program Analyst III, Legal Services Corporation; *Neish Carroll*, Staff Attorney, Texas Legal Services Center; *Michael L. Monahan*, Director, Pro Bono Project, State Bar of Georgia; *Vincent Morris*, Associate Director, Technology and Justice Projects, Arkansas Legal Services; *Cheryl Nolan*, Directing Attorney, Legal Aid Foundation of Los Angeles

**II. Basic Steps in Planning Self-Help Assistance Activities** ..... Room 316

Speakers discuss how to develop a strategy to assist self-represented litigants. Factors to be considered include centralized v. decentralized court administration, local v. statewide funding, urban, high-volume caseloads v. rural or low-volume caseloads, high v. low stakeholder interest (including the bench and the bar), and other variables. Once the fiscal, organizational and political questions are addressed, and a decision is made to offer services to self-represented litigants, speakers will discuss how they have overcome or gone around barriers, built partnerships and started their programs.

**Speakers:** *John Greacen*, Court Consultant; *Hon. Stephen George*, Chief Judge, Family Division, Jefferson County Circuit Court (Louisville), KY; *Granvette Matthews*, Director, Family Division, Superior Court of Fulton County (Atlanta), GA, Family Law Information Center; *John J. Specia, Jr.*, former Administrative Judge for the District Courts of Bexar County (San Antonio), TX; *Hon. Neil Thomas, III*, Hamilton County (Chattanooga), TN, Circuit Court

**III. "Unbundling" Legal Services - What It Is and Is Not** ..... Room 317  
**and How It Improves Revenue and Access to Justice**

The speaker will explain what unbundling is and is not, why it is important to courts, and how it can improve attorney revenues. The speaker also will address malpractice and insurance coverage issues and other common concerns, including whether judges will permit limited assistance. Resource materials include a complete set of risk management materials and a roadmap for creating a successful unbundling program.

**Speaker:** *M. Sue Talia*, Attorney at Law, Private Family Law Judge, Danville, CA

**Making the Courthouse Environment and Forms** ..... Room 517  
**User-Friendly for All Litigants, including the Self-Represented**

When members of the public enter the courthouse, what aids can help them find their way around? Are forms and instructions written at a 6<sup>th</sup> grade level? Do court staff and judges speak plain English? What has to happen to implement statewide mandated forms? How are elderly, deaf and hard-of-hearing and blind persons, and people with physical disabilities accommodated? Speakers share what they have done in their jurisdictions to help court users navigate the system.

**Speakers:** *Richard Zorza*, Zorza Associates, author of monograph on designing a user-friendly court; *Michael Dennard*, former Idaho trial court judge; *Hon. Norman Davis*, Presiding Judge, Maricopa County, AZ, Family Court; *J. Warren Keller*, Chair, Kentucky Access to Justice Foundation.

**2:15-2:30 pm Break** ..... G.T. Atrium

**2:30-3:00 pm**      **Plenary C** ..... G.T. Auditorium  
***Strategic Planning Tips for State Teams***  
**Speaker:** *Richard Zorza*, Zorza Associates

**3:00-5:00 p.m.**      **State Delegation Meetings** .....see below  
State delegations meet in assigned spaces.  
Faculty will be available to offer advice if requested.

**Alabama**, Room 6003, 6<sup>th</sup> Floor

**Arkansas**, Room 517

**Georgia**, Room 317

**Kentucky**, G.T. Auditorium

**Louisiana**, Room 314

**Mississippi**, Room 6005, 6<sup>th</sup> Floor

**Oklahoma**, G.T. Auditorium

**Tennessee**, E.S. Dining Room, 6<sup>th</sup> Floor

**Texas**, Room 316

**5:00 p.m.**      **Dinner on your own**  
See *Downtown Dining* guide in front pocket of notebook.





## SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION



### ANNOTATED AGENDA

**Saturday, February 3, 2007**

South Texas College of Law

- 7:00 am**                    **Check out of the hotel** and store luggage with bell stand.
- 7:30 am**                    **If you wish**, meet in the lobby of hotel to walk together to South Texas College of Law, 1303 San Jacinto.
- 7:45-8:30 am**            **Buffet Breakfast**..... E.S. Dining Room
- 8:30-10:00 am**        **Program Showcase** .....G.T. Atrium  
Faculty and presenters will provide more information and answer questions about their programs. See Tab 9 for Program Profiles on each presenter.
- A. **Utah Strategic Planning Process** - John Greacen
  - B. **Ethics Rules** that provide safe harbor to attorneys who assist the self-represented - Will Hornsby
  - C. **Three-County Regional Collaboration Model**, including teleconferenced one-on-one assistance by legal staff and teleconferenced workshops on forms completion - Bonnie Hough
  - D. **Legal Services Corporation's Technology Initiative Grant Program** - Joyce Raby
  - E. **Idaho's Interactive Court Forms Project** - Michael Dennard
  - F. **Maricopa County Family Court User-Friendly Project** and re-engineering resources to provide services without additional costs - Judge Norman Davis
  - G. **Mississippi Volunteer Lawyers Project** - Shirley Williams
  - H. **Arkansas Legal Services Website** - Vince Morris
  - I. **Georgia Website, Pro Se Assistance to Rural Litigants and Mobile Center** - Michael Monahan
  - J. **Fulton County, Georgia; Family Law Information Center** - Granvette Matthews
  - K. **Texas Legal Services Center Website** - Neish Carroll
  - L. **Bexar County (San Antonio) Court-Based Pro Se Services** - John J. Specia, Jr.
  - M. **Jefferson County, Kentucky; Court-Based Pro Se Services** - Judge Stephen George

<b>10:00-10:15 am</b>	<b>Break</b> ..... G.T. Atrium
<b>10:15-11:30 am</b>	<b>State Delegation Meetings</b> .....same rooms as Friday <b>Alabama</b> , Room 6003, 6 <sup>th</sup> Floor <b>Arkansas</b> , Room 517 <b>Georgia</b> , Room 317 <b>Kentucky</b> , G.T. Auditorium <b>Louisiana</b> , Room 314 <b>Mississippi</b> , Room 6005, 6 <sup>th</sup> Floor <b>Oklahoma</b> , G.T. Auditorium <b>Tennessee</b> , E.S. Dining Room, 6 <sup>th</sup> Floor <b>Texas</b> , Room 316
<b>11:45am</b>	<b>Lunch</b> ..... Pick up box lunch in Atrium
<b>12:00-1:00 pm</b>	<b>State Delegation Reports</b> ..... G.T. Auditorium <b>Moderator:</b> <i>Richard Zorza</i> A representative of each state briefly summarizes conclusions reached or plans made during the team meetings.
<b>1:00 pm</b>	<b>Adjourn</b>



## SOUTH CENTRAL REGIONAL CONFERENCE ON PRO SE LITIGATION



### CONTENTS

#### **Inside front pocket:**

- Short Agenda
- Certificate of Attendance
- Conference Evaluation
- Dining Guide
- AJS Membership Information

#### **iii Acknowledgments, Conference Goals**

#### **iv Conference Advisory Committee**

#### **Tab 1 Participant Information**

- Annotated Agenda
- Participant Roster
- State Delegation Roster
- Faculty Roster
- Faculty Biographies

#### **Tab 2 Plenary A: Judges and Court Staff—Facilitating Access while Maintaining Neutrality**

- “Reaching Out or Overreaching—Judicial Ethics and the Self-Represented Litigant,” Cynthia Gray (PPT)
- “Proposed Best Practices for Cases Involving Self-Represented Litigants”
- “Why Are There So Many Self-Represented Persons These Days?,” John Greacen (PPT)
- “Legal information v. legal advice—Developments during the last five years,” John Greacen, 84 *Judicature* 198 (Jan-Feb ’01)
- “May I Help You—Legal Advice vs. Legal Information: A Resource Guide for Court Clerks” © Judicial Council of California (2003)
- *Guidelines & Instructions for Clerks Who Assist Pro Se Litigants in Iowa Courts*

#### **Tab 3 Plenary B: The Role of Attorneys in Pro Se Litigation**

- PowerPoint notes to be handed out
- *An Analysis of Rules that Enable Lawyers To Serve Pro Se Litigants*, A White Paper, ABA Standing Committee on the Delivery of Legal Services, April 2005
- Louisiana Rule 6.1: Voluntary Pro Bono Public Service
- Mississippi Rule 6.1
- Delaware Rule 6.5: Non-profit and court-annexed limited legal-service programs
- Family Law Facilitator Act (*California Codes*)
- Guidelines for the operation of family law information centers (*CA Rules of Court*)
- Statement Regarding Public Comment
- Office of the Family Law Facilitator Disclosure Form (*California*)
- California ACCESS Center Sign-in Sheet
- Handbook for the San Francisco Superior Court ACCESS Volunteers
- California Pro Per Questionnaire

#### **Tab 4 Breakout I: Using Technology To Assist Self-Represented Litigants**

- PowerPoint to be handed out
- Hotlines Models: A Quick Comparison of Pros and Cons
- Components of Start-Up: The Big Picture
- Online Resources for Implementing Intake and Hotline Systems
- Hotline and Intake Budgeting

- “Fundraising for Central New York Justice Alliance Legal HelpLine Telephone System,” (PPT)
- Contested Divorce Questionnaire

**Tab 5 Breakout II: *Basic Steps in Planning Self-Help Assistance Activities***

- “Basic Steps in Planning Self-Help Assistance Activities” (PPT)
- The Case for...Self-Help Programs
- Materials for Strategic Planning Meeting (*Utah*)
- Strategic Planning Initiative Report to the Judicial Council (*Utah*)
- Fulton County (*Atlanta*) Brochure, Family Law Information Center
- Fulton County (*Atlanta*) Program Description

**Tab 6 Breakout III: *“Unbundling” Legal Services - What It Means, How to Do It, Pitfalls to Avoid*”**

- The Case for...The Discrete Task Assistance Program
- Roadmap for Implementing a Successful Unbundling Program
- Family Law Limited Scope Representation—Risk Management Materials
- Delaware Rule 6.5: Non-profit and court-annexed limited legal-service programs
- The Family Court of the State of Delaware — Entry of Appearance

**Tab 7 Breakout IV: *Making the Courthouse Environment and Forms User Friendly for All Litigants, including the Self-Represented***

- *The Self-Help Friendly Court* (Chapters 3, 4, 24 excerpted)
- The Case for...Court-Based Forms and Instructions Programs
- The Case for...Courtroom Support Process Programs for Self-Represented Litigation Cases
- “When Judges Talk, Why No One Listens,” Judge Dennis W. Duggan
- “Arizona Makes Family Courts User-Friendly,” *ABA Journal, January 2006*
- “Plain Language Works for Pro Per Litigants,” Maria Mindlen and Katherine McCormick (Used with permission.)
- “Is Plain Language Better? Comparative Readability Study of Plain Language Court Forms,” Maria Mindlen (Used with permission.)
- The Maricopa Model, Judge Norman J. Davis
- The Genesis: Why create the Self-Service Center? *October 2003*

**Tab 8 Plenary C *Strategic Planning Tips for State Teams; Team Planning Templates***

- “Strategic Planning for Self-Represented Litigation Innovation,” Richard Zorza (PPT)
- Strategic Planning Options: Problems, Stakeholders, and Approaches
- Core Materials on Self-Represented Litigation Innovation, *December 2006*
- Executive Summary; Key Findings; Recommendations (*California Judicial Council Task Force on Self-Represented Litigants*)
- Utah Strategic Planning Report to the Judicial Council (see Tab 5)
- Planning Template A—Designing a Planning Process (for jurisdictions with little or no assistance for self-represented litigants)
- Planning Template B—Planning Enhancement or Expansion (for states/ jurisdictions with some project(s) in place)

**Tab 9 *Program Showcase***

Refer to page 5 of the annotated agenda (Tab 1) for a list of programs that will be showcased; profiles of most programs follow this tab.

## **PLANNING TEMPLATE A - DESIGNING A PLANNING PROCESS<sup>1</sup>**

For jurisdictions with little or no assistance for self-represented litigants

**State:**

**Team Leader:**

- 1. What indicates to you a need to assist self-represented litigants?**
- 2. What data do you have or can you get on the types of cases in which litigants are appearing most frequently without counsel?**
- 3. What are the attitudes of the following stakeholders toward assisting self-represented litigants?**
  - A. Court leadership at the state level**
  - B. Trial judges**
  - C. Court staff**
  - D. Local bar members**
  - E. State bar members**
  - F. Legislators and county commissioners**
  - G. Others**
- 4. Which stakeholders support assisting self-represented litigants?**
  - A. How can you use them most effectively to marshal support and resources for an assistance program?**
- 5. Which stakeholders are most resistant? How do you know?**
  - A. What is the source of their resistance?**
  - B. What information do you have or need to address this resistance?**
  - C. How will you plan to engage with resistant stakeholders?**

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<sup>1</sup> For factors to consider when designing a planning process, see John Greacen's document "Utah Materials for Strategic Planning Meeting," at Tab 5 in the conference notebook.

- 6. What would be a realistic first step in terms of services to self-represented litigants in your state?**
  - A. Who would provide those services?**
  - B. As a ballpark number, what resources would be required and where would they come from?**
  - C. To what extent can you accomplish your goal with minimal funding, by, for example, shifting staff resources or collaborating with attorney and other community volunteers, paralegals, law students, social service providers and others? Explain.**
  - D. Where would the service(s) be housed (e.g., courthouse, library, legal services office)?**
- 7. As you think about assisting self-represented litigants, what geographic and demographic factors must you take into account (e.g., urban/suburban/rural; socioeconomic levels; availability of public transportation)?**
- 8. With whom should you collaborate to develop a detailed plan for these initial services? (e.g., law schools/students, public and law librarians, paralegals, Legal Aid grantees, social service agencies, bar and community volunteers)**
- 9. What initial step will you take in the 30 days following the conference?**
- 10. What information, advice or technical assistance, or support from other states or national organizations, do you need to proceed with your planning?**

**PLANNING TEMPLATE B — PLANNING ENHANCEMENT OR EXPANSION**

For states/jurisdictions with some project(s) in place

**State:**

**Team Leader:**

- 1. What have you learned from your existing programs to assist self-represented litigants?**
- 2. What additional programming needs have you identified and which are the highest priority?**
- 3. What are you going to do to address your priority need(s) (i.e., what is your programming goal)?**
  - A. What target group(s) will ultimately be served?**
  - B. What kinds of services will be offered?**
  - C. Are you going to start with a pilot program? If yes, give details.**
  - D. If you plan to proceed without a pilot program, give details.**
- 4. With whom will you collaborate to develop your program (e.g., individuals, organizations)?**
- 5. Where will the key strategic support come from, and how can it best be mobilized?**
- 6. Which individuals or groups might be resistant to your plan?**
  - A. What is your strategy for dealing with this reluctance?**

- 7. What will it cost to establish your program?**
  - A. As a ballpark number, what funds would you ideally like to have?**
  - B. To what extent can you accomplish your goal with minimal funding, by, for example, shifting staff resources or collaborating with attorney and other community volunteers, paralegals, law students, social service providers and others? Explain.**
  
- 8. What staff will you need for your planned program?**
  - A. What skills and training will staff require?**
  
- 9. What kinds of technology will you use with your program?**
  - A. How will you obtain and deploy it?**
  
- 10. Will the program require physical space? If so, where will it be housed?**
  - A. What will be required to make space available?**
  
- 11. Who will have primary responsibility for moving this action plan toward implementation? Who will they report to?**
  
- 12. What assistance or advice does the team need or want from other jurisdictions or national organizations?**
  
- 13. What key initial step will the team take in the next 30 days to begin implementing this action plan?**