

## **FUTURES COMMITTEE – REMOTE ACCESS INITIATIVE REPORT TO SFLAC- DECEMBER 7, 2018**

**FUTURES COMMITTEE PARTICIPANTS:** Bill Howe, Chair; Stephen Adams, Colleen Carter-Cox, Jodi Harvey, Linda Hukari, Judge Karrie McIntyre, Bryan Marsh, OJD staff; and Eric McClendon, Manager of the OSB Lawyer Referral Service.

**SUMMARY:** At the September 7, 2018 meeting, the SFLAC expressed strong support for the creation of a program to provide centralized remote access of legal information. The SFLAC instructed the Futures Committee to generate a specific proposal and, also, to collaborate with Nancy Cozine, Helen Hirschbiel and other partners and stakeholders. The Futures Committee has accomplished these tasks and recommends that an initial version of Oregon’s remote access program become operational by mid-2019 and be operated in collaboration with the Oregon State Bar (subject to BOG approval), State Court Administrator’s office, OJD and others, all as outlined below.

### **ACTIONS BY FUTURES COMMITTEE SINCE SEPTEMBER SFLAC MEETING:**

Helen Hirschbiel, CEO of the Oregon State Bar, asked Eric McClendon, the Manager of the OSB Lawyer Referral Service, to contact the Futures Committee and explore whether the remote access program could be operated in collaboration with the OSB. Eric did so, and has been extensively involved with this project for the past two months.

Bill Howe visited the Lawyer Referral service facility located in the OSB center in Tigard in mid-October. Eric and Bill met with Helen. Since then Eric has been intimately involved with the Futures Committee, has had extensive discussions with OSB staff, Stacey Marz of the Alaska program, Melanie Snider of Northern California and has reached out to other programs. Eric has participated in the two Futures Committee conference calls held since October. Bill has spoken with Nancy Cozine, who is very supportive of this effort and the collaboration with the OSB. She sees no organizational impediment with this collaboration between OSB and the State Court Administrator’s office.

*(Important Note: The OSB Board of Governors’ (BOG) approval is required for remote access to be operated by the OSB. OSB staff considers this program to be totally consistent with the BOG’s commitment to access to justice initiatives and will likely be looked upon favorably. However, it is always impossible to predict if a particular program will be approved, or even the timing of a decision. The earliest the BOG could consider this proposal would be at its meeting on February 22, 2019.)*

## **DESCRIPTION OF THE OREGON STATE BAR LAWYER REFERRAL SERVICE:**

Referral and Information Services (RIS) is designed to increase the public's ability to access the justice system, as well as benefit bar members who serve on its panels. While the Lawyer Referral Service (LRS) is the largest and most well-known program, it is just one of several programs administered by RIS.

The LRS began as a mandatory program in 1971 when attorney advertising was limited by ethics rules. A voluntary program since 1985, LRS is the oldest and largest program in RIS and the only one that produces revenue. The basic LRS operating systems (e.g., computer hardware and software) support the other department programs. Approximately 550 OSB members participate as LRS panel attorneys. The RIS Department also offers several other programs that help both the people and the lawyers of Oregon. The Modest Means Program (MMP) is a reduced-fee program assisting low to moderate-income clients in the areas of family law, landlord-tenant disputes, foreclosure, and criminal defense. Problem Solvers is a pro bono program offering legal advice for youth ages 13-17. Lawyer to Lawyer connects Oregon lawyers working in unfamiliar practice areas with experienced lawyers willing to offer informal advice at no charge. The Military Assistance Panel (MAP) connects military personnel and their families in Oregon with pro bono legal assistance. Attorneys volunteering for this program are provided training on the Servicemembers' Civil Relief Act (SCRA) and other applicable law.

RIS is located on the third floor of the Oregon State Bar (OSB) Center in Tigard, Oregon. The current office setup is a small call center, with eight .5 FTE, two 1.0 FTEs, and one 1.0 FTE manager. The staff are trained to triage calls and identify what legal issue the caller needs assistance with. They then use a custom, proprietary database to refer the caller to an attorney based on their geographical location. The software has the state divided into sixteen regions, and it can filter based on a wide variety of criteria, including secondary areas of law, language, accessibility, venue, additional license states and payment options.

RIS has all the infrastructure of a modern call center, including phones, dual-screen computers, headsets, and a somewhat complicated phone-tree. There are both English and Spanish speaking lines and employees. The OSB has a sophisticated webcasting platform that allows presentations in real-time, along with the ability to display documents and take questions in real time via the internet. The OSB also employs a full-time multi-media specialist and an IT department. In fact, the RIS referral software was designed, created and implemented by the OSB's IT programmer. This gives RIS the ability to maintain and improve its software in-house at no additional expense.

In 2017 RIS received 75,799 calls and is on track to receive 80,000 calls and 6,000 email requests in 2018. Out of these 75,799 calls in 2017, RIS made 49,642 referrals to participating attorneys. The other 26,157 callers were referred to a variety of community resources and government agencies for further assistance. RIS maintains a resource guide containing over 200 resources that can be searched by area of law, specialty group and location.

## **HOW THE OSB LRS MIGHT INTEGRATE WITH REMOTE ACCESS FACILITATION:**

RIS employees are currently doing a significant amount of the work that many remote facilitation programs do, which is the triaging of calls to various resources. Adding facilitation to the RIS department would not affect current call triage significantly. However, in order to do actual facilitation - assisting with form selection and instruction - RIS would either need to significantly increase staffing, or come up with a creative solution to maximize the effectiveness of a limited number of employees

As an alternative to increased staffing, the California North (CN) program utilizes technology and cooperation between participating counties. While CN also does facilitation over the phone, they rely heavily on live webcasts that people can attend in person or from a remote location. The director has created presentations on the major family law topics (divorce, custody, child support, etc.) that can be given by different staff members in a consistent manner. Eric attended one of these webcasts and it was very effective. The staff member showed the forms, was able to answer questions in real-time, and could circle and point to things on the form using their webcast platform.

The CN system allows one staff member to assist an unlimited amount of people instead of just one-on-one, which vastly reduces the number of actual facilitators needed on the phones. As more counties join the system, the burden of conducting the webcasts is spread among an ever-increasing pool of staff. For example, Butte County staff can do the child custody webcast at 1:00pm on Monday, and Lake County can do the exact same webcast on Tuesday using the boilerplate presentation.

OSB staff has met and discussed the feasibility of this system using OSB webcasting services. A possible setup would utilize one "super-facilitator," located in the RIS Department, who would be responsible for creating webcast presentations on the most frequent topics in collaboration with OJD court facilitators. They would also ensure the webcasts are staffed, and be responsible for registering callers for the webcasts and sending links or information necessary to log in. Once the presentations are created, to conduct the presentations on a regular basis. In order for this model to work effectively, OJD would need to continue to maintain all the family law forms to alleviate the enormous workload that form maintenance requires. We could do a limited rollout to gauge demand and effectiveness, and phase in additional facilitators and topics over time as the program expands.

This model would vastly reduce the anticipated cost of starting a robust and fully staffed remote facilitation program on day one. It would also allow the use of limited resources to reach the widest audience. CN webcasts are attended by dozens of individuals. Clearly it is more efficient to have a staff member helping dozens at a time versus one-on-one interactions.

A stable funding source will be a necessary component of any successful remote access facilitation program, a concern that was echoed by every program director. As noted above, OSB involvement is contingent upon obtaining BOG approval, which would require identifying a funding source within the OSB budget. The next BOG committee meetings occur January 11, 2019 at the OSB center. If this

committee decides to move forward with the remote facilitation program and would like the OSB to continue exploration of funding this program, it should be prepared to submit a memorandum at that time, with the details of its request, including the model it prefers, and the role envisioned for the OSB. If this turnaround time is too short, and the committee wants more time to explore alternate funding sources, the next BOG committee meetings and full board meeting occur on February 21-22 in Salem.

### **INTEGRATION OF REMOTE ACCESS MANAGED THRU THE LAWYER REFERRAL SERVICE WITH COURTHOUSE FACILITATORS:**

In order for the Super-Facilitator to be most effective (whether managed by the OSB or the Courts), several things would need to happen:

First, facilitator points of contact would need to be identified in each courthouse and clear lines of communication established between the various facilitation programs. Oregon is diverse in its court rules and procedures between jurisdictions. Additionally, Oregon has a well- established foundation for courthouse facilitation programs and these programs also vary in capacity and scope of service between jurisdictions. The quality and success of a remote access program involves not only an understanding and knowledge of this diversity, but clear lines of communication between programs. We can achieve this by identifying internal contacts between the remote service program and the individual jurisdictions, collaboration to create webinars and materials, and continued accurate referral to the existing courthouse facilitation programs.

Second, in-person facilitation services in courthouses throughout Oregon must continue, and be adequately funded. Each type of program fulfills different litigants' needs. While some litigants may struggle with transportation or childcare or live hours away from the courthouse and would benefit from remote access services, others may struggle with technology or have limited education and literacy and require the individual, in person assistance provided by a courthouse facilitation program. As evidenced by programs in Minnesota, Utah and California, the Futures Committee strongly feels that the programs will work in tandem and greatly benefit one another. The ability to provide both remote delivery and in-person services in Oregon is the ideal to improve access to justice and services to Oregon residents.

The beneficial collaboration with OSB should not diminish OJD's commitment to providing access to justice for all the litigants it serves. The value of a "super-facilitator" is that it provides a central place to triage a large number of cases, filtering out the simpler questions, and directing the public to resources to assist with the more complex questions that are best answered in-person. The collaboration with OSB allows for immediate referral to a telephone hotline which is why this resource dovetails nicely with the LRS and Modest Means Programs. While this collaboration provides a potentially cost-effective and immediate way to some level of remote facilitation service on a statewide basis, it should not be viewed as a panacea or complete substitute for OJD facilitation services. Instated, it is our strong recommendation that OJD prioritize facilitation within a short period of time by also funding employees

to provide both remote and in-person facilitation services to ensure public need is fully met. For example, a dedicated Facilitator at the state level could be the contact person to work collaboratively with all entities who develop training, informational packets, websites, and videos so that there is a central repository of information and an efficient use of any shared resources. And, it is still the recommendation of the Futures Committee that OJD be steered to have, ultimately, a stable of remote access facilitators who are trained on customer service, phone communication, website, and local resources to which to direct litigants. The circumstance remains that many Oregon litigants cannot afford any representation and therefore, the obligation of OJD to make sure that access exists for all litigants.

**FUTURES COMMITTEE RECOMMENDATION TO THE SFLAC:**

The Futures Committee strongly recommends that a remote access program be initiated involving a partnership of the OSB and OJD/State Court Administrator's office and do so as soon as possible utilizing such funding as the OSB identifies within its budget.

We propose that OJD commit to a fully robust remote access program and sequence a budget request that offers a sustainable steady stream of funding to support this program. The Futures Committee is willing to continue working with the State Court Administrator and OSB to accomplish this objective.

Respectfully submitted,

SFLAC FUTURES COMMITTEE

**REMOTE SERVICE DELIVERY  
DRAFT REPORT OF THE FUTURES COMMITTEE  
TO STATEWIDE FAMILY LAW ADVISORY COMMITTEE (SFLAC)  
SEPTEMBER 7, 2018**

**FUTURES COMMITTEE PARTICIPANTS:** Bill Howe, Chair; Stephen Adams, Colleen Carter-Cox, Jodi Harvey, Linda Hukari, Judge Karrie McIntyre, Bryan Marsh, OJD staff

**SFLAC CHARGE TO FUTURES COMMITTEE:**

Oregon courts continue to struggle to deal with the burden of a very large and growing number of self-represented litigants (SRLs). This is most problematic in family law where approximately 80% of cases have at least one SRL. Many litigants who self-represent cannot afford legal representation, though there is a significant minority who choose to self-represent even though they could afford an attorney. Many self-represented litigants underestimate the complexities of navigating the court system without legal counsel.

Regardless whether self-representation is out of necessity or choice, it imposes a significant challenge for judges and the court system to manage these cases. This is an access to justice issue. Without some assistance, most SRLs cannot successfully navigate the court system, and unfair outcomes become far more likely. The societal cost of inappropriate outcomes in family law matters, particularly those involving children, is huge.

Oregon has sought to assist SRLs by offering an increasingly robust library of forms and written instructions which are available at little or no cost, by offering courthouse facilitation programs and other innovations such as the informal domestic relations trial procedure with relaxed evidentiary rules.

The most effective assistance program for SRLs is the courthouse facilitation program. Thirty-four of Oregon's thirty-six counties provide courthouse facilitation services<sup>1</sup>. However, the level of facilitation services across the state varies greatly; some counties share facilitation services and have very limited hours. Lincoln County, for example, offers facilitation services only on Fridays and Polk County only on Wednesdays. See Attachment 1: Summary of Facilitation Services. Further, even where robust facilitation programs are offered, accessing services commonly requires a trip to the courthouse and often entails a long wait for assistance. As a result, those who live a significant distance from the courthouse without adequate transportation, or those with small children or disabilities that make travel challenging, cannot effectively access facilitation services.

To provide better access to justice for SRLs, several jurisdictions in the U. S. have devised programs that can take advantage of sophisticated remote communication technology.

The Futures Committee investigated the possibility of providing remote family court facilitation services in Oregon. We studied those programs that have a strong virtual component to their

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<sup>1</sup> Columbia and Curry Counties do not offer facilitation services.

services because we do not want to replace local courthouse facilitation programs. Instead, the goal is for remote services to complement local facilitation programs by being accessible to those who cannot easily access facilitation in a county courthouse.

The Futures Committee has investigated different models of remote services and has developed recommendations based on our findings.

### **FUTURES COMMITTEE RECOMMENDATION TO THE SFLAC:**

The Futures Committee strongly urges the creation of a centralized remote access program to deliver legal information and greater access to justice to family law litigants initially, and later expand to include other areas of law.

This remote access program should be designed and function to supplement, not replace, Oregon's current courthouse facilitation programs. The goal of the remote delivery of services is to expand the reach of facilitation services by allowing litigants to access legal information by interacting with trained personnel through email, phone and multiple other modalities. A remote access service will provide access to justice for both those who do not have access to courthouse facilitators and to those who, for whatever reason, prefer a remote access portal to obtain the assistance that they need. Providing for remote access will increase the efficiency of the current facilitation programs by serving those litigants who do not need or desire in-person service, freeing facilitators to give in-person assistance to more litigants.

The policy goals achieved by instituting remote access service include:

1. Generate fairer outcomes and judicial efficiency by enabling self-represented litigants to become more fully informed about the judicial process and court procedures relevant to their concerns.
2. Promote access to justice by serving the customers of judicial services in the manner best suited to their needs and wishes.

### **BACKGROUND OF FUTURES COMMITTEE STUDY:**

The subcommittee was initially informed by the comprehensive report "Serving Self-Represented Litigants Remotely: A Resource Guide" (SRLN 2016) by John Greacen. This guide discusses the programs in Alaska, California, Idaho, Maryland, Minnesota, Montana and Utah. It became apparent from this report and early investigations that the early groundwork was laid by the courts in Australia and then in the U.S. by the State of Alaska. The Alaska remote services program, pioneered by Stacey Marz, has been the inspiration and model for many other states' programs. Therefore, it seemed natural that our first investigations would be into Alaska and then to other jurisdictions that were influenced by that very successful program. Some programs were not only influenced by Alaska's, they were begun by people who had worked in the Alaska system.

After researching and considering the many programs throughout the states, we reached out to seven and interviewed the directors of those programs. We then narrowed our consideration

to the five programs that seemed most successful and which seemed to offer the most guidance to crafting a remote access program for Oregon. Various committee members had further discussions with representatives of these program and the following personal site visits were made: Alaska - Colleen and Jodi; Minnesota - Judge McIntyre; Northern California - Stephen; Orange County, California - Linda; and Utah - Bryan. Detailed reports of these site visits are attached. We did not visit Idaho and Montana because their programs are not fully developed, nor Maryland because its program is beyond the scope of what we contemplate for Oregon.

**SUMMARY OF SITE VISITS:** Note - complete surveys of site visits are attached.

### **ALASKA**

Alaska is the prototype for most of the remote delivery programs in the country. Stacey Marz is the pioneering founder of the program. Under her direction is a system that serves the widespread and often remote population of Alaska in family law matters. Alaska helps self-represented litigants via a centralized phone-based system. This was considered the best means for the following reasons:

- Centralized system allows for far better quality control, staff training and staff support
- Providing information by phone or email eliminates the security concerns of in-person consultation
- Staff burnout has been virtually eliminated. They found that it was far less stressful for staff to work with customers on the phone than to endure the intense emotions these cases generate face to face. Staff also has the opportunity to consult with other staff if they have a question or concern about how to proceed and can recess then later call back the customer if the communication becomes too intense.
- This model allows for anonymity (though most choose to identify themselves)
- Customers increasingly expect on-line delivery of information
- Cost effective in that it is far less expensive than in person service
- Customers overwhelming like it
- Provides efficient access to information for those with disabilities, small children, travel challenges and the like
- Remote access was critical in Alaska since many areas are inaccessible by road. In many areas of the state the delivery of in-person facilitation would be impossible.

### **CALIFORNIA NORTH**

The key components from Northern California for Oregon System are:

- Funding:
  - Use 4D reimbursement
  - Grant applications
  - Funding from districts through data showing cost savings
- Location and Oversight: FLF office in courthouse
- Staff:
  - Attorney manager
  - Non-attorney staff
  - Strong customer service, problem-solving skills
  - Multi-tasking ability
  - Bilingual and knowledge of court procedures a bonus

- Scope of services:
  - Family law and child guardianships
  - Later expansion to landlord-tenant and small claims
- Delivery of Services and Program needs:
  - Content-rich website including links to referrals
  - Technology for delivery of services:
    - Phone
    - Email
    - Chat
    - Intercounty video workshops via Zoom or Skype
  - Equipment:
    - Computers
    - Fax
    - Copier
    - High quality headsets
    - Phones
- Integration with existing Family Law Facilitation:
  - Seamless staff transition among remote and in person services
- Collaboration with Internal and Community Partners:
  - Strong partnerships with bench and bar and networks/contacts/LFLACS in each district
- Public access to computers/internet at each courthouse/law library and from home
- Collaboration with OJD forms groups

**CALIFORNIA ORANGE COUNTY**

The Orange County program is funded primarily by the court, but also through a State grant. It has five locations in the county. The program is managed by an attorney. Each location is staffed by attorneys (who act as site supervisors), paralegals and clerical staff.

They offer a continuum of services, remote, walk-in, document reviews, judicial referrals from courtrooms. They also support a number of Family Law self-help calendars. They hold workshops in multiple languages both remotely and in person. The Manager and Senior Attorney also serve as Family Law Temporary Judges as needed for procedural calendars. In 2017 they served 132,000 SRLs in person and over 120,000 remotely.

Items for Oregon to consider:

- A robust web site is essential to a successful self-help center
- Develop one to two-minute videos a month on a specific topic and post to YouTube
- Looking at online classes, Facebook Live- that type of service takes a lot of time
- Provide telephone assistance, no option to leave a message
- Use law school students as interns
- 84% of the family law cases are self-represented on at least one side
- Have good statistics and data gathering, “Data is money”

**MINNESOTA**

Minnesota has a consolidated Court system with budgeting addressed with a statewide Judicial Branch budget. They currently use Tyler Odyssey and have very similar court procedures to Oregon. Like Oregon they have a primary population center and remote rural counties who have

significantly less court activity. They began their program based on Alaska but immediately recognized it was beneficial to have it complement the in-person services they offered. They have strong web-based resources and staff who are intimately familiar with online resources. They have a substantial form bank and remote computer viewing to allow staff to work with people on filling out forms. Staff assist callers via phone, remote computer viewing and follow up emails. Many callers are referred to in-person facilitation in Judicial Districts that offer it. Minnesota staff provided significant start up advice and indicated a willingness to assist us in the future in the event we have questions.

## **UTAH**

Utah presents a situation similar to Oregon in that, like the Willamette Valley, there is a heavy concentration of population along the Wasatch Front, but the rest of the state is more sparsely populated. Jessica VanBuren worked with Stacey Marz in Alaska and adapted the Alaska program to Utah's needs. Intrinsic to Utah's services is its comprehensive self-help website.

Staff assist people via phone, email and text. Utah, however, employs only attorneys, believing they are necessary because they help SRLs with every type of state court case, not just family law. They currently help an average of 20,000 customers a year, half of whom need help with family law cases. Half of the people contact them by phone, a third by email, and a sixth by text.

Utah faces some struggles with limited funding, which keeps them from operating full business hours. They also routinely travel to the various courts across the state for outreach and training. Jessica expressed a desire to implement courthouse facilitation because it was a definite need that the state was not filling.

The centralized remote delivery system that Utah has would be fairly simple to implement. They said they began with just an attorney with a desk and a phone. They encouraged us to 'just do it!' They also strongly advised that we strive for full funding at the start to avoid many of the struggles they have faced.

## **PROGRAM CONSIDERATIONS FOR OREGON**

### **FUNDING**

The greatest impediment to Oregon joining the ranks of states that provide universal remote court services is funding. There are varied models for funding among the states we have investigated.

Some funding comes from Federal IV-D reimbursements. Alaska and Northern California take advantage of this program, which reimburses two thirds of their program costs.

Programs may be funded by allocation from the court budget. This pays for the remainder of Alaska's program, and a large portion of the cost for the Orange County and Minnesota programs.

Utah receives statutory general budget funding from the Legislature.

Other sources of funding include grants and fees. Both California programs benefit from the California Legislature's Innovation Grant. Minnesota's program is partially funded by Bar fees.

Oregon's program could be funded by any of these sources, or a combination of them. It is important that the program receive adequate funding and that the funding sources be secure enough to weather the vicissitudes of budgets.

## **OVERSIGHT**

There may be differing levels of oversight, but most programs are overseen by their own management, which in turn operate under the State Court Administrator. The Utah program, for example, has a Director who operates under the State Law Librarian, who reports to the State Courts, which includes an oversight committee. The Oregon program may be formed under an existing court division or constitute its own division.

A vital part of oversight is the need to collect data. All programs collect data to report on various metrics such as how many people they serve, in what case types and how much time was spent. They may also capture demographic, and staff performance data. The data informs the State on the need for continued and expanded funding, among other things.

## **LOCATION**

The location of the 'centralized remote delivery' program is, in itself, not critically important because all services will be delivered virtually. Incidentally, we recommend that no in-person services be provided at the remote location. Some programs learned that to do so unfairly prejudiced litigants in other jurisdictions and, most importantly, sabotaged the efficient operation of the remote service center. However, the Minnesota program believed that cross training staff in both in-person and remote access services was a benefit since it allows staff to recognize and learn the difficulties with in-person facilitation, and to keep those issues fresh when addressing the litigants' needs remotely.

Placing the program in a location outside of the usual Willamette Valley locations could send a message that we are serious about serving the people all over the state, not just in the most populous counties.

On the other hand, siting the program in Salem or Portland may offer some logistical efficiency and allow access to a large pool of potential skilled employees. Also, access to strong IT services is a critical component, as demonstrated by the Northern California program. This either means that the program includes IT staffing or proximity to IT services that can fill the need.

## **SCOPE OF SERVICES**

The Futures Committee proposes that the program begin by providing services for family law cases only. We would include guardianships of minors in that scope of services. Should the

program be able to expand to other case types to meet future need is something that can be addressed after the program is in place.

Virtual services include delivery by telephone, email, chat, fax, video/skype, webinars, website and virtual workshops. While, each of these has been implemented to varying degrees in the programs investigated, all use telephone and email. We propose that these forms of communication be implemented, and others as the SFLAC and others believe will be most efficacious. Typically, contacts are handled on a first come, first served basis, and the programs do not provide voice mail, having found that playing telephone tag is very inefficient. However, litigants are allowed to contact the program as many times as they wish. Telephone calls average about 20 minutes each.

Several of the programs that we studied also provide referral assistance to litigants to legal services, housing, domestic violence shelters, healthcare and the like, and consider this an important part of their mission.

## **STAFFING**

Interestingly, our investigations revealed two different philosophies about what skill set makes the best staff. The two focuses are either legal background or customer service.

The founders and directors of the Utah program are invested in the idea that attorneys are the most capable persons to staff their program. They require that applicants all be law school graduates. They feel that attorneys are needed because they cover every type of case, not just family law. Minnesota and Orange County also hire attorneys and felt strongly that legal oversight was a necessary component for success.

The subcommittee is of the opinion that, generally speaking, customer service-oriented people can give the service needed because they have the people skills needed to successfully interact with the court's customers and can be trained in the law. However, particularly in the formative stages, it may be beneficial to have someone with legal training involved. The focus of the programs in Alaska and Northern California is on customer service.

## **APPENDIX:**

- Remote Services Delivery Survey – Alaska
- Remote Services Delivery Survey – Minnesota
- Remote Services Delivery Survey – Northern California
- Remote Services Delivery Survey – Orange County, California
- Remote Services Delivery Survey – Utah
- John Greacen, Serving Self-Represented Litigants Remotely: A Resource Guide, Self-Represented Litigation Network, SRLN.org (2016) at [https://www.srln.org/system/files/attachments/Remote%20Guide%20Final%208-16-16\\_o.pdf](https://www.srln.org/system/files/attachments/Remote%20Guide%20Final%208-16-16_o.pdf)
- Courthouse Facilitation Summary (as of May 2018, self-reported by Oregon Courts)

### Remote Service Delivery Site Visit Reports

	Alaska	California- North	California O.C.	Minnesota	Utah
<b>Contact</b>	Stacy Marz, Director Anchorage Alaska 907-264-0877 smarz@akcourts.us	Melanie Snider, 530-532-7166 <a href="mailto:msnider@buttecourt.ca.gov">msnider@buttecourt.ca.gov</a>	Maria Livingston, Manager of Self-Help Services SHS and Family Law Facilitator	Melissa Kantola: Manager SRL Program PH: 612-596-8812 Melissa.Kantola@courts.state.mn	Nathanael Player, Director <a href="mailto:nathanaelp@utcourts.gov">nathanaelp@utcourts.gov</a> Jessica VanBuren, Utah State Law Librarian (801-238-7991)
<b>Website</b>	<a href="http://courts.alaska.gov/shc/family/selfhelp.htm">http://courts.alaska.gov/shc/family/selfhelp.htm</a>	Sharpcourts.org	<a href="http://www.occourts.org/self-help">www.occourts.org/self-help</a>		<a href="https://www.utcourts.gov/selfhelp/contact/">https://www.utcourts.gov/selfhelp/contact/</a> <a href="https://www.utcourts.gov/ocap/">https://www.utcourts.gov/ocap/</a>
<b>Visitors</b>	Colleen Carter-Cox and Jodi Harvey	Stephen Adams	Linda Hukari	Hon. Karrie McIntyre	Bryan Marsh
<b>Date of Visit</b>	May 14-17, 2018	July 17, 2018	June 18, 2018	June 7-8, 2018	August 1, 2018
<b>Funding and Management</b>					
<b>Source of Funding</b>	State funded: 4D reimbursements offset court's cost - 66% 4D / Courts 34%. (Stacey can provide more specifics if needed)	The California legislature's \$25m Innovation grant, of which a significant share is to the Administrative Office of the Courts, which has funded SHARP as a model for eventual statewide release. SHARP is actively pursuing long-term funding, primarily by demonstrating cost savings to the court system over previous practices. It does not replace existing FLF services; it supplements them, while offering standalone services also.	1. General Trial Court funding earmarked for Self-Help Services, CRC 10.960 2. Statewide Competitive Innovation Grant. 3. Additional funding budget by the Court- Over \$1,000,000 a year.	MJB – General Budget funding, IOLTA Bar fees.	The current program is funded by the Legislature, per statute. However, funding is insufficient to meet current need, or to maintain full-time staffing.
<b>Type of Oversight</b>	Alaska has a unified Court system. Alaska's self-help program is operated by the State Court Administrator's Office. Stacy Marz is the current director of Self-Help Services and directly oversees the Self-Help Program.	A project of the Butte County FLF, housed in that office within that and other local courthouses, with a managing attorney director (the FLF), a data analyst/educator, and several non-attorney staff, plus interns from a local university.	Self-Help Attys report to the manager and supervise the staff at the assigned Self-Help Center. Self-Help Center Manager/Family Law Facilitator is an attorney. Ms. Livingston reports to one of the Chief Deputies of Operations	Within MJB as a separate agency/division. The state Court administrator's office is organized into an Executive Office and six divisions. Melissa heads the Statewide Self-help and the 4 <sup>th</sup> District Self-Help.	The Director of the Self-Help Center supervises the staff attorneys, and is in turn supervised by the State Law Librarian

**Remote Service Delivery Site Visit Reports**

<p><b>Reporting Requirements</b></p>	<p>Monthly reports to State Court Administrator</p>	<p>There is a separate position for design and supervision of a sophisticated and comprehensive website and for real-time analysis of customer data. The program considers this element to be one of the key elements for success, alongside a charismatic founder, high-speed internet, customer service by any means desired by individual customers, and outreach to new jurisdictions. One of its primary goals is to support via detailed data the contention that the program will save a court system money.</p>	<p>They are part of Court Operations and as with all operations, they are quarterly, annual and ad hoc reports Also do reports for the statewide Judicial Council</p>	<p>They do collect data at the in-person facilities through Q-Flow and the newly implemented call center application and system they use. They also manually input information on a spreadsheet that is compiled and shared but they hope to get away from that with the new software.</p> <p>They are searching for ways to make their data collection meaningful.</p>	<p>There are no formal reporting requirements, but the Librarian makes a quarterly report to the Legislature However, they do gather a lot of data. After each person is helped, staff enter information into a Survey Monkey. They track various data, depending what they want to track at the time. Some complete the surveys after each contact, others tally it up and complete the surveys at the end of the day. In the past they also surveyed customers for other information, such as demographics. Currently they do not feel a need for this information.</p>
	<b>Alaska</b>	<b>California- North</b>	<b>California O.C.</b>	<b>Minnesota</b>	<b>Utah</b>
<p><b>Operation Guides or Manuals</b></p>	<p>Forms, <a href="#">Website</a>, and Facilitation Services under one roof and managed by the Director of Self-Help Services. The comprehensive website is used as a 'manual' by staff facilitators.</p>	<p>The program has very detailed manuals of internal procedure, policy and substantive information.</p>	<p>Statewide Self-Help Guidelines document</p>	<ul style="list-style-type: none"> <li>- They have training materials but are reorganizing and gathering materials. This is a struggle because they prefer to promote from within so there is so much institutional knowledge that is hard to put into a training module.</li> <li>- They are working on standard templates to incorporate into email responses.</li> <li>- They meet/coordinate routinely within their units to share information and ideas.</li> <li>- They are interested in Utah theory of learn the resources, rules, protocols and then get pop quizzed but don't think it's practical.</li> </ul>	<p>The staff attorneys have a general procedure "wiki" that contains information that new employees use a lot at first, but experienced staff do not use it, nor have they updated or maintained the information</p>

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				- They recognize their lack of formal policy and procedure as a weakness and urge us to consider clear guidelines on the outset of the project. (See Below for additional information on this.)	
	<b>Alaska</b>	<b>California- North</b>	<b>California O.C.</b>	<b>Minnesota</b>	<b>Utah</b>
<b>Protocols (screening, triage)</b>	<ul style="list-style-type: none"> <li>- No pre-screening or screening out of calls.</li> <li>- No eligibility requirements.</li> <li>- Whenever possible, any information gathered in a call regarding issues such as financial troubles, DV, substance abuse, or mental health results in referral to the appropriate social service or government agency.</li> </ul>	<p>The program does not screen or limit the type of initial customer. Where a direct service is not appropriate, the program makes extensive use of referrals to vetted community or online services. Most non-walk in contact is by prior appointment (in person or remote), but there are protocols for emergency service which can override the schedule.</p>	<p>We have protocols for all interactions and we track using Microsoft Customer Relations Management (CRM) which has been customized for our use.</p>	<p>Remote services calls come in on first come first serve for 4 active lines.</p> <p>In-Person facility has an intake desk who does initial questioning and queue.</p>	<p>Customers are taken first come – first served. There are no screening requirements or procedures. Some believe that triage would slow down the system, others think it would be a good way to weed out the simple information requests so the attorneys can focus on substantive questions.</p>
<b>Coordination with Other Service Providers (ie. Bar, Courts, Facilitators)</b>	<ul style="list-style-type: none"> <li>-Alaska DV Network</li> <li>-Alaska Bar (The Bar has a recently established Unbundled Service Panel) (Stacey regularly attends bar section meetings for continued networking)</li> <li>- Alaska Legal Services</li> <li>- Coordination with community resources and other government and private services to provide appropriate referral, ie. DV shelters, food banks, emergency assistance for housing/utility payments</li> </ul>	<p>The program is an integral part of the court and of the FLF. It is physically adjacent to the clerks processing family law cases and has access to files. Callers include attorneys, paralegals and judicial officers. The local bar is very supportive.</p>	<p>The Self-Help Services Manager serves as the Court liaison with non-profit legal services provider, Bar and other Courts on issues related to Self-Help Services</p>	<p>The remote delivery is on site court dedicated space with limited help to direct them to the computers and the help line. For remote services there is little interaction with the Bench since not “on-site” with the Courthouses. Any “partnerships or pairing with resources” are generally limited to online resources.</p> <p>Bar Volunteer Lawyer Network, Legal Aid and pro bono services for in person Self-Help Clinic.</p>	<p>There are no in-court facilitators. But they do work with community groups and the Bar Assoc. to make sure that people are aware of the services. Beyond advertising the Self Help Center, there are programs with the Bar for lawyer referrals. There are some legal clinics they can refer people to, but also a program called “Lawyer of the Day,” an attorney who is available by phone for immediate referral from Center staff. Staff can give the attorney information and even forward documents to the attorney so that the customer gets immediate help from the attorney.</p>

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**Location and Development**

	Alaska	California- North	California O.C.	Minnesota	Utah
<b>Location</b>	Anchorage	All staff are within local courthouses. The program began in one county, but now serves in person a cohort of four counties at other courthouses. Nine more counties have begun to use its remote services and several others have expressed interest.	There are currently 5 locations. There was a steering committee that met for a year and developed a plan when the first manager was hired in 2008.	This is interesting - The Remote Services Statewide Call center for support (called "Statewide") sprang from the metro center at 4 <sup>th</sup> District - Hennepin County. First at Hennepin Government Center with 2 people onsite, then grew over time to 2 facilities in Hennepin (Gov't Center Facility - with 5 staff (2 attorneys and 3 paralegal) and Family Law Facility with 8 staff (3 staff attorneys and 5 paralegals)) then "statewide" which is housed in Hennepin. Statewide is a call center with 3 staff attorneys and one paralegal. Only two other judicial districts offer in-person self-help, the rest offer a computer terminal and phone to reach the Statewide call line (aka the Bat phone.)	The offices are in the State Law Library building, in Salt Lake City.
<b>How was the location selected?</b>	Anchorage is where Court Administration is located as well as the highest concentrated volume of population and resources in the state	The program's fundamental philosophy is that the customer must be served via the method the customer chooses. This is done whether face-to-face, by telephone, at a workshop, by Skype, FaceTime or Zoom, by chat, by email, webinars, or remotely processing forms online. The staff adapts to the customer's choice and is cross-trained accordingly. There is training for county differences.	The committee wanted Self-Help Centers at all Justice Centers. There is one justice center where we have temporarily ceased services due to budget reductions.	Statewide ended up beginning and being housed in Minneapolis because that is where the experienced staff attorneys lived and were already working as former staff attorneys at the Hennepin In Person Self-Help Centers.	The decision was based solely on which agency would take charge of the program, therefore it is housed within the State Law Library, which appears to have ample space. They did note that the offices could have been anywhere in the state, it didn't really matter since all services are remote.

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	<b>Alaska</b>	<b>California- North</b>	<b>California O.C.</b>	<b>Minnesota</b>	<b>Utah</b>
<b>Program Model</b>	<p>California.                      -Stacey observed programs and communicated frequently with Maria Livingston.                      -Alaska survey is based on California's                      -Stacey studied hotlines and call centers prior to setting up the Alaska program.</p> <p>The Alaska self-help center offers a comprehensive state-wide centralized phone based self-help legal information services—a toll free number where anyone can call with legal questions that relate to family law.</p>	<p>The program emerged from the structure of the local FLF. It has borrowed from the successes and methods of Alaska, among others, but it does not limit its method of access as many other programs do. It envisions itself as having the eventual capacity to serve all 58 California counties.</p>	<p>In the process of a program review. Currently the program is staffed by attorneys who act as site supervisors, paralegals and clerical staff All are trained in the procedures of all case types.</p>	<p>The Remotes services model was Alaska (and they think the world of Stacy Martz.) However, MJB feels strongly that in-person <b>and</b> remote delivery are important and intend to continue to have both available. Interestingly, many callers to Statewide were residents of districts that offered in-person self-help, like Hennepin County. Once initial questions were answered by phone, they were directed to the in-person facility for continued follow up like form review, legal clinic, and filing. Because they were able to get help on the phone first, they felt it lead to faster, more efficient use of time in-person.</p>	<p>The model for the program was originally taken from Alaska. Jessica, the State Law Librarian came from Alaska where she trained with the founders of that program, Katherine and Stacy. However, there are differences. For example, Utah’s program covers all areas of the law, not just family law.</p> <p>It is a central office that gives remote service to the entire state. They have found that the only way to give equal service to all the state was to make all services ‘virtual’ – they take phone calls, emails, and texts only. There is no face-to-face interaction or videos, or workshops</p>
<b>Program Hours</b>	<p>Monday - Thursday, 7:30-6:00                      The helpline is closed on Fridays and the program provides a mandatory (for all self-represented litigants) Family Law Education Class (FLEC) taught by the facilitators in teams of 2, alternating weeks with an optional “Hearing and Trial Preparation” class taught by staff attorney.</p>	<p>The office opens at 8:00. Customers are admitted at 8:30, take a number, and are served until the office closes at 5:00. No new numbers are distributed after 4:00. The program considers it important to serve every timely arrival, if only by making future appointments, appropriate referrals and provision of forms packets. The director personally steps in when needed.</p>	<p>Mon-Thurs 8-4                      Fri – 8-3                      Quarterly close at noon for staff meeting</p>	<p>In Person: 8-4pm.                      Statewide: 9-3:30 but this will be changing to 4:30 and this is something that the staff is concerned about for morale and burn out potential. The staff felt that the end of the day time to finish the data entry spreadsheet and confer with colleagues about the calls they received helped with morale and also helped to prep each other for future calls from people who were currently in the process.</p>	<p>The self-help center is open Monday through Thursday from 11am to 5pm. They cite an ABA report that recommends self-help personnel do no more than 4 hours a day to avoid burnout. They also indicated that states like Maryland have high rates of staff turnover due to burnout</p>

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	<b>Alaska</b>	<b>California- North</b>	<b>California O.C.</b>	<b>Minnesota</b>	<b>Utah</b>
<b>Program Equipment</b>	<ul style="list-style-type: none"> <li>- Computers with dual screens,</li> <li>- Fax machine,</li> <li>- Copier,</li> <li>- Printer,</li> <li>- High quality headsets with wide mobility range,</li> <li>- Phones (no call center software, simply 800 number and private line)</li> </ul>	<p>The program requires all counties to have excellent internet (1.5mb minimum). Zoom is the preferred software for the interactive, multicounty workshops.</p>		<p>Statewide just recently upgraded to “call center technology” which they view as critical and they had researched several models before settling on the one that they chose, because this system fields calls without constantly ringing through to everyone’s line and allows for statistical data gathering i.e. Number of calls, length of calls, and where the calls are coming from.</p>	<p>Phones with headsets. Computers with 2 large screens. Sit/stand desks. Projector and screen for presentations to local courts.</p> <p>Staff have access to the statewide electronic court records, including juvenile and adoption cases.</p> <p>They are using free Google email and text programs. They said that the services were quite good and have the ability to track prior conversations with the same persons.</p>
<b>Challenges when establishing the program?</b>	<p>Initial resistance from Bar (many lawyers believed it would take their business). Stacey created an advisory board that included local Bar members for "buy-in." They have since established a great relationship with the Bar (especially the Unbundled Services Panel that they refer to on a regular basis).</p>	<p>The program has found that other counties and their administrators and judicial officers must be individually shown via repeated visits the benefits of participation.</p>	<p>Coverage has been an on-going issue. This is geographically a large urban county. Distance and traffic make coverage an issue. There are 22 staff providing Self-Help services.</p>	<ul style="list-style-type: none"> <li>- Budget/Fiscally who pays, where located, and how to incorporate the Statewide and in person staff</li> <li>- Lack of protocols and guidance, they felt they were making things up as they go</li> <li>- Scope of services</li> <li>- No formalized training</li> </ul>	<p>Funding was and is the primary challenge to establishing and maintaining the program. Because the initial ideas came from Alaska, they had some idea how it should work. They began in 2010 with a 2 year pilot program in just 2 judicial districts. About that time the country went into the recession and they had to scramble to get funding through grants and donations. They stuck it out and in 2012 were able to expand the program statewide when they got funded by the legislature.</p> <p>They also had trouble with the Bar Assoc., primarily in rural areas where some attorneys saw the program as a threat to their livelihoods. Some judges did not like the notion of encouraging people to do cases on their own.</p>

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<b>Laws Regarding Services</b>	No. Stacey mentioned she often steers clear of implementing court rules about processes/services in order to not overcomplicate an issue. She drafted the program to be in compliance with existing rules and statutes.	The program is explicit that it provides legal information, not legal advice. There is no confidentiality. It explains local county practices when necessary.	See California Rule of Court 10.960 Also, no legal advice may be provided by any court employees. We are neutrals providing procedural options.	They are established by Court Rule 110. They provide legal information to both parties and no legal advice to either party. They felt they more liberally construe legal information vs. legal advice compared to some other states.	A statute was enacted that created the authority for, scope, and funding of the program. (It does not indemnify the staff, but they don't see why they would need that protection.)
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### Staffing

	Alaska	California- North	California O.C.	Minnesota	Utah
<b>Staff Qualifications</b>	-Facilitators are not lawyers -Customer Service background is a must -Problem solving skills -Multi tasking ability *Bilingual and knowledge of court procedures a bonus	The program's senior management consists of two: one attorney and one IT/education specialist. Hiring focus is on customer service, with the "legal side" trained in house, rather than the reverse. Local law- student interns fill in.	Manager must have at least 5 years experience as an attorney. Self-Help Attorneys need a minimum of 1 year. Paralegals need 1 year of experience. Most candidates have considerably more.	Staff Attorneys – generally they have worked in the Courts or with Legal Aid. Then they went to Self-help in person centers and are promoted from within. As an attorney they are sought after positions. The MJB is considering reclassifying them to be Legal professionals instead of lawyers but this a bone of contention right now.  Paralegals – chosen for customer service skills and many are multi-lingual.	They are adamant that staff must be attorneys because of the often highly technical nature of the questions they handle, and the breadth of law they must be familiar with. However, they do not have to be licensed in Utah. (All the staff are current members of at least one Bar.) They must have a commitment to access to justice, and be able to work well with people. High preference for those who can speak Spanish.
<b>Staff Training</b>	-Director gives Legal Advice v Legal Information training -The rest is "on the job" training in stages: <ul style="list-style-type: none"> <li>•Practice finding and filling out forms</li> <li>•Court observation</li> <li>•Website "tests" to locate information/forms</li> <li>•Practice call "scenarios"</li> <li>•First calls made w/ handoff to experienced facilitator</li> <li>•Assisted and observed Calls</li> </ul>	Ongoing and important. A comprehensive manual, plus cross-training on methods and close observation by managers.	On-going. We close at noon quarterly for a 4 hour staff meeting which includes training from other operations.	On the job, most are well-versed in Self-Help from working at the in person center before rotating to Statewide Remote Services.	There is no training regimen, but it takes months of one-on-one training for staff to become proficient in all the areas of the law, court procedures, and in how to help people properly.

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	-Use website and FLEC manual as resources -Has staff read SRLN study by John Greacen				
<b>Number of Staff</b>	<b>Alaska population: 752,439 with 4 judicial districts Oregon population: 4.2 million; 27 judicial districts</b> Staff: 6 (Director, Staff Attorney, and 4 Family Law Facilitators). The program started with 2 facilitators, and moved to 3 before adding a 4th approximately 4 years ago. Stacey would like to add yet another facilitator position to her staff.	About 7	Total of 27 but some are funded by another grant and that work is specific to child support, spousal support and health insurances issues. Most of the triage staff is promoted from within. They are coveted jobs within the Court. The court staff are union represented while the attorneys and paralegals are not, leads to some challenges but nothing that can't be overcome.	Statewide: 4 (three attorney and 1 paralegal) 4 <sup>th</sup> District In Person Center: 3 staff attorney and 5 paralegals (Family law) 4 <sup>th</sup> District In Person Center (General SRL) – 2 staff lawyers and 3 paralegals.	There are 6 attorneys total: One full-time Director, and 5 part time staff attorneys

### Services

	Alaska	California- North	California O.C.	Minnesota	Utah
<b>Scope of Services</b>	-Phone based services with email follow-up -Family Law (divorce, custody, paternity, 3rd party custody) -In general, <b>no document review</b> , on very limited occasions staff has provided the service for those with disability issues that limit computer access. It is a statewide service so Stacey strives to make the service level and scope equal to all around the state. -Self-represented litigants may call the Center's 800 number or email as many times as they wish during the course of their case. There is no charge. They are provided legal "information" but	At intake, forms, instructions to complete them, legal information, and community referrals.	They offer a continuum of services, remote, walk-in, document reviews, judicial referrals from courtrooms, support a number of Family Law self-help calendars , workshops in multiple languages	Self Help Center: In person, help with form selection, form review, scribing, delivery of packets, referral to legal help clinic  Statewide: - referral to in-person centers, - Website direction - web-based direct interface access (Team Viewer) - triage - limited scope tasks - General overview, no scribing but will confirm correct packet selection.	From their website: <i>Self-Help Center staff attorneys can:</i> <ul style="list-style-type: none"> <li>• answer questions about the law, court process and options</li> <li>• provide court forms and instructions and help completing forms</li> <li>• provide information about cases</li> <li>• provide information about mediation services, legal advice and representation through pro bono and low cost legal services, legal aid programs and lawyer referral services</li> <li>• provide information about resources provided by law</li> </ul>

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	<p>not legal “advice.” Options are explained. For example, a caller may ask about spousal support and receive an explanation of the two types of spousal support available in Alaska, but no recommendations are made about which to choose. As Stacey explained, “we try to never say ‘you should’ when providing information.”</p> <p>-When the customer decides to take some action, they are provided the necessary forms and instructions for filing, service, etc. The Facilitator will email links to the forms and instructions, as well as links to excellent short, plain-language youtube videos available on the Court’s website. In rare cases, if email or internet is not available to the customer, the Center will mail forms and information to the party.</p> <p>-During the initial call, the Facilitator makes inquiries about issues and offers referrals. This has proven to be one of the most valuable aspects of the service. For example, if a customer has no money, or is the victim of intimate partner violence, or a party is dealing with substance abuse or mental health issues, referrals will be made to the appropriate government, social service, or other agency. The Center is not limited to merely assisting with the legal steps or</p>				<p><i>libraries</i></p> <p>They cover family law, probate, civil cases, small claims, landlord-tenant, and some criminal matters. They help with all courts; juvenile, justice, district, and appellate. Roughly ½ of their work is in Dom Rel cases</p>
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### Remote Service Delivery Site Visit Reports

	paperwork to pursue a legal action. In this way, it functions as a phone based “Family Relationship Center.”				
	<b>Alaska</b>	<b>California- North</b>	<b>California O.C.</b>	<b>Minnesota</b>	<b>Utah</b>
<b>Service Delivery</b>	<ul style="list-style-type: none"> <li>-Phone (800 number has first priority followed by private lines)</li> <li>-20 min limit to call, unlimited ability to place calls</li> <li>- Calls anonymous unless give case info but identifying information is not recorded or tracked</li> <li>- Disclaimer about services not being legal advice is given to every new caller (<i>see notes</i>)</li> <li>-Task oriented- always leave client with “to do” (only one or two tasks assigned, not comprehensive because customer can call again as needed)</li> <li>-Trouble shooting to avoid “downstream consequences”</li> <li>-Email follow-up that includes Facilitator’s private number</li> <li>-Separate office phone number specifically for rural courts that includes option to leave message</li> <li>-Extensive website that includes <a href="#">forms</a>, procedural and legal topic information, and <a href="#">instructional videos</a>.</li> </ul>	The program’s fundamental philosophy is that the customer must be served via the method the customer chooses. This is done whether face-to-face, by telephone, at a workshop, by Skype, FaceTime or Zoom, by chat, by email, webinars, or remotely processing forms online. The staff adapts to the customer’s choice, and is cross-trained accordingly. There is training for county differences.	Remotely and in person. Manager and Senior Attorney also serve as FL Temporary Judges as needed for procedural calendars. Visit our website @ <a href="http://www.occourts.org/self-help">www.occourts.org/self-help</a>	Statewide: Phone calls, interational computer experience, and limited email contact through a general email address that all 4 staff review and respond to.	Staff answer questions as they come in by phone, email, and text message. They tried chat, but it was problematic. Roughly ½ of all services are provided by phone. After each contact, staff often follow up with people by sending emails with links to forms and other resources.
<b>Areas of law addressed or specifically not addressed</b>	<ul style="list-style-type: none"> <li>-No current forms for Legal Separation</li> <li>-Child welfare (CHINA – Child in Need of Aid)</li> <li>-Adoption</li> <li>-Probate (may be implementing</li> </ul>	Family law, including guardianships of the person, family-law trial advocacy, also unlawful detainer and small claims.		General Self Help on all topics for court. Lawyers and SRLs on variety of topics: Location of courthouse, hours, legal topic specific, landlord/tenant, conciliation, family law, criminal	Information and forms for all areas of the law are provided, except for Federal matters ( such as bankruptcy or immigration), but they will provide referrals

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	<p>this soon due to parallels with family law) (a recent grant allowed for the addition of a web page about guardianship and conservatorship on the Self-Help website, but other than to refer to the site, there aren't forms and facilitators do not currently assist in this area)</p>			expungements and violations etc.	
<p><b>Other Languages</b></p>	<p>-Spanish -Tagalog</p>	<p>Spanish is available immediately, often by a seamless remote connection from a participating county. Others are available with notice.</p>		<p>The staff was multilingual. Spanish, Somali, Arabic, Amharic, Oromo</p>	<p>They use the courts' interpreter services when needed, either over a language line, or they may schedule with an interpreter via a conference call, or the interpreter will go to their office. All current staff speak Spanish</p>

### Quantitative Information

	Alaska	California- North	California O.C.	Minnesota	Utah
<p><b>Volume</b></p>	<p>-7,000 calls/year -track by contact not by customer (all survey entries in database are anonymous)</p>	<p>The program began with 20/day. Now about 100 based on word-of-mouth recommendation.</p>	<p>132,000 in person and over 120,000 remotely in 2017 FL assistance is provided at all SHCs. The SHC at Lamoreaux Justice Center where there are 17 FL courtrooms averages 200-300 walk-ins per day.</p>	<p>Self-Help In Person: Numbers through Q-flow. No phone contacts and limited email follow up. They have limited data but keep copies of all emails sent so can quantify it.</p> <p>Statewide: Each person inputs on a spreadsheet to keep track of 1) Number of calls, 2) length of calls, 3) County served, 4) Topic area. The call center programs they use now will assist with data and there are other things that they can utilize with the program that they haven't started yet.</p>	<p>They average 20,000 customers served each year. Roughly half by phone, a third by email, and a sixth by text. Follow up is nearly always by email</p>

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<b>Average Time per Client Contact</b>	-17.5 min average (they try and cap call at 20 min and end by assigning a “task”) -parties can call back as many times as needed	No arbitrary duration limits.  Workshops: 3 hours. Telephone: 5 minutes, with unlimited callbacks (no messages or staff assignments). Appointments: 20 minutes, with unlimited returns as forms are completed.		Varies by staff member. 8-15 mins. First come first served and no appointments.	This is not formally tracked at this time. (but averaging the number of people they help, with the number of staff, and operating hours, yields an average of about 12 minutes per contact)
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### Qualitative Information

	Alaska	California- North	California O.C.	Minnesota	Utah
<b>Advice for a new program in its developmental stages</b>	Define your business process (can help drive best practices and create platform for state) -Choose office space that provides easy contact/collaboration between employees -Invest in high quality headsets that provide employee with mobility -Develop strong partnership with Bar (in particular unbundled services) -Establish network within communities where public can access internet (ie. Libraries, Churches, Community Centers)	Key: A charismatic and committed founder/leader. Next: A specialized IT/education manager. Begin locally, out of an existing FLF. Then: High-speed internet. Customer-oriented and cross-trained staff. Comprehensive manuals. Offer all methods customers choose, including interactive multicounty workshops. Collect, analyze and use evaluations and feedback.  As multicounty rollout begins, vigorous, repeated inperson demonstrations to each county, backed by comprehensive data and analysis showing cost savings.	Start your remote services by creating a great website. It will be static but you can post videos and provide a lot of information. Training for staff and collaboration with other units and the bench is essential Start with a program like SharePoint to collect data from day one.	See Notes	Everyone said “Just do it!” They started with just one attorney in a room with a computer and a phone. It would take a dedicated and experienced attorney who has access to the information needed (such as referral options). They recommend that we push for full finding right off the bat. They did mention that they had explored facilitation in the courthouses. They abandoned those ideas in favor of the remote services, because once they offered help by phone, email, and text, people preferred the virtual services. Also, it was more balanced and equal across the state. People anywhere can access their help, without having to go to a courthouse that may or may not have the same level of services that are found in the more populous areas. They strongly recommended that we use attorneys. And that staff extend themselves by being active

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					with committees and work groups. They recommend that the services be entirely virtual because, among other things, it allows people who are physically outside the state receive help too.
<b>In hindsight, what might be done differently</b>	-No phone messages (Initially they allowed messages and have since stopped. They found that it took too much time to listen to messages and try and return calls). -Research survey tool. Stacey said she may have used different tool, they use Microsoft Access. - No in person services – Initially experimented for a 6 month period with sending a facilitator to Fairbanks and found it took up a disproportionate amount of time and resources	Use Zoom, not PolyCom, for remote services.	Due to increasing staffing costs which have not been met by the grant, perhaps not expanding so quickly. Otherwise, it has been very successful.	See Notes	Initially they were very fiscally conservative, which has back-fired. They can't get the funding they need now. The advice was to "shoot for the moon" with the funding.
<b>Current challenges and/or needs</b>	-More staff -Expand services to include Probate -Interested in tool used by MN for remote viewing software -Possible video interaction with customers (Some data suggests that video interactions can make people uncomfortable)	Long-term funding, demonstrated by current success, shown by comprehensive data.	We are excited about a Family Law texting project the SHS manager has done for a National Center for State Courts Fellowship. The pilot will be expanded to collect more data through a project with Stanford University School of Law & Design	More staffing. Remote services are best delivered in conjunction with referral to in-person help centers. The staff felt very strongly that people in the rural areas of the state who do not have access to in-person help centers are at a disadvantage compared to those in the urban areas who can easily and readily get assistance. Many counties because they have no in-person access they do not even know of the options that are available to them. All felt this was an access justice issue.	They seem to have the program dialed in. But for all the people they help, there are many they can't because they don't have the full time staff they need. It is a challenge to find attorneys who are willing to work on a part time basis only. It is important to keep up with contacts and relationships. They do outreach to courts across the state, and with various clinics, and the Bar. Assoc
<b>Other</b>					

**Remote Service Delivery Site Visit Reports**

	<b>Alaska</b>	<b>California- North</b>	<b>California O.C.</b>	<b>Minnesota</b>	<b>Utah</b>
<b>Do your courts have family law facilitation programs? If so, how do the programs work together?</b>	There are no in-person facilitation programs in Alaska. The helpline at FLSHS provides all facilitation services remotely by phone, follow up email. The centralized phone-based model was initially chosen out of necessity. It was less expensive and Alaska's vast wilderness, lack of roads, harsh weather and sparse population made it impossible to provide the more traditional personalized courthouse facilitation.	Yes, each and every county, funded whenever possible by 4-D sources. Interactive multicounty workshops are supplemented by local in person FLF follow up.		Three judicial districts have self-help in person that includes access for family law. As a whole they feel very strongly that the programs work in tandem and benefit each other greatly. They gave several examples of the referrals and interplay between the two groups.	There are no local court facilitation services in Utah. However, the Self-Help staff occasionally visit and train local courts on how to answer basic questions, and how to direct people to the comprehensive website. Jessica mentioned that local facilitation would be a good thing – a compliment to their services rather than a competitor
<b>Childcare</b>	No	Children are discouraged and there is no child care, but the occasional child is tolerated, especially in emergencies.		No and this was a conscious choice by staff to keep things serious, quiet and free from distraction.	Because services are provided entirely remotely, there is no need for childcare
<b>Where/How does mediation fit into this program?</b>	Mediation (or orientation) is not mandatory in Alaska for family law cases. Mediation is voluntary, available for custody/parenting time issues, and offered as a free service for parents whose combined net income is less than \$100,000. The Court has a Mediation Coordinator who works at the Court Administrator's Office and she organizes private mediators who contract with the courts. A party must file a motion asking for the court to order mediation. Alaska law restricts the court's ability to order mediation if DV has occurred between the parties.	Each county has a separate mediation service and requirement. Services are cross-referred and are physically adjacent.		Like Oregon the family law mediation is run by the county and not the MJB, so they were entirely separate. (But they do have some very interesting programs.)	Staff may refer parties to mediation services. Also, self-help center staff have access to mediation information – whether mediation was concluded, and if so what was the outcome

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Notes

<p>Notes</p>	<p><b>ALASKA</b></p> <ul style="list-style-type: none"> <li>• Database provides statistics that help with program development and geographic information</li> <li>• Standard notification given to all callers about Alaska FLSHC services:             <ul style="list-style-type: none"> <li>- <i>Before we talk anymore, I need to tell you something about where you have called. We are the Family Law Self-Help Center.</i></li> <li>- <i>The most important thing to know about us is that we are part of the court. What that means is that we have to be neutral and impartial, we can't take sides.</i></li> <li>- <i>Also, we can only provide legal information, not legal advice. What that means is that we can give you information about court procedures or forms, but not advice on interpretation of laws or strategies for your case.</i></li> <li>- <i>Conversations with us are not confidential in the way they would be with a lawyer.</i></li> <li>- <i>We help both sides. What that means is that if the other side calls, we will give him/her exactly the same kind of help we give you. Is this okay with you?</i></li> <li>- <i>Do you have a lawyer representing you in this case?</i></li> </ul> </li> <li>• Data tracked is based on individual call, not on client</li> <li>• Call Survey includes 2 parts             <ul style="list-style-type: none"> <li>- Demographic Info from caller</li> <li>- Services provided</li> </ul> </li> <li>• Facilitators help with child support calculations</li> <li>• 10% of calls received are from outside of Alaska</li> <li>• Benefits of phone services:             <ul style="list-style-type: none"> <li>- Quality control, conformity in staff training, increased staff support (staff all in one location)</li> <li>- No security concerns that are present with in person consultation</li> <li>- Increased access for public (removes barriers of childcare, transportation, parking, missing work)</li> <li>- Reduction in overt/implicit bias (can't see caller to make judgments based on race, color, clothing, odors, etc.</li> <li>- Decreased staff burnout (They have found that it is far less</li> </ul> </li> </ul>	<p><b>California North</b></p> <p>SHARP is an outstanding program. My visit confirmed that it delivers on its founding principles and proves their worth. Remote workshops and local FLFs supplement each other. The two managers (law/IT) are a vital team. The two are ready to come to Oregon to present to us in person and later to advise our startup. They are very familiar with the needs of small counties and the local-variation issue.</p> <p>After studying the website (<a href="http://sharpcourts.org">sharpcourts.org</a>), the very best way for our subcommittee members to get a sense of its effectiveness is to participate in an interactive workshop. This is easy to do. Every Tuesday, from 9:30 to 12:30, the topic is guardianships of the person. Every Wednesday, from 9:00 to 10:00 child custody, 10:30-11:30 child support, 1:30-3:30 divorce.</p> <p>To access from a computer or tablet go to <a href="https://zoom.us/">zoom.us/</a>, press "join a meeting" (you may need to download the app), and choose meeting # 968-838-4827, then disable your own microphone. You will see and hear the leader and all the customers, as well as the same screen and pointer that is viewed in each location. No need to join at the start, but it helps. For help, call</p>	<p><b>Minnesota</b></p> <p><b>My observations of watching the call center operator:</b></p> <ol style="list-style-type: none"> <li>1) Directed the caller to one task at a time and suggested a return after they have completed that task.</li> <li>2) Thorough knowledge of website and online resources with a clear communication ability to direct people through the web based interfaces.</li> <li>3) Often the callers are not prepared, no pen, calling in the car, drive thrus, workplaces, have children.</li> <li>4) The caller was very clear in managing expectation with phrases such as "they MAY be able to assist you" or "they might have some information for you".</li> <li>5) Lots of multitasking on various computer screens and multiple applications were up.</li> <li>6) Skilled at intake/orienting with the person to determine exactly what they are calling for, pointed directions, and skilled at focusing communication.</li> <li>7) Had a broad scope of knowledge regarding the various court proceedings including confidential matters.</li> </ol> <p><b><u>Things they have learned from or would otherwise suggest:</u></b></p> <ol style="list-style-type: none"> <li>1) Allow for designated time to have "back office functioning" without customer interface for tasks like data collection, template building, office organization and clean up.</li> <li>2) Be thoughtful about shared office or workspace. It is not practical or efficient to have folks share a space because they can serve better if they know where things are.</li> </ol>	
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### Remote Service Delivery Site Visit Reports

<p>stressful for staff to work with customers on the phone than to face the high volume of intense emotions present in these cases in face to face interactions. Staff has the ability to consult and debrief with other staff, and recess make follow up contacts with customers if a communication becomes too intense.)</p> <ul style="list-style-type: none"> <li>- Phone services allows for anonymity (although most choose to identify themselves)</li> <li>- Cost effective</li> </ul> <ul style="list-style-type: none"> <li>• Service by publication – newer rule allows publishing on Court’s website “legal notices” section (This is worth checking out considering the changing ways people access media, the decrease in newspapers around the country, and the limits to access presented to parties who cannot afford the hundreds of dollars it costs to publish in a paper. The NCSC has an article about this issue and the Alaska rule, please read for further discussion)</li> <li>• Anchorage Court has Family Law Education Class (FLEC) (includes 20 min parent education element) required for all self-represented litigants (See attached Exhibit B) <ul style="list-style-type: none"> <li>- Can be waived based on hardship (in which case, the class PPT is mailed to the party)</li> <li>- If no DV, parents can attend same class</li> <li>- Parties who live far from Anchorage can take mini FLEC over phone</li> </ul> </li> <li>• Alaska has started IDRT</li> <li>• Family Law Self-Help Services Staff Attorney teaches bi-monthly “Hearing and Trial Preparation” class <ul style="list-style-type: none"> <li>- Grant funded</li> <li>- Class has been recorded and snapshots available in Youtube video links on Court’s website</li> </ul> </li> <li>• Alaska Bar Association created Unbundled Service Panel several years ago and the SFLHC office has networked quite successfully with the Panel to refer cases both ways</li> </ul> <p><b>Key Components from Alaska to apply to proposal for Oregon’s Remote Services Delivery System:</b></p> <p><b>1. Funding</b></p> <ul style="list-style-type: none"> <li>a. Utilize 4D reimbursements to offset court’s cost</li> </ul> <p><b>2. Location</b></p>	<p>SHARP at 530-532-7186 (Melanie Snider) or 530-532-7218 (Wendy Trafton). Mention my name.</p> <p>My bottom line: we could not do better than to replicate this excellent program. They are ready to come and help us to do that.</p>	<ol style="list-style-type: none"> <li>3) Their motto is “Inform. Instruct. Inspire.” - Meaning let people know what is out there, instruct them on how to get things filed and inspire the confidence to allow them to do it themselves.</li> <li>4) When people are calling over the phone it is important to remember confidentiality in many of the Court cases. They will routinely have people who are calling to be a party to a proceeding who are not actually the party. So, training is needed to be conscious of those distinctions because even acknowledging that a case exists can be a breach.</li> <li>5) Be conscious of statewide forms versus the forms that are specific to different counties. They have a form developer much like Oregon who is pushing for uniformity between the Courts and acknowledge that it is a struggle.</li> <li>6) When things are very busy it is a high energy, high brain power job it is important to have strong administrative support who can help manage and keep an eye on rising stress levels throughout the day.</li> <li>7) There should be more marketing about the resource that is available. It took folks a while to learn that the resource was out there.</li> <li>8) When implementing and designing a program designate a point person who has the knowledge and skill to do it and avoid a committee approach, it is confusing and can bog down the process.</li> <li>9) Be thoughtful about where to place the service, there are often very practical reasons to house it in a particular location, preferably close to an in-person facility so that potential for cross training can help round out the skills of the call taker.</li> <li>10) Have vicarious trauma training for the</li> </ol>	
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## Remote Service Delivery Site Visit Reports

<ul style="list-style-type: none"> <li>a. Close to court administration</li> <li>b. Proximity to tech support and high concentration of state's resources</li> <li><b>3. Oversight</b> a. State Court Administrator's Office</li> <li><b>4. Staff</b> <ul style="list-style-type: none"> <li>a. Qualifications for facilitators                             <ul style="list-style-type: none"> <li>i. Non lawyers</li> <li>ii. Strong customer service</li> <li>iii. Problem solving skills</li> <li>iv. Multi-tasking ability</li> <li>v. Bilingual and prior knowledge of court procedures a bonus</li> </ul> </li> <li>b. Training Protocol</li> <li>c. Numbers</li> </ul> </li> <li><b>5. Scope of Services</b> <ul style="list-style-type: none"> <li>a. Family Law</li> <li>b. Plan for future incorporation of probate issues due to parallels with family law</li> </ul> </li> <li><b>6. Delivery of Services and Equipment Needs</b> <ul style="list-style-type: none"> <li>a. Content rich website</li> <li>b. Technology for Delivery of Services                             <ul style="list-style-type: none"> <li>i. Phone system</li> <li>ii. Email</li> <li>iii. Video interaction software</li> <li>iv. Remote viewing software</li> </ul> </li> <li>c. Equipment                             <ul style="list-style-type: none"> <li>i. Computers with dual screens</li> <li>ii. Fax machine</li> <li>iii. Copier</li> <li>iv. Printers</li> <li>v. Headsets</li> <li>vi. Phones</li> </ul> </li> </ul> </li> <li><b>7. Collaboration with Internal and Community Partners</b> <ul style="list-style-type: none"> <li>a. Develop strong partnership with Bar</li> <li>b. Establish contacts in each jurisdiction where public can access computers and internet</li> <li>c. Establish contacts with social service providers and government agencies</li> <li>d. Identify contacts within each courthouse</li> <li>e. Collaborate with OJD forms groups</li> </ul> </li> </ul>			<p>employees.</p> <ul style="list-style-type: none"> <li>11) Have a supportive environment within the staff of people who have the same degree of work ethic because then they feel the load is being shared and they can rely on each other to avoid burn-out. Because in-person Self-Help there are natural breaks between helping one person and the next but on the phone the call taker goes from one to the next instantaneously. They have a "take 10" philosophy that anyone of them can call for the break and then they ALL take it together to provide support.</li> <li>12) Cross training in person and on the phone is critical. If one is only ever providing help on the phone then it can create tunnel vision.</li> <li>13) Develop clear policies from the beginning on things such as:             <ul style="list-style-type: none"> <li>a. Legal Advice vs. Legal Information</li> <li>b. Confidentiality</li> <li>c. Security issues</li> <li>d. Problem callers</li> <li>e. Procedure for handling the work</li> </ul> </li> <li>14) Get and keep good data.</li> <li>15) Invest in good call center software. Melissa Giernoth was in charge of sampling and suggesting. She remains available as a resource for any questions. Make the investment for what you want on the front end. Be clear on what data collection tools are important.</li> <li>16) Try to build support with local and state bar organizations for free legal advice, law clinics and the like as a referral resource.</li> <li>17) Be sure the call taker has a clear understanding of regional vs. state information.</li> <li>18) Pay people what they are worth and they will stay.</li> </ul>	
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**Remote Service Delivery Site Visit Reports**

	<p><b>8. Integration with existing Facilitation Services</b> a. Alaska doesn't have in person services, however, as noted in section 7 above, the proposal should include a plan to establish a contact within each facilitation program</p>			<p>19) Used Alaska as a model in the beginning and then created a hybrid model between the 4<sup>th</sup> and Statewide services.</p>	
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# Remote Services Delivery Survey

## Alaska Family Law Self Help Center (FLSHC)

Colleen Carter-Cox and Jodi Harvey

Date of Site Visit: May 14 - 17, 2018

Program Location: Anchorage, Alaska

Contact Name: Stacey Marz, [smarz@akcourts.us](mailto:smarz@akcourts.us), 907-264-0877

Program Website: <http://www.courts.alaska.gov/shc/family/selfhelp.htm>

Helpline Phone Number: 907-264-0851

<b>Funding and Management</b>	
Source of funding?	State funded: 4D reimbursements offsets court's cost (66% 4d/Courts 34% (Stacey can provide more specifics if needed)
Type of oversight?	Alaska has a unified Court system. Alaska's self-help program is operated by the State Court Administrator's Office. Stacy Marz is the current director of Self-Help Services and directly oversees the Self-Help Program.
Reporting requirements?	Monthly reports to State Court Administrator
Operation guides or manuals?	The forms, <a href="#">Website</a> , and Facilitation Services are all under one roof and managed by the Director of Self-Help Services  -The comprehensive website is used as a "manual" by staff facilitators
Protocols (screening, triage)?	-No pre-screening or screening out of calls -No eligibility requirements -Whenever possible, any information gathered in a call regarding issues such as financial troubles, DV, substance abuse, or mental health results in referral to the appropriate social service or government agency
Coordination with other service providers (ie. Bar, Courts, Facilitators)?	-Alaska DV Network -Alaska Bar (The Bar has a recently established Unbundled Service Panel) (Stacey regularly attends bar section meetings for continued

	<p>networking)          -Alaska Legal Services          -Coordination with community resources and other government and private services to provide appropriate referral, ie. DV shelters, food banks, emergency assistance for housing/utility payments</p>
<b>Location and Development</b>	
Location?	Anchorage
How was location selected?	Anchorage is where Court Administration is located as well as the highest concentrated volume of population and resources in the state
Program model?	<p>California</p> <ul style="list-style-type: none"> <li>-Stacey observed programs and communicated frequently with Maria Livingston</li> <li>-Alaska survey is based on California's</li> <li>-Stacey studied hotlines and call centers prior to setting up the Alaska program</li> </ul> <p>The Alaska self-help center offers a comprehensive statewide centralized phone based self-help legal information services—a toll free number where anyone can call with legal questions that relate to family law.</p>
Program Hours?	<p>Monday – Thursday, 7:30am – 6pm.</p> <p>The helpline is closed on Fridays and the program provides a mandatory (for all self-represented litigants) Family Law Education Class (FLEC) class taught by the facilitators in teams of 2, alternating weeks with an optional “Hearing and Trial Preparation” class taught by staff attorney.</p>
Program Equipment?	<ul style="list-style-type: none"> <li>-Computers w/ dual screens</li> <li>-Fax machine</li> <li>-Copier</li> <li>-Printer</li> <li>-High quality headsets with wide mobility range</li> <li>-Phones (no call center software- simply 800 number and private line)</li> </ul>
Challenges when establishing the program?	<p>Initial resistance from Bar (many lawyers believed it would take their business). Stacey created an advisory board that included local Bar members for “buy-in.” They have since established a great relationship with the Bar (especially the Unbundled Services Panel that they refer to on a regular basis).</p>

Laws regarding services?	No. Stacey mentioned she often steers clear of implementing court rules about processes/services in order not to overcomplicate an issue. She drafted the program to be in compliance with existing rules and statutes.
<b>Staffing</b>	
Staff qualifications?	<ul style="list-style-type: none"> <li>-Facilitators are not lawyers</li> <li>-Customer service background is a must</li> <li>-Problem solving skills</li> <li>-Multi tasking ability</li> <li>*Bilingual and knowledge of court procedures a bonus</li> </ul>
Staff training?	<ul style="list-style-type: none"> <li>-Director gives Legal Advice v Legal Information training</li> <li>-The rest is “on the job” training in stages: <ul style="list-style-type: none"> <li>• Practice finding and filling out forms</li> <li>• Court observation</li> <li>• Website “tests” to locate information/forms</li> <li>• Practice call “scenarios”</li> <li>• First calls made w/ hand off to experienced facilitator</li> <li>• Assisted and observed Calls</li> </ul> </li> <li>-Use website and FLEC manual as resources</li> <li>-Has staff read SRLN study by John Greacen</li> <li>*See attached “Facilitator Training Outline” attached as “Exhibit A.”</li> </ul>
How many staff?	<p><b>Alaska population: 752,439, 4 judicial districts Oregon population: 4.2 million, 27 judicial districts</b></p> <p>Staff: 6 (Director, Staff Attorney, and 4 Family Law Facilitators). The program started with 2 facilitators, and moved to 3 before adding a 4<sup>th</sup> approximately 4 years ago. Stacey would like to add yet another facilitator position to her staff.</p>
<b>Services</b>	
Scope of services?	<ul style="list-style-type: none"> <li>-Phone based services with email follow-up</li> <li>-Family Law (divorce, custody, paternity, 3<sup>rd</sup> party custody)</li> <li>-In general, <b>no document review</b>, on very limited occasion, staff has provided the service for those with disability issues that limit computer access. It is a state-wide service so Stacey strives to make the service level and scope equal to all around the state.</li> <li>-Self-represented litigants may call the Center’s 800 number or email as many times as they wish</li> </ul>

	<p>during the course of their case. There is no charge. They are provided legal “information” but not legal “advice.” Options are explained. For example, a caller may ask about spousal support and receive an explanation of the two types of spousal support available in Alaska, but no recommendations are made about which to choose. As Stacey explained, “we try to never say ‘you should’ when providing information.”</p> <p>-When the customer decides to take some action, they are provided the necessary forms and instructions for filing, service, etc. The Facilitator will email links to the forms and instructions, as well as links to excellent short, plain-language youtube videos available on the Court’s website. In rare cases, if email or internet is not available to the customer, the Center will mail forms and information to the party.</p> <p>-During the initial call, the Facilitator makes inquiries about issues and offers referrals. This has proven to be one of the most valuable aspects of the service. For example, if a customer has no money, or is the victim of intimate partner violence, or a party is dealing with substance abuse or mental health issues, referrals will be made to the appropriate government, social service, or other agency. The Center is not limited to merely assisting with the legal steps or paperwork to pursue a legal action. In this way, it functions as a phone based “Family Relationship Center.”</p>
<p>How are services delivered?</p>	<ul style="list-style-type: none"> <li>-Phone (800 number has first priority followed by private lines)</li> <li>-20 min limit to call, unlimited ability to place calls</li> <li>-Calls are anonymous, however, most callers choose to identify themselves or give otherwise identifying information needed to locate essential court information or determine case status but this identifying information is not recorded or tracked</li> <li>-Disclaimer about services not being legal advice is given to every new caller (<i>see notes below</i>)</li> <li>-Task oriented- always leave client with “to do” (only one or two tasks assigned, not comprehensive because customer can call again as needed)</li> <li>-Trouble shooting to avoid “downstream consequences”</li> <li>-Email follow-up that includes Facilitator’s private number</li> <li>-Separate office phone number specifically for rural courts that includes option to leave message</li> </ul>

	-Extensive website that includes <a href="#">forms</a> , procedural and legal topic information, and <a href="#">instructional videos</a>
Areas of law addressed or specifically not addressed?	-No current forms for Legal Separation -Child welfare (CHINA – Child in Need of Aid) -Adoption -Probate (May be implementing this soon due to parallels with family law) (A recent grant allowed for the addition of a web page about guardianship and conservatorship on the Self-Help website, but other than to refer to the site, there aren't forms and facilitators do not currently assist in this area)
Are services provided in other languages? (If so, what languages?)	-Spanish -Tagalog
<b>Quantitative Information</b>	
Volume? (Tracked per client or per contact?)	-7,000 calls/year -Track by contact not by customer (all survey entries in database are anonymous)
Average time per client contact?	-17.5 min average (they try and cap call at 20 min and end by assigning a "task") -Parties can call back as many times as needed
<b>Qualitative Information</b>	
What advice would you provide a new program in its developmental stages?	-Define your business process (can help drive best practices and create platform for state) -Choose office space that provides easy contact/collaboration between employees -Invest in high-quality headsets that provide employee with mobility -Develop strong partnership with Bar (in particular unbundled services) -Establish network within communities where public can access internet (ie. Libraries, Churches, Community Centers)
In hindsight, what might be done differently?	-No phone messages (Initially they allowed phone messages and have since stopped. They found that it took too much time to listen to messages and try and return calls.) -Research survey tool. Stacey said she may have used different tool, they use Microsoft Access. -No in person services – Initially they experimented for a 6 month period with sending a facilitator to Fairbanks and found it took up a disproportionate amount of time and resource

Current challenges and/or needs?	-More staff -Expand services to include Probate -Interested in tool used by MN for remote viewing software -Possible video interaction with customers (Some data suggests that video interactions can make people uncomfortable)
<b>Other</b>	
Do your courts have family law facilitation programs? If so, how do the programs work together?	There are no in-person facilitation programs in Alaska. The help-line at FLSHC provides all facilitation services remotely by phone, follow up email. The centralized phone based model was initially chosen out of necessity. It was less expensive and Alaska's vast wilderness, lack of roads, harsh weather and sparse population made it impossible to provide the more traditional personalized courthouse facilitation.
Is childcare available at the courthouse?	No
Where/How does mediation fit into this program?	Mediation (or orientation) is not mandatory in Alaska for family law cases. Mediation is voluntary, available for custody/parenting time issues, and offered as a free service for parents whose combined net income is less than \$100,000. The Court has a Mediation Coordinator who works at the Court Administrators Office and she organizes private mediators who contract with the courts. A party must file a motion asking for the court to order mediation. Alaska law restricts the court's ability to order mediation if DV has occurred between the parties.

**Notes:**

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*The most important thing to know about us is that we are part of the court. What that means is that we have to be neutral and impartial, we can't take sides.*

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*Conversations with us are not confidential in the way they would be with a lawyer.*

*We help both sides. What that means is that if the other side calls, we will give him/her exactly the same kind of help we give you. Is this okay with you?*

*Do you have a lawyer representing you in this case?*

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  - Grant funded
  - Class has been recorded and snapshots available in [Youtube video links](#) on Court's website
- Alaska Bar Association created Unbundled Service Panel several years ago and the SFLHC office has networked quite successfully with the Panel to refer cases both ways

## **Key Components from Alaska to apply to proposal for Oregon's Remote Services Delivery System:**

### **1. Funding**

- a. Utilize 4D reimbursements to offset court's cost

### **2. Location**

- a. Close to court administration
- b. Proximity to tech support and high concentration of state's resources

### **3. Oversight**

- a. State Court Administrator's Office

### **4. Staff**

- a. Qualifications for facilitators
  - i. Non lawyers
  - ii. Strong customer service
  - iii. Problem solving skills
  - iv. Multi-tasking ability
  - v. Bilingual and prior knowledge of court procedures a bonus
- b. Training Protocol
- c. Numbers

### **5. Scope of Services**

- a. Family Law
- b. Plan for future incorporation of probate issues due to parallels with family law

### **6. Delivery of Services and Equipment Needs**

- a. Content rich website
- b. Technology for Delivery of Services
  - i. Phone system
  - ii. Email
  - iii. Video interaction software
  - iv. Remote viewing software
- c. Equipment
  - i. Computers with dual screens
  - ii. Fax machine
  - iii. Copier
  - iv. Printers
  - v. Headsets
  - vi. Phones

### **7. Collaboration with Internal and Community Partners**

- a. Develop strong partnership with Bar
- b. Establish contacts in each jurisdiction where public can access computers and internet
- c. Establish contacts with social service providers and government agencies
- d. Identify contacts within each courthouse
- e. Collaborate with OJD forms groups

### **8. Integration with existing Facilitation Services**

- a. Alaska doesn't have in person services, however, as noted in section 7 above, the proposal should include a plan to establish a contact within each facilitation program

# Facilitator Training Outline

## Exhibit A

## **Day 1:**

Structure of the Alaska Court System

Right court for your case

Policies

- Legal information, not legal advice
  - Power point presentation slides
- Ex parte communication
- Confidentiality
- E-mail
- Sexual harassment

Orientation for trial court clerks:

[http://courtreports.alaska.gov/clerkmanual/Trial Court Employee Orientation Program/Page 1.Introduction.pdf](http://courtreports.alaska.gov/clerkmanual/Trial_Court_Employee_Orientation_Program/Page_1.Introduction.pdf)

Observe facilitators on Helpline

Observe Early Resolution Program

Website questions

## **Day 2:**

8:25 am Orientation at HR (Snowden Administration Building – first floor by the entrance on 4<sup>th</sup> Ave.)

Legal information, not legal advice

- Power point presentation slides Observe facilitators on Helpline

Observe facilitators on helpline

Website questions

## New Facilitator Training Schedule

- Week 1: overview of the court system  
Policies (email, internet, harassment and discrimination)  
HR orientation  
Helpline observation  
ERP observation
- Week 2: helpline observation  
website questions  
on-line workplace harassment training
- Week 3: helpline observation  
website questions  
dissolution petition review
- Week 4: DVPO hearing observation  
Hearing and trial observation  
Helpline observation  
Observe Family Law Education Class  
Child support power point review  
Child support exercise
- Week 5-10: weekly give 10 scenarios and options (including 1 child support calculation with increasing difficulty each week) and provide answers; go over each scenario and answer and provide additional information and helpful approaches  
Helpline observation  
More court observation
- Week 11: see if ready to answer calls to ask screening questions but not give out self-help information; refer to facilitators for calls back the next day and listen to how they approach the call, noting what they do  
Helpline observation
- Week 12-13: continue taking calls and gathering screening information and hand off to others but outline approach you think should be taken with the call; compare what the other facilitator does with the call; discuss approach with Director  
Practice giving disclaimer  
Practice doing surveys with other facilitators' callers
- Week 14-15: continue taking calls and gathering screening information; start answering simple questions and providing forms but hand off more difficult issues; discuss approach with Director  
Give disclaimers  
Do surveys when provide information to callers

Transition to answering phones – getting screening sheet info

Thanks to everyone for helping \_\_\_\_\_ during her training period – explaining calls that she observes and helping her answer my endless scenarios and child support calculations. She is doing really great and learning a lot. You are all an excellent team and so supportive of each other. I really appreciate your fantastic external and internal customer service. You are the best!

We are going to have \_\_\_\_\_ transition to answering the phones at the end of the day to collect information on the screening sheet and then hand off the calls to other facilitators the next morning. She will sit with the facilitator to whom she hands off the screening sheet. Before the other facilitator returns the call, I've asked that she discuss the approach she thinks she would take if she was giving the information and options and hear what options the other facilitator would provide. Then the other facilitator will return the call so \_\_\_\_\_ can hear the approach taken. Let me know if you have any questions.

## Website Questions

What is the document called that someone files to start a case?

What is the document called that someone files to request something from the court?

Why does the court require every document filed to be served on the opposing party?

What Civil Rule deals with child support?

What does someone file if he/she wants to change a custody order?

What does "arrear" mean?

In a divorce case, what does Civil Rule 26.1 require?

What are the best interest factors?

What are the Merrill factors?

What classes does the FLSHC teach in Anchorage?

## Website Questions - 2

How much is the filing fee to start a case?

What is a Domestic Relations Procedural Order?

How many days does a defendant have to file an answer to a complaint?

What is a legal separation?

What does legal custody mean?

What does shared custody mean?

What are the two kinds of spousal support?

What is a Qualified Domestic Relations Order (QDRO)?

What is the difference between child support orders issued by the court and child support orders issued by the court?

How do you change a custody order?

### Website Questions - 3

What form does someone file if he/she wants to request a filing fee waiver because they don't have the money?

What is unbundled legal services?

What are the 3 steps for dealing with a couple's property and debt in a divorce case?

What is the difference between a divorce case and a dissolution case?

What does a custody order include?

Can the court divide the property and debt of unmarried parents in a custody case?

What is a default?

How long does spousal support last?

What are the steps in motion practice?

What are the names of the 2 documents that are issued at the end of a divorce or custody case?

## Website Questions – 4

What is the difference between a civil case and a criminal case?

What are the different court levels in the Alaska Court System?

If someone wants to look up their trial court case on the internet, how do they do that search?

If someone wants to get a domestic violence protective order, what form should he/she fill out?

How long does a long-term protective order last?

Are there any free lawyers available to poor people?

How does someone starting their case serve the complaint on the opposing party?

What do you fill out to show the court you served the opposing party with a copy of the document you filed in court?

How much time does someone have to file an opposition to a motion?

What is a trial brief?

## Website Questions – 5

What can someone file if he/she wants the court to issue an order before a final judgment or order is entered?

What form is useful to list out a married couple's property and debt?

What is an example of a change of circumstances needed to modify a custody order?

What kind of change is needed to modify a child support order?

What is mediation?

What forms can a married couple file if they want to end their marriage and agree on all of the issues (custody, visitation, property and debt division)?

What is a judgment?

What is the residency requirement to file a divorce case?

How much time does a child need to be in Alaska before the court has jurisdiction (decision-making authority) over the child?

What does the defendant file after receiving the plaintiff's complaint for divorce or custody?

## Website Questions – 6

What kind of adoption situations can we help callers with?

Is the discussion that happens in a mediation confidential?

Where would you suggest that a caller go to find an attorney that does unbundled legal services?

What is the presumption about the paternity of a child born during marriage?

If the parents agree that they don't want the court to issue a child support order, will the court not order child support?

What is the calculation for a primary custody arrangement for 2 children?

What is an "affidavit"?

What is three steps in motion practice?

What is a "settlement conference"?

How many days do you have to file an objection if you disagree with how the opposing party wrote up the final documents?

## Website Questions – 7

What does “venue” mean?

In which part of the answer form does the defendant state what they want to happen in the case?

What is the easiest way to serve someone in a foreign country?

Why would someone register a court order issued by another court outside of Alaska?

Is there any advantage to starting the case compared the person answering the complaint?

Can someone file to end their marriage if he/she doesn't know where their spouse is located?

What does the Servicemember's Civil Relief Act say about whether a military service member be defaulted in a divorce or custody case?

Does common law marriage exist in Alaska?

Who is responsible to make an “objection” during a hearing or trial if inadmissible or irrelevant evidence is being introduced?

Can someone get an annulment in Alaska?

### Scenario 1:

Your caller is an unmarried mother of a 2 and 5 year old. She is no longer in a relationship with the children's father. She doesn't have a court case but wants the children's father to pay child support. What are her options?

### Scenario 2:

You caller is a man who wants to end his 7 year marriage. He and his wife have one 16 year old son. He wants to do a week on week off parenting schedule and share decision making with the mother. The couple has a marital home that he wants to sell, he has a retirement account that he thinks he should keep, they have \$2000 in a bank account that he thinks they should split, and \$10,000 in medical bills that his wife incurred from a recent surgery and she has a \$25,000 student loan. What are his options?

### Scenario 3:

Caller is a woman who is a victim of domestic violence from her husband who is in the military. She says she is scared of him because he has threatened her and has many guns. She says he will kill her if she doesn't do what he says about letting him have everything in the divorce and full custody of their twin sons. What are her options?

### Scenario 4:

Your caller is the mother of her adult son who has had a long drawn out custody case with his ex-wife. Grandma is helping him do the paperwork because he wants to change their current parenting arrangement because she thinks it is not fair that he only sees his three kids every other weekend for one overnight. She is also concerned that the mother's new boyfriend is a registered sex offender and wants to make sure the kids are protected. How do you help her?

### Scenario 5:

Your caller is a mother who is mad that her ex-husband refuses to pay his 50% share for their daughter's uncovered medical bills that currently amount to \$2,400. Their divorce decree and final paperwork require that the parents split the uncovered medical bills. What are her options?

### Scenario 6:

Your caller is the husband who had a divorce case six months ago. The judge had ordered the wife to refinance the marital home which was in both spouse's names to get it only in her name. The judge also had ordered the wife to make the mortgage payments. She failed to refinance it and didn't make any mortgage payments so now the husband learned the bank is planning to foreclose on the property in the next month. What are her options?

## Scenarios – Part 2:

1. Wife and Husband are in the middle of a divorce case. She wants the court to award her the 1 car that they own because she wants to get a job and needs transportation. Husband has a job and walks to work. Wife calls and during the call, she mentions they are considering filing for bankruptcy because they have so much debt, they feel like they will never be able to pay it off. What would you discuss with Wife?

2. Mother and Father have 2 children. They did a dissolution case three years ago and agreed to a parenting plan of week on, week off with each parent. Father is moving to Washington for a new job. He calls you to ask how to change the parenting plan so he can take the kids with him and enroll them in school in Washington? What would you discuss with Father?

3. Grandma calls. She is concerned about her 4 year old grandson who is living primarily with his mother who is divorced from Grandma's son. She is worried that mother's new boyfriend is possibly abusing the grandson because Grandma saw bruises on his back when he was visiting with her last weekend. Grandma also thinks the mother drinks too much so is thinking whether she should try to get custody of the grandson. What would you discuss with Grandma?

4. A man calls and complains that he pays too much child support so he wants to terminate his parental rights. What would you discuss with him?

5. A man calls and complains that he owes \$85,000 in back child support and that he will never be able to pay the debt. He wants the court to reduce the arrears. What would you discuss with him?

6. A woman calls because she wants to get a divorce from her husband. After asking her how many children she has, she states 2 children. You ask her whether her husband is the father of both kids and she says no, just the older child and her boyfriend is the father of the younger child. What issue jumps out that you would discuss with her?

7. A man calls about ending his marriage. He is concerned because he has a chronic illness and is on his wife's health insurance. He states that he and the wife get along well and she would keep him on the insurance if she could. What do you discuss with him?

8. A woman calls because she is in the middle of a divorce case from a man she married 14 years ago. Her husband is in the Air Force and has been for the last 12 years. She is wondering what type of issues the judge will look at in dividing their marital property and debt. What do you discuss with her?

9. A man calls who has been cohabitating with a woman for the last seven years. They own a home together, have 2 small children, each have a retirement account through

their jobs, each have a car and they both paid for household furniture and items in the house. They broke up and he is living on his friend's couch while he and his girlfriend try to figure out how to divide their stuff and parent their kids. What do you discuss with him?

10. A woman has three children with her husband whom she is divorcing. They agree that they will each have one child live with each parent and will share custody of the youngest child with that child living with Mother Monday – Friday and with Father Friday to Monday. She works as a personal care attendant, making \$15/hour, 30 hours/week. Father works as a carpenter and makes \$20/hour, 40 hours/week. He pays \$12/month union dues. He pays \$42/month extra for health insurance which covers his family. He pays \$146/month to cover just himself. Mother calls with two problems:

(1) She doesn't understand how to fill out the DR-305, Child Support Guidelines Affidavit form.

(2) She need help figuring out what the child support order will be.

Please explain how to address Nos. 1 and 2 above.

### Scenarios - 3

1. Your caller is the mother of a 4-year old child who tells you that the father of her child unexpectedly died. He is not on the birth certificate. The caller is interested in getting children's insurance benefits through Social Security for her child. What would you discuss?

2. Your caller is married to a woman with a 7-year old child. She was pregnant when they got married and they knew it was not his child. However, they were in love so when the baby was born, the couple agreed to put the husband's name on the birth certificate. The couple is now divorcing and he doesn't want to pay child support for a child that is not his. What would you discuss with him?

3. Your caller has two children with his ex-wife. Their parenting plan states that the kids are with each parent on a week on / week off schedule. According to that schedule Dad was supposed to pay Mom \$400/month of child support. At the end of the school year in 2013, mother was having a hard time with their teen-aged son and he went to live with Dad for the summer and then they agreed he would stay for the school year. Since Dad had the son full time since then, he reduced his child support amount to \$200, figuring that it made sense to cut it in half since each parent had 1 child in their house. Mom recently lost her job and went on public assistance. CSSD just started garnishing extra money from Dad's paycheck for the child support arrears he wasn't paying. He doesn't want to pay the extra support because it is too much and not fair. What do you discuss with Dad?

4. Your caller is the father in a divorce with children case that happened in Washington in 2009. The court order from Washington that says the child comes to Alaska for summer parenting time with Mother who lives in Palmer and returns to Seattle to live with Dad during the school year. The exchange is supposed to happen by August 15 and it is now August 16 and Mother is refusing to return the child to Washington, stating the child wants to stay in Alaska and live with her now. Dad wants to get the child back and is panicked because school starts soon. What do you discuss with Dad?

5. Your caller is a military spouse whose husband has had a 21 year career with the Air Force. They have 3 children together. Mother is a stay at home parent who takes care of the kids and house. Father has had three deployments in the last 7 years. They are now splitting up and agree that they will share custody of the children. Regarding the property, he'll keep the house and mortgage and she is going to move in with her sister's family. He'll keep his military retirement. They will each keep their own car (she has a 2000 Subaru and he has a 2012 F-250). They agree to split the household goods. They have 3 credit cards, each with \$3000 debt. He'll pay off one card but she is responsible for 2, they reason that she is the one that spent a lot when he was deployed. She wants to know what they should file?

6. Your caller is a man who got a dissolution in Fairbanks 10 months ago. In the agreement, the couple agreed that wife would refinance the marital home that was in

both of their names and be responsible for the continuing mortgage payments. Turns out she could not get the bank to refinance the mortgage into her name and she lost her job so couldn't make the monthly payments. Now the house is about to go into foreclosure. The caller is very concerned because his name is on the mortgage and he wants to protect his credit. What do you discuss with him?

7. Your caller is suspicious that her child's mother makes more money than she reported on his DR-305 Child Support Guidelines Affidavit. He knows she recently bought a fancy car and has seen photos from an trip to Las Vegas that she posted on her Facebook page. He wants to know how to find out what her sources of income area and how to let the court know she makes more money but is hiding it to avoid paying extra child support. What do you discuss with him?

8. In the divorce case, your caller received an order stating that the other spouse was to pay her \$20,000 as an equalizing payment in the property division by 60 days. It is now 90 days and the husband never paid the wife and in fact told his best friend that he would never pay her another dime. The ex-wife now calls you to ask how to get the money. What do you discuss?

9. A caller recently had a divorce trial at which the judge said that he was dividing the wife's military retirement pension 50-50 and told the wife she needed to get a QDRO prepared before the judge would finalize the divorce. She is now calling you to ask for help with the QDRO. What do you discuss?

10. A caller needs help with a child support calculation. The parenting schedule is 2 weeks on / 2 weeks off during the school year in Bethel, but during the summer starting one week after school ends and one week before it starts again, their child lives with Mother at her family's fish camp in western Alaska. Father makes \$85,000 / year on the slope, pays \$24 per pay check for union dues, contributes \$4200/year to his 401(k) plan; Mother makes \$35,000 as a health aide. Father has medical insurance available for the child that costs \$200 (he pays \$82/month to cover his new wife, new baby and child in this case). What would you discuss with Dad?

## Scenarios 4

1. Grandma calls because she is caring for her grandson. His mother is homeless and an alcoholic. His father is in jail. She wants to register the child for school and be able to get him medical treatment. She wants to know what steps she needs to take. What do you discuss with her?
2. A woman calls from Ketchikan who is very fearful of her husband because he told her when he gets home from work at the mine on Wednesday, he will kill her because he thinks she is having an affair. They have a child together. She doesn't work and have any access to money. She has no friends or family in the area. What do you discuss with her?
3. A man who lives in Juneau calls and wants a divorce from his wife. They married in 2001 but they separated in 2006 and he hasn't seen her since. They have no kids or property. He doesn't know where she lives. He knows how to get in touch with her sister who lives in Seattle. What do you discuss with him?
4. A man who lives in Fairbanks calls and wants a divorce from his wife. They have been separated for the last 2 years. They have 2 kids who have been living with him. They have a marital home and he has a retirement account. He has no contact info for the wife but believes she is homeless in Anchorage. What do you discuss with him?
5. A woman calls who wants a custody order for her 4 year old son. The dad is in jail at Lemon Creek in Juneau. He will be incarcerated for the next 6 years. What do you discuss with her?
6. A man calls who filed a divorce with children case against his wife. He served her by a process server 45 days ago. She has not filed an answer. What do you discuss with him?
7. Both parents call together because they want a custody order for their 6 year old daughter. They want to work together to figure out a parenting plan. What do you discuss with them?
8. A mother calls because there is a custody case going on but her father suddenly passed away so she wants to take the 12 year old son to the funeral in California. However, the child's father won't give permission to take the son. She is concerned about violating the standing order and doesn't want to get in trouble with the court but wants to have the son at his grandfather's funeral. What do you discuss with her?
9. A woman calls because she received divorce papers from her husband and he has an attorney representing him. She disagrees with what he said in the complaint because he asked for sole legal and primary physical custody of their 3 young children but he has never taken care of them. She also disagrees with his statement about the property division because he says there is nothing to divide but she says there is a

house, cars, bank accounts, retirement and credit card bills. What do you discuss with her?

10. A man wants help figuring out his child support for his 2 year old daughter. The mom will have primary custody so he is willing to pay his fair share. He has a new job so only has 3 pay stubs for 2 week pay periods. He works different hours with overtime sometimes. His first pay stub shows he made \$14/hour for 40 hours and \$21/hour for 12 hours OT. His second stub shows \$14/hour for 40 hours and \$21/hour for 2 hours OT. His third pay stub shows \$14/hour for 40 hours and 6 hours OT. He doesn't pay union dues. He is putting away retirement of \$50/month. He mentions he has an older child living with him half-time. He pays \$120/mo for health insurance that covers his 2 kids and his new wife and himself. What do you discuss with him and what is the child support amount?

## Scenarios 5

1. Your caller served her husband with a complaint for divorce and she got the green card back. She talked to her friend who thought she was crazy that she wasn't requesting half of his military retirement because they had been married for 17 years and she had been a stay at home Mom during all of his deployments. Now that she has thought more about it, she agrees with her friend and she wants what she thinks is rightfully hers – ½ of his retirement. What do you discuss with her?

2. Your caller is a man who recently got his final divorce paperwork. He is really mad because he thinks the judge didn't listen to his side of the story and gave the wife too much of their property and he got too much of the debt. What do you discuss with him?

3. Your caller recently joined the military and has to go to basic training in Georgia for three months; she leaves in 6 weeks. She wants her parents to take care of her 8 year-old daughter and they live in Wasilla. She never filed a custody case against her daughter's father because they have gotten along ok and she has been able to have the daughter live with her no problem. Now that she's going to basic training and she's concerned that the father might want to have the daughter live with him but he drinks too much and lives in a one bedroom apartment with his girlfriend so there is no room for the daughter to have her own space. What do you discuss with her?

4. Your caller just split up with her long-time boyfriend of 12 years. They have 2 kids - 5 and 7 years old and own a home, 2 cars and household goods together. She states, however, that the home is only in the boyfriend's name because when they bought it, she had bad credit and couldn't qualify for a mortgage so they put it in his name. They each have student loans and credit card debts from the relationship. She wants to make sure she protects her interest and gets ½ of everything. She thinks he is a good Dad so wants to do a shared parenting arrangement with him. What do you discuss with her?

5. Your caller married a woman after knowing her for just 2 days. He now regrets it and wants an annulment? What do you discuss with him?

6. Your caller is the step-dad to a 12-year old girl that he has helped raise since she was 1 ½ years old in Fairbanks. He and his wife have been getting along badly for a while now and counseling hasn't helped. He is concerned that his wife is unstable because she has been lashing out at the daughter. He wants out of the relationship but wants to continue to spend time with the daughter, especially if the wife and the daughter's relationship gets worse. The bio Dad has not been involved in the daughter's life, although he lives in Ketchikan. What do you discuss with him?

7. Your caller is suspicious that his 4 year-old son is not really his child. The child doesn't look like him and he was in jail some parts of the year before his child was born so his ex-girlfriend could have been messing around on him. Nobody has filed anything

because they just split up but he doesn't want to pay child support for a kid that isn't his. What do you discuss with him?

8. Your caller received divorce papers from his wife. He lives in Florida and has never been to Alaska. The wife just came to Alaska with their 3 year old daughter. They own a home in Florida. He doesn't want to do the case in Alaska and thinks it should be in Florida. What do you discuss with him?

9. Your caller got divorced in Kenai 4 months ago. She kept her married name, but now she decided she wants to take back her maiden name. She asks how to do this. What do you discuss with her?

10. Your caller recently changed jobs so he wants his child support reduced. He was ordered to pay \$200/mo in a primary custody calculation. He had been making \$18/hour working at Fed Ex in the warehouse but he lost that job. Now the best job he can get pays \$15/hour changing tires at a tire shop. He doesn't have health insurance for the child who is on Denali KidCare, doesn't pay union dues and doesn't pay toward retirement. What do you discuss with him?

**Family Law Education Class  
(FLEC)  
Exhibit B**

**Family Law Education Class**

Presented by  
the Alaska Court System's  
Family Law Self-Help Center

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**Welcome to the Family Law Education Class**

- Please silence cell phones and pagers
- No food or drinks except for water
- No sleeping during class
- No kissing or snuggling up to significant others
- Please leave children home
- Do not bring friends or significant others unless you need them to help you understand or fill out forms
  - Anybody who comes with you must follow these rules or will be told to leave

5/2/2017

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**Purpose of Class**

- This introductory slide show will teach you
  - the basics about court procedure
  - the REQUIREMENTS to complete your case
  - how mediation, negotiation or settlement might streamline your case
- We provide legal information, not legal advice
- Only an attorney representing you can provide advice on strategy or interpret laws affecting your case
- Conversations with us are not confidential

5/2/2017

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**Keep Your Eyes on the Ball**

- CUSTODY CASE
  - Custody and Visitation Plan
  - Child Support
  - Paternity (if necessary)
- DIVORCE CASE
  - Ends the marriage
  - Divides the property (assets and debts)
  - Restores a former name if requested
  - And if there are children, decides a parenting plan and support amount & possibly paternity

5/2/2017

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**Know What Your Standing Order Says**

- When you filed your case, or when you were served with the complaint, you also received an order from the court, which set out some basic rules
- It is called the Domestic Relations Initial Order & Order to File Financial Documents (also called "Standing Order")
- According to this Order
  - You cannot remove your children from the state of Alaska without the other parent's agreement or the court's permission
  - You cannot sell or dispose of marital property without your spouse's agreement or the court's permission
  - There is more -- READ IT CAREFULLY & UNDERSTAND IT!
- Violating this order is very serious -- don't do it!
- [Video 1 Standing Orders \(3:23\)](#)

5/2/2017

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**Where to Find the Laws About Divorce and Child Custody**

- Title 25 of the Alaska Statutes
- Civil Rules of Court ([www.courts.alaska.gov/civ.htm](http://www.courts.alaska.gov/civ.htm))
- Decisions issued by the Alaska Supreme Court
  - Reporters
  - Internet
  - Summarized in both the statute and rules books

5/2/2017

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### Understand the Roles

**You**

- You decide what you and the other person can agree on and what the court needs to decide
- It is a party-propelled process you are responsible for your case, which can move very quickly if you want

**The Judge**

- The Judge decides issues that the parties cannot agree on
- The Judge reviews agreements to see whether they provide for a "fair and equitable" division of property and/or are in the "best interests" of the children

5/2/2017

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### Keep Your Case Moving

- Figure out what the two of you can resolve
  - on your own
  - with the help of a mediator - "subaction" ([www.courtselfhelp.com](http://www.courtselfhelp.com))
  - with the help of a settlement Judge
    - Settlement Conferences available at your request
      - Call Judge's chambers
      - Submit forms - Joint Motion for Settlement Conference ([www.courtselfhelp.com](http://www.courtselfhelp.com))
- The Judge will decide the things you have not been able to resolve between yourselves
- Remember the purpose of all pre-trial activity is to **narrow** and **identify** the issues
- [Video 2: Resolution options \(7:00\)](#) \*\*\*

5/2/2017

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### Timeline or Roadmap

- 1-2 months after the Answer is filed you'll be ordered to meet with the Judge
  - Select a trial date and other deadlines
  - Judge will mail a scheduling order with deadlines after meeting
- The Judge will ask about the following:
  - Discovery Civil Rule 26.1
  - Mediation and / or Settlement Conference
  - Custody Investigator & Guardian ad Litem
  - Interim Motions - do you need any temporary orders before trial?

5/2/2017

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### What is Discovery?

- Discovery is the legal word used to refer to the process of finding out (or discovering) facts from the other side that are necessary for your case.
  - See generally Civil Rules 26 –37
- In divorce cases, there is a special discovery and disclosure rule (CR 26 1) that streamlines the process for people to get information.
- Video 3 Disclosure and Discovery (4:26) \*\*\*

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### Civil Rule 26.1: Getting the Details about the Marital Property

- Civil Rule 26 1 requires you to tell the other side about your finances and property AND to give them permission to talk to your bank, employer or plan administrator
- You must exchange the information and give releases to the other side within 45 days of the *Answer* being filed
- You may use this disclosure form
- If the other person does not give you the information, you may file a *Motion to Compel Disclosure*

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### Dividing Marital Property & Debt

- Once you know the details about the marital property, you are ready to propose a division of that property
- Follow this 3-step process
  - 1) Identify the property & debt (what is there and is it marital?)
  - 2) Value the property & debt (fair market value at time of trial)
  - 3) Propose a fair and equitable division of property & debt
- Judgment for Property AS 25 24 160
- Use the Property & Debt Worksheet
- See FLSHC website for more information www.courts.alaska.gov/property.htm
- Video 4 Marital Property and Debt (5:31)

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### Custody and Visitation Plan

- Make a Custody & Visitation Plan (Parenting Plan)  
*What works for your family and situation?*
  - Legal Custody (decision making)
  - Physical Custody (where the children live)
- This plan must be in the children's
  - "Best Interests"
    - The statute, AS 25 24 150 defines what the best interests factors are
    - The Best Interests Affidavit, SHC 1125, allows you to address each factor with respect to your custody and visitation plan
- See our parenting and custody page for more information  
[www.courts.alaska.gov/shcparenting.htm](http://www.courts.alaska.gov/shcparenting.htm).
- Video 5: Custody and Visitation Plans (8:05)

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### Review

- What are you preparing?
  - If married: Plan for Dividing Marital Property
    - Civil Rule 26 1
    - Property & Debt Worksheet
  - If have children
    - Custody and Visitation Plan
    - Best Interests Affidavit
    - Financial information for child support
- What if you need an order from the Judge before your trial?
  - You file a *motion*

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### How Motions Work: see details at: [www.courts.alaska.gov/motions.htm](http://www.courts.alaska.gov/motions.htm)

- Motion, Affidavit & Order
- Opposition, Affidavit & Order
- Reply

} 10 days  
} 5 days

Must serve the other party by 1st class mail or hand delivery AND

Fill out the *certificate of service* stating that this has happened. Be sure to include the date, name of party and your signature

Usually, the Judge will not even read a motion until all the papers are in and the timeline has run

- Video 6: Motions Part 1 (5:45) \*\*\*

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### Sample Motion Forms

- Sample Motion for Return of Boat
- Sample Affidavit for Return of Boat
- Sample proposed Order for Return of Boat

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### Certificate of Service

It is found at the end of most forms (see example below) or you can use a separate form

**Certificate of Service**  
I certify that on 6/05/10, a copy of this Motion, Affidavit & Proposed Order were mailed / hand delivered to  
Opposing Party John Doe  
Opposing Lawyer \_\_\_\_\_  
AG \_\_\_\_\_ CI \_\_\_\_\_  
Your signature Jane Doe

For more information about serving someone and the Certificate of Service form, see [www.courts.alaska.gov/serve.htm](http://www.courts.alaska.gov/serve.htm)

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### Serving the Opposing Party & Certificate of Service

- You must give a copy of EVERY document you file in court to the opposing party (or their attorney if represented) – this is called "serving" the other side
- File a Certificate of Service at the court, stating
  - How you gave a copy to the opposing party
    - 1<sup>st</sup> class US mail or hand delivery
  - What documents you gave them – list all
  - When you mailed or hand-delivered them –state date
  - Where you gave them – provide address
  - With your signature

Video / Service (6.12)

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**Motion for Interim/Temporary Orders**

- Motion for Interim/Temporary Order
  - If things are very unsettled between the two of you, you may need an interim or temporary order while you are waiting for trial
    - Custody, visitation & child support
    - Attorney Fees
    - Spousal Support (if you are married to the other party)
    - Other?
- Use only if you really need it, generally it is best to put your energy towards getting a final order
- See [www.courts.alaska.gov/motions.htm#1g](http://www.courts.alaska.gov/motions.htm#1g)
- Video @ Spousal Support (3:08)

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**Motion for Custody Investigator (CI) or Guardian Ad Litem (GAL)**

- Parties may file a motion or the Judge may decide to appoint a CI or GAL to assist in determining what plan is in the child(ren)'s best interests
  - Usually when things between the parents are very volatile and very serious accusations are being hurled back and forth
- The CI is the Judge's expert witness who prepares a report about the child and parents, recommending a specific parenting plan
- The GAL is a party to the case and actively represents a child's interests in the case GALs are appointed rarely and usually only when serious allegations of abuse occur or the parents are limited in their ability to advocate for their children

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**Review: Timeline or Roadmap**

*1-2 months after the Answer is filed you'll be ordered to meet with the Judge to select a trial date and discuss how you'll proceed*

- Finish discovery / Civil Rule 26.1
- Mediation and / or Settlement Conference
- Custody Investigator & Guardian ad Litem
- Interim Motions

*3 - 15 months after the first meeting, you'll have your final hearing or trial. The following documents will be due before that date*

- Trial Brief, Witness Lists & Exhibit Lists
- Final Child Support Affidavit

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### Hearings and Trial

- If your case does not resolve by agreement (mediation or settlement conference), you will need a trial for the judge to decide the issues. Court will send an order setting a trial date and giving you deadlines to file the following
  - Witness List
  - Exhibit List (exchange with opposing party only)
  - Trial and/or Settlement Conference Briefs
    - Property & Debt Worksheet
    - Custody and Visitation Plan & Best Interests Affidavit
    - Final Child Support Affidavit

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### How the Final Hearing or Trial Works

- You may get a last chance at settlement
- Choose trial type – informal trial or formal trial. See <http://courts.alaska.gov/shc/trial.htm>
- Each party presents his or her case
- The Judge will focus on the things the two of you could not reach agreement on
- After hearing all of the evidence and legal argument, the Judge will issue a decision "on record" or take it "under advisement"
- Learn more [www.courts.alaska.gov/shc/trial.htm](http://www.courts.alaska.gov/shc/trial.htm) or attend a Hearing and Trial Preparation Class

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### Hearings & Trial Preparation Class

- #1 complaint judges have is people aren't prepared
- Hearing & Trial Preparation Class (1 Friday / mo at 9 am)
  - The difference between informal and formal trials
  - What to expect at hearing or trial
  - What the judge expects from the parties
  - How to organize your testimony
  - How to select, prepare and introduce exhibits
  - How to select, prepare and question witnesses (formal trials)
  - How to make objections (formal trials)
- Fill out Data Sheet, page 2 to let us know how to notify you about upcoming Hearing & Trial Preparation Classes
- Take green flyer with class schedule and information
- Visit our website [www.courts.alaska.gov/clinics.htm#2](http://www.courts.alaska.gov/clinics.htm#2)
- Watch [Hearing and Trial Preparation videos](#)

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### Review: Timeline or Roadmap

**1-2 months after the Answer is filed, meet with the Judge to select a trial date and discuss how you'll proceed**

- Finish discovery / Civil Rule 26.1
- Mediation and / or Settlement Conference
- Custody Investigator & Guardian ad Litem
- Interim Motions

**3 - 15 months after the first meeting, have your final hearing or trial. The following documents will be due before that date**

- Trial Brief, Witness Lists & Exhibit Lists
- Final Child Support Affidavit

After the final hearing or trial, you may need to file the following documents to close the case and finalize the Judge's decisions

- Findings of Fact and Conclusions of Law
- Final Decree
- Child Support Order

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### Finishing the case

- The case is not over until the Judge has signed the final documents ([www.courts.alaska.gov/shc/finish.htm](http://www.courts.alaska.gov/shc/finish.htm))
  - Findings of Fact and Conclusion of Law
  - Decree of Divorce/Custody
  - Child Support Order
- The Judge may assign the job of writing these up to one side (common if someone is represented by an attorney)
  - Make sure you understand who is supposed to write them up
  - When you get your copies, remember it is your responsibility to review them for accuracy
  - If you think the document says something different than what the Judge ruled, you have 5 days to object. Use the *Civil Rule 78 Objection Form\_SHC-1635* to do this. Review log notes or audio recording of hearing to clarify oral orders ([www.courts.alaska.gov/shc/objc-1635.doc](http://www.courts.alaska.gov/shc/objc-1635.doc))

Video 9 Writing Up Court Orders (1,2) \*\*\*

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### What About Child Support?

- There are federal and state laws that require child support
  - Civil Rule 90.3
  - See [www.courts.alaska.gov/support.htm](http://www.courts.alaska.gov/support.htm) for detailed information
- Child support is not optional
- Child support cannot be waived
- Children are entitled to support

Video 10 Child Support (9,25)

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**What about CSSD?**

Main job is to

- Collect
- Enforce

They can also

- Establish
- Review

*CSSD is not automatically involved in your case unless a public benefit is being received  
Usually, one party must apply for services*

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**The difference between a CSSD Order and Court Child Support Order**

- CSSD Orders are issued as part of an administrative process outside of court
- Court Child Support Orders are issued as part of a custody, divorce or dissolution case.
- Court Orders ALWAYS take precedence over CSSD Orders

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**Accessing Court On-Line Information**

- To View Your Case On-Line
  - [www.courtrecords.alaska.gov/](http://www.courtrecords.alaska.gov/)
    - Enter Case Number or Name and click "Search"
    - "Events" for hearing information
    - "Dockets" for papers filed
- To View Court Calendars On-Line
  - [www.courts.alaska.gov/tralcts.htm#cal](http://www.courts.alaska.gov/tralcts.htm#cal)
    - Click on "Superior Court"

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### Where Can You Get More Help?

- Family Law Self-Help Center
  - Web page [www.courts.alaska.gov/pllfcr/j.htm](http://www.courts.alaska.gov/pllfcr/j.htm)
  - Helpline @ 264-0851 or 866-279-0851 (from an Alaska-based number that is outside of Anchorage) Monday - Thursday, 7:30 am - 6 pm
  - we do NOT meet with people in the office - ONLY ON PHONE
- Private Attorney
  - How to Find One - see [www.courts.alaska.gov/pllfcr/lawyer.htm](http://www.courts.alaska.gov/pllfcr/lawyer.htm)
    - Word of Mouth
    - Unbundled List from AF Bar Association
    - Yellow Pages
    - Lawyer Referral Line - (907) 272-0352 / (800) 770-6399
  - Types of Representation
    - Full Representation
    - Unbundled Services - limited representation, drafting forms or giving you advice to represent yourself - "pay as you go"
- The Internet, your local bookstore or law library

• Video 11 [Getting Legal Advice \(2:25\)](#)

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### Video Links

- Video 1 [www.youtube.com/watch?v=CX-yyDrzdQ](http://www.youtube.com/watch?v=CX-yyDrzdQ)
- Video 2 [www.youtube.com/watch?v=4EuW9HET3nM](http://www.youtube.com/watch?v=4EuW9HET3nM)
- Video 3 [www.youtube.com/watch?v=q0jBvAAq20](http://www.youtube.com/watch?v=q0jBvAAq20)
- Video 4 [www.youtube.com/watch?v=PTofFwVSY-o](http://www.youtube.com/watch?v=PTofFwVSY-o)
- Video 5 [www.youtube.com/watch?v=ZO9icd1fSQ](http://www.youtube.com/watch?v=ZO9icd1fSQ)
- Video 6 [www.youtube.com/watch?v=2irmxT0\\_QEA](http://www.youtube.com/watch?v=2irmxT0_QEA)
- Video 7 [www.youtube.com/watch?v=8K-xQnZGjwM](http://www.youtube.com/watch?v=8K-xQnZGjwM)
- Video 8 [www.youtube.com/watch?v=EIV62Tq9jM](http://www.youtube.com/watch?v=EIV62Tq9jM)
- Video 9 [www.youtube.com/watch?v=110Bik-BH8c](http://www.youtube.com/watch?v=110Bik-BH8c)
- Video 10 [www.youtube.com/watch?v=m4japz01njg](http://www.youtube.com/watch?v=m4japz01njg)
- Video 11 [www.youtube.com/watch?v=COWcZacqOaA](http://www.youtube.com/watch?v=COWcZacqOaA)
- Hearing and Trial Preparation videos  
[www.youtube.com/playlist?list=PL82589B66ED712B4B](http://www.youtube.com/playlist?list=PL82589B66ED712B4B)

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## REMOTE SERVICES DELIVERY SURVEY

Date: July 17, 2018

Program Location: Chico, California

Contact Name: Melanie Snider, Director, [msnider@buttecourt.ca.gov](mailto:msnider@buttecourt.ca.gov), 530-532-7166

Website: [sharpcourts.org](http://sharpcourts.org)

SFLAC site visitor: Stephen Adams

### SHARPCOURTS

2018-07-22 2018-07-22 1355

Report on personal all-day visit to SHARP in Chico, California, on July 17, 2018 by Stephen Adams:

SHARP is an acronym for Self-Help and Referral Program, offered by the Family Law Facilitator's (FLF) office of the Butte County (California) Superior Court. Their comprehensive website is [sharpcourts.org](http://sharpcourts.org). The director is Melanie Snider, a California attorney, who previously practiced family law. [msnider@buttecourt.ca.gov](mailto:msnider@buttecourt.ca.gov), 530-532-7166.

### SOURCE OF FUNDING:

The California legislature's \$25m Innovation grant, of which a significant share is to the Administrative Office of the Courts, which has funded SHARP as a model for eventual statewide release. SHARP is actively pursuing long-term funding, primarily by demonstrating cost savings to the court system over previous practices. It does not replace existing FLF services; it supplements them, while offering standalone services also.

### STRUCTURE:

A project of the Butte County FLF, housed in that office within that and other local courthouses, with a managing attorney director (the FLF), a data analyst/educator, and several non-attorney staff, plus interns from a local university.

### DATA COLLECTION AND ANALYSIS:

There is a separate position for design and supervision of a sophisticated and comprehensive website and for real-time analysis of customer data. The program considers this element to be one of the key elements for success, alongside a charismatic founder, high-speed internet, customer service by any means desired by individual customers, and outreach to new jurisdictions. One of its primary goals is to support via detailed data the contention that the program will save a court system money.

### MANUALS:

The program has very detailed manuals of internal procedure, policy and substantive information.

## PROTOCOLS:

The program does not screen or limit the type of initial customer. Where a direct service is not appropriate, the program makes extensive use of referrals to vetted community or online services. Most non-walkin contact is by prior appointment (in person or remote), but there are protocols for emergency service which can override the schedule.

## COORDINATION:

The program is an integral part of the court and of the FLF. It is physically adjacent to the clerks processing family law cases and has access to files. Callers include attorneys, paralegals and judicial officers. The local bar is very supportive.

## LOCATION:

All staff are within local courthouses. The program began in one county, but now serves in person a cohort of four counties at other courthouses. Nine more counties have begun to use its remote services and several others have expressed interest.

## WHY THERE?

The program's fundamental philosophy is that the customer must be served via the method the customer chooses. This is done whether face-to-face, by telephone, at a workshop, by Skype, FaceTime or Zoom, by chat, by email, webinars, or remotely processing forms online. The staff adapts to the customer's choice, and is cross-trained accordingly. There is training for county differences.

## PROGRAM MODEL:

The program emerged from the structure of the local FLF. It has borrowed from the successes and methods of Alaska, among others, but it does not limit its method of access as many other programs do. It envisions itself as having the eventual capacity to serve all 58 California counties.

## HOURS:

The office opens at 8:00. Customers are admitted at 8:30, take a number, and are served until the office closes at 5:00. No new numbers are distributed after 4:00. The program considers it important to serve every timely arrival, if only by making future appointments, appropriate referrals and provision of forms packets. The director personally steps in when needed.

## EQUIPMENT:

The program requires all counties to have excellent internet (1.5mb minimum). Zoom is the preferred software for the interactive, multicounty workshops.

## STARTUP CHALLENGES:

The program has found that other counties and their administrators and judicial officers must be individually shown via repeated visits the benefits of participation.

#### LEGAL STRUCTURE:

The program is explicit that it provides legal information, not legal advice. There is no confidentiality. It explains local county practices when necessary.

#### STAFF QUALIFICATION:

The program's senior management consists of two: one attorney and one IT/education specialist. Hiring focus is on customer service, with the "legal side" trained in house, rather than the reverse. Local law-student interns fill in.

#### TRAINING:

Ongoing and important. A comprehensive manual, plus cross-training on methods and close observation by managers.

#### HOW MANY STAFF?

About 7.

#### SCOPE OF SERVICES?

At intake, forms, instructions to complete them, legal information, and community referrals.

#### HOW ARE SERVICES DELIVERED?

Any medium the customer chooses (see above).

#### AREAS OF LAW ADDRESSED OR SPECIFICALLY NOT ADDRESSED?

Family law, including guardianships of the person, family-law trial advocacy, also unlawful detainer and small claims.

#### LANGUAGES:

Spanish is available immediately, often by a seamless remote connection from a participating county. Others are available with notice.

#### VOLUME?

The program began with 20/day. Now about 100 based on word-of-mouth recommendation.

#### AVERAGE TIME PER CLIENT CONTACT:

No arbitrary duration limits.

Workshops: 3 hours.

Telephone: 5 minutes, with unlimited callbacks (no messages or staff assignments).

Appointments: 20 minutes, with unlimited returns as forms are completed.

## WHAT ADVICE TO A NEW STARTUP?

Key: A charismatic and committed founder/leader.

Next: A specialized IT/education manager.

Begin locally, out of an existing FLF.

Then: High-speed internet. Customer-oriented and cross-trained staff. Comprehensive manuals. Offer all methods customers choose, including interactive multicounty workshops. Collect, analyze and use evaluations and feedback.

As multicounty rollout begins, vigorous, repeated inperson demonstrations to each county, backed by comprehensive data and analysis showing cost savings.

## DONE DIFFERENTLY?

Use Zoom, not PolyCom, for remote services.

## CURRENT CHALLENGES AND NEEDS?

Long-term funding, demonstrated by current success, shown by comprehensive data.

## COURT FLF SERVICES?

Yes, each and every county, funded whenever possible by 4-D sources. Interactive multicounty workshops are supplemented by local inperson FLF followup.

## CHILDCARE?

Children are discouraged and there is no child care, but the occasional child is tolerated, especially in emergencies.

## MEDIATION INTERFACE?

Each county has a separate mediation service and requirement. Services are cross-referred and are physically adjacent.

## NOTES:

SHARP is an outstanding program. My visit confirmed that it delivers on its founding principles and proves their worth. Remote workshops and local FLFs supplement each other. The two managers (law/IT) are a vital team. The two are ready to come to Oregon to present to us in person and later to advise our startup. They are very familiar with the needs of small counties and the local-variation issue.

After studying the website ([sharpcourts.org](http://sharpcourts.org)), the very best way for our subcommittee members to get a sense of its effectiveness is to participate in an interactive workshop. This is easy to do. Every Tuesday, from 9:30 to 12:30, the topic is guardianships of the person. Every Wednesday, from 9:00 to 10:00 child custody, 10:30-11:30 child support, 1:30-3:30 divorce.

To access from a computer or tablet go to [zoom.us/](https://zoom.us/), press "join a meeting" (you may need to download the app), and choose meeting # 968-838-4827, then disable your own microphone. You will see and hear the leader and all the customers, as well as the same screen and pointer that is viewed in each location.

No need to join at the start, but it helps. For help, call SHARP at 530-532-7186 (Melanie Snider) or 530-532-7218 (Wendy Trafton). Mention my name.

My bottom line: we could not do better than to replicate this excellent program. They are ready to come and help us to do that.

Stephen

# Remote Services Delivery Survey

Date: June 18, 2018

Program Location: Superior Court of California, County of Orange

Contact Name: Maria Livingston, Manager of Self-Help Services (SHS) and Family Law Facilitator

<b>Funding and Management</b>	
Source of funding?	<ol style="list-style-type: none"> <li>1. General Trial Court funding earmarked for Self-Help Services, CRC 10.960</li> <li>2. Statewide Competitive Innovation Grant.</li> <li>3. Additional funding budget by the Court-Over \$1,000,000 a year.</li> </ol>
Type of oversight?	<p>Self-Help Attys report to the manager and supervise the staff at the assigned Self-Help Center.</p> <p>Self-Help Center Manager/Family Law Facilitator is an attorney. Ms. Livingston reports to one of the Chief Deputies of Operations</p>
Reporting requirements? .	<p>They are part of Court Operations and as with all operations, they are quarterly, annual and ad hoc reports</p> <p>Also do reports for the statewide Judicial Council</p>
Operation guides or manuals?	Statewide Self-Help Guidelines document
Protocols (screening, triage)?	We have protocols for all interactions and we track using Microsoft Customer Relations Management (CRM) which has been customized for our use.
Coordination with other service providers (ie. Bar, Courts, Facilitators)?	The Self-Help Services Manager serves as the Court liaison with non-profit legal services provider, Bar and other Courts on issues related to Self-Help Services
<b>Location and Development</b>	
Location?	We currently have 5 locations. There was a steering committee that met for a year and developed a plan when the first manager was hired in 2008.

How was location selected?	The committee wanted Self-Help Centers at all Justice Centers. There is one justice center where we have temporarily ceased services due to budget reductions.
Program model?	In the process of a program review. Currently the program is staffed by attorneys who act as site supervisors, paralegals and clerical staff All are trained in the procedures of all case types.
Challenges when establishing the program?	Coverage has been an on-going issue. This is geographically a large urban county. Distance and traffic make coverage an issue. There are 22 staff providing Self-Help services.
Laws regarding services?	See California Rule of Court 10.960 Also, no legal advice may be provided by any court employees. We are neutrals providing procedural options.
<b>Staffing</b>	
Staff qualifications?	Manager must have at least 5 years experience as an attorney. Self-Help Attorneys need a minimum of 1 year. Paralegals need 1 year of experience. Most candidates have considerably more.
Staff training?	On-going. We close at noon quarterly for a 4 hour staff meeting which includes training from other operations.
How many staff?	Total of 27 but some are funded by another grant and that work is specific to child support, spousal support and health insurances issues. Most of the triage staff is promoted from within. They are coveted jobs within the Court. The court staff are union represented while the attorneys and paralegals are not, leads to some challenges but nothing that can't be overcome.
<b>Services</b>	
Scope of services?	They offer a continuum of services, remote, walk-in, document reviews, judicial referrals from courtrooms, support a number of Family Law self-help calendars , workshops in multiple languages
How are services delivered?	Remotely and in person. Manager and Senior Attorney also serve as FL Temporary Judges as needed for procedural calendars. Visit our website @ <a href="http://www.occourts.org/self-help">www.occourts.org/self-help</a>

Volume?	132,000 in person and over 120,000 remotely in 2017 FL assistance is provided at all SHCs. The SHC at Lamoreaux Justice Center where there are 17 FL courtrooms averages 200-300 walk-ins per day.
Hours?	Mon-Thurs 8-4 Fri – 8-3 Quarterly close at noon for staff meeting
<b>Qualitative Information</b>	
What advice would you provide a new program in its developmental stages?	Start your remote services by creating a great website. It will be static but you can post videos and provide a lot of information. Training for staff and collaboration with other units and the bench is essential Start with a program like SharePoint to collect data from day one.
In hindsight, what might be done differently?	Due to increasing staffing costs which have not been met by the grant, perhaps not expanding so quickly. Otherwise, it has been very successful.
Current challenges and/or needs?	We are excited about a Family Law texting project the SHS manager has done for a National Center for State Courts Fellowship. The pilot will be expanded to collect more data through a project with Stanford University School of Law & Design

### **SELF-HELP CENTERS SERVICES INCLUDE:**

- Workshops,
- How to booklets and form packets, and
- Public computers with access to legal websites and easy to use document preparation software and SmartForms.

### **SERVICES INCLUDE PROCEDURAL ASSISTANCE FOR:**

- Divorce, Legal Separation, Custody, Visitation Support,
- Establishing a legal parent relationship for a child/children when there is no marriage,
- Restraining Orders,
- Guardianship,
- Name Change,
- Landlord/Tenant (Eviction),
- Cleaning up your criminal record,
- Small Claims,
- Civil Lawsuits,
- Traffic Tickets,
- Conservatorships, and
- Adoptions.

Customers are assigned a court card that is scanned every time they use the center. This allows for statistics to be run on number of visits, length of time of visits. What services are being accessed at the center, Etc.

### **TRIAGE**

Triage customer service windows are open during work hours. These windows are staffed by court staff who are usually promoted from within. Unlike other programs that were visited, the managers in Orange County prefer to hire staff with court and/or legal experience and most are promoted from within the court system. The average length of time at a triage window is 3 minutes.

Triage staff provides and explain forms, refer to the domestic violence office, Refer to facilitators or paralegals, help with what is the next step. No charge for forms.

People come to the center with what kept them up last night, may be a problem, but not a court or legal problem. Triage staff are familiar with community resources and can direct them if needed.

## **FACILITATORS**

The Family Law Facilitator is an experienced Family Law attorney who works for the Superior Court.

The Office of the Family Law Facilitator is restricted to issues relating to child support. Assistance with the following:

- Prepare your paperwork to establish, modify or terminate child support
- Prepare your Answer to a DCSS complaint
- Prepare your Response to a DCSS Notice of Motion for Judgment
- Prepare your Motion and/or Request for Order or Response to establish, modify, or terminate a child support order, determine arrears, release your license
- Prepare your [Request for Order regarding Medical and Dental Reimbursement](#) (Accounting)
- Prepare your [Income and Expense Declaration](#) or Use a [Simple Guided Interview to complete the Income and Expense Declaration \(FL-150\)](#)
- Prepare your Request for Order to establish new custody and visitation orders
- Get information on outside resources for services we do not provide
- Get contact information for low cost attorneys, legal aid and low cost legal clinics

Services are offered in a group setting on a first come first served basis.

## **WORKSHOPS**

Workshops are offered for those who prefer receiving general information about the legal process and want to be assisted with preparing their case documents in a group setting. These workshops are presented by Self-Help attorneys or paralegals under attorney supervision.

### **Available Workshops**

#### **Divorce:**

- ["How to Start a Divorce Case" Flyer + Registration Forms](#)
- ["Como Iniciar un Caso de Divorcio" Volante + Formas de Registro](#)
- ["Huong Dan Dien Don Ly Di, Ly Than Hoac Huy Bo Hon Thu – Phan 1"](#)
- ["How to Respond to a Divorce Case" Flyer + Registration Forms](#)
- ["Como Responder a un Caso de Divorcio" Volante + Formas de Registro](#)
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#### **Parentage:**

- [How to Establish Parentage and/or Get Custody/Visitation Orders \(Unmarried Parents\)" Flyer + Registration Forms](#)
- ["Como Establecer la Relacion de Padre y/o Obtener Ordenes de Custodia/Visitacion \(Padres No Casados\)" Volante + Formas de Registro](#)

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### **Child Support:**

- "How to Prepare Court forms to Request a Hearing Regarding Accounting (Determination of Child Support/Spousal Support Arrears or Unreimbursed Expenses)"
- "How to Prepare an Answer to Complaint or Supplemental Complaint Regarding Parental Obligations (FL-610)"
- "How to Prepare a Request for Order to Establish or Modify Child Support, Spousal Support (When Child Support is also at Issue) Health Insurance & Child custody and/or Visitation (Support Only or Combination)"
- "How to Prepare any of the Following: A.) Answer to Complaint or Supplemental Complaint Regarding Parental Obligation (FL-610); B.) Responsive Declaration to Request for Order Child Support, Spousal Support (when child support is also at Issue), Health Insurance (FL-320); C.) Responsive to Governmental Notice of Motion (FL-685)"
- "Como Preparar: A.) La Respuesta A Una Demanda Y Citacion Judicial (FL-610); B.) La Respuesta A Una Orden De Presentar Motivos Justificativos Sobre El Establecimiento O Modificacion De Manutencion De Hijos, Manutencion De Convuge, O Seguro Medico (FL-320); C.) La Respuesta Al Aviso De Peticion Gubernamental (FL-685)"
- "Como Preparar Una Orden Para Presentar Motivos Justificativos Para Establecer O Modificara La Manutencion De Los HifosManutencion Del Conyuge Seguro Medico, Custodia O Visitacion (Combo Workshop)"
- "How to Prepare an Income Withholding Order for Support (IWO) (FL-195) (Child Support only or Child and Spousal Support)"
- "How to prepare a Request for Hearing to Set Aside Voluntary Declaration of Paternity (POP Set Aside)"

### **Child Custody and Visitation:**

- "How to File a Request for Order for Custody & Visitation"
- "Como Presentar Una Solicitud de Orden de Custodia & Visitas"

## COMMENTS

A robust web site is essential to a successful self-help center.

Develop one to two minute videos a month on a specific topic and post to YouTube.

Looking at on line classes, Facebook Live- that type of service takes a lot of time.

Provide telephone assistance, no option to leave a message. They would like to expand phone service into the evening-staff and cost issues.

Use law school students as interns. They learn the triage process, document procedures and under supervision can instruct a work shop.

84% of the family law cases are self-represented on at least one side.

Have good statistics and data gathering. "Data is money".

## Remote Services Delivery Survey

Date: June 7-8 2018

Program Location: Hennepin County, Minneapolis MN

Contact Name: Melissa Kantola: Manager SRL Program

PH: 612-596-8812      Email: Melissa.Kantola@courts.state.mn

OJD/SFLAC Visitor: Karrie McIntyre, Lane Circuit Court.

<b>Funding and Management</b>	
Source of funding?	MJB – General Budget funding, IOLTA Bar fees.
Type of oversight?	Within MJB as a separate agency/division. The state Court administrator’s office is organized into an Executive Office and six divisions. Melissa heads the Statewide Self-help and the 4 <sup>th</sup> District Self-Help.
Reporting requirements?	<p>They do collect data at the in-person facilities through Q-Flow and the newly implemented call center application and system they use. They also manually input information on a spreadsheet that is compiled and shared but they hope to get away from that with the new software.</p> <p>They are searching for ways to make their data collection meaningful.</p>
Operation guides or manuals?	<ul style="list-style-type: none"> <li>- They have training materials but are in the midst of reorganizing and gathering materials. This is a struggle because they prefer to promote from within so there is so much institutional knowledge that is hard to put into a training module.</li> <li>- They are working on standard templates to incorporate into email responses.</li> <li>- They meet/coordinate routinely within their units to share information and ideas.</li> <li>- They are interested in Utah theory of learn the resources, rules, protocols and then get pop quizzed but don’t think it’s practical.</li> <li>- They recognize their lack of formal policy and procedure as a weakness and urge us to consider clear guidelines on the outset of the project. (See Below for additional information on this.)</li> </ul>

<p>Protocols (screening, triage)?</p>	<p>Remote services calls come in on first come first serve for 4 active lines.</p> <p>In-Person facility has an intake desk who does initial questioning and queue.</p>
<p>Coordination with other service providers (ie. Bar, Courts, Facilitators)?</p>	<p>The remote delivery is on site court dedicated space with limited help to direct them to the computers and the help line. For remote services there is little interaction with the Bench since not “on-site” with the Courthouses. Any “partnerships or pairing with resources” are generally limited to online resources.</p> <p>Bar Volunteer Lawyer Network, Legal Aid and pro bono services for in person Self-Help Clinic.</p>
<p><b>Location and Development</b></p>	
<p>Location?</p>	<p>This is interesting - The Remote Services Statewide Call center for support (called “Statewide”) sprang from the metro center at 4<sup>th</sup> District - Hennepin County. First at Hennepin Government Center with 2 people onsite, then grew over time to 2 facilities in Hennepin (Gov’t Center Facility -with 5 staff (2 attorneys and 3 paralegal) and Family Law Facility with 8 staff (3 staff attorneys and 5 paralegals)) then “statewide” which is housed in Hennepin. Statewide is a call center with 3 staff attorneys and one paralegal. Only two other judicial districts offer in-person self-help, the rest offer a computer terminal and phone to reach the Statewide call line (aka the Bat phone.)</p>
<p>How was location selected?</p>	<p>Statewide ended up beginning and being housed in Minneapolis because that is where the experienced staff attorneys lived and were already working as former staff attorneys at the Hennepin In Person Self-Help Centers.</p>
<p>Program model?</p>	<p>Remotes services model was Alaska (and they think the world of Stacy Martz.) However, MJB feels strongly that in-person <b>and</b> remote delivery are important and intend to continue to have both available. Interestingly, many callers to Statewide were residents of districts that offered in-person self-help, like Hennepin County. Once initial questions were answered by phone, they were directed to the in-person facility for continued follow up like form review, legal clinic, and filing. Because they were able to get help on the phone first, they felt it lead to faster, more efficient use of time in-person.</p>

Program Hours?	In Person: 8-4pm. Statewide: 9-3:30 but this will be changing to 4:30 and this is something that the staff is concerned about for morale and burn out potential. The staff felt that the end of the day time to finish the data entry spreadsheet and confer with colleagues about the calls they received helped with morale and also helped to prep each other for future calls from people who were currently in the process.
Program Equipment?	Statewide just recently upgraded to “call center technology” which they view as critical and they had researched several models before settling on the one that they chose, because this system fields calls without constantly ringing through to everyone’s line and allows for statistical data gathering i.e. Number of calls, length of calls, and where the calls are coming from.
Challenges when establishing the program?	<ul style="list-style-type: none"> <li>- Budget/Fiscally who pays, where located, and how to incorporate the Statewide and in person staff</li> <li>- Lack of protocols and guidance, they felt they were making things up as they go</li> <li>- Scope of services</li> <li>- No formalized training</li> </ul>
Laws regarding services?	They are established by Court Rule 110. They provide legal information to both parties and no legal advice to either party. They felt they more liberally construe legal information vs. legal advice compared to some other states.
<b>Staffing</b>	
Staff qualifications?	<p>Staff Attorneys – generally they have worked in the Courts or with Legal Aid. Then they went to Self-help in person centers and are promoted from within. As an attorney they are sought after positions. The MJB is considering reclassifying them to be Legal professionals instead of lawyers but this a bone of contention right now.</p> <p>Paralegals – chosen for customer service skills and many are multi-lingual.</p>
Staff training?	On the job, most are well-versed in Self-Help from working at the in person center before rotating to Statewide Remote Services.
How many staff?	Statewide: 4 (three attorney and 1 paralegal) 4 <sup>th</sup> District In Person Center: 3 staff attorney and 5 paralegals (Family law) 4 <sup>th</sup> District In Person Center (General SRL) – 2 staff lawyers and 3 paralegals.
<b>Services</b>	

Scope of services?	<p>Self Help Center: In person, help with form selection, form review, scribing, delivery of packets, referral to legal help clinic</p> <p>Statewide:</p> <ul style="list-style-type: none"> <li>- referral to in-person centers,</li> <li>- Website direction</li> <li>- web-based direct interface access (Team Viewer)</li> <li>- triage</li> <li>- limited scope tasks</li> <li>- General overview, no scribing but will confirm correct packet selection.</li> </ul>
How are services delivered?	Statewide: Phone calls, interational computer experience, and limited email contact through a general email address that all 4 staff review and respond to.
Areas of law addressed or specifically not addressed?	General Self Help on all topics for court. Lawyers and SRLs on variety of topics: Location of courthouse, hours, legal topic specific, landlord/tenant, conciliation, family law, criminal expungements and violations etc.
Are services provided in other languages? (If so, what languages?)	The staff was multilingual. Spanish, Somali, Arabic, Amharic, Oromo
<b>Quantitative Information</b>	
Volume? (Tracked per client or per contact?)	<p>Self-Help In Person: Numbers through Q-flow. No phone contacts and limited email follow up. They have limited data but keep copies of all emails sent so can quantify it.</p> <p>Statewide: Each person inputs on a spreadsheet to keep track of 1) Number of calls, 2) length of calls, 3) County served, 4) Topic area. The call center programs they use now will assist with data and there are other things that they can utilize with the program that they haven't started yet.</p>
Average time per client contact?	Varies by staff member. 8-15 mins. First come first served and no appointments.
<b>Qualitative Information</b>	
What advice would you provide a new program in its developmental stages?	See below.
In hindsight, what might be done differently?	See below.

Current challenges and/or needs?	More staffing. Remote services are best delivered in conjunction with referral to in-person help centers. The staff felt very strongly that people in the rural areas of the state who do not have access to in-person help centers are at a disadvantage compared to those in the urban areas who can easily and readily get assistance. Many counties because they have no in-person access they do not even know of the options that are available to them. All felt this was an access justice issue.
<b>Other</b>	
Do your courts have family law facilitation programs? If so, how do the programs work together?	Three judicial districts have self -help in person that includes access for family law. As a whole they feel very strongly that the programs work in tandem and benefit each other greatly. They gave several examples of the referrals and interplay between the two groups.
Is childcare available at the courthouse?	No and this was a conscious choice by staff to keep things serious, quiet and free from distraction.
Where/How does mediation fit into this program?	Like Oregon the family law mediation is run by the county and not the MJB, so they were entirely separate. (But they do have some very interesting programs.)

**My observations of watching the call center operator:**

- 1) Directed the caller to one task at a time and suggested a return after they have completed that task.
- 2) Thorough knowledge of website and online resources with a clear communication ability to direct people through the web based interfaces.
- 3) Often the callers are not prepared, no pen, calling in the car, drive thrus, workplaces, have children.
- 4) The caller was very clear in managing expectation with phrases such as “they MAY be able to assist you “ or “they might have some information for you”.
- 5) Lots of multitasking on various computer screens and multiple applications were up.
- 6) Skilled at intake/orienting with the person to determine exactly what they are calling for, pointed directions, and skilled at focusing communication.
- 7) Had a broad scope of knowledge regarding the various court proceedings including confidential matters.

**Things they have learned from or would otherwise suggest:**

- 1) Allow for designated time to have “back office functioning” without customer interface for tasks like data collection, template building, office organization and clean up.
- 2) Be thoughtful about shared office or workspace. It is not practical or efficient to have folks share a space because they can serve better if they know where things are.
- 3) Their motto is “Inform. Instruct. Inspire.” - Meaning let people know what is out there, instruct them on how to get things filed and inspire the confidence to allow them to do it themselves.

- 4) When people are calling over the phone it is important to remember confidentiality in many of the Court cases. They will routinely have people who are calling to be a party to a proceeding who are not actually the party. So, training is needed to be conscious of those distinctions because even acknowledging that a case exists can be a breach.
- 5) Be conscious of statewide forms versus the forms that are specific to different counties. They have a form developer much like Oregon who is pushing for uniformity between the Courts and acknowledge that it is a struggle.
- 6) When things are very busy it is a high energy, high brain power job it is important to have strong administrative support who can help manage and keep an eye on rising stress levels throughout the day.
- 7) There should be more marketing about the resource that is available. It took folks a while to learn that the resource was out there.
- 8) When implementing and designing a program designate a point person who has the knowledge and skill to do it and avoid a committee approach, it is confusing and can bog down the process.
- 9) Be thoughtful about where to place the service, there are often very practical reasons to house it in a particular location, preferably close to an in-person facility so that potential for cross training can help round out the skills of the call taker.
- 10) Have vicarious trauma training for the employees.
- 11) Have a supportive environment within the staff of people who have the same degree of work ethic because then they feel the load is being shared and they can rely on each other to avoid burn-out. Because in-person Self –Help there are natural breaks between helping one person and the next but on the phone the call taker goes from one to the next instantaneously. They have a “take 10” philosophy that anyone of them can call for the break and then they ALL take it together to provide support.
- 12) Cross training in person and on the phone is critical. If one is only ever providing help on the phone then it can create tunnel vision.
- 13) Develop clear policies from the beginning on things such as:
  - a. Legal Advice vs. Legal Information
  - b. Confidentiality
  - c. Security issues
  - d. Problem callers
  - e. Procedure for handling the work
- 14) Get and keep good data.
- 15) Invest in good call center software. Melissa Giernoth was in charge of sampling and suggesting. She remains available as a resource for any questions. Make the investment for what you want on the front end. Be clear on what data collection tools are important.
- 16) Try to build support with local and state bar organizations for free legal advice, law clinics and the like as a referral resource.
- 17) Be sure the call taker has a clear understanding of regional vs. state information.
- 18) Pay people what they are worth and they will stay.
- 19) Used Alaska as a model in the beginning and then created a hybrid model between the 4<sup>th</sup> and Statewide services.

# Remote Services Delivery Survey

Date: August 1, 2018 (Site Visit)

Program, Location: Utah Courts Self-Help Center, Salt Lake City, Utah

Contact Name: Nathanael Player, Director [nathanaelp@utcourts.gov](mailto:nathanaelp@utcourts.gov)  
 Jessica VanBuren, Utah State Law Librarian (801-238-7991)

<b>Funding and Management</b>	
Source of funding?	The current program is funded by the Legislature, per statute. However, funding is insufficient to meet current need, or to maintain full-time staffing.
Type of oversight?	The Director of the Self-Help Center supervises the staff attorneys, and is in turn supervised by the State Law Librarian.
Reporting requirements?	<p>There are no formal reporting requirements, but the Librarian makes a quarterly report to the Legislature</p> <p>However, they do gather a lot of data. After each person is helped, staff enter information into a Survey Monkey. They track various data, depending what they want to track at the time. Some complete the surveys after each contact, others tally it up and complete the surveys at the end of the day.</p> <p>In the past they also surveyed customers for other information, such as demographics. Currently they do not feel a need for this information.</p>
Operation guides or manuals?	The staff attorneys have a general procedure “wiki” that contains information that new employees use a lot at first, but experienced staff do not use it, nor have they updated or maintained the information.
Protocols (screening, triage)?	Customers are taken first come – first served. There are no screening requirements or procedures. Some believe that triage would slow down the system, others think it would be a good way to weed out the simple information requests so the attorneys can focus on substantive questions.
Coordination with other service providers (ie. Bar, Courts, Facilitators)?	There are no in-court facilitators. But they do work with community groups and the Bar Assoc. to make sure that people are aware of the services. Beyond advertising the Self Help Center, there are programs with the Bar for lawyer referrals. There are some legal clinics they can refer people to, but also a program called “Lawyer of the Day,” an attorney who is available by phone for immediate referral from Center staff. Staff can give the attorney information and even forward documents to the attorney

	so that the customer gets immediate help from the attorney.
<b>Location and Development</b>	
Location?	The offices are in the State Law Library building, in Salt Lake City.
How was location selected?	The decision was based solely on which agency would take charge of the program, therefore it is housed within the State Law Library, which appears to have ample space. They did note that the offices could have been anywhere in the state, it didn't really matter since all services are remote.
Program model?	The model for the program was originally taken from Alaska. Jessica, the State Law Librarian came from Alaska where she trained with the founders of that program, Katherine and Stacy. However, there are differences. For example, Utah's program covers all areas of the law, not just family law. It is a central office that gives remote service to the entire state. They have found that the only way to give equal service to all the state was to make all services 'virtual' – they take phone calls, emails, and texts only. There is no face-to-face interaction or videos, or workshops.
Hours of Operation?	The self-help center is open Monday through Thursday from 11am to 5pm. They cite an ABA report that recommends self-help personnel do no more than 4 hours a day to avoid burnout. They also indicated that states like Maryland have high rates of staff turnover due to burnout.
Equipment?	Phones with headsets. Computers with 2 large screens. Sit/stand desks. Projector and screen for presentations to local courts. Staff have access to the statewide electronic court records, including juvenile and adoption cases. They are using free Google email and text programs. They said that the services were quite good and have the ability to track prior conversations with the same persons.
Challenges when establishing the program?	Funding was and is the primary challenge to establishing and maintaining the program. Because the initial ideas came from Alaska, they had some idea how it should work. They began in 2010 with a 2 year pilot program in just 2 judicial districts with Mary Chicarello as the only staff member. About that time the country went into the recession and they had to scramble to get funding through grants and donations. They stuck it out and in 2012 were

	<p>able to expand the program statewide when they got funded by the legislature.</p> <p>They also had trouble with the Bar Assoc., primarily in rural areas where some attorneys saw the program as a threat to their livelihoods. Some judges did not like the notion of encouraging people to do cases on their own.</p> <p>However, the program was designed to help the courts and the people. Courts are better off because people come in more prepared with decent documents. The attitude of most, judges and attorneys, is positive now.</p>
Laws regarding services?	A statute was enacted that created the authority for, scope, and funding of the program. (It does not indemnify the staff, but they don't see why they would need that protection.)
<b>Staffing</b>	
Staff qualifications?	They are adamant that staff must be attorneys because of the often highly technical nature of the questions they handle, and the breadth of law they must be familiar with. However, they do not have to be licensed in Utah. (All the staff are current members of at least one Bar.) They must have a commitment to access to justice, and be able to work well with people. High preference for those who can speak Spanish.
Staff training?	There is no training regimen, but it takes months of one-on-one training for staff to become proficient in all the areas of the law, court procedures, and in how to help people properly.
How many staff?	There are 6 attorneys total: One full-time Director, and 5 part time staff attorneys.
<b>Services</b>	
Scope of services?	<p>From their website:</p> <p><i>Self-Help Center staff attorneys can:</i></p> <ul style="list-style-type: none"> <li>• <i>answer questions about the law, court process and options</i></li> <li>• <i>provide court forms and instructions and help completing forms</i></li> <li>• <i>provide information about cases</i></li> <li>• <i>provide information about mediation services, legal advice and representation through pro bono and low cost legal services, legal aid programs and lawyer referral services</i></li> <li>• <i>provide information about resources provided by law libraries</i></li> </ul> <p>They cover family law, probate, civil cases, small claims, landlord-tenant, and some criminal matters. They help with all courts; juvenile, justice, district, and appellate. Roughly 1/2 of their work is in Dom Rel cases.</p>

How are services delivered?	Staff answer questions as they come in by phone, email, and text message. They tried chat, but it was problematic. Roughly 1/2 of all services are provided by phone. After each contact, staff often follow up with people by sending emails with links to forms and other resources.
Areas of Law?	Information and forms for all areas of the law are provided, except for Federal matters ( such as bankruptcy or immigration), but they will provide referrals.
Language Services?	They use the courts' interpreter services when needed, either over a language line, or they may schedule with an interpreter via a conference call, or the interpreter will go to their office. All current staff speak Spanish.
<b>Quantitative Information</b>	
Volume?	They average 20,000 customers served each year. Roughly half by phone, a third by email, and a sixth by text. Follow up is nearly always by email.
Time per Client?	This is not formally tracked at this time. (but averaging the number of people they help, with the number of staff, and operating hours, yields an average of about 12 minutes per contact)
<b>Qualitative Information</b>	
What advice would you provide a new program in its developmental stages?	<p>Everyone said "Just do it!" They started with just one attorney in a room with a computer and a phone. It would take a dedicated and experienced attorney who has access to the information needed (such as referral options). They recommend that we push for full funding right off the bat.</p> <p>They did mention that they had explored facilitation in the courthouses. They abandoned those ideas in favor of the remote services, because once they offered help by phone, email, and text, people preferred the virtual services. Also, it was more balanced and equal across the state. People anywhere can access their help, without having to go to a courthouse that may or may not have the same level of services that are found in the more populous areas.</p> <p>They strongly recommended that we use attorneys. And that staff extend themselves by being active with committees and work groups.</p> <p>They recommend that the services be entirely virtual because, among other things, it allows people who are physically outside the state receive help too.</p>
In hindsight, what might be done differently?	Initially they were very fiscally conservative, which has back-fired. They can't get the funding they need now. The advice was to "shoot for the moon" with the funding.

<p>Current challenges and/or needs?</p>	<p>They seem to have the program dialed in. But for all the people they help, there are many they can't because they don't have the full time staff they need.  It is a challenge to find attorneys who are willing to work on a part time basis only.  It is important to keep up with contacts and relationships. They do outreach to courts across the state, and with various clinics, and the Bar. Assoc.</p>
<p><b>Other</b></p>	
<p>Family Law Facilitation?</p>	<p>There are no local court facilitation services in Utah. However, the Self-Help staff occasionally visit and train local courts on how to answer basic questions, and how to direct people to the comprehensive website. Jessica mentioned that local facilitation would be a good thing – a compliment to their services rather than a competitor.</p>
<p>Mediation?</p>	<p>Staff may refer parties to mediation services. Also, self-help center staff have access to mediation information – whether mediation was concluded, and if so what was the outcome.</p>
<p>Childcare?</p>	<p>Because services are provided entirely remotely, there is no need for childcare.</p>

**Other Notes:**

See:

<https://www.utcourts.gov/selfhelp/contact/>

<https://www.utcourts.gov/ocap/>