

Proposed Rule 10.960 of the California Rules of Court would be adopted effective January 1, 2008, to read as:

Title 10. Judicial Administration Rules

Division 4. Trial Court Administration

Chapter 13. Court Self-Help Centers

Rule 10.960 Court self-help centers

(a) Purpose and core court function

Providing access to justice for self-represented litigants is a priority for California courts. The services provided by court self-help centers facilitate the timely and cost-effective processing of cases involving self-represented litigants and improve the delivery of justice to the public. Court programs, policies, and procedures designed to assist self-represented litigants and effectively manage their cases at all stages must be incorporated and budgeted as core court functions.

(b) Staffing

Court self-help centers provide assistance to self-represented litigants. A court self help center includes attorneys and other qualified staff who provide information and education to self-represented litigants about the justice process, and who work within the court to provide for the effective management of cases involving self represented litigants.

(c) Neutrality and availability

The information and education provided by court self-help centers must be neutral and unbiased, and services must be available to all sides of a case.

(d) Guidelines and procedures

The Administrative Office of the Courts must develop and disseminate guidelines and procedures for the operation of court self-help centers to the trial courts by March 1, 2008. The guidelines and procedures must include, but not be limited, to the following topics:

(1) Location and hours of operation

(2) Scope of services

(3) Attorney qualifications

(4) Other staffing qualifications and supervision requirements

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3 (5) Language access
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5 (6) Contracts with entities other than the court providing self-help services
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7 (7) Use of technology
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9 (8) Ethics
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11 (9) Efficiency of operation
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13 (10) Security
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15 The Administrative Office of the Courts, in collaboration with judges, court
16 executives, attorneys, and other parties with demonstrated interest in services to
17 self-represented litigants, must review and update the guidelines and procedures at
18 least every three years.

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20 **(e) Budget and funding**

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22 A trial court must include in its annual budget funding necessary for operation of its
23 self-help center. In analyzing and making recommendations on the allocation of
24 funding for a court self-help center, the Administrative Office of the Courts will
25 consider the degree to which individual courts have been successful in meeting the
26 guidelines and procedures for the operation of self-help centers.

Item SPR07-35 Response Form

Title: Judicial Administration: Court Self-Help Centers
(adopt Cal. Rules of Court, Rule 10.960)

X Agree with proposed changes

**COMMENT ON PROPOSED CALIFORNIA RULE OF COURT 10.960,
COURT SELF-HELP CENTERS**

It is the mission of every county law library in California to provide legal information to the public. To further this mission, the Council of California County Law Librarians (“CCCLL”) submits this comment in support of the Proposed California rule of Court 10.960, Court Self- Help Centers. We specifically propose that law librarians be included in the list of “other parties with demonstrated interest in services to self-represented litigants” who will work with the Administrative Office of the Courts to review and update the guidelines and procedures [final sentence of proposed Rule 10.960(d).]

CCCLL urges that the guidelines and procedures developed after adoption of this rule encourage coordination between the courts and county law libraries. Collaboration and coordination between county law libraries and self-help centers can augment court resources by reducing duplication of services and building upon each partner's strengths.

Specific examples of existing or potential coordination and/or participation with Court Self-Help Centers and County Law Libraries include:

- Proper identification of the Self Represented Litigant's (SRL) issue: by using techniques of the standard library reference interview, Law Library staff can help the SRL determine which court is proper for his issue.
- Classes: in many counties, Law Library staff already conduct classes on basic legal research. Some offer additional classes on forms, court process and terminology, and online information.
- Referrals: Because they have a wide range of contacts with agencies, organizations and the legal community, Law Library staff already refer individuals to a wide variety of resources within a particular community. As the need arises for this service with SRLs at the Court Self-Help Center, the Law Library staff could provide appropriate referrals.

County law library staff could be of particular assistance to Court Self-Help Centers in many of the topics specified in Proposed Rule 10.960. The in-depth affiliation between Court Self-Help Centers and County Law Libraries is shown by relating attributes of Law Libraries and Law Librarians to each section of the proposed rule:

a) Purpose and core function

- Assisting all people in obtaining needed legal information is the mission of public law libraries.
- Law Librarians are committed to providing free access to information that is reliable, objective, accurate and up-to-date.
- The public perceives libraries as a place to obtain assistance and information and librarians as people who will assist them.

b) Staffing

- Law Librarians are knowledgeable about resources and services available and thus can direct people to the correct agency, organization or information.
- Law Librarians, through the process of providing reference assistance, help the individual determine the broader context of his/her situation and which is the correct forum for him/her (the individual's situation may not be state court related, but be a federal issue or an out of state issue.)
- Law Librarians organize information
- Law Librarians have a culture and tradition of networking: if we can't help, we know how and where to get the needed help
- Law Librarians educate by providing training seminars.

c) Neutrality and availability

- Law Librarians are not limited by subject or jurisdiction.
- Law Librarians can assist all users (not limited by income restrictions as are some legal service organizations.)
- Law Librarians treat all users equally, and all information provided is confidential to that particular user.
- Law Librarians offer assistance to parties on all sides of a matter, as they do not serve in an advisory capacity to any party

d) Guidelines and procedures

Law Librarians could be of particular assistance to Court Self-Help Centers in many of the topics specified, including location and hours of operation, scope of services, contracts with entities other than the court providing self-help services, use of technology, and efficiency of operation.

- Law Librarians are technology savvy
- Law Librarians can assist in “triage”/proper identification of the SRL issue
- Law Librarians can provide training for online information, forms, the court process and related terminology, all of which would assist the SRL and the Court in managing the case process
- Law Librarians are efficient in the way in which resources and connections are provided
- Law Libraries provide public access computers
- Law Libraries provide public access to legal databases
- Law Libraries provide copiers, printers and often word-processing facilities
- Law Libraries can dispense forms appropriately
- Law Libraries can provide a place to publicize the Self-Help Center
- Law Libraries can partner and collaborate with other entities
- Law Libraries can provide classes, often in collaboration with other organizations on curriculum and publicizing the training
- Cooperative arrangements between Court Self-Help Centers and Law Libraries could extend the hours of service available beyond that which would be possible separately. This potential applies equally whether the two entities are in the same building or not. When both entities are located in the Courthouse (often the situation in smaller counties), staff from both entities could coordinate staffing to extend available public hours, e.g, provide coverage through the noon hour, generally a time of heavy demand from the public. When the Law Library is in a separate building, evening and weekend hours might be available.

e) Budget and funding

Court Self-Help Centers and Law Libraries could share space, equipment, and/or print and online resources to provide better service on a budget.

- Software programs used by both the Court Self-Help Center and the Law Library (e.g., Dissomaster) might be licensed under a joint licensing option, which could be cost effective for both entities

CCCLL would be pleased to provide information on specific circumstances where county law libraries already offer programs that would provide collaboration opportunities with Court Self-Help Centers.

In conclusion, CCCLL appreciates the opportunity to submit these comments, and we anticipate developing partnerships with the Court Self-Help Centers as they are developed throughout the state of California.

Commenting on behalf of an organization:

Date: June 14, 2007
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