During the 1960s, American legislatures and courts began to recognize more rights for ordinary citizens, and pressure to increase litigation on their behalf began. Initially, many states reformed their divorce laws, giving rise to the no-fault divorce. In succeeding years, other jurisprudential reforms occurred in areas such as tenants’ and immigrants’ rights, and consumer law.

People from all classes of American society prospered from the 1950s through the 1970s. World War II veterans and the baby boomer generation had greater access to higher education through the GI Bill and student loans, and the number of attorneys increased at the same time as the rise in legal reforms. Attorney fees climbed at about the same rate as inflation.

In the early 1980s, the economics of law practice began to change. As the growth of the American economy accelerated, the disparity between the wealthy and the middle and lower classes widened. Many attorneys shifted their focus to corporations and the wealthy, and while attorney fees rose, the middle class standard of living went into decline. The affordability of legal services became a problem for many Americans, giving rise to a greater number of self-represented litigants (SRLs).

In the 1963 *Gideon v. Wainwright* case, the Supreme Court ruled that state courts were required under law to provide counsel to defendants in criminal cases; however, the safety net for litigation in civil matters—representation from legal aid societies and pro bono attorneys—has never been sufficient.

Those who did attempt to represent themselves were usually unprepared, poorly versed in procedure and presentation of evidence, and generally overwhelmed by the process. Moreover, they were not looked on favorably by judges and attorneys.

With the 1990s came a dramatic change in the clientele of public law libraries. Solo and small firm attorneys who frequently visited these libraries began subscribing to Lexis and Westlaw in their offices. This reduced their need to visit the library by 10 to 30 percent.
Simultaneously, SRLs began visiting the public law libraries in greater numbers, eventually becoming 50 to 70 percent of the total user base. On average, these users stayed longer than members of the legal community and asked 85 to 95 percent of the reference questions. In response, law library professional organizations began developing materials specifically for SRLs. Many law librarians also instituted training programs for general public librarians focusing on legal reference and referral systems.

The number of SRLs became so great throughout the 1990s that the courts could no longer ignore them. In many states, the majority of SRLs were involved in those areas of law that had been reformed in the 1960s.

To reduce the number of continuances due to improper filings, the courts and some public law libraries developed fill-in-the-blank forms, following a movement initiated in the federal government under President Carter in the late 1970s. Some state court systems and some local courts adopted official forms, especially in those areas with high self-represented litigation. Court systems also began creating websites for SRLs, including forms and instructions with interactive capabilities.

In the late 1990s, court systems established new departments geared toward SRLs, which were staffed with attorneys or highly trained employees. Departments such as small claims advisors, family court facilitators, and general self-help centers were designed to answer procedural questions and aid SRLs in filling out forms. While some of these centers were placed in public law libraries, most began to partner with public libraries to improve referrals in both directions.

Legal aid societies, law school clinics, and pro bono organizations came to recognize that they could not serve the large number of individuals who do not have attorneys. As a result, they began to alter their approach to aiding SRLs. Generally, these changes have taken three forms.

The first is discrete task representation in clinic settings (known as unbundled services), whereby litigants can meet with an attorney for a brief consultation concerning a specific aspect of their case prior to going to court. Conflicts are checked and a short contract is signed so that the litigant understands the limited nature of the attorney’s work. These clinics are often held in public law libraries or in partnership with them.

The second approach, developed by legal aid societies, law school clinics, and pro bono organizations, has been to create online materials for SRLs. LawHelp is the most popular of these, and is now used in all 50 states and some territories.

Public law libraries have also developed online services directed to SRLs and have organized their websites as portals to a variety of excellent services provided by court systems, LawHelp, and other organizations. In partnership with public libraries, some law libraries provide chat room style online reference as well.

A third approach is the triage role that public law libraries assume when serving SRLs in person. In states where county, state, or similar public law library facilities exist, staff members are routinely the first point of contact for many who are new to the justice system. Some have been referred by public libraries or courts; others have simply found themselves there, unsure where to begin.

Public law librarians maintain awareness of relevant resources and referrals and, after listening to a patron’s legal problem, can identify the legal research need and offer meaningful direction.

In early 2006, the Self-Represented Litigation Network (SRLN) was officially established after several years of development. Under the auspices of the National Center for State Courts, the SRLN was organized into functional working groups in partnership with many national legal organizations, including the American Association of Law Libraries (AALL). One working group in the SRLN is specifically devoted to outreach and development with law librarians, although law librarians serve on nearly all of the organization’s working groups.

Through SRLN, individuals in various types of organizations have the ability to network and plan innovations in such areas as distance services; education and training for judicial, court, and other staff; plain language forms and online technology, such as e-filing; and research. Contributed materials or those developed by the SRLN are available to any professional working with SRLs by visiting www.srln.org and going to the Resources section.

The SRLN has also embarked on a program to promote diagnostic protocols, which enable individual state courts to conduct a review of the efficiency of their services at little or no cost.

As of early 2016, the response to the needs of SRLs continues to vary from state-to-state. California, Maryland, and Minnesota have well-established programs. Others are just beginning to establish programs and a few are lagging behind. (For a good comparison between states, we recommend the Justice Index at www.justiceindex.org.)

Research has shown that programs to aid SRLs actually pay for themselves by reducing continuances and returns to court.
State, court, and county law libraries are at the front lines of serving self-represented litigants (SRLs), the fastest-growing segment of their customer base. To meet the SRLs’ ever-increasing need for legal information, law librarians nationwide have developed new and innovative ways to educate them. Many law librarians also serve on court and statewide committees dedicated to improving services to SRLs.

Law librarians know that the better informed the SRL, the smoother it will be for everyone involved in the judicial process. The type of assistance that law librarians provide to SRLs can be broadly divided into four categories: self-help centers; seminars; collaboration with public libraries; and the use of the internet and other media. In some cases, grant monies can be obtained to help fund these programs.

Self-Help Centers

Self-help centers within law libraries take a variety of forms and can range from a kiosk to a staffed office. Following are some examples of how law libraries across the country have structured self-help centers for SRLs:

- Self-help center attorneys, supervised by the state law librarian, provide legal information to all patrons virtually via phone, email, and text (Utah State Law Library)
- Specialized compilations of forms and reference materials include an extensive Nolo collection (State Law Library of Montana)
- Staff-assisted legal resource centers and self-help workstations in the courts, county law libraries, and public libraries (Dakota County Law Library, MN)
- Self-help center staffed by an attorney who assists in the preparation of forms (Travis County Law Library, TX)
- Space furnished by the law library for brief attorney consultations through pro bono clinics or other service organizations (Coconino County Library, AZ)
- “Appeals Self-Help Clinics,” including a bimonthly unemployment appeals legal advice clinic and a monthly general appeals clinic; both have a phone option for those who cannot travel to the library (Minnesota State Law Library)

Seminars

Many libraries provide seminars on areas of interest to SRLs. Examples include:

- Attorney-led seminars and workshops held in the evening on evictions, DUI, teens and the law, and other topics (Riverside County Law Library, CA)
- New and archived attorney-led seminars on diverse legal topics posted on the county law library website (Washoe County Law Library, NV)
- Seminars conducted by law librarians and their partners on legal research topics such as web research, divorce, and civil appeals (San Diego Law Library, CA)

Collaborating with Public Libraries

Most people are more familiar with their public libraries than with their local law libraries. Public libraries often have longer hours, which makes them more accessible. Recognizing this, many law libraries are working with their local public libraries to improve access to legal information:

- The Washington County Law Library (MN) holds workshops on legal topics at local public libraries.
- The Oklahoma County Law Library (OK) and local bar partner for an annual “Lawyer in the Library” event at the public library where volunteer attorneys offer 15-30 minute consultations.
- The New Hampshire Law Library has a legal research tool for public librarians to use in answering legal questions (www.nhpublaw.org).
- The Johnson County Law Library (KS) has invited public librarians to observe both in-person and telephone interactions with patrons to demonstrate successful legal reference interview techniques.
- The Alameda County Law Library (CA) and the Howard County Law Library (MD) conduct a “Lawyers in a Library” program in area public libraries.
Law libraries, and especially public law libraries, are challenged by the growing number of people who do not have attorneys and are seeking information for impending court cases. Following are several best practices for working with these people, sometimes referred to as “pro-se” or “self-represented litigants” (SRLs).

Can I Answer That Question?
Law librarians, even those with law degrees, cannot interpret or construe the law to others; they cannot give legal advice. They can, however, provide facts about the law and legal process; they can address any questions that begin with “Where is?” “What can I do?” “Who can I ask?” or “What is?”

To answer questions like these and advance the administration of justice, law librarians make legal information accessible. They also must follow the profession’s ethical guidelines for delivering excellent customer service and accurate information, while incorporating principles of equality, impartiality, and openness.

Law librarians must avoid any statements that recommend a course of action. While the librarian can tell an SRL that he or she “can” institute a particular proceeding, the librarian should not recommend whether the SRL “should” or “should not” take that action. The librarian can show the client form books, demonstrate how to use an index or table of contents, and can point out forms on a website, but the librarian cannot and must not fill out the form for the client. The librarian can indicate where to access the state code and family law or child custody information. The librarian can even suggest a specific code citation. But the librarian should always point out that this is only one applicable law and there may be others to research.

Some states offer guidelines with more specific advice on this topic. See, for example, Massachusetts’ guide for court staff at www.mass.gov/courts/docs/serving-self-rep-guide.pdf. These guidelines are equally relevant to law librarians nationwide.

If a law library staff member is uncomfortable about answering the SRL’s questions, at the very minimum, he or she should know what resources the library has to answer the question and be able to help the SRL navigate either specific publications or the website.

Programs That Work
For greatest efficiency, it is best to place all SRL services in close proximity: public access computers, a self-help collection, and the reference desk. One-stop shopping leads to less confusion and better customer satisfaction. Also, consider adding a legal research service like Lexis or Westlaw for use on your computers.

Involve the entire staff in public service and reference training so that everyone can provide at least minimal service to the SRL—even someone who shelves on a part-time basis. In addition, you might consider the following:

- Establish a formal self-help center in the library staffed by volunteers, college students, or other trained assistants, and overseen by library employees.
- Investigate AmeriCorps’ Vista and Campus Compact programs as a possible source for interns. Recognize that significant training would be necessary and should include basic family law, consumer issues, landlord/tenant, small estates, and most importantly, legal information versus legal advice.
- Work with your local or state bar association’s pro bono division to explore having attorneys available regularly to provide brief legal advice but not representation.
- Devise a management structure that designates specific responsibilities for each public service librarian.
- If you are only open during normal business hours, consider adding evening and weekend hours in order to help those who cannot visit the library during the workweek.

What Resources Should I Have for SRLs?
Useful hard copy resources for SRLs include West Academic Publishing’s inexpensive Nutshell series, which offer a number of titles particularly valuable to SRLs, such as Civil Procedure, First Amendment Law, Privacy Law, Legal Research, Legal Writing, and Elder Law. You also might want to consider the following excellent sources:

- The National Consumer Law Center’s print and online resources
- All national editions of Nolo titles
- Gale Publisher’s two-volume Encyclopedia of Everyday Law directed to lay people

Any of these titles could be placed in a special SRL section near the reference desk. Here you could also include relevant state bar and ABA titles, as well as your state legal encyclopedia when available. Copies of desk books and bench guides prepared for your state’s trial judges would also be valuable, together with state rules of court, and civil and criminal jury instructions.

Everyone on the law library staff should know not only what is on the library’s website, but also the location of the websites for your state’s court system and self-help support, the latter often hosted by legal aid services. Here you will find relevant continued

Inform your staff about where to find the best legal forms and, if they are not all available on a public website, make a folder on the reference desk computer with forms that are readily adaptable for SRLs. Have your child support guidelines and calculation software available as well.

Who Can Help Us?

Many local and national organizations are working to address resources for SRLs, including state court systems’ Court Services divisions, legal aid/legal services, local and state bar associations, law schools, judges’ groups, and clerks of court.

In the event your SRL client really needs to speak with an attorney, it is prudent to have an arrangement with your local bar association’s pro bono section for referrals. Some law libraries routinely bring in pro bono attorneys to hold clinics and teach classes, which can be an important partnership.

Other resources may also be available in your state. Aging Services receives significant federal funding for outreach and the establishment of local help centers. Agricultural extension services are an excellent information source. They often prepare seminars and web guides on estate planning, probate for small estates, and other legal issues that affect farmers and ranchers.

Consider instituting a continuous training program on assisting the self-represented for public libraries. Train them to be expert navigators on both the law library’s website and state self-help websites. To make it easy and affordable for them, conduct training sessions in their facilities. Give them a primer on civics, so they can understand the sources of legal information. Apprise them of those resources created by the branches of federal and state government, and teach them how to access and use them.

How Can I Serve Customers Across a Large Geographical Area?

Customers who are geographically distant can best be served through a toll-free library telephone number and an “Ask the Librarian” button on the library’s website. Though real-time chat services are useful, they are not absolutely necessary. Most SRLs are happy to get an answer within a few hours.

Chat services, however, are irreplaceable if a dialogue is necessary and no phone number has been provided. Consider a modest investment in Skype for toll-free, face-to-face conversations. You may even be able to obtain grant funding to install video webcams around your service area.

Lastly, investigate the availability of videoconferencing. This offers the best audio and video transmission quality for reference interviews with remote sites.

Where Can I Go for More Assistance?
The Self-Represented Litigation Network (SRLN) is an excellent source for everything from webinars to online discussion lists to a library of banked news reports and articles. The SRLN link for specific topical resources is www.srln.org/topics.

AALL’s Government Law Libraries Special Interest Section has a number of helpful links at www.aallnet.org/sections/gll/toolkit/Self-Representation-Toolkit.html. AALL’s Legal Information Services for the Public Special Interest Section has members who are also interested in this topic (www.aallnet.org/sis/lisp).

Services to SRLs: How Can My Library Benefit?

Librarians in general have entered the profession because of their desire to connect users with legal information. This was easier when law librarians were the keepers and organizers of that information, and users came to them. In addition, there was a defined user base that knew how to use legal information: attorneys, judges, law professors, and law students. Two concurrent trends have taken place over the past decade: most primary federal and state law is now available on the internet, and traditional users rarely use the physical space of the library anymore. At the same time, a growing number of people who never used law libraries now have a need for their services because they cannot find or afford attorneys, and they do not understand how to resolve their issues. Although these individuals did not attend law school, and many did not study civics in school, we live in the era of disintermediation in which people expect to act without assistance.

As a result, law libraries have a growing and vocal population of people who are replacing traditional law library customers. These people are taxpayers and the constituents of those individuals who make funding decisions about law libraries.

The claim is sometimes made that “everything is on the internet,” making libraries unnecessary. Locating a statute or form online, however, does not mean that an SRL can find what he or she is looking for, much less know how to use it, where to file it, and how to serve it on another party.

Helping citizens access the law they are required to follow is very satisfying, since they are appreciative of what law librarians can do for them. They validate everything law librarians have trained for and, just as importantly, they can justify the library’s services and programs to decision-makers and fund-appropriators.
Technology and the SRL: Tools to Meet the Need

By Kate Fitz (Sacramento County Public Law Library, CA)

Law libraries use technology to assist self-represented litigants (SRLs) with fundamental needs. Through the library, SRLs gain access to fillable forms as well as sample pleadings and motions; they can also prepare and print legal forms and pleadings. SRLs can learn about format and procedure through the library's online samples and digitized formbooks. To prepare SRLs for court, law libraries often gather and present online resources for both remote and in-house patrons.

Sources and Instructions for Court Forms

More and more states are developing standardized court forms for common situations. SRLs often have questions about how to fill out these forms, which often make assumptions about users' legal vocabulary and experience. Libraries and courts can prepare instructions guiding SRLs concerning the information they'll need. Our patrons often find samples that have been filled out are more helpful than written instructions, and can be provided online as well. Libraries and courts can work together to avoid duplicating efforts.

Here in Sacramento, since budget cuts have severely curtailed in-person assistance at the court, the Family Law department has prepared a wealth of instruction packets, tailored to local requirements. Our law library also prepares instruction packets, but we try to focus our resources on areas not yet covered by the court.

In some states, online document assembly tools, such as probono.net's LawHelp Interactive (https://lawhelpinteractive.org), I-CAN!™ Legal, Turbo Court (EZLegalFile), Odyssey's Guide & File (www.tylertech.com/solutions-products/odyssey-product-suite/guide-file) and others, will help users with commonly used court forms by asking simple questions and filling in the forms. Several law libraries—often in partnership with court or legal aid groups—use these online forms and instructions in workshops for SRLs.

A great starting place for SRLs is LawHelp.org, which links to specific resources in each state. State and local bar association websites are another place to look for information and possibly forms.

Templates and Samples

Standardized forms can only go so far. In many situations, no form will be appropriate or available, and litigants must draft their papers. SRLs are often surprised and dismayed by the detailed format and structural requirements for court filings. A law library may create its own forms, instructions, or “how-to” guides for its patrons—preferably with the review and approval of the local court—but many courts, bar associations, and volunteer organizations already provide free forms and self-help information on the web. Pleading templates formatted for local courts can be posted on law library websites and on in-house computers.

At our library, patrons and remote users find our pleading templates invaluable. In addition, copies of motions and pleadings actually filed in the local court can help guide an SRL, not as to content, but as an example of how the final product should look.

Law libraries can also use digitized versions of practice guides and form books, which enable SRLs to cut and paste a “skeleton” of their paper for editing and customization. Formbooks and practice guides often include substantive discussion and citations that can help jumpstart the patron’s research. Examples include Am Jur’s Pleading and Practice Forms (via Westlaw), digital versions of state practice guides (such as California’s “OnLaw” database), and topical resources (such as the National Consumer Law Center’s “Digital Library” [https://library.nclc.org/], with more than 2,000 sample pleadings).

Many print guides and self-help books also make legal forms available via CD-ROM or website. Other sources of digital samples include:

- The local courts’ home pages
- Content-sharing sites, such as JDSupra.com
- Form sites, such as Forms Workflow (www.formsworkflow.com)
- Local attorneys’ websites

Other Technology Tools Used as Instructional Aids

To work within the court system, SRLs must become familiar with the legal process in general, and with legal research and writing in particular. To complement books such as Nolo’s Represent Yourself in Court and Legal Research: How to Find & Understand the Law, librarians can create resource guides and screencasts, social bookmark collections, and online FAQs.

Resource guides teach SRLs how and why to use various materials. They can also answer frequently asked questions about forms and court procedures, and provide sample forms and instructions. Posting resource guides on a library website can help both onsite and remote patrons.

SRLs can learn about the digital resources recommended by the library through online screencasts—video demonstrations of online resources—or PowerPoint presentations. Patrons can also benefit from videos that explain administrative proceedings and what to expect in court; law libraries and court libraries sometimes work with their local courts to create these types of videos, although many are already available for public use and can be useful even if they were produced in another jurisdiction.

You can find these types of videos on court and agency websites, as well as umbrella sites such as LawHelp.org. Many are also hosted on YouTube.

continued
Law Libraries Capitalize on Partnerships

By Sara Galligan (Ramsey County Law Library, MN)

Richard Zorza, a national leader in access to justice (A2J) issues, has described the importance of law libraries in the “Access to Justice Revolution.” A frequent participant in AALL’s Annual Meetings and the author of the notable Access to Justice blog, Zorza commends law librarians for partnering with all types of organizations to help self-represented litigants (SRLs). These partnerships augment the law librarian’s ability to effectively and efficiently serve SRL patrons.

In addition to the courts, service delivery to SRLs comes in many forms: legal aid organizations, hotlines, website legal forms, pro bono providers, and “unbundling” (permitting lawyers to perform some, but not all, services in an SRL case). By working with other providers, law librarians can create new and more responsive services that optimize the law library’s contributions to A2J.

In one case, law librarians in a Minnesota firm joined with the Volunteer Lawyers Network in Hennepin County to create a wiki with customized information resources for volunteer attorneys serving pro bono clients. In another, the Ramsey County Law Library (MN) partnered with a legal aid office to develop interactive legal forms for the general public. This project included promotion and training about these forms in public libraries. Ongoing efforts involve national training with legal aid partners to train public librarians about their roles as gateways to self-help legal information.

Nationwide, law libraries are merging self-help center programs into law library services and offer clinics and classes on such hot topics as paternity and child support, an initiative that has brought more patrons into the law library. Developing these programs may involve a number of tasks: recruiting volunteer attorneys for law library pro bono clinics; coordinating physical resources; and packaging print and online resources that best meet the customers’ needs.

While many attorneys are willing to partner in these endeavors and appreciate the law librarian’s efforts to create new resources for SRLs, some legal providers don’t understand the law library’s contributions to the A2J revolution. As the A2J movement flourishes, law librarians can actively partner to create awareness of their unique services and resources. Progress certainly has been made through law librarian involvement in the Equal Justice Conference, the Court Solutions Conference, the Self-Represented Litigation Network (SRLN) law librarians’ working group, and even participation on Access to Justice Commissions in some states. Moreover, A2J reform has caused a shift in the way courts do business, so it’s become an important time for law librarians to be working in the judicial system.

As self-help jurisprudence grows, law librarians’ positions with the courts are critical, and they should clearly demonstrate their value to court services staff and judges. For partners outside of the court system, law librarians should identify opportunities for continuous collaboration; acquiring, cultivating, and engaging new partners may even outpace traditional law library tasks. As stakeholders in the A2J movement, law librarians can pursue many new collaborations that mutually benefit all parties involved.

Technology continued

Of course, much of the information on the internet is either irrelevant or incorrect. Librarians can assist their SRL patrons by selecting and annotating online resources to guide patrons to reliable information pertaining to their specific question.

All of these online resources can be presented to the SRL patron effectively via the law library’s website using tools that make it easy to curate and annotate the lists. LibGuides have a box type for annotated lists of links. The bookmark organizing site Diigo (diigo.com) allows you to collect and tag websites by topics, then generate topical lists to embed into your own web pages. Links can be added or removed from multiple lists automatically simply by changing tags. If your library uses WordPress to run its website, a plug-in such as Simple Links (https://wordpress.org/plugins/simple-links) or Link Library (https://wordpress.org/plugins/link-library) can generate lists of links by category; other website frameworks may offer a similar function.

You can follow new tools and projects at Connecting Justice Communities (www.connectingjusticecommunities.com), probono.net’s blog covering innovative uses of technology and collaboration to improve access to legal services. While not law-related, TechSoup is an organization that provides information and coordinates donations to nonprofits; it has a special section of information for libraries (www.techsoupforlibraries.org), including a blog and webinars to keep up-to-date with new technology.

Law librarians are fortunate to have a wide variety of resources at their fingertips that can be invaluable to SRLs and, through technology and collaboration, these resources will continue to increase in quality and accessibility.
Internet and Other Media

People often turn to the internet in their search for legal information, but may not be aware that some sources are far better than others. To lead SRLs to quality information, law libraries have been instrumental in creating, developing, and providing dedicated websites and content. Two examples are:

- The State of Maryland’s legal research website is believed to be the only statewide legal self-help portal operated entirely by the law library (www.peoples-law.org).
- The State of Texas’ legal research website is a collaborative effort between the law library and self-help organizations (www.texaslawhelp.org). The site can be viewed in Spanish, Vietnamese, and Chinese.

The foregoing is just a sampling of what law libraries are doing nationwide to help SRLs navigate the legal system, thereby making a highly valuable contribution to the day-to-day operation of the court system.

Other Ideas

- King County Law Library (WA) offers podcasts for SRLs on its website (www.kcll.org/podcasts).
- Sacramento County Public Law Library furnishes copies of a “Legal Prescription Pad” to court staff so they can inform the librarian concerning the reason for the SRL’s visit to the library.

This Resource Guide was first published in 2010 and updated in 2016 by the original authors and the AALL GLL Publicity and Public Relations Committee:

Chair: Sue Ludington
Washington County Law Library (OR)
sue_ludington@co.washington.or.us

Suzanne Corriell
U.S. Court of Appeals, 4th Circuit Library (VA)
suzanne_corriell@ca4.uscourts.gov

Claudia Jalowka
Connecticut Judicial Branch Law Libraries
claudia.jalowka@jud.ct.gov

Dolly Knight
Ventura County Law Library (CA)
dollym@vencolawlib.org

Karin Johnsrud
Supreme Court of the U.S. Library (Washington, D.C.)
kjohnsrud@supremecourt.gov

Marissa Mason
Supreme Court of Ohio Law Library
Marissa.Mason@sc.ohio.gov

Kris Albertus
U.S. Court of Appeals, 8th Circuit Library (MO)
kris_albertus@ca8.uscourts.gov

This guide is a comprehensive resource for law libraries and legal self-help organizations.