

Perspectives from Commissioners and Facilitators – Working Ideas Designed to Enhance Self-Represented Litigant Assistance

Hon. JoAnn Johnson, Ventura Superior Court
Ms. Leigh Parsons, Santa Clara Superior Court
Hon. Louise Bayles-Fightmaster, Sonoma Superior Court
Ms. Pamela Peery, Riverside Superior Court
Ms. Maria Livingston, Orange Superior Court (Moderator)

19th Annual AB 1058 Training Conference
October 14-16, 2015

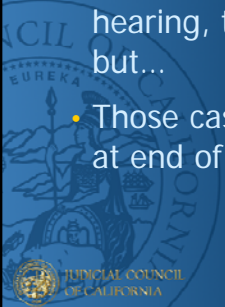
Common SRL Mis-steps and how FLFs can help avoid them (otherwise known as Pet Peeves)

JUDICIAL COUNCIL OF CALIFORNIA

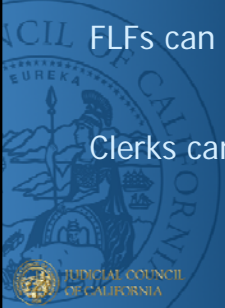
Paycheck stubs

- SRLs that do not attach paycheck stubs to I & E are a frustration to the court.
- Slows the process
- Continue the hearing

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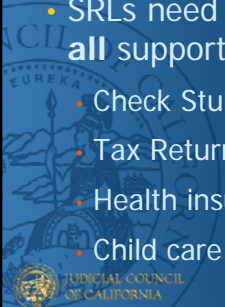


- If information is brought to the hearing, the court will review it but...
- Those cases are usually placed at end of calendar



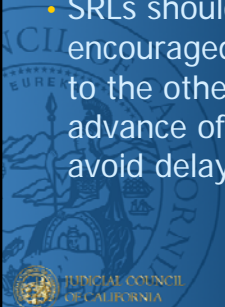
FLFs can help by ...

Clerks can help by...

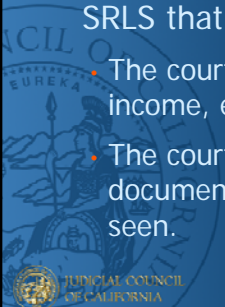


Documents for hearing

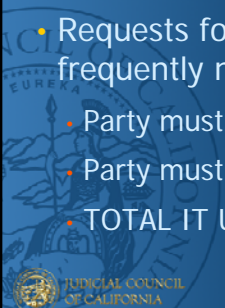
- SRLs need to bring **COPIES** of **all** supporting documents:
 - Check Stubs
 - Tax Returns
 - Health insurance (if paid by party)
 - Child care expenses



- SRLs should be strongly encouraged to give documents to the other side AND DCSS in advance of a hearing in order to avoid delays and frustration.

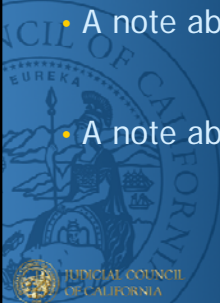


- FLFs can help by reminding SRLS that:
 - The court must have evidence of income, expenses.
 - The court cannot consider any document the other side has not seen.



Follow Procedure

- Requests for reimbursements are frequently not done correctly
 - Party must provide copy of bill
 - Party must provide proof of payment
 - TOTAL IT UP!!!



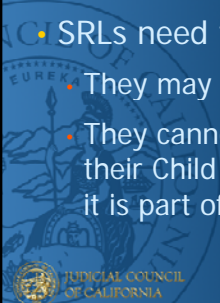
- A note about FC §4063....
- A note about FC §4061....

Discovery Issues



- PREPARE SRLs by finding a way to transmit **basic** Discovery concepts to them.
- Often, the SRLs believe the Court will do the discovery for them.

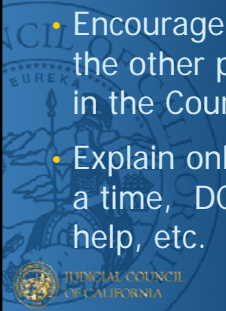
Expectations at Court



- SRLs need to know:
 - They may be in Court all day.
 - They cannot bring up Custody at their Child Support hearing...unless it is part of the pleading.

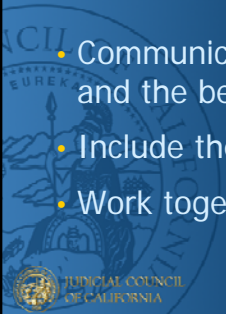
Attitudes at Court

- Encourage litigants to respect the other party, and all who are in the Courtroom.
- Explain only one party speaks at a time, DCSS may be asked to help, etc.



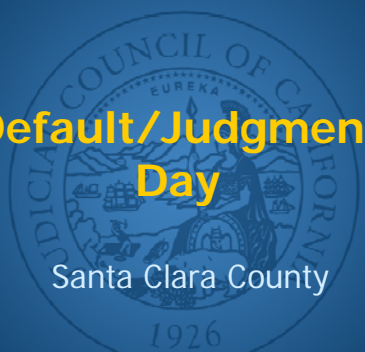
Communication

- Communication between FLFs and the bench officers is crucial.
- Include the Clerks.
- Work together.



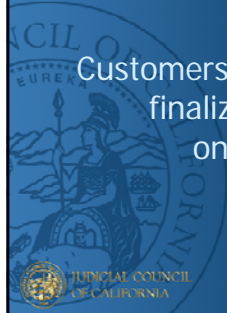
Default/Judgment Day

Santa Clara County



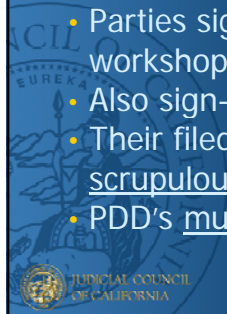
Purpose

Customers enter default and finalize their case at one workshop



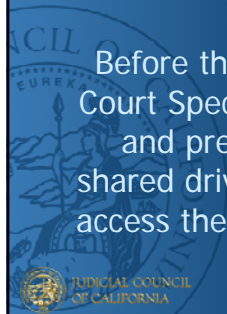
Sign-up

- Parties sign up for the workshop at the SHC
- Also sign-up from status conf
- Their filed forms are scrupulously examined
- PDD's must be done



Paralegals are Key

Before the workshop a SHC Court Specialist reviews the file and preps the forms on a shared drive for the attorney to access the day of the workshop



SHC Attorney

The day of the workshop the litigants meet with the SHC attorney who reviews their file and pre-filled default forms.



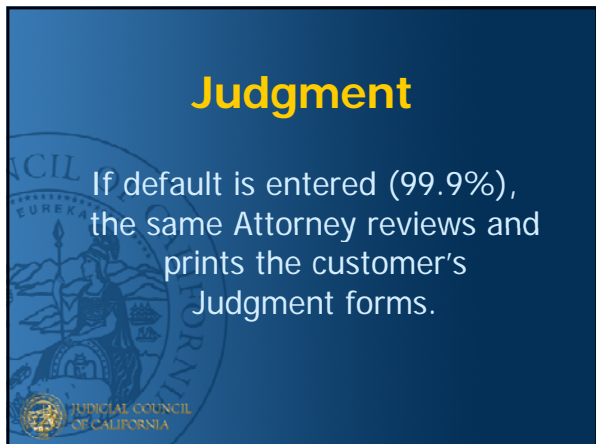
Default Clerk is Key

- We take the forms to the Default Clerk for on-the-spot processing
- Customer waits for next step
- Attorney takes in another person



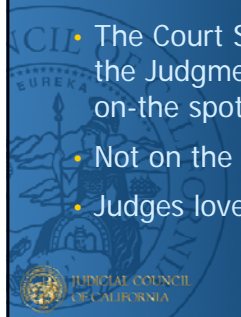
Judgment

If default is entered (99.9%), the same Attorney reviews and prints the customer's Judgment forms.



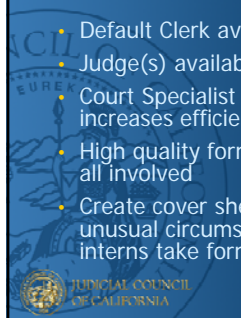
Judges are Key

- The Court Specialist/intern takes the Judgment forms to a Judge for on-the spot review and signature.
- Not on the bench
- Judges love it



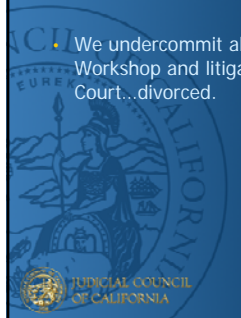
Collaboration needs:

- Default Clerk available to process
- Judge(s) available to sign Judgments
- Court Specialist prepping forms in advance increases efficiency
- High quality forms result in time savings for all involved
- Create cover sheets to alert Judge to any unusual circumstances (esp. if you have interns take forms back)



Undercommit & Overperform

- We undercommit about what will transpire at the Workshop and litigants are ecstatic that they leave Court...divorced.



**Perspectives Workshop:
Case Management CRC
5.83**

Status Conference
Event with Parties/Attorneys
No Court Appearance Required


v.

Family Centered Case Resolution Conference
Conference with Parties/Attorneys and Judicial
Officer

Administrative Review
Two Tracks


TRACK ONE: CASE IS ELIGIBLE FOR DISMISSAL

- Review every six months for 18 months
- Send letter at 2nd review.
- If no compliance (adjudication) at time of 3rd review, set for dismissal.
- Notice of Dismissal OSC date is sent at 3rd review.



TRACK TWO: CASE IS ELIGIBLE FOR DISMISSAL

- Send letter at 2nd review
- At 3rd review, judicial discretion as to whether calendar for CRC or drop from review.



COMPLIMENTARY PRACTICES

- Capture Litigants while at the Courthouse
- While at FLF, routine review
- At OSC calendars – judicial officer routine review
- Link CRC with Settlement Conference and Trial
- Litigants and parties can set CRC's by request
- Judicial Officers can set on own motion

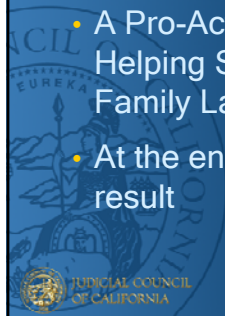


TRIAGE PROGRAM Riverside Superior Court



Triage Program Provides:

- A Pro-Active Approach to Helping SRLs navigate their Family Law case;
- At the end of the day - a tangible result



Purpose:

- To provide SRL's with the resources necessary to resolve their Family Law Matter in one day
- Increase number of SRL cases resolved at initial filing of RFO
- Increase SRL satisfaction with Court process



Desired Outcomes

- SRLs avoid multiple days off of work
- SRLs leave Court with either a Judgment or Findings and Order after hearing.
- Happy Judicial Officers
- Happy SRLs
- Happy Clerk Staff



The Triage Team

- Paralegal and Facilitator
- Department of CSS
- Child Custody Recommending Counselors
- Judicial Officers
- Operations Staff



Triage Prep: Self Help Paralegal:

- Reviews file, checks POS
- Checks for Responsive pleadings
- Runs Master Name search to check for open cases (DVs, DCSS, CPOs)
- Checks to see whether parties are represented;
- Summarizes cases for bench, CCRC, FLF and Courtroom Assistants



Hearing Day

- Presiding Judge gives an introductory speech
- Parties are checked in and tracked
- CCRC cases leave courtroom with assigned CCRC
- After CCRC parties check in with Paralegal



Hearing Day, cont.

- “One-sided” cases meet with Paralegal and Facilitator
- Judgments/FOAHs/Stips drafted by FLF
- Facilitator available to help with settlements; answer questions, etc.



Hearing Day, cont.

- DCSS signatures obtained as needed
- Parties return to their assigned Departments
- Orders put on the record.

