

**STANDING COMMITTEE ON
RESOURCES FOR SELF-REPRESENTED PARTIES
Meeting Minutes**

**April 11, 2008
Matheson Courthouse
Salt Lake City, Utah**

Members Present: Hon. John L. Baxter, Chair; Fred Anderson; Prof. James H. Backman; Pat Bartholomew; Mary Jane Ciccarello; Joe Derring; Christine James; Jay Kessler; Jose Lazaro; Stewart Ralphs; Hon. James Shumate; Prof. Linda Smith; Jessica Van Buren.

Members Excused: Hon. Christine S. Decker; Rep. Neil Hansen; Robert Jeffs; Hon. Rodney Page.

Guest: Doug Butts

Staff Present: Marianne O'Brien; Tim Shea; Carolyn Carpenter

Welcome and Review of Minutes

Judge Baxter welcomed all present. The minutes of 2/8/08 were approved as prepared.

Report on Attorney Pilot Program

Jessica Van Buren indicated the Judicial Council is considering the committee's request for one more year of pilot funding. Dan Becker has recommended the funding go through, but the outcome will not be known until April 28.

Mary Jane Ciccarello reported that the pilot project is going well. Positive feedback has been received from the patrons, court clerks and community organizations. The self-help phone line now accepts calls from any type of phone. A small, but increasing number, of email contacts are being received.

Ms. Ciccarello reviewed a week of survey results with the committee, as well as the statistics that have been gathered. Following the review, she noted that she has visited all the courts in the pilot districts, as well as some of the justice courts, and has a good working relationship with the court clerks. There is a need for standardized forms, and that is being worked on. On the court website, there are now three lists from various local bar associations of lawyers who have self-identified as being willing to provide limited legal services in Davis, Utah and Washington counties. Ms. Ciccarello has visited Uintah county about getting local lawyers there to participate.

There has been good publicity for the self-help center through various publications. Ms. Ciccarello continues to work with community groups, including Legal Services and Legal Aid. She has made contacts with the State Department of Human Services and their various organizations. On a national level, Ms. Ciccarello will be attending the Equal Justice Conference in early May in Minneapolis.

Linda Smith suggested that it may be useful to know if people are being referred to Legal Services or Legal Aid because they appear to be eligible vs. referring them to a private attorney. If x% of the referrals are to Legal Services or Legal Aid, that says something to the private Bar.

Judge Baxter noted that there needs to be a balance in what is the best use of Ms. Ciccarello's time, and doing that kind of tracking is time consuming. Three calls are being lost for every call received. Following discussion, the group agreed it is not necessary right now to obtain this information.

Tim Shea indicated that the next step for the pilot program is to figure out a formula to project how many lawyers will be needed to cover the whole state.

Forms Development Blog Page

Mr. Shea indicated the district court judges have asked to be kept informed of the forms being developed, and in the end, will approve them. They have committed not to tinker with them, but have asked to have the opportunity to contribute to the development itself. Some will take that opportunity, others will not. With Jason Ralston in Court Services, Mr. Shea prepared a blog page that will allow draft forms to be reviewed and comments about them posted. He will send an email to this committee, the forms subcommittee, clerks of court, TCEs, Board of District Court Judges, commissioners if the forms affect them, and any others that may want to be involved. Once they receive the email, they can view and comment on the forms or not, as they wish.

Mr. Bachman asked if the website can be forwarded to others not in Mr. Shea's email group. Mr. Shea responded the website should not be circulated to others, but that Mr. Bachman can download a particular form to his computer drive and send it to others for comments if he would like.

Ms. Ciccarello, Ms. Van Buren, Ms. O'Brien and Mr. Shea meet every two weeks to talk about forms, the website, and to make sure they are working collaboratively.

Before any forms are taken to the District Board of Judges, they will be presented to this committee. Ms. Smith suggested that a time limit be set for comments. Mr. Shea agreed and will give some thought to that. He will soon send an email to the committee with a link to the website which members can bookmark. After the initial email explaining how the blog will work, he will send an email whenever there is a new form added to the list.

Mr. Bachman suggested the forms subcommittee could be dissolved. Fred Anderson suggested dissolving the pilot subcommittee as well, stating that the intention of the subcommittees as originally created is now not needed. Judge Shumate made a motion that the forms subcommittee be dissolved in favor of the blog approach. The motion was seconded and carried unanimously. Judge Shumate made a motion to dissolve the pilot subcommittee. The motion was seconded and carried unanimously.

Ms. Smith wondered if it would be wise to broadly solicit the Bar sections that might be interested in a set of forms, like the family law section. Stewart Ralphs indicated that the point people from the family law section are already involved in the process. Outside of that small group of people, the family law section would not likely volunteer anyone else's time.

Judge Baxter said that the control issues on the forms that have been a major feature in the committee's discussion would become problematic with a broader distribution.

Mr. Shea indicated there was a considerable problem with version control on the protective order forms at the end of that project, even though they were forms that went through an approval process. It is best to keep it at a small group level of involvement for the time being.

2008 Equal Justice Conference, May 6-9

Mr. Shea provided the committee the website address for registration to the Equal Justice Conference that is being held in May in Minneapolis. A self-help preconference will be held there on May 6. Ms. Ciccarello will be attending the preconference and the conference.

Other Business

Mr. Shea reviewed the Self-Help Resources brochure with the group. The information on it will not change on a regular basis. Distribution of the brochures is limited to the 2nd and 8th districts for the time being. When the Self-Help Center becomes a statewide program, brochures will be provided statewide to courthouses and through community networks.

Judge Baxter and Tim Shea will be meeting to decide where the committee should go from here. There will be some proposals given at the next meeting.

Judge Baxter and Judge Shumate will be teaching at the Justice Court Judges Conference the information they received at the Harvard conference run by Richard Zorza. Chief Justice Durham has asked us to make a presentation to the appellate judges.

Doug Butts, guest at the meeting, introduced himself, indicating he is pro se and has worked with many pro se litigants. He stated he has recommendations to make that he would like to present at some future time. He asked the committee to think about providing a link to let pro se litigants know what their rights are that they are entitled to.

Judge Baxter indicated that could possibly be part of a future discussion.

The meeting was adjourned.