

Supreme Court of Missouri Committee on Access to Family Courts



Report to the Supreme Court of Missouri

July 2013

Committee on Access to Family Court Members

The Honorable Douglas Beach, Judge, 21st Judicial Circuit

Kathleen Bird, Esq., Dispute Resolution Services, 7th Judicial Circuit

The Honorable Kelly Broniec, Judge, 12th Judicial Circuit

Karen Brown, Esq., Jackson County Family Court, Kansas City, Missouri

The Honorable Theresa Burke, Judge, 22nd Judicial Circuit

Lou DeFeo, Esq., Jefferson City, Missouri

Sandy Dowd, Circuit Clerk, 6th Judicial Circuit

The Honorable William W. Francis, Jr., Judge, Southern District Court of Appeals

Denise Gable, Assistant Attorney General, Jefferson City, Missouri

Richard Holtmeyer, Esq., Tipton, Missouri

The Honorable Larry Luna, Judge, 38th Judicial Circuit

Kelly Martinez, Esq., Missouri Coalition Against Domestic and Sexual Violence

The Honorable Joel Miller, Judge, 4th Judicial Circuit

The Honorable Brent Powell, Judge, 16th Judicial Circuit

Mike Rinard, Esq. Kansas City, Missouri

Patricia Scaglia, Esq., Independence, Missouri

The Honorable Leslie Schneider, Judge, 13th Judicial Circuit

Deanna Scott, Esq., Legal Services of Southern Missouri

The Honorable Dennis Smith, Judge, 21st Judicial Circuit

Allan Stewart, Esq., St. Louis, Missouri

The Honorable J.D. Williamson, Judge (retired), 16th Judicial Circuit

The Honorable Dennis Smith and Lou DeFeo serve as co-chairs of the committee.

Bob Stoeckl, The Missouri Bar, serves as staff liaison between the committee and The Missouri Bar.

Kelly Cramer, Debbie Eiken and Terri Norris serve as staff liaisons between the committee and the Office of State Courts Administrator.

Summary

In April 2008, the Supreme Court of Missouri created the Committee on Access to Family Courts (CAFC). The committee was charged with developing specific ways to insure access to justice for Missouri families in the family law matters consistent with the eight recommendations of the Joint Commission to Review *Pro Se* Litigation.

A review of the activities and projects undertaken or continued by the committee and its various subcommittees in 2012-2013 to implement the original recommendations are included below. Also during the past year in the effort to hold ourselves more accountable to our goals, CAFC developed a "framework" plan of action, created by Karen Brown, for each subcommittee. These frameworks are updated regularly by each subcommittee and attached to this report in the appendix.

Recommendation #1- Litigant Education Programs/Brochures

***Pro se* litigants in specific types of cases should be required to participate in an education program that describes the risks and responsibilities of proceeding without representation.**

New educational materials regarding the change of name process were added to the Litigant Awareness Program section of the Representing Yourself website.

Recommendation #2 – Court Staff Education

Guidelines should be developed for court staff that clearly defines what information is and is not considered legal advice. The guidelines should be made available to each circuit court with the option of also distributing the guidelines to *pro se* litigants. A curriculum and training program for court staff and advocates who interact or assist *pro se* litigants should be developed.

The court staff education subcommittee is developing a self-study module in conjunction with Office of State Courts Administrator staff to post on the judicial education website (e.g., "JEWELS") for court clerk and staff self-directed training. The program will provide an overview of handling self-represented litigant issues, resources available and training for court clerks and staff who have direct contact with self-represented litigants about the guidelines in Court Operating Rule 25. The subcommittee also coordinates presentations at Court Clerk College events.

Recommendation #3 – Judicial Education

The judicial education subcommittee should develop a curriculum and training program for the judiciary on effective court management techniques in cases involving *pro se* litigants. The curriculum should include education concerning ethical dilemmas created by *pro se* litigation and should consider the development of standard protocol for handling hearings involving *pro se* litigants.

Subcommittee member Judge Brent Powell also is a member of the Trial Judge Education Committee and represents CAFCS interests.

Judge Theresa Burke and Judge Sandra Hemphill made a one-hour presentation about limited scope representation and dealing with self-represented litigants in family law cases at the Missouri Association of Probate and Associate Circuit Judges Annual Conference held April 3-5, 2013. The presentation included a survey of the judges in attendance to determine how judges handle self-represented litigants. The presentation was well received by the associate circuit judges in attendance.

In addition, Judge Alan Blankenship and Judge Sandra Hemphill presented a one-hour presentation about dealing with self-represented litigants at new judge orientation January 28 - February 1, 2013. Judge Hemphill's presentation included a section about limited scope representation and dealing with self-represented litigants in family law cases.

The Trial Judge Education Committee is planning to repeat Judge Blankenship and Judge Hemphill's one-hour presentation dealing with self-represented litigants at the new judge orientation seminar scheduled for late January or early February 2014. The Trial Judge Education Committee also is planning to include a one-hour ethics presentation about self-represented and *ex parte* contacts at the upcoming Judicial College scheduled for August 13-16, 2013, and October 15-18, 2013. The presentation will be made by Judge Mary Sheffield and Judge Sandra Hemphill.

Recommendation #4 – Internet/Website

An internet-based centralized clearinghouse should be developed and maintained to serve as a repository for information concerning all *pro se* services and programs available statewide.

The website subcommittee continues to monitor activity on the self-represent website and review user comments to make the website more user-friendly. The survey developed for the Representing Yourself website continues to provide data about the usefulness of the website and the forms provided for use by self-represented litigants. The website content and some forms now appear in plain language at a reading comprehension level of grade 6-7, while other information has a reading comprehension level up to grade 12. The subcommittee goal is to present all information in plain language at the grade 6 level to maximize usefulness for the public. Some content now is available in both English and Spanish. Grant funding options to cover costs associated with additional language translations are being explored.

Recommendation #5 – Litigant Education Programs/Brochures

A pamphlet or brochure should be developed and made available for distribution in each circuit court describing the resources available to educate and inform the *pro se* litigant of the risks and responsibilities of proceeding without professional legal representation.

There were no major changes made to the brochure during the last year. It continues to be available electronically under the Publications tab of the Representing Yourself website.

Recommendations #6 and #7 – Alliances with State and Local Bar Associations / Pro Bono Initiatives

The circuit and family courts should strengthen alliances with state and local bar associations throughout Missouri to encourage, promote and support lawyer referral programs that will link those in need of legal representation to lawyers who are available to provide some services in family law cases at reasonable or reduced rates.

Many low-income families face legal problems without legal representation. The 2002 study by Professor Greg Casey for The Missouri Bar indicated approximately 50,000 households needed help but could not be served by existing legal assistance programs. The recent recession only has increased the number in need while government funding cuts have decreased the resources. A 2012 study commissioned by then Chief Justice Richard B. Teitelman noted the situation of poor households has gotten worse during the last decade. The study was sent to all presiding judges, local bar association presidents and Missouri Bar committee chairs with the request to distribute the information to their members.

Last year The Missouri Bar returned to voluntary reporting of pro bono contributions. For 2011, 221 attorneys reported 27,392.57 hours of pro bono service. Of these hours 15,504.4 were spent directly helping 2,376 needy individuals without compensation. This reporting is voluntary and obviously underreports the pro bono work presently being done. But the gap between the need and the available help is great. During the last year the pro bono subcommittee collaborated with the Delivery of Legal Services Committee of The Missouri Bar to develop procedures to facilitate reporting by large firms. As a result, more attorneys are reporting their pro bono hours. Next year, focus will be directed at medium sized firms.

The CAFC began in 2008 by addressing the needs by developing self-representation forms and web-based information. Having laid a solid foundation in these areas, the CAFC has established new subcommittees to focus on other means of meeting the needs for access to justice, one of which is focused on pro bono services.

In 2010-2011, the CAFC developed and the Court approved *The Judges' Tool Kit on Pro Bono Legal Assistance*. The subcommittee has worked to make judges and lawyers more aware of the tool kit as a resource to increase and support pro bono. A brochure was distributed to attorneys attending the bi-annual Missouri Bar committee meetings, ESQ announcements have been made, and e-mail information has been sent to all judges. Initial steps have been taken to invite appellate judges to be more active in “talking up” pro bono in their districts.

The pro bono subcommittee will begin the path toward the goal of strengthening alliances with state and local bar associations throughout Missouri by identifying local bar leaders

and communicating with them on a regular basis about pro bono resources (e.g., *The Judges' Tool Kit on Pro Bono Legal Assistance*) and activities. The subcommittee will invite all local bar associations to establish a pro bono committee or taskforce to communicate and collaborate with the CAFC about pro bono efforts.

During 2011-2012, subcommittee members attempted to collaborate with the Young Lawyers Section of The Missouri Bar to provide support to local judges and bar associations in implementing some of the models set forth in the tool kit. However, this group was unable to carry out the project. Subcommittee members now are developing an alternative support system.

The pro bono subcommittee also is inviting law schools in Missouri to designate representatives to consult with the CAFC pro bono subcommittee about projects to integrate pro bono service in the activities and instruction of law students. During 2013, the legislature extended the authority of law school clinics to certify litigants as *in forma pauperis* (SB 374 & HB 100). The bills await the approval of the Governor.

Recommendation #8 - Forms

The Supreme Court of Missouri should develop and approve plain language, standardized forms and instructions that are accepted in all state courts and made available to *pro se* litigants.

Within the last year the State Judicial Records Committee approved a new family law form required for use by Rule 88.09 for *pro se* litigants. The approved form is available on the Representing Yourself website and may be completed online and printed, or printed and then filled out.

The following new form adopted for use and available is:

- CAFC 712 – Request for Service by Publication

Under Rule 88.09, these forms “**shall be accepted by the courts of this state.**” Every party not represented by counsel in proceedings for dissolution of marriage, legal separation, parentage or the modification of a judgment in any such proceedings **shall use** the approved forms unless waived by the trial court. “Mail order” or online forms (other than the approved forms) are no longer acceptable in Missouri courts for *pro se* litigants. If a litigant is represented by an attorney in the preparation of pleadings and documents, the approved forms are not required.

Recommendation #9

The Supreme Court of Missouri should establish a *Pro Se* Implementation Committee responsible for the implementation of the approved recommendations of the Joint Commission.

This recommendation was implemented by the April 15, 2008, creation of the Committee on Access to Family Courts. Subcommittees have been formed by CAFC as needed to carry out the recommendations and/or revise and improve on past actions.

Present subcommittees are:

- Litigant Education
- Court Staff Education
- Judicial Education
- Website
- Pro Bono Initiatives
- Limited Scope Representation
- Forms
- Communications
- Self-Help Centers and Rural Needs

Respectfully submitted,

Judge Dennis Smith and Louis DeFeo
Committee Co-chairs

Appendix A

Includes the following:

- Litigant Awareness Implementation Plan
- Clerk Education Implementation Plan
- Judicial Education Implementation Plan
- Website Implementation Plan
- Pro Bono Implementation Plan
- Limited Scope Representation Implementation Plan
- Communication Implementation Plan
- Self Help Centers/Needs of Rural Clients Implementation Plan

Committee on Access to Courts Implementation Plan Litigant Awareness Program

Definitions: The following terms are defined to create a common understanding and means by which CAFC can communicate regarding implementation of its recommendations.

Note: The terms “goal” and “objective” are sometimes used interchangeably by individuals and organizations. For our purposes, a goal is a broadly stated end-state which we strive to attain while an “objective” will be used to refer to a specific result to be achieved by a specific time and will generally be pursued in support of achieving a “goal”. Goals are generally more long term in nature while objectives are more specific and have assigned completion dates. Objectives should clearly be measurable and recognizable. The Action Plan will list the objectives and who is assigned to complete each task within the objective.

1. **Purpose:** a statement of why we are doing what we are doing.
2. **Goal:** an end which one strives to attain.
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RECOMMENDATION 1

Litigant Education Program/Brochure

Pro Se litigants in specific types of case should be required to participate in an education program that describes the risks and responsibilities of proceeding without representation.

A pamphlet or brochure should be developed and made available for distribution in each circuit court describing the resources developed and available to educate and inform the pro se litigant of the risks and responsibilities of proceeding without professional legal representation.

Purpose: The Litigant Awareness Subcommittee was formed to develop a comprehensive education program designed to ensure meaningful access to justice to unrepresented persons across the State of Missouri.

Goal: Develop a mandatory, standardized litigant education curriculum and accompanying operational mechanisms designed to minimize barriers to access and to help unrepresented persons navigate the family law system.

Objectives:

- Develop an online litigant awareness program designed to inform self represented persons about the family court process, and to raise awareness about the risks and responsibilities of pro se litigation, the limitations of court assistance, the availability of standardized court forms and information and the availability of low cost/pro bono legal representation and other alternatives/services by _____.
- Develop mechanism for mandatory litigant education including rules and certification process (Rule 88.09) by _____.
- Develop Self Assessment Tool by _____.
- Develop online information for specific family law matters including: dissolution of marriage, paternity, family access, name change and modifications by _____.
- Develop various formats for the delivery of litigant education content designed to account for the needs of all marginalized citizens including: videos, DVDs, written material, web based content, brochures by _____.
- Monitor online customer feedback quarterly and make adjustments to LAP content as needed.

Action Steps					
Objective ID	Work Name	Description	Assigned to	Target Date	Completion Date
1.0	Litigant Awareness Program				✓
1.1	Self Assessment Tool		Karen & Jim		✓
1.2	Curriculum	Risks and Responsibilities			✓
		Overview of MO courts			✓
		Overview of legal process including filing, service, answer, discovery, hearings, enforcement and appeals			✓
		Legal Terms			✓
		Resources/Publications			✓
		FAQs			✓
1.3	Family Law Case Information	Dissolution of Marriage			✓
		Motion to Modify Custody			✓
		Motion to Modify Support			✓
		Motion for Family Access			✓
		Paternity			✓
		Change of Name			✓
		Petition for Child Custody			✓
1.4	Protocols and Standards of Conduct	Courthouse access and courtroom decorum			✓
		Limitations of clerical/judicial assistance			✓
		Ex parte communications			✓
1.5	Legal Resources	Internet links			✓

Action Steps					
Objective ID	Work Name	Description	Assigned to	Target Date	Completion Date
		Court approved forms			✓
		Legal Aid/Clinics			✓
		Mediation Services			✓
		Domestic Violence Information			✓
		Missouri Bar pro bono/referrals			✓
2.0	Operational Procedures				
2.1	Mandatory Rules	Rule 88.09			✓
2.2	Certification Process	Make online adjustments	Terri	10/01/12	completed
2.3	Test Your Understanding	Paternity	Terri & Kathleen	10/01/12	completed
3.0	Delivery Alternatives				
3.1	Video/DVD	Litigant Awareness Program			✓
3.2	Web Based Content	Litigant Awareness Program			✓
3.3	Spanish Translation	Litigant Awareness program	Karen & Kathleen		✓
3.4	Brochures	Paternity			✓
3.5		Representing Yourself			✓
3.6	Monitor Customer Feedback	Review customer satisfaction feedback in order to meet the needs of online users.		Monitor Quarterly	✓

Committee on Access to Courts Implementation Plan Clerk Education

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1. Purpose: a statement of why we are doing what we are doing.
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3. Objective: a desired or needed result to be achieved by a specific time. Objectives are specific, measurable, attainable, relevant and time-bound (SMART)

RECOMMENDATIONS: Court Staff Education

Guidelines should be developed for court staff that clearly defines what information is and is not considered legal advice. The guidelines should be made available to each circuit court with the option of also distributing the guidelines to pro se litigants. A curriculum and training program for court staff and advocates who interact with or assist pro se litigants should be developed.

Purpose: The Court Staff Education Subcommittee was established to develop training content for court clerks that will alleviate and address some of the challenges posed by self representation.

Goal: To develop a standardized court staff curriculum, tools and resources designed to optimize the delivery of quality customer service to self represented litigants.

Objectives:

1. Develop court staff assistance guidelines for court clerks designed to clarify the difference between appropriate customer service information and legal advice.
2. Develop comprehensive customer service curriculum for court clerks informing them of the availability of information and resources designed to address self representation challenges.
3. Develop an operating rule that authorizes clerks to provide certain customer service information to self represented persons.
4. Devise various formats for the delivery of ongoing professional development training that keep clerks and staff informed about self representation issues.

Action Steps					
Objective ID	Task	Description	Assigned to	Target Date	Completion Date
1.0	Court Staff Education				
	Court Clerk Survey	Defining the challenges/needs of court clerks working with self represented parties			completed
1.1	Comprehensive Curriculum	Workshops for court clerk college, etc.	committee	On-going	
1.2	Training Modules I & II				
	Develop webinar to be placed on JEWELS	Customer service, permissible assistance under COR 25	Kelly, Kathleen & OSCA liaison	Dec 2013	
2.0	Operational Rules				
2.1	Mandatory Rules	COR 25			completed
3.0	Delivery Alternatives				
3.2	Court Clerk College			On-going	
3.3	Online Materials (website)	Court Clerk Guidelines			completed
3.4	Written Materials	Self Representation Brochures			completed

Committee on Access to Courts Implementation Plan Judicial Education Goals

Definitions: The following terms are defined to create a common understanding and means by which CAFC can communicate regarding implementation of its recommendations.

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RECOMMENDATION: # 3 **Judicial Education**

The Judicial Education Committee should develop a curriculum and training program for the judiciary on effective court management techniques in cases involving pro se litigants. The curriculum should include education concerning ethical dilemmas created by pro se litigation and should consider the development of a standard protocol for handling hearings involving pro se litigants.

Purpose: To develop curriculum and training programs for the judiciary on effective court management techniques in cases involving self represented litigants and encourage the Judicial Education Committee to provide these training programs for the judiciary.

Goal: To develop and provide training and resources for judges that will lead to greater effectiveness in managing self represented litigation across the state of Missouri.

Objectives:

1. Coordinate with the Judicial Education Committee on providing judicial training programs related to self represented litigation.
2. Develop a curriculum to educate and train judges on effective case management techniques for cases involving self represented litigants to include ethical dilemmas created by self represented litigation by July 1, 2014.
3. Develop reference materials that provide guidance on issues related to self represented litigation including the role of judges, case management and ethical considerations by July 1, 2013.

Action Steps					
Objective ID	Work Name	Description	Assigned to	Target Date	Completion Date
1	Coordinate with Judicial Education Committee	Attend Judicial Education Committee meetings	Brent	N/A	N/A
2.1	Case Management Curriculum	Develop curriculum to educate and train judges on effective case management techniques for cases involving self represented litigants	Brent and Theresa	July 1, 2014	
2.2	Ethics Curriculum	Develop curriculum to educate and train judges on ethical dilemmas created by self represented litigation	Brent and Theresa	July 1, 2014	
3.1	Case Management Reference Materials	Develop reference materials that provide guidance to the judiciary related to self represented litigation including the role of judges and case management techniques	Brent and Theresa	July 1, 2013	
3.2	Ethics Reference Materials	Develop reference materials that provide guidance to the judiciary related to ethical dilemmas that arise in self represented litigation	Brent and Theresa	July 1, 2013	

Committee on Access to Courts Implementation Plan Website

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RECOMMENDATION: Internet/Website

An internet based centralized clearinghouse should be developed and maintained to serve as a repository for information concerning all pro se services and programs available statewide.

Purpose: The Internet/Website Subcommittee was established to develop and maintain a website designed to provide information and resources for those involved in family law matters in the state of Missouri. This website will be aimed for self-represented litigants to ensure them meaningful access to justice across the State of Missouri.

Goal: To develop and maintain a Representing Yourself in Missouri Courts website designed to minimize barriers to access and to help unrepresented persons navigate the family law system. The website will include legal forms to file in family law cases, resources for litigants to find attorneys, online resources, resources by county, legal terms, frequently asked questions, Missouri statutes, information on stalking and domestic violence, a litigant awareness program and a site map.

Objectives:

- Develop and design a Representing Yourself in Missouri Courts website.
- Develop and maintain a survey that measures the effectiveness of the website’s resources as well as disseminating information regarding the demographics of self-represented litigants in Missouri.
- Periodically revise and/or update the information and resources on the website.

Action Steps					
Objective ID	Work Name	Description	Assigned to	Target Date	Completion Date
1.0	Develop website	Representing Yourself in Missouri Courts designed to provide information and resources for self-represented litigants involved in family law matters in the state of Missouri.			completed
2.0	Develop litigant survey	The survey will gather information about self-represented litigants			completed
		Gather survey data and report to committee	Terri Norris	On-going	
3.0	Update and revise website				
	Monitor user comments		Terri Norris	On-going	
	Review site content periodically		committee	On-going	
	Coordinate changes with committee responsible for content		committee	On-going	
	Spanish Translation of site	Grant application pending			

Committee on Access to Courts Implementation Plan Pro Bono Subcommittee

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RECOMMENDATIONS:

Pro Bono Initiatives

Recommendation # 6: The Circuit and Family Courts should strengthen alliances with state and local bar associations throughout Missouri to encourage, promote, and support lawyer referral programs that will link those in need of legal representation to lawyers who are available to provide some services in family law cases at reasonable or reduced fees.

Recommendation # 7: The court system and organized bar should proactively encourage lawyers within the state to offer pro bono services annually and encourage initiatives to provide more sources of pro bono legal assistance.

Purpose: To implement Recommendations #6 and #7 of the Supreme Court of Missouri and Missouri Bar Joint Pro Se Litigation Interim Feasibility Committee (2004).

Goal: The Pro Bono Subcommittee shall design and implement models for linking needy persons with willing attorneys who will provide pro bono, reduced or reasonable fee services. And further design and implement means by which courts and bar organizations can encourage more pro bono legal assistance.

Objectives:

1. Design and implement in collaboration with the Missouri Bar and local bars models sustainable at the community and statewide level for linking needy persons with willing attorneys.
2. Design and implement a program of ongoing recruitment of pro bono attorneys in collaboration with the Missouri Bar and local bars.
3. Invite law school representatives to collaborate with CAFC.
4. Bring major firms pro bono coordinators into community statewide.
5. Communicate and collaborate with Mo Bar pro bono activities and committees.
6. Develop and implement resources to support pro bono attorneys.
7. Continue development of Judges Tool Kit on Pro Bono Legal Practice and promote use of Tool Kit resources.

Action Steps						
Objective ID	Task	Description	Assigned to	Target Date	Completion Date	Activities/ Remarks
1.1	Research existing models.	Contact ABA, other states and local bars for information on existing models.				
1.2	Research application of Joplin Tornado model.	Interview Mo Bar staff on details of model.	Lou, Bob			Email reports & ESQ obtained
2.1	Annual recruitment of pro bono attorneys	Annual letter from Chief Justice and Mo Bar President to all attorneys.		October		
2.2	On-line registration	Design on-line registration for pro bono attorneys	Lou			Cf. Starke & Barrett
3.1	Recruit law school representatives.	Recruit representatives of each law school to participate as auxiliary members of the subcommittee	Theresa, Leslie, Brent, Allan		2012	All law schools now represented.
3.2	Learn what law schools are presently doing.	Request law school representatives to report on current pro bono programs in the classroom and out.	Law school reps.			Questions developed. Next step send to law school reps. Websites reviewed.
3.3	New models for law schools to promote pro bono.	Promote exchange of ideas between law schools. Develop new models for instruction and volunteer projects to instill pro bono in students.	Subcommittee in collaboration with law school reps.			Review NCAJ recommendations.
4.1	Identify major firm	Contact all major	DLS	11/13		Lombardi &

Action Steps						
Objective ID	Task	Description	Assigned to	Target Date	Completion Date	Activities/ Remarks
	pro bono coordinators.	firms for the contact information of their coordinator.				Schwendeman of DLS collecting roster of coordinators.
4.2	Inform coordinators of CAFC role.	Send information packet to coordinators about CAFC pro bono resources and goals				
4.3	Learn what are present major firm programs	Request each coordinator to provide description of present programs.				
4.4	Role of LSR and major firm programs.	Educate/inform coordinators about the value of LSR in pro bono work. Provide resources.				
5.1	Delivery of Legal Services Committee	Participate in committee work.	Kathleen, Lou			
6.1	Pro Bono Attorneys Deskbook	Develop new content and update existing content.				Pro bono listserv how to updated.
6.2	Mo Bar Pro Bono Website	Develop content				WU 'rent-a-student" added. Affiliate criteria being developed by DLS
6.3	Develop community among pro bono attorneys statewide	MO pro bono list serve. Promote.	Lou	06/13		Cf. Barrett.
7.1	Chapter on Clay Co. LSR project model.	Prepare addition to Tool Kit	Kathleen, Larry, Lou, Terri	10/31/12		
7.2	Market Tool Kit	Increase judges and attorneys awareness of Tool Kit through communications and education programs	Brent, Lou	10/31/12		CJ letter to all PJ, local bar & Mo Bar chairs.
7.3	YLS collaboration	With YLS develop and implement plan of action for YLS project promoting Tool Kit resources.	Lou, YLS	10/01/12		YLS unable to perform task. Alternate plan in development.

Committee on Access to Courts Implementation Plan Limited Scope Representation

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RECOMMENDATION: Limited Scope Representation

To encourage and promote the value and importance of attorney representation in family law matters this subcommittee should develop informational content deployed through advertising, education and public relations initiatives designed to raise awareness and understanding of limited scope representation alternatives for self represented litigants.

Purpose: To provide cost effective representation alternatives to self represented persons, the LSR subcommittee should develop standardized informational content (guidelines, rules, forms) and launch a comprehensive public awareness initiative across the state of Missouri designed to inform the public, bench and bar about the availability and value of such services.

Goal: To raise awareness about and to institutionalize the use of limited scope representation in Missouri courts.

Objectives:

- Develop **revised** rules that authorize LSR practice in Missouri by December 2013;

- Develop standardized training for attorneys that provides information, guidelines and forms for LSR practice by May 2014;
- Devise a comprehensive training plan that identifies trainers and outlines how training will be deployed throughout the state by May 2014;
- Develop written resource materials including best practices for limited scope representation services by May 2014;
- Monitor feedback quarterly and identify the barriers to full implementation through surveys and other means and make recommendations to CAFC accordingly;
- Develop a public awareness initiative that outlines the availability, benefits and use of LSR to our key target audience which includes the public, court staff, judiciary attorneys, law students and allied professionals by September 2014;
- Identify the means and methods for information dissemination annually.

Action Steps					
Objective ID	Task	Description	Assigned to	Target Date	Completion Date
1.0	Rules	Revision and additions	Doug/Brent/others	10/18/13	12/20/13
2.0	Training Module		Allan/Kathleen/Doug	04/18/14	05/30/14
2.1	CLE	Develop standard CLE training material for attorneys that describes the practice and informs attorneys of its use in our courts and provides guidance on ethical issues and other practice concerns.	Same group plus Bill	04/18/14	05/30/14
2.2	Best Practices	Develop written guidelines and information for LSR practice.	Lou/Karen/Doug	04/18/14	05/30/14
3.0	Monitor Feedback	quarterly identify the barriers to full implementation through surveys and other means and make recommendations to CAFC accordingly	Allan/Kathleen/Karen/Lou	N/A - continuous	N/A - continuous
4.0	Public Awareness	Develop a public awareness initiative that outlines the availability, benefits and use of LSR to our key target audience which includes the public, court staff, judiciary attorneys, law students and allied professionals	Lou/Karen	08/15/14	09/30/14

COMMITTEE ON ACCESS TO FAMILY COURTS COMMUNICATION

Goal: To regularly and timely communicate information about the activities of CAFC and resources developed by CAFC to the bench, bar and public.

Objectives:

1. Solicit permission of current judges, clerks, local bar officials, Missouri Bar officers and committee chairs, public and law school libraries, and law school representatives to be included on an email roster, and then develop and maintain the roster.
2. Semi-annually develop and email, with the input of CAFC subcommittees and OSCA, a newsletter about CAFC programs and activities to circuit clerks and local bar officials.
3. Semi-annually develop and email to public and law school libraries a newsletter regarding the self-representation website and how to effectively use it.
4. Periodically prepare press releases on newsworthy CAFC activities to legal and general circulation news outlets with the approval of the Chair and the Court.
5. Regularly provide content to MO Bar ESQ and the MO Bar Pro Bono website about CAFC activities.
6. Recruit interested persons with journalism or marketing experience to serve as auxiliary members of the Communications Subcommittee.
7. Develop and maintain the on-line public and private CAFC archives of documents and resources
8. Collaborate with other subcommittees in the development and distribution of resource pamphlets.

Committee on Access to Courts Implementation Plan Self-Help Centers / Needs of Rural Clients Subcommittee

Definitions: The following terms are defined to create a common understanding and means by which CAFC can communicate regarding implementation of its recommendations.

Note: The terms “goal” and “objective” are sometimes used interchangeably by individuals and organizations. For our purposes, a goal is a broadly stated end-state which we strive to attain while an “objective” will be used to refer to a specific result to be achieved by a specific time and will generally be pursued in support of achieving a “goal”. Goals are generally more long term in nature while objectives are more specific and have assigned completion dates. Objectives should clearly be measurable and recognizable. The Action Plan will list the objectives and who is assigned to complete each task within the objective.

1. **Purpose:** a statement of why we are doing what we are doing.
2. **Goal:** an end which one strives to attain.
3. **Objective:** a desired or needed result to be achieved by a specific time. Objectives are specific, measurable, attainable, relevant and time-bound (SMART)

RECOMMENDATIONS:

Recommendation # 7: The court system and organized bar should proactively encourage lawyers within the state to offer pro bono services annually and encourage initiatives to provide more sources of pro bono legal assistance.

Recommendation # 8: The Supreme Court of Missouri should develop and approve plain language, standardized forms and instructions that are accepted in all state courts and made available to pro se litigants.

Purpose:

Goal: The Self-Help Centers (SHCs) / Needs of Rural Clients Subcommittee shall design and implement/promote models for assisting pro se litigants in effectively representing themselves in court or obtaining legal assistance.

Objectives:

1. Research models from other states.
2. Review and document existing models in Missouri.
3. Survey need for SHCs in Missouri.

4. Design and implement models sustainable at the community and statewide level for helping needy persons especially in rural and inner-city areas through self-help centers.
5. Design and implement a program of ongoing recruitment of sponsors of self-help centers.
6. Develop and implement resources to support SHCs.
7. Develop partnerships to provide legal services to unrepresented low income person.

Action Steps					
Objective ID	Task	Description	Assigned to	Target Date	Completion Date
1.1	Update Research existing models.	Contact ABA	Law student	March 1, 2013	
1.2	Update Research existing models.	Contact Conference of State Chief Justices.	Law student	March 1, 2013	
2.1	Update Research existing models.	Contact Legal Services and other agencies for information on existing models.	Law student	March 1, 2013	
3.1	Court survey	Survey circuit judges.			done
3.2	Research special needs areas.	Request input from CASA, Legal Service Corporations and RACs(?)	Letter via e-mail	March 1, 2013	
4.1	Design and implement models	Develop step-by-step how to organize a SHC.		Depends on needs analysis	
4.2	Design and implement models	Explore use of LSR with SHCs.		Depends on needs analysis	
4.3	Design & implement SHC model for rural and other underserved areas using telecommunications.	Develop collaboration with major firms or other service providers		December 31, 2013	
4.4	Design & implement SHC model for rural and other underserved areas using telecommunications.	Develop collaboration with law students.		December 31, 2013	
4.5	Outreach to needy persons	Design models for informing needy persons of available SHCs through court clerks, community publications etc.	Sub-committee members	June 30, 2013	
4.6	Criteria for successful SHC	Develop criteria for evaluating a successful SHC.		Depends on needs analysis	
5.1	Recruit SHC sponsors	Contact Legal Service agencies & law schools.		Depends on needs analysis	
6.1	Network SHCs	Establish List Serve or web for		June 30,	

Action Steps

Objective ID	Task	Description	Assigned to	Target Date	Completion Date
		SHCs.		2013	
6.2	Judges' Tool Kit	Publish SHC tools and resources in Judges Tool Kit on Pro Bono Legal Practice			done