



**COMMITTEE ON ACCESS TO FAMILY COURTS
AGENDA**

**Office of State Courts Administrator
121 Alameda Drive, Conference Room B**

June 5, 2009

10:00 a.m. – 3:00 p.m.

I. Call to Order

- A. Approval of April 10, 2009, Meeting Minutes
Attachment page 3

II. Status Updates

- A. Alliances with State / Local Bar Associations / Pro Bono Initiatives
(Recommendations #6 & #7) (Stewart)
Attachment page 11
1. Pro Bono Match Making Proposal (DeFeo)
Attachment page 12
- B. Forms (Recommendation #8) (Smith)
1. Motion to Modify Forms
Attachment page 18
- C. Self-Help Centers (Schneider)
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1. Update of FCC DRFF Grant
Attachment page 21
 2. Project status
Attachment page 24
 3. Evaluation of project
- D. Litigant Education (Recommendations #1 & #5) (Bird)
Attachment page 25
1. Brochure for Clerk's Offices
 - a. Update (Stoeckl, Norris)
 2. DVD (Kathleen Bird)
- E. Judicial Education (Recommendation #3) (Williamson)
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- F. Web Site (Recommendation #4) (Bird)
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1. Survey Results
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 2. Comments Received
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- 3. Web Site Google Search
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- 4. Hits
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- G. Court Staff / Clerk Education (Recommendation #2) (Bird)
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- H. Communications (Cruse)
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- I. Funding (Scaglia / McClure)
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- J. Vacancy Recommendations (Levine)
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III. Staff Report (Zacharias)

- Attachment page 45*
- A. Forms Distribution - Department of Corrections (Norris)
Attachment page 46
- B. Technical Issues at OSCA (Zacharias / Norris)
- C. New Software (Zacharias / Norris)
- D. Funding (Zacharias)

IV. New Business

- A. New Litigant Awareness for Paternity, Name Change & Family Awareness (Brown)
- B. New Survey (Martinez, Stoeckl, Norris)
- C. Requests for Legal Separation Information/Form (Norris)
- D. Ft. Leonard Wood Request (Zacharias)
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- E. Resignations
 - 1. Charles Hutson
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- F. September 4, 2009, Meeting Date
- G. 2010 Tentative Family Court Committee Meeting Dates
Attachment page 50

V. Subcommittee Breakout Sessions (if needed)

VI. Adjourn Meeting

PLEASE MARK YOUR CALENDARS FOR THE NEW CAFC MEETINGS:

**September 4, 2009
December 4, 2009**



**COMMITTEE ON ACCESS TO FAMILY COURTS
MINUTES
April 10, 2009**

Members Present: Judge Dennis Smith, Lori Levine, Judge Leslie Schneider, Judge J.D. Williamson, Lou DeFeo, Richard Holtmeyer, Mary Ann McClure, Patricia Scaglia, Karen Brown, Kelly Martinez, Allen Stewart, Kathleen Bird, Richard Halliburton

Members Present by Phone: Fredrich Cruse

OSCA Staff: Cathy Zacharias, Terri Norris, Kelly Cramer, Debbie Eiken

Missouri Bar Staff: Robert Stoeckl

Members Absent: Judge Miles Sweeney, Deanna Scott, Judge Bennett Burkemper, Charles Hutson

I. Call to Order

The Committee on Access to Family Courts was called to order by Lori Levine at 10:10 a.m. at the Office of State Courts Administrator (OSCA), 121 Alameda Drive, Jefferson City, Missouri.

Patricia Scaglia moved to approve the minutes from the January 30, 2009. J.D. Williamson seconded the motion. The minutes were approved.

Patricia Scaglia moved to approve the minutes from the March 6, 2009, electronic vote. J.D. Williamson seconded the motion. The minutes were approved.

II. Status Updates

A. Alliances with State/Local Bar Associations/Pro Bono Initiatives

Allan Stewart summarized efforts underway to educate attorneys about Limited Scope Representation (LSR), such as the Practicing Law Institute's use of telephone seminars. Allan suggested the Missouri Bar could do telephone seminars and reach a greater statewide audience. The program could tie in with Chris Stegemeyer's presentations regarding LSR.

Allan informed the committee he has been invited to the solo and small firm program and will discuss LSR. Judge Doug Beach will discuss the forms.

Lou DeFeo spoke about pro bono initiatives. He stated the economy has increased the problem for potential clients and attorneys. Allen, Lou, and Richard Halliburton discussed their concern about not duplicating legal services that presently exist and the need for more pro bono attorneys. They have contacted the Chief Justice and the Missouri Bar to request a letter be sent to all attorneys outlining the need for more pro bono work. A suggestion was made to put pro bono attorneys on an annual rotation. With appropriate legislative changes, government attorneys could be used as pro bono attorneys without a conflict of interest.

Lou outlined the draft of "Matchmaking Pro Bono Attorneys with Needy Clients." He is working with Bob Stoeckl and Jeff Markway on the proposal.

Lou envisions the Samaritan Center being the first agency of contact to advise people about an available legal assistance. Potential clients will be advised of the pro bono program and what services are available to them, such as, libraries, attorneys, etc.

Patricia Scaglia stated abuse centers already have attorneys available to assist. She was curious about the people that did not qualify; she believes the shelters would be a good place to screen them. Lou suggested someone could come in once a week to work with clients. Patricia would like to see a model in place to understand this program. Lou talked about forms to provide tools and templates for attorneys. Statewide consistency is a key factor to a successful program.

Dennis Smith asked if the Samaritan Center already does this and if it is working. He also wanted to know about getting other pilot programs started that would work. Lou stated a program was already in the works in Boone and Callaway counties. Patricia stated she was on the Kansas City task force committee reviewing another program. She would like to get this approved today so that she can take it to her new committee and show them what Boone and Callaway counties are doing. Dennis stated the bar president from Kansas City should come to one of the program's meetings. Patricia's concern is the need for focus and understanding of LSR. This will help with the western part of the state, which is where they need to increase the acceptance of LSR. Lori suggested the president of the Missouri Bar could talk to Lou. Patricia said she would contact the KCMBA president and suggest she talk with Lou so he could explain the program to her and get her input. Lori stated we could pick up all metropolitan areas. Lou agreed and wants to make sure we get the plan information distributed throughout the state.

Lou reported the American Bar Association will celebrate pro bono legal services nationwide during the month of October and that this might be a favorable time for pro bono recruitment. This can be done with the help of the Missouri Bar through online registration, which is already in place. Another benefit to online registration is an attorney can 'click off' of working pro bono for a period of time if needed.

Lou reported a letter will be signed by the Chief Justice and the Missouri Bar president outlining how the program will work and how it will be put on an annual cycle. The letter will go out about the same time as the recruiting process begins. It is the intent for the letter to be sent out with Chief Justice Stith's signature and then another letter sent out with Chief Justice Price's signature after July 1. Lou would like the Court to visit bar associations from June through August to encourage more attorney involvement in pro bono work and preparing the way for this new initiative.

Another goal is to support and strengthen pro bono practices with retired attorneys, government and part-time attorneys, corporate attorneys, etc. Collaboration with social service agencies and community services also is important. Pro bono attorneys need to know what services are available in the community. Mediation is something that needs to be added to the pro bono program.

Richard Halliburton questioned funding and staffing needs of a separate statewide pro bono system. Richard stated Legal Services works with 100 social service agencies. He believes there is more to do to attract additional attorneys. The biggest obstacle he sees is that family law attorneys can only take one or two cases a year. The other problem is recruiting; some attorneys will not follow through. He questioned Lou about putting all pro bono cases together. He does not see how it's feasible or necessary given the pro bono system that we have now.

Lou stated Legal Services are only the first component; we do not want to duplicate programs already in effect. Legal Services can act as the pre-screeners. Richard asked if the discussion was concerning prescreening lawyers to handle other cases. Lou stated the priority is to provide services to what he calls marginalized people, not just anybody. These services would include LSR. Allan Stewart wanted to know what is covered by Legal Services and whether it is statewide. Richard stated the services offered by each Legal Services agency varies, but every county in the state is covered. Lou was questioning the services to a potential client that did not meet the criteria for the Legal Services Corp. Richard stated they would refer the client to one of lawyer referral systems that already exist.

J.D. Williamson suggested that if a program is in place in Kansas City, it will encourage other areas to follow. We should be able to put together local resources and let people know what's going on in their communities. Lori thinks that Lou envisions we can work with what is already in place. J.D. suggested this committee be the oversight to statewide resources and planning.

Richard Halliburton believes having a central number to call will become very time consuming and not work without full-time staff. He also stated you can't place potential clients with a specific attorney. Lou stated this is gap that will need to be fixed.

Karen Brown stated uniformity is absolutely critical. She suggested a voice mail could provide information about where to go for services.

Bob Stoeckl indicated pro bono registration can be done through the Bar's Web site, but we need to make sure it coordinates with legal services to ensure that it doesn't cause any harm to them.

Lori believes the idea is good. Lou is making the Samaritan Center work without a staff and budget but there will need to be an interface with Legal Services to have the system work together.

Allan Stewart asked if the Missouri Bar referral service does any screening regarding the type of case. Bob Stoeckl stated the service will refer someone to an attorney practicing in a certain area but does not identify whether the lawyer will do pro bono or reduced fee services.

Dennis Smith asked if Legal Services Corporation could provide another number to the potential client so they can contact someone if they cannot afford a lawyer but do not qualify for assistance with Legal Services Corporation. Lou suggested we experiment with some of the suggestions to find the gaps and strengths of the program. Dennis asked Richard about potential clients of modest means who do not qualify and are not able to get help for legal services.

Allen Stewart moved to support the pro bono matchmaking draft proposal Lou outlined with and understanding the proposal would require further adjustments. Patricia Scaglia seconded the motion. Richard Halliburton voted no. The motion passed.

B. Forms

Dennis Smith reviewed minor changes he has made to the dissolution of marriage forms including Judge Russell's request that footer dates be included. Judge Russell also requested the cover sheet be changed to read "approved by Missouri Supreme Court," instead of by the committee.

The committee discussed the use of the term "petitioner." Dennis believes once a petitioner, the party is always called a petitioner. Leslie Schneider agrees the designation does not change.

The committee discussed adding a question about whether or not the person is in the military. The committee agreed there should be a question on the form. Richard Holtmeyer stated they need a letter from the commander that they are on active duty, then the judgment is set aside until they are no longer on active duty.

The new set of motion to modify forms will be reviewed by the Family Court Committee (FCC) and the State Judicial Records Committee (SJRC) before we finalize and approve them. The committee agreed to include the military form in the packet.

Dennis asked if there should be another box about the visitation to be changed for the motion to modify judgment. Should there be a paragraph in the visitation part of the form about the change? The Motion to Modify Judgment form was changed because the change of circumstance has occurred, but the change of visitation can stay the same.

Dennis asked the committee to get back with him on the change in circumstance, visitation, and custody forms. Everyone agreed they need the visitation forms.

Dennis would like the forms to be copyright protected.

Dennis Smith moved to approve the Motion to Modify forms subject to some changes/corrections and to send the forms to the FCC and SJRC. Lou DeFeo seconded the motion. The motion was approved.

Lori Levine and Cathy Zacharias asked for clarification on the forms for Child Custody and Child Support Judgment. Dennis stated they are both the same and nothing has been changed. He stated 2 a, b, and c were approved, but 2 b and c are the same, they just have different titles.

C. Self-Help Centers

Judge Schneider reported the Mid-Missouri Access to Justice Project in the 13th Judicial Circuit is progressing. The project did receive a grant from the Domestic Relations Resolution Fund in the amount of \$12,000 for domestic

violence cases. The kick-off date for the project is May 4. Applications for the project coordinator position are being accepted.

The application for grant funding from the FCC in the amount of \$25,000 is pending. Judge Schneider will meet with the FCC Friday to answer additional questions concerning the budget and case types.

D. Litigant Education

1. Brochure for Clerk's Offices

The committee reviewed the current version of the brochure, which was approved by electronic vote March 6, 2009. Richard Halliburton stated all numbers for Legal Aid of Western Missouri should be included in the brochure. Kathleen Bird stated she was informed that only the main number should be listed, but she will check with them again.

Bob Stoeckl stated the Missouri Bar agreed to print 5,000 copies of the brochure. The committee agreed copies of the brochure also should be sent to law libraries and public libraries. Terri Norris informed the committee 93,000 copies of the Parenting Handbook are sent to clerk's offices when there is an update. Terri suggested sending 25,000 copies of the brochure to clerks. Terri stated translating the brochure into Spanish will cost .25 a word, or roughly \$300. Terri and Bob will work on printing the brochure and other items. Bob stated the Bar will make the brochure available for download from the Missouri Bar Web site.

Lou DeFeo stated the public libraries are developing a similar brochure. He stated the brochures could be e-mailed without any costs to the libraries.

2. DVD Demonstration

Kathleen reported that Jim Kapowicz is reworking some of the courtroom scenes on the DVD. He hopes to have it completed by the end of April, and that it will come in at budget. Kathleen stated the DVD would be about 20 to 25 minutes long. Karen is working with the Hispanic Bar for the Spanish voiceover on the DVD. Kathleen prepared 10 True/False questions to be included at the end of the DVD.

Dennis Smith wanted to know if the DVD could be put on YouTube so OSCA would not have to put it on the court's Web site. Kathleen stated she would discuss this with Beth Riggert and get the approval from the Supreme Court for posting it on YouTube.

Karen Brown reported on litigant awareness upgrades for the Web site, including paternity information, name change information, family access motion information, and motions to modify information. Lori stated she would like to see it on the next agenda. Karen is prepared to circulate the information via e-mail for review and discussion at the next committee meeting. Lori suggested that once the subcommittee approves it, it be sent out to members for discussion.

Terri Norris reported data from the litigant awareness survey is overwhelming supportive of the program. She has received more than 2,500 responses since July 1, 2008. She reported that 69% of the responses are from people in the \$30,000 or less income salary range.

E. Judicial Education

Cathy Zacharias announced Judge Glenn Norton was appointed Chair of the Judicial Education Committee. J.D. Williamson will contact Judge Norton. He stated if judges see lawyers participating, they'll become more involved. Lori Levine suggested offering ethics hours for the judicial college.

F. Web Site

Karen Brown does not like the wording for question 9 of the Web site survey. She thinks it implies it is easy to get a divorce without an attorney. The committee discussed that changing the wording will change the statistics. It was decided to leave the question as it is.

Mary Ann questioned if additional information should be collected from the survey. Kelly Martinez, Bob Stoeckl, and Terri Norris will work on revising the current survey or creating additional surveys for discussion at the June 5, 2009, meeting.

Terri stated she receives approximately 300 completed surveys each month. Dennis Smith asked Terri to keep track of her time to see how much time she works on the surveys. Bob Stoeckl stated he will provide Terri with information about survey software the Bar purchased.

Dennis Smith informed the committee two different dissolution of marriage forms versions are now posted on the Web site. One set of forms has interactivity and one set does not.

A new section regarding dispute resolution has been added to the Web site. County specific information also has been added. Additional county resource information will be added as it becomes known.

Terri Norris presented survey comments from August of 2008 to present. Patricia Scaglia stated notices do not have the date on them stating they are new or to be used as of April 1. She stated she never has seen anything on them that gives an effective date for the new forms.

The committee discussed changes to the forms page so words such as 'free forms,' or 'official free Missouri forms' appear when a user does a Google search. Suggestions included making the title on the page all caps, adding the word free, etc. Kelly Cramer suggested 'This is the Official site for Free Missouri Dissolution (Divorce) Forms.'

G. Court Staff/Clerk Education

No report given.

H. Communications

No report given.

I. Funding

Patricia Scaglia stated we need to know where the need is the most. She suggested getting the message out is very important. She needs direction in getting the global message out and help with various initiatives. She made the suggestion of raising the filing fee. Cathy Zacharias stated the legislature has not been supportive of increasing court costs and most likely would not approve it. Patricia said we have to have a unified message. She also suggested using \$1.00 from bar dues to help fund this program. Richard Halliburton stated the Board of Governors will not support that suggestion. The committee will need to look at alternative sources of funding and the ongoing need.

Karen Brown suggested we examine the economic impact on the Bar for doing the production, duplication, and distribution costs of the DVD, and the matchmaking database.

Mary Ann McClure stated the committee talked about providing two copies of the DVD per county. Kathleen Bird talked to Jim Kapowicz about a company in St. Louis that could produce a mass quantity of the DVDs for about \$1.00 a copy.

Lori Levine stated we have struggled with funding issues since 2002. She also stated the Bar has been a tremendous help and that Lou's matchmaking proposal will be an ongoing funding issue.

III. Staff reports

A. Forms Distribution – Department of Corrections (DOC)

Terri Norris emailed the dissolution of marriage forms package to the DOC. The contact person indicated they receive an error comment when the forms package is downloaded. Terri will follow up with DOC.

B. Discussion Database

Use of the database has been minimal. Lou DeFeo suggested members create a folder in their own email for incoming committee emails. Suggestions for motivating members to respond included putting a response date in the subject line or making the response time shorter.

C. Technical Issues at OSCA

Cathy Zacharias stated no technical issues have been reported.

D. New Software

Cathy Zacharias reported OSCA staff have been researching the document assembly program HOTDOCS. Additional research is planned. Document assembly software would be purchased by OSCA.

E. Funding

Cathy Zacharias stated there is no chance for funding this fiscal year.

IV. New business

A. Training Opportunity

The Practicing Law Institute's (PLI) Web cast is available at PLI's archive. The second Web cast is scheduled for Tuesday, April 14.

The March Webinar is available online and is about 3½ hours long. Lou DeFeo stated he is unaware how long they leave the training Web casts online or in the archives, but there are several available now that are free. Lori suggested taking the basics before taking the "Training the Trainers."

Richard Holtmeyer informed the committee he will be leaving for military duty in June but will be back no later than December.

B. Resignation/Appointments

There are two vacancies on the CAFC. Judges Tom Clark, Lisa White Hardwick, Mark Powell, Brian Wimes, Marco Roldan, Larry Luna, Randall Jackson, Ralph Haslag, Teri Burke, and Scott Bernstein and Commissioner Sherrill Roberts were recommended.

Lori Levine asked Patricia Scaglia to contact Judge Hardwick to see if she is interested in serving on the committee. Lori stated she will discuss the recommendations with Judge Russell.

V. Subcommittee Breakout Sessions

No subcommittee breakout sessions were held.

VI. Adjourn Meeting

The next meeting will be Friday, June 5, 2009, in Alameda B, 121 Alameda Dr., Jefferson City, MO.

The meeting adjourned at 3:10 p.m.

Pro Bono/LSR Initiatives Subcommittee

Co-Chair for LSR: Allan Stewart Co-Chair for Pro Bono: Lou DeFeo

Recommendation #6 & 7

6 - The Circuit and Family Courts should strengthen alliance 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.

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.

Topic	Description	Action/Recommendation	Assigned to	Due Date	Notes
pro bono attys list serve	Build community among pro bono attorneys.	promote awareness and participation			
pro bono deskbook		promote awareness and use			Garvey report 8/06
pro bono deskbook		Add new components	Lou		Garvey report 8/06
pro bono attorney recruitment	annual letter from Chief Justice and MoBar president recruiting attorneys to pro bono service				Garvey report 8/06
prescreening of clients	what organizations/agencies are available to prescreen applicants for pro bono services?	identify and network with agencies			Garvey report 8/06
pro bono attorney recruitment	Court & Bar leaders should visit each local bar association and encourage pro bono services.	develop plan of action			Garvey report 8/06
pro bono attorney recruitment	establish pro bono committee within each local bar association.	develop plan of action			Garvey report 8/06
Law School clinics	establish clinics in all Mo. Law schools similar to Wash U/SLU model	develop plan of action			Garvey report 8/06
remove obstacles to pro bono practice	malpractice for pro bono attorneys	promote awareness of State and Legal Services insurance programs. Are there other needs?			Garvey report 8/06
remove obstacles to pro bono practice	Educate judges on means and methods of encouraging pro bono services e.g. docket preference.	develop plan of action			Garvey report 8/06
appreciate pro bono attorneys	Waive MCLE fees for pro bono attorneys	workout agreement with Mo Bar			Garvey report 8/06
Support services for pro bono attorneys	Organize contributed office space, equipment/computer use, library access etc. for pro bono attorneys without such resources e.g. retired attorneys	develop plan of action			Garvey report 8/06
government attorneys	recruitment of and removal of obstacles for government attorneys to do pro bono work				
corporate attorneys	recruitment of and removal of obstacles for corporate attorneys to do pro bono work				
ABA Pro Bono celebration	nationwide pro bono celebration Oct. 2009	collaborate			
malpractice premiums	Reduction in premiums for pro bono attorneys under LEF	confer with The Bar Plan	Fred		
MCLE credit for pro bono service	Provide credit or free MCLE for pro bono attorneys	Draft guidelines. Obtain Mo Bar approval			
lawyer referral services	including pro bono & LSR in lawyer referral services	research status and improvements			Bird email
Pro bono attorney list	a database of attorney willing to provide pro bon/LSR/sliding scale legal services	develop plan of action and communication	Lou/Jeff		
Matching attorneys to needy clients		Develop plan to match pro bono/LSR attorneys to needy clients.	Lou		
LSR education					

The Need of the Poor for Legal Assistance

In 2002 Missouri Legal Services with funding from the Mo. Bar Foundation employed Professor Greg Casey to survey the needs of the poor for legal services. The October 2002 survey found that during the three years before the report, 77% of low-income households faced at least one legal problem (190,172 households containing 507,760 persons) (p.10). Many households experienced multiple legal problems. The average number of legal problems per household was 6.28 (p.13).

Most of these households were not able to obtain legal assistance. Legal Services eligibility requirements exclude any one over 125% of poverty level (\$12,763 per year for one person), incarcerated persons, and because of conflicts, the respondent opposed to everyone they do represent etc. Even as to those eligible, because of limited resources, Legal Services was only able to serve 25%.

Based on this report over 63,000 households each year have at least one legal problem needing an attorney and more than 47,000 (75%) do not receive an attorney's help. Note: The 47,000 does not count persons who were outside of Legal Services eligibility. The simple fact is that there is a great need to address the problem of access to justice for many needy households.

Except from Professor Greg Casey 2002 Report for Legal Services:

Let us look at **the incidence of each type of trouble in Missouri households**. Table 2 shows the percentage of households afflicted by particular kinds of legalizable problems. The most predominant problem is housing, with nearly 41% of households experiencing these types of difficulty. Next most frequent is employment problems, with 30% of households undergoing these pains. Employment is followed by family problems, with over a quarter of the households having these troubles. Miscellaneous problems, mostly involving wills and living trusts, affect about 25% of poor households. Consumer finance is next most pressing, followed by health and education. Rights problems are less widespread. Juvenile difficulties are not very widespread, but only two questions directly focused on non-educational legal problems of juveniles, so possibly this is a product of the paucity of measures (i.e., had more questions been asked, the additional questions might have picked up more households by describing other juvenile problems (unmentioned in the survey) that they might have undergone. Finally, income maintenance, usually involving some form of bureaucratic meddling by welfare authorities, is notably low.

Consumer Finance	17.13%
Education	11.74%
Employment	30.31%
Family	28.03%
Juvenile	5.99%
Health	12.14%
Housing	40.65%
Income Maintenance	3.46%
Rights	7.22%
Miscellany	25.04%

Readers should be cautioned that the high, medium, or low incidence of these problems cannot indicate precisely which problems are of high, medium, or low priority to the people suffering from them. Ranking procedures would have to be used within the survey instrument to measure and portray the hierarchies of poor people's priorities. For instance, in a telephone poll, respondents could be asked to rank perhaps as many as 5 particular needs in order of seriousness; in a field poll, it would be possible to ask respondents to sort out cards reflecting the seriousness of particular problems in their views. One telephone study by the Spangenberg Group used a final question at the conclusion of the interview asking respondents to identify which problem area they considered most serious of all the problems areas they had recounted experiencing. The problems categories considered most serious tracked the order of the incidence of problem categories very closely (the two most serious problems areas were identical to the two problem areas of highest incidence and occurred in the same order, and the order of the less serious problem categories was very similar to the order of incidence of the problem categories).ⁱ The statewide New York study (1993) also reported that poverty respondents' rankings of the most serious problem area facing them were very similar to the overall incidence of the problem area.ⁱⁱ Thus, there may be a very high correlation between the ranking of problem areas by legal service recipients and the general incidence of these problem areas, but we cannot know for sure in this survey because the final question was not asked.

The numbers of households in the survey reflects the larger reality of the number of poverty households in the state as a whole, and we can generalize to these households by using point and interval estimation statistics. Essentially, we have proportions of households reporting having experienced particular types of legal problems. We know our sample size,ⁱⁱⁱ the number of households to which we are generalizing (N= 257214 poverty households in Missouri), and we have from the survey the proportion of households surveyed which complain of a type of legal problem. With these ingredients, we can estimate the range of households affected by the type of need within a confidence interval. We will use the 95% confidence interval: with each of these intervals, we know that the correct or true number of households affected is within the range we set up 19 out of 20 times. The range goes from below the observed (survey) value to above that value. To avoid exaggerating legal needs, we will accept the lowest value, i.e., the low end of the confidence interval; since the true value could be above the high end of the confidence interval (and would probably be there about 2 ½ % of the time, we are in a sense about 97 ½ % confident that the true value is at least the low end.

Table 3 gives the data. **Note that the low estimate of the number of households affected by at least one legal problem (under overall) is 190,172. Of course, many households are affected by more than one problem: the average number of legalizable problems affecting a poverty household is 6.28.** One household in the survey encountered 66 such problems! (Also, some households were untouched by problems: 234 reported no difficulties whatsoever.) In considering the numbers of households with legal problems, it is important to hold in mind the depth of the legal problems for some households; it is probably part of the nature of the poverty experience to face multiple woes, often simultaneously.

Table 3. Numbers of Households Affected by One Legal Problem			
Category of Trouble	Percentage of Survey	Lowest Estimate of Households	Highest Estimate of Households

	Respondents Reporting it	Affected by Trouble	Affected by Trouble
Consumer finance	0.1713	38057.17	50064.35
Education	0.1174	25067.72	35326.12
Employment	0.3031	70638.18	85284.95
Family	0.2803	64940.25	79253.92
Juvenile	0.0599	11625.88	19188.36
Health	0.1214	26021.76	36429.8
Housing	0.4065	96730.87	112384.1
Income Maintenance	0.0346	5987.377	11811.83
Rights	0.0733	14700.85	23006.72
Miscellany	0.2504	57502.95	71309.83
Consumer finance	0.1713	38057.17	50064.35
Overall:	0.7656	190172.9	203673.2

Now it is interesting to fit onto these estimates the numbers of cases in the classes of legal areas that Legal Services entities in Missouri were able to take on. Although we presume that Legal Services is unable to provide legal help to all the poor who want help, and that **rationing of legal services is therefore going on**, we do not know the extent or dimensions of the unmet need. We can take both a two year total of legal services provided and a three year total. The three year total takes in the years 1999, 2000, and 2001. Since most questions in the survey referenced a three year period of time, this is the best estimate of the amount of the legal need of the poor that found its way to Legal Services entities. (We don't have data for 1998 legal services cases; thus we are taking the 1999-2001 caseload as an estimate of the needs arising in the three year period 1998-2000. The problem area in which legal services entities are most likely to

Category of Trouble	Lowest Estimate of Households Affected by Trouble	Three Year Load of Legal Services Entities (1999-2001)	Percentage of Unmet Need Met by Legal Services Entities
Consumer finance	38057.17	4958	0.130278
Education	25067.72	2201	0.057834
Employment	70638.18	2483	0.065244
Family	64940.25	15054	0.395563
Juvenile	11625.88	2249	0.059095
Health	26021.76	3721	0.097774
Housing	96730.87	7595	0.199568
Income Maintenance	5987.377	4676	0.122868
Rights	14700.85	4104	0.107838
Miscellany	57502.95	2847	0.074809
Total:	190172.9	47382	0.249152

respond to the needs of the poor is in the area of family law: here nearly 40% of the (conservatively estimated) need is handled in the volume of cases that pass through the four legal services delivery entities in the state. The next best served area is housing; legal services is handling about 20% of estimated need. About 13% of consumer finance troubles and 12% of the income maintenance cases get into the legal services system. About 10% of rights cases succeed in winning an audience with legal services, and almost 10% of health cases attract some intervention by legal services. Problems

in the rest of the case categories have a low likelihood of obtaining help from legal services. **Overall, legal services organizations seem to be handling about 25% of the legalizable problems emerging among the poverty population of the state.**

Taking into consideration the many constraints under which Legal Services entities operate, including restrictions on the type of case which they may take, not to speak of the budgetary constraints that hinder their operations, serving a quarter of the households (estimated conservatively) looks like a way of spreading legal help as widely as possible. **Unfortunately, some households have many legalizable needs, and the total number of needs is much larger than the number of households experiencing them.** Since legal service entities may serve one family more than once, the estimates in **Table 3 probably exaggerate supply of legal services somewhat.** If a legal services entity provides help to one household more than once (in the three year period), another household with needs would not be served, diminishing the spread of legal services over the pool of households needing them.

ⁱ Monroe County Legal Needs Study Final Report, especially pp. 38-42.

ⁱⁱ The New York Legal Needs Study, June 1990, revised and reprinted December 1993, especially pp. 20-23.

ⁱⁱⁱ The sample size is 1001, but on some question sets a smaller number was asked (our telephone polling firm was able to ask some questions to all and certain sets of questions to only a subset of the larger sample. Assignment to all subsets was random, meaning that the households in the subset reflect the larger poverty public, but the sample size was smaller, which is taken into consideration in the estimation of proportions.

The full Casey report is available in the Archives of the Committee on Access to Family Courts at -- <http://www.selfrepresent.mo.gov/page.asp?id=11291> under "Other Information"

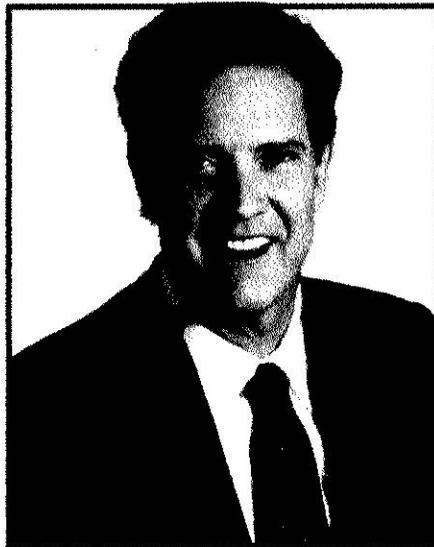
A Civil *Gideon*? Let the Debate Begin

“... our time of standing pat, of protecting narrow interests, and putting off unpleasant decisions, that time has surely passed. Starting today, we must pick ourselves up, dust ourselves off and begin again the work of remaking America.” (President Barack H. Obama Inaugural Address, January 20, 2009)

“...let both sides join in creating a new endeavor ... a new world of law where the strong are just and the weak secure ... all of this will not be finished in the first 100 days, nor will it be finished in the first 1000 days, nor in the life of this administration, nor in our lifetimes ... but let us begin.” (President John F. Kennedy Inaugural Address, January 20, 1961)

“Still the question recurs ‘Can we do better?’ The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so must we think anew, and act anew.” (Abraham Lincoln, Annual Message to Congress, December 1, 1862)

The mission of The Missouri Bar, as outlined in its long-range plan, is to advance justice for all and to promote access to legal services for everyone. The challenge, of course, for our bar and our nation, is how this can be best accomplished. As with most public policy issues, at the end of the day the answer lies in setting priorities and committing resources. Despite



Thomas M. Burke
The Hullverson Law Firm
St. Louis

a variety of efforts to provide access to justice – from extensive volunteer lawyer programs to mandatory pro bono projects to an extensive network of free legal clinics to pre-paid legal services, and finally a federally-funded Legal Services Corporation – we are still only able to reach a small percentage of those citizens who are in need of counsel in civil court proceedings.

In many ways, it seems ludicrous or hopeless to have a discussion about expanding the right to counsel to include civil cases when we are struggling mightily to effectively fund legal services offices and our public defender system. Yet, despite the gloomy picture and the great economic challenges we face as a nation, there seems to be a growing sense of community and cooperation, and a desire to turn away from a focus on self, toward the commonweal. It is in that spirit that I believe we must begin to address whether low-income persons should be provided legal counsel as a matter of right in those categories of

adversarial civil proceedings where basic human needs are at stake, such as those involving housing, sustenance, benefits, healthcare or child custody.

Currently, citizens are guaranteed a lawyer if they run the risk of being sentenced to prison, pursuant to the United States Supreme Court's 1963 decision in *Gideon v. Wainwright*. Unlike our criminal justice system, access to our civil justice system is more or less dependent on an individual's means. In cases where contingency fee arrangements are not feasible and pro bono services or legal aid is unavailable, the lack of counsel can have devastating effects on people's lives, including loss of homes, loss of health benefits, and loss of child custody. Under a "civil *Gideon*," if an individual's basic human needs related to health, housing, child custody or the ability to obtain food are at stake, and the individual cannot afford legal representation, the individual would be entitled to counsel.

The right to counsel in civil cases is already provided in many western countries, including England, Canada and Australia. In the United States, individual attorneys have been working to establish the civil right to counsel for many years. Several states have organized regional or statewide projects to address this issue. In the last few years, the American Bar Association passed a unanimous resolution outlining its strong support for the civil right to counsel.

Obviously, the idea of a civil *Gideon* – the right to counsel in civil cases – faces enormous challenges and hurdles, not the least of which include who should get counsel and in what types of cases, how much such a program would cost, and a source of funding. Nonetheless, it is never too early to begin a conversation. Though the costs and commitment would be signifi-

cant, the greater cost, both individually and collectively, is in failing to provide counsel in cases involving housing, healthcare and child custody.

Clearly our current approach to providing access to justice is not working. There are large gaps between services provided and services needed. A new approach seems necessary. New ideas and a broader vision are required, and although the goal seems both unattainable and unfeasible, we must begin the process of looking at the problem in new ways that will provide new solutions.

Hopefully, in the not-too-distant future, when access to counsel for all is a reality and not a pipe-dream, we will be reminded of other grand ideas that were at first summarily dismissed, such as the internal memo at Western Union in 1876 that concluded "this 'telephone' has too many shortcomings to be seriously considered as a means of communication. The device is inherently of no value to us." Then there was the Yale professor who commented that Fred Smith's thesis proposing an overnight delivery service was a concept that "is interesting and well informed, but

in order to earn better than a 'C' the idea must be feasible." (Smith went on to found Federal Express.)

As with the above examples, the concept of a civil right to counsel may seem far-fetched to many. Only time and thoughtful discourse will tell. But one thing is clear: As members of this noble profession and officers of the court, we have the ongoing obligation to consider any and all avenues that lead to access to justice for all citizens.

Let the debate begin.

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Connie L. Shields

Motion to Modify Form Status Update

The Motion to Modify packet was forwarded to the State Judicial Records Committee (SJRC) and the Family Court Committee (FCC) for review and comments. The SJRC tabled the discussion until the FCC had reviewed. The FCC appointed a sub-committee to review the forms. Judge Dennis Smith attended the May 15, 2009 FCC to answer questions on the forms. The sub-committee will discuss the forms again on June 2, 2009 to make a report to the SJRC and CAFC.



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May 13, 2009

The Honorable Gene Hamilton
Thirteenth Judicial Circuit
705 E. Walnut St.
Columbia, MO 65201

Dear Judge Hamilton:

I am pleased to inform you that the Family Court Committee (FCC) has approved funding of your **Mid-Missouri Access to Justice Project** through the Domestic Relations Resolution Fund. The amount awarded your project is **\$25,000.00**. The funding year will be July 1, 2009, through June 30, 2010. Depending on the availability of funding and program performance, you may be able to apply for a maximum of one additional year of grant funding.

Please ensure the following for the project:

1. All persons who have a case filed in the 13th Judicial Circuit, regardless of their actual residency, have access to the program and all the services provided by the program.
2. A tracking mechanism is in place to ensure funds are used to support litigants with domestic relations cases.
3. The Committee on Access to Family Courts will conduct an evaluation of the project and provide regular reports to the FCC.

Please review the Award Data Sheet included with this letter detailing the funding categories for the award amount.

An electronic copy of a Certification of Compliance form will be emailed to you. This form **must** be used for reimbursement of project expenses. Please remember all invoices must first be paid by Boone County and then submitted to OSCA for reimbursement to the county. Reimbursement is for funds expended between July 1, 2009, and June 30, 2010, only.

The Honorable Gene Hamilton
May 13, 2009
Page 2



The following OSCA staff has been designated to assist you and your court staff with any additional information you may need related to this program:

- Kelly Cramer or Terri Norris Program Administration
- Tara Smith Fiscal Matters (invoicing/reimbursement)
- Herb Conner Contractual Matters

Congratulations on your award. Please feel free to contact me at 573-526-8854 if we can assist you in any way with your program or project.

Sincerely,

Norma Rahm

Attachment: Award Data sheet

cc: Kathy Lloyd
 Judge Leslie Schneider
 Judge Dennis Smith
 Lori Levine

NR:TN

13th Judicial Circuit Award Data

1. Services can be provided only to family members where there is a domestic relations case filed in the court.
2. The amount of funding for your program or project for the fiscal year is \$25,000.00.

The breakdown of funding expenditure is as follows:

Funding Period	July 1, 2009 – June 30, 2010
Contractual Services	\$25,000.00
Total	\$25,000.00

3. If it appears that your court will not use all the funds awarded, the Family Court Committee may, in its discretion, reduce the amount of reimbursement funds to the court. OSCA shall manage funds for this program on a semi-annual basis. During each 6-month period, the award amount must be reduced either by expenditure or by OSCA retracting a percentage of the funding. The court must notify OSCA of any extenuating circumstances that would justify the retaining of funds prior to the end of the six-month period. This is necessary in order to track the fund balance so as to allow additional awards in the future.
4. If at any time the court is aware that a portion of the funds are not needed for the project or program, OSCA should be notified so that the excess funds can be made available for additional awards.

Self-Help Center Subcommittee Status Update - 6/2009

The Committee approved a proposal on January 30, 2009 for the Mid-Missouri Access to Justice Project as a two-year program, totaling funding of \$50,000. The project goal is to provide information and assistance to court users in Boone and Callaway Counties. Funds are to be dispersed at \$25,000 per year from the Domestic Relations Resolution Fund. The project was taken to the Family Court Committee on March 20, 2009 to secure funding for the project. Judge Burkemper presented the funding request to the Family Court Committee. A vote on the project was tabled until further information could be provided on issues of concern.

At the April 2009 Family Court Committee meeting Judge Leslie Schneider and Kelly Cramer joined Judge Burkemper, Cathy Zacharias and Terri Norris to answer specific questions the Committee had regarding the operation and funding of the project. Subsequently, the Family Court Committee approved a grant of \$25,000 for one year. A grant for the second year of the project will be determined after an evaluation of the initial year of the program.

Litigant Education Subcommittee

Chair: Lori Levine

Recommendations #1 & 5

1 - 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.

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

Topic	Description	Action/Recommendation	Assigned to	Due Date	Notes
Litigation awareness program trainers	Who will train trainers?				
Litigation awareness program trainers	Design alternate methods of training? DVD, website, print				
Litigation awareness program trainers	webinar for trainers.	design			
Litigation awareness program trainers	investigate MCLE credit for trainers				
LAP brochure	Revise information brochure	- add regional resources, rework layout	Kathleen & Bob	Mar. 2009	
LAP brochure	Spanish version	Translate brochure to Spanish	Hispanic Bar.		
Litigant awareness program	DVD version	design and develop	Kathleen	Mar. 09	
Litigant awareness program	DVD version - Spanish version				
Litigant awareness program	DVD distribution plan	develop		Mar. 09	
Litigant awareness program	Live litigant awareness program			on hold	
Clerk's pamphlet	distribution		Bob, Terri		
Clerk's pamphlet-Spanish	translate to Spanish		Terri		

Web Site Survey Statistics
July 2008 – April 2009
(n = 3,495)

How many years of schooling have you completed?

SCHOOL	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Some High School	503	14.42	503	14.42
High School Diploma	791	22.67	1294	37.09
GED	284	8.14	1578	45.23
Some College	984	28.20	2562	73.43
Occupational/Vocational Degree	175	5.02	2737	78.45
Associates Degree	274	7.85	3011	86.30
Bachelor's Degree	317	9.09	3328	95.39
Master's Degree	103	2.95	3431	98.34
Professional Degree	37	1.06	3468	99.40
Doctorate	21	0.60	3489	100.00

Frequency Missing = 5

How much money to you make a year before taxes are taken out?

MONEY	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0-10,999	1117	32.50	1117	32.50
11,000-19,999	630	18.33	1747	50.83
20,000-29,999	673	19.58	2420	70.41
30,000-39,999	449	13.06	2869	83.47
40,000-49,999	237	6.90	3106	90.37
50,000 & Over	331	9.63	3437	100.00

Frequency Missing = 57

How many children do you have?

CHILDREN	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0	951	30.20	951	30.20
1	638	20.26	1589	50.46
2	783	24.87	2372	75.33
3	499	15.85	2871	91.17
4	187	5.94	3058	97.11
5	65	2.06	3123	99.17
6	14	0.44	3137	99.62
7	7	0.22	3144	99.84
8	2	0.06	3146	99.90
9	2	0.06	3148	99.97
12	1	0.03	3149	100.00

Frequency Missing = 345

How long have you been married?

LENGTH MARRIAGE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
0-5	1732	49.77	1732	49.77
5-10	833	23.94	2565	73.71
More than 10 years	790	22.70	3355	96.41
No longer married	125	3.59	3480	100.00

Frequency Missing = 14

If these forms were in another language, what language would you need?

LANGUAGE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Spanish	165	80.10	165	80.10
Vietnamese	4	1.94	169	82.04
Bosnian	1	0.49	170	82.52
Somali	3	1.46	173	83.98
Russian	7	3.40	180	87.38
Other	26	12.62	206	100.00

Frequency Missing = 3288

Where do you most often use the Internet?

USE INTERNET	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Home	2131	61.88	2131	61.88
Work	627	18.21	2758	80.08
Public Library	429	12.46	3187	92.54
Court House	6	0.17	3193	92.71
Other Public Site	58	1.68	3251	94.40
Other	193	5.60	3444	100.00

Frequency Missing = 50

Have you talked to a lawyer or free legal service about your divorce?

CONTACTED LAWYER	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Yes	1297	37.70	1297	37.70
No	2141	62.30	3438	100.00

Frequency Missing = 56

Why do you want to represent yourself?

WHY	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Too expensive to hire a lawyer	1679	48.16	1679	48.16
I do not want to hire a lawyer	90	2.58	1769	50.75
I think I can represent myself	175	5.02	1944	55.77
No complex issues to settle	752	21.57	2696	77.34
Case involves a divorce and can be settled without a lawyer	644	18.47	3340	95.81
None of the above	146	4.19	3486	100.00

Frequency Missing = 8

It was easy to find what I was looking for on the Representing Yourself Web site.

TEN	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Strongly Disagree	264	7.56	264	7.56
Disagree	204	5.84	468	13.40
No Opinion	572	16.38	1040	29.77
Agree	1463	41.88	2503	71.66
Strongly Agree	899	25.74	3402	97.39
Not applicable	91	2.61	3493	100.00

Frequency Missing = 1

The Litigant Awareness Program was easy to understand.

ELEVEN	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Strongly Disagree	196	5.63	196	5.63
Disagree	85	2.44	281	8.07
No Opinion	824	23.65	1105	31.72
Agree	1438	41.27	2543	72.99
Strongly Agree	745	21.38	3288	94.37
Not applicable	196	5.63	3484	100.00

Frequency Missing = 10

Without the Litigant Awareness Program materials, I would not have been as prepared for court.

TWELVE	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Strongly Disagree	180	5.18	180	5.18
Disagree	156	4.49	336	9.67
No Opinion	1115	32.10	1451	41.78
Agree	1209	34.81	2660	76.59
Strongly Agree	555	15.98	3215	92.57
Not applicable	258	7.43	3473	100.00

Frequency Missing = 21

It was easy to know which divorce forms I needed to use.

THIRTEEN	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Strongly Disagree	207	5.97	207	5.97
Disagree	242	6.98	449	12.95
No Opinion	851	24.55	1300	37.51
Agree	1445	41.69	2745	79.20
Strongly Agree	569	16.42	3314	95.61
Not applicable	152	4.39	3466	100.00

Frequency Missing = 28

The divorce forms were easy to use.

FOURTEEN	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Strongly Disagree	174	5.02	174	5.02
Disagree	126	3.64	300	8.66
No Opinion	985	28.42	1285	37.07
Agree	1449	41.81	2734	78.88
Strongly Agree	556	16.04	3290	94.92
Not applicable	176	5.08	3466	100.00

Frequency Missing = 28

After looking at everything on this site, I feel more ready to represent myself in court.

FIFTEEN	Frequency	Percent	Cumulative Frequency	Cumulative Percent
Strongly Disagree	174	5.01	174	5.01
Disagree	79	2.28	253	7.29
No Opinion	889	25.60	1142	32.89
Agree	1527	43.98	2669	76.87
Strongly Agree	665	19.15	3334	96.03
Not applicable	138	3.97	3472	100.00

Frequency Missing = 22

Cross Tabulation: INCOME by REASON FOR CHOOSING PRO SE

Table of MONEY by WHY							
MONEY	WHY						
Frequency Percent Row Pct Col Pct	Too expensive to hire a lawyer	I do not want to hire a lawyer	I think I can represen t myself	No complex issues to settle	Case involves a divorce and can be settled without a lawyer	None of the above	Total
0-10,999	593	28	49	200	196	47	1113
	17.29	0.82	1.43	5.83	5.72	1.37	32.46
	53.28	2.52	4.40	17.97	17.61	4.22	
	35.94	31.11	28.65	27.14	30.77	32.64	
11,000- 19,999	317	8	27	151	103	23	629
	9.24	0.23	0.79	4.40	3.00	0.67	18.34
	50.40	1.27	4.29	24.01	16.38	3.66	
	19.21	8.89	15.79	20.49	16.17	15.97	
20,000- 29,999	340	23	31	146	113	20	673
	9.92	0.67	0.90	4.26	3.30	0.58	19.63
	50.52	3.42	4.61	21.69	16.79	2.97	
	20.61	25.56	18.13	19.81	17.74	13.89	
30,000- 39,999	204	10	18	99	97	20	448
	5.95	0.29	0.52	2.89	2.83	0.58	13.07
	45.54	2.23	4.02	22.10	21.65	4.46	
	12.36	11.11	10.53	13.43	15.23	13.89	
40,000- 49,999	83	10	17	60	51	15	236
	2.42	0.29	0.50	1.75	1.49	0.44	6.88
	35.17	4.24	7.20	25.42	21.61	6.36	
	5.03	11.11	9.94	8.14	8.01	10.42	
50,000 & Over	113	11	29	81	77	19	330
	3.30	0.32	0.85	2.36	2.25	0.55	9.62
	34.24	3.33	8.79	24.55	23.33	5.76	
	6.85	12.22	16.96	10.99	12.09	13.19	
Total	1650	90	171	737	637	144	3429
	48.12	2.62	4.99	21.49	18.58	4.20	100.00

Frequency Missing = 65

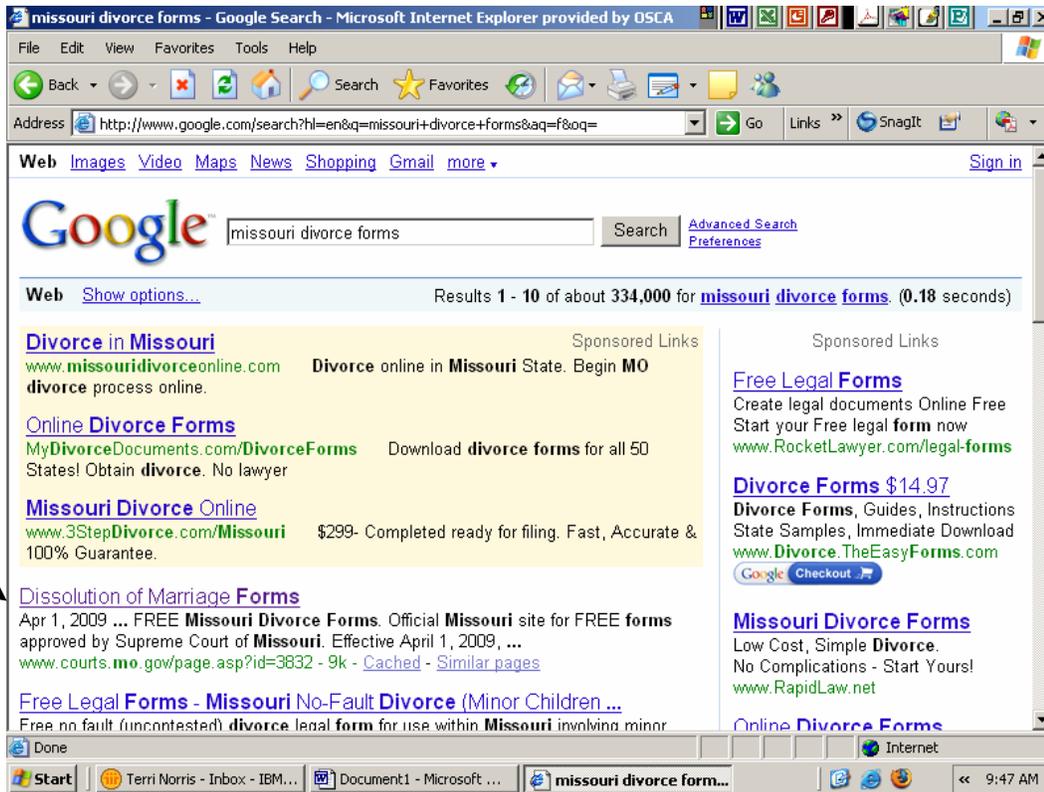
Representing Yourself Web Site Survey Comments
March – April 2009

1. I'm not sure if I even have the right forms to file for divorce. I surely don't feel ready to represent myself in court without a lawyer present.
2. Everything was easy to understand and helped me a lot.
3. I don't see the Litigent Awareness Program – maybe it will show up after I answer this questionnaire.
4. I am an attorney practicing family law in Missouri. I think this website is horrible! I think what the Missouri Bar is doing to family attorneys is horrible! I don't see any forms on your website re how to do your own criminal case, personal injury case, etc. Basically, you are disrespecting family attorneys only, singling us out to take work away from us. And the concerning thing is, people will attempt to do their own divorces, and really really mess everything up, and then the family attorneys will be expected to fix everything later, when you shouldn't even have provided these incorrect forms in the first place. Why should we have attorney's at all? Because lay people don't understand the law, and that's why we go to law school to learn the law! You shouldn't give these people a false sense of security as if they can do lawsuits on their own by filing these forms, which don't even plead the correct information or the correct wording, which is required by the courts. You have completely ignored the requirements of local rules, which are different in domestic cases in every circuit. The Form 14 is confusing even for attorneys, and the rules on this have just changed. Who in the world drafted these forms and who talks to you on the phone about these forms? Is this person an attorney? Is this person a domestic attorney? If people want to represent themselves, then more power to them, let them read the laws and draft up their own pleadings, because if they can really represent themselves, they should be able to do this, right? I really cannot express to you fully how upset the domestic bar is right now at the Missouri Bar for this type of behavior.
5. I really don't understand what litigant awareness is.
6. I feel that the divorce forms were easy to understand although some were harder than others. The Litigent Awareness Program was easy to complete.
7. The forms could not be saved to file or desktop in pdf format to use in pdf programs. The individual portions could not be separated for use in, for instance, petitions where no children were involved. No waiver of financial information was available for long time separations, prisoner marriages, no property marriages, etc. No waiver of property agreement for the same kinds of marriages. No short forms or way of deleting extra lines and questions for information that is not needed or applicable. The instructions with the questions, although handy, make it necessary to print countless additional pages—separate with empty spaces and lines taking up pages and pages. This kind of thing has been much too long in coming, but so far, about all it does is make you run to a high-cost, low-service attorney tearing your hair out because you have no better choice. Please—surely we can do better.
8. I didn't need the forms, unfortunately I bought them from an ad in the paper. The Litigent Awareness Program was interesting and I enjoyed it. Unfortunately I didn't get my question answered here.
9. I think it should be more like the books they make divorces for dummies
10. difficult to find – litigant goes in a circle

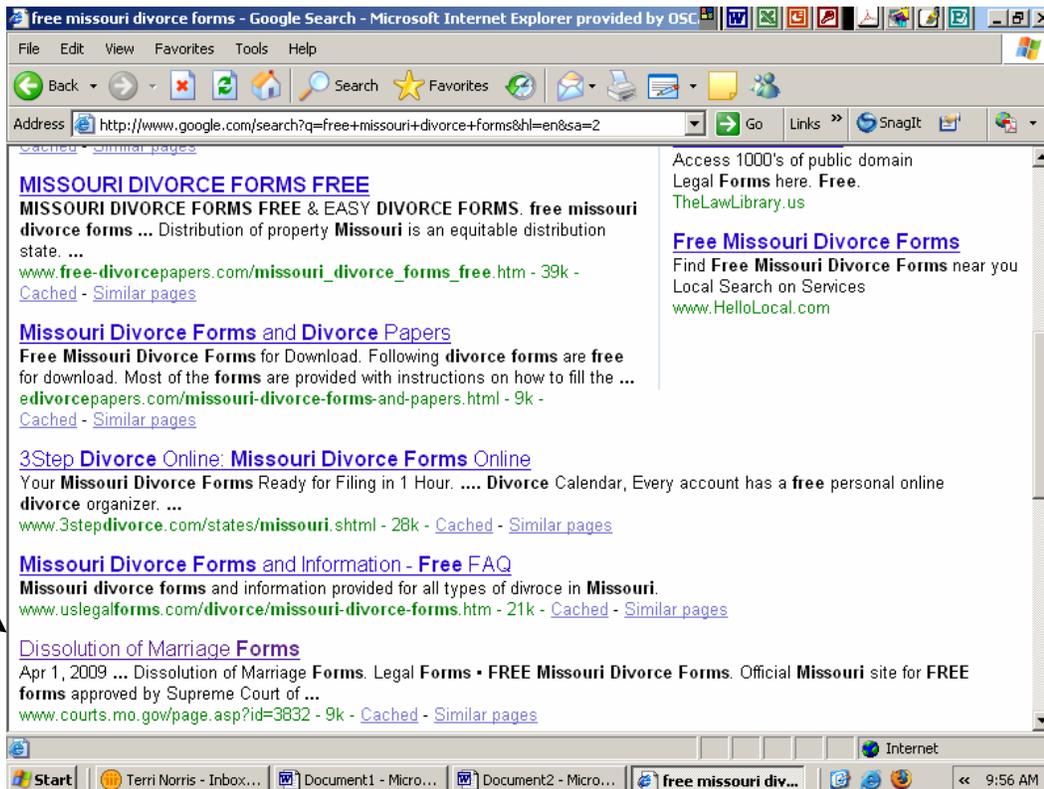
11. all I need are forms for name change and I am unable to find them
12. needs to be clearer on what forms to print out
13. It is a good thing if you just need a simple divorce.
14. I do not know where the Litigant Awareness program materials are found.
15. I just want the basic forms for a simple divorce of 7 months, no children involved, no property, no contesting
16. The Litigant Awareness Program was very clear and concise. I found a lot of valuable information.
17. I know I do not need all the forms for this divorce but not sure which ones I don't need
18. These forms are ridiculous. There is no latitude for divergent circumstances and unknown information. Some items you cannot unmark if you inadvertently mark the wrong box. There is no way to enter clarifying comments. Waivers for short term marriages without children and with no property or financial divisions necessary are not mentioned. There are few or no options for those couples who maintain their own finances and keep their own property separate, or who have already divided everything. There is no way (that I saw) to contact anyone to answer these kinds of questions, and court clerks are rude beyond reason. Procedural answers should be the prelude of the clerks, to answer questions on how to deal with such problem in these (helpful) forms. So you have a variety of intelligence and educational levels with extremely divergent circumstances pressed as round pegs into square holes—it doesn't work and will not work in its present construction. All it does is force litigants to make so many trips in and out of the court that they develop legal abuse syndrome. What is the problem with alternate (such as short forms) for applicable cases? Why can't the (helpful) developers at least have a contact support/question line? There is simply no reason I can see to make it so unwieldy and stupid in format. Lawyers wrote it, right? Where are the paralegals who can actually do the job, are reasonable in fees, consistent in quality, and caring in service? To force these forms on the general populace is a severe miscarriage of justice and freedom. Bah.
19. This process was very informative beyond my expectations. There was information available that I had not considered, such as possible resources to help with your lack of money situation.
20. The child custody agreement forms should be more editable for circumstances such as in my case where one parent is a resident of another country.
21. When typing in your information the forms don't let you go back and change anything unless you get completely out. ie, petitioner/respondent wife/husband
22. My husband and I have agreed with each other that we want a legal separation. We have lived separately for a couple year, and I need to file for disability—but can't do that if we aren't legally separated with the paperwork to prove it. I don't believe in divorce (religious reasons). We can't figure out what e-page to go to or what forms/procedure to follow to file for a legal separation. Legal aid says they only help with a divorce. The secretaries at court insisted that I file online, but they agree that they see nothing that says legal separation. Please help me. If you could email me the forms to file for legal separation—with the words legal separation in the correct places, and directions on where to take them once they are filled out, I would really appreciate it. Also, I want to keep my legal issues private. How do we keep this from being printed in the newspaper.
23. There should be more information pertaining to those who have to respond and are located out of state.

24. Should make co-petitioner an available option.
25. The litigant awareness program was very useful and easy to accomplish.
26. These forms are very hard to use. Information in many cases does not apply & confusing. Much easier for me to use the forms my attorney created for me to represent myself. Plus the time it takes to understand your process I much rather hire someone to fill out the forms as my brother did with no problems 5 months ago.
27. We want an annulment and can't find the paperwork.
28. It would be nice if the "Waiver of Personal Service Entry of Appearance Form" were included somewhere on site.
29. It needs to be alot easier to get thes[e] papers
30. WONDERFUL PROGRAM
31. Would like to see a form for a Motion to Continue
32. The circuit court of St. Louis' website should direct you here to get the certificate.
33. Thank you for making this available, especially for free, it makes going to court a little more affordable.

Google Search: missouri divorce forms (We are first.)

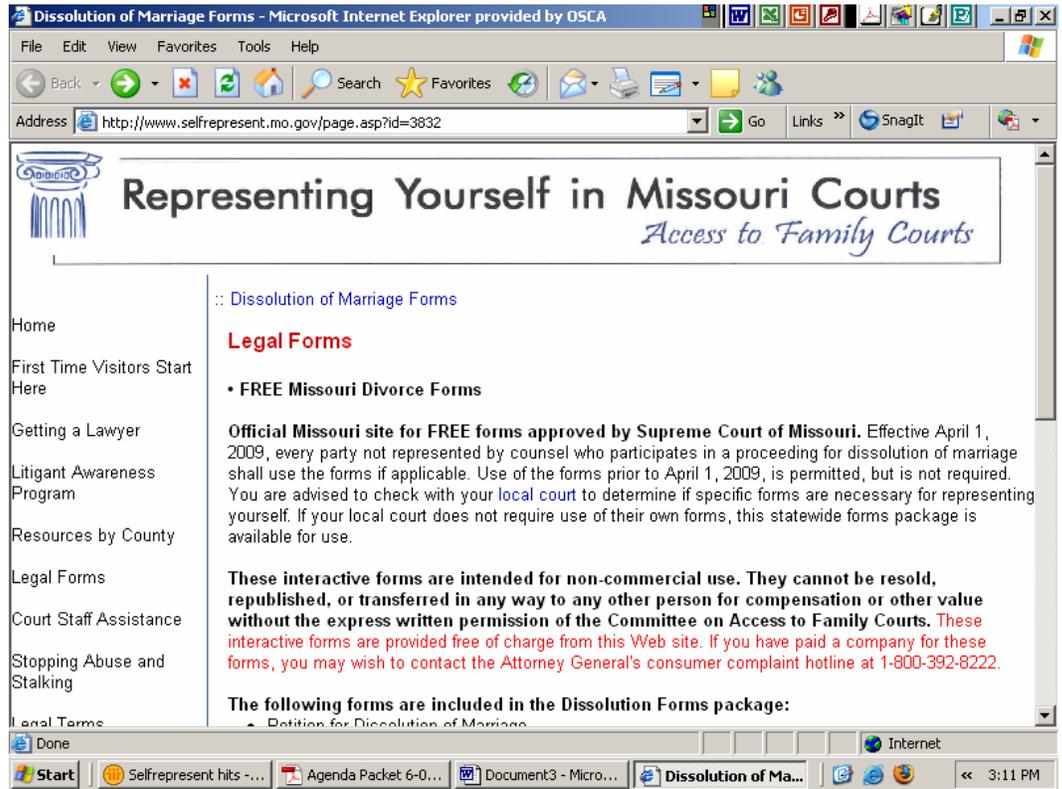


Google Search: free Missouri divorce forms (We are currently eighth.)



Number of Hits

Sept '08 = 1377
 April '09 = 1012



Sept '08 = 4234
 April '09 = 2700





SUPREME COURT OF MISSOURI

en banc

May 26, 2009

In re: Committee on Access to Family Courts

ORDER

The Honorable W. Brent Powell, Judge, 16th Judicial Circuit, is hereby appointed a member of the Committee on Access to Family Courts, until his successor is appointed and qualified; vice, the Honorable Charles E. Atwell, resigned.

Day – to – Day

LAURA DENVIR STITH
Chief Justice



"Cope, Sandie"
<Sandie.Cope@oa.mo.gov>
05/27/2009 10:13 AM

To "Norris, Terri" <terri.norris@courts.mo.gov>
cc
bcc

Subject RE: Pro Se Forms

I think we have a plan on how to distribute, at least from the IT side, I just have not had time to work with the users to get it moving forward.

I will put it on my follow up and keep you updated.

Thanks for checking,

Sandie Cope
ITSD/DOC
573-522-4649

-----Original Message-----

From: Terri.Norris@courts.mo.gov [mailto:Terri.Norris@courts.mo.gov]
Sent: Wednesday, May 27, 2009 10:05 AM
To: Cope, Sandie
Cc: Burris, Kathy
Subject: Fw: Pro Se Forms

Hi Sandie,

I haven't heard back from you so I'm checking to see if there is anything else you need from me to keep this moving forward. I look forward to hearing from you. Thanks!

Terri Norris
Division of Court Programs and Research
Office of State Courts Administrator
573/522-8259
Terri.Norris@courts.mo.gov



Greg
Linhares/OSCA/Courts/Judicial

05/12/2009 05:07 PM

To Catherine Zacharias/OSCA/Courts/Judicial@Judicial, Terri
Norris/OSCA/Courts/Judicial@Judicial

cc

bcc

Subject Fw: Self-Represent (UNCLASSIFIED)

FYI, something I received a request on from my military days regarding the information on the selfrepresent site... not sure if the cmte would even consider something like this, but I thought I would make you aware and see if the cmte can look into it.

Gregory J. Linhares
State Courts Administrator
P. O. Box 104480
Jefferson City, MO 65110
(573) 522-6823

greg.linhares@courts.mo.gov

----- Forwarded by Greg Linhares/OSCA/Courts/Judicial on 05/12/2009 05:06 PM -----



"Dye, Elizabeth D Mrs CIV
USA IMCOM"
<elizabeth.d.dye@us.army.
mil>

To <Greg.Linhares@courts.mo.gov>

cc

05/12/2009 05:03 PM

Subject RE: Self-Represent (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mr. Linhares,

Yes, I would like for you to forward this to the Supreme Court committee, if you can. I thought I heard you were on the committee, which is why I sent this request to you. I know it will probably take awhile to get anything done, but I did want to bring it to someone else's attention. Our office really can't do a whole lot since we can't go to court. We caution everyone if they have children and property that they may not want to proceed pro se, but as soon as it became known they could do it themselves they didn't realize they still had to follow the rules and be able to testify to their pleadings. But we really are trying to find a way to help as many as we can. Thanks for your help and if you ever need us just call. Have a great week.

V/R

Elizabeth D. Dye
Paralegal Specialist
Legal Assistance Office
316 Missouri Avenue, Building 315
Fort Leonard Wood, Missouri 65473
573-596-0629

-----Original Message-----

From: Greg.Linhares@courts.mo.gov [mailto:Greg.Linhares@courts.mo.gov]

Sent: Tuesday, May 12, 2009 4:55 PM

To: Dye, Elizabeth D Mrs CIV USA IMCOM

Subject: Re: Self-Represent (UNCLASSIFIED)

Elizabeth:

I presume you are asking me this in my civilian capacity. If so, the issue of what matters are included on the selfrepresent site are referred to the Committee on Access to Family Courts. This is a Supreme Court-established committee of judges and lawyers, and staffed by personnel in my office. If you'd like me to refer it to them for review/action, I am happy to do so - don't expect swift action though, it isn't likely to come quickly, but they will look at the issue and I can give them my thoughts on the matter as well. Let me know if this is something in which you or the office are interested in.

Sincerely,

Gregory J. Linhares
State Courts Administrator
P. O. Box 104480
Jefferson City, MO 65110
(573) 522-6823
greg.linhares@courts.mo.gov

"Dye, Elizabeth D Mrs CIV USA IMCOM" <elizabeth.d.dye@ us.army.mil>	<Greg.Linhares@courts.mo.gov>	To
05/12/2009 04:47 PM		cc
		Subject
	Self-Represent (UNCLASSIFIED)	

Classification: UNCLASSIFIED
Caveats: NONE

Mr. Linhares,

We have had multiple requests for hearing scripts for the self-represent petitions for divorce. Can you tell me whom I can ask or make a suggestions to with regards to hearing scripts? Our advice is to read the petition and proposed judgment, but that doesn't always work. Any information you can provide is greatly appreciated. Our office only has hearing scripts for pro se divorces we prepare based on E-4 w/ no children or property. The requests we are getting are for hearing scripts for those with children and parenting/visitation.

V/R

Elizabeth D. Dye
Paralegal Specialist
Legal Assistance Office
316 Missouri Avenue, Building 315
Fort Leonard Wood, Missouri 65473
573-596-0629

Classification: UNCLASSIFIED
Caveats: NONE

**Charles
Hutson/32/Courts/Judicial**
05/14/2009 09:12 AM

To Debbie Eiken/OSCA/Courts/Judicial@Judicial
cc Committee on Access to Family Courts
bcc
Subject Re: REMINDER: CAFC Meeting 

Dear Committee,

I would like to give notice that I hereby resign from the Committee. Thank you all for your hard work on behalf of the citizens of the State of Missouri. Please don't forget the clerk's who deal with the litigants on a daily basis. They are overworked and understaffed.

Charles P. Hutson
Circuit Clerk
Cape Girardeau County

**FAMILY COURT COMMITTEE
PROPOSED MEETING DATES FOR 2009**

January 23 – LL West Truman
February 20 – LL West Truman
March 20 – LL West Truman
April 17 – Alameda B
May 15 – LL West Truman
September 25 – LL West Truman
October 23 – LL West Truman
November 20 – LL West Truman

PROPOSED MEETING DATES FOR 2010

January 8 – LL West Truman
February 26 – LL West Truman
March 26 – LL West Truman
April 23 – LL West Truman
May 21 – LL West Truman