



**COMMITTEE ON ACCESS TO FAMILY COURTS  
AGENDA**

**Office of State Courts Administrator  
2112 Industrial Drive, Jefferson City, Missouri 65110  
*Larkin Conference Room, Constitution Building*  
December 2, 2011  
9:00 a.m. – 12:00 p.m.  
Conference call # 573- 526-6012/866-630-9353**

**I. Call to Order/Approval of Minutes (Levine)**

**A. Minutes from June 3, 2011, Meeting electronic vote**  
*Attachment Page*..... 3  
**Action: Committee approval of minutes**

**B. Minutes from Forms electronic vote**  
*Attachment Page*..... 4  
**Action: Committee approval of minutes**

**C. Minutes from Judicial Survey electronic vote**  
*Attachment Page*..... 5  
**Action: Committee approval of minutes**

**D. Minutes from Paternity Brochure electronic vote**  
*Attachment Page*..... 6  
**Action: Committee approval of minutes**

**E. Minutes from Press Release electronic vote**  
*Attachment Page*..... 7  
**Action: Committee approval of minutes**

**F. Minutes from Internet/Website Changes electronic vote**  
*Attachment Page*..... 8  
**Action: Committee approval of minutes**

**G. Minutes from Revised Website Change - Item #2 electronic vote**  
*Attachment Page*..... 10  
**Action: Committee approval of minutes**

**H. Minutes from September 9, 2011, Meeting**  
*Attachment Page*..... 11  
**Action: Committee approval of minutes**

**II. Status Updates**

- A. Alliances with State / Local Bar Associations / Pro Bono Initiatives (Stewart/DeFeo)**
1. LSR Sub-subcommittee report (Beach)
- B. Self-Help Centers / Needs of Rural Clients (Schneider)**
1. Recommendations for other Self-Help Centers
  2. Needs for Rural Areas Sub-subcommittee report

- 3. Judicial Survey results  
*Attachment Page* ..... 17

**C. Internet/Web Site (Bird)**

- 1. 2011 Third Quarter Comments (Norris)  
*Attachment Page* ..... 19
- 2. Website changes – pages 3833 and 3501 (revised item #2 of previous website changes)  
*Handout*  
**Action: Committee approval of website change**
- 3. *Pro Se* Filings from DOC (Levine/Burke)

**D. Forms (Smith)**

*Verbal Update*

**E. Litigant Education Program/Brochure (Bird/Brown)**

- 1. Paternity Education Component and LAP Test revisions (Brown)  
**Action: Committee approval of component and test**

**F. Communications/Networking (Scaglia)**

- 1. Press release – Completed  
*Attachment Page* ..... 21

**G. Court Staff /Clerk Education (Bird)**

*Verbal Update*

**H. Judicial Education (Williamson/Powell)**

*Verbal Update*

**III. Staff Report**

**A. Resignation of Committee Members/Replacement Appointments**

*Verbal Update*

**IV. Adjourn Meeting**

**PLEASE MARK YOUR CALENDARS FOR THE NEXT CAFC MEETINGS:**

- March 2, 2012
- June 1, 2012 (by conference call)
- September 5, 2012 (**Wednesday**)
- December 7, 2012 (by conference call)

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
JUNE MEETING MINUTES**

**Members Voting Electronically:** Judge Douglas Beach, Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Lou DeFeo, Richard Halliburton, Richard Holtmeyer, Lori Levine, Mary Ann McClure, Patricia Scaglia

**Members Not Casting a Vote:** Don Crank, Fred Cruse, Beth Dessem, Marsha Holiman, Kelly Martinez, Deanna Scott, Allan Stewart, Miles Sweeney, J.D. Williamson

**Issue:**

The Committee was asked to review the June 3, 2011, meeting and to respond by voting “**I approve the minutes**” or “**I do NOT approve the minutes**”.

**Vote Outcome:**

All participating members voted to **approve the June Minutes**.

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
FORMS**

**Members Voting Electronically:** Judge Douglas Beach, Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Lou DeFeo, Richard Halliburton, Marsha Holiman, Lori Levine, Mary Ann McClure

**Members Not Casting a Vote:** Don Crank, Fred Cruse, Beth Dessem, Richard Holtmeyer, Kelly Martinez, Patricia Scaglia, Deanna Scott, Allan Stewart, Miles Sweeney, J.D. Williamson

**Issue:**

The Committee was asked to review the forms included below and to respond by voting “**I approve the forms**” or “**I do NOT approve the forms**”. The following forms were the subject of the vote:

CAFC712-Publication Request  
CAFC001-Dissolution Petition  
CAFC010-Dissolution Answer  
CAFC040-Directions  
CAFC040-Dissolution Property Statement  
CAFC050-Dissolution Income Expense  
CAFC070-Dissolution Judgment  
CAFC303-Presumed Fathers Non-Paternity Petition  
CAFC371-Non-Paternity Judgment  
CAFC401-Name Change Petition  
CAFC470-Name Change Judgment  
CAFC701-Change of Address  
CAFC711-Request for Personal Service

**Vote Outcome:**

All participating members voted to **approve the Forms**.

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
JUDICIAL SURVEY**

**Members Voting Electronically:** Judge Douglas Beach, Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Richard Halliburton, Lori Levine, Kelly, Martinez, Deanna Scott, Allan Stewart, Miles Sweeney, J.D. Williamson

**Members Not Casting a Vote:** Don Crank, Fred Cruse, Lou DeFeo, Beth Dessem, Marsha Holiman, Richard Holtmeyer, Mary Ann McClure, Patricia Scaglia

**Issue:**

The Committee was asked to review the Judicial Survey and to respond by voting “**I approve the Judicial Survey**” or “**I do NOT approve the Judicial Survey**”.

**Vote Outcome:**

All participating members voted to **approve the Judicial Survey**.

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
PATERNITY BROCHURE**

**Members Voting Electronically:** Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Richard Halliburton, Lori Levine, Mary Ann McClure, Allan Stewart

**Members Not Casting a Vote:** Judge Douglas Beach, Don Crank, Fred Cruse, Lou DeFeo, Beth Dessem, Marsha Holiman, Richard Holtmeyer, Kelly Martinez, Patricia Scaglia, Deanna Scott, Miles Sweeney, J.D. Williamson

**Issue:**

The Committee was asked to review the Paternity Brochure and to respond by voting “**I approve the Paternity Brochure**” or “**I do NOT approve the Paternity Brochure**”.

**Vote Outcome:**

All participating members voted to **approve the Paternity Brochure**.

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
PRESS RELEASE**

**Members Voting Electronically:** Judge Douglas Beach, Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Lou DeFeo, Richard Halliburton, Marsha Holiman, Richard Holtmeyer, Lori Levine, Kelly Martinez, Mary Ann McClure, Patricia Scaglia, Deanna Scott, Allan Stewart, Miles Sweeney, J.D. Williamson

**Members Not Casting a Vote:** Fred Cruse

**Issue:**

The Committee was asked to review a press release regarding self-representation resources. Members were asked to respond by voting “**I approve the Press Release**” or “**I do NOT approve the Press Release**”.

**Vote Outcome:**

All participating members voted to **approve the press release.**

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
WEBSITE CHANGES**

**Members Voting Electronically:** Judge Douglas Beach, Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Fred Cruse, Lou DeFeo, Richard Halliburton, Marsha Holiman, Richard Holtmeyer, Kelly Martinez, Mary Ann McClure, Deanna Scott, Allan Stewart, J.D. Williamson

**Members Not Casting a Vote:** Don Crank, Beth Dessem, Lori Levine, Patricia Scaglia, Miles Sweeney

**Issue:**

The Committee was asked to review the four (4) Website Changes and to respond by voting “**I approve the website changes**” or “**I do NOT approve the website changes**”. The website changes were as follows:

***Item #1: Revision to "Getting a Lawyer", Paragraph should read as follows:***

**Limited Scope Representation:** It is always best to be informed about your legal rights. New rules allow Missouri lawyers to assist people with some of the legal work in their case. The client remains responsible for tasks not handled by the lawyer. Examples of work the lawyer may perform include: consulting about legal rights and strategies, preparation of court documents, and appearing in court with the client to prove up an uncontested case. Lawyers may charge by the task or by the hour. The fee is generally based on the amount of work performed by the lawyer.

***Item #2: Revision on court costs in LAP program, The paragraph "What will it cost to file?" will be replaced with the "Court Costs" section below:***

Court Costs:

The circuit clerk may assist you in determining the amount of the filing fee. Some circuits also post the filing fees on their circuit's Web site. [Click here](#) to link to the circuit clerk websites by county. If the filing fees are not listed, you should contact the circuit clerk's office.

You also will have fees for serving summons on each of the other parties in your case. The circuit clerk usually will be able to tell you the amount of the fee charged by the sheriff for service. If you use a private process server you should ask the process server about the cost. If you are notifying a party by publication, check with the publisher regarding the cost."

***Item #3: Addition of legal separation information to FAQ's***

Q. What is the difference between a legal separation and a dissolution?

A. A legal separation is an arrangement where a husband and wife live apart from each other while remaining married. This is a rarely used alternative to a dissolution of marriage. A husband or wife may ask the court for a legal separation for religious or other reasons. Typically, there is a written separation agreement, which includes provisions for the spousal maintenance of husband or wife, the disposition of any property owned by husband or wife, and the custody,

support and visitation of their children. Then the court will issue a judgment of legal separation. Chapter 452 of the Revised Statutes of Missouri may provide additional information. A party may motion the court to convert the judgment of legal separation into a judgment of dissolution of marriage after the expiration of at least 90 days after the judgment of legal separation was entered.

***Item #4 Publications Icon***

***At the last meeting it was suggested that a Publications icon be added to the website so the brochures and any other publications can be easily accessed by the public. The last item would be to approve this addition. Once approved Terri can add the icon to the website.***

Comments and revisions were received concerning website change #2 regarding court costs, thus requiring a revision to the item. The website change regarding court costs was voted as a separate item.

**Vote Outcome:**

All participating members voted to **approve the Website Changes Items #1, 3 & 4.**

**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES OF VOTING BY ELECTRONIC MAIL  
WEBSITE CHANGES**

**Members Voting Electronically:** Judge Brent Powell, Marsha Holiman, Mary Ann McClure, J.D. Williamson

**Members Not Casting a Vote:** Judge Douglas Beach, Judge Kelly Broniec, Judge Theresa Burke, Judge Leslie Schneider, Judge Dennis Smith, Kathleen Bird, Karen Brown, Don Crank, Fred Cruse, Lou DeFeo, Beth Dessem, Richard Halliburton, Richard Holtmeyer, Lori Levine, Kelly Martinez, Patricia Scaglia, Deanna Scott, Allan Stewart, Miles Sweeney

**Issue:**

The Committee was asked to review the Amended Item #2 (from Website Changes) and to respond by voting “**I approve the Amended Item #2**” or “**I do NOT approve the Amended Item #2**”. The Amended Item #2 is as follows:

*Item #2: Revision on court costs in LAP program*

*The paragraph "What will it cost to file?" will be replaced with the "Court Costs" section below*  
Court Costs:

The circuit clerk may assist you in determining the amount of the filing fee. Some circuits also post the filing fees on their circuit's Web site. [Click here](#) to link to the circuit clerk websites by county. If the filing fees are not listed, you should contact the circuit clerk's office.

The court has discretion to permit a poor person to commence a civil case without making a cost deposit or furnishing security for costs. The form “Affidavit to Proceed as a Poor Person” is included in the form packets for this purpose. If a poor person is represented by a nonprofit legal services organization, it may file a certificate with the court that the person is unable to pay costs.

You also will have fees for serving summons on each of the other parties in your case. The circuit clerk usually will be able to tell you the amount of the fee charged by the sheriff for service (additional mileage fees for miles actually traveled in serving papers may apply). If you use a private process server you should ask the process server about the cost. If you are notifying a party by publication, check with the publisher regarding the cost."

**Vote Outcome:**

**The item did not receive a majority vote; therefore, amended item #2 has been tabled until the December 2, 2011, committee meeting.**



**COMMITTEE ON ACCESS TO FAMILY COURTS  
MINUTES  
September 9, 2011**

Members Present: Judge Dennis Smith, Judge Leslie Schneider, Judge Kelly Broniec, Judge Theresa Burke, Judge Brent Powell, Lori Levine, Lou DeFeo, Richard Halliburton, Kathleen Bird, Karen Brown,

Members Present by Phone: Judge J. Miles Sweeney, Kelly Martinez

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

Members Absent: Judge Douglas Beach, Judge J.D. Williamson, , Don Crank, Patricia Scaglia, Beth Dessem, Fred Cruse, Marsha Holiman, Richard Holtmeyer, Mary Ann McClure, Deanna Scott, Allan Stewart, Robert Stoeckl

**I. Call to Order**

The Committee on Access to Family Courts (CAFC) meeting was called to order by Judge Dennis Smith at 10:10 a.m. at the Office of State Courts Administrator (OSCA), 2112 Industrial Drive, Jefferson City, Missouri.

**A. Minutes**

Judge Leslie Schneider stated that in the June minutes, page 5, under section B I. the third sentence should be changed to:

“Judge Theresa Burke also reported that there is no assistance to litigants provided by Washington University...”.

**II. Status Updates**

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

**1. LSR-CLE information**

**a. Draft Administration Order**

The committee discussed the adoption of an administrative order to resolve a problem regarding the disclosure of the scope of representation when an attorney will be providing limited representation. The committee determined it would be best to deal with this issue on a local level. The consensus with the committee is changing the state rule may discourage other attorneys from providing LSR services. The committee decided to table this issue until the next meeting and let Judge Beach bring it up at another time.

**b. LSR Guidelines/Administrative Order**

This item was tabled until the next meeting when it can be discussed by Judge Beach.

**c. Entry LSR**

This item was tabled until the next meeting when it can be discussed by Judge Beach.

**d. Termination LSR**

This item was tabled until the next meeting when it can be discussed by Judge Beach.

**e. Judges Benchbook**

There was no report given.

**f. Missouri specific (Talia style) video & education program update.**

There was no report given.

**2. LSR Sub-subcommittee report Internet/Website**

There was no report given.

**3. Missouri Lawyers Weekly Article and Commentary**

There was no report given, informational only.

**4. Pro Bono Update**

**a. Legal helper's disaster partnership**

Lou wanted everyone to be aware of the legal help that several organizations, including MoBar, Legal Aid of Western Missouri, The Attorney General's office and Missouri Association of Trial Attorney's (MATA), gave to the people in Joplin. They had volunteer's onsite for counseling; additionally, handbooks were distributed to the survivors providing disaster recovery information. He stated that attorneys were recruited statewide and over 200 attorneys from the Missouri Bar provided assistance. The Missouri Bar and MATA both had hotlines to help answer questions.

Lou reported the Disaster Recovery Partnership was set up in 1993. They coordinated the disaster help by bringing in private and government entities and meeting with then Governor Mel Carnahan to make the program permanent. Before the program became permanent and the agencies began helping the survivors of a disaster, infrastructure was the only disaster item that was reviewed. Now there is a list serve and a website where needed items can be requested. Lou is a member of this partnership.

**b. Involving Appellate judges in Judges Tool Kit?**

Lou DeFeo reported that Judge Mary Rhodes Russell recommended inviting the appellate judges to provide some input on ideas for the Judge's Tool Kit. Lou requested ideas from the Committee on ways to encourage the judges to participate. Several members of the Committee stated they would speak with the judges during the Judicial Conference at the end of this month (September).

**B. Self-Help Centers/Needs of Rural Clients**

### **1. Recommendations for other Self-Help Centers**

The subcommittee will provide recommendations after a survey to the presiding judges has been completed, reviewed and analyzed. Comments regarding the survey should be provided to Judge Schneider by Tuesday, September 13, 2011.

### **2. DRRF Final Evaluation of MMA2J Program**

A final evaluation was handed out to the committee. Judge Schneider does not consider the Access to Justice project a failure, she believes it's a success. It has expanded to custody cases with the help of Mid-Missouri Legal Services. Judge Schneider stated that while there is no longer a stand-alone clinic, the local bar will be there once a month to help. There will also be attorneys there to help if the litigant has not been involved in legal services.

### **3. Needs for Rural Areas**

Judge Schneider reported the sub-subcommittee had several phone conferences, but felt they needed to know what the need was in the rural areas before they made a recommendation. Judge Schneider stated they did not send out any survey results because there was not a fair representation of the pro se litigants that were involved. The committee discussed some of the problems that were brought to the forefront by the survey results.

### **4. Proposed Judicial Survey regarding pro bono needs**

This item was also discussed with the "Recommendations for other Self-Help Centers" above.

## **C. Internet/Web Site**

### **1. 2011 First Six Months Survey – Statistics and Second Quarter Comments**

### **2. Examining Pro Se Form Utility and Access Research Brief**

### **3. Website Changes**

Kathleen discussed the changes they made to the website. The first item they did was to delete the first time visitor icon. Kathleen also explained they tried to standardize the inclusion of the confidential filing sheet so the litigant could access it more easily. Terri Norris explained the changes she made regarding the survey and forms accessibility.

Lori questioned if there could be a button placed on the forms page that could take the litigant directly to the survey, instead of asking them to do the survey. There was more discussion regarding how to get litigants to take the survey. It was suggested that having a direct link to the survey which will help them answer the questions more accurately. The committee also discussed the importance of input so the materials can be improved and the possibility of sending information requests via email to judges. Judge Powell stated he receives emails asking for input but never pays much attention to them because judges get so many. He believes the same would happen with this request too. The committee discussed the different types of buttons that should be added or changed to the website/forms. There was a suggestion for yes or no buttons, or boxes that could be checked off that state if they were the husband or wife instead of the yes or no buttons. There was also some discussion about saving the forms on the computer once they were filled out, but if the litigant is using a public computer such as one at the library, it would

not work. Judge Smith stated that several websites instructions tell you to print off the form before filling it out.

Kathleen explained they upgraded the description of the LSR section in the packet. She stated there is information on there already, but this is more descriptive. Kathleen also reported that the Litigant Awareness program will be in Spanish, she's sending it to Terri to be translated. The Litigant Awareness Program for paternity will also be in Spanish.

There was some discussion on legal separation and annulment. The committee agreed that there should not be any forms on the website for legal separation but information could be added to the FAQ page.

The committee discussed the frequency of use for the website. Terry reported she had tried to group the information by zip code but had run into some trouble with St. Louis and Kansas City. The committee members will help group the regions together and will send an email to Terry regarding regional zip code groups. Lori stated if we have this information we will have totals for various areas and this will help us to determine the usage of the website.

## **D. Forms**

### **1. SJRC Response to Forms under review and current form changes**

Judge Smith stated on Form CAFC040 the legal description will be included in the forms, but the warranty deed will not be attached. Judge Smith also reported that Forms CAFC303 through CAFC371 that were discussed during the June meeting will be added to the website.

Judge Smith would like to know how efilng will affect the process of filing these forms. Cathy Zacharias reported that for courts with efilng, the litigant will still need to file the forms and the clerk will scan them. The pro se litigant will be served by paper.

Kathleen Bird asked if a form for an Answer to a Petition for Dissolution and Financial Information that is separate from the Dissolution packet can be created. Judge Smith stated he will start work on this form and the form for dismissal of dissolution action is pending as well.

There was also discussion regarding a Form 14 – Child Support Amount Calculation Worksheet that would be a stand alone form (not included in a packet). That issue was tabled until a later time.

## **E. Litigant Education Program/Brochure**

### **1. Paternity Education Component revisions**

The committee discussed the term "Next of Friend". Karen suggested that we could take out the "Next Friend" if the mother or father were not 18. Kathleen suggested changing the term from "next friend" to "this person may be called...". There was some discussion about the guardian ad litem (GAL) and whether or not it should be added to the component. Kathleen suggested leaving it out, several of the members stated they never have a GAL. Judge Powell believes that GAL information needs to be placed somewhere on the site but not with the "next of friend"

information. Lori stated the court appoints the GAL after they are in court. Additional changes were made based on comments and suggestions by the committee. There was additional discussion regarding the inclusion of a test for litigants regarding paternity issues. The sample test provided in the agenda was reviewed and several comments and suggestions provided by the committee.

Lori stated that the committee cannot cover every issue in the litigant awareness program and that we're giving the litigants the basics.

## **2. Proposed changes to Litigant Awareness Program (LAP) Materials**

This information was discussed with the topic above – Paternity Education Component.

A recurring issue with the Litigant Awareness Program has been the inability of prisoners to complete the on-line assessment as prisoners are not allowed access to the internet. It was noted that even though they do not have access, the judge may waive the requirement of completion of the program.

## **3. Paternity brochure draft**

Karen Brown reported she believes the brochure is now correct, in addition to making corrections, she suggested adding Missouri State Supreme Court to the brochure. Cathy stated we need to check with the Court to see if they will allow their name to be in the brochure. Various changes were made to the brochure based on comments and suggestions from the committee. Judge Schneider will bring this form to the Family Court Committee to see about obtaining money to distribute the brochure state-wide. Lori will talk to Bob Stoeckl as well about distribution.

## **F. Communications/Networking**

### **1. Revised release for statistics**

The committee discussed the stalled news release and what needs to be done. There is some frustration that it has not been edited or approved. Lori stated there is a draft that needs to go to the Supreme Court for changes and approval. Lori would like for Richard Halliburton to contact Bob Stoeckl for his draft release then work on it and send it to Lori for final review. Once she finalizes the release Lori will send it to OSCA for an e-vote, once the committee approves, OSCA will send the release over to Beth Riggert for publication.

## **G. Court Staff/Clerk Education**

Kathleen reported they are not on the agenda for the next Clerk College this year. However, she is proposing creating a module for new clerks to review when hired. Kathleen will contact Tony Simones who is the new manager for Judicial Education unit. It was noted that we need to emphasize accurate coding by the clerks so we can get good statistical information regarding *pro se* or limited scope litigants that are participating in the courts.

## **H. Judicial Education**

Judge Powell stated that the presentation at the judicial college went well.

### **III. Staff Report**

Cathy checked into getting some new software and what they looked at would have worked in two ways. But the Governor did another withhold at the end for the fiscal year so the money wasn't there to purchase the software. However, they were told that will be back on the list of projects in this next year.

Lori wanted to know what the courts goal was with respect to having everything electronically filed. Cathy explained how it will work out in the future. The intent is to go statewide with the appeals courts in 2012. St. Charles Circuit Court will be starting the e filing program on September 12, 2011; the Supreme Court went live on September 1, 2011.

Cathy explained to the committee that a juvenile case, which has a security issue, will be excluded and that any case with confidentiality will be excluded from the e filing requirements. The committee discussed the issue that some litigants or attorney clients do not have debit/credit cards or even checking accounts. The issue being how they would pay for the filing fees if they filed online.

There was discussion about having a liaison between CAFC and SJRC. No action was taken at this time.

Lori reported on staff reappointments for the CAFC. There was discussion regarding new appointments.

#### **A. Annual Report**

No report at this time.

#### **B. Set Proposed meeting dates for 2012**

The following dates were approved for 2012.

- March 2, 2012
- June 1, 2012 (by conference call)
- September 5, 2012 (please note this is a Wednesday)
- December 7, 2012 (by conference call)

### **IV. Adjourn Meeting**

Meeting adjourned at 11:52.

**PLEASE MARK YOUR CALENDARS FOR THE NEXT CAFC MEETING**

December 2, 2011 (by conference call)

**1. Please indicate your judicial Circuit.**

Surveys Received: 45  
Missing circuits: None

**2. What percentage of your family court docket has one litigant acting pro se?**

	0-25%	26-50%	>50%	do not collect this info
Responses	26	9	1	9
Percent	58%	20%	2%	20%

**3. What percentage of your family court docket has all litigants acting pro se?**

	0-25%	26-50%	>50%	do not collect this info
Responses	35	3	0	7
Percent	78%	7%	0%	16%

**4. Defining poverty as the “not having enough money to take care of basic needs such as food, clothing and housing”; in your estimation, how would you describe the average income level of the litigants who are acting pro se?**

	Below Poverty	At or Around Poverty	Above Poverty	do not collect this info
Responses	5	10	15	15
Percent	11%	22%	33%	33%

**5. Approximately what percentage of pro se litigants in your circuit are unable to read case-related documents?**

	0-25%	26-50%	>50%	do not collect this info
Responses	30	1	0	14
Percent	67%	2%	0%	31%

**6. How frequently are pro se litigants able to correctly use the instructions and forms without additional assistance from court staff?**

	Often	Sometimes	Never
Responses	4	35	6
Percent	9%	78%	13%

**7. Does each county courthouse in your circuit have a computer & printer available for use at no charge by pro se litigants?**

	Yes	No
Responses	12	33
Percent	27%	73%

**8. Does each county courthouse in your circuit have a copier available for use at no charge by pro se litigants?**

	Yes	No
Responses	9	36
Percent	20%	80%

**9. If a computer is available, is there a policy limiting the amount of times a pro se litigant can use it?**

	Yes	No	Blank
Responses	2	35	8
Percent	4%	78%	18%

**10. Does your circuit currently have a written, formalized policy and procedures to assist pro se litigants in family court cases?**

	Yes	No
Responses	5	40
Percent	11%	89%

**10a. If yes, please send a copy of your circuit’s policy and procedures to [Evan.Kloeppele@courts.mo.gov](mailto:Evan.Kloeppele@courts.mo.gov)** We received one that is attached to the same e-mail as this document.

**11. Briefly describe any strengths and weaknesses of your policy. (If yes to 10)**

- The form should note that filing of income and expense statement and statement of property and debt are mandatory before case can be heard. Also, both parts A and B of the parenting plan together with a form 14 must be filed if there are children. All sections of these forms must be completed or the relief requested may be rejected. The strengths are that the litigant is cautioned against paying anyone for completion of the forms that is not an attorney.
- Pro Se Litigants do not know how to present evidence, don't do the tutorial and don't understand it when they do.
- Litigants receive assistance in filling out the necessary forms to get a divorce, child support, a visitation schedule. Access to the courts is critical. We judges ensure that many individuals get such access. Some attorneys complain that the pro se policy takes away clients from them. I haven't found this to be true. We always encourage their getting legal representation...

**12. Would a “Pro se Self-Help Center” be helpful in your circuit?**

	Yes	No
Responses	28	17
Percent	62%	38%

**13. If a “Pro se Self-Help Center” was established in your circuit, would you recommend:**

	Attorney-staffed Clinic	Computer-assistance	Stand-alone Kiosk	Other (please specify)
Responses	15	7	10	13
Percent	33%	16%	22%	29%

**Other Suggestions:** • none of the above. I don't believe that is the function of the courts.

- not applicable
- Funding for additional court staff to assist with pro se needs. If this funding is not available, we would not have a self help center.
- Difficult to establish in a five county circuit
- Nothing
- Public Library
- since I don't see the need for one, I don't have a recommendation
- volunteer para legals or para legal students
- No recommendation
- Any of the above. Anything would be better than nothing.
- Attorney funded by the State
- Four county circuit and all three options were requested.

**14. Outside of the court, are there agencies in your jurisdiction that provide services to pro se litigants?**

	Yes	No
Responses	18	27
Percent	40%	60%

**14a. If yes, please identify the agencies and briefly describe the service(s) provided.**

- Legal Services of SW Missouri provides a periodic clinic to assist pro se litigants in completion of the paperwork. There is no fee associated.
- Legal Services of Eastern Missouri. We are also in the process of forming a pro bono committee for the court en banc and will be actively working with the Jefferson County Bar to provide pro bono hours in a variety of cases, especially domestic cases.
- Legal aid of Western Missouri - provide a pro se clinic for individuals that meet established criteria. University of Missouri at Kansas City - public law library for pro se research.
- Mid Missouri Legal Services provides assistance in filling out the forms by clinic for indigent litigants without children and very limited for those with children- ie incarcerated parent. University of Missouri School of Law Provides in domestic violence cases and Samaritan Center in Jefferson City also provides to low income litigants
- Legal Aid
- Legal Aid of Western Missouri provides limited assistance in preparing judgments and explaining procedures to pro se litigants, but they do not appear at hearings.
- The Samaritan Center provides services if the client meets income guidelines.
- Child Safe and Citizens against spouse abuse. They provide direction where to go for services and describe how the process works.
- Legal Services of Eastern Missouri and Mis-Missouri Legal Services. There services are almost exclusively in domestic relations cases.
- Legal Aid provides a self help class. I'm uncertain how often the class is offered
- Catholic Legal Services (SLU - Marie Kenyon) - participates in all aspects.
- Christos House (a shelter for domestic violence victims)
- Legal Aid sometimes helps them with the paperwork.
- Sussana Wesley Family Center Staff Counsel and staff to assist with family court matters
- Legal Services of Southeast Missouri. Subject to available funding, they provide indigent individuals representation in a variety of civil matters.
- Many domestic violence victims' advocacy groups provide assistance to the purported DV victims. They often refer cases to the attorneys who offer free representation through Legal Services and numerous volunteer law firms. MERS/GoodWill and The Fathers' Support Center provide job training and job networking services for DV victims and involved fathers...
- M.A.R.C.H. Mediation - They make participants take a class and then help with the filing of the paperwork for dissolution and paternity.

**Comments from Website Survey**  
**July 1 – September 30, 2011**

1. i want to hire attorney soon but i also want to be up on the laws of child probate\graderingship.i dont trust anyone and i want to know everything that the attorney knows in my case
2. There were no forms that applied to my situation. [type of family law matter selected = "other" – violation of divorce decree]
3. couldn't download
4. Doesn't work well in some browsers such as google chrome.
5. This was the link I was given. I have not seen the rest of your website.
6. I appreciate the ease and helpfulness of this site.
7. It doesn't say where to go and how much it is or how long it will take...etc. I had to make several phone calls to Independence and KC, MO to figure out where to go.
8. I can't find notice of appearance form in the dissolution of marriage forms. How do I obtain this form?
9. I need help my husband is keeping our children from me. He is telling our oldest daughter that i don't want her. I need a divorce and custody of our children. If anyone can help please call me at 276-639-9320
10. I am looking up information for a client.
11. I am unsure of what to print out to file for divorce.
12. You need a search section so you can just find the forms you need
13. I was told to come to this website to download forms, wasn't sure what forms if all I had to print. I would think as a taxpayer, you would provide us with the necessary paperwork, besides what does the filing fees pay for, if I have to download the forms myself?
14. I HAVEN'T FILLED OUT THE PAPERS YET
15. The mother and i agree to the terms and conditions of which I will be submitting.
16. Great website
17. I have a four year old son that i want full custody of him because he has not been in his life for three year. And my son dad had two kids by some other lady why we are still marriage. and he doesn't pay his child support. And i would like to be told when he go to court
18. We have not found the information looking for yet!!! ["Divorce" and "Custody Issues" were selected. Also wrote in protection order]
19. Questions 11 - 16 were NA because I haven't gotten that far in the process yet.
20. it keeps taking me back to the home page and starting me over..... I haven't been shown the forms or had the opportunity to print them....???????????
21. it would be nice to save your work.
22. Unable to find resources for a legal separation.
23. question such as 11-16 can not be answered until information is seen and as of yet no information has been seen.
24. I would like to see saving this on the computer so you could finish it when you did not have time to work on it. instead of starting all over
25. i have been in a terrible abusive marriage and he is now in prison. we have one child in common and no property. i am looking for full custody with reasonable visitation as well as child support
26. I thank you for this site. There is no reason people should have to stay married because they can not afford an attorney.
27. I think that i can represent myself...do not have the extra money.

28. I have not accessed the website yet. I am trying to print off some forms and it directed me to here. I will go back and navigate the website more
29. I just want to make a good life for my sons without conflict in all they are used to and they are my world
30. I wasn't quite sure if I needed to bring all the forms in and if they all needed to be notarized, but after talking to a circuit court clerk, I learned what I needed to do. It would be nice if there were more specific information on the website as to exactly how the whole process is handled (specifically - uncontested divorces). It is a little confusing at first, but the more we can learn the better it is as far as filling out the papers. Thank you. [64068 zip code]
31. I have a problem trouble with Acrobat, and I am not sure if I have everything I need, but I was well able to complete the document package that was easily available. Thank You
32. The "helpful pop ups" were a pain. I got nearly finished with one form and it brought me to a new screen showing me how to enter a date. Then it wiped out all of my work and sent me back to zero! I eventually just printed it off blank so I can hand write it. I guess you have to make these things for the lowest common denominator in society.
33. HOW LONG THE PROCESS WILL TAKE SINCE WE HAVE TO SETTLE THINGS LIKE DIVIDING ASSETS AND KID VISITATION
34. I stated not applicable at this time because I am pursuing this matter and attending free classes I just happened to stumble across for completing the paperwork which I hope will help me to be prepared for court. [63137 zip code]
35. It would be nice to be able to download each form separately or have a respondent's packet as well.
36. would be better if this form was e-mailed at a later time instead of when first filing.
37. Great site
38. You can not answer a questionnaire prior to being able to access the information.
39. I hope that the rest of the will be as easy as what have just completed.
40. Very helpful! Technology is awesome. Thank You!!!

**8/16/2011: At this point I deleted the red button for the survey and altered the text.**

41. I need to file an contempt of court order, they told me to come here to do that, but where is that form?
42. Most of the info I've found about representing yourself is for Divorce. I am looking for court rules, regulations, forms, and timelines to help represent/defend myself in a civil case.
43. I need a form for legal separation and not sure where I can get one
44. I could not find the form to convert a legal separation to a dissolution
45. I was given instructions that I should be able to find a link in the "legal forms" section to petition a name change. That is incorrect.
46. Can't find the form, and out of time. Tomorrow is the last day to file. [type of family law matter selected = "Other" – petition for judicial review of administrative order]
47. PETITION FOR NAME CHANGE FORMS SHOULD BE AVAILABLE. IT SHOULDN'T BE SO COMPLICATED OR COST SO MUCH TO HAVE ONE'S NAME CHANGED.
48. have not looked at everything yet the circuit clerk and an attorney suggested I go about it this way
49. This was a great site. I wish I would have known of it a few years ago. Very informative. Thank you!

## Supreme Court of Missouri Committee Reports New Self-Representation Resources Help Those Who Need it Most

Before 2008, many low-income citizens in Missouri had few choices when trapped in bad marriages and seeking a divorce. For most, paying a lawyer to guide them through the process presented an insurmountable obstacle. Financial roadblocks and inadequate resources of Legal Aid or volunteer programs often left them with only one choice – staying in a dysfunctional and sometimes dangerous living situation.

Today, because of the work of the Supreme Court of Missouri's Committee on Access to Family Courts, those who cannot afford an attorney have expanding resources to help them navigate family courts on their own and achieve legal resolutions that allow them to move on with their lives.

Thousands of citizens have used new forms and resources available on the "Representing Yourself" website created by the committee, and responses to a user survey indicate the resources are providing the help needed. The Committee on Access to Family Courts has released a report to the Supreme Court summarizing the survey data.

More than half of those who completed the survey have household incomes of less than \$20,000 per year, while another 20 percent reported incomes of \$30,000 or less. Approximately 75 percent of all respondents support children with their household incomes.

"Understanding the income levels of those who use the website and its resources is very important," says Lori Levine, Co-Chair of the Committee on Access to Family Courts. "This effort was designed specifically to provide access to those whose financial situation would make it very difficult, if not impossible, to ever hire an attorney."

The low income levels correlate with lower levels of education. More than one-third of users have completed high school or earned their GED, while 13 percent do not have a high school diploma. About 28 percent have some college, but usage by those with college degrees drops sharply. Most used the site for assistance with divorce (about 74 percent), while child custody and support issues represented another 20 percent of the matters.

Early concerns about a lack of availability of computers for low-income citizens have been dampened by the survey data. More than six out of 10 respondents say they accessed the Internet at home. Another 25 percent accessed the site from work or the public library.

Almost 70 percent of the respondents found the "Representing Yourself" site easy to navigate. More than 70 percent felt the educational information was easy to understand and 62 percent indicated the many resources on the site better prepared them to handle their own case in court.

More work is needed to make access to legal counsel a viable option. Sixty-six percent of those responding had not talked with a lawyer before deciding to represent themselves. Of that group, 30 percent assumed they could not afford counsel.

Levine sees these findings as troubling. “I think it is important that people consult a lawyer before making any decision about representing themselves. Many lawyers offer a free or low-cost initial consultation that everyone should take advantage of.”

The “Representing Yourself” website currently contains educational resources and forms for use in divorce, child custody, child support, name change, paternity, visitation, modifications, enforcement of orders and domestic violence orders of protection. It can be accessed at [www.selfrepresent.mo.gov](http://www.selfrepresent.mo.gov). The Committee on Access to Family Courts’ 2011 annual report is available at [www.courts.mo.gov/page.jsp?id=11291](http://www.courts.mo.gov/page.jsp?id=11291).