



Committee on Access to Family Courts

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June 30, 2010

Chief Justice Ray Price
Supreme Court Building
P.O. Box 150
Jefferson City, Missouri 65102

Dear Justice Price:

Thank you for the opportunity to provide the Supreme Court with an update of the activities of the Committee on Access to Family Court.

As you know, this Committee was established by Supreme Court Order in April 2008. In the last two years this Committee has been steadily and effectively working to improve access to the courts for those litigants involved in family law matters with particular emphasis on self-represented litigants.

Many of the goals set out by the Supreme Court have been achieved, such as the Litigant Awareness Program and a majority of the pleadings, forms, and proposed judgments set out in Rule 88.09.

Thank you for your time and attention.

Sincerely,

Lori Levine
Co-Chairperson

Committee Members

Dennis Smith, Co-Chair
Lori Levine, Co-Chair
Richard Halliburton
Mary Ann McClure
Allan Stewart

Kathleen Bird
Fredrich Cruse
Marsha Holiman
W. Brent Powell
J. Miles Sweeney

Karen Brown
Beth Dessem
Richard Holtmeyer
Leslie Schneider
Robin Ransom Vannoy

Bennett Burkemper
Lou DeFeo
Kelly Martinez
Patricia Scaglia
J.D. Williamson

Don Crank

Deanna Scott

**Supreme Court of Missouri
Committee on Access to
Family Courts**



**Report to the Supreme
Court of Missouri**

July 2010

Committee on Access to Family Court Members

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

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

The Honorable T. Bennett Burkemper Jr., Judge, 45th Judicial Circuit

Don Crank, Assistant Attorney General, Springfield, Missouri

Fredrich Cruse, Esq., Hannibal, Missouri

Lou DeFeo, Esq., Jefferson City, Missouri

Beth Dessem, Executive Director, CASA, Columbia, Missouri

Richard Halliburton, Esq., Kansas City, Missouri

Marsha Holiman, Circuit Clerk, 34th Judicial Circuit

Richard Holtmeyer, Esq., Tipton, Missouri

Lori Levine, Esq., Jefferson City, Missouri

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

Mary Ann McClure, Director - Civil Records, 16th Judicial Circuit

The Honorable Brent Powell, Judge, 16th Judicial Circuit

Patricia Scaglia, Esq., Independence, Missouri

The Honorable Leslie Schneider, Judge, 13th Judicial Circuit

Deanna Scott, Esq., Legal Services of Southern Missouri

The Honorable Dennis Smith, Judge, 21st Judicial Circuit

Allan Stewart, Esq., St. Louis, Missouri

The Honorable Miles Sweeney, Judge, 31st Judicial Circuit

The Honorable Robin Vannoy, Judge, 22nd Judicial Circuit

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

Lori Levine and the Honorable Dennis Smith serve as co-chairs of the committee.

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

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

Summary

In April 2008, the Supreme Court of Missouri created the Committee on Access to Family Courts (CAFC) and tasked the committee with soliciting suggestions from judges, lawyers, and the public as to methods of improving access to family court division cases, particularly for self-represented litigants. The committee also was asked to prepare an awareness program and pleadings, forms, and proposed judgment pursuant to Supreme Court Rule 88.09.

To implement the charge of the committee, the CAFC continued the work of the Joint *Pro Se* Implementation Commission, which centered on the eight recommendations developed by the Missouri Supreme Court Joint Commission to Review *Pro Se* Litigation. A review of those recommendations and the projects undertaken by the committee to implement those recommendations follows.

Recommendation #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.

Supreme Court Rule 88.09 requires every party not represented by counsel to complete a litigant awareness program unless waived by the circuit court. An approved litigant awareness program and program completion certificate have been developed and are available on the self represent website. If a litigant is represented by an attorney in the preparation of pleadings and documents, the litigant awareness program is not required.

The committee, with assistance from the Department of Elementary and Secondary Education, produced a DVD as an alternative and/or supplement to the online litigant awareness program. The DVD, approximately 30 minutes in length, has been reproduced in English and Spanish. A copy of the DVD along with copies of the brochure, *Handling Your Case in Family Court*, was distributed to every circuit with permission to duplicate them for local use. The DVD has been posted to the website at www.selfrepresent.mo.gov for public access.

Additional information was added to the litigant awareness program regarding the Motions to Modify Child Custody and/or Support and Motion for Family Access. Information regarding Paternity actions is pending review and approval.

Recommendation #2

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

Over and above Court Operating Rule 25 – Services by Court Clerks and Staff in Family Law Cases – that took effect in July 2008, many members of the committee participated

in circuit clerk conferences, judicial colleges, court clerk colleges and webinars in an effort to disseminate this information. An entire section of the website is dedicated to explaining what type of assistance court staff may and may not provide to litigants in family law matters. Additional information about court costs is provided within this section.

Recommendation #3

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

Various members of the committee presented materials about *pro se* litigation at judicial colleges in 2009. The Honorable Brent Powell was recently appointed to the Trial Judge Education Committee as a liaison from this committee. Judge Powell is advocating for the inclusion of materials covering *pro se* litigation in upcoming judicial colleges. Also, the committee is seeking ethics credit hours for *pro se* education programs to be provided to judges.

The committee is also in the beginning stages of developing a judge's *Pro Bono* Toolkit. This toolkit would be a resource for judges to access when handling cases involving *pro se* litigants.

Recommendation #4

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

The committee established a website, www.selfrepresent.mo.gov, as a central clearinghouse for information and resources to assist self-represented litigants involved in family law matters. The website includes information about the following topics:

- First Time Visitor
- Getting a Lawyer
- Stopping Abuse & Stalking
- Litigant Awareness Program
- Resources by County
- Court Staff Assistance
- Dispute Resolution
- Legal Forms
- Legal Terms
- Frequently Asked Questions.

Currently underway is an effort to improve the website by directing all website users to the general information regarding the courts, risks and responsibilities of proceeding *pro se* and the self-assessment questionnaire information before they proceed to specific case

type information. Supplementary information regarding limited scope representation also will be added to the website.

Also, a public archive was created as a repository for information including:

- committee projects,
- forms,
- orders,
- reports,
- *pro bono* reports, information and resources,
- update memos and
- other information.

The information within the archive is updated as needed. This archive is open to the public at <http://www.selfrepresent.mo.gov/page.jsp?id=11291>.

Recommendation #5

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

An informational brochure titled, *Handling Your Case in Family Court*, was developed by the committee. The brochure provides information about accessing resources for victims of domestic violence, resources for obtaining a lawyer, and information about what is available on the self represent website (www.selfrepresent.mo.gov). This brochure was distributed along with the litigant awareness program DVD to all judicial circuits with permission to duplicate it for local use.

Recommendation #6

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

The committee has been collaborating with The Missouri Bar in the implementation of various concepts to bring together *pro bono* attorneys with clients in need. In November, the Delivery of Legal Services Committee of The Missouri Bar approved an implementation plan entitled “Characteristics of a Successful *Pro Bono* Program.” The Missouri Bar Executive Committee accepted the plan, but did not adopt it. The Delivery of Legal Services Committee is in the process of implementing some aspects of the plan over time. Topics included in this plan are: a coordinated program to recruit more *pro bono* attorneys; development of a Missouri Bar *pro bono* website; increased recognition and support for *pro bono* attorneys; greater tracking and evaluation of *pro bono* services and increased collaboration among *pro bono* and other provider agencies. The Missouri Bar’s Delivery of Legal Services Committee (DLS) has established three subcommittees to implement the plan. Our committee is collaborating with DLS on these efforts. For purposes of this effort, *pro bono* includes reduced rates.

Several committee members attended the 2008 Court Solutions Conference – Self-Represented Litigation Solutions Track and comprised the Missouri state team. The team agreed that one particular area Missouri needs to focus on is establishing self-help centers. With that in mind the committee, led by the Honorable Leslie Schneider and Lou DeFeo, contributed to an effort to establish a center in Missouri. The Mid-Missouri Access to Justice Project, a self-help center that serves the 13th Judicial Circuit, held a kick-off event May 4, 2009. The project provides various levels of assistance to low-income individuals attempting to access the courts in civil matters, currently limited to family law matters, in the 13th Judicial Circuit. The level of assistance provided will depend on the nature of the matter involved, the needs of the individual seeking assistance, the effectiveness of the type of assistance provided in meeting the needs of the client, and the resources of the project.

The committee is also working closely with The Missouri Bar to organize, fund, and assemble faculty for various continuing legal education seminars focusing on limited scope representation and ethics.

Recommendation #7

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

This subcommittee created a Deskbook for *Pro Bono* Attorneys designed to support attorneys who volunteer to help low-income persons who otherwise would be proceeding *pro se* or be denied access to justice. This virtual deskbook is available online at <http://www.courts.mo.gov/hosted/probono/index.htm>. The topics focus on the basic matters that low-income persons are likely to encounter. The deskbook also provides attorneys who do not regularly practice in these basic areas with the tools to help needy persons. This is especially useful to retired, government, and corporate attorneys. A specific chapter has been included in the deskbook that reviews limited scope representation. Committee member, Lou DeFeo, was essential in the establishment of the deskbook.

In April 2009, the committee developed a concept document entitled “Matching *Pro Bono* Attorneys with Needy Clients.” The committee is building on the framework concepts set forth in the document in a variety of ways. Many of the concepts have been incorporated in the Delivery of Legal Services “Characteristics” plan discussed above. The committee is working collaboratively with DLS on these matters.

Recommendation #8

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

The Supreme Court approved the family law forms required by Rule 88.09 for *pro se* litigants. The approved forms are available in a package on the Representing Yourself website and may be completed online and printed, or printed and filled out on paper.

The following forms were effective as of April 1, 2009, and are available:

- CAFC 001 – Petition for Dissolution
- CAFC 010 – Respondent’s Answer
- CAFC 050 – Statement of Income and Expense
- CAFC 040 – Statement of Property and Debt and Proposed Separation Agreement
- CAFC 065 – Certificate of Dissolution
- CAFC 067 – Filing Information Sheet
- CAFC 070 – Judgment of Dissolution of Marriage
- CAFC 501 – Parenting Plan
- CAFC 721 – Notice of Hearing.

The following forms were effective as of July 1, 2010 and are available:

- CAFC 101 – Motion to Modify Child Custody
- CAFC 102 – Motion to Modify Child Support
- CAFC 111 – Answer to Motion to Modify Child Custody
- CAFC 112 – Answer to Motion to Modify Child Support
- CAFC 140 – Property and Debt Statement
- CAFC 150 – Income and Expense Statement
- CAFC 170 – Judgment of Modification of Child Custody and/or Support
- CAFC 201 – Petition for Child Custody
- CAFC 211 – Answer to Petition for Child Custody
- CAFC 240 – Property and Debt Statement
- CAFC 250 – Income and Expense Statement
- CAFC 270 – Child Custody and Support Judgment.

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

The following forms have been forwarded to the State Judicial Records Committee and the Family Court Committee:

- CAFC 301 – Father’s Petition for Declaration of Paternity, Custody and/ or Support
- CAFC 302 – Mother’s Petition for Declaration of Paternity, Custody and/or Support
- CAFC 302a – Mother’s Petition for her Appointment as Next Friend (for children under the age of 14 years)
- CAFC 303 – Presumed Father’s Petition for Declaration of Non-Paternity
- CAFC 304 – Petition to Set Aside Judgment of Paternity and Support (pursuant to RSMo. §210.854)
- CAFC 311 – Answer to Father’s Petition for Declaration of Paternity, Custody and/ or Support

- CAFC 312 – Answer to Mother’s Petition for Declaration of Paternity, Custody and/or Support
- CAFC 313 – Answer to Presumed Father’s Petition for Declaration of Non-Paternity
- CAFC 314 – Answer to Petition to Set Aside Judgment of Paternity and Support (pursuant to RSMo. §210.854)
- CAFC 370 – Paternity Judgment.

In addition, Judge Dennis Smith has created interactive versions of the Dissolution of Marriage forms, the Motion to Modify Custody forms, the Motion to Modify Child Support forms, and the Petition for Custody forms. These forms were programmed using Adobe Acrobat and the javascript programming language. In January, 2010, Judge Smith met with programming staff at OSCA for two days so that they would be familiar with the interactive forms and the computer code embedded in them.

The committee continues to provide essential forms for *pro se* litigants. Pending forms include a Petition for Appointment of Next Friend, Affidavit for Publication, Affidavit for Certified or Registered Mail and Change of Name.

Recommendation #9

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

This committee was established on April 15, 2008, to improve access to family court division cases with particular focus for self-represented litigants. To accomplish the goals set out by the Supreme Court, the recommendations of the Joint Commission were essential and served as areas of focus for this committee. Several subcommittees were formed on the basis of the recommendations which were guided in scope by the recommendations.

The committee experienced challenges along the way within the last two years. Foremost, has been the reluctance of some judges and attorneys to accept the idea of limited scope representation. However, as time has passed it appears that reluctance, while still present, is slowly decreasing. For example, in Clay County a *pro se* pre-trial docket was established in September 2009. Although the local bar association initially expressed reservations about limited scope representation, last year the Clay County Bar Association officer supported the creation of a list of local attorneys willing to provide limited scope representation services to the participants of this docket. As of June 2010, the Clay County Bar Association has 17 attorneys that offer limited scope representation services to family court litigants. Some attorneys have tailored their practice to include limited scope representation and have seen its benefits. As it is apparent that *pro se* litigants always will have some impact on the operation of the court, the concept of limited scope representation has become more acceptable.

Throughout the life of this committee and the Joint Commission to Review *Pro Se* Litigation one thing that has stayed consistent is the profile of a *pro se* litigant. The Joint

Commission completed a study of the *pro se* litigant in 2003. Those findings were compared to the survey results from the Representing Yourself website surveys completed between July 2008 and April 2010. A more complete analysis of survey results are included in the *Representing Yourself Website Survey Report (January 16, 2008 – April 28, 2010)* included with this report. Consistent with the 2003 survey data collected in Missouri courtrooms, current survey results have found the following:

- 70 percent of online users reported annual income below \$30,000.
- 61 percent of online users were seeking information about obtaining a dissolution of marriage.
- 91 percent of online users cited cost and lack of complexity as the primary reason for choosing and/or contemplating self representation.
- Only 14 percent of online users have a bachelor's degree or higher.
- The slight majority of online users were married 5 years or less.

This data confirms several beliefs of the committee:

- The characteristics of a *pro se* litigant have remained comparatively the same.
- The increase in users with an annual income below \$30,000 from 60 percent in 2003 to 70 percent in 2010 supports an expansion of limited scope representation and *pro bono* services.
- The typical *pro se* litigant cannot afford legal representation and is not the target clientele of most attorneys.
- The website is reaching its intended target audience.

The ongoing and future initiatives of this committee include the approval of forms relating to paternity actions and change of name, collaboration with The Missouri Bar on a *Pro Bono* program and web presence, supporting and encouraging lawyers to provide *pro bono* or reduced fee services, and developing educational programs on the effective use of limited scope representation, creation of a judge's *Pro Bono* Toolkit, continuing support of existing and future self-help centers or libraries and continuing to supplement the Deskbook for *Pro Bono* Attorneys.

Committee on Access to Family Courts

Representing Yourself Website Survey Report January 16 2008 – April 28, 2010

This report provides demographic information and satisfaction ratings for Missouri residents visiting the *Representing Yourself* website between July 2008 and April 2010. The survey is not scientific in that the results may not necessarily be representative of actual pro se litigants and do not provide actual data on pro se litigation activity in Missouri. However, the results do provide a profile of present-day prospective litigants and offers fairly compelling evidence that perceived barriers to access remain, i.e. affordability of lawyers.

Information gathered over the last 22 months from nearly 7,000 visitors to the *Representing Yourself* website offer confirmation of findings from the Joint Commission's original study of pro se litigation in 2003. While the present survey is not a replication of the original, key conclusions from the original report regarding pro se litigants and why they choose to proceed pro se remain unchanged¹. In fact, the financial circumstances of most are even more dire, suggesting the impact of the economic downturn.²

Consistent with the 2003 survey data collected in Missouri courtrooms, the majority of online users reported annual income below \$30,000 (70%), were seeking information on obtaining a dissolution of marriage (61%) and cited cost and lack of complexity as the primary reason for choosing and/or contemplating self representation (91%). Further, only 14% of respondents reported having a bachelor's degree or higher and just over half of all respondents were married 5 years or less.

Close to one-half of the survey participants fell at or below 125% of the federal poverty threshold, the guidelines used to determine eligibility for Legal Aid Services.

Additionally, most respondents were able to access the website from the convenience of their homes or work sites and were generally satisfied with website navigation, clarity of information and ease of locating forms. Overall, the survey provided encouraging evidence that the website is indeed targeting its intended audience and perhaps lends further support to a call for an expansion of Limited Scope Representation and pro bono services in family law cases.

¹ Missouri Supreme Court Joint Commission to Review Pro Se Litigation. Report to the Supreme Court & the Missouri Bar (September 2003).

² 70% of current online users reported annual income of \$30,000 or less as compared to only 60% of pro se litigants reporting income of \$30,000 or less in 2003. Considering that this income has not been adjusted for inflation, the value of present day income is lower compared to 2003.

2008-2010 Pro Se Website Survey

This report provides demographic information and satisfaction ratings for Missouri residents visiting the *Representing Yourself* website between July of 2008 and April of 2010. Over this 22 month period, close to 7,000 visitors to the website completed an on-line survey.

TYPE OF CASE PROFILE

When asked to identify the type of case they were considering filing:

- Over half of the respondents (61%) indicated they were filing for dissolution of marriage.
- The next highest case type was custody issues.

Conclusions:

- The survey indicates that dissolution is the most sought after pro se assistance.

Table 1 -- Case Type Responses During 2010

Matter Type	Frequency	Percent
Divorce	1,215	61%
Custody Issues	194	10%
Child Support	174	9%
Visitation	94	5%
Name Change	105	5%
Modification	70	4%
Other (please specify below)	54	3%
Paternity	29	2%
Enforcement of Orders	30	2%
Order of Protection (Domestic Violence)	19	1%
Total	1,984	100%

Prior to January 2010, information on the website was limited to dissolutions only.

INCOME PROFILE

When asked to report their income:

- Almost three quarters (70%) of the respondents stated they earned less than \$30,000.
- One-half (51%) indicated they earned \$20,000 or less.

Conclusion:

- Website visitor responses were consistent with 2003 state survey data.
- Most visitors are individuals with low income.
- Almost half meet the income guidelines for Legal Aid when considering the number of children in their family.
- A significant proportion are estimated to be below the federal poverty line.

Graph 1 – Income by Survey Participants

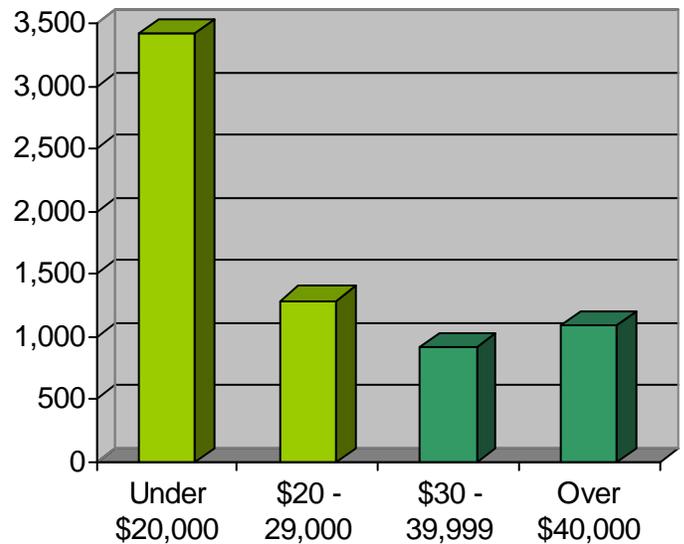


Table 2 -- Income by Website Survey Participants, July 2008 – April 2010

Income	Frequency	Percent	Cumulative Pct.
Unemployed	83	1%	1%
\$0 - 10,999	2,117	32%	33%
\$11,000 - 19,999	1,218	18%	51%
\$20,000 - 29,999	1,290	19%	70%
\$30,000 - 39,999	915	14%	84%
\$40,000 - 49,999	465	7%	91%
\$50,000 or over	629	9%	100%
Total	6717	100%	

Note. Income information was missing for 77 cases.

PROFILE OF NUMBER OF CHILDREN

When site visitors were asked to indicate the number of children they have:

- A little over one fourth (29%) had no children.
- Almost half (45%) had one or two children.
- Almost one fourth (26%) had three or more children.
- When number of children is cross tabulated by the income profile, almost half (47%) meet the income guidelines for Legal Aid representation.³

Conclusion:

- Nearly three quarters of prospective pro se litigants have children and almost half meet income eligibility for Legal Aid Services.

Table 3 -- Number of Children and Income

Reported income categories by number of children in the household for survey participants.

Children	\$0 to 10,999	\$11 to 19,999	\$20 to 29,999	\$30 to 39,999	\$40 to 49,999	\$50,000+	Total
0	603	358	315	231	123	156	1,792
1	412	184	241	174	67	100	1,182
2	464	281	315	231	142	174	1,609
3	311	193	191	143	66	85	989
4	144	76	94	44	29	33	421
5	46	19	25	18	8	10	128
6	9	2	4	6	0	7	28
7+	11	9	7	4	1	7	39
Total	2,000	1,122	1,192	851	436	572	6,188

Categories of individuals considered eligible for assistance through Legal Aid Services (based on Schedule A 125% of federal poverty guidelines) are highlighted in red.

³ See Appendix A for a copy of the 2009 HHS Federal Poverty Guidelines and LAWMO guidelines (Schedule A).

LENGTH OF MARRIAGE PROFILE

When asked to choose the category that reflects the length of their marriage:

- Half (51%) were married five years or less.
- 25% were married six to ten years, 24% were married ten years or more.

Conclusion:

- Website visitors were most likely to be early in their marriage.

Graph 2 – Length of Marriage

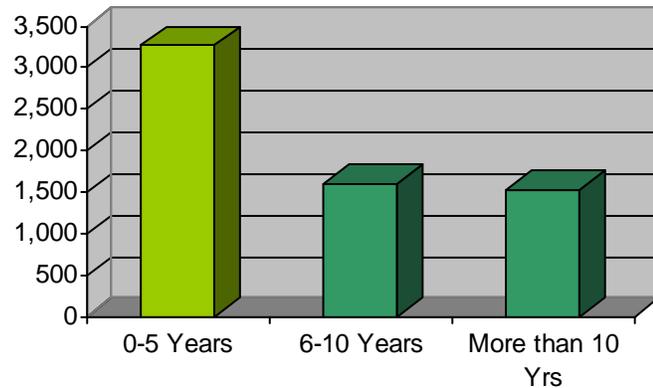


Table 3 -- Length of Marriage by Survey Participants

Length of Marriage	Frequency	Percent	Cumulative Pct.
Married 0 to 5 Years	3,268	51	51%
Married 6 to 10 Years	1,605	25	76%
Married More than 10 Years	1,531	24	100%
Total	6,404	100%	

Note. Marriage information was missing for 390 cases.

EDUCATIONAL PROFILE

When asked to choose a category that indicates their years of schooling:

- Nearly half (45%) have a high school education, a high school equivalent or less.
- An additional 37% have some college education and 5% have vocation training.

Conclusions:

- Website visitor responses were consistent with the 2003 survey profile.
- Those who visit the website are more likely to have less formal education as only 14% hold 4 year degrees or more.

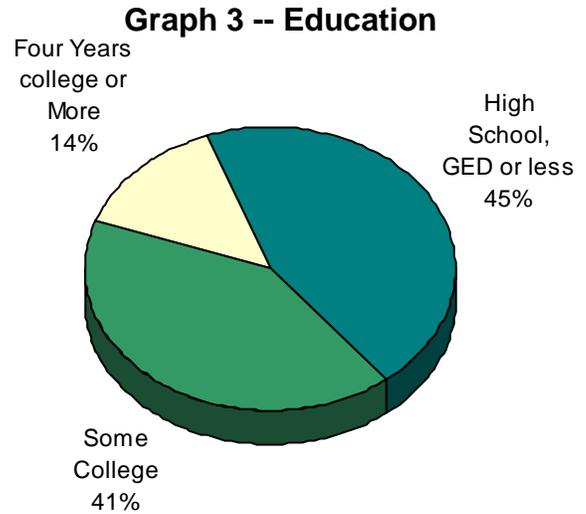


Table 4 -- Education Responses

Educational Attainment	Frequency	Percent
Some High School	946	14%
High School Graduate	1,497	22%
GED	584	9%
Some College	1,874	28%
Occupational/Voc Degree	353	5%
Associates Degree	577	9%
Bachelors Degree	614	9%
Masters Degree	210	3%
Professional School Degree	69	1%
Doctorate Degree	48	1%
Total	6,772	100%

Consistent with national data, income and highest level of education were highly correlated.⁴

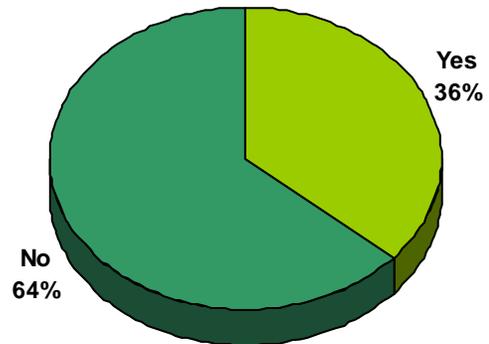
⁴ See Appendix C for a cross-tabulation of income category and education.

PREVIOUSLY CONTACTED LAWYER/FREE LEGAL SERVICE

Survey participants were asked if they talked to a lawyer or free legal service about their case before visiting the website:

- One third (36%) had contact with a lawyer.
- Two thirds (64 %) had not contacted a lawyer.
- There is no correlation between income and having contacted an attorney. (See Appendix D)

Graph 4 – Contact with a lawyer



Conclusion:

- Nearly two thirds (64%) of website visitors had not discussed their case with an attorney.

Table 5 -- Previous Contact with a Lawyer, Prior to Visiting the Website

	Frequency	Percent
Yes, I have contacted a lawyer	2,435	36%
No, I have not contacted a lawyer	4,246	64%
Total	6,681	100%

Note. This information was missing for 113 cases.

REASONS FOR FILING PRO SE

When asked to choose a response that best states their reason for intending to self-represent:

- Almost half (48%) responded that private representation was too expensive.
- An additional 43% responded that their divorce/case was not complex, could be settled without a lawyer, and they believed they could represent themselves.

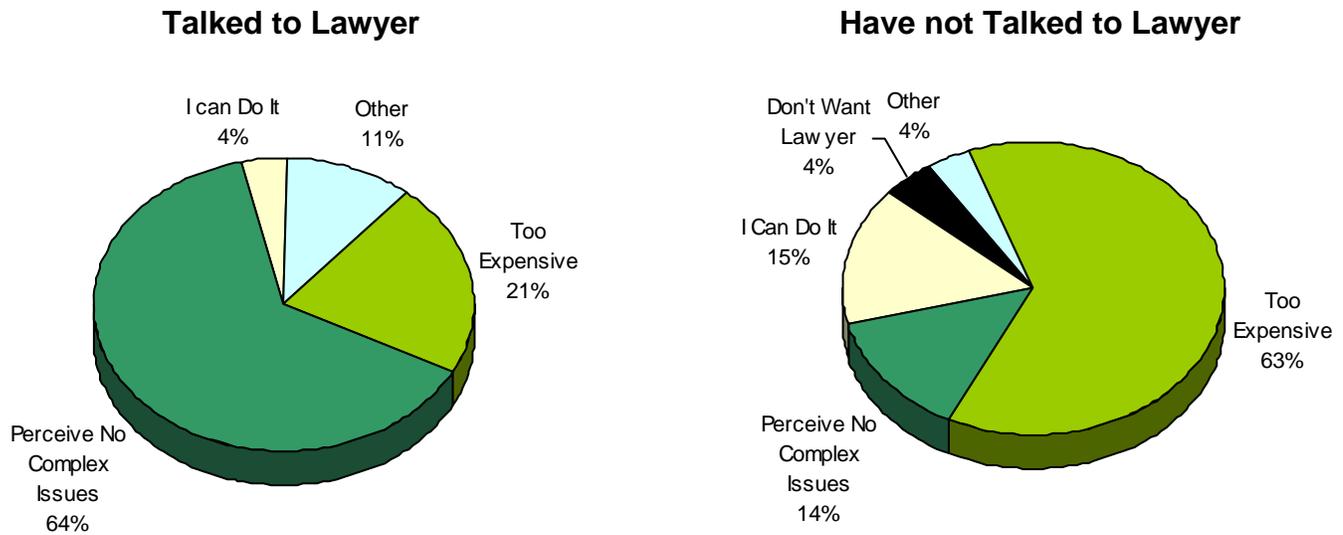
Conclusions:

- Reasons provided by website respondents were similar to the 2003 sample survey.
- Attorney fees and simplicity of case/divorce accounted for over 90% of the reasons website visitors intend to file pro se. Table 6 and Graph 5 provide all reasons cited for self-representation.
- The majority of respondents (63%) who had not discussed their case with an attorney just assumed it was too expensive perhaps suggesting a general public perception of the high cost of legal representation.

Table 6 -- Reason Offered for Intended Self-Representation Overall and by Prior Use of Legal Services

Reason for Self-Representation	Previous Talked to Lawyer	Have Not Talked to Lawyer	No Response to Lawyer Question	Overall
Too expensive	515 21%	2,655 63%	64	3,234 48%
I do not want to hire a lawyer	1 --	190 4%	0	191 3%
No complex issues to settle/ Case involves divorce that can be settled without a lawyer	1,533 64%	588 14%	4	2,125 32%
I think I can represent myself	97 4%	636 15%	1	734 11%
None of the above	256 11%	154 4%	30	440 7%
Total	2,402 100%	4,223 100%	99	6,724 100%

Graph 5 -- Reason Offered for Intended Self-Representation



WEBSITE SATISFACTION

When asked to respond to six questions by the degree to which they agreed with the statement:

- Visitors between July of 2009 and April of 2010 were satisfied with the website navigation, clarity of the information, and ease of locating forms.
- Six percent of website users (331 respondents) surveyed reported that if the forms were available in another language they would use them in a language other than English.
- Of the 331 respondents interested in forms in another language, 82% required Spanish.

Conclusion:

- Visitors were satisfied with the information and ease of finding and understanding the information provided.
- Two thirds agreed that the information was easy to understand and just over half felt they were better prepared for court.

Table 7 -- Satisfaction with Website

Satisfaction Statement	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
It was easy to find what I was looking for on the Representing Yourself website.	1,765 27%	2,787 43%	1,090 17%	407 6%	497 8%
The educational information was easy to understand.	1,538 24%	2,815 44%	1,444 23%	174 3%	372 6%
Without the educational information I would not have been as prepared for court.	1,114 18%	2,371 38%	2,086 34%	292 5%	343 6%
It was easy to know what forms I needed to use.	1,131 18%	2,785 44%	1,593 25%	487 8%	394 6%
The forms were easy to use.	1,121 18%	2,833 45%	1,809 28%	247 4%	342 5%
After looking at everything on this site, I feel more ready to represent myself in court.	1,377 22%	2,868 45%	1,658 26%	157 2%	343 5%

(See Appendix E – *Survey Comments* for additional information)

PROFILE OF WHERE PEOPLE ACCESS THE WEBSITE

When asked where respondents most often use the internet:

- The overwhelming majority used the internet at home.
- 15% stated they accessed the internet at work.

Conclusions:

- Regardless of income, most site visitors get on the internet at home.

Table 8 -- Where do you most often use the Internet?

Location	Frequency	Percent
Home	932	65%
Work	211	15%
Public Library	165	11%
Friend or relative's house	124	9%
School	7	0%
Courthouse	2	0%
Other (specified in note below)	3	0%
Total	1,444	100%

Others locations included: Career center, cell phone and hotels while traveling.

APPENDIX A

WEBSITE SURVEY



Representing Yourself in Missouri Courts

Access to Family Courts

We would like to know if you think this website is helpful. You do not have to answer the questions. If you do answer the questions, your responses will be confidential.

1. What is your ZIP code?

2. How many years of schooling have you completed?

- Some High School
- High School Graduate
- GED
- Some College
- Occupational/Vocational Degree
- Associates Degree
- Bachelors Degree
- Masters Degree
- Professional School Degree
- Doctorate Degree

3. How much money do you make a year before taxes are taken out? Do not include your spouse or anyone else living in your house.

- \$0 - 10,999
- \$11,000 - 19,999
- \$20,000 - 29,999
- \$30,000 - 39,999
- \$40,000 - 49,999
- \$50,000 or over
- Unemployed

4. How many children do you have?

- None
- 1
- 2
- 3
- 4
- 5
- 6
- More than 6

5. How long have you been married?

- Less than 1 year
- 1 - 5 years
- 5 - 10 years
- More than 10 years
- No longer married

6. Where do you most often use the Internet?

- Home
- Work
- Public Library
- Courthouse
- Friend or relative's house
- Other (please specify below)

7. Have you talked to a lawyer or free legal service about your case?

- Yes No

8. Since you answered **YES** to question 7, why do you want to represent yourself? (Select the one that best fits your situation.)

- Too expensive
- Lawyer had a conflict
- Personal reasons
- I did not like him or her
- I think I can represent myself
- None of the above

9. Since you answered **NO** to question 7, why do you want to represent yourself? (Select the one that best fits your situation.)

- I want to hire a lawyer, but I cannot afford one
- I can afford to hire a lawyer, but I do not want to hire one
- I think I can represent myself
- None of the above

10. What type of family law matter are you intending to file? (Select all that apply.)

- Divorce
- Custody Issues
- Order of Protection (Domestic Violence)
- Paternity
- Child Support
- Visitation
- Name Change
- Modification
- Enforcement of Orders
- Other (please specify below)

Please respond to the following using a scale ranging from strongly disagree to strongly agree:

11. It was easy to find what I was looking for on the Representing Yourself website.

- Strongly Disagree Disagree No Opinion Agree Strongly Agree Not Applicable

12. The educational information was easy to understand.

- Strongly Disagree Disagree No Opinion Agree Strongly Agree Not Applicable

13. Without the educational information I would not have been as prepared for court.

- Strongly Disagree Disagree No Opinion Agree Strongly Agree Not Applicable

14. It was easy to know what forms I needed to use.

- Strongly Disagree Disagree No Opinion Agree Strongly Agree Not Applicable

15. The forms were easy to use.

- Strongly Disagree Disagree No Opinion Agree Strongly Agree Not Applicable

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

- Strongly Disagree Disagree No Opinion Agree Strongly Agree Not Applicable

Please make additional comments here.

A rectangular text input field with a thin black border. On the right side, there is a vertical scroll bar with a small arrow pointing up and down. At the bottom, there are two small square buttons: one on the left with a left-pointing arrow and one on the right with a right-pointing arrow.

Thank you for answering the questions!

APPENDIX B

THE 2009 HHS POVERTY GUIDELINES
One Version of the [U.S.] Federal Poverty Measure

SOURCE: *Federal Register*, Vol. 74, No. 14, January 23, 2009, pp. 4199–4201

The 2009 Poverty Guidelines for the 48 Contiguous States and the District of Columbia	
Persons in family	Poverty guideline
1	\$10,830
2	14,570
3	18,310
4	22,050
5	25,790
6	29,530
7	33,270
8	37,010
For families with more than 8 persons, add \$3,740 for each additional person.	

2009-2010 INCOME GUIDELINES FOR LAWMO

Effective January 30, 2009

SCHEDULE A – 125% of Poverty

<u>FAMILY SIZE</u>	<u>MONTHLY GROSS</u>	<u>ANNUAL GROSS</u>
1	\$1,128	\$13,538
2	1,517	18,213
3	1,907	22,888
4	2,296	27,563
5	2,686	32,238
6	3,076	36,913
7	3,465	41,588
8	3,855	46,263

For family units with more than 8 members, add \$4,675 to annual gross or \$389 to monthly gross for each additional member.

Appendix C

Highest Education Achieved and Income for Website Survey Participants 2008 to 2010

<i>Education</i>	<i>\$0 to 10,999</i>	<i>\$11 to 19,999</i>	<i>\$20 to 29,999</i>	<i>\$30 to 39,999</i>	<i>\$40 to 49,999</i>	<i>\$50,000+</i>	<i>Total</i>
Some High School	581 62%	193 21%	104 11%	32 3%	14 1%	15 2%	941 100%
HS/GED	801 39%	454 22%	429 21%	237 11%	86 4%	49 2%	2063 100%
Some college	533 29%	351 19%	441 24%	288 16%	123 7%	117 6%	1858 100%
Occupational/Vocational Degree	81 23%	71 20%	82 23%	50 14%	39 11%	25 7%	349 100%
Associates Degree	109 19%	90 16%	105 18%	122 21%	70 12%	80 14%	576 100%
Bachelor's Degree	57 9%	41 7%	98 16%	136 22%	82 13%	196 32%	612 100%
Master's Degree	19 9%	5 2%	16 8%	37 18%	39 19%	91 44%	208 100%
Professional Degree	5 8%	9 14%	11 17%	8 12%	6 9%	27 41%	66 100%
Doctoral Degree	6 13%	1 2%	2 4%	4 8%	6 13%	28 58%	48 100%
Total	2,117	1,215	1289	914	465	628	6,736

APPENDIX D

CROSSTABULATION OF LAWYER CONTACT BY INCOME

Income Category	Have Contacted a Lawyer	Have Not Contacted a Lawyer	Total
\$0 to 10,999	915	1259	2183
	42%	58%	100%
\$11 to 19,999	510	693	1207
	42%	57%	100%
\$20 to 29,999	572	696	1271
	45%	55%	100%
\$30 to 39,999	395	501	902
	44%	56%	100%
\$40 to 49,999	207	252	459
	45%	55%	100%
\$50,000+	261	357	621
	42%	57%	100%
Total	2872	3760	6668
	43%	56%	100%

APPENDIX E

Survey Comments

Technical problems, i.e. downloading forms, were identified through the *Comments* section of the website and will be addressed by the developer. A sampling of additional survey commentary appears below:

“This program wasn’t available when I wanted to get divorced when we separated two years ago . . . it’s been a big help now!”

“I am happy to hear about this site on the news. I was separated shortly after marrying and have not been able to pay for a divorce. I purchased forms on-line but they were hard to fill out.”

“The forms on the litigant awareness site were not helpful because my situation was so incredibly contentious. Great idea thought for divorced that are not that messy.”

“I have called several lawyers and they all want a retainer for a non-contested divorce. They do not seem to understand that sometimes people can agree and simply need the tools to make things legal. This site is a godsend. I plan to hire an attorney simply to review my forms before I file them.”

“I’m so glad (this website is available). I have been looking into my own divorce for some time but I didn’t have access to the proper forms or information. For someone with a clear cut case such as mine, and a non-existent budget (for legal matters), this is the perfect solution. Thank you!”

“I feel this is a great site especially for people who have no children or property. If they agree to dissolve their marriage, this is the way to go. GREAT SITE.”

“This is a fantastic idea, especially for a couple like my wife and I, we really have nothing to fight over and just need the simple forms without the expensive cost of a lawyer just to do the paperwork.”