



**COMMITTEE ON ACCESS TO FAMILY COURTS
AGENDA**

Teleconference Meeting

June 6, 2014

9:00 am – 12:00 Noon

Morning break 10 minutes

Link to Webcam connection: <http://meetingcenter.courts.mo.gov/cafcmeet/>

Conference call Nos. (573) 526-6119 and Toll-free (866) 630-9354

No.	Time in minutes	Item	Page
Premeeting:	<p align="center">The on-line connection will be open at 8:50am. Please sign on as a guest BEFORE 9:00 am. Follow the instructions on the screen to start, allow and share your webcam.</p>		
	174	June 6, 2014 Teleconference	
1	5	Call to Order/Roll Call	
2	5	Approval of Minutes of March 7, 2014 (Polling tool)	Poll
		Documentation: Corrected Minutes for March 7, 2014	P 5
PRELIMINARIES			
3	10	Explanation of agenda format, time allotments, recorder's role, staying on topic, parking lot agenda, etc. Adobe Connect tips. (Chair)	
PRIORITY BUSINESS			

4	20	Annual Report to Supreme Court Presenters: Chair/Cramer	
		Action: Roundtable input on contents. Review of approval process. (Recorder)	chat
		Documentation: 2012-13 Report	link
5	15	Title IV-D Paternity Cases Presenters: Brown, Powell & Scaglia	
		Action: Discussion & decision on next steps. (Recorder)	Poll
		Documentation: Ad Hoc Committee report and Bird comments .	P 11
6	5	Beach vacancy - recommendations for replacement Action: Roundtable discussion. (Recorder)	Chat
OTHER BUSINESS			
7	0		
SUBCOMMITTEE REPORTS (Not action items. Oral highlights of written reports, questions & discussion.)			
8	10	Pro Bono Initiatives & Self-Help Centers -(DeFeo/Burke/Schneider) Topic: Project to build community with local bar associations Action: Report on 12th Circuit Bar Pro Bono/LSR "roadshow." Ideas for the future roadshows. Documentation:	
		1) Highlights Report	P 15
		2) Implementation Plan .	link
9	10	Limited Scope Representation (Powell/Broniec) Topic: Highlights report Action: Questions/discussion Presenter: Powell/Beach/Broniec Documentation:	
		1) How to create a local LSR Panel	P 17
		2) DLS Mo Bar LSR panel proposal	P 27
		2) Highlights Report	P 31

		3) Implementation Plan.	Link
	5	BREAK	
10	10	Website & Litigant Awareness (Bird/Brown)	
		Topic: Translation of Self-representation website into foreign languages. Status	
		Presenter: Cramer/Brown.	
		Action: Questions/discussion	
		Documentation:	
		1) Highlights Report	P 34
		2) Implementation Plan.	Link
11	10	Forms (Gabel)	
		Topic: Update on forms under development	
		Action: Questions/discussion (Recorder)	
		Topic: Organization of forms on website. (Recorder)	
		Action: Questions/discussion	
		Documentation:	
		1) Highlights Report	P 35
		2) Implementation Plan.	link
12	10	Court staff education (Bird)	
		Topic: Court staff training program. Module 1 &2	
		Action: Update on court staff training program status.	
		Documentation:	
		1) Highlights Report	P 36
		2) Implementation Plan.	Link
13	10	Judicial Education & Development (Powell)	
		Topic: Update on Domestic Relations Bench Book status	
		Action: Questions/discussion	
		Documentation:	
		1) Chapter Pro Se Ethical Issues	Link
		2) Chapter Limited Scope Representation	Link
		3) Highlights report.	P 37
		4) Implementation Plan	link
14	10	Communications (Nelson/Luck)	

		CAFC communications – What information should we communicating in the next 90 days and to what audience?	
		Action: roundtable	chat
		Action: Questions/discussion re newsletter (Recorder)	
		Documentation:	
		1) Draft CAFC Update newsletter - Clerks edition.	P 38
		2) Highlights Report	P 39
		3) Implementation Plan.	Link
		JUDICIAL LIAISON	
15	5	Update from the Court	
		Presenter: Judge Wilson or OSCA staff	
		Documentation: (none)	
		OSCA STAFF REPORTS (Not action items)	
16	10	Website survey report	
		Action: Questions/discussion	
		Presenter: Bird/Norris	
		Documentation: (None at this time)	
		1) Survey comments	
		2) March - May 2014 survey statistics	
		EVALUATION OF TODAY'S MEETING	
17	5	Action: Roundtable	chat
18	10	PARKING LOT AGENDA	
		Action: decision on disposition. (Decide now, refer to subcommittee, next agenda etc.)	
		+	
		+	
		+	
19	5	OPEN AIR	
20	2	ANNOUNCEMENTS	
		NEXT CAFC MEETING: September 16, 2014 at OSCA.	
		+	
21	2	ADJOURNMENT	



**COMMITTEE ON ACCESS TO FAMILY COURTS
MINUTES**

**Office of State Courts Administrator
3425 Constitution Court, Jefferson City, Missouri 65110
March 7, 2014 – In person**

Members Present: Lou DeFeo (chair), Kathleen Bird, Judge Kelly Broniec, Karen Brown, Judge Teresa Burke, Denise Gabel, Judge Larry Luna, Judge Cindy Suter, Benjamin Nelson, Janel Luck, William Francis, Patricia Scaglia, Lori Greene

Members Present by Telephone & Webcam: Judge Brent Powell, Mike Rinard, Deanna Scott

Members Absent: Sandy Dowd, Richard Holtmeyer, Joe Maxwell, Judge Leslie Schneider, Kelly Martinez, Judge Joel Miller, Judge Doug Beach

OSCA Staff Present: Kelly Cramer, Terri Norris, Debbie Eiken

Court Liaison Present: Judge Paul Wilson

Missouri Bar Liaison Absent: Robert Stoeckl

I. Call to Order

The meeting was called to order at 10:06 am.

II. Approval of Minutes

Judge Broniec moved that the minutes be approved. Judge Luna seconded the motion. All approved. The minutes were approved.

III. Preliminaries – New Ways

A. Explanation of agenda and time allotments

Lou reviewed the agenda and the way the meetings are conducted for the new members.

B. Review of Adobe Connect tools

Lou briefly explained how Adobe Connect assists with meetings and tasks of the committee.

IV. Priority Business

A. Welcome of new members. Roundtable introductions

New and current committee members introduced themselves and gave a short biography of their background.

B. Voluntary Dismissal Form

The committee discussed the proposed form included in the agenda. Some of the issues discussed were:

- the phrase “Consult an attorney”;
- the drop box for the pleading in question;
- some dismissals may not need a ruling by the judge;
- should this be a motion or just a voluntary dismissal – the committee decided a voluntary dismissal should be the correct way and clarified the language;
- What is the remedy if a check box is not marked? – the committee decided the judge should use their discretion and make sure first box is checked.

Denise Gabel moves to approve the form as revised with the changes discussed. Kathleen Bird seconds the motion. All approved. The form was approved with the revised changes.

C. Clerk Education Webinar Training project

The committee unanimously approved Court Staff Education Module 1, “Serving the Self-Represented Litigant.” Draft Module 2 was distributed to the members present. The members are requested to review Module 2 and send any comments to Karen Brown and Kathleen Bird regarding Module 2 by April 15, 2014. The revised module will be demonstrated in June.

IV. Other Business

A. CAFC Communications

Karen Brown reported there needs to periodic updates to court clerks of items that might assist them in processing pro se matters. There needs to be a decision on which media device to notify clerks and the media updates need to be placed on the Self Represent Website or other appropriate forum. Court personnel also need to be reminded of the clerk’s special portal on CIC to access the web page which lists high volume targets that they may frequently need.

V. Subcommittee Reports

A. Pro Bono Initiatives & Self-Help Centers (DeFeo/Burke/Schneider)

1. Highlights Report
2. Implementation Plan

The committee discussed the report included in the agenda.

B. Limited Scope Representation (Powell/Beach/Broniec)

1. Highlights Report
2. Promotional brochure on LSR

The committee discussed some concerns about the brochure that include the following:

- “Pro bono” litigants are not as involved with their case. This has caused some frustration with attorneys for the other party;

- It is not clear what is considered 'LSR/Pro bono/cash-strapped client' in the brochure, change 'Cash-strapped' back to 'Pro Bono' Client;
 - Change 2nd bullet point under 'Cash-strapped client' to 'the client's commitment to perform some tasks increases ownership in their legal problem';
 - LSR is valuable for pro bono clients and to attorneys assisting because it saves time;
 - A written agreement is needed for pro bono &/or LSR services even if the client is not paying for services;
 - The brochure seems to relate to both services (LSR & Pro Bono), should we separate the brochure into 2 separate documents (1 for LSR, 1 for Pro Bono), are we putting too much information into 1 brochure;
 - The subcommittee will make more revisions to the brochure and send the revised document to Judge Wilson and Beth Riggert for review.
3. Implementation Plan

C. Website & Litigant Awareness (Bird/Brown)

1. Highlights Report
2. Implementation Plan

The committee discussed the report included in the agenda. Terri Norris announced that the website forms would become savable within a month.

D. Forms (Gabel)

1. Highlights Report
2. Implementation Plan

No additional information regarding the forms was discussed.

E. Communications (Rinard)

1. Highlights Report (pending)
2. Implementation Plan

The chair announced that three of our new members have been appointed to serve on the Communications subcommittee. The chair also requested that the Communications subcommittee develop announcement of the savability of the forms to clerks, librarians and other appropriate audiences.

F. Court Staff Education (Bird)

1. Highlights Report
2. Implementation Plan

The committee discussed the report included in the agenda.

G. Judicial Education (Powell)

1. Highlights Report
2. Implementation Plan

The committee discussed the report included in the agenda. Brent Powell announced that Judge Hemphill had agreed to join the Judicial Education subcommittee as an auxiliary member.

VI. Judicial Liaison
A. Update from Court

Judge Wilson the recent report on the *Justice Index* entitled - 'Why Access to Justice Matters' – The *Justice Index* was developed by NCAJ (National Center on Access to Justice). Their website is – www.ncforaj.org. Lynette Ricks is the Access to Justice Specialist at OSCA who responded to the report for Missouri. The chair will ask Lynette to join us at a future meeting to share common interests.

VII. OSCA Staff Reports

A. Website Survey report (not available)

VIII. Announcements:

Adobe Connect training: Part A of the Adobe Connect training on how to be a participant/guest will be repeated for new members and others who missed the first presentation. An email with the date will be sent out later this month to poll the best date.

IX. Evaluation of Today's Meeting

Member comments were: "Like the interactive formatting and keeping the subcommittee reports moving." "I really like the new format for the running of the meeting. The interactive nature of the [Adobe Connect] site is terrific." "Love the enhanced technology - makes meetings more efficient."

X. Parking Lot Agenda

The committee discussed a recent Western District decision (DSK, MO App Western District 76789, Dec. 31, 2013), that stated custody issues have to be pled in order to be addressed and most pro se litigants do not know they need to include a specific request for custody and visitation.

Typically the Prosecuting Attorney (PA) initiates IV-4 cases and the PA does not include a request for custody for the parent(s) as a party. The usual process is that the Family Support Division (FSD) provides families with benefits (TANF/Medicaid) and thus a child support/medical order is then initiated to recoup those expenses. PA's generally represent FSD and do not address custody, so now parties have a child support order but no custody order.

One alternative is to guide the parties to the website and the custody form; however, custody issues invite disagreements. PA's orders do not include visitation credits typically; thus, the form 14 child support amount would change once a credit is given.

In Jackson County typically those parties that have had an FSD order established usually come back with 18-24 months to have a custody order issued as well. The parties are confused as to why the custody issue was not addressed at the same time as the child support order. Kathleen Bird indicated that in the 7th Circuit the PA has included in the pleading that 'custody is an issue' to get the matter addressed in some way shape or form. However, many other counties will not address this issue according to other members of the committee.

Our issue is that as a committee there is only so much guidance we can do to address this issue. The forms are usually used after paternity has been established. If the parties want to address the custody issue there is a form out there for them to use and file.

The committee could create a brochure (that can be included in PA/FSD offices) and revise the Petition for child custody form. Judge Luna stated there is a statute, section 452.370 RSMo, which says if you bring custody issue up with paternity that they are severed upon request.

Another issue arose with protection orders. Can parties add a custody & parenting plan order at the same time a petition for a protection order is heard? The consensus of the judges is that they don't address custody & parenting plan at protection order hearings.

The committee needs to create a clear description of the issue and focus on the problem. The chair requested Karen, Brent and Tricia to server as an ad hoc group to prepare a background memo on the issue including copies of the court decision and the statutes. The report is requested in advance of our June meeting.

X. Open Air

No comments.

XI. Announcements

Next CAFC meeting: June 6, 2014 (Webcam/Conference Call)

XII. Adjournment

The meeting was adjourned at 1:50 pm.

MEMO

To: Committee on Access to Family Courts Members

From: Ad Hoc Committee (Judge Brent Powell, Karen J Brown, Tricia Scaglia)

Date: March 31, 2014

Re: Impact of recent Western District decision (DSK, MO App Western District 76789, Dec. 31, 2013) on pro se litigants involved in IV-D paternity cases.

Background

CAFC met on March 7, 2014 at its regularly scheduled meeting and discussed the possible impact (on pro se litigants) of the recent appellate court decision (DSK, MO App Western District 76789, Dec. 31, 2013) that states a court cannot proceed in adjudicating custody in a paternity case unless the issue is specifically pled. The chair requested Karen, Brent and Tricia serve as an ad hoc group to prepare a background memo on the issue including copies of the court decision and related statutes and case law.

CAFC discussed how the prosecuting attorney (PA) initiates paternity actions pursuant to Title IV-D of the Social Security Act for the purpose of recouping expenses from state assistance but they are not authorized to address custody issues.

Prior to the decision referenced above, courts in Missouri have dealt with the custody issue in the following ways:

- 1) PA has indicated on the pleadings that "custody is an issue" in order to get the matter addressed in some way (7th Circuit);
- 2) Parties have asked the court to address the issue;
- 3) Assistant Circuit Attorney (ACA) files an action as to paternity, child support and health insurance; if a parent inquired about custody, the court provides the ACA with information on the *Self Represent* website to give to parties for information; if parent files an action for custody/visitation the parties are referred to mediation to develop a parenting plan – the ACA either incorporates those arrangements into the Form 14 calculation or the court makes the adjustment for custody credit; If an agreed upon plan is not reached the ACA would move to sever the two matters;
- 4) Assistant Prosecuting Attorney (APA) or the parties inform the court that custody needs to be addressed with the understanding that the APA's

involvement is limited to paternity establishment, child support and health insurance; court refers parties to mediation to develop a parenting plan then the court incorporates same into final judgment. The difference between this method and the one above is that custody/visitation is incorporated into the final judgment without parties having to file a separate custody pleading;

5) Custody/Visitation is not addressed unless pled.

Statement of Issue: CAFC is concerned that the effect of this appellate decision will result in a barrier to access (incur fees, filing separate action, delaying permanent custody provisions) for pro se litigants because parties will not know how or won't file a pleading for custody/visitation because the APA and/or courts will no longer assist them with this aspect of the case;

Recommendation: As it is important to educate pro se litigants on their rights with respect to requesting custody in IV-D cases, it is recommended that the Litigant Awareness Program Sub Committee/Website Sub Committee develop an informational brochure designed to address custody specifically in IV-D cases. This brochure should be made available for distribution in each circuit court describing the resources available to allow pro se litigants in IV-D cases to seek an order/judgment concerning the custody of the children involved in the pending IV-D case;

It is also recommended that the Committee's website be updated to accomplish this goal and that the Judicial Education and Communication Sub Committees assist with circulating the brochure after it is developed and approved by the Committee on Access to Family Courts.

Links

Western District Decision

<https://www.courts.mo.gov/file.jsp?id=68736>

Southern District Decision (2010) – states the Family Support Division has no authority to establish custody through the administrative process

<http://www.courts.mo.gov/file.jsp?id=41360>

RSMO 454.435 – sets forth scope of PA responsibility in child support enforcement

<http://www.moga.mo.gov/statutes/C400-499/4540000435.HTM>

RSMO 452.513 – sets forth PA representation of Family Support Division not parties

<http://www.moga.mo.gov/statutes/C400-499/4540000513.HTM>

Sincerely,

Ad Hoc Committee

COMMENTARY ON IV-D Paternity Issue Summary

From: Kathleen Bird

Thanks to our Ad Hoc Committee for putting a lot of time and thought into this important issue. As the birth rate to unmarried parents in our state approaches 50% this is a very significant issue.

While I am not entirely in agreement with the interpretation of the MO App Western District decision *In re DSK et al* (76789, Dec. 31, 2013), it is clear that the recommendation made by the ad hoc committee does resurrects our discussions in the past about approved forms that are skewed towards Petitioners and not that helpful to Respondents.

It seems a stretch to me to conclude the holding in *DSK* prohibits a court from proceeding to adjudicate custody in a paternity case unless the issue is specifically pled. The decision instead appears to turn on whether a non-parent can intervene in a paternity determination to inject third party custody into the case "as a matter of right."

The facts of the *DSK* case are not those of the typical paternity establishment case. A man filed for dissolution of marriage and his Wife filed an answer denying the three children were his biological children.

Genetic testing excluded the Husband as the biological father. At the same time Wife filed a petition for declaration of paternity alleging another man was biological father of the children. A crucial fact for the appellate court was that Wife sought a determination of paternity and "such other relief as this Court deems just and proper" but no other specific relief. Husband sought to intervene as a matter of right in the paternity action on the basis that the case may determine custody and visitation and that no other party adequately represented his interests.

The Western District decision states that in order for a Motion to Intervene as a Matter of Right to be granted, the interest "must be a direct and immediate claim to, and have its origin in, the demand made or the proceeds sought or prayed by one of the parties to the original action. The appellate court concluded that a paternity declaration could be made without having to address custody issues under Section 210.841.3. Turning to the facts in this case, no issues other than paternity determination and an unspecified request for other relief were raised. The refusal to grant the motion to intervene as a matter of right turned on the characterization of the case as "solely a paternity case." (The appellate court pointed out that Husband could raise his issues as a separate action.)

I interpret this decision as a pronouncement that a Court may decide not to address the custody issues rather than a prohibition on addressing custody issues. A person asserting he is the biological father of the child the subject of paternity establishment proceedings does not have to jump through the intervention as a matter of right hoop. He is a necessary party. Even if the

petition does not request a determination of custody the Father may make a counterclaim for such relief. So this reason, it is imperative for us to re-evaluate the need for some Respondent focused forms in the paternity establishment area.

Kathleen Bird, JD, Director
Office of Dispute Resolution

Highlights Report CAFC Subcommittee on Pro Bono June 2014

Pro Bono/LSR “Roadshows”:

The second roadshow was held April 14, 2014 at Mexico, Missouri for the twelfth circuit bar (Audrain, Montgomery & Warren Counties). Twenty attorneys and judges were present for Judge Wilson’s presentation. The participants engaged Judge Wilson for about an additional hour discussing pro bono and LSR. The survey questionnaire and brochures were emailed to all attorneys who were unable to attend. Special thanks to Judge Broniec for heading up the revision of the LSR brochure and for actively encouraging attorneys in the circuit to participate.

We are beginning the preparation of the third event for July. Before each roadshow demographic research is done on the county/circuit. One of our auxiliary members, Danelle Cord, personally interviews local bar leaders by telephone using a prepared questionnaire. We want to know more about how the local bar is organized and operates, how they communicate with members etc. Based on the interviews and research we select the best place to visit. Presently we are focusing on the smaller and mid-sized communities since the need for pro bono services and pro se resources is greater there. Personal contact is made with the local bar leadership to set up a “roadshow” event. Collaborating with the local bar and CAFC members in the area, all attorneys are invited to the event. CLE ethics credit is given as an incentive to attend. Judge Wilson’s presentation focuses on the need and pro bono, pro se and limited scope representation resources as ways to meet the need. Printed materials such as the brochures on LSR and the Judge’s Tool Kit are distributed. Listening to local concerns and suggestions is a key component. Local leaders are asked to designate a contact person between CAFC and the local bar for continuing communication.

The roadshows are kickoff events. They need to be followed up with on-going, two-way communication with the local bar. Our subcommittee wishes to collaborate with the Communications and LSR committees in developing regular communications to local bar members. One such resource is a step-by-step how-to-do-it guide to creating local LSR panels.

Collaboration with Law Schools: In order to move forward with Objective 3 of the Implementation Plan of the Pro Bono Subcommittee, a list of questions is being prepared to gather information from the Missouri law schools. The questions relate to the current level of student education on and provision of LSR and/or Pro Bono Services. They further delve into what interest the schools have in expanding those services and what would be needed from the Missouri Supreme Court, the CAFC and/or the private bar to accomplish an expansion of services. Our subcommittee has already added auxiliary members of representatives of each law school. Upon finalization of the questionnaire, it will be transmitted to the representatives of each Missouri law school.

Collaboration with pro bono coordinators of major law firms: Once the questionnaire has been finalized for transmission to the law schools, it will be modified for distribution to Pro Bono Coordinators at major law firms. This series of questions would relate to the attorneys at each firm and their participation in LSR and/or Pro Bono Services. Similar questions about expanding those services would also be asked. A list of 25 Coordinators was previously compiled and will be utilized for this survey. This gathering of information and ideas would be the next step in fulfilling Objective 4 of the Implementation Plan.

Establishing a Local Panel of Lawyers Offering Limited Scope Representation

Why promote limited scope representation?

Our citizens have a fundamental right of access to justice, guaranteed by Article I, Section 14 of our State Constitution. Without doubt, a lawyer is invaluable in seeking redress in the courts. The practice of law, however, grows more expensive at the same time the earnings of the average citizen remains stagnant and financial challenges to adequate funding for legal service organizations have not changed. These diverging trends make it less affordable for people of modest means to access the services of a lawyer and less likely that people with lower incomes to obtain services of a lawyer at all. Increasingly, Missourians are faced with the dilemma of suffering without access to justice or attempting to presents themselves. This is a trend in family law that has reached epidemic proportions in other states. Fortunately, there is another option: limited scope representation.

Limited scope representation is an affordable method of engaging a lawyer for competent and meaningful legal representation. The lawyer and client, upon consultation, agree upon appropriate delegation of tasks between the lawyer and client according to the difficulty and complexity of the issues, the skills required and their respective ability to handle the tasks effectively. The client understands what specific legal services will be rendered and pays for them up front or as performed. Limited scope representation also readily lends itself to pro bono legal services, providing the lawyer some control over the scope and time involved

LSR lawyers report that when there is a clear understanding of expectations and services with the client they do less handholding, have more control over their time, can dedicate their efforts to providing meaningful legal services, are better compensated than when estimating retainers, and greatly reduce their accounts receivable and non-billable hours. LSR practice has been described as “very rewarding and less stressful.” Elizabeth Scheffee, *How to Incorporate Limited Scope Representation into Your Practice*, MOBar Annual Meeting, Sept. 2007

From the perspective of the bench, a litigant with access to legal services is more likely to conform to court procedure. Judges tend to be more comfortable with pleadings and judgments drafted by a lawyer for a client than with paperwork drafted by the client alone. In the courtroom, an otherwise self-represented litigant appearing with a lawyer making a limited appearance does not present the ethical challenges of an ill-prepared pro se litigant appearing alone. Most judges agree that a litigant is better off with the services of a lawyer in court. The creation of a local law practitioner panel and public education about the option of limited scope representation has proven to increase the engagement of a lawyer, decreased the time to completion of cases, and greatly decreased the number of cases dismissed for want of prosecution (Seventh Circuit Division V study 2009)

A new model for delivery of legal services does raise questions. While lawyers usually express concern initially about declining revenue and the end of full representation, these fears have not proved true. Clients educated about the tasks required for their legal matter and the services that their lawyer can perform tend to engage, more rather than less, legal services from their lawyer. Woody Mosten, who has been providing LSR in family law matters for over two decades, reports that prospective clients assume they can handle more of their case because they are uninformed or in denial about the pitfalls and complexity of the matter. Clients tend to choose more rather than fewer legal services. The relationship may evolve to full service representation. *Unbundling Legal Services: A Guide to Delivering Legal Services a la Carte*, Forrest S. Mosten, ABA (2000).

Lawyers may also express concern about an increased risk of malpractice. This model has not resulted in any greater exposure to malpractice risks. It is true that the delivery of legal services through limited scope representation must be as competent and abide by the same ethical standards as traditional full representation. Malpractice has proven no more problematic than in traditional practice. Since the client and lawyer set the parameters of legal representation in an intentional way, the client's expectations are more realistic. The client gains an appreciation for the services the lawyer delivers that full service clients may not recognize when services are not defined. See the *Frequently Asked Questions* section for more information to address these concerns.

Engaging Consumers of Limited Scope Representation

While many more Missourians prefer to use a lawyer than to represent themselves, the method for hiring a lawyer and negotiating legal fees is daunting to the unsophisticated consumer of legal services. A lot of people who say they cannot afford a lawyer assume it will be too expensive or are put off by the amount of the "retainer" quoted over the phone. Consumers of legal services in family law are often people seeking an acceptable level of legal assistance within their financial ability. For the consumer, negotiating fees with a lawyer is scary!

The lawyer must use an approach that invites rather than discourages the client to negotiate the delegation of tasks and fees for service. Consumers soon become disheartened with calling around until they find a lawyer who invites discussion of the option for limited scope representation. The availability of a list of lawyers who will consider limited scope representation increases the convenience of engaging a lawyer, saves the consumer time, and reduces the likelihood of inquiry burn-out. Individual lawyers may be leery of becoming a magnet for limited scope representation. A listing proves to be more attractive way to inform the public of these services when it is offered discreetly.

LSR is suitable for uncontested and default matters, for cases requiring some legal judgment and discretion (jurisdictional, pleading and evidentiary issues in uncontested matters), and representation on a particular issue requiring substantial legal judgment and discretion. The

lawyer may agree to make limited court appearances to fulfill the purposes of the limited representation of the client.

Lawyer tasks may include:

1. Consultation: what is the law, how it applies, assessing options, discussing strategies
2. Coaching: steps in handling the matter, compliance with procedures, meeting the burden of proof, discovery preparation, proving up the case in court
3. Legal research
4. Document review and counsel
5. Drafting: demand letters, pleadings, briefs, discovery response, exhibits, judgments, agreements
6. Negotiation: preparing client for ADR, direct negotiation with other parties or counsel
7. Issue oriented representation: this is full services on a specific issue in the matter, such as a challenge of venue or jurisdiction, or a contested issue in an otherwise uncontested case

Client tasks may include:

1. Information gathering
2. Administrative tasks
3. Completion of sanctioned pro se forms and pleadings
4. Self representation in court (ministerial or uncontested matters)

A 2012 survey of lawyers offering limited scope representation in family law matters in Clay County, Missouri found that review and preparation of documents was a provided service ninety percent of the time, court appearances in uncontested matters were provided seventy-five percent of the time, with contested appearances occurring less than twenty percent of the time. Charging a flat fee for limited scope representation was favored by eighty percent of lawyers responding and twenty percent charged fees based on their hourly rate alone.

Creating and maintaining a local panel or list of lawyers is an effective way to connect the public with lawyers who offer legal services through limited scope representation. People who have not established a relationship with a lawyer are confronted with perceived barriers to identifying a lawyer who can help, as discussed above. A list of those offering limited scope representation puts the consumer of legal services on a path for connecting with that lawyer.

How to Develop a Local Panel of Lawyers Offering Limited Scope Representation

Creating a plan requires engagement of lawyers interested in this practice model within the Local Bar. The FAQs and resources provided herein can help educate them. The support of local Bar Association leadership is essential to the task of educating local lawyers and enlisting them for the panel. The Missouri Bar has made a number of presentations on the topic of limited scope representation at past Solo and Small Firm Conferences and Family Law Conferences that have good written materials. Providing a continuing legal education seminar with ethics hours is a good recruiting tool. The Missouri Bar can identify speakers on limited

scope representation who have successfully incorporated LSR into their law practice. The local Bar Association may consider adopting a resolution urging members to use LSR to increase access to justice for people of modest means and for pro bono services.

Establishing such a local panel or list must consider the requirements for qualified referral services in Professional Conduct Rule 4-9.1. A local panel or list will not be considered a “qualified service” if offered by a local Bar Association for free and open to all lawyers who meet the eligibility requirements to join the panel.

This Rule 4-9.1 does not apply to: (1) a group or prepaid legal plan, whether operated by a union trust, mutual benefit or aid association, corporation, or other entity or person that provides unlimited or a specified amount of telephone advice or personal communication at no charge to the members or beneficiaries, other than a periodic membership or beneficiary fee, and that furnishes or pays for legal services to its beneficiaries; (2) a plan of prepaid legal services insurance authorized to operate in this state; (3) individual lawyer-to-lawyer referrals; (4) lawyers jointly advertising their own services in a manner that discloses that such advertising is solely to solicit clients for themselves; (5) any pro bono legal assistance program that does not accept any fee from clients for referrals; or (6) any organization maintaining a 26 USC 501(c)(3) exemption that maintains a referral list only incident to its other activities.

For example, the Clay County local panel requires that a lawyer be licensed and in good standing as a member of The Missouri Bar and maintain an office address in Clay County. No fee is charged for a listing and the list is administered by a member of the local Bar Association for public distribution on request. Lawyers on the panel indicate the types of limited scope services they offer in four categories: office consultation, document preparation and review, representation for specific tasks or issues, and full representation. Each lawyer on the panel establishes his or her own fees and consumers are encouraged to have a frank discussion of fees with the lawyer. A sample application form is attached as an exhibit.

The list may be maintained in print or posted on the local bar association website, as the local bar association determines is most effective. In some jurisdictions only a reference to how to acquire a copy of the list is provided. Making the list available at a public access point, such as the courthouse or public libraries is another possibility.

To encourage participation in the panel, consider recognition or awards for lawyers who use limited scope representation. Publicize the benefits of limited scope representation for lawyers who provide pro bono services. The local bar association may wish to forge a relationship with legal services and other pro bono programs to discuss opportunities for the use of limited scope services, develop protocols and matchmaking systems, and/or create form files of sample limited scope representation documents for lawyers who are on the panel.

Seek Support within the Court System

Legal service needs of consumers seeking limited scope representation often involve interaction with the court system, particularly in family law matters. Meet with judges to learn the problems they encounter with pro se litigants and discuss the benefits of some meaningful

legal services compared to entirely pro se representation. Establish a dialogue about how court procedures affect the costs of delivery of legal services and help the court become more sensitive to the economic constraints that challenge clients. Court staff should be receptive as long as their concerns about administration are addressed. It may be necessary to review and modify local rules inconsistent with the practice of limited scope representation. Court clerks especially have concerns about how to handle a lawyer's "limited appearance" status and communications with clients who are utilizing limited scope representation. The Office of State Court Administrator has already established procedures for limited scope representation that are useful to examine. LSR

Periodic meetings between the local panelists, Bar Association and judicial and court officials are helpful to identify issues as they arise and work out the "bugs" in court procedures. Find solutions that work for all involved to reinforce the attitude that everyone affected is seeking to make access to justice more effective.

How judicial officers can support the use of limited scope representation?

Be sensitive to the economic realities of the cost of legal services. Even a routine continuance can impose a real hardship by pricing the service outside the client's reach. If counsel is *pro bono*, delays may discourage his/her volunteering in the future.

Make positive comments about limited scope representation - you appreciate getting forms you can understand, orders you can enforce, and having attorneys for appearances. Let it be known that you appreciate their involvement and the years they spent getting a legal education and experience does make a difference. Lawyers are less likely to provide this service if you do not support their efforts.

Let pro se litigants know about the option of limited scope assistance if they are unable to afford (or choose not to have) full representation. Provide a means for the public to access the local panel list.

Make suggestions to help counsel on limited appearances to improve the quality of the 'package' of services they supply in certain areas.

If the client has contracted for limited representation and counsel has notified the court that representation is limited, honor the terms of the limited attorney-client relationship.

Be open to clarification of issues and communication with counsel, when necessary, so that opposing counsel will know which issues require contact through counsel and which issues permit contact with the client.

Be aware of the risk the lawyer takes when others seek to enlarge the scope of the representation without prior consultation with the client. When other issues intrude,

consider taking a break in the hearing so the attorney has the opportunity to revise the scope of the representation with the client.

Recognize that clients who have consulted a lawyer may not represent the full extent of the lawyer's advice or do so accurately. If there appear to be consistent problems, consider addressing them as general issues with the local bar.

Let the Committee on Access to Family Courts know as issues and problems come up so that they can be considered and addressed. Email comments and questions to – cafc@courts.mo.gov.

FAQs about Limited Scope Representation (LSR)

When is LSR appropriate?

LSR is suitable for uncontested and default matters, for cases requiring some legal judgment and discretion (jurisdictional, pleading and evidentiary issues in uncontested matters), and representation on a particular issue requiring substantial legal judgment and discretion. The lawyer may agree to make limited court appearances to fulfill the purposes of the limited representation of the client. It is highly recommended that LSR only be offered in areas within the lawyer's expertise. Although the lawyer will spend less time on the client's case, the lawyer must know what tasks need to be addressed and how to delegate those tasks. Most lawyers offering LSR develop systems that make the best use of their time in assisting LSR clients.

How can I be consumer friendly in offering LSR?

This requires the lawyer to assume an approachable and friendly demeanor. An authoritative or formal manner should be avoided. The "white knight" syndrome must also be avoided to make LSR profitable. To engage in the teamwork required in LSR, the lawyer must develop a collaborative mindset. The client looks to the lawyer for legal advice and the lawyer relies on the client to do the routine groundwork. It will take both lawyer and client to handle the legal matter. The lawyer's interactions with the client will take more time. The client will probably be under some stress, and stress will inhibit the ability to understand and retain information to some extent. The lawyer should rely on written instructions and handouts as well as verbal instructions. Clients love handouts they can refer to later that explain procedures and why they are necessary. Sue Talia recommends that the details be given to the client in bites as the matter proceeds as it will be difficult to retain all the details of the whole matter up front. Also the lawyer must have some tolerance for the fact that the client will not do as thorough a job as the lawyer would, and must remember this is a matter of consumer choice. The lawyer should review the way staff responds to inquiries about legal services and fees. Does it rule out callers who can meet the standard retainer threshold or does it present an opportunity for the caller to find out about the LSR option? Mechanically quoting standard retainer fees discourages people from pursuing other options the lawyer provides for meaningful legal services for a fee.

Have a brochure or webpage that explains what you do. Clients are more interested in your services than your qualifications. Tell potential clients what you love about the work you do. Bear in mind that you think you are selling your time, but your clients think they are buying results.

Can I delegate working with LSR clients to staff?

Limited scope representative is a collaboration of services performed by the lawyer and those performed by the client, who must have the skills and capacity to successfully execute those tasks. Not every client has the temperament or skills for partial self-representative in a given case. A client must be able to maintain the appropriate emotional balance, to assert his own interests, and complete the assigned tasks. You must make this assessment for yourself. It cannot ethically be delegated to your staff, although staff can assist with collecting information and ministerial functions. Your interview with an LSR client may take a little longer. It will take some time to establish rapport with the client so the client feels comfortable with negotiating tasks and costs of services. The interview may require more explanation, more discussion, and more repetition of information to enhance client understanding. Lawyers have an ethical duty to take the time to explain the benefits, risks and alternatives to the client so that the client gives informed consent. Comment 2 to Professional Conduct Rule 4-1.2

Isn't it unethical to ghost write pleadings?

Limited scope representation encourages clients who need legal services to use their funds to acquire meaningful legal services rather than spending money on stock forms usually not appropriate for Missouri practice (Online form mills can charge up to \$500-800 or more for forms that may not be suitable). Supreme Court Rule 55.03(a) authorizes "ghostwriting" where a lawyer may assist a client with preparation of pleadings to be filed as pro se. The lawyer is not required to sign the document. A lawyer providing drafting assistance may rely on the client's representation of facts unless the lawyer knows the representations are false. Rule 55.03(c). The lawyer should determine whether to note on the pleading that it was prepared with assistance of the lawyer (best done with a disclaimer that the lawyer is not entering an appearance as counsel of record). CAVEAT: Clients have been known to alter the pleading that a lawyer has prepared in a way that calls the recitation of facts or adequacy of the pleading into question. A prudent lawyer offering drafting assistance will control the chain of custody of the documents by filing them directly with the court clerk's office. If a client wishes to experience the pride of authorship, forms are available for the client's use at www.selfrepresent.mo.gov. The lawyer could then provide services to review the pleadings and coach the client in that regard. A pro se litigant using approved forms available at www.selfrepresent.mo.gov must complete the online litigant awareness program and file the certificate with the court, but the trial court has the authority to waive the use of approved forms, thereby allowing a lawyer to render drafting assistance to pro se parties. Rule 88.09(b). The lawyer should retain a copy of the forms reviewed or drafted and document the advice rendered by the lawyer.

How can I minimize the risk of malpractice in LSR?

Check with your insurance carrier if different to determine if there is any limitation on coverage for limited scope representation. Use of a written engagement agreement is strongly recommended. Professional Conduct Rule 4-1.2 presumes that the lawyer is engaging in LSR when using the engagement form set forth in the comments or one substantially similar. Rule 4-1.2(c) An agreement for LSR must be in writing unless the services are pro bono services provided through designated nonprofit organizations. Rule 4-1.2(d). While a client cannot be asked to release you from potential malpractice claims, a carefully crafted engagement agreement is helpful. The area where lawyers are most likely to run into difficulty with LSR is with defining the scope of representation.

Most malpractice claims arising from limited scope representation involve disagreements between the lawyer and client over the scope of the lawyer's role. Have a firm policy not to change the scope of limited representation casually. Ask the client for an additional consultation on the scope of legal services and execute a revised LSR agreement. It is good practice to document the completion of the limited scope representation by sending a letter to the client. Misunderstanding about when legal services have terminated are thus avoided. Document, document, document!

1. Don't engage in LSR outside your area of expertise
2. Screen for conflicts of interest
3. Take the extra effort to gain informed consent from the client
4. Use checklists
5. Deliver quality advice and services
6. Advise on alternatives to LSR and collateral issues – refer matter to other counsel if reasonable
7. Have a written engagement agreement
8. Revise the engagement agreement every time the scope of representation changes

Where can I learn more about LSR?

A full discussion of the LSR rules is available in the on-line [Deskbook for Pro bono Attorneys](http://www.courts.mo.gov/hosted/probono/LimitedRepresentation.htm). {LINK <http://www.courts.mo.gov/hosted/probono/LimitedRepresentation.htm> }

“[20 Things Judicial Officers Can Do](http://www.abanet.org/legalservices/delivery/downloads/20_things_judicial_officer.pdf) to Encourage Attorneys to Provide Limited Scope Representation”)
{LINK http://www.abanet.org/legalservices/delivery/downloads/20_things_judicial_officer.pdf }

American Bar Association Unbundling Resource Center
(Committee on Delivery of Legal Services)

http://www.americanbar.org/groups/delivery_legal_services.html
<http://www.abanet.org/legalservices/delivery/delunbundbook.html> }

(a wide variety of materials on limited scope representation, which ABA refers to as “unbundling.” The 2011 Report “*Personal Perspectives on Finding Legal Services*” has insights on how consumers shop for lawyers that is a must-have marketing resource.

The Ethics of Unbundling by Stephanie Kimbro

http://www.americanbar.org/publications/gpsolo_ereport/2011/october_2011/ethics_unbundling.html

Handbook on Limited Scope Legal Assistance: A Report of the Modest Means Task Force, ABA Section of Litigation (2003) has many suggestions for procedures and many forms

The New Lawyer: How Settlement is Transforming the Practice of Law, Julie MacFarlane, UBC Press (2008)

Unbundling 101: Expanding Your Practice Using Limited Scope Representation, M.Sue Talia, presentation for the Practice Law Institute (April 18, 2012) available online at www.pli.edu

Unbundling Legal Services: A Guide to Delivering Legal Services a la Carte, Forrest S. Mosten, ABA Law Practice Management Section (2000)

Virtual Law Practice: How to Deliver Legal Services Online, Stephanie Kimbro, ABA Practice Management Section (2011)

PROPOSAL FOR BAR SPONSORED LIST OF ATTORNEYS OFFERING LIMITED
SCOPE REPRESENTATION

Missouri adopted rules detailing the duties and responsibilities of attorneys offering limited scope representation in 2007 (amended 2008). Since that time, many attorneys have begun offering such services to the public. It has become even clearer that the public is seeking, and often may want or need, limited scope representation.¹ One of the key indicators of need is the growing number of self-represented, pro se litigants, particularly in divorce matters, and the demographics of that population. The National Center for State Courts reported that, in 2011, there were almost 75,000 separate pro se parties (i.e., self-represented litigants) to civil cases (including domestic relations and probate) at case disposition in Missouri circuit (general jurisdiction) courts.² Another Missouri Court survey suggested that the typical pro se litigant is a female, high school educated, making less than \$11,000.00 per year, and was not likely to contact a lawyer because they assumed it would be too expensive.³ That same survey also suggested that there are individuals who consider or choose self-representation who make more than \$20,000.00 or who have fairly significant assets.⁴ Without question all litigants should have adequate and appropriate access to justice. And yet, many litigants may not understand or appreciate the risks they are taking when they choose to represent themselves. Many, like the typical pro se litigant described, cannot afford full service representation. Many litigants may

¹Terry Conaway, "Who is Using Missouri's pro se divorce Forms?," *Missouri Lawyer's Weekly*, July 17, 2009.

² Anne Dannerbeck Janku (Research Manager, Missouri Office of State Courts Administrator), "Poverty and Legal Problems: Examining Equal Access to Justice in Missouri," *Trends in State Courts* 12 (2013). In fiscal year 2012, 13,500 judgments were entered against pro se petitioners and respondents combined. *Id.* at 13. In 2011, the four legal aid offices in Missouri were able to accept only half of the applications for assistance that they received, or 21,531 requests for assistance. *Id.* at 11. Also in 2011, of 4,921 individuals responding to a survey on the Missouri Courts website, more than half reported salaries below the poverty line. The most common reason for not using an attorney, reported by 48 percent of respondents, was that it would be too expensive. *Id.* at 12.

³ *Supra* note 2.

⁴ *Id.*

not understand the continuum of legal processes available to them, assuming that they have only two choices - hire a full service attorney or attempt to represent themselves.

Limited scope representation is an important option in the continuum of legal services. As suggested by the Special Committee on Limited Scope Representation in their 2006 Report, pro se litigants raise considerable problems for courts and, yet, the court system must respect such litigants' rights of access to the court. Access to affordable legal services is an important component in ensuring that litigants seek and obtain legal advice thereby reducing demand. However, locating attorneys providing limited scope services is difficult. Few local bar associations maintain referral lists reflecting limited scope services, the yellow pages and other directories do not include this category of attorneys, and browser searches on the internet yield few results.

Bar associations are uniquely situated to ensure that litigants have access to a list, that all practitioners have the ability to sign up for the list, and that the list reflects only active members of the bar, as the Missouri Bar already does with the list of neutrals. Lawyers could be easily added to such a list by providing a downloadable PDF form on-line which can be mailed into the bar similar to the procedure for the neutral list. A list could easily provide simple information pertaining to the categories of limited scope representation services attorneys are willing to offer along with contact information for each lawyer. Annual updates could be required if deemed necessary. Relevant training could also be targeted to members of the list, particularly continuing legal education regarding limited scope representation. If a bar association maintains a list, local courts can obtain the list from the bar and provide the list to unrepresented litigants as a courtesy. A list of attorneys willing to provide such services could prove a valuable resource

for many courts and bar associations, as well as for litigants with limited resources, and could ensure that more parties actually seek and obtain some form of attorney representation.

LSR Subcommittee Report for June 6th Meeting

1. **LSR leaflet/brochure.** Kelly worked with the subcommittee after the CAFC meeting on March 7, 2014 to finalize the brochure. After many group emails, a final product was produced. The latest version of the brochure will be included in the email with this report.
2. Kathleen and the committee are continuing to work on the “how to” implement an LSR referral service at the local level. Kathleen finished a draft before our last CAFC meeting on March 7th. Once finalized the “how to” tool can be distributed to judges and local bar associations and can be distributed at the “roadshows.”

FREQUENTLY ASKED QUESTIONS:

Do I have to let the court know I am representing the client using LSR?

No, but you should. It is helpful to the judge and your client to know an attorney is involved. Think of it as branding your documents. Consider a footer on the document stating "Drafted by:_____". Remember, by signing the document you have entered your appearance unless you limit your appearance. (Rule 55.03).

Does LSR increase malpractice risk?

No, LSR lowers your malpractice risk. "An agreement for limited representation does not exempt a lawyer from the duty to provide competent representation; however, the limitation of the scope of representation is a factor to be considered when determining the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation..." (Comment [2], Rule 4-1.2).

Must the lawyer make an independent inquiry into the facts?

No. "An attorney providing drafting assistance may rely on the otherwise self-represented person's representation of facts, unless the attorney knows that such representations are false" (Rule 55.03(c)).

When does the limited appearance end? Is a court order required?

A court order is not required. It ends when you end it. "An attorney who files a notice of limited appearance withdraws when the attorney has fulfilled the duties as set forth in the notice and files a termination of limited appearance with the court" (Rule 55.03(b)).

RESOURCES:

For more information visit the limited scope representation section in the *Pro Bono Attorney's Deskbook*. It can be found at www.courts.mo.gov/hosted/probono/LimitedRepresentation.htm

An editable sample LSR agreement that meets the requirements of the Supreme Court Rules is available at www.courts.mo.gov/hosted/probono/Forms/FormforLtdReprtf.rtf



The committee welcomes suggestions for further development of these or additional resources. E-mail questions or suggestions to the committee at cafc@courts.mo.gov

The *Pro Bono Attorney's Deskbook* and *The Judges' Tool Kit on Pro Bono Legal Assistance*, as well as other resources including this brochure, were developed for the Supreme Court by its Committee on Access to Family Courts (CAFC).

03/2014

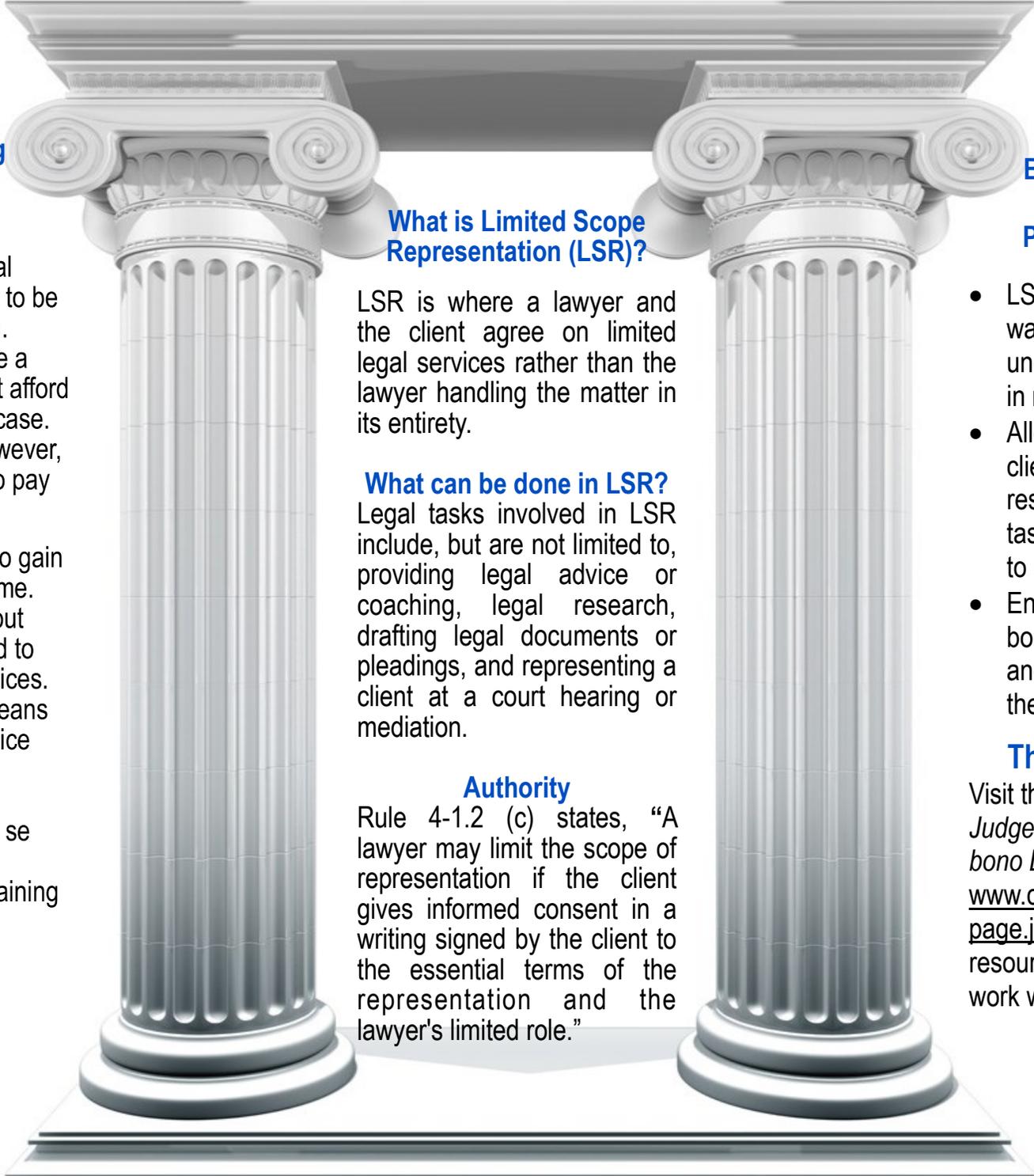


LIMITED SCOPE REPRESENTATION

"a la carte legal service"

Efficient legal service:

- ◇ Increase Revenue
- ◇ Save Time
- ◇ Provides affordable legal service for the client
- ◇ Saves court delays caused by self-represented litigants
- ◇ Provides a win for everyone involved



Benefits of using LSR with Paying Clients

People involved in a legal dispute or situation want to be successful in their action. Many people want to hire a lawyer but simply cannot afford a lawyer for their whole case. That does not mean, however, that they cannot afford to pay for key services.

- LSR is a useful tool to gain new clients and income.
- Clients educated about their legal needs tend to seek more legal services.
- Affordable service means “pay-as-you-go” service and no accounts receivable.
- LSR encourages pro se litigants to seek cost effective ways of obtaining legal advice.

What is Limited Scope Representation (LSR)?

LSR is where a lawyer and the client agree on limited legal services rather than the lawyer handling the matter in its entirety.

What can be done in LSR?

Legal tasks involved in LSR include, but are not limited to, providing legal advice or coaching, legal research, drafting legal documents or pleadings, and representing a client at a court hearing or mediation.

Authority

Rule 4-1.2 (c) states, “A lawyer may limit the scope of representation if the client gives informed consent in a writing signed by the client to the essential terms of the representation and the lawyer's limited role.”

Benefits of using LSR with Pro-Bono Clients

- LSR is a time-saving way to reach the underserved population in need of help.
- Allows the pro bono client to be given responsibility for certain tasks that they are able to do.
- Encourages the pro bono client to engage in and take ownership of their own legal issue.

The Judge's Role

Visit the LSR section of *The Judges' Tool Kit on Pro bono Legal Assistance* at www.courts.mo.gov/page.jsp?id=42938 for resources you can use to work with your local judges.

Committee on Access to Family Courts

Website and Litigant Awareness COMMITTEE REPORTS for June 6, 2014

Website: Two exciting developments - 1) the online forms are now saveable with entries added by the user and 2) our website is undergoing a redesign to make the appearance more uniform with the revamped Missouri Courts website. Terri has sent me a test page and when more development occurs at her end we will weigh in on it. The recurring question with website design is what comes first? Right now the "Should I get a Lawyer" topic (self-assessment) is first, following by "How to find a Lawyer," followed by "Where do I start"(litigant awareness program), and the forms. This is a discussion we will continue to have and I hope we find the best answer possible. Right now I know a lot of people head right for the fill-in forms, when we all know if they got a little foundational information under their belt they'd be able to use the site and forms much better.

Litigant Awareness Committee: Our current self-assessment instrument is troubling me, as the underpinnings are based on assumptions rather than substantive findings. I would like us to discuss this further in coming months. Several articles about the expectations of the public for verifiable assessments have appeared recently. Nothing undermines confidence in the court system like feeling manipulated toward a preconceived answer. What are your thoughts on this?

Forms Subcommittee Highlights
June 2014

The Forms can be saved! All forms are now savable on the website.

Voluntary Dismissal Form: The Voluntary Dismissal is now on the website. We are, however, still discussing a few edits with the Supreme Court.

Consent to Petition for Change of Name: The Form Subcommittee has approved a form allowing parents to consent to the Petition for Change of Name (Minor Child). We are working with the Supreme Court on form edits before sending this form to the committee.

Discussion of Answer for IV-D Paternity Actions: The Subcommittee considered whether to create a form to include both a general answer to a IV-D petition for paternity/child support and a request for a custody order. The subcommittee chose not to pursue such a form due to the complicated nature of these proceedings.

Committee on Access to Family Courts
COMMITTEE REPORTS for June 6, 2014

Court Staff Education Committee

Two Powerpoint presentations on assisting pro se litigants are being created with the goal of making them available to all court clerks through the state courts JEWELS training application. Module 1 entitled "Serving the Self-represented Litigant" is a general overview of access to the courts, Court Operating Rule 25 and resources available through the www.selfrepresent.mo.gov website. This module will require some revision when the redesigned self-represent website goes online. CAFC has approved Module 1 and it is being placed in the CAFC online archives.

A suggestion has been made that we modify Module I as a resource for librarians. Nancy Morgan, the Director of Public Services at the UMKC Law Library was interviewed in March, as is interested in public outreach in this area.

Module II is intended to provide a more specific explanation of appropriate customer service for court clerks assisting the public with family law matters. This will be an interactive Powerpoint program, presenting common pro se assistance "scenarios," possible responses, and discussion of poor, good and better ways to provide customer service within the parameters of COR 25. Sections still need to be drafted on ADA compliance, limited English proficiency, and domestic violence issues

We are invited to meet with the Court Clerk Education Committee on July 17 in Jefferson City to discuss the purpose and direction of our training modules and the prospect of putting them on JEWELS, where all court clerks can access them. Martha Holliman, a former member of CAFC, is currently chair of this Supreme Court Committee. Further development of Module II is on hold until after this meeting.

Our sub-committee did not make a presentation at the Court Clerk's College this Spring. A presentation on limited scope representation was scheduled instead. It has been over a year since our last presentation at the Court Clerk's College.

Judicial Education Subcommittee Report for CAFC Meeting – June 6th

1. Judge Sandra Frragut-Hemphill from St. Louis County frequently speaks and presents to the judiciary on LSR and pro se litigant issues in domestic cases. We reached out to Judge Hemphill to see if they would be interested in joining this Subcommittee as auxiliary member and she graciously accepted.
2. The next Trial Judges Education Committee Meeting is scheduled for June 5, 2014. The committee will be finalizing the details for the 2014 Judicial College, and discussing other judiciary training. I will give everyone an update on this meeting at our June 6th meeting.
3. Based on a suggestion from Lou and research by Kathleen, the Chapter on *Pro Se* Ethics drafted for the upcoming Domestic Law Benchbook has been updated with a new section setting forth the legal authority for an individual to proceed *pro se* in a domestic law case.
4. Before our last meeting, Lou made some very good suggests about expanding the mission of the Judicial Education subcommittee. The idea is to expand the mission to include not only educating judges but also developing and implementing a program to encourage judges to actually implement pro bono and LSR programs in their circuit. We have not included this idea into the subcommittee's implementation plan as of yet, but here are some relevant thoughts:
 - a. The ABA study on why attorneys do (or do not) perform pro bono found that one of the leading factors is a judge asking and supporting the attorneys.
 - b. We have developed the Judge's Toolkit as a resource for judges on implementing and supporting pro bono work. We have the "how to do it" manual but we need to get judges to read it and begin to apply it.
 - c. With Judge Wilson's support we have begun the "roadshow" with his meeting with local bar associations and presenting a free CLE on LSR & Pro Bono. This kickoff event begins on-going, two-way communication between local bars and CAFC. He has visited Callaway County bar and we are in the preliminary stages of setting up a visit to Audrain County and the 12th Circuit. Each time we refine the project.



Supreme Court of Missouri
Committee on Access to Family Courts



CAFC UPDATE

Circuit Clerks edition June 2014

Self-Representation family law forms are now SAVABLE!

Previously the self-representation family law forms were printable but not savable. This was a barrier to their use especially by persons using public computers. The forms now can be saved so that users do not have to complete all forms in one sitting but will be able to come back at a latter time to continue working on the forms or revising their information. If you have public computers available, inform users of this development.

What is CAFC?

The Committee on Access to Family Courts (CAFC) was established April 15, 2008 by the Missouri Supreme Court. CAFC was preceded by two joint court/Bar commissions on pro se litigation. The Joint Pro Se Commission made nine recommendations to the Court and the Bar. CAFC focuses on pro se, pro bono and limited scope representation especially for those living at the margins of our society. CAFC is designated by Rule 88.09 to develop the "litigant awareness program" and the family law pleading forms to be used by pro se litigants. Members of CAFC include judges, clerks, attorneys and social service leaders.

Q & A

Is a parenting plan required if there are no children? No.

The self-representation forms are set up in packets with a complete set of documents from Petition to Judgment. There are a series of questions in the Petition which determine whether there are any children. (E.g., questions 32-37 of the Petition for Dissolution.) If all of the questions result in zero, the party is instructed to skip to question #50. Thus, pages 7 to 11 have no information and need not be filed. Also there is no need to file a parenting plan since there are not children.

Service on parties and attorneys using limited scope representation.

Rules adopted by the Supreme Court in 2008 authorize attorneys and clients to agree on arrangements where clients participate in partially representing themselves and attorneys provide limited representation. (Rule 4-1.2) Normally if a party represents themselves, service is made upon the pro se party. However, if there is a limited scope representation agreement and the attorney has filed a Notice of Limited Appearance, then Rule 43.01 requires that service "shall be made on (1) The self-represented person, and (2) Until the attorney files a termination of limited appearance, the attorney."

For more information on limited scope representation [click here](#).

*CAFC welcomes your suggestions and questions.
We hope these UPDATES can be a medium of exchange of information and ideas.
You can contact the Committee by email at — cafc@courts.mo.gov.*

Communications Subcommittee Highlights

Report – June 2014

Quarterly Newsletter to Circuit Clerks

In response to the concerns raised at the March meeting regarding the need of court clerks to receive periodic updates of items that might assist them in processing pro se matters, the Communications Subcommittee has developed a plan to publish a quarterly email newsletter to all circuit clerks. Subcommittee member Sandy Dowd sent an introductory email to the circuit clerks requesting feedback on what the clerks would like to see in the newsletter and feedback on the pro se website and forms.

We have developed a preliminary format for the newsletter that we plan to publish with Microsoft Publisher. A preliminary draft is included with this report. We invite the members input.

The Communications Subcommittee will be responsible for editing and producing the newsletter but will rely on the whole CAFC for content. The plan is to publish an issue shortly after each quarterly meeting.

In the future we envision a similar newsletter for librarians.

CAFC has developed many good resources but needs to inform folks at the local level -- those on the frontlines daily trying to help persons seeking access to justice -- so that they can benefit from them.

Feedback from Circuit Clerks

The subcommittee has received feedback from the circuit clerks. Perry County Circuit Clerk Becky Paulus relays that the court en banc in her circuit believes that an "Affidavit of Compliance with the Uniform Child Custody and Jurisdiction and Enforcement Act" must be filed by every pro se Petitioner and Respondent in all dissolutions and motions to modify. She relayed that her circuit has developed a form which they use in pro se cases. She asked the committee to study the issue and determine whether or not we believe this form should be added to the self-represent website.

Gasconade County Circuit Clerk Joyce Gabathuler believes the form Petition for Name Change for Minor Children needs to be revised to allow for multiple children. Currently the Petition for Appointment of Next Friend accompanying the Petition for Name Change allows for it, but the Petition for Name Change itself does not.

Documents Distributed after the pre-meeting packet

- Web Survey Stats
- Web Survey Comments
- Form 713 – Voluntary Dismissal

**Representing Yourself Website Survey Statistics
Calendar Year 2013**

2. How many years of schooling have you completed?

	Frequency	Percent	Cumulative Percent
Professional School Degree	20	3.1	3.1
Doctorate Degree	5	.8	3.9
Masters Degree	58	9.0	12.9
Bachelors Degree	67	10.4	23.3
Occupational/Vocational Degree	60	9.3	32.6
Associates Degree	73	11.3	43.9
Some College	143	22.1	66.0
High School Graduate	119	18.4	84.4
GED	56	8.7	93.0
Some High School	45	7.0	100.00
Total	646	100.00	

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.

	Frequency	Percent	Cumulative Percent
Unemployed	27	4.2	4.2
\$0 - 10,999	124	19.2	23.4
\$11,000 - 19,999	110	17.0	40.4
\$20,000 - 29,999	167	25.8	66.2
\$30,000 - 39,999	83	12.7	78.9
\$40,000 - 49,999	69	10.7	89.6
\$50,000 or over	67	10.4	100.0
Total	6478	100.0	

("\$0 – 10,999" has had the highest percent every year until now.)

4. How many children do you have?

	Frequency	Percent	Cumulative Percent
None	112	17.3	17.3
1	114	17.6	34.9
2	164	25.4	60.3
3	100	15.5	75.8
4	66	10.2	86
5	65	10.1	96.1
6	22	3.4	99.5
More than 6	3	.5	100.0
Total	112	100.0	

5. How long have you been married?

	Frequency	Percent	Cumulative Percent
No longer married	65	10.3	10.3
Less than 1 year	39	6.2	16.5
1 - 5 years	182	28.8	45.3
5 - 10 years	152	24.1	69.4
More than 10 years	193	30.6	100.0
Total	631	100.0	

6. Where do you most often use the Internet?

	Frequency	Percent	Cumulative Percent
Home	317	49.6	49.6
Work	135	21.1	70.7
Public Library	97	15.2	85.9
Friend or relative's house	66	10.4	96.3
Other (please specify below)	9	1.4	97.6
Courthouse	15	2.3	100.0
Total	639	100.0	

“Other” selection for Where do you most often use the Internet?

	Frequency
Cell Phone	6
Church	1
University	1

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

	Frequency	Percent	Cumulative Percent
No	432	67.7	67.7
Yes	206	32.3	100.0
Total	638	100.0	

This remains almost exactly the same from year-to-year.

Even though the salary range jumped for 2013, whether they talked to a lawyer/legal service about their case or not, a large percent (42.7 and 30) still cannot afford legal representation.

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

	Frequency	Percent	Cumulative Percent
Too expensive	88	42.7	42.7
I think I can represent myself	48	23.3	66
None of the above	21	10.2	76.2
Personal reasons	20	9.7	85.9
Lawyer had a conflict	16	7.8	93.7
I did not like him or her	13	6.3	100.0
Total	206	100.0	

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

	Frequency	Percent	Cumulative Percent
I want to hire a lawyer, but I cannot afford one	128	30	30
I think I can represent myself	198	46.4	76.4
None of the above	45	10.5	86.9
I can afford to hire a lawyer, but I do not want to hire one	56	13.1	100.00
Total	427	100.0	

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

	Frequency	Percent	Cumulative Percent
Divorce	348	52.3	52.3
Custody Issues	66	9.9	62.2
Child Support	67	10.1	72.3
Visitation	25	3.8	76.1
Name Change	80	12.0	88.1
Modification	46	6.9	95
Other (please specify below)	20	3.0	98
Paternity	5	.8	98.6
Order of Protection (Domestic Violence)	3	.5	99.1
Enforcement of Orders	6	.9	100.0
Total	666	100.0	

“Other” selection for What type of family law matter are you intending to file?

	Frequency
Guardianship	4
Annulment	3
Name Change	2
Family Access	1
Info to prepare for lawyer	1

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

	Frequency	Percent	Cumulative Percent
Strongly Agree	226	35.3	35.3
Agree	248	38.7	74
Strongly Disagree	35	5.5	79.5
Disagree	48	7.5	87
No Opinion	77	12.0	98.9
Not Applicable	7	1.1	100.0
Total	641	100.0	

12. The educational information was easy to understand.

	Frequency	Percent	Cumulative Percent
Strongly Agree	203	31.8	31.8
Agree	285	44.7	76.5
Strongly Disagree	16	2.5	79
Disagree	44	6.9	85.9
No Opinion	88	13.8	99.7
Not Applicable	2	.3	100.0
Total	638	100.0	

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

	Frequency	Percent	Cumulative Percent
Strongly Agree	129	20.2	20.2
Agree	234	36.6	56.8
Strongly Disagree	20	3.1	59.9
Disagree	93	14.6	74.5
No Opinion	148	23.2	97.7
Not Applicable	15	2.3	100.0

Total	639	100.0	
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14. It was easy to know what forms I needed to use.

	Frequency	Percent	Cumulative Percent
Strongly Agree	158	24.7	24.7
Agree	257	40.2	64.9
Strongly Disagree	28	4.4	69.3
Disagree	91	14.2	83.5
No Opinion	103	16.1	99.7
Not Applicable	2	.3	100.0
Total	639	100.0	

15. The forms were easy to use.

	Frequency	Percent	Cumulative Percent
Strongly Agree	145	22.8	22.8
Agree	263	41.4	64.2
Strongly Disagree	37	5.8	70.0
Disagree	66	10.4	80.4
No Opinion	114	18.0	98.4
Not Applicable	10	1.6	100.0
Total	635	100.0	

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

	Frequency	Percent	Cumulative Percent
Strongly Agree	163	25.7	25.7
Agree	256	40.3	66.0
Strongly Disagree	24	3.8	69.8
Disagree	65	10.2	80.0
No Opinion	118	18.6	98.6
Not Applicable	9	1.4	100.0
Total	635	100.0	

Comments from Website Survey 2013

1. Thank you for your service, it is sad that we have these issues in our lives but it is worse that we would have to go through even more because we can't afford an attorney to represent us.
2. I searched divorce forms on the courts.mo.gov site and it would have been nice to find this information from those key words. The represent myself information is helpful to me even though I am using an attorney found by calling the MO BAR.
3. The In Forma Pauperis form won't download or open. There are not enough forms offered. For instance, I am a mother filing for non-paternity and that form is not offered.
4. I was unable to download the forms.
5. I think it would be easier if you put a zero in the children field, for those forms to drop out.
6. could not find parent plan as indicated would be available on this web site. There is no search option to find it.
7. Your site is great! I am still researching and hopefully will resolve this issue soon. (From Terri: child support)
8. Name Change forms were easy to find and to complete. Teh Publication form should be included in the Name Change section. I am unable to find it still.
9. It would be nice if all Missouri courts actually supplied the forms needed and also if the court employees were required to know the information of procedure to file the papers or at least the correct papers, so that they may assist a person.
10. I was unable to find the motion for contempt form and the motion to show cause order. very upsetting.
11. I wish I could have an information page of commonly asked questions and answers to refer to, in addition to this site.
12. FORMS TOOK TOOOOOOOOOO LONG TO DOWNLOAD!!!!
13. My wife and I are from Texas but have resided in Missouri for the last three or so years. I just wanted to know how long it would take to get a divorce, self-represented. Thank you for your information.
14. great material
15. I JUST HOPE I DO A GOOD JOB AND GET IT OVER WITH AND THE JUDGE DOESN;T FIND ANYTHING WRONG WITH WHAT I DO.
16. Additional forms were required to be filled out once I arrived at court house. No information on how or if attachments need to be including into a Family Access Motion.
17. It seems to me that this program is geared to make one believe you have to hire a lawyer,even if you don't need one,or can afford one.
18. I accessed for info regarding my Answer to a Motion to Modify custody. The froms require me to attest in front of a notary that I have delivered a copy of my Answer to Petitioner, but do not make clear if that delivery must be of the Answer as filed, or prior to it's being recorded by the Clerk; very confusing.
19. I had to call the county clerk's office and talk to several people before I was told to go to this site. None of my on-line research on name changes lead me to this site. So using the site was easy but finding out about it was difficult. (From Terri: 64141 = Kansas City)
20. I greatly appreciate the information on this sight.

21. My husband and I are filing uncontested. My aunt prepared the filings for us to represent ourselves as she is a paralegal, and we were forced to go through this process regardless of the perfect filings prepared by our aunt. The clerk refused to look at the documents presented for filing and insisted we must use these forms, which are pdf not word. It has made the process much more difficult.
22. I needed to save the forms on usb because my friend did not have a printer. I could not save them only print. I wish I could have saved them!
23. Your point survey is backward. A score of 21 should be ideal conditions, uncontested, no property to divide and you have a operational brain. Instead it shows a score of 20 as being potentially a bad idea to file and 21 being get an attorney. Good survey if you turn it around.
24. Not being able to save my answers in an interveiw was troublesome. Once I was able to complete the form, there was an adobe error that prevented me from printing directly to the printer or to save it locally and I had to start over again.
25. Thank you for making this information so easy to find.
26. no children, no property involved with this marriage, no taxes filed in past 7 years that I know of by him, he ask for the divorce, he is a minister
27. The site was very helpful, and I appreciate the convenience of it. I do wish that the 'Name Change' section had been more specifically for name changes only, and that the border between 'simple name change' and 'other complaints' or 'dissolution of marriage' had been clear. Other than that, great all around service. Thanks!
28. I think the child support system is very unfair to fathers, and there are no free legal services for us. I have over paid on child support for many years, while my ex wife sits at home having more children and living off the government,I believe and am suite that I'm correct that my ex wife has used the child support on lottery scratcher tickets, her obsession with dogs and other things to benefit herself not our children, now that I am physically unable to work, there is no help for me. If you have any information or resources that could help me please email me at [e-mail address]
29. I need a court date and conformation of that court date as soon as possible so I can close out a case that been open for more than a year. There is no reason the state of Missouri should be investing any more money into a case that should have been closed over six months ago.
30. getting to site needs to be a shorter address
31. I've wasted many hours on the web to find answers and get help. If I hadn't found this site I wouldn't be able to accomplish anything without a lawyer, which is not affordable. Thank you
32. Marriage Dissolution Uncontested, I feel it will be easier this time, but there are some challenges. I believe I can do this.
33. I didnt find the appropriate for to change children name instead of the petitioners name
34. It would be nice if the paperwork needed for different types of divorces were in separate packets to print off. For example: uncontested; no children; personal and marital/non-marital have already been divided. Otherwise, very helpful site and it is very nice that an individual is able to do themselves in certain situations.
35. I was helping my daughter use the self-representing divorce forms. Filling them out was easy. However, they would never print. It was nuts. I tried repeatedly to make it work and it wouldn't. Then I sought assistance on the Internet to ascertain if there was someone I could communicate with to assist us in the printing process, and no one could be found. The reason for using the pro se forms is to get the divorce process started and then hire an attorney at a later date.
36. Thanks for providing this web site. It is really helpful.

37. I was told by the Circuit Clerk that I needed a Notice of Docket form. I cannot find that form anywhere on this site or any other site. Have to have the form or my Petition will never get put on the docket. (zip is 64671 = Polo, Mo, in Caldwell and Ray counties)
38. The information seemed geared toward being the petitioner with no guidance for the respondent.
39. There should be a way to download the completed forms into a file on my computer so I don't have to retype everything whenever a change is needed. Very time consuming.
40. I wanted representation but southern Missouri is not helping in legal aid with divorce; I cannot afford a lawyer. I talked to many lawyers and I cannot afford to pay what they need to have in order to take my case.
41. I can't find the form to change my child's name, I was never married.
42. This site was helpful. An easy and not stressful. Very simple step to follow. thank you.
43. I have been through 2 divorces before so I do have some knowledge and appreciate the extended information I received.
44. Never married
45. Your maze of pages and useless links makes the site virtually useless.
46. It would be helpful if the site would indicate what other forms might need to be included in the filing of a divorce packet. For example, on the property form it indicates that deeds should be included, but what about copies of titles? Birth certificates? Marriage certificates? or any other documentation that might help with the case. If these are all to be provided at a hearing that information would be useful as well. It just helps a person prepare and access the documents they need prior to a hearing if necessary.
47. Could not find anything under Google about filing forms yourself or what to call it.. Modification
48. When you try to access the MINOR name change form, it redirects to the ADULT name change form. I cannot find the MINOR name change form anywhere on the website and I really need it, as no one else can help me. If you are able to direct me to the right form, will someone please email me at christina.nuss@gmail.com? I would really appreciate it.
49. This is not my first divorce so I have a general idea of what to do and what is filed and we do not have assets and no children in the marriage. This is a situation where I am exposed financially with my ex relocated and running around not paying for any obligations he made, so the sooner I close my risk window the better. I am not sure what I would do if this site was not available, but I'm sure it would be multiple rounds of editing paperwork and more trauma to me and my family. THANK YOU SO MUCH.
50. I'm looking to change the name of my son who is a minor. The forms on this site only appear to be for adult's who want to change their names.
51. when I tried to fill in the blanks online it on several occasions would delete what I typed so now I am having to hand write all of the answers because I do not want half typed and half hand written answers.
52. Thank You.
53. Everything I found on the internet was helpful to me.
54. I had absolutely no problem at all what so ever the last time I got divorce papers printed off here. Then I was able to find just exactly what I was looking for no problem. Now, I'm so confused as to where to go, what to do. I'm having to go to all these different areas to upload/download stuff and then I can't get to where/what I need because I somehow landed on administrator without the proper pass word.

55. I desperately need to have my child support payments modified in order to sustain a productive life. Access to free legal assistance or representation would greatly enhance my ability to support my child.
56. This is a very nice service and user friendly, however NO THOUGHT is given to inmates who have no access to the Internet and use up all the little money the family provides them by attempting to send and re-send legal papers to the court. The court staff is really unfriendly when an inmate is involved
57. To divide my husband's assets I will need a financial attorney which I believe can go from \$4000 and \$25000. And as I am fully supporting my house and my daughter I can't expend all my salary in this. So maybe I won't be able to divorce
58. Question 4 in "support forms" does not fit my needs. I just want to transfer the same child support amount to my adult child in college; I do not want to end support or have the other parent pay. I cannot continue with these forms with this imited scope.
59. This case is about the Honorable Kevin L. Selby in the 40th Judicial Circuit Court of Newton County, Missouri going against two Missouri Court of Appeals Mandates and he has also violated jurisdiction against the Appellate Court.
60. I really want this marriage to be final now and this site is easy to use.
61. The website is not allowing me to download the Dissolution of Marriage, it waits and times me out. I have a current Adobe file(s) and I am using the most current Internet Explorer 10.
62. uncontested, do not own anything together
63. The forms would not perform the auto-calculation so I do not know what to do at this time. It also would not print.
64. Would prefer pro bono, but cannot find one
65. The forms were easy to find and fill out. I wish the site would better tell you how to actually file. Like where do you take paperwork, info on fees (when do you pay the fees). I think I'm supposed to drop it off at the county courthouse but I was told that by a friend who had done this.
66. Still do not have the forms and don't think I will be able to get them. Also do not have a lawyer because can't get one on phone or get to call me back (after one week)!
67. CAN'T AFFORD TO HIRE A LAWYER HOWEVER I WISH THERE WAS SOME SERVICE ie WHO I COULD SPEAK TO FOR ADVICE IN FILLING OUT PAPERWORK OR HOW TO PROCEED IN THE FUTURE.
68. The site will not download the form.
69. I need an annulment because i have found out that spouse was still legally married in another state at the time of our marriage. She has since gotten a divorce from her husband approximately 4 years after we got married. Thgis would make our marriage that we had not legal and binding and need form for order of petition for an annulment.
70. Would like a step by step checklist- Did not see if its there
71. I learned about this site from the Samaritan center out of Jefferson City Mo.
72. would be a lot easier if there was a divorce form for us later in life marriages that have no children through the marriage
73. Have not decided for certain that I will be filing for dissolution of marriage, but wanted to know if Missouri allowed for self-representation on a simple case with no major assets or children involved.
74. I don't need a lawyer because the case is uncontested, there is nothing to divide up property-wise, no children and no money to deal with.
75. label more clearly what forms need to be used for what

76. Don't change anything. Excellent setup as is.
77. i am still looking for the forms to put the paternity for the last child but i know that i will find it.
78. I was turned down by Legal Aide but still can not afford an Attorney since I only have a disability income.
79. The forms should be presented in a format such that they can be filled out on the computer and printed.
80. You have no forms on this site for the name change of a minor! I took the test, got the Litigant Awareness completion certificate but now I can't find the forms I need. You only have forms for the name change of an adult. It is very frustrating that I sat here for an hour or more, took the test and the forms I need are not here. Why even bother have the information on your site! You should tell people that the forms for the name change of a minor are not here.
81. i am trying to get custody of 2 of my children but i am the father
82. The Plaintiff is not filling out this survey. I am helping her. The Plaintiff is low functioning adult woman leaving abusive marriage. I found the site and all access to it easy to understand and very helpful. I hope the people in the courthouse will be as helpful when processing this case without the use of an attorney :)
83. I am glad this is out to the public to do on their own... with the economy like it is...sometimes life is just hard and we need some help=== if we can do all the work..... So here I am.....
84. Dear Sir / Madam, There seems to be some bug with your web site. I am unable to download the forms for "Modification of Child Support" from this page:
<http://www.selfrepresent.mo.gov/page.jsp?id=38397>. I tried multiple times and it kept opening a new tab on Chrome without downloading any thing. Please let me know if you were to fix this.
Sincerely, Ahmad
85. It took multiple times trying to download the dissolution pack. kept getting an error
86. I would have liked more information about rules of evidence and rules of discovery. This was most helpful and truly makes me admire the State of Missouri for its dedication for all people to use the justice system. Thank you.
87. Should make the holiday arrangement sheets optional for a non-contested case.
88. could not access the dissolution of marriage forms package(3.25mb) (last updated 7-2-12) it told me the form was damaged and could not be repaired.

Form CAFC713 – Voluntary Dismissal of Petition or Motion

THIS MOTION WILL NOT DISMISS ANY MOTIONS OR PETITIONS FILED BY ANOTHER PARTY.

In what Missouri county is this case pending?

In the Circuit Court of _____, MISSOURI

What is the case number in the pending case?

Case Number

Division Number

Name of the Petition or Motion filed with the Court

Enter the name of the petition or motion filed with the Court to be dismissed.

Your Information

1. My full name is:

(First Name) (Middle Name) (Last Name) (Jr./Sr./III)

2. I am the Petitioner/Plaintiff in this case.
 I am the Respondent/Defendant in this case.
 I am a third party in this case.
 Others (Please specify) _____

3. My mailing address is:

(Street)

(City) (State) (Zip)

(Telephone Number) (E-mail Address)

(Facsimile) (If Applicable)

Other Parties' Information

4. The full names of the other parties in this case are:

(First Name) (Middle Name) (Last Name) (Jr./Sr./III)

You must send a separate copy of this form to every party to this case.

I Wish to Inform the Court That

YOU MUST CHECK ALL THREE BOXES TO COMPLETE THIS FORM

I am no longer asking this Court to make a decision on the petition or motion identified above.

I understand that dismissing my petition or motion will not dismiss any motions or petitions filed by another party in this matter.

If you are unsure about your rights and responsibilities in connection with the filing of this document, please consult an attorney.

I understand that I may still be required to pay any mandatory filing fees or court costs assessed by the Court.

Proof of Service on Other Parties

You MUST send (serve) a copy of this document to each of the other parties, or his or her attorney(s). To obtain service, you may deliver the document by hand; send it by First Class US mail, e-mail or facsimile (fax); or leave it at the office of the attorney to be served with a clerk, receptionist or an attorney associated with the attorney to be served.

I certify, under oath that on _____ (date) I have sent/given a copy of this Voluntary Dismissal of Petition/Motion to each of the following parties at the address shown:

NAME	ADDRESS: US MAIL / E-MAIL / FAX #

Sign Here

I swear/affirm under penalty of perjury that these facts are true according to my best knowledge, information and belief.

▶ _____ Affiant – SIGN HERE _____ Affiant – PRINT YOUR NAME HERE

<p>ATTORNEY INFORMATION <i>(To be completed by your attorney)</i></p> <p>_____</p> <p><i>Attorney – SIGN HERE</i> <i>Missouri Bar Number</i></p> <p>_____</p> <p><i>(Street)</i></p> <p>_____</p> <p><i>(City)</i> <i>(State)</i> <i>(Zip)</i></p> <p>_____</p> <p><i>(Telephone Number)</i> <i>(Fax Number)</i> <i>(E-mail Address)</i></p>	<p>Do not enter any information here if you are filing this case without the assistance of a lawyer.</p> <p>This information should be completed by your attorney.</p> <p><input type="checkbox"/> I have assisted the party in the preparation of these pleadings, but I am not entering my appearance on behalf of the party.</p>
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