Forms Camp Topics

1. Form Design – On Demand
2. Plain Language – On Demand
3. Accessibility – On Demand
4. User Testing – On Demand
5. Form Review & Revision – Today!!
6. Automation – 8/24
Forms Camp Logistics

Campers are muted and off camera.

Webinar is being recorded and will be available at ncsc.org/webinars and on the Forms Camp page at ncsc.org/formscamp2022.

Use the Q&A box for questions.

Materials from will be posted on the Forms Camp page at ncsc.org/formscamp2022
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How the Maryland Judiciary Approaches the Development, Revision, Approval, and Distribution of Court Forms
Form Review and Revision in Maryland

WHO

• The Maryland Judiciary’s Forms Subcommittee (FSC) was established by the Judicial Council in 2014.

• The Forms Subcommittee is responsible for the development, revision, vetting, approval, and distribution of over 900+ court forms (mdcourts.gov/forms) used by both internal court staff and the public.

• Its members are comprised of trial court (Circuit and District Court) judges and clerks, commissioners, internal information technology members from Judicial Information Systems (JIS), business analysts, and several Administrative Office of the Courts department members.

• The staff of Administrative Services directly supports the work of the Forms Subcommittee.

• In addition to the Forms Subcommittee members, there are ongoing referrals made to Subject Matter Expert Workgroups for the creation of new forms, the review of drafts, and for distribution of drafts to other interested parties. Referrals are made prior to the Forms Subcommittee final review and approval of Judiciary forms.
CIRCUIT COURT WORKGROUP
• Responsible for creation and review of circuit court and joint Circuit Court and District Court forms

CRIMINAL/TRAFFIC WORKGROUP
• Responsible for the creation and/or review of District Court and joint criminal forms
• Refers drafts to other subject matter experts, compiles responses, and submits recommendations to the Forms Subcommittee

CIVIL WORKGROUP
• Responsible for the creation and/or review of District Court and joint civil forms
• Refers drafts to other subject matter experts, compiles responses, and submits recommendations to the Forms Subcommittee

FORM CONSISTENCY WORKGROUP
• Responsible to review paper, online, and MDEC forms for currency and consistency
• Compares forms and dockets to verify forms are current versions and revisions have been made correctly in all formats

GUIDE AND FILE REVIEW/TESTING WORKGROUP
• Responsible for the reviewing and testing of interviews to determine that:
  • interviews result in properly completed forms;
  • questions are clear, concise, and easily understood; and
  • there are no logic errors causing issues
Administrative Services was created in 2001 and is one of four departments within District Court Headquarters.

Administrative Services staff produces court forms, brochures, and the District Court's pages on the Judiciary website, all of which provide the tools and/or training necessary to promote excellence in public service, effective communication, and access to justice.

Initially, Administrative Services duties revolved solely around District Court documents. In 2005, those responsibilities expanded to include Judiciary-wide court forms, brochures, and informational documents.

This change also restructured the department, which now includes three (3) dedicated Forms Coordinators.

Forms Coordinators are responsible for developing, designing, and disseminating tools that promote excellent public service, and meet all public needs, including those who require alternative formats or foreign languages.

The Coordinator is responsible for assisting with the coordination of draft review and approvals through the Maryland Judiciary’s Forms Subcommittee; maintaining documentation of changes and approval; proper posting on website Form Indexes; and for notifications to court staff, attorneys, justice partners, the public, and the information technology teams relating to form creation/revision.
Form Review and Revision in Maryland

WHAT

• The Forms Subcommittee’s development and revision work includes Judiciary-wide court forms, brochures, and informational documents.
Form Review and Revision in Maryland

WHEN

• The Forms Subcommittee holds two (2) formal, in-person meetings each year:
  o Organizational Meeting held for new and existing members each January. During this meeting, the FSC discusses the established policies and procedures, achievements, and lessons learned. Updates are made as necessary with consensus from the group.
  o Forms Mark Up Day held each year following the legislative session (late June). On Mark Up Day, drafts are created, edited, and reviewed for approval at each session. A final version is prepared by Administrative Services. District Court and joint forms are sent to the District Court Chief Judge for final approval. Circuit Court and joint forms are sent to the Chair of the Conference of Circuit Court Judges for final approval.

• All other work of the FSC is done via email.
Form Review and Revision in Maryland
HOW

• There are generally three ways in which court forms are created/revised in Maryland:
  o “Form to Change a Form” – these are standard form requests received on an on-going basis. Anyone may submit a request to amend and/or create a District Court, Circuit Court, or joint form by submitting form CC-DC-076, Judiciary New and Revised Form Request. Requests must include a marked-up copy and supporting documentation and are sent electronically to our monitored, shared email inbox at formssubcommittee@mdcourts.gov.
  o Legislative Changes – The Maryland General Assembly convenes for their 90-day session each January-April. Administrative Services and various Administrative Office of the Courts departments track new legislation that will impact the judiciary and possibly alter court forms. Proposed changes to forms are reviewed at Forms Mark Up Day.
  o Maryland Rules Changes – Administrative Services monitors changes to the Maryland Rules and creates District Court and joint form drafts for the Forms Subcommittee’s review in time for the effective date.
Form Review and Revision in Maryland

COMMUNICATION

• Form revisions are announced to internal court members via email distribution, directives, and a dedicated website which shows redline drafts.

• Members of the public may sign-up to receive email notifications regarding public form changes.
Form Review and Revision in Minnesota

WHO

• State Court Administrator Policy lays out the process for form creation and revision in Minnesota.

• The **Forms Manager** oversees the 600+ forms on the Minnesota Judicial Branch website ([www.mncourts.gov/forms](http://www.mncourts.gov/forms)), court orders for judicial officers, and notices, etc., that staff send to parties.

• Court Operations Advisory Workgroup (COAW) is made up of judges and court administrators from each of Minnesota’s 10 districts. COAW reviews and approves forms for publication.

• The Forms Manager creates ad hoc groups consisting of representatives from Legal Counsel Division and Business Process and Education Unit, and subject matter experts.
Form Review and Revision in Minnesota -

WHAT

Our work is not limited to forms to be filled out by parties. We also create and revise:

• Court orders;
• Instructions;
• Court notices; and
• Manuals.

There is a separate group in charge of Help Topic (web) content.
Form Review and Revision in Minnesota

WHEN

• The ad hoc groups meet as needed, usually every other week. There can be several groups meeting depending on the workload.

• COAW (Court Operations Advisory Workgroup) subcommittees meet monthly to review forms that the ad hoc groups have finalized.

• The full workgroup meets quarterly for, among other things, final form approval.
Form Review and Revision in Minnesota - HOW

A request to change a form comes to the Forms Manager in one of three ways:

• Statutory or rule change;
• A request from court staff through the Forms Management SharePoint site; or
• As part of a category review.
Each year, there is a larger project team that monitors potential and pending legislation and rule changes, analyzing them for impacts to the courts (including impacts to court forms and instructions). The Forms Manager is part of that project team when there are impacts to forms and instructions.
Request from Judicial Officer or Court Staff
A Category or Group of Forms Is Reviewed

Currently in Minnesota, three workgroups meet regularly to analyze and revise forms in the following categories:

• Guardianship and conservatorship;
• Child Custody; and
• Divorce instructions.
Form Review and Revision in Minnesota

COMMUNICATIONS

Form revisions are announced on the Forms Management SharePoint site (we have a Recently Updated Forms Library). Court staff across the state are encouraged to sign up for notifications so that they are alerted when a form is updated. When court orders are revised, we publish announcements in a virtual publication that targets judicial officers.
How to create a forms review process
How to create a forms review process

• Identify the structure and organization behind the WHO
  o Soliciting members or appointed by position/department
  o Number of participants directly and indirectly involved
  o Members should be active in supporting the work of the forms review process

• Identify the necessary schedule for review/revision
  o On-going basis, quarterly or monthly reviews/updates?
  o Implement mechanisms for monitoring the form review process

• Establish document control and revision procedures early on
  o Numbering and naming conventions
  o Creation/revision date
  o Usage controls
  o System for maintaining form history, version, and approval information
  o Implementing form prototype standards
  o Create and/or update your forms management plan
How to collaborate with partners to effectuate form updates and modifications
Collaboration with partners for form updates and modifications

• Identify who needs to be at the table
  o Internal resources (legal counsel, self-help, business processes)
  o External justice partners and legal service providers

• Create a matrix for when requests for translations come in
  o Frequency of use (use data about filings)
  o Safety concerns (forms geared toward protection of an individual have a high priority)
  o Access to justice (if a high number of SRLs or interpreters are involved in the case type)
  o Loss of children, real property, license or other benefits
  o Children

• Identify who translates forms, and into what languages
  o Internal (e.g., bilingual staff)?
  o External (e.g., professional translation companies)?
How to eliminate inconsistencies and promote standardization
Eliminating Inconsistencies and Promoting Standardization

• Gathering a full library of all local forms being used and working to combine and create forms that can be used statewide, if feasible

• Ensure each form fills a basic need within an approved operating procedure

• Developing form prototype standards which provide uniformity in formatting, heading, font size, typeface, construction, paper, logos, etc.

• Centralized and published procedures can help preserve design standards, legality, historical recordkeeping, version control, and provide cross-jurisdictional benefits
How to use data to inform form review and revision
Using data

• Number of web hits on forms to determine which ones to start with
• Case volume data can help determine which forms to review
• Self-help resources can identify forms where self-represented litigants struggle (i.e., forms that need revisions)
• Data (e.g., form use and web hits) can drive which forms are translated into other languages
Best Practice Recommendations
Develop a forms standard and templates

• Templates are especially important to ensure digital accessibility and standardization, branding
• Others who are involved in drafting or revising form (e.g., Self-Help Center staff) will find it helpful to have this kind of guidance
Facilitate plain language trainings

- Everyone in the process should receive this training
- Have it available for all court staff as an on-demand video
- Plain language ties in well with access to justice
Have a clear revision process in place

Develop a SharePoint site, intranet site, or service desk workflow for submissions
Gather detailed information from requestors
• It is important to have allies!
• Build rapport with subject matter experts, legal counsel, committee members, etc.
• Mutual respect goes a long way
Bring helpful parties into the conversation early

- You may need a resource from your court’s business practices unit if there are questions about processes.
- You may need to consult with subject matter experts to better explain a legal concept in a form.
Set a schedule

- Build in timelines for forms that change each year (e.g., federal poverty guidelines and fee waiver forms)
- Set aside time for annual legislative updates and rule changes