Improving Access to the Courts in Missouri to Pro Se Litigants: The Feasibility of a Pro Se Self-Help Center

Pro se litigants are a reality in today’s court climate and a challenge to court efficiency and operations. Courts traditionally have not tailored their services or established programs to assist pro se litigants. This approach has been gradually changing as courts face the growth in the number of pro se litigants utilizing the courts over the past decade. Courts are facing challenges to effectively serve pro se litigants. Courts across the United States are beginning to use new technologies such as the Internet to increase access to courts. It is important for courts to address the challenge of pro se litigants and access to courts. If the courts do not adequately respond to the challenge, the public trust and confidence in the judiciary will suffer.

This paper will examine the growth of pro se litigation and the reasons why individuals may choose to self-represent. The right to access to the courts is constitutionally guaranteed to individuals. The paper will trace an individual’s right to access to the courts and the right to represent oneself as a historical perspective. The Access to Justice standard of the Trial Court Performance Standards and the level of the public’s trust and confidence in the judiciary also play an important role have in guiding the courts in developing programs to assist pro se litigants.
Jurisdictions across the country have taken different approaches in providing services and programs to pro se litigants. The programs fall into three general categories: forms, self-help centers and facilitators.

Based upon the successes in other jurisdictions, the paper concludes with a recommendation for Missouri to develop a comprehensive Web-based, self-help center and a project plan for a pilot project in Boone County Missouri. The self-help center should incorporate the use of forms and instructions, information about legal issues and links to other relevant legal sites on the Internet in addition to the establishment of pro bono clinics in conjunction with the Missouri Bar.

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