Future Trends in State Courts 2011

William C. Vickrey
Administrative Director of the Courts, California Administrative Office of the Courts

Nicole Claro-Quinn
Senior Court Services Analyst, California Administrative Office of the Courts

Martha Wright
Senior Court Services Analyst, California Administrative Office of the Courts

The California JusticeCorps Program is a unique partnership between trial courts and academic institutions that leverages national service initiatives, such as AmeriCorps, to expand court resources, improve service to self-represented litigants, and provide a unique learning opportunity for future legal professionals.

More than 4 million people come to court each year in California without an attorney to represent them, typically because they cannot afford one. Navigating a court system is no simple task. Legal matters involving family, housing, and financial stability usually require multiple steps to reach full resolution, including filling out several pages of forms, serving official notice on other parties, participating in mediation, and sometimes appearing in the courtroom before a judge or a commissioner. In a trend that can reasonably be attributed to the current economic downturn and the strain it is placing on household incomes, local courts are reporting that self-represented litigants’ legal matters are also growing in complexity. As evidence of this, more people are being seen in our court-based self-help centers with legal matters that involve property division, including partition of homes, businesses, pension plans, and stock options.1

In addition to the legal complexities they face, emotions and anxieties run high among litigants going through difficult personal situations, making the court environment even more stressful and intimidating. Add language barriers or limited education to the mix, and the challenges only intensify. These challenging dynamics place additional burdens on cash-strapped courts trying to meet increased public needs with fewer resources. As California’s trial courts have struggled to cope during a multiyear period of fiscal austerity, creative solutions to process these often unexpectedly complex cases have become imperative. One such creative response is the JusticeCorps Program.

In 2004, as self-help legal-access centers in courts across California were actively expanding their services and establishing themselves as a resource to the community, the resultant long lines of those in need grew markedly. In response, the JusticeCorps Program began in that year with the support of an AmeriCorps grant. AmeriCorps is a national service initiative administered by the federal Corporation for National and Community Service (CNCS). It was created in the 1990s under the Clinton administration and designed to address specific pressing community problems by providing direct service to people in need. AmeriCorps is often referred to as a domestic Peace Corps. The AmeriCorps structure forms the foundation of the JusticeCorps Program’s design. JusticeCorps is one of the only national service programs focused on providing legal assistance in a court-based setting.

Typically, AmeriCorps programs are coordinated and hosted by grass-roots community-based organizations, such as child-abuse-prevention programs, homeless-support-services providers, and youth-mentoring organizations. For a government agency to act as a service site is unusual. But given that the issues handled every day in the California courts’ self-help centers are vital to maintaining healthy families and strong communities, and that the nature of the work is so hands on, it was clear the service had the potential to be anything but bureaucratic.

During the program’s development, the AOC and its partner courts looked to a growing source of assistance in meeting these needs—our local public universities—to create a trial court/public university AmeriCorps partnership: the California JusticeCorps Program. JusticeCorps members are undergraduates recruited from local public universities to serve in our courts’ self-help legal-
access centers by providing assistance to self-represented litigants in navigating the court system to resolve their civil legal matters. Specifically, JusticeCorps members provide three key types of service: (1) offering litigants information about options and referrals to appropriate services within or outside the courts; (2) assisting with identifying and completing legal forms and procedures, individually or in workshops; and (3) observing in the courtroom and providing litigants with information after courtroom sessions. The students are enrolled at the partner universities, are not attorneys, and have a variety of majors (including pre-law.) All assistance provided by JusticeCorps members is under the supervision of staff at the self-help centers where members serve.

Increasing Court Access and Efficiency

A creative partnership between the California Administrative Office of the Courts and local courts in nine counties (three new locations were added in 2010), JusticeCorps aligns closely with the Judicial Council of California’s strategic goal of equal access. The benefits of the program to the California courts are manifold. JusticeCorps has increased the capacity of the self-help centers to serve more self-represented litigants more thoroughly. The program allows self-help center attorneys the luxury of having time to strategize and to focus their skills on the most critical needs. One JusticeCorps site supervisor (an attorney who oversees JusticeCorps members) explained that from her perspective the assistance of JusticeCorps members turned her into a much more effective multitasker, “an octopus with eight arms,” as she put it. Data collected through internal progress reporting and a formal outside evaluation quantifies the program’s impact. In 2009, JusticeCorps members served more than 47,000 hours in six counties. They assisted 60,000 litigants, provided 24,942 appropriate referrals, and helped to complete 38,900 legal forms. This work meant that paperwork filed with the clerk’s office was accurate, thus eliminating delays or repeat trips to court for the parties because of procedural problems or errors on forms.

In addition, several site supervisors and administrators described how having the JusticeCorps program has contributed to a positive work environment in their court. JusticeCorps members are visible due to the blue JusticeCorps shirts they are required to wear, and judges and attorneys often go out of their way to encourage and interact with them. At one court, court clerks were given the responsibility of orienting and providing some initial training to new JusticeCorps members, which one administrator noted has led to increased professionalism among their own clerks. Administrators also described the positive energy present with each new cohort of young, intelligent, and enthusiastic workers. As one court administrator put it, “[T]here’s an energy that these kids bring that they have that really is infectious—this is not a happy place most of the time—and that energy and that enthusiasm and that spirit really sort of infuses itself into the people who work here.”

Two years into the program, a clerk who sees self-represented litigants every day noted what a difference the program has made in how litigants may perceive the entire court atmosphere: “[T]he first thing I notice right away, especially on Friday, was how calm it was. Before JusticeCorps, I used to feel sorry for all the people that worked in the [the center] especially on Friday afternoons, [the customers have] been sitting here all afternoon. They’re waiting to be seen and they can’t be seen, so they’re hostile. . . . That has dissipated. It just went away.”

The added value of the work being produced by the self-help center with the assistance of JusticeCorps volunteers was supported by judicial officers who noticed improvements in the quality of both the hearings and the final orders being issued. One judge remarked that “the product that the public went out with was so much better. . . . They actually were getting
a quality judgment that they could rely on and they were walking out of here the way people who could afford representation could walk out of here. And what a joy that is to be able to give them something they could rely on.”

Another bench officer commented, “[W]hen you see somebody who had been through the self-help center, it makes a very different hearing, it makes a very different default process. It’s all different because the work is better.”

**Quantifiable Impacts**

An independent evaluation conducted in 2009 confirmed the benefits to litigants that previously had only been demonstrated anecdotally. Surveys and focus group research showed that 68 percent of assistance provided by JusticeCorps members was provided in a language other than English. This multilingual service was made possible by the program’s successful recruitment of diverse student volunteers. The California State University (CSU) system—with 23 campuses, 8 of which currently participate in the JusticeCorps Program—has a student body made up of 65 percent minority ethnicities. The overall student body of the 10-campus University of California (UC) system, 4 of which are JusticeCorps partners, is composed of 67 percent minority ethnicities. On average, each year’s class of JusticeCorps members speaks 24 different languages either fluently or conversationally. These students linguistically and culturally represent the people they serve in our courts. Evaluators reported that they witnessed litigants who came back to court a second time asking for the particular JusticeCorps member who assisted them earlier because they felt comfortable with that person. Overall, the evaluation showed that that litigants were “extremely satisfied” with the help they received and felt “less stress and uncertainty” as they navigated the court system. A full 97 percent of litigants surveyed reported feeling better prepared to proceed with their case as a result of JusticeCorps members’ assistance.

Equally gratifying is the program’s benefit for the students who participate. To date, the program has nearly 1,000 alumni. Of those who responded to surveys about what they are doing after JusticeCorps, 77 percent indicated they have either applied for, are attending, or have completed law school. According to one program alum now attending Yale Law School, “Serving in the courts showed me that the law was not some abstract concept but a living, breathing system that impacts people every day. I have knowledge few of my peers share.” An alum now attending Loyola Law School said, “Whenever I feel overwhelmed in law school I just remember the people who I want to be able to help, the people who I have seen struggle. That is honestly what keeps me motivated to move forward.” Of those program alumni not choosing law school, most pursued other graduate-school opportunities, received prestigious fellowships, or started careers as social workers or in court administration.

**Leveraging the National Service Program Model**

Three key requirements of national service efforts under AmeriCorps are that people working in their communities be (1) well trained, (2) well supervised, and (3) well recognized for their contributions. With regard to training, as an AmeriCorps program JusticeCorps requires its members to perform 300 hours of service to the program; up to one-third of this service time is devoted to training and preparation. Indeed, after participating at the beginning of the academic year in a comprehensive, weekend-long orientation organized by the local court with support from the AOC, JusticeCorps members head to their respective self-help centers for small-group, on-the-job training in the specific areas of law covered at their centers (family, small claims, unlawful-detainer or eviction matters, guardianship, domestic violence, etc.). The initial training helps introduce members to the larger mission of the self-help centers and the importance of access to justice. The smaller, on-site training offers a more practical approach to procedures for specific case types. To round out the members’ skills, additional training is provided throughout the year—led by court staff, legal-aid professionals, university faculty, and nonprofit service providers—covering legal ethics, professionalism, time management, cultural sensitivity, disability awareness, and other related topics. With support from local court leadership, the staff compiled an impressive portfolio of...
Courts and Universities Partner to Improve Access to Justice for All Californians

Along with the training regimen that prepares JusticeCorps members for their service in the courts, their work is always supervised by designated court staff. Proper supervision is necessary not only to protect the court from any inappropriate interaction with litigants and to ensure that the work product is accurate, but also to ensure that, per key AmeriCorps requirements, the members feel supported in their efforts. Year after year, participating members report back that they were nervous, anxious, and unsure during the first few weeks of service. Feedback provided shows that the more readily available their supervisor’s assistance, the more the JusticeCorps members learned, the more skilled they became at providing information to litigants, and the more likely they were to complete their full 300-hour commitment.

In terms of the third key requirement, recognition, like all AmeriCorps national service initiatives, JusticeCorps members who complete the required 300 hours training resources used each year to ensure the quality of justice provided to the public while broadening the members’ skills.

Maximizing these three key AmeriCorps program elements has strengthened JusticeCorps and taken it far beyond the typical volunteer or internship program. But it is the steady supply of enthusiastic, capable, committed recruits that is perhaps the program’s biggest asset, one that can provide dividends to the courts by familiarizing young people with the work of the courts beyond the courtroom. JusticeCorps members attending the partner universities come to the program with a deep desire to learn and for that learning to be relevant. Beyond classroom time, community service has become an increasing part of the academic experience at both the CSU and the UC campuses. Across the CSU system nearly 65,000 service opportunities are offered to students each year; at the UCs, 58 percent of students report they have participated in community service in the last academic year. This focus on service is prevalent nationwide. These campuses have had a longstanding commitment to serve the economic, public-policy, and social needs of our state. But until JusticeCorps, the courts in California had not leveraged that commitment. With the JusticeCorps program, the courts have a direct connection to a diverse, enthusiastic, and focused group of future leaders.

The value of the judicial branch’s partnership with local universities, as showcased through the JusticeCorps experience, cannot be overstated, whether viewed from the perspective of the court, the litigant, or the students participating. Highlighted
as one of the most innovative AmeriCorps programs in the United States (America’s Service Commissions and Innovations in Civic Participation, 2010), the California JusticeCorps Program has also brought something of value to the national-service arena: long-overdue attention to the pressing community need for civil legal assistance. As the California Administrative Office of the Courts continues to expand the program to new locations in the state and beyond, we look forward to furthering the conversation about how courts and universities can form additional partnerships to meet critical needs and enhance access to justice.

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- Court Administrator

ENDNOTES

1 California court self-help centers are staffed by attorneys and other qualified personnel who provide information and education to self-represented litigants in primarily family, unlawful-detainer, and small-claims areas of law. Effective January 1, 2008, the Judicial Council of California adopted a rule of court, which provides that court-based self-help centers are a core function of the California courts (Cal. Rules of Court, rule 10.960(b), 2008).

2 Nearly 40 percent of Californians speak a language other than English at home (quickfacts.census.gov/qfd/states/06000.htm). According to the California Administrative Office of the Courts Web site, more than 200 languages are spoken in California (www.courts.info.ca.gov/programs/courtinterpreters/becoming-faq.htm#demand).

3 See CSU Enrollment by Ethnic Group, Fall 2009 Profile (www.calstate.edu/as/stat_reports/2009-2010/feth01.htm), and The University of California Undergraduate Experience Survey (www.universityofcalifornia.edu/studentsurvey/charts/demographics.html).


5 Campus Compact, for example, is a national coalition of more than 1,100 campuses committed to fulfilling the civic purposes of higher education.

RESOURCES


AmeriCorps Web site.
www.americorps.gov

Campus Compact Web site.
www.compact.org

Innovations in Civic Participation Web site.
www.icicp.org/ht/a/GetDocumentAction/i/12506

JusticeCorps Web site.
www.courts.ca.gov/programs-justicecorps.htm
FUTURE TRENDS IN STATE COURTS 2011
Special Focus on Access to Justice

ISBN: 0-89656-279-4