

The Path to Uniform Forms

Equal Justice Conference

May 2009

Orlando Florida

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Outline

- Why Uniform Forms?
- How to start
- Where can/should you advocate for uniform forms
- What are the fundamentals of good forms
- How do you get people to use the forms once they are created and approved—buy in for use, acceptance by other groups and courts
- Moving beyond paper forms/self help/automated forms/assisted self help
- BREAK OUT INTO 2/3 GROUPS: Starting, Statewide, Advanced
- Conclusion, wrap up

Forms and Plain English

The Core Idea

- Forms and information are the gateway to the courtroom – no form equals no day in court
- Forms and information written in legalese are intimidating and confusing for the Self-Represented Litigant, and the result is wasted time, frustrated staff, and a denial of access
- Simple low-cost techniques can make forms and information easy to use, with dramatic improvements in court functioning and access

The Particular Value of a Forms Program

- Without a forms program other innovations are impossible
- Key to Self-Help Services, Unbundling, Pro Bono, Judicial Education
- Should be considered whenever access is an issue or SRLs are seen as wasting court time

Plain Language Reduces Confusion

Users –

- ☺ Understand more quickly
- ☺ Won't need to spend time asking for explanations
- ☺ Make fewer errors filling out forms
- ☺ Feel that the process is more fair, less out-of-reach.

You –

- ☺ Answer fewer phone calls
- ☺ Write fewer explanatory letters or emails
- ☺ Help more people
- ☺ Give help that the user can actually use.

Impact on Efficiency

- ☺ Answer fewer phone calls
- ☺ Write fewer explanatory letters or emails
- ☺ Help more people
- ☺ Give help that the user can actually use
- ☺ Fewer trips to the window
- ☺ Fewer court hearings that are continued
- ☺ Focus litigants on required elements of claims
- ☺ Judicial staff can quickly find the information for which they are looking

Impact on Effectiveness

- Good forms educate litigants about the law and help them better present their cases
- Good forms better inform other parties of claims and issues
- Good forms give the court good information on which to make decisions
- Decisions and orders will be more specific, thus easier to comply with and to enforce

Impact on Staff and Leadership

- Good forms mean much less wasted time answering questions, reviewing forms, rescheduling hearings, etc.
- Good forms mean staff are able to focus on core of job.
- Good forms means a more transparent court system

Bottoms – Up

A grass roots effort, starting locally in
a decentralized state

Travis County's Self-Help Center



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Self Help Center

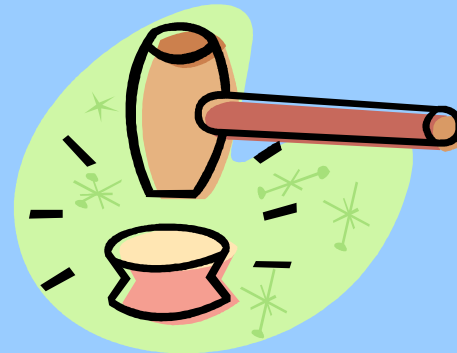
- Unrepresented Litigants
- Uncontested
- Family Law

Yesterday (Seven years ago)

- Two page Divorce Decree
 - Too simple



- Texas Family Practice Manual
 - Too complex



A (Texas) Revolution

Create forms that were:

- Thorough
- Simple
 - Understand without having a law license
 - Check Boxes, Fill in the Blanks



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With a little help from my friends

- Library Patrons
- Pro se Committee
- Family Court Judges
- Travis County District Court Judges
 - Local distribution at our courthouse
- Partnership for Legal Access Committee
 - www.TexasLawHelp.org
 - State-wide use



What Forms do we need?

- What is needed most?
- How difficult will it be to get approval?
- Start with simple, non-political things
- Learn how to work through the process successfully
- Then, move forward to more sensitive projects

The Process

- Draft
- Edit
- Approve
- Publish
- Update

Getting Better

Plain Language

- Clear Instructions
- Short sentences
- Word choice



Design /Layout

- White Space
- Font (Ariel)
- Graphic elements
- Design for SRL (not court)
- Style Sheet (for consistency)

(old) “Possession” Schedule

1. **Parents Who Reside 100 Miles or Less Apart**

Co-parent Possession. Unless this Standard Possession Order says differently, when Co-parent resides 100 miles or less from the primary residence of the child, ***Co-parent*** shall have the right to possession of the child as follows:

Weekends. On the first, third, and fifth Friday of each month. This possession begins and ends at the times specified in the General Terms and Conditions of this Standard Possession Order.

Thursdays. On Thursday of each week during the regular school term. This possession begins and ends at the times specified in the General Terms and Conditions of this Standard Possession Order.

(new) Visitation Schedule

Co-Parent's Local Schedule <i>(When parents live within 100 miles of each other)</i>		Starts <i>(check one)</i>	Ends <i>(check one)</i>	Pick up	Return
Weekends	1 st , 3 rd , and 5 th weekend of each month A Weekend starts Friday and ends Sunday.	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent
Mid-Week Visit	Thursday of each school week	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> 8 pm <input type="checkbox"/> School on Friday	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent

(old) Summer “Possession”

- **Extended Summer Possession by Co-parent.**
- a. **With Written Notice by April 1.** If Co-parent gives Home Parent written notice by April 1 of a year specifying an extended period or periods of summer possession for that year, Co-parent shall have possession of the child for thirty days beginning no earlier than the day after the child’s school is dismissed for the summer vacation and ending no later than seven days before school resumes at the end of the summer vacation in that year, to be exercised in no more than two separate periods of at least seven consecutive days each, as specified in the written notice. These periods of possession shall begin and end at 6:00 p.m. [Co-parent can choose 30 days of visitation, if he or she gives written notice to Home Parent of these dates by April 1st. These days can not begin before summer vacation and must end at least one week before school starts. This visitation has to be at least one week long, and cannot be broken into more than two separate visits. This visitation begins and ends at 6 p.m.]

(new) “Summer Visitation”

<p>Standard Summer</p>	<p>July 1st - July 31st</p>	<input type="checkbox"/> 6pm <input type="checkbox"/> _____ am/pm	<input type="checkbox"/> 6pm <input type="checkbox"/> _____ am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent t	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent t
<p>Different Summer</p> <p>Co-Parent must notify Home Parent by April 1st .</p>	<p>Co-Parent may choose a different summer schedule.</p> <p>The schedule must be:</p> <ul style="list-style-type: none"> ● 1 or 2 blocks of time ● at least 1 week long ● not the last week of summer break. 	<input type="checkbox"/> 6pm <input type="checkbox"/> _____ am/pm	<input type="checkbox"/> 6pm <input type="checkbox"/> _____ am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent t	<input type="checkbox"/> Co-Parent <input type="checkbox"/> HomeParent t

Co-Parent's Local Schedule <i>(When parents live within 100 miles of each other)</i>		Starts <i>(check one)</i>	Ends <i>(check one)</i>	Responsibility for Pick up	Responsibility for Return
Weekends	1 st , 3 rd , and 5 th weekend of each month A Weekend starts Friday and ends Sunday.	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Mid-Week Visit	Thursday of each school week	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> 8 pm <input type="checkbox"/> School on Friday	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Thanksgiving Odd-Numbered Years	Starts Wednesday before Thanksgiving and ends on Sunday.	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> 6 pm <input type="checkbox"/> School on Monday	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Christmas Break Even-Numbered Years	Starts the last day of school before Christmas break and ends December 28 th .	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Noon <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Christmas Break Odd-Numbered Years	Starts at noon December 28 th and ends the last day of Christmas break.	<input type="checkbox"/> Noon <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> 6 pm <input type="checkbox"/> Next school day <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Spring Break Even-Numbered Years	Starts the last day of school before Spring break and ends the day before school starts again.	<input type="checkbox"/> After school <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> 6 pm <input type="checkbox"/> Next school day <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Standard Summer	July 1 st – July 31 st	<input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent
Different Summer Co-Parent must notify Home Parent, postmarked by April 1.	Co-parent may choose a different 30-day summer schedule. The schedule must be: Only 1 or 2 blocks of time, each at least 1 week long, and not during the last week of the summer break	<input type="checkbox"/> Noon <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Noon <input type="checkbox"/> 6 pm <input type="checkbox"/> ___am/pm	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent	<input type="checkbox"/> Co-Parent <input type="checkbox"/> Home Parent

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Evaluating Forms

- Feedback on websites
- User Testing
- Impact on Courts
- Impact on litigants
- Surveys



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Overcoming Obstacles

- The level of resistance will vary by region, local effect
- The process will take time
- Key to build partnerships inside and outside of court
- **Don't give up**

Resistance to Forms

- Bad experience (Australian example)
- Open the flood gates to court
- Doing clients a disservice – oversimplified
- Excess language
- Look different or unprofessional
- Form doesn't meet my needs (party/judge)
- Form orders criticized by appellate court
- Other?

Court is Key

- Court must be willing to accept the forms
- Court must support and promote forms
- Commercially available forms frequently inadequate and it is in the Court's best interest to raise the profile of Court-approved forms
- Example of progress:
 - Petition must allege that the harassment has a substantial adverse effect on the petitioner and that there is an immediate and present danger.
- Petition: How is this affecting you? Do you think the harassment will continue? Why?

Approaches for Inadequate Forms

- Suggest Changes
- Offer to Revise Forms
- Document assembly
- Tutorials
- Instruction Guides
- Foreign language tools
- Commercial forms (warnings?)

Home Insert Page Layout References Mailings Review View Add-Ins

Times New Roman 12

B *I* U abc x₂ x² Aa ab A

*AaBbCcDc***AaBbCcD***AaBbCcI***AaBbCcI****AaBbCcI**

Emphasis

Heading 1

Heading 2

Heading 3

Heading 4

Clipboard

Font

Paragraph

Styles

5. I am seeking expungement because (Include whether expungement is sought for employment or licensure purposes, the statutory or other legal authority under which expungement is sought, and state in detail and with specifics why expungement should be granted. Attach additional pages if necessary.): _____

You must prove to the court how it would benefit you to have the cases sealed. If you have been denied jobs, housing or a license, write down the details and how this has affected you and your family.

6. My criminal record including all charges, convictions, stays of adjudication or imposition of sentence and pending actions for misdemeanors, gross misdemeanors or felonies in this state, another state, federal court, or a foreign country, whether the conviction occurred before or after the offense for which expungement is sought, consists of:

Case#	County-State	Type of Charge	Date of Offense	Conviction (Y/N)	Date (If Yes)
27-CR-00-012345	<u>Henn</u> – MN	Theft	02/03/2000	Y	09/05/2000
27-CR-01-023456	<u>Henn</u> – MN	Disorderly Conduct	03/04/2001	N	03/10/2001
62-K4-02-034567	<u>Ramsey</u> – MN	Drive After Susp.	06/15/02	Y	10/25/2002

List ALL of the cases on your record, including traffic cases and cases from other counties and states.

How to Fill Out Criminal Expungement Papers

Chapter 4: Finishing the Petition

- I was convicted but I have rehabilitated myself. The benefit to me outweighs the disadvantage to the public and the burden on the court (use Order Sealing Record/Conviction).

10. The details of the offense I want to expunge are: Case # _____ Jurisdiction/City where the offense occurred: _____ Type of Offense: _____ Date of Offense: _____

This was a conviction or a dismissal. Date of conviction or dismissal: _____

11. The names of the victims in this case are: _____
_____. Or, there were no identifiable victims.

12. There is is not a current or prior order for protection, restraining order or other no-contact order prohibiting me from contacting the victims (attach copies of any orders to petition).

Chapter Menu

back

replay

next

What can you do with uniform forms?

- Make them plain language
- Translate them
- Automate them in any language
- Get them accepted across courts/states
- Make them available on line
- Allow the users email the answers to their support network
- Use the initial form to create new forms, avoiding double typing captions and repeat fields

I-CAN! Minnesota

Click here to see the
Oprima aqui para ver

[Home\(Somali\)](#)

[Tutorial\(Somali\)](#)

[Disclaimer\(Somali\)](#)

[Create User\(Somali\)](#)

[Login\(Somali\)](#)

Ma waxaad bilaabaysaa furitaan?

- Haa
 Maya

[« Back
\(Somali\)](#)

[Riix halkaan si aad si dhaqso ah u heshid warqada xaqiiqda \(Fact Worksheet\)](#)

Isticmaal warqada xaqiiqda ee deg-degta ah (Facts Worksheet) si aad u heshid aqbaarta aad u baahan tahay oo dhan, waxaad u baahan tahay foomamka ee I-CAN ka, hadii aad heysid aqbaarta lagaa rabo oo dhan waxaad ku dhameyn kartaa suaalaha 1-2 saacadood gudaheeda, hadii aad oo dhan waad isga bixi kartaa adiga oo keydinaya, markaad rabtidna waad ku soo laaban kartaa adiga oo isticmaalaya ereyga furaha kuu ah Kambuyuutarkaaga waad ku keydsan kartaa warqada xaqiiqda deg-dega ah (Fact Worksheet) ee kambuyuutarkaaga adiga oo riixaya "save a copy" (Icon) masawirka meeshaan oo ah waxa layiraahdo Toolbar oo ku yaala meesha ka koreysa warqadaaha ee iskiriinka ka horeeya inta aadan soo g

Hadii aad rabtid inaad aqrisid wax ku saabsan furitaan gobolka Minnesota, waxaad ka heli kartaa to www.mncourts.gov/selfhelp. websidkan badan.

- Furitaan
- Waqtiga waalid-ahaanta iyo haynta ilmaha
- Masruufka ama Taageerada ilmaha
- Maalka



Do you live in a rent stabilized apartment?

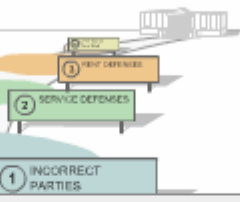
Yes No Don't Know



Play

How do I tell if my apartment is "rent stabilized?"

Learn More



IS THIS PROGRAM FOR YOU?



I-CAN! Minnesota

Oprima aquí para ver
Soomaali

Home

Tutorial

Disclaimer

Create User

Login

Select the language you want to use/Seleccione la lengua que usted desea utilizar/Guji barta "Soomaali" si aad u sii wadid.

- English
- Español
- Soomaali

« Back

Welcome to I-CAN!™

I-CAN!™ is a free online application that will fill out court forms for you by asking you simple questions and putting your answers on the form. It will also print instructions to tell you what to do with your forms, and how the court process works.

You can use I-CAN!™ in English, Spanish or Somali. If you want to change the language to Spanish or Somali, click the appropriate link at the top.

Select the language you want to use and click "Next" to begin.

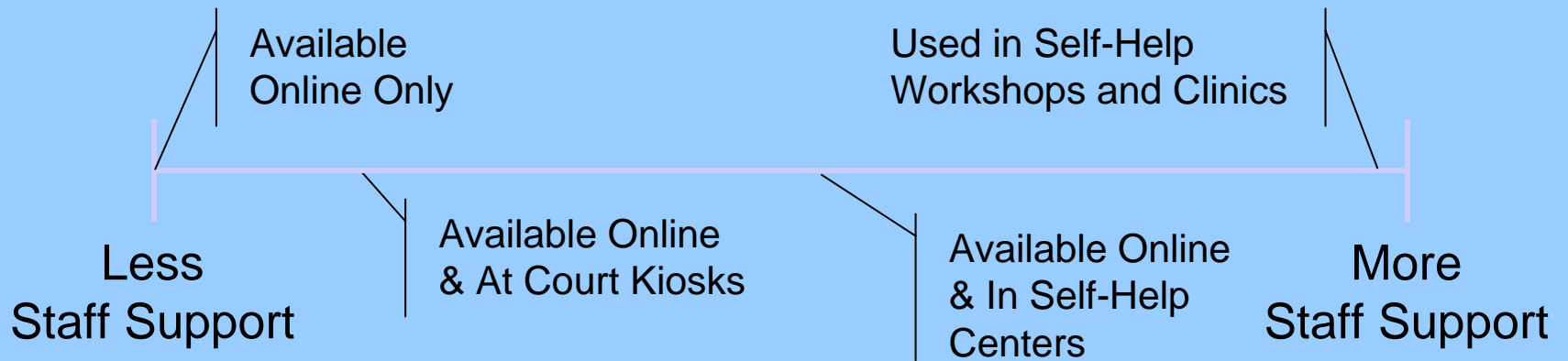
Document Assembly

- NPADO is used by many courts, including
 - Idaho
 - California
 - New York
 - Montana
 - Minnesota
- Courts use NPADO to support website visitors and self-help centers customers.

Local Examples of automation

- Kentucky: no uniform forms at the beginning, forms automated first, then became accepted across the state, then opened a self help center
- California: started with uniform forms, automating them county by county in select areas of law (family guardianship)
- Ontario: using forms for pro bono advocates and now moving to online forms

How Do Courts Use Document Assembly?



How Does It Work?

Montana Power of Attorney for Property

1: Successor agent

First Name
Geraldine

Middle Name or Initial

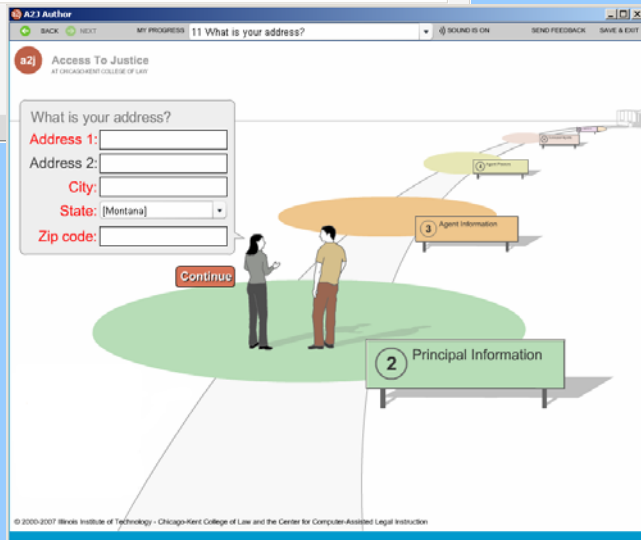
Last Name
Werner

Mailing Address
105 Main Street

City
Neenah



State
Wisconsin

Zip code
59465



Variable	Answer	Type
2 Agent zip NU	21,207	Number
Appoint a conservator TF	true	True/False
Banking transactions TF	true	True/False
Borrowing transaction p...	allow	Multiple Choice
Business operating tran...	false	True/False
Business operation pow...	allow	Multiple Choice
Claims and litigation pow...	allow	Multiple Choice
Claims and litigation TF	true	True/False
Commodity and option t...	allow	Multiple Choice
Commodity and option t...	false	True/False
Compensation option TF	false	True/False
Delegation option TF	false	True/False
Effective date option TF	false	True/False
Effective if disabled or c...	true	True/False
Effective time MC	unable to make decisions	Multiple Choice
Estate and trust transac...	false	True/False

HotDocs

 **Dissolution Workshop 1 (Petitioners With Children) (LA v.030309)**  **Help**

More Questions About You

Your First Name: Your Middle Name: Your Last Name:

Gender:

Woman
 Man

Do you have an alternative name (an AKA)?

Yes
 No

Do you want a divorce or a legal separation?

I don't really know what the difference between a divorce and legal separation
 Divorce
 Legal Separation

Click the NEXT button to continue.

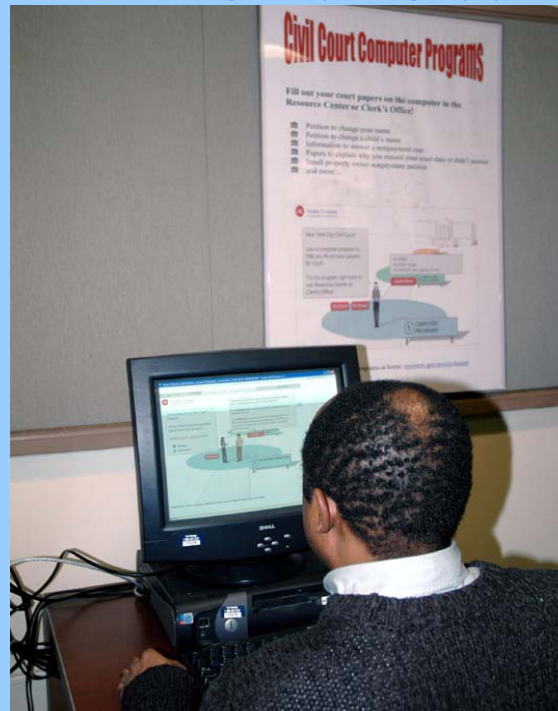
Superior Court of Los Angeles
Dissolution Workshop Interview

A2J Author



Idaho Supreme Court Name Change Interview

Court User Completing an A2J Interview



New York City Civil
Court
Landlord-Tenant
Interview

Go to NPADO

- Where they have already set up an account w/passwo

Automated Documents Online
FOR NONPROFIT LEGAL SERVICES

This free web site helps low-income people and their advocates fill out legal documents. [Learn more](#)



You have chosen the following form:
Civil Harassment (Petitioners) (LA v.030309)
v.030309
For use in California

First time user? Register for free <ul style="list-style-type: none">Save your work securely and privatelyUse your saved answers to fill out additional forms <p>Register</p>	Go directly to the form <ul style="list-style-type: none">You don't need to log inYou'll be able to fill out forms and print them, but not save your answers <p>Go to Form</p>	Been here before? <p>Username <input type="text"/></p> <p>Password <input type="password"/> lost password?</p> <p><input type="checkbox"/> Remember me</p> <p>I accept Terms</p> <p>Login</p>
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When you have completed your form, please log out by clicking "log out" in the upper corner of the screen or close *all* browser windows on your computer.

E-mail Answer Files With NPADO

CA is experimenting with emailing pdf files to pro bono lawyers outside the court, for review before filing.

Server allows for emails to someone else, other than the person doing the interview.

Answer files can be shared with other users