

Court Assistance Services

Idaho Receives National Award for Innovations Improving Access to Courts and the Delivery of Court Services

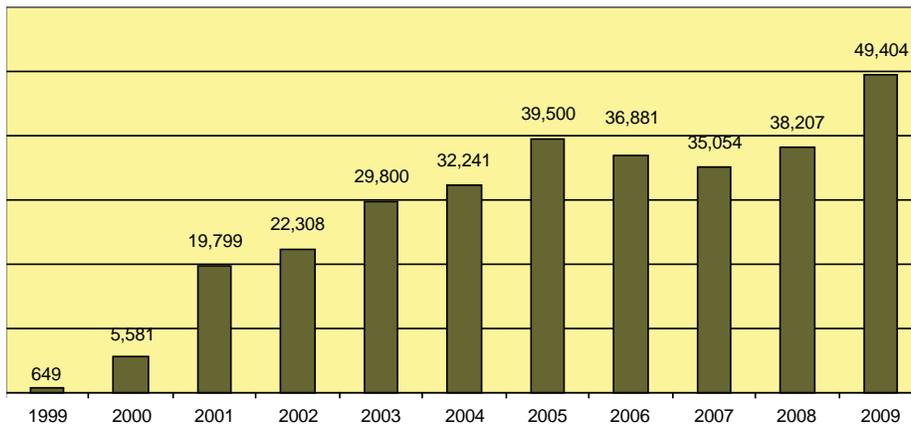
The Idaho Supreme Court was selected by the Justice Management Institute (JMI) as the recipient of the 2009 Award for Justice System Innovation and Improvement. In noting the challenges Idaho faces as a predominantly rural state, JMI President Dr. Barry Mahoney said "The Idaho Supreme Court has led the way in meeting this challenge in Idaho, and in doing so has provided a model—or set of models—for state court systems throughout the nation."

Two of the areas of leadership noted by Dr. Mahoney were the development of court assistance services for self-represented parties, and the use of technology to enhance the outreach of those and other court services throughout Idaho.

Demand for Court Assistance Services Increases Sharply: Almost 50,000 Served

In fulfilling the mandate of Idaho Code § 32-1402(5) to provide help to parties without legal representation to ensure meaningful access to the courts to all Idahoans, court assistance officers responded to 49,404 requests for assistance in FY2009. This represents an increase of 29% over the 38,207 requests in FY2008. The sharp increase in family related cases outlined below coincided with the early months of the economic recession, suggesting that more Idahoans are now having to consider representing themselves in court without the benefit of an attorney. Nearly 83% of those requesting help have an income of less than \$40,000 and 55% are at 125% of the federal poverty guidelines.

Idahoans Served by Court Assistance Offices



Note: these figures do not include persons using the Court Assistance Web site or Interactive Court Forms

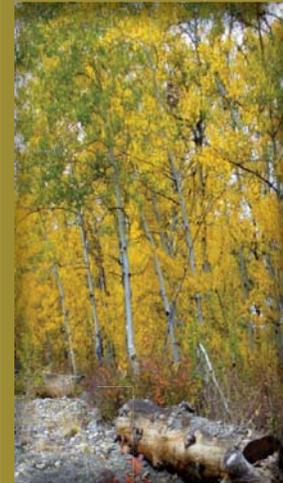
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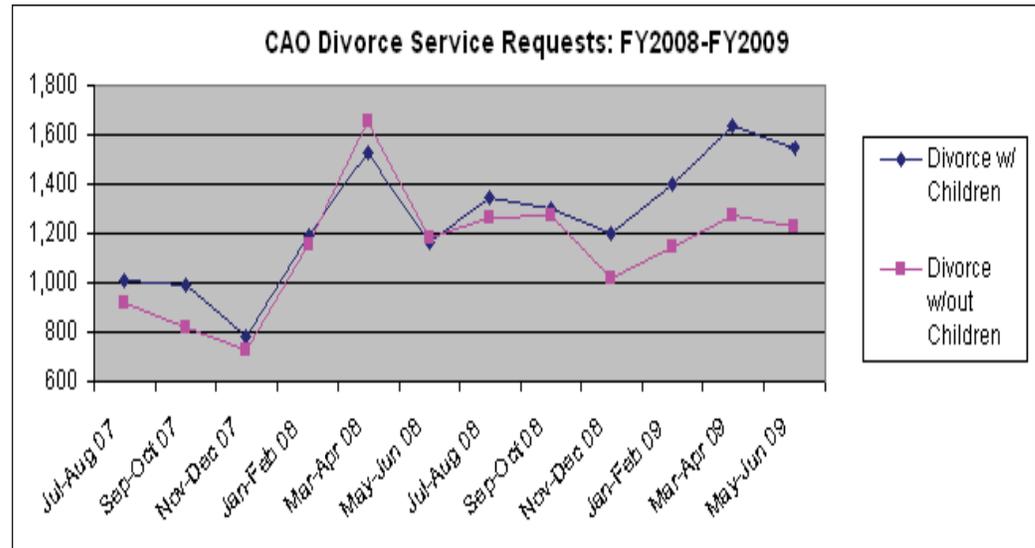
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*Report to
Governor
C.L. "Butch" Otter
and the
2nd Regular Session
of the
60th Idaho Legislature*

Court Assistance Services

While a wide range of information about the courts and different types of court proceedings is available through Court Assistance Offices, the greatest need for help continues to be in family related cases. From FY2008 to FY2009, the total requests for help in family law cases increased by 22%. At the beginning of 2008, requests for assistance in divorces with children almost doubled in a four month period before leveling out.



Use of Interactive Court Forms Remains High

As the result of a highly successful technology grant, the use of Idaho's Interactive Court Forms, created through a joint effort of the Courts and Idaho Legal Aid, remains high. There are now 32 guided interviews available to help individuals select and complete all of the required forms for several different types of



proceedings where the level of self-representation is high. During the preceding year 1,576 individuals actually created and filed 2,331 of the 16 most frequently used forms, which indicates interactive court forms are proving to be a useful

tool in expanding the outreach of court assistance services beyond the courthouse to all counties of the state.

Coordination of Family Court and Court Assistance Services Strengthened

With the increased number of self-represented parties in family law cases, the need for coordination between Family Court and Court Assistance Services has become essential. The offices work together to ensure help is provided to self-represented parties on court forms, calculation of child support, and the development of parenting plans for children. In some jurisdictions, this assistance is provided in coordination with parent education classes. This coordination of services makes parents better informed and prepared for court, which also improves the processing of cases by the court and minimizes the level of frustration which can occur when requirements and procedures are not followed correctly. Family Court staff report that parents develop longer-lasting agreements because the parenting plans developed at the classes are based on a deeper level of understanding regarding the needs of their children.

Canyon County recently started a coordinated program with weekly classes specifically designed for self-represented parties. With the rate of self-representation as high as 60% in divorce filings, the classes have received the support of the Canyon County judges who report participants attending the classes are better prepared and have fewer problems with required forms and paperwork needed to finalize their cases. A survey of all parents who have attended the class shows that over 95% report very positive feedback about their experience.

Four Judicial Districts Now Have Attorney Court Assistance Officers

One of the long-standing goals for providing Idahoans with superior court assistance services is to have an attorney court assistance officer in every judicial district. This is especially important in those districts where one court assistance officer provides services throughout the entire district. With a greater background in the law, attorney court assistance officers are better able to identify the needs of the individuals seeking assistance and provide a wider range of legal information and possible solutions. An attorney can also serve as a resource for other non-attorney court assistance officers and deputy court clerks throughout the district who encounter difficult questions or need help determining the type of assistance and resources that are best provided in more complicated situations.

Currently, four judicial districts have an attorney court assistance officer. In two of those districts, one court assistance officer provides services to the entire district. As funding permits, the program plans to increase and improve court assistance services to Idahoans.

Court Assistance Services



New Workshops Planned for Payette and Washington Counties

With support and assistance from Court Assistance Services, the Idaho Volunteer Lawyers Program (IVLP) of the Idaho State Bar has developed workshops to help individuals filing for divorce who cannot afford an attorney. These workshops utilize volunteer attorneys and paralegals who make sure self-represented individuals are using correct court-approved forms, and that they are filling them out completely and properly. This improves the efficiency of the court and reduces frustration for individuals. Workshop participants also receive assistance in calculating child support and instruction on filing and service requirements. Currently, IVLP workshops are available in Ada and Canyon Counties. Court Assistance and Family Court staff in the 3rd Judicial District are working with IVLP to provide similar workshops that will serve residents of Payette and Washington Counties.

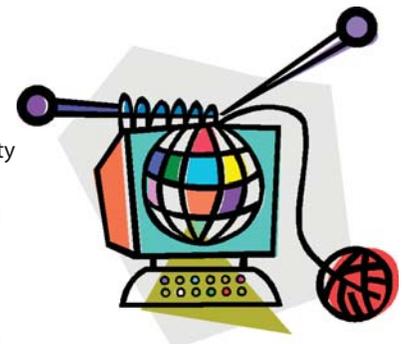
Pilot Project to Improve Services to Rural Counties Begins

A goal in Idaho's plan to enhance the capacity of rural courts is to extend the outreach of court assistance services to rural counties through the use of technology. In March of 2009, the Court Assistance Rural Courts Technology Enhancement Pilot Project began in the 7th Judicial District. The 7th Judicial District was chosen because that district is comprised of ten counties, several of which are among the least populated counties in Idaho. This district also faces the greatest geographic challenges in providing services to some of its more remote counties.

The attorney court assistance officer for the 7th Judicial District provides and coordinates court assistance services throughout the entire district. Although the court assistance officer provides services on regularly-scheduled visits to every county, much time is taken and costs are incurred in traveling to distant counties to meet with individuals at their local courthouses who need help. Lemhi and Custer Counties were selected as pilot sites where individuals can now meet with the court assistance officer using a low cost video conferencing service. Forms can be instantly sent to the Court Assistance Office for review through a "FAX to Email" internet service. The goal in using this type of technology is to replicate the type of service a person receives in other counties during a personal visit with a court assistance officer. After one year, the project will be evaluated to determine whether this low-cost solution was effective in improving the delivery of services to rural Idahoans and whether it should be expanded to other rural counties statewide.

Reconstruction of the Court Assistance Self-Help Web Site Underway

Another longstanding goal to improve the outreach and level of court assistance services has been the modernization of the Court Assistance Self-Help Web Site where court-approved forms, instructions, educational brochures, and other useful legal information is available. By replacing outdated software and utilizing new technology, the Supreme Court is helping to ensure that individuals needing assistance will be able to easily access a wider range of information in a variety of different formats. Upon completion of the new Web site, features such as streaming videos and Frequently Asked Question pages, which answer questions about the courts, procedures and forms, will be available in addition to helpful links to other legal resources. Although providing services directly through Court Assistance staff at the courthouse will remain the primary model for delivering services, the use of a modernized Self-Help Web Site will ease the burden on Court Assistance staff and provide services to those unable to access services directly at the courthouse.



Innovation Continues as Hallmark of Court Assistance

As the level of self-representation continues to increase, greater demands for services are being placed on limited Court Assistance staff. With the coordination of court services, the use of technology, and other innovative efforts, Idaho will continue to ensure meaningful access to the courts for its citizens who are unable to obtain the help of an attorney.