

Evaluating the Effectiveness of Services to Self-Represented Litigants

A Report to the
Illinois Equal Justice Foundation

September 17, 2009

Rob Paral and Associates

Research and evaluation for family and community development

Executive Summary

The Illinois Equal Justice Foundation (IEJF) supports the provision of legal services to persons representing themselves in court without an attorney. Grants from IEJF support legal assistance provided via a website accessed through computers located in certain courthouses and libraries in Illinois. The foundation also provides funds to attorneys that give free counsel to individuals in some courts in Cook County. IEJF asked Rob Paral and Associates (RPA) to evaluate the usefulness of the web-based and attorney assistance, and to assess users' satisfaction with these services.

Key Findings in Brief

Web-Based Services

- Many users of the web-based assistance in court houses and libraries have extremely low reading levels and very limited technical ability to move through the legal services website on their own.
- IEJF pays for “navigators” who help the web users access the information. These navigators are essential to the viability of the service.
- Current capacity of navigators is fairly adequate, but increased use of the websites will cause stress on the system; navigators often spend about 45 minutes with each user, and this limits the number of persons they can help.
- In a survey of web users there were 271 responses to questions. The average score for the user-friendliness and satisfaction of the website service was 4.0 of 5.0. This score amounts to the service being “very” user friendly and satisfying.

Attorney Services

- The attorney advice is extremely helpful and on target in terms of being focused on areas of law that have the greatest demand and being provided in a way that meets users' needs.
- Users of the attorney assistance appear to have a higher degree of satisfaction with it than with the web-based assistance.

- Attorney assistance can be limited by high demand; some persons in need are not able to see an attorney on the day they arrive at the courthouse.
- In a survey of the users of attorney assistance there were 255 responses to questions. The average score for the user-friendliness and satisfaction of the attorney service was 4.6 of 5.0. This score amounts to the service being close to “extremely” user friendly and satisfying.

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Background

Pro se litigants – persons who represent themselves in court proceeding without an attorney – are a large and growing feature of the civil court system in Illinois. While there are no statistics on the exact number of pro se litigants, recent news articles describe surging numbers of these cases.^{1 2}

The Illinois Equal Justice Foundation (IEJF) is a 501(c)3 tax-exempt organization that advocates for and distributes the State of Illinois appropriation for civil legal aid. IEJF funds not-for-profit civil legal aid providers in Illinois who serve low-income individuals, and thus has a strong interest in the quality and availability of advice to self-represented litigants who have civil legal problems. Two of the types of legal assistance that IEJF funds are attorney-based assistance and internet-based assistance.

Attorney services funded by IEJF include lawyers that provide free advice to pro se litigants involved with domestic relations and collections. The attorneys are available for persons involved with those courts in the Circuit Court of Cook County at the Daley Center in downtown Chicago.

Internet-based services funded by IEJF take the form of publicly accessible computers located in certain county courthouses and libraries outside of Cook County. The computer terminals provide access to Illinois Legal Aid Online as well as some other legal resources. At these sites, IEJF funds “navigators,” individuals trained in the content and use of Illinois Legal Aid Online website. The navigators help the public use the computer and website, but without providing legal counsel.

IEJF asked Rob Paral and Associates (RPA) to design and conduct an evaluation of its grants that serve the needs of self-represented litigants. RPA is a consulting firm that conducts applied analysis to help organizations understand the populations they serve.

¹ Keilman, John “Recession forces more to act as own lawyer,” *Chicago Tribune* August 5, 2009

² Crimmins, Jerry “Big jump in pro se cases,” *Chicago Daily Law Bulletin*, May 12, 2009

The Evaluation

IEJF asked RPA to provide answers to the following questions:

- whether the information provided by web-based materials is user-friendly;
- whether the materials are relevant to the users' legal matter;
- whether the materials are helpful in understanding the legal problem;
- whether the materials are helpful in solving the legal problem;
- whether the advice provided by licensed attorneys at court-based Advice Desks is easy to follow and helpful in solving the problem; and
- whether users are satisfied by the service.

RPA addressed these questions by surveying 28 pro se litigants using web-based services and direct attorney advice funded by IEJF, and by interviewing navigators and attorneys. Surveys and/or interviews were conducted in Alexander, Cook, Franklin, Massac, McHenry, Pulaski and Winnebago counties in Illinois.

The tables below provide demographic information on the surveyed users of legal services. The interviewees were evenly distributed by age, race/ethnicity and education. Women were a disproportionate 71 percent of respondents.

By design, about half of all interviews were in Cook County because this is the location of the attorney-based services. The remaining surveys were more likely to be in courthouses (McHenry and Winnebago counties) than in the libraries of downstate counties.³

Characteristics of Surveyed Persons (n=28)

| Age | | Gender | | Race/Ethnicity | |
|---------|------|--------|------|-----------------|------|
| | 100% | | 100% | | 100% |
| 18-30 | 14% | Female | 71% | B-NH | 43% |
| 31-40 | 39% | Male | 29% | Hispanic | 29% |
| 41-50 | 29% | | | W-NH | 25% |
| 51 Plus | 18% | | | Native American | 4% |

³ We tried hard to get as many respondents as possible from the downstate libraries but were only able to locate two interviewees. Librarians reported very few web-users per month in some locations like Alexander county. We posted signs offering \$50 per interview in Alexander, Massac and Pulaski counties, but received one response. Librarians also sought to locate persons for us to interview, but were unsuccessful.

Characteristics of Surveyed Persons (n=28)

| Education | | County Location | |
|------------------|------|------------------------|------|
| | 100% | | 100% |
| No HS | 11% | Cook | 54% |
| HS only | 36% | McHenry | 21% |
| HS, some college | 25% | Winnebago | 18% |
| B.A. | 29% | Alexander, Franklin | 7% |

We present our findings here on web-based and attorney services in an order that approximately follows the questions asked by IEJF. In each section below we lead off with survey results, and then include both comments that the litigants made to us and also remarks made by navigators and attorneys, who were asked to describe how they thought litigants experienced the services.

All survey questions asked respondents to rate a question by choosing one of five choices ranging from no agreement with the question to complete agreement with the question. For example, in response to a question “How easy was it to move through the website and find the information you needed?” the user was given five options: “Not easy at all,” “Somewhat easy,” “Moderately easy,” “Very easy,” and “Extremely easy.” The users’ answers were converted to numeric scores of 1-5, with “1” associated with the least agreement to the question and “5” associated with complete agreement with the question. The users’ responses were then averaged across all persons answering the question.

Users of Web-Based Materials in Courts and Libraries

Findings on the Usability of Web-Based Information Settings

How Easy Is the Website to Use?

We asked the users⁴ about their experience using the computer, i.e. “How easy was it to move through the website and find information?” and they assigned an average score of 4.2 out of 5 (with 4.0 being “very easy” and 5.0 being “extremely easy”). This was slightly above the average score that they assigned to our questions.

| | Survey Response | |
|--|------------------------------------|---|
| | Composite Score (13 responses)* | Average Score for All Questions in Survey (271 responses) |
| How easy was it to move through the website and find the information you needed? | 4.2 | 4.0 |

* 1=Not easy at all... 2= Somewhat easy... 3= Moderately easy... 4= Very easy... 5= Extremely easy

Note to Reader:
We provide this average 4.0 score in all tables as a way of gauging whether the answer to the question is relatively high or low.

The survey answer may suggest that the web users had no trouble using the website, but the navigators said that in their experience the users frequently needed help. All but one of the navigators commented that many users have trouble using a personal computer. One navigator said that on a scale of one to ten, the website merits a five in terms of being user friendly: “People are overwhelmed by it... (I get) lots of questions about how to navigate... what words mean.”

Another navigator reported seeing “a lot of people who have never used a computer.” Still another said that “The computer language is appropriate and usable (but) people are nervous about what they are doing and have difficulty navigating.” One user, in fact, told us that “It was only easy because (the navigator) was here.”

⁴ We describe persons using the website assistance as “users” rather than “pro se litigants” because their exact relation to any pending legal case is not determined. We reserve “pro se litigants” for persons involved in court proceedings in Cook County (discussed later in this report), where their role in a case was clear.

How Easily Can Users Read the Information?

We asked the users about the experience of reading the material, i.e., “How easy was it to understand the words and language of the website?” The users assigned an average 3.8 out of five. This falls between “moderately easy” and “very easy,” and is one of the lowest average rankings they gave to any of our questions.

| | Survey Response | |
|--|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How easy was it to understand the words and language of the website? | 3.8 | 4.0 |

1=Not easy at all... 2= Somewhat easy... 3= Moderately easy... 4= Very easy... 5= Extremely easy

Three of the six navigators we spoke with said that the information on the website is easy to understand and the users they work with have been able to read it. These persons did not signal any problems with literacy or reading skills. One navigator said “I think it’s pretty usable... most of it is pretty simple.” Another said that there “is no problem at all” in users being able to understand the words and language of the website.

The other three navigators, however, cited problems with the literacy skills of users, and said that without the assistance of the navigators, the users would have difficulty comprehending the information. “Literacy is very low, between, for the most part... 4th and 8th grade,” said one. Another said users often do not understand the words and language, “the difficulty is due to illiteracy... comprehension is a big problem... (our area) has ten percent illiteracy.” Another thought that sentences in the website are too long for readers, and could be cut down.

How Helpful Are the Navigators?

We asked the users “How helpful was the navigators?” and they indicated that the navigators were very important to them. Of all questions they responded to, they gave the highest score, 4.8 of 5.0 (with 5.0 being “extremely helpful”).

| Survey Response | | |
|--------------------------------|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How helpful was the navigator? | 4.8 | 4.0 |

1=Not helpful at all... 2= Somewhat... 3= Moderately... 4= Very... 5= Extremely...

Navigators said that many users would have trouble using the computers and the web information without assistance. One navigator said that “I doubt they could use the computer without me being around. They need reassurance that they are at the right place, that they go to the right place.” Another said “They look to us; it’s hard for us to make them do it themselves and not give our own opinion. That ‘re-assurability’ is the thing; they want to know what they are doing is right.”

Several navigators commented that they spend 45 minutes to an hour on average with each client. One navigator in a busy location noted the inability to provide all the time that people need: “There is not sufficient time to help all people when it is busy – it is hard to give a proper answer.”

Navigators and users made a variety of comments about the relevance of the information to them. Navigators said “Most are pleasantly surprised at what is there.” “Occasionally there is a problem but mostly it is OK.” “(The web users) were able to get what they needed even though it may have taken a while.” “Ninety-nine percent of the time the users find their information.”

Is the Website Content Adequate?

We asked several questions about whether the website content was adequate for the user’s legal problem. The users assigned scores that hovered around 4 out of 5 (i.e., close to “very” adequate). They gave their lowest score (3.8 out of 5) to the question of whether the information on the website was simple to understand.

| | Survey Response | |
|---|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How easy was it to find information directly related to your legal problem? | 4.0 | 4.0 |
| How well did the website answer all aspects of your legal problem? | 4.1 | 4.0 |
| How simple was the information on the website to understand? | 3.8 | 4.0 |

1=Not easy/well/simple at all... 2= Somewhat... 3=Moderately... 4=Very... 5= Extremely...

Several navigators commented that the website does not have all the information that users need. One said, for example that “about 60 percent of our customers have been sent by a judge and they are in the middle of the process. The website does not address these questions. About 30 percent of questions are not addressed by the website.” The same navigator added “The website works well only half the time for divorce, because the website doesn’t address the issues of (property), “QUADRO” (Qualified Domestic Relations Orders)... marital settlement agreements. It falls short for many people.”

Another navigator thought that the website needs “a better checklist of forms for each category of legal problems. There are some problems in getting all the forms.” Another added “Clients want forms and that is it.”

Are the Users More Confident?

We asked several users if they felt more confident representing themselves after using the website. The users gave an average score of 4.2 out of 5 (close to “very helpful”).

| | Survey Response | |
|--|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How helpful was the website in making you feel more confident in resolving your current legal problem? | 4.2 | 4.0 |

1=Not helpful at all... 2= Somewhat... 3= Moderately... 4= Very... 5= Extremely...

There were many positive comments from the navigators about the impact on confidence. “I’d give it (the website) a nine on a scale of one to ten in terms of confidence-building,” said a navigator.

For many users the web materials are a confidence booster, and they leave the computer session feeling able to deal with their problem better. “The material is very motivational,” said one navigator, “especially the videos on the site.” Another navigator said that the web materials “empowers them, makes them aware of terminology and what they’re up against.”

Do the Users Understand Next Steps?

We asked users if they were clear about the steps going forward after using the website. They gave an average 4.0 out of 5 (close to “very helpful”) to the questions of “How helpful was the website to understanding what your next steps should be?” This equaled the average score across all answers and thus represented a middle-of-the road score.

| | Survey Response | |
|--|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How helpful was the website to understanding what your next steps should be? | 4.0 | 4.0 |

1=Not helpful at all... 2= Somewhat... 3= Moderately... 4= Very... 5= Extremely...

Nevertheless, we heard indications that the web users do not always finish their session with a clear idea of what their next steps are, or of how the process will unfold. “They

don't know the next steps but they think they do," said one navigator. Another faulted the web materials for having insufficient explanation of steps. "My experience has been that it doesn't really give them the next steps; but again, ours have been limited to divorce."

Two of the navigators interviewed made comments about needing more information or training related to the processes that the users are involved with. "We get lots of questions on next steps. One legal problem (on website) had a step-by-step guide but need to replicate for all," said one. Another stated that "Some training would be good... (we) have not received any training recently. Training on how to handle specific situations would be great." On the other hand, one navigator specifically said that there was no need for further training.

Are the Users Better Able to Represent Themselves Before a Judge?

We asked users "How helpful was the website in making you able to represent yourself before a judge?" The average score was a relatively low 3.8 out of 5 (close to "very helpful"). "The website was convenient, informative, got the job done" said a web user. "It did not help with how to deal with the judge."

| | Survey Response | |
|--|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How helpful was the website in making you able to represent yourself before a judge? | 3.8 | 4.0 |

1=Not helpful at all... 2= Somewhat... 3= Moderately... 4= Very... 5= Extremely...

We asked the navigators whether users of the web-based materials are better able to represent themselves before a judge after using the web site. Four of the navigators felt they could not comment because they don't see people once they have gone to court. Another thought that the users were better able to represent themselves because "they know what to expect." Still another worried that "I think there is too much confidence... They get before the judge and realize they don't know."

Findings on Satisfaction with the Web-Based Assistance

Is the Service “User-Friendly”

We asked users “How satisfied are you with the user-friendliness of the website?” They gave an average response of 4.2 out of 5.

| | Survey Response | |
|--|-----------------------------------|---|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How satisfied are you with the user-friendliness of the website? | 4.2 | 4.0 |

1=Not satisfied at all... 2= Somewhat... 3= Moderately... 4=Very... 5= Extremely...

The navigators feel that most users of the website are satisfied, but they cite some exceptions. “I would give it a 7 on scale of 1-10 in terms of satisfaction,” said one navigator, and another reported “it is an 8 on 1-10 scale.” “I have had no complaints,” said one navigator.

The users of the website had many positive comments and relatively few comments that were negative regarding their satisfaction. They commented “The web site is time saving and step saving,” and “the navigator is very friendly, knowledgeable and calm,” and “the navigator was very helpful.”

One user felt the process of getting information was time consuming and the provider needs to “make it a lot quicker.” Another user was in the middle of a process that had been going on for some time, involving multiple court dates. She had apparently filed documents incorrectly, and was distressed during our meeting. She had visited the navigator more than once and still had problems. (The navigator said that in the past the user would leave with correct documents but would file them incorrectly.) This user was unhappy with the legal assistance.

Is the Website Relevant to Users’ Particular Legal Problems?

We asked users “How satisfied are you with the relevance of the website to your legal problem?” They gave an average 4.2 out of score to the question (close to “very satisfied”).

| Survey Response | | |
|--|---|--|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How satisfied are you with the relevance of the website to your legal problem? | 4.2 | 4.0 |

1=Not satisfied at all... 2= Somewhat... 3= Moderately... 4=Very... 5= Extremely...

There were mixed comments from the navigators on whether the website is relevant to the particular problems that users have. One navigator said “I’d say most of the users are satisfied.” Others qualified their comments. For example, one navigator noted that some users need help with criminal matters for which there is no information on the website. Another said that the users were very satisfied, but only after they had a navigator’s help with finding the information they needed.

One navigator said that the website lacked information on procedural matters, which leaves some users lacking important information about the practical steps they need to take. “The users are satisfied only about half the time, because they are involved with pre-trial motions/answers and (the website) doesn’t address the procedures. A user said that the website “allows you to get an overview of your problem,” but the user had to use the circuit court’s own website to get necessary forms.

Is the Website Helpful to Understanding and Solving a Legal Problem?

We asked users two questions on whether they were satisfied with how helpful the website had been. They gave a 4.2 of 5 (close to “very satisfied”) to each of the questions.

| Survey Response | | |
|--|---|--|
| | Composite Score (13 responses) | Average Score for All Questions in Survey (271 responses) |
| How satisfied are you with the helpfulness of the website to understanding your legal problem? | 4.2 | 4.0 |
| How satisfied are you with the helpfulness of the website to solving your legal problem | 4.2 | 4.0 |

1=Not satisfied at all... 2= Somewhat... 3= Moderately... 4=Very... 5= Extremely...

According to the navigators, most users of the web-based service in the courthouses and libraries are satisfied with the helpfulness of the service in understanding and solving their problem. They thought users were satisfied, noting that when users find the information they need, they are happy, but if their legal problem is not “fixable,” they are dissatisfied. A navigator said “I’d say the helpfulness in solving a problem is an eight (out of ten). Some of them are very unprepared for the whole situation and don’t realize they have to do the work themselves.”

Users of Attorney-Based Services

Findings on the Usability of Attorney-Based Information Settings

How Easy Is It to Access the Service?

We asked pro se litigants how easy it was to find the advice desk where they received help. There was some difference between litigants in the respective courts. Persons in Domestic Relations court gave an average score of 4.3 out of 5 while persons in Collections court assigned an average score of 4.6.⁵

To questions of how easy it was to talk to and understand the attorneys, respondents in both courts gave average scores of 4.6 out of 5 (close to “extremely helpful”). This score equals the average score given to all questions in the survey.⁶

| | Survey Response | | Average Score for All Questions in Survey (253 responses) |
|---|-----------------------------|----------------------|--|
| | Domestic Relations Court | Collections Court | |
| How easy was it to find the advice desk? | 4.3 | 4.6 | 4.6 |
| How easy was it to talk to the attorney and get the information you needed? | 4.6 | 4.7 | 4.6 |
| How easy was it to understand the attorney? | 4.6 | 4.6 | 4.6 |
| How helpful was the attorney? | 4.9 | 4.7 | 4.6 |

1=Not easy/helpful at all... 2=Somewhat... 3= Moderately... 4=Very... 5=Extremely

We had many comments to the effect that the users found the attorneys helpful. Said one “They are very helpful. (They’re) good to have in your corner and (they are) helping the small people. The attorney was so helpful that she followed up with me

⁵ The nature of advice given in one court vs. another was different, so we separate scores by courtroom.

⁶ By “average response that they gave to all questions in the survey” we mean that the 253 scores given to our questions averaged out to 4.6. (There were 17 questions answered by 15 persons (with some blanks), for 255 scores.)

afterwards.” Another user commented that “the attorney was great because he took time to explain.” “This is four years of my time and next time I will come straight here.”

One user was unhappy with the service at the intake desk, saying that the worker was “not nice” and this made her “not want to come back.” This client said she had come four or five times before she got to meet anyone.

The attorneys we spoke with felt that litigants locate their site fairly easily, although the attorneys at Domestic Relations acknowledged that wait times can be long, and “a turn-off to some.” Domestic Relations attorneys noted that in terms of divorce cases they are limited to helping only uncontested cases, and thus there are many litigants who they are unable to assist.

Was the Attorney Advice Relevant and Did It Resolve All Aspects of the Problem?

We asked litigants if the attorney service was relevant and whether it answered all aspects of their problem. Users in both courts gave an average score of 4.6 out of 5 (close to “extremely easy”) to a questions of how easy it was to get information that was directly related to their problem.

There was more substantial divergence between users in the two courts when asked if the attorney answered all aspects of their legal problem. Users in Domestic Relations gave an average of 5.0 of 5, the highest score possible, to this question, while those in Collections assigned an average value of 4.3 out of 5. (The litigants in Collections did not elaborate on their relatively low score for this question.)

| | Survey Response | | |
|---|--------------------------|-------------------|---|
| | Domestic Relations Court | Collections Court | Average Score for All Questions in Survey (253 responses) |
| How easy was it to get information from the attorney that was directly related to your legal problem? | 4.6 | 4.6 | 4.6 |
| How well did the attorney answer all aspects of your legal problem? | 5.0 | 4.3 | 4.6 |

1=Not easy/well at all... 2= Somewhat... 3=Moderately... 4=Very...5=Extremely

Users of the attorney service gave positive comments on the relevance of the attorney advice and on whether it resolved all aspects of their problem. Two persons described how the attorney used the internet to locate a missing spouse that the litigant sought a divorce from, and one of the litigants added “There is a smile on my face because my spouse was lost for 12 years and the attorney found (him).

The attorney helped “step by step,” said another: “the attorney broke it down and explained it in a way that I can explain it to my spouse’s attorney.” Another client was “shocked by how easy it was,” once they had the attorney help. “The attorney did everything that was needed,” said a litigant.

The attorneys we spoke with felt that their assistance was relevant. “I feel like it is,” said one. “This specific desk (Collection) helps them directly, for example by unfreezing bank accounts.”

One Domestic Relations attorney reiterated something we had heard from a navigator of courthouse-based web-site assistance, i.e., that there is a great need to help people filing Qualified Domestic Relations Orders in uncontested cases. The attorneys at Daley Center are unable to assist with these cases, and the web-based assistance is limited.

Are Attorneys Helpful to Client in Understanding Next Steps, Feeling More Confident?

We asked litigants if the attorneys were helpful in understanding next steps, feeling more confident, and becoming better able to represent oneself before a judge. The pro se litigants in both courts gave average or higher than average scores to questions of how helpful the attorney was in understanding next steps and in feeling more confident about being able to resolve the legal problem. Litigants in Collections court were relatively less likely to say that the attorney made them better able to represent themselves before a judge.

| | Survey Response | | Average Score for All Questions in Survey (253 responses) |
|--|--------------------------|-------------------|---|
| | Domestic Relations Court | Collections Court | |
| How helpful was the attorney in helping you understand what your next steps could be? | 4.8 | 4.6 | 4.6 |
| How helpful was the attorney in helping you feel more confident to resolve your current legal problem? | 5.0 | 4.6 | 4.6 |

| | | | |
|---|-----|-----|-----|
| How helpful was the attorney in making you able to represent yourself before a judge? | 4.6 | 4.3 | 4.6 |
|---|-----|-----|-----|

1=Not helpful at all... 2= Somewhat... 3= Moderately... 4= Very... 5= Extremely...

The users we interviewed had relatively few comments on how they felt or what they knew about their next steps. “The attorney and I did discuss alternatives, and steps the other attorney might take,” said one. One person suggested that “It might help for them to write information on what the steps are.” With regard to whether the advice is helpful to resolving the current legal problem, there were no particular comments from the users in Collections court, perhaps because they have had a judgment entered against them. One person in Domestic Relations said “I feel it will get done – it’s a new life for me.”

Regarding the confidence of the litigants, there were several comments to the effect that the attorney assistance enabled them to take charge of their situation. “This was very helpful and it expedited the process for me. Without help (from the attorney) I would have sat there till someone called my name. I felt more empowered.” Another said “They (the attorneys) are making sure you’re taking the best course of action.” “It’s very helpful,” said a litigant. “It gives you confidence to go before the judge. You know what to say and what to do.”

Attorneys we spoke to felt that their assistance was helpful to users deciding on next steps. “We say ‘today here’s what you need to do; tomorrow’s the clerk’s office... People are very anxious about what is going to happen.” Another attorney noted that sometimes their advice is to not take next steps. For example, a litigant came in seeking child support increase, but the attorney decided upon review of the facts that the judge would be likely to lower, not increase the child support currently being paid.

The attorneys felt that litigants who sought their advice had a more productive experience in front of the judge. In Collections, for example “People try to tell the judge their story going back to square one. The judge tells them ‘we’re not here to contest cases.’ But people want so badly to have their story heard. When they know what is going on (after we counsel them) it helps people listen to the judge.” An attorney in Domestic Relations said their legal advice “is very helpful in appearing before a judge. Attorneys provide a great deal of emotional support... they filter family histories so that time in front of the judge is maximized.”

Findings on Satisfaction with Attorney-Based Information Settings

We asked pro se litigants several questions that went to the issue of whether they were satisfied with the attorney service. The survey responses to the questions about satisfaction were high in the case of persons in Domestic Relations Court, less so in Collections Court. Each question received nearly a 5.0 out of 5 from litigants in Domestic Relations. In Collections, relatively low scores of 4.3 and 4.4 out of 5 were given in response to questions about helpfulness in understanding and solving the legal problem.

| | Survey Response | | Average Score for All Questions in Survey (253 responses) |
|---|--------------------------|-------------------|---|
| | Domestic Relations Court | Collections Court | |
| How satisfied are you with the accessibility and friendliness of the attorney? | 4.9 | 4.9 | 4.6 |
| How satisfied are you with the relevance of the attorney’s advice to your legal problem? | 4.8 | 4.6 | 4.6 |
| How satisfied are you with the helpfulness of the attorney in understanding your legal problem? | 4.9 | 4.3 | 4.6 |
| How satisfied are you with the helpfulness of the attorney in solving your legal problem? | 4.9 | 4.4 | 4.6 |

1=Not satisfied at all... 2=Somewhat... 3=Moderately... 4=Very... 5= Extremely

The users offered few comments on the topic of satisfaction with the exception of the question “How satisfied are you with the helpfulness of the attorney in solving your legal problem?” Users said “I’m extremely satisfied that (the attorney) said it was my responsibility, but that I had choices to go about it.” Another comment was “I’m very thankful for having a person like that. I didn’t know anything about this (legal process).” Finally, there was a comment saying “(The advice) gave me some things to think about. I now know what I can say. There was only one response to these questions that expressed dissatisfaction: “The attorney could only do so much about my problem.”

The attorneys we interviewed had few comments on the topic of user satisfaction with their services. They acknowledged, as noted before, that some users in Domestic Relations are put off by waiting times to see an attorney, but generally they felt that users are satisfied. One attorney described emotional responses received by clients in Collections who have their debt payment eased in some manner. Another simply said “The majority (of the litigants) have very high satisfaction.”

How Strongly Would Users Recommend the Assistance?

We asked the pro se litigants how strong their recommendation about the assistance would be to another person who has a legal problem. One person chose to provide a comment, saying “I’m very happy with the assistance. I can’t afford a lawyer.”

The litigants we surveyed in Domestic Relations gave an average 5.0, “extremely strong” response to the question of how strongly they would recommend the service. The litigants in Collections gave only an average 4.3 to the same question.

| | Survey Response | | |
|---|-----------------------------|----------------------|--|
| | Domestic Relations Court | Collections Court | Average Score for All Questions in Survey (253 responses) |
| How strong would your recommendation about this attorney assistance be to another person who has a legal problem? | 5.0 | 4.3 | 4.6 |

1=Not strong... 2=Somewhat... 3=Moderately...4=Very...5= Extremely

Other Information on the Legal Assistance

Along with administering surveys of litigants and interviewing attorneys and navigators, we spent approximately 40 hours in the courtroom areas and courthouses where web based and attorney legal advice is provided. We also spent approximately 10 hours in the libraries where web based services are provided. Here we add other information to the picture of legal services funded by IEJF, based on our observations.

Web-Based Assistance

We visited sites of web-based assistance in Winnebago and McHenry courthouses and in the libraries of Alexander, Franklin, Massac and Pulaski counties.

The McHenry site is located in the law library of that courthouse, while the Winnebago service has its own room within the records office. Most of the clients that we observed in two days of observation in McHenry were sent by a judge while in Winnebago, the clients were sent by judges but also by court workers at the clerk's office. As noted earlier in this report, most clients in McHenry go straight to the navigator for help. We did not observe them using a bank of computers that have access to the self-help material.

The navigator in McHenry provides a one-on-one kind of assistance: he and the litigant sit together at a desk and look at the computer screen together. The navigator can, when necessary, request assistance from a research attorney employed by the courthouse. A librarian in the law library is also available to provide some direction to litigants. In 2008 the McHenry self-help center served 420 cases, of which divorce-related cases were the most common, about 36 percent of all cases.

In Winnebago the web-based assistance is situated in a room within the records office. Some of the litigants were sent to the self-help area by judges but others were sent by clerks where the litigants had gone to file papers. The navigator simultaneously helped two persons at once.

The types of legal problems that we observed were different in the two courthouses. Winnebago sees many persons filing for orders of protection, whereas in McHenry there is a non-profit organization housed in the courthouse that specifically provides assistance to women seeking this assistance. In Winnebago, similar services to women are provided at a women's refuge that is outside the courthouse. Winnebago was able to provide us with statistics for May, 2008, showing that [divorce-related matters] were about 40 percent of the 368 individuals served.

An observation we were able to make in both courthouses was that many litigants seeking help were emotionally upset and in need of support to get through the process

that went beyond substantive legal issues. For instance, women who were seeking orders of protection were huddled closely with friends; families came in speaking in strained whispers to one another. We observed at least one family where the apparent family head spoke Spanish as their primary language; we did not ask questions or attempt to assess issues of linguistic or cultural barriers to communication.

The libraries in Alexander, Franklin, Massac and Pulaski that we visited were very different in terms of their size, facilities and the number and types of patrons.

In Pulaski County the web-based services were located at the public library in Mounds. In 2008, Mounds had a population of about 1,000 people and the county had about 6,000. Mounds is economically depressed – per capital income in 2000 was \$11,000 and about 43% of the people are below poverty. The librarian told us that the web-based legal service is the only legal service available to self-represented clients in the surrounding area. The library is in a small building that is managed by one librarian – this was the smallest library that we visited. The computer that provides web-based services is located behind the service desk and the librarian informed us that its use is irregular.

Metropolis Self-Help Desk



In Massac County, the library is located in Metropolis. In 2008, Metropolis City had a population of about 6,500 and the county had about 15,000. The library is in a multi-story building that seemed well equipped with staff, books and technology – this was the biggest and best-served library that we visited. The computer that provides web-based legal services was located in its own room. The librarian told us that the library has substantial patronage and that as a result of funding from taxes levied on the casino located in the city, it was able to provide a range of services that other libraries cannot.

Cairo Self-Help Desk



In Alexander County, the library is located in Cairo. In 2008, Cairo had a population of about 3,100 people and Alexander County about 8,100 people. Cairo is economically depressed – in 2000, the per capita income was \$16,220 per individual and 33.5% of individuals were below poverty. The library is an

ornate and well maintained old building in the center of the city. The computer that provides web-based legal services was located outside the reception desk with easy access to the librarian. The librarian told us that the library has substantial patronage and that through word-of-mouth, people have been visiting to use the web-based legal services. The librarian also noted that users have generally been people who have not visited the library before and generally women.

In Franklin County, the library is located

Mounds Self-Help Desk

in Benton.

The library is located on the main road into the town and the librarian noted that the library serves people in Benton and surrounding areas. Benton is on the main interstate to Chicago and therefore, is a sizeable city with activity. In 2000, Benton had a population of about 6,880 and per capital income about \$16,000. In the same year, Franklin County had a population of about 40,000. The library is



in a new, well serviced, large building. The computer that provides web-based legal services is located in close proximity to the reception desk. The library also has a separate room with public access computers. The librarian informed us that most users need assistance from a librarian but however, patronage has been slow. This is largely due to the service being new in this library. The librarian also noted that she has been publicizing the service through the library's community newsletter.

Despite the differences in the size, economic conditions of the areas that the libraries service and the number of patrons the majority of the people who are served, based on what the librarians told us, seem to have similar characteristics -- most have significant literacy and technology use problems, most are seeking assistance with divorce and orders of protection and most require assistance from librarians to navigate the website and otherwise utilize the service. However, in Metropolis, the librarian informed us that they have had a small number of persons who appear not to be low-income individuals seeking assistance on personal finance matters.

Attorney-Based Assistance

The attorney assistance provided in the Collections Court of the Daley Center takes place in a busy atmosphere. The Court is said to be the busiest court in Cook County which, being the largest county court system in the United States, makes the Collections court perhaps the highest-volume court in the country.

The advice desk in Collections is located in a room within the court. A sign outside the door announces availability of legal assistance, and litigants also hear the attorneys make occasional announcements that they can help the public. The attorneys prepare the litigants in part by giving them “cue cards” that they can read from when speaking to the judge. One of the cards says “Your Honor, I am claiming my Wildcard Exemption,” and those words permit the litigant to shelter several thousand dollars from creditors.

The attorney assistance provided in the Domestic Relations Court on the Daley center also takes place in a busy atmosphere but, CARPLS has set up a process for managing the inflow of people. During the first half of the day, CARPLS attorneys provide immediate advice to clients – clients are served on a first-come-first served basis after they have signed-in with a CARPLS assistant. The assistant also determines eligibility. In the second half of the day, the attorneys assist clients with the paperwork. This is done through an appointment process. Paperwork is a significant part of a domestic relations case and this type of one-on-one assistance necessary.

The attorneys are located in several rooms inside the court rooms. Each attorney has a separate room. The clients wait in the common area outside the courtrooms and this area is busy but not overly crowded. The clients tend to come with family members. The attorneys come out to the waiting area to call out for the clients. The waiting time for clients after they have been signed-in is short; we estimated about 30 minutes to 1 hour wait times. The data about the client and the case information is entered into an online database so that that information can be retrieved when needed.

Observations on Strengths and Weaknesses of the Legal Assistance

Web-Based Assistance

Our data gathering and analysis and our observation of the legal assistance provided via the website in courts and libraries lead us to conclude that IEJF funds a viable, useful and efficient system of legal assistance. In almost all instances, there were no equivalent services available for pro se clients that could be reached with ease and even then, the wait times for such services would make them highly ineffective. The individuals who used the service were by and large satisfied and appeared to get the assistance needed.

A strength of the web-based system as funded by IEJF is the navigators, who appear to be the lynch pin of the system. Without them, the connection between persons needing legal information and the large amount of that information on the web would be tenuous in many cases. This is because the clients often have such limited levels of education and inability to use a personal computer. A weakness of the system, of course, is that at the end of the day some individuals who have both legal problems and limited capacity to decide on the correct course of action still need to make that decision alone.

We noted comments from navigators about the need for training. All navigators mentioned to us that they have indeed received training, but more than one indicated that they could use more. One asked for some kind of training manual for the navigators. Another said that some of the current staff at their (library) site had joined since the last training, and would benefit from learning about the system.

It appears to us that the program would benefit from providing as many opportunities as possible for the navigators to interact with training personnel and with each other. The navigators have so much experience at this point that it may be a good idea to not only renew their training but give them a chance to give feedback and to communicate with each other in some kind of network.

Another ongoing need for the website is to review its content for simplicity of language and user friendliness. We have no indication that the site is not already constructed as simply as possible, but the low literacy and comprehension levels of the users makes it clear that ease of use should be an ongoing priority for the site. One of the librarians mentioned to us that the web-based service provided to pro se clients in California could suggest some ways to improve, particularly in terms of the style, presentation and the language used (www.courtinfo.ca.gov/selfhelp/)

In certain Illinois counties IEJF has elected to fund computer kiosks placed in libraries instead of courthouses. We found this to be a good decision in the sense that the

librarians in those counties reported that their library was easier for the public to travel to than the county courthouse. This arrangement also works because the overall caseload is low in the libraries, and so the librarians are not overburdened or unable to assist the pro se litigants. IEJF will need to monitor the libraries, however, to see if the number of visitors becomes too great for the librarians – who report spending 45 minutes per web user – to accommodate.

Our evaluation is focused on whether the services are user-friendly and on whether users are satisfied. Our observations of the courthouse and library sites, however, lead us to note that more use could be made of these locations. We say this because there are many pro se litigants, yet few of them were using the libraries we traveled to; in the courthouses, users seemed to learn of the service only because they were appearing in court that day. Public education on the availability of the service could increase its use (and, of course, raise issues of the capacity to serve more persons).

In terms of the future, we are of the view that IEJF should continue to support and expand the availability of the web-based and attorney legal services. If either locating court houses willing to house the service or finding funding for a permanent navigator is delaying the rollout of the service, IEJF should utilize libraries and librarians to do this. In fact, in locations where the population and patronage is low, libraries are preferable to court houses because they are accessible and librarians are present to give assistance.

Attorney Assistance

A strength of the attorney assistance is that our surveys suggest that users prefer that kind of assistance to web-based help. For example, to questions of usability and helpfulness, web-site users gave average scores such as 4.2, 4.8, 4.1 and 3.8. Questions of usability and helpfulness of attorneys received average scores of 4.6, 4.7 and 4.9.⁷ This may be of no surprise, the idea that advice from an attorney is more actionable than that from a website, but it nevertheless suggests that assistance in Cook County (when given by attorneys) may be higher quality than the assistance provided in other counties (where attorneys are not funded).

A weakness of the same attorney-based assistance is its limited availability even within the courts where the attorneys are based. The attorneys in Collections court were able to serve all persons who appeared in their court during our visit, but the attorneys in Domestic Relations note that litigants who arrive late in the morning may not be able to see a lawyer. Other kinds of courts have no IEJF-funded attorneys at all in the Daley Center. In contrast, IEJF is able to serve many individuals via the multiple sites in Illinois where it funds navigators and computer terminals. So the trade off seems to be

⁷ The statistical science behind this observation is limited because the questions in web-user surveys were worded differently from those in attorney-user surveys.

arguably better service (in-person attorney advice) or service that is of lower cost but which is delivered across a greater geographic area (via navigators and web assistance).

Appendix One: Audit Of Previous Surveys, Case Studies and Other Evaluations in Illinois

IEJF asked us to review certain survey data available on programs that help self-represented litigants get legal information. We reviewed surveys conducted by Illinoislegalaid.org of its website users who accessed the website at a self-help center; another survey by Illinoislegalaid.org of website users whose access to the site was not at a self-help center; several sets of surveys conducted by Coordinated Advice and Referral Program for Legal Services (CARPLS); a survey of pro se advice desk users of the Chicago Legal Clinic; and a set of administrative data from Cabrini Green Legal Clinic. We chose the surveys by Illinoislegalaid.org and CARPLS for discussion here because they involve either website use or they directly address the legal problems seen in this report so far, collections and domestic relations.

Data Findings

The Self-Help user survey conducted by Illinoislegalaid.org in 2007 found that half of the users of the self-help center computer terminals were not comfortable using the internet in general, and two thirds needed assistance finding legal information. The survey did not ask users how much or whether they interacted with a navigator, but found that in the end some 80 percent of users had a better understanding of their problem.

The Illinoislegalaid.org survey of web users who were not at self-help centers found a much higher level of comfort using the internet. Some 82 percent said they were comfortable using the internet, and two thirds said the website is easy to use, and 70 percent found the language of the website clear and easy to understand.

CARPLS surveys of persons using attorney services in the areas of domestic relations and collections found high scores from users regarding the behavior and helpfulness of the attorneys and on the question of whether the user would recommend the service to another person. The same survey found a low score from Domestic Relations litigants on the topic of whether their legal problem was solved (only 50 percent said so). Collections litigants were more likely to say their problem was solved (78 percent).

CARPLS also produced data on the outcomes of their cases involving attorney assistance for Domestic relations and collections. The outcomes were very positive. Some 71 of 81 divorce cases, for example, were successful. In collections, rates of success were 88 percent in removing bank freezes, 72 percent in ending garnishment of wages, and 84 percent in dismissing citations to discover assets.

Discussion of these surveys

The implications of these surveys are that there is a substantial difference in ability to use the internet between the general public and the persons who visit the self-help centers. The latter have much lower ability to use computers and the world wide web. This highlights the need for navigators, something that our own research makes explicit. The data on satisfaction among users of the self-help centers tends to support the value of navigators, because it may be assumed that the persons received personal help.

The CARPLS survey of persons using attorney services is helpful principally in terms of reporting that the attorneys were well-regarded by the clients, even if those clients were not successful in their cases. While the CARPLS survey of clients suggests that many do not solve their problem, the CARPLS review of administrative data suggest fairly high rates of success; the discrepancy between users and administrative data may represent different definitions of “successful outcome.”

Self-Help Center User Survey

- This was for website users from Self Help Centers only and not the website users in general. The survey sample was 79.
- The majority of users are one time users. The implication is that the needs for the users are satisfied in one visit and that no repeat visits are needed.
- Almost half of the clients are not comfortable using the internet.
- More than two thirds said that they needed assistance to find legal information from the internet. This also includes assistance in printing material from the website.
- The service undoubtedly provides assistance that is useful:
 - More than 80 percent say they better understand the legal problem, know what the next steps should be
 - About 5 to 15 minutes is spent by each user
- A demographic picture:
 - Close to 80 percent are English speakers.
 - About 60 percent earn less than \$15,000 per year and another 30 percent earn between \$15,000 to \$30,000.

Illinoislegalaid.Org User Survey

- This was for website users in general. The survey sample was 644.
- A demographic picture:
 - Nearly 60 percent of users were white and just over 25 percent were black
 - Nearly 8 percent have no high school degree. 16 percent have a high school degree. Nearly 43 percent have some college or an associate’s degree. Nearly 33 percent have a bachelor’s degree or higher.
 - Close to 90 percent of the users live in IL
 - About half of the users access it from home

- About half of the users located the service by means of an online search engine
- Half of the users are low income people obtaining information for them. Just over 15 percent were obtaining information for someone else who is a low income earner
- Over 90 percent understand English well.
- Over 82 percent are comfortable using the internet.
- Nearly 68 percent say that the website is easy to use and over 70 percent say the language is clear and easy to understand.
- Satisfaction:
 - Nearly 75 percent found it very easy or easy to find the information
 - Nearly 60 percent say that the website helped them understand the legal problem
 - Nearly 60 percent sat that the website helped you understand the next steps
 - Over 50 percent say the website helped them find other resources
 - Nearly 70 percent said the information very useful or useful.

CARPLS Notes

- All CARPLS attorney services are supported by IEJF funds. CARPLS noted that domestic relations and collections self-help desks are the most notable new endeavors.
- CARPLS Survey – Domestic Relations and Collections:
 - Methodology: Less than 1 percent of clients served by divorce and collections advice desks were surveyed in 2008. This was the first fiscal year of service.
 - Summary of results:

| | Domestic Relations | | Collections | |
|--|-------------------------------------|------------------|--------------------------|------------|
| Was the attorney that you spoke with courteous and polite | Yes = 32 | 100% | Yes = 31 | 100% |
| Did the attorney listen to and understand your legal problem | Yes = 32 | 100% | Yes = 31 | 100% |
| Did the attorney help you better understand your legal rights and remedies | Yes = 30 No = 2 | 94% 6% | Yes = 30 Somewhat = 1 | 97% 3% |
| Has your legal problem been resolved | Yes = 16 Somewhat = 1 No = 15 | 50% 3% 47% | Yes = 24 No = 7 | 78% 22% |
| Would you recommend CARPLS to a friend | Yes = 30 No = 2 | 94% 6% | Yes = 29 Somewhat = 2 | 94% 6% |

- CARPLS Case Outcome Study – Domestic Relations
 - Methodology: Analysis of assistance provided by the divorce desk during fiscal year 2008.
 - Summary of results: Divorce material drafted for 81 clients in Nov 2007 and out of those, 71 were able to successfully obtain pro se divorces. Of the 10 clients who were not successful, 8 never filed their papers and 2 clients did not complete the process after initially filing the papers.
- CARPLS Case Outcome Study – Collections
 - Methodology: Analysis of assistance provided by the divorce desk during fiscal year 2008.
 - Summary of results: (a) 231 clients were served during April 2008. The best success was bank freeze action (88% received an order granting exemption of funds). (b) Of the wage garnishment cases, about 72% had garnishable wages and advice was given on how to structure garnishment. (c) Of the citation to discover assets, 84% were dismissed.