

Washington State Judicial Branch

2025-27 Biennial Budget

Extend Court Self-Help Centers

Agency: Administrative Office of the Courts

Decision Package Code/Title: AF – Extend Court Self-Help Centers

Agency Recommendation Summary Text:

The Administrative Office of the Courts requests \$2.08 million ongoing to continue funding for self-help centers for court users across the state of Washington. The trial courts continue to serve a significant number of litigants without legal representation, mainly in the areas of family law, protection orders, landlord-tenant disputes, and minor guardianships. The Legislature, acknowledging the complexity of these case types and the gaps in resources for unrepresented litigants, has previously funded self-help center programs in both Grays Harbor County and Spokane County. These pilot programs have been incredibly successful, and the national research on self-help centers in state courts across the country confirms that self-help centers increase access to justice for unrepresented litigants. (General Fund – State)

Fiscal Summary:

	FY 2026	FY 2027	Biennial	FY 2028	FY 2029	Biennial
Staffing						
FTEs	0.0	0.0	0.0	0.0	0.0	0.0
Operating Expenditures						
Fund 001-1	\$1,040,000	\$1,040,000	\$2,080,000	\$1,040,000	\$1,040,000	\$2,080,000
Total Expenditures						
	\$1,040,000	\$1,040,000	\$2,080,000	\$1,040,000	\$1,040,000	\$2,080,000

Package Description:

Self-help services for court users are a critical element in ensuring access to justice. It is estimated that nationwide, at least one party is unrepresented in 75 percent of all civil cases.¹ Lack of representation has been shown to impact civil case results² and has been linked to perceptions of systemic racial bias in the legal system, which lowers public trust in the courts.³ The courts are designed for use by attorneys and other court professionals, and non-lawyers find court processes intimidating and difficult to navigate.⁴ While courts continue to revise rules and procedures to improve clarity, there will always be elements of the legal system that are complex for large swaths of the public.

According to a recent survey by the National Center for State Courts (NCSC), 25 states have established self-help center programs across the country. These remote and in-person self-help centers provide a variety of services, ranging from assistance in completing court forms and understanding court process to technology access and case status

¹ National Center for State Courts, The Landscape of Civil Litigation in State Courts, 2015. Available at: https://www.ncsc.org/_data/assets/pdf_file/0020/13376/civiljusticereport-2015.pdf

² *Ibid* National Center for State Courts, 2015.

³ The Pew Charitable Trusts. How to Make Civil Courts More Open, Effective, and Equitable, 2023. Available at: <https://www.pewtrusts.org/en/research-and-analysis/reports/2023/09/how-to-make-civil-courts-more-open-effective-and-equitable>

⁴ Knowlton, N.A., et. al. Institute for Advancement of the American Legal System. Cases without Counsel, 2016. Available at: https://iaals.du.edu/sites/default/files/documents/publications/cases_without_counsel_research_report.pdf

information.⁵ Self-help centers are one of several important tools, such as civil legal aid and unbundled legal services, that states can use to close the access to justice gap for low and moderate-income individuals.

The Superior Court Judges' Association (SCJA) launched the Unrepresented Litigant Ad-Hoc Workgroup in February 2020, with members from across the judicial branch, including: the Washington State Minority and Justice Commission, the Gender and Justice Commission, Office of Civil Legal Aid, county clerks, court administrators, state law library, and legal assistance providers. The Workgroup's main goals are to improve court processes, advance access to justice, and ensure that unrepresented litigants are fairly heard in court. When assessing this need, the Workgroup found that few resources are currently available in Washington courts to assist unrepresented litigants to understand and navigate the complexities of Washington's legal system, yet decades of Washington caselaw and the fundamentals of due process requires courts to hold unrepresented litigants to the same legal standards as attorneys.

In recognition of this significant access to justice gap, in 2022 the Washington State Legislature funded two self-help center pilot programs, in Grays Harbor County and Spokane County (at \$260,000 per site per year). The self-help center in Grays Harbor works in close coordination with the Grays Harbor Superior Court, serving litigants referred by the court and from the community, and attending court dockets to assist litigants in their proceedings. The four centers in Spokane County focus their services on the Black, Indigenous, and People of Color (BIPOC) community, and other marginalized populations that have been historically limited in accessing justice. The two pilots serve hundreds of individuals each month, primarily in person but also through remote means. The Superior Court in Grays Harbor also reports clear improvements in the family law and protection order dockets, noting that unrepresented litigants have improved their pleadings and orders, have required fewer hearings to resolve their legal issues, and are saving time for the courts, allowing other dockets to be heard more quickly.

It is critical to expand these services, so that justice for unrepresented litigants is not constrained by geography. The common thread among self-help centers in Washington and other states is the sheer volume of need – nearly all self-help centers nationwide report increasing demand for services, with more need than they can meet.⁶

This decision package seeks to fund two additional self-help center program sites at the existing rate of \$260,000 per site. Factors influencing the funding would be proposed population size/service area, population demographics, desired programming/services, and readiness to implement. Multiple states use a similar model, including Michigan and Illinois.

Program "sites" would be responsive to local needs. Courts that have fewer in-person visitors may need a mobile center, similar to the Mobile Legal Clinic offered in Milwaukee. Unrepresented litigants that need a simple question answered, or access to a form, could utilize a centralized hotline or online chat feature to obtain the information they need, as is available in states like Utah and Hawaii. Courts with limited space can offer kiosks to access self help services remotely, like the Oakland County Courthouse in Michigan.

Fully describe and quantify expected impacts on state residents.

The existing self-help pilot programs are serving hundreds of Washington state residents each month. We expect to at least double that with the two additional sites. The no-cost services provided by the self-help centers would include, but not be limited to: free printing and access to court forms, helping to complete court documents, hosting informational workshops on common case types, reviewing court documents for completion, and providing instruction on preparing court cases.

⁵ A. Souza, L. Summers, K. Pulliam, D. Silva eds. Court-Based-Self-Help Centers. [Williamsburg, VA: National Center for State Court, 2023] Available at: https://www.ncsc.org/-/data/assets/pdf_file/0016/92023/Court-Based-Self-Help-Centers-National-Survey-Findings-Reccomendations-and-Best-Practices23.pdf

⁶ Ibid.

Self help centers help people navigate some of the most difficult moments in their life. When a person comes to court without an attorney, they are oftentimes dealing with the emotional impact of what brought them there, on top of the frightening prospect of navigating a justice system with a number of different requirements. Self help centers help ease a litigant’s experience with the justice system. In the experience of our judicial officers, self help centers also reduce the number of hearings required in cases with unrepresented litigants, and an increase in the quality of the pleadings and orders presented. This is better for families going through the trauma of divorce, persons trying to work through guardianships, and victims seeking the protection of a court order.

Explain what alternatives were explored by the agency and why this was the best option chosen.

There is no funding source available for this purpose. There are limited services available for those that need legal information. A patchwork of phone hotlines, legal aid providers, courthouse facilitators, and advocates, among others, provide legal information across Washington to some litigants. However, these services are frequently constrained by resources, have limited locations or hours, and are restricted to the case types served. Self-help centers would be the only free service available to all unrepresented civil litigants, regardless of case type.

What are the consequences of not funding this request?

Not funding this request will damage the ability of unrepresented litigants, (the vast majority of civil litigants in Washington state) to access justice. There are very few programs in Washington to provide this kind of free legal information and assistance in many areas of civil law, including protection orders, unlawful detainers, involuntary mental health petitions, and petitions to waive legal financial obligations. Other resources, such as courthouse facilitators or protection order advocates, are either not available in many counties, are at maximum capacity, and/or charge for their assistance.

Without services like self help centers to assist unrepresented litigants in navigating the legal system, protection orders will go unfiled, parenting plans will not reflect the best needs of families, and civil rights will remain unrestored. Meaningful access to justice requires a system that hears cases on their merits.

Additionally, the current pilot programs in Grays Harbor and Spokane Counties, which are successfully serving hundreds of individuals each year, may not be able to continue without ongoing funding.

Is this an expansion or alteration of a current program or service?

This request is for an expansion of an existing pilot program.

Decision Package expenditure, FTE and revenue assumptions:

Other Non-Standard Costs

Pass-Thru Funding to Courts. Annual funding to issue contracts to 4 courts / court-sponsored non-profit organizations (\$1,040,000 per year). (Object N).

Expenditures by Object		<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>	<u>FY 2030</u>	<u>FY 2031</u>
N	Grants, Benefits & Client Services	1,040,000	1,040,000	1,040,000	1,040,000	1,040,000	1,040,000
Total Objects		1,040,000	1,040,000	1,040,000	1,040,000	1,040,000	1,040,000

How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

Unrepresented litigants make up a significant and growing number of participants appearing in Washington’s courts. This is a national phenomenon. The National Center for State Courts 2015 Civil Justice Report shows a

steep drop in represented civil litigants from 97 percent in 1992 to 46 percent in 2015.⁷ Increased poverty, increases in attorney costs, and few legal resources for those with limited financial means are factors contributing to the increase in unrepresented litigants appearing in court.⁸

The decrease in legal representation contributes to access to justice challenges faced by those with limited financial means. In a legal system that is adversarial and lawyer-centric, unrepresented litigants are disadvantaged.⁹ Self-help centers assist litigants with the procedural and technical aspects of their case, so that they can adequately and appropriately be heard on the case merits.

Commitment to Effective Court Management

Self-help centers have the potential to increase efficiencies in case processing and management in courts where they are utilized. Feedback from the judicial officers in the pilot program service areas indicate there has been a reduction in the number of hearings required by unrepresented litigants, and an increase in the quality of pleadings and orders presented.

The Superior Court Commissioner in Grays Harbor County recently noted,

“An additional benefit [of the Grays Harbor County Self Help Center] to the Court is having someone draft documents that reflect the court’s ruling in a timely and accurate manner. Their impact is not just on the family law docket but also the protection order docket as well as some civil proceedings. Our dockets run much more smoothly and efficiently for all concerned when [Self Help Center staff] have played a part in the proceedings. I value them and their service to our community a great deal.”¹⁰

How does the package impact equity in the state?

Address any target populations or communities that will benefit from this proposal.

According to the Office of Civil Legal Aid’s 2015 Civil Legal Needs Study, unmet civil legal needs disproportionality impact low-income households, women, seniors, veterans, people with disabilities, and communities of color. Survivors of partner violence and sexual assault experience the highest number of civil legal problems of all low-income Washingtonians. Over 75 percent of those responding to the OCLA study were unable to get the legal help they needed.¹¹ However, the majority of those individuals who get legal advice or information are able to address their civil legal issues using the court system and resolve them in a timely manner.

Describe how the agency conducted community outreach and engagement.

The current self-help center pilot programs were funded with the full support of the Unrepresented Litigant Ad-Hoc Workgroup. Members of the workgroup represent a wide range of perspectives and community partnerships, including those that provide direct services to diverse court users.

Consider which target populations or communities would be disproportionately impacted by this proposal.

Explain why and how these equity impacts will be mitigated.

Not applicable.

⁷ Ibid.

⁸ Cerniglia, Christine, The Civil Self-Representation Crisis: The Need for More Data and Less Complacency, Georgetown Journal on Poverty Law and Policy, Vol. XXVII, Spring 2020.

⁹ Ibid.

¹⁰ Cole, C. et. al. (2024) *Supporting Access to Justice for Self-Represented Persons*. Presented at Superior Court Judges’ Association 2024 Spring Program.

¹¹ Office of Civil Legal Aid. 2015 Washington State Civil Legal Needs Study Update. October 2015. Accessible at https://ocla.wa.gov/wpcontent/uploads/2015/10/CivilLegalNeedsStudy_October2015_V21_Final10_14_15.pdf

Administrative Office of the Courts
Policy Level – AF – Extend Court Self-Help Centers

Are there impacts to other governmental entities?

No.

Stakeholder response:

Not applicable.

Are there legal or administrative mandates that require this package to be funded?

No.

Does current law need to be changed to successfully implement this package?

No.

Are there impacts to state facilities?

No.

Are there other supporting materials that strengthen the case for this request?

Not at this time. There will be some court user evaluation completed by the Washington State Center for Court Research in fall of 2024. Results will be made available to the Legislature.

Are there information technology impacts?

No.

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