

Self-Represented Litigant Committee
Final Meeting Minutes
July 19, 2016
1:30 p.m. to 2:30 p.m.
Telephonic Meeting Only

It is the vision of the Standing Committee on Self-Represented Litigants to achieve the fair and efficient resolution of unmet legal needs.

1. Introductions and roll call

Present: Abby Brown, Kay Lynn Lee, Nolan Harris, Randy Snyder, Hon. David Carter, Ed Higgins, Andrew Martinez (for Ann Goldes-Sheahan), Kayre Chatellier

Excused: Hon. David Ortley, Erin Farris-Olsen

2. Public Comment about non-agenda items

None.

3. Approve April 12, 2016 Minutes

Kay Lynn Lee was added as a telephone participant to the April Meeting Minutes. With that change Kayre moved to approve the minutes, Randy seconded the motion, and the minutes were approved unanimously.

4. Membership Changes/Committee Updates

Abby welcomed Nolan, the new Court Help Program Administrator, to the Committee and thanked August for her work (in her absence). Abby reported that Ann is on maternity leave through September and Andrew Martinez, an AmeriCorps at the State Bar, is helping out in her absence. Nolan and Andrew introduced themselves. Abby reported that she had completed the updates to the website in terms of membership and will be updating the Listserv membership after this meeting and after she hears back from Phyllis Bock and Hon. Winona Tanner regarding their intent to remain as part of the Committee. Abby noted we need to start adding some additional members to this Committee and asked that all Committee members think about who might be a good addition, to be discussed in September.

Abby gave a brief recap of the ATJ June 3rd Commission meeting as it relates to this Committee. Specifically, there are three “focus” areas between now and September. These are the fee waiver forms; legislative changes review process, and potentially presenting at the Judges Association conference in October. Judge Carter added that the fee waiver form discussion

included of adding a presumption in favor of filing. Each of these items is discussed in further detail below.

5. Forms Sub-Committee Update

Ed gave an update of the Forms Sub-Committee activities over the last quarter:

(1) the pilot project for use of the parenting with dissolution forms has begun, including trainings with court staff on the forms; Nolan is assisting to “packetize” the forms and make them easy to use;

(2) instructions are being drafted to go with the packets, which are almost completed and will be available online as soon as they are finalized by the sub-Committee; and

(3) MLSA received a grant to automate the forms when they officially roll out, automation is in the development process, and the forms sub-committee is getting good feedback from the developer on changes that need to be made to the forms – the timeline for rolling out the automated forms in a user-testable format is September.

6. Education & Outreach Sub-Committee Update

There were no immediate volunteers to take over the chair position for this sub-committee. However, most of the 2016 goals have been met, so Abby reported it was not crucial that someone take over this position at the moment and, perhaps, it can wait until the Committee’s 4th quarter meeting when we discuss 2017 plan. The funding component discussion will be put on hold. Abby reported that the Sub-Committee has met its 2016 goal of providing 3+ in-person trainings on Legal Information vs. Legal Advice, including trainings in Missoula, Helena, and Kalispell.

Nolan offered to assist Abby in “packetizing” the previously created Legal Information vs. Legal Advice educational materials in order to seek an endorsement from the Commission in September. Abby will coordinate with Nolan and Erin to get this done in time for the September Commission meeting.

7. Legislative Changes Sub-Committee Update (Abby for Ann)

Abby reported in Ann’s absence that the ATJ Commission would like for this Committee to submit a proposed process for reviewing legislation of the 2017 Legislature at the September 9th ATJ Commission meeting. This proposed process was discussed in detail by the Committee at the April 2016 Committee meeting and only needs to be put in a formal, presentable format. Abby will do this based on Ann’s notes from the April meeting and circulate via email for the Committee to approve, prior to presenting at the September Commission Meeting.

8. Standardize Fee Waiver Form/Financial Affidavit to ATJ Commission

Randy gave background information on the issue statewide with the fee waiver form, including his personal experience and the importance of standardizing the form and the impact of the *Hadley* Decision (OP 16-0202 (May 25, 2016)). Judge Carter added information regarding the details of the proposed form as discussed at the Commission meeting, including the idea that the form should be: (1) a maximum 2-page form that is written in plain English and takes 3 minutes to fill out; and (2) a rule change or standing order that directs courts to treat the form with a presumption of filing since this is the beginning of the process, which would allow the court to use its discretion to deal with improper waivers after the action has commenced by requiring payment of the filing form at any time and on a case-by-case basis. Ed suggested that the form include a way to indicate that if persons have already proven their limited-means status, then there is no need for the courts to make an additional determination.

The Committee agreed that they could draft a form and the proposed avenue/process to present to the Commission on September 9th. Kay Lynn agreed to be the point person for the working group with Ed, Judge Carter, and Randy assisting her. The working group will have the final product to Abby by **August 31, 2016**. Abby will circulate the final product to the entire Committee for review and approval before presenting to the Commission on September 9th. Abby will send an email to all working group members with their emails so the group can get started.

9. New Business

None.

10. Next Meeting Date

Next Meeting date: September 20th from 1-3 pm via telephone.

11. Adjourn

Adjourned at 2:20pm.