



## NEBRASKA SUPREME COURT

# Implementation Committee on Pro Se Litigation COMMITTEE ON SELF-REPRESENTED COURT LITIGANTS 2011

## Nebraska Online Legal Self-Help Center Given Independent, User-Friendly Design

This year the Nebraska Online Legal Self-Help Web site has a new look and additional features to improve usability. Pro Se Committee Chairman, Judge Richard Sievers and the Supreme Court Public Information office collaborated with Web site designers at Nebraska.gov in March 2011 to establish a new, independent self-help portal. Improvements to the site's graphics and clean layout are designed to help users access information more quickly and easily.

Visitors to the site find the list of main categories at the top of the home page, which allows for the addition of sub-categories on subsequent pages. The reference section (bottom right

button, called "When You Can't Afford a Lawyer") has been redesigned to include referrals to a greater number of low-income legal assistance groups as well as law libraries and law school legal clinics. Links have been added to Nebraska Legal

Aid's Web site for their auto-fill Power of Attorney form.

Additional enhancements will be introduced in the coming months. The Forms Subcommittee will regularly update information in order to improve and expand resources for those in need of legal assistance who lack the resources to hire an attorney. The redesign is intended to ensure that the Web site remains effective and user-friendly.

The new Web portal can be readily accessed through the Nebraska Judicial Branch site: [www.supremecourt.ne.gov/self-help](http://www.supremecourt.ne.gov/self-help).

*"All courts shall be open, and every person, for any injury done him or her in his or her lands, goods, persons or reputation, shall have a remedy by due course of law and justice administered without denial or delay."*

*—"Open Courts Clause" Nebraska Constitution at Article I § 13*

The screenshot shows the Nebraska Online Legal Self-Help Center website. The header includes the title and navigation links. The main menu lists various legal categories. The 'Families & Children' section is highlighted, showing sub-sections for divorce and child support. Below the menu, there are sections for 'Representing Yourself in Court' and 'Self-Help Resources'. At the bottom, there are buttons for 'Nebraska Court System Homepage' and 'When You Can't Afford a Lawyer', along with a footer containing privacy and accessibility policies.

## Forms & Instructions

### Subcommittee Chairperson:

**Judge Teresa Luther, Grand Island**

Judges: Michael Offner, Richard Sievers  
Law Schools: Deanna Lubken, Kevin Ruser,  
Catherine Mahern

Legal Aid: Jen Gaughan, Lea Wroblewski

NSBA: Jean McNeil

Domestic Violence Coalition: Robert Sanford

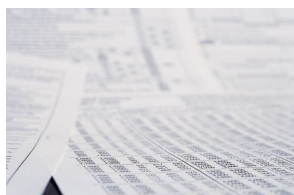
Staff: Debora Brownyard, Sheryl Connolly, Janet Bancroft

Since the last meeting of the Chief Justice's Leadership Group, the forms committee has continued work to maintain the accuracy and relevancy of existing online forms. Following the October 2010 Pro Se Committee meeting, requests have included forms for criminal record set asides, adoption records, and expanded divorce forms. Additionally, the Minority Justice Committee made a formal request for forms seeking to seal juvenile court records in accordance with recent legislation.

This year the Committee on Pro Se Litigation entered a partnership with Legal Aid of Nebraska through a federally funded grant to develop online interactive court forms—or 'A2J' (access to justice) forms hosted on the national LawHelp Interactive web server. Legal Aid, in cooperation with the Pro Se Committee has selected the divorce form sets (both with and without children) as the starting point for development. If funding allows, the groups will add domestic violence forms and other high-use, pro se forms.

*"The hard and invaluable work of our forms committee, under the direction of Judge Teresa Luther from Grand Island, is nicely showcased through this new site and will be of great benefit to low-income Nebraskans needing access to the legal system."*

— Judge Richard Sievers, Nebraska Supreme Court Pro Se Committee Chairman



## Library Partnership

### Subcommittee Chairperson:

**Doris Huffman, Executive Director**

Nebraska State Bar Foundation

Librarians: Marie Wiechman—NE State Library

Richard Leiter—Director Schmid Law Library

Library Commission: Mary Jo Ryan

Staff: Debora Brownyard, Janet Bancroft

In his annual State of the Judiciary address this year, Chief Justice Mike Heavican announced a new collaboration between the Administrative Office of the Courts & Probation, the Nebraska Library Commission, and the Pro Se Committee.

The Court's administrative office was asked by the Library Commission to serve as a key project partner with them in a multi-million dollar grant project with the Bill and Melinda Gates Foundation that will provide libraries across Nebraska with increased broadband services and computer hardware. The courts hope to capitalize on the expanded services to increase the availability of online services to individuals who represent themselves in court. The committee's role will focus on education of librarians.

In advance of statewide installation, court staff has begun a series of webinars and in-service trainings on the use of the new Online Legal Self-Help Web site for librarians and court staff.

## Self-Help Desks

### Subcommittee Chairperson:

**Jean McNeil, Volunteer Lawyer's Project**  
Nebraska State Bar Association

Self-Help Centers are located in Lincoln, Omaha, and the Grand Island area. Each are operated by volunteer lawyers under the supervision of the NSBA Volunteer Lawyer's Project. Centers do not offer assistance with criminal cases and questions are not taken by phone. Legal information, assistance with forms, and brief legal advice is provided through the centers which are open limited hours.

- Lincoln—Lancaster County Courthouse, 3rd Floor.
- Omaha—Between the Douglas County Courthouse and the Hall of Justice.
- Tri City Center (Hastings, Grand Island, Kearney) 1st Floor Courthouse, G.I.

As of October 2010, the Self-Help Desks served 936 in Lincoln; 1,909 in Omaha; 159 in Central Nebraska. The busiest day in Omaha served 50 people in one 4-hour period. Approximately 95% of Self-Help Desk patrons are legal aid income-eligible.

Current statistics for this past year will be available in October but it is clear that the usage of Self-Help Desks continues to increase. The cases in which assistance are most often requested are family law cases with modification of child support issues increasing due to an uptick in job loss. Guardianships for minors and incapacitated adults constitute an increasing unmet need.

## Limited Scope Representation

### Subcommittee Chairperson:

**Jacqueline Madara-Campbell, Omaha**

As new chairperson, Madara-Campbell has committed herself to increasing awareness of limited scope opportunities within the legal community. The committee's past efforts revolved around amending Supreme Court Rules to provide for limited scope representation including authorizing attorneys to enter a "Limited Appearance" on behalf of an otherwise unrepresented party for a limited and defined purpose.

Nebraska's rules are being copied by a number of other states, particularly our concept of automated withdrawal of counsel upon filing of a Certificate of Completion.

Previous implementation efforts include education seminars at joint meetings of judges and lawyers along with written materials in the Nebraska Lawyer Magazine and on the Nebraska Judicial Branch Web site. 'Frequently Asked Question' flyers for both litigants and lawyers are available at: [www.supremecourt.ne.gov/self-help/limited-scope.html](http://www.supremecourt.ne.gov/self-help/limited-scope.html).

*The forms and information found on the online self-help center are provided by the Nebraska Supreme Court's Committee on Implementation of Assistance to Pro Se Litigants as part of the Nebraska Supreme Court's commitment to ensure that all Nebraskans have meaningful and full access to the judicial system, including those Nebraskans who represent themselves.*



## Pro Se Education For Court Staff and New Judges

Director of Judicial Branch Education, Carole McMahon-Boies, is currently in the process of developing a 10-hour course module for court clerks on dealing with self-represented litigants. The course, to be hosted on JBE's 'blackboard' system, will be available in fall 2011 through the JBE court certification program. The curriculum is based on the court employee pro se manual, "Working with Pro Se Litigants" developed in 2002 by the original members of the Pro Se Committee.

JBE also provides a section on Self-Represented Litigants during new judge program orientation taught by Judge Sievers and other members of the Pro Se Committee.

During the upcoming October Judicial Branch Education Seminar, a three-hour program on pro se litigants in complex civil and criminal litigation will be presented to trial court judges.

*"As I have noted in past years, one of the major challenges that our courts and judges face as we proceed into the 21st Century is the rapid increase of self-represented parties. The partnership between Legal Aid and the Pro Se Litigation Committee will assist our judges in processing cases with self-represented litigants."*

*—Chief Justice Mike Heavican  
State of the Judiciary,  
January 2010*



## Nebraska Supreme Court Implementation Committee on Pro Se Litigation

Hon. Richard D. Sievers, Court of Appeals Judge, Lincoln  
Hon. Teresa K. Luther, District Court Judge, Grand Island  
Janet Bancroft, Supreme Court Public Information Officer, Lincoln  
D. C. "Woody" Bradford, Private Practice, Omaha  
Debora Brownyard, Director, Nebraska Office of Dispute Resolution  
John M. Guthery, Private Practice, Lincoln  
Robert M. Hillis, Private Practice, Fremont  
Doris J. Huffman, Director Nebraska State Bar Foundation, Lincoln  
Sue Kirkland, Clerk of the District Court, Lincoln  
Jacqueline Madara Campbell, Private Practice, Omaha  
Catherine M. Mahern, Creighton School of Law, Omaha  
Jean K. McNeil, Nebraska State Bar Association, Lincoln  
James R. Mowbray, Commission on Public Advocacy, Lincoln  
Hon. Michael L. Offner, County Court Judge, Hastings  
Hon. Thomas A. Otepka, District Court Judge, Omaha  
Dave Pantos, Legal Aid, Omaha  
Hon. Kurt Rager, County Court Judge, Dakota City  
Kevin Ruser, UNL College of Law, Lincoln  
Robert Sanford, Domestic Violence Coalition, Lincoln  
Jane Schoenike, Director, Nebraska State Bar Association, Lincoln  
Hon. Laureen Van Norman, Chief Judge Workers' Compensation Court, Lincoln  
Janice K. Walker, Nebraska State Court Administrator, Lincoln  
Marie Wiechman, Nebraska State Library  
Linda L. Willard, Assistant Attorney General, Lincoln

Report to Chief Justice Leadership Group  
June 2011 Lincoln, Nebraska

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self-help/](http://www.supremecourt.ne.gov/self-help/)