

“The Tracking of Paternity and Divorce” (TOPAD) Project

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This year I was afforded the opportunity to pursue a community based research project for the Helen S. and Alexander W. Astin Civic Engagement Fellows Program as a 2011-12 Astin Fellow. The Astin Fellows program is administered by the UCLA Center for Community Learning and is funded by the UCLA Foundation. This scholarship program provides support for a select group of UCLA undergraduates who participate in a two-quarter civic engagement project with an off-campus community partner organization and a faculty mentor. The goal of each project is to benefit a target community and/or address social justice issues within a particular field. My research project, the “Tracking of Paternity and Divorce” (TOPAD) Project, expanded upon my volunteer service for the Van Nuys Self-Help Legal Access Center as a California JusticeCorps member. In particular, the TOPAD Project was implemented to determine the factors preventing some self-represented litigants from completing their divorce or paternity cases. The goal was to use the litigants’ feedback through surveys conducted via telephone to improve the services provided to litigants at the self-help legal access center.

In my previous year at UCLA, I was fortunate enough to be involved with other campus and community based organizations. I mentored and tutored juvenile offenders at a detention facility (Project B.R.I.T.E), assisted an East Los Angeles organization with their efforts on the Green Business Council (LA CAUSA Youthbuild), and advocated for low-income and homeless individuals to receive public benefits to which they are entitled (General Relief Advocacy Project at UCLA). The common thread throughout each of these experiences is a strong commitment to benefiting a segment of the community while engaging in a reciprocal learning experience. JusticeCorps was a natural continuation of the community-based service learning process and served as the launching point for my involvement with the TOPAD Project.

Between September 2011 and June 2012, I volunteered over 300 service hours at the Van Nuys Self-Help Legal Access center as a California JusticeCorps member. California JusticeCorps is an AmeriCorps program that places college students in self-help legal access centers throughout the state of California. As a JusticeCorps member, I provided direct assistance to self-represented litigants in family law and housing law. Self-represented litigants tend to be individuals who are a party to a legal case (e.g. a divorce), but are unable to afford the services of an attorney. Specifically, I helped litigants with various phases of divorce, paternity, and eviction cases. This involved helping them complete the necessary court forms, providing information about the court process, and explaining the next steps in their cases.

The JusticeCorps program provided approximately 60 hours of training to its members. This included program orientations, trainings about specific legal topics (e.g. how to assist a litigant with the last step of the divorce), and other relevant subjects such as compassion fatigue or information about the Violence Against Women’s Act (VAWA). Many litigants come to the self-help centers confused and frustrated. When they arrive at the self-help center, they discover that there are long lines and that they are helped on a first come, first served basis by a limited volunteer force. This increases their frustration, and some litigants verbally lash out at volunteers or self-help center staff. In response, some of our training was designed to prepare us to better assist various personality types as well as to mitigate and/or deescalate situations of conflict. The

JusticeCorps program not only provided experience and training in the legal area, but also helped members develop and strengthen their people handling skills.

At the beginning of my JusticeCorps service, I expected to learn basic information about family law and housing law while helping a disadvantaged and low-income segment of the community. I was motivated to pursue the program with the hope that it would provide a meaningful opportunity to prepare for law school and explore the field of public interest law. Public interest law is a broad field that encompasses legal services rendered to individuals and communities who cannot afford legal representation. The work done in the Van Nuys Self-Help Legal Access Center is an example of public interest law. As a new volunteer, I anticipated that the Van Nuys Self-Help Legal Access Center had an established framework for providing effective assistance to self-represented litigants with their cases. I began my service with the expectation that the center was already ensuring that litigants were, in fact, completing their cases.

Prior to my JusticeCorps experience, I was unaware of the specific difficulties self-represented litigants confront in obtaining court orders for divorce or paternity cases. Much like a litigant who visited the self-help center for the first time, I assumed that getting a divorce in California as a self-represented litigant involved merely filing a few court forms and then waiting to hear back from the court. Yet, it takes a minimum of three visits to the self-help center and multiple filings of different court documents to complete a case. This process often includes several court hearings in front of a judge and against the other party. In some cases, the other party may have the financial resources to hire an attorney. This can make it even more challenging for the self-represented litigant to assert his or her legal rights regarding child custody and property division issues.

As I found out through speaking with litigants and observing courtroom activity, navigating the court process and procedures as a non-lawyer is complex and confusing. For example, take the most basic case of divorce for a self-represented litigant, one in which there are no children and no assets or debts. Even if the responding party chooses not to file any paperwork contesting the petitioner's requests, the petitioner (i.e. the litigant who begins the case) must still complete three self-initiated legal steps and wait a minimum of six months to complete the divorce in California. Since this is many litigants' first contact with the court process, they hold incorrect (though understandable) assumptions about how the process works. For instance, litigants often incorrectly assume that they will be finished with their case after completing what is in actuality merely the first step. Thus, it seems clear that while beginning a divorce or paternity case as a self-represented litigant may be relatively easy, completing the case and obtaining court orders is often very difficult.

In order to assist litigants with completing their cases, the self-help centers need research and data on the common factors preventing these litigants from successfully completing their cases. In 2003, the Van Nuys Self-Help Legal Access Center began the "Tracking of Paternity and Divorce" (TOPAD) Project. Volunteers collected litigants' responses to questionnaires via telephone. Unfortunately, after a short period, the project was put on hiatus due to lack of availability of leadership and time commitment from volunteers. Often as short-term volunteers, many volunteers complete service hours for school credit and/or a program. Usually the TOPAD Project calls are conducted after business hours in order to reach litigants when they get home from work. The self-help center closes at 4:30pm on weekdays and volunteers would then need to work from home in order to make these calls. Not all volunteers are available or willing to spend the extra hours making calls from home. As a result, one of the most significant reasons

the project halted was due to the fact that no structure was established for the project so that multiple volunteers and a shifting volunteer force could collaborate on it. For example, no orientation trainings were held for new volunteers of the TOPAD project, and there was an absence of formal procedures for volunteers to follow in order to contribute to the project.

My research for the Helen S. and Alexander W. Astin Civic Engagement Fellows Program revived the TOPAD Project for the Van Nuys Self-Help Legal Access Center. The TOPAD project targeted the specific concern that many of the litigants who came into the self-help center to begin a divorce or paternity case were unable to successfully complete their case. My role in this pioneer project enabled me to further engage in the service learning process. I spoke with litigants two to three months after their first visit to the center. During the course of these telephone conversations, I was able to learn directly from the litigants about the problems they encountered that prevented them from completing their cases. Rather than projecting anticipated problems onto the litigants, my work with the TOPAD Project engaged the target community by responding to their common needs and problems. For instance, I learned from the litigants that of those who were unable to file their paperwork with the court clerk, it was usually due to the fact that their fee waiver was rejected and they could not afford the \$395.00 filing fee. This knowledge enabled me to communicate with the staff and fellow volunteers at the self-help center in ways to improve the quality and consistency of information provided to litigants. As one result, volunteers were instructed to spend more time with the litigants on correctly completing the fee waiver request forms and making sure that the litigants know to return to the center to redo the fee waiver in the event that the Court rejects it.

Through my research on the TOPAD Project, I became acutely aware of the problems litigants face in completing their cases. For instance, over half of the population served by my self-help center is Hispanic, and many of these litigants do not speak English and/or are beginning a case with the other party living outside the country (e.g. Mexico or Guatemala) The petitioner is required to have someone else over the age of eighteen give copies of all of their court paperwork to the other party. This is known as the proof of service process. This process ensures that the other party is aware of the case and has the chance to file a response (i.e. their requests regarding the case) with the court. For litigants who are unaware of the location of the other party or when the other party lives outside of the United States, the proof of service process is much more confusing and difficult. Typically, these litigants are unable to have someone personally serve the other party on their behalf. This is one example that the TOPAD Project results have highlighted. Specifically, the center must establish a procedure for instructing these litigants on an alternate form of proof of service.

One of the revelations that I had through my work on the TOPAD project was that in order for it to be sustained in the future, it must have a unified and collaborative volunteer force. I was concerned that the project would come to another impasse after I completed the Astin Fellows Program. My site supervisor and I decided to continue the project and develop procedures and instructions for volunteers at the self-help center to further the project. We are currently preparing to train the new 2012-13 JusticeCorps members (those assigned to Van Nuys) on the TOPAD procedures on September 14, 2012. Additionally, there are a number of non-JusticeCorps volunteers at the self-help center who are interested in assisting with the project by making calls to litigants and helping re-design handouts given to litigants. In the near future we hope to assign leadership positions to those involved with the project (e.g. as a TOPAD Project Director or Coordinator). My site supervisor has approved allowing volunteers

to log hours for any work done on the TOPAD Project (even after normal business hours). This has proved to be a useful incentive for prospective volunteers.

Furthermore, we are currently in the process of developing a unified system to engage volunteers for the TOPAD Project. We have established a Google account for the project, which allows volunteers to make calls to litigants for free, log hours into the calendar, store documents, and more. Survey Monkey is a data entry program that allows us to analyze the results from TOPAD surveys for patterns and trends. Our Survey Monkey account enables volunteers to directly input the survey responses they collect from litigants while making calls. We are then able to use the results generated by the Survey Monkey program to make adaptive changes in our service to litigants (e.g. revising handouts and information given to litigants).

On July 31, 2012, my site supervisor and I held the first volunteer orientation for the TOPAD Project at the Van Nuys Self-Help Legal Access Center. We trained a group of volunteers on the TOPAD Project procedures, and a number of these volunteers have already begun making calls to litigants. It is our hope that engaging the community of volunteers to collaborate on this project will enable it to remain an active source of evaluation of the effectiveness of the services provided to the litigants at the self-help center. In this process, we can learn from the self-represented litigants ways to further assist them in successfully completing their cases.

I would like to express my gratitude to Robby Stovitz of Neighborhood Legal Services of Los Angeles County for her guidance and mentorship with the TOPAD Project. Robby's boundless enthusiasm and compassion for the litigants at the Van Nuys Self-Help Legal Access Center is truly inspiring I am also indebted to Professor Robert Chau Romero for all his kind encouragement, support, and advice with the TOPAD Project.