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# BEST PRACTICES FOR COURT HELP CENTERS

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A Guide for Court Administrators and Help Center Staff  
Inside and Outside New York State

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## **BEST PRACTICES FOR COURT HELP CENTERS**

### **A Guide for Court Administrators and Help Center Staff Inside and Outside New York State**

Rochelle Klempner, Esq.  
Chief Counsel  
New York State Courts  
Access to Justice Program  
[rklempne@nycourts.gov](mailto:rklempne@nycourts.gov)



# **New York State Courts**

## **Access to Justice Program**

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**FERN A. FISHER**  
Deputy Chief Administrative Judge  
New York City Courts  
Director, New York State Courts  
Access to Justice Program

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Our Mission: To ensure access to justice in civil and criminal matters for New Yorkers of all incomes, backgrounds and special needs, by using every resource, including self-help services, pro bono programs, and technological tools, and by securing stable and adequate non-profit and government funding for civil and criminal legal services programs.



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## Introduction

Every day people go to court without an attorney. In New York, this number is estimated at 2.3 million people each year. The majority of these individuals do not choose to go to court unrepresented; they are not experts in navigating the legal system on their own. Rather, these are people who cannot afford to pay their rent, their mortgages, or their credit card bills, so they have no money left to hire counsel. Regrettably, there is no other legal assistance available to them. Lack of knowledge of their rights and court procedures puts many at a clear disadvantage. Consequently, unrepresented litigants regularly forfeit important claims and defenses and are denied meaningful access to justice because they lack information on how to proceed in court on their own.

A Court Help Center is a means to enable unrepresented litigants to use the courts more effectively. A Court Help Center is a neutral place in or near the courthouse where unrepresented litigants can obtain free information about court procedures and the law from court staff. Through one-on-one consultations, referrals, document preparation assistance and other services, access to justice can be dramatically improved for Help Center visitors. In addition, Help Centers benefit the court system by improving its case processing systems and ability to efficiently manage its caseload and by significantly improving litigants' satisfaction with their court experience. There are tens of thousands of courts throughout the United States. Yet, in 2014, the American Bar Association identified only 500 Help Centers in the country. Clearly, establishing new Help Centers should be integral to accomplishing the judiciary's mission of assuring equal access to justice for all.

Most likely, people reading this guide already understand the importance of a Help Center and the impact this resource can have on the court and its users. These best practices are written for court administrators and personnel inside and outside New York State who are already interested in establishing a new Court Help Center or improving services in an existing Court Help Center. This guide is divided into six Parts that cover basic guidelines. However, these Parts do not describe a single definitive model Help Center for others to replicate. Help Centers may offer different services and resources due to variety of factors, including litigant demographics and available funding. Thus, not all the best practices in this guide apply to all Help Centers.

Part I, entitled "Initial Considerations," sets forth the matters to contemplate before establishing a new Help Center. The decisions made after considering the items enumerated in this Part affect all aspects of the Help Center so it is best to address them at the start. After reading Part I, it should be clearer why Help Centers differ so much from each other and what is the appropriate Help Center model to build in each jurisdiction.

Part II, entitled "Help Center Services to Offer," describes the minimum services the Help Center should offer and lists the services that an ideal, fully functioning, staffed, and funded Court Help Center should strive to offer. Part III, entitled "Help Center

Staffing and Responsibilities,” provides an overview of the various staffing positions and job descriptions most likely needed in a Help Center. This can significantly vary depending on resources and services offered. The most important point to remember when staffing the Help Center is that if the court’s best people staff the Help Center then the entire court will benefit and run more efficiently. Part IV, entitled “Help Center Facilities Set-Up,” suggests the ideal lay-out for the Help Center space in order to optimally provide the services identified in Part II. The facility guidelines work best when building the Help Center from the ground up. Courts are often limited by available space and may not be able to employ these practices.

Part V, entitled “Help Center Central Administration,” details the role of a central office to unify and support the statewide Help Centers. Although each Help Center can operate independently, the suggested best practice is to unify the Court Help Centers through one office. Part VI, entitled “Help Center Promotion,” identifies the practices to employ to ensure that the public is aware of the services offered in the Help Center. Years ago, there was one Help Center in New York that did its best to hide itself from court visitors. There were no signs or postings for this Help Center that operated behind a closed door. Only the savviest of litigants knew it was there. This led to constant overuse by repeat visitors and many in need left the courthouse unassisted. The promotion guidelines suggested in this Part are very low cost and should be conducted by the Help Center, the courts it serves and central administration.

In New York, the state court’s Help Centers are overseen by Justice Fern A. Fisher and her staff in the NYS Courts Access to Justice Program. The Access to Justice Program is available to facilitate the opening of any Help Center in New York State and advise any jurisdiction outside New York on the best practices recommended in this publication. Feel free to email [NYA2Jtraining@nycourts.gov](mailto:NYA2Jtraining@nycourts.gov) with any questions. It is the goal of this guide that the structural and operational practices set forth in Parts I - VI will greatly facilitate Help Center expansion.

## History of the New York State Court Help Centers

The culture of the New York State court system has undergone a slow but significant change in its approach to providing services and resources to unrepresented litigants. In large part this evolution is attributable to the vision of former Chief Judge Judith S. Kaye and current Chief Judge Jonathan Lippman, as well as the efforts of other Administrative Judges, like the late Israel Rubin and Fern A. Fisher, who both ran the Civil Courts of New York City for a period of time, and Juanita Bing Newton, who was the Deputy Chief Administrative Judge in charge of the Office of Justice Initiatives, the predecessor to the New York State Courts Access to Justice Program.

More recently, the change is due to the sheer volume of unrepresented litigants in serious need of assistance that flood the courts throughout the year. These litigants often require more attention from judicial and non-judicial staff, slow down proceedings, and cause more paperwork. Court personnel and supervisors have come to the realization that offering legal and procedural information to unrepresented litigants not only helps the litigants, but improves court efficiency. More and more courts and jurisdictions throughout New York are finding the means to open Court Help Centers, whether through creative repurposing of office space and personnel or through partnerships with outside organizations.

The roots of the first New York State Court Help Center can be found in the creation of the New York City Housing Part in 1973. Section 110 (o) of the New York City Civil Court Act mandated that the Housing Part have a sufficient number of *Pro Se* clerks to assist persons without counsel concerning court procedure, helping to file court papers, and, where appropriate, advising persons to seek administrative relief. In 1978, in order to fulfill that mandate, a number of Clerks were hired and placed on the counters in the Housing Part Offices. These clerks were expected to be familiar with procedures and provide the required help to the litigants as to how to file proceedings, answer petitions, begin actions for the correction of violations, apply for financial aid, etc.

In 1988, Judge Israel Rubin, then the Administrative Judge of the Civil Court of the City of New York, re-interpreted *Pro Se* Clerk to mean an attorney. He appointed a Law Assistant, as they were then called, to provide legal and procedural information to housing litigants. This attorney was given an office and was not to be assigned to the counter. One *Pro Se* Attorney was hired for Bronx, Kings, New York and Queens County Civil Courts. These *Pro Se* Offices were handled by one attorney until January, 1998.

In September 1997, the Housing Court Program: Breaking New Ground, known as the Initiative, was implemented (see [http://nycourts.gov/COURTS/nyc/housing/pdfs/housing\\_initiative97.pdf](http://nycourts.gov/COURTS/nyc/housing/pdfs/housing_initiative97.pdf)). The Initiative changed the way the Housing Part was structured and created Resource Centers. More court attorneys were hired and the vision of the *Pro Se* Attorney's Office changed to include, in addition to the regular *Pro Se* Attorney tasks, that there be written materials about the court, videos that would help the litigants negotiate their cases, a

small library with resource materials, and a computer program that would allow litigants to formulate petitions and answers. Resource Centers were opened in every county. A part-time Resource Center was created in Richmond County and, later on, when the Harlem Community Justice Center was opened, there as well. Eventually, the Civil Court's Resource Centers began providing civil and small claims assistance, as well as housing.

In 1997, at about the same time that the New York City Civil Court began operating Resource Centers, the New York County Supreme Court opened the first Office for the Self-Represented. The Office for the Self-Represented provided help of various kinds, including procedural and other court information, forms review and assistance with forms completion, and referrals. Subsequently, Justice Juanita Bing-Newton, then the Deputy Chief Administrative Judge in charge of Justice Initiatives (DCAJ-JI), began working in 1999 to replicate and enhance these highly successful local initiatives. In addition to assisting the New York County Supreme Court office in upgrading its space and working environment in 2001, the DCAJ-JI performed extensive outreach and gave technical assistance within the court system to encourage the opening of additional sites. As a result, Offices for the Self-Represented expanded to every Supreme Court in New York City and opened in the public access law libraries of some of New York's larger counties, including Nassau and Suffolk in the Tenth Judicial District, and Rockland, Westchester, Orange and Putnam Counties in the Ninth Judicial District. The Ninth Judicial District added a Court Attorney to oversee services for unrepresented litigants in the five counties located in the District.

In the fall of 2007, Richmond County Surrogate's Court opened a pilot Office for the Self-Represented, the first such office in New York State to provide procedural and legal information to the public on matters unique to Surrogate's Court, including uncontested small estates, guardianship applications and accountings, petitions to open safe deposit boxes and residences, as well as other issues. Due to the success of the pilot, the program became permanent in the spring of 2008. That same year, the Eighth Judicial District opened a multi-court Resource Center serving litigants in Family, Surrogate's, Supreme and County Courts in Erie County, the first such office in upstate New York.

In or around 2008, Justice Fern Fisher, in an effort to clarify the assistance offered at the courthouses, directed that the Civil Court Resource Centers be re-named Help Centers. In 2009, Justice Fisher was appointed the Director of the NYS Courts Access to Justice Program. That year, she changed the names of the Offices of the Self-Represented to Help Centers and new signs were created to reflect the change. In 2009, the NYS Courts Access to Justice Program published its first Best Practices for Court Help Centers and Programs to Assist Unrepresented Litigants as a reference for court administrators to use when opening Court Help Centers.

In 2013, along with the Access to Justice Program, Administrative Judge Craig J. Doran orchestrated a partnership between the Courts, the Volunteer Legal Services Project of Monroe County, Inc., the Monroe County Bar Association, the Telesca Center for Justice, and the Center for Dispute Settlement, to open the Seventh Judicial District

Help Center in the Rochester City Court. The Help Center provides free walk-in legal and procedural information to litigants who are not represented by an attorney. In May 2013, this Help Center received the New York State Bar Association's *Pro Bono* award. The Center was lauded for making "access to justice a reality."

In the New York City Family Court, court staff in the Petition Rooms regularly assisted unrepresented litigants in completing and filing their petitions. Over the years, these courts expanded their services, and now offer document assembly terminals, assistance from community-based organizations and a volunteer attorneys program in their Petition Rooms and Help Centers. In July 2013, Bronx County Family Court repurposed its Petition Room into its state-of-the-art Help Center, thanks to the vision of New York City Family Court Administrative Judge Edwina Richardson-Mendelson, then Bronx Family Court Supervising Judge Monica Drinane, and Clerk of the Court Michael J. Williams. In this Help Center, unrepresented litigants create and file petitions, meet with Volunteer Attorneys, receive copies of court orders, and appear before a Court Referee, allowing many of their needs to be addressed when and where they file. The Help Center is also outfitted with 9 document assembly computer terminals in the waiting area. This Help Center is a model to court systems throughout the world.

Most recently, in May 2014, the Third Judicial District opened its first Court Help Center. The Access to Justice Program worked with Presiding Justice Karen Peters and, former Administrative Judge Thomas E. Mercure, the Albany County Bar Association, Albany Law School, and the Legal Aid Society of Northeastern New York to open the Albany County Family Court Help Center.

As of 2015, there are 26 Help Centers in the New York State courts and an additional 62 public access law libraries. In 2014, not including New York City Family Courts, the Help Centers assisted over 135,000 unrepresented litigants throughout New York State. All of these Help Centers vary widely in their set-up, staffing, and services due to different demographics, funding, and resources. A full list of the New York State Help Centers is available at: <http://nycourts.gov/courthelp/GoingToCourt/helpcenters.shtml>. The "What's There?" links next to each Center's listing reveal the resources that each Help Center offers. Although each Help Center is different, they all represent a place where unrepresented litigants can go to find legal and procedural information and improved equal access to justice.

## **Part I. Initial Considerations**

### **A. Litigant Population and Demographic**

Ascertaining the needs of the unrepresented litigant population is key to determining the appropriate make-up of the Help Center. The litigant population and demographic will decide how much a Help Center is needed in a particular courthouse, what resources and services it needs to provide, whether alternative delivery methods are necessary, and what staffing and budget it will require. Specific questions to consider are below. The answers greatly impact the execution of the best practices in this guide.

1. What are the case types and how complex are they?
2. How many unrepresented litigants does the court see in these case types?
3. Where are unrepresented litigants having the most trouble, e.g., filing, trial?
4. Do the same questions come up repeatedly?
5. Are the case types suitable for unbundled legal services?
6. What percentage of the cases has an unrepresented litigant as a party?
7. What is the impact of unrepresented litigants on the court?
8. What are the demographics of the unrepresented litigants, such as age, education, income, and languages spoken?
9. Is the area urban or rural?
10. What are the existing services for unrepresented litigants in the area or the court?

### **B. Location**

The location of the Help Center greatly impacts its ability to assist the public and facilitate court operations. The Help Center is best located in the courthouse. This will optimize its use. Litigants are already in the courthouse to file papers or appear in court. If they have questions, a Help Center located in the same building is the quickest and easiest way to ensure they find answers. Indeed, many litigants first realize they have questions when they are in court. Litigants in need of information should not have to leave the building to visit a Help Center, especially if they must come back to file paperwork. Most unrepresented litigants do not have the extra time to travel elsewhere; many cannot afford the transportation costs. A location outside the courthouse discourages and can curtail Help Center traffic.

The right location inside the court is also important. A Help Center in a hard to reach, out of the way location in the courthouse will be underutilized.

The ideal location is:

1. Easily visible and reachable.
2. On the first floor of the building near the entrance.
3. Adjacent to or near or part of the Clerk's office where papers are filed.
4. Close to the court's childcare center, if there is one.
5. Easily accessible to those with disabilities.

Aside from facilitating access to justice, a location in the courthouse improves court efficiency. If unrepresented litigants have a place to ask questions in the courthouse the number of questions directed to courtroom and Clerk's Office staff is decreased, freeing up staff for other responsibilities. When the Help Center is located in the courthouse it is easier for offices to communicate with each other. Court records, filing of papers, payment of fees, and referrals to court-based services, are easier to manage when the Help Center is located in the courthouse. Case processing systems are improved.

If a space inside the courthouse is impossible, then the Help Center should be located as near to the courthouse as possible, preferably within walking distance. To avoid any appearance of impropriety and lack of neutrality, the Help Center should never be located in a private law office or legal services office. A Bar Association may be an option.

### **C. Alternative Service Delivery Models**

In rural areas it is possible that setting up a traditional Help Center is not the best service delivery method to assist the litigant population. If the courthouse is located hundreds of miles away from a significant portion of the population it serves or it is not easily reached by public transportation or it is inaccessible for any other reason, it may be best to consider setting up a Mobile Legal Help Center or Virtual Help Center instead of a traditional brick and mortar office. Although this guide is written for a traditional Help Center, many of the best practices apply to these alternatives.

1. **Mobile Legal Help Center:** Bringing information and services directly into the community accommodates those litigants who are homebound, disabled or have other health issues, have childcare issues, cannot afford the trip to the courthouse, live too far from the courthouse, cannot benefit from information delivered over the internet, or are uncomfortable seeking assistance. A Mobile Legal Help Center can offer most of the same services as a traditional Help Center all aboard the vehicle. Unrepresented litigants can receive legal information, unbundled advice and counseling, assistance with document preparation, and even video link with the Court for emergency hearings. A Mobile Legal Help Center is a costly undertaking and has a host of additional considerations which are not covered in this guide. These include the time and effort to arrange locations, the gas and auto maintenance of the vehicle, and where the vehicle will "sleep" at night. The NYS Access to Justice Program partnered with NYLAG, a non-profit legal services provider, to operate a Mobile Legal Help Center. More information can be found here: [http://www.nycourts.gov/ip/nya2j/Courts\\_Community\\_Center/mobilelegalhelpcenter.shtml](http://www.nycourts.gov/ip/nya2j/Courts_Community_Center/mobilelegalhelpcenter.shtml).
2. **Virtual Help Center:** Many court systems maintain a virtual Help Center strictly over the internet and/or telephone, rather than a walk-in facility. The Alaska court system is a good example of this and makes the most sense for Alaska's residents given their climate and the huge geographical area that their Help

Center serves. A Help Center website can offer multi-lingual access to all Help Center publications, forms and instructions, as well as a LiveHelp instant chatting feature. In fact, the majority of practices and services discussed in this guide for the traditional Help Center can be offered over the internet via the remote services discussed in Part II (K) of this guide. A virtual Help Center is far less expensive to establish and maintain. If funding is an issue, this can be an excellent alternative service delivery method.

#### **D. Partnering, Funding, and Staffing**

Although a Court can establish a Help Center entirely on its own, it is beneficial to identify all stakeholders in the community and form manageable partnerships to launch the Help Center. Whether or not these groups partner during the formation of the Help Center, their cooperation, input, and suggestions are important. Once the Help Center is up and running, these groups are valuable sources for referrals, volunteers, written materials, collaborative programming, clinics, workshops, and other initiatives. If funding and staffing the Help Center are in jeopardy, partnering can be the solution.

Stakeholders to consider approaching:

1. Local and state bar associations.
2. Legal services providers.
3. Law schools.
4. Not-for-profit and *pro bono* organizations.
5. Local government offices and officials.
6. Social services, advocacy, and community organizations.
7. Private foundations.

When forming alliances, it is essential to keep in mind that the Court Help Center must maintain its neutrality. Its function reflects on the entire court system. The Help Center cannot favor or appear to favor any class or legal position.

#### **E. Central Administration and Supervision**

When establishing a Court Help Center, it is most important to keep the big picture in mind. Procedures, resources, and forms should be uniform from court to court. This is unquestionably the best practice. Uniformity makes everything easier for court personnel, unrepresented litigants, and attorneys. Towards this goal, it is best to have a statewide central Help Center administration to oversee, support and connect individual centers. This can greatly facilitate uniformity and training and is an excellent means to share experience, materials, and prevent each Help Center from re-creating existing resources. In New York, the NYS Courts Access to Justice Program oversees the Help Centers statewide. Part V of this guide outlines a number of best practices for central supervision.

Whether planning the first or the 21st Help Center in a jurisdiction, this connection should be kept in mind during the initial design. Construct the Help Center with cloud-based technology that can easily share information. All Help Centers should have the technology to link to one another. This is especially important for uniform intake, statistics collection, and sharing of resources statewide.

## **F. Integration with Other Court Functions**

The Help Center should be fully integrated with the court's case management system, e-filing system, intranet system, and any other computerized functions that would help the Center provide greater assistance to the public. For example, Help Center personnel need accurate procedural information in the case to correctly assist the litigants. Staff should be able to view case histories because many litigants are not capable of providing this information at a meeting. If decisions and court papers have been scanned or e-filed, staff should be able to print copies. Even better, Help Center staff should have the ability to take payments and accept papers for filing and assist with e-filing. This is a tremendous time savings for both the unrepresented litigants and the court.

## **G. Hours of Operation**

The best practice is to provide Help Center hours on the same days and times that the courthouse is open. In addition, evening hours, at least once a week, are essential to provide access to services for the unrepresented litigants who cannot come to the courthouse during the day. Early morning hours are an additional plus to accommodate litigants with questions before their court appearances. If staffing is difficult, consider school interns and volunteers to keep the Help Center open full time.

## **H. Branding**

The Centers should all be part of a recognizable franchise that uses the same name and logo. One of the initial decisions to make is what the Center will be called. In the New York State Courts, Help Center is the name of choice. This plain language phrase is one that all litigants immediately understand. A Help Center is a place they can go for assistance. The impression is similar to what visitors traveling to a new city think when they see the Tourist Center. In New York, the name Help Center caught on quickly with court personnel. It is a name that is instinctive for litigants arriving at the courthouse or searching the internet.

Names like "Office of Self-Represented," "Pro Se Office," or "Resource Center" are not descriptive and may not mean anything to potential users. "Self-Help Center" seems to imply that litigants are completely on their own, which is not the case when staff is available to provide information. Litigants may think it will be too difficult to help themselves and may shy away from a "Self-Help" office.

In New York, all Court Help Centers use the same logo on all Help Center materials. The Help Center logo is a court building design with the word help spelled out in the center to give the impression that assistance is available inside the courthouse. This uniform and consistent branding at the onset gives the Help Center more exposure and recognition. Unrepresented litigants are more aware of the service.



## Part II. Help Center Services to Offer

### A. In General

The Help Center should deliver competent, neutral, and practical legal information and services that are targeted to the needs of the unrepresented population that it aids. This Part lists the services that an ideal, fully functioning, staffed and funded Court Help Center should strive to offer. Not all Help Centers will be able to provide a number of these services due to budget, staff and/or space limitations, or because they are inappropriate for the Help Center's demographic.

At a minimum, every Court Help Center should offer one-on-one consultations with court staff, referrals, and written materials, including forms (see sections B-D, *infra.*). In addition:

1. All Help Center services should be free to the public.
2. Walk-ins should be encouraged and welcomed on a first-come, first-serve basis. No appointments required.
3. No income screening.
4. Neutral and available to all sides in any court action.
5. Court employees do not provide legal advice and do not create attorney-client relationships.
6. Only assist unrepresented litigants. If a litigant has an attorney he or she cannot be assisted, with the exception of assisting with a removal of counsel.

### B. One-on-One Consultations with Court Staff

A one-on-one private consultation with a court employee is important given the sensitive and personal issues that the litigant needs to discuss. A litigant will feel more comfortable and less intimidated in a face to face situation and is likely to volunteer more information in a private setting. When a litigant leaves out details it hinders court staff from providing the correct procedural information.

Basic core services offered during consultations include:

1. Assistance with identifying and completing form pleadings, including fee waiver applications.
2. Document review.
3. Information and explanation of service of court papers and filing.
4. Referrals (see section D, *infra.*).
5. Distribution of free multi-lingual written materials (see section C, *infra.*).
6. Preparation for court appearances, hearings, and trials.
7. Assistance with completing orders and judgments.
8. Review of pleadings for conformity with court rules prior to filing.
9. Procedural information, such as explanation of court orders, decisions, stipulation terms, the process to obtain, enforce and modify orders, and explanation of courtroom procedures.

10. Discussion of legal options (see Part V (F) for more information about the difference between legal information and legal advice).

### **C. Written Materials**

Dissemination of written materials is especially helpful because a litigant may not be able to take everything in during a consultation, may forget what has been said or may need or want more information than can be provided during a consultation. When a litigant goes home with written materials, he or she has more time to absorb the material at his or her leisure. Providing written materials helps shorten consultation time because the employee can send the details home with the litigant in writing. It is best if written materials are provided in plain language and are available in multiple languages consistent with the demographic. Plain language ensures that the written materials will be easily understood by litigants with lower reading proficiency. A variety of written materials should be on display in the waiting area available for litigants to help themselves. Written materials and photocopies of materials should be freely disseminated with no charge to the litigant.

The following written materials should be provided:

1. Court forms.
2. Sample completed court forms. These are helpful to show the litigant how a form is supposed to be filled out.
3. Court publications, including "How To" Guides, pamphlets, brochures, webpages, and instruction sheets.
4. The litigant's case history and copies of court papers from the litigant's case file.
5. Written, vetted and approved materials from other trusted organizations outside the court system.
6. Photocopies of papers prepared in the Help Center.
7. Lists of useful resources and their internet addresses.
8. Lists of referral sources and any prerequisites for services.
9. Statutes and local court rules.
10. Printed internet pages on relevant topics.

### **D. Referrals**

Making an appropriate referral is an extremely important service provided in the Help Center. There are numerous resources available to unrepresented litigants. Unfortunately, far too many litigants have no idea where to go for the help they need. The right referral can save a family from eviction, put an end to a violent home situation, or even result in the job training needed to make a financial difference.

A best practice is for Help Center personnel to take the extra steps to check with the referral source before sending someone over to make sure it can provide the help that the litigant needs. Whenever possible, Help Center personnel should provide a contact name and phone number at the referral source. In addition, when

necessary, staff should make appointments with the referral source for litigants who lack the ability to do so themselves.

Referral resources can include:

1. Other offices inside the court system. Frequently, litigants are in the wrong office or court and it is a simple matter of sending them to the right place. Escorting a litigant to another office in the building can be especially helpful or calling ahead to the office on the litigant's behalf.
2. Government agencies.
3. Local law enforcement.
4. Community groups.
5. Social Services programs.
6. Local politicians.
7. Advocate groups.
8. Legal Services for free or low-bono or unbundled legal clinics. But, never to a particular fee charging attorney.
9. Bar Association legal referral services.
10. Alternative Dispute Resolution: Where appropriate, referrals should be provided to mediation and ADR centers.

#### **E. Volunteer Lawyers or “Low Bono” Project**

Court employees can never offer legal advice (see Part V (F)). Partnering with a Volunteer Lawyer's Program (VLP) is an excellent way to offer legal advice within the Help Center. VLP's train attorneys or law students in a particular area of the law to provide free unbundled assistance to unrepresented litigants. Volunteer lawyers can offer assistance that court staff cannot. Volunteer lawyers are able to assess the strengths and weaknesses of a litigant's case and suggest a course of action. They can provide greater assistance with the preparation of court papers. Offering VLP consultations is a free and easy way to assist more litigants, while helping practicing attorneys expand their knowledge base and refine their interview skills. In a number of New York State Court Help Centers, the Help Center Court Attorneys supervise volunteer lawyers from court-based programs that operate in the Help Center. This arrangement allows the court system to indemnify the volunteer lawyers should this be needed (see New York State Attorney General Opinion No. 2000-F1: [http://nycourts.gov/attorneys/volunteer/vap/pdfs/NYAG\\_VLPopinion.pdf](http://nycourts.gov/attorneys/volunteer/vap/pdfs/NYAG_VLPopinion.pdf)). In addition, a volunteer lawyer program can provide these services in the Help Center from a remote location (see section K, *infra.*).

Another option that other court systems have employed is partnering with community law programs or bar associations to provide low-cost affordable legal services in the Court Help Center. For example, in the Pinellas County, Florida Circuit Court Self Help Center any unrepresented litigant can meet with an attorney at a cost of \$1.00 per minute, for a minimum of 15 minutes and a maximum of 60 minutes. Fees paid by the litigants fund the Self Help Center. See: [www.mypinellasclerk.org](http://www.mypinellasclerk.org).

## **F. Clinics and Informational Tables**

When space permits, partnering with organizations to conduct clinics or staff informational tables in the Help Center is a great way to provide free additional helpful services for unrepresented litigants. Assistance can be offered for specific types of cases, such as consumer debt, foreclosure, domestic violence, or housing. Assistance can also be targeted toward a specific class of unrepresented litigants, such as person with disabilities, mental health issues, veterans, or the elderly. The services should complement the areas of law covered by the Help Center. The clinics can offer information and advice, document preparation, and referrals. Informational tables can provide referrals and resource materials. These services can be offered anywhere from an hour a week to full time, depending on the volunteering organization's availability. Possible groups to provide space include:

1. Social workers or social work students.
2. Not-for-profits.
3. Law school clinical programs.
4. Bar associations.
5. Advocate groups.
6. Government agencies.
7. Social services groups.

## **G. Document Assembly Terminals**

If the court system has document assembly programs that produce court forms, then the Help Center is an ideal location to place computer terminals. In fact, if litigants are properly triaged they may be able to use the programs on their own and no longer require a one-on-one meeting with Help Center staff.

## **H. Free Internet Access for Legal Research and Records**

Help Centers should have free internet access for basic legal research. This includes access to city records, government agencies and websites, and all court websites and resources. Desktop shortcuts or menu pages can be set-up for the most relevant sites in the areas of the law needed most. Translation buttons can also be added to translate screens or menu pages for resources in other languages can be created. Internet access should be restricted to prevent access to non-legal research websites, such as email or social media sites. A reasonable amount of printing should be permitted for free.

## **I. Periodic Public Workshops**

Periodic workshops in the Help Center are another way to assist unrepresented litigants and take advantage of available free expertise on specific topics. Workshops can be strictly informational or can offer forms completion assistance. Workshops can offer one-on-one assistance or group assistance. The same groups

considered for clinics or informational tables may present a Help Center workshop. If space is limited, it is best to require registration for workshops.

## **J. Interpreters/Language Line**

Having interpreting services available at all times in the Help Center is the best practice. It is extremely important for unrepresented litigants to understand what is happening and what they are being told. Ideally, an interpreter in the language most requested should be part of the Help Center staff. If this is not feasible, but the court has interpreters on staff, then they should be available to be called to the Help Center to translate.

For languages where there is no interpreter available, Language Line or a similar service can be used. Language line is a company that provides over the phone translation services in over 200 languages for various government agencies. This service is more helpful when the Help Center staff is trying to communicate short pieces of information like an adjournment date or what documents to bring to the next court appearance, rather than full conversations.

## **K. Remote Assistance**

There are many litigants for whom travelling to the Help Center presents a great challenge. Offering remote assistance to deliver legal information accommodates litigants who are homebound, disabled or have other health issues, have childcare issues, cannot afford the trip to the courthouse, live too far from the courthouse, cannot benefit from information delivered over the internet, or are uncomfortable seeking assistance. Remote assistance can be provided by court staff, volunteer attorneys, advocates, or volunteers.

Remote services can be provided to unrepresented litigants in the Help Center from people physically outside of the Help Center. Remote services can also be provided to unrepresented litigants who are physically outside of the Help Center from people who are in the Help Center.

The following remote tools can be utilized to provide remote services:

1. Desktop sharing.
2. Skype or some other live visual assistance.
3. Assistance via email.
4. Live assistance via telephone or toll-free hotline.
5. LiveHelp or some other instant chatting assistance.
6. Recorded interactive telephone services.
7. Interpreters or Language Line services.

## L. Other Services

In addition to the services already listed in this Part, there are a number of other services recommended for Court Help Centers:

1. Extended hours. If possible, in addition to regular court hours, offer assistance before or after the typical work day so people can visit without taking a day off.
2. Lunchtime assistance. If possible, stagger Help Center Staff lunch breaks to keep the Help Center open all day. This avoids overtime.
3. Mediation or other alternative dispute resolution services.
4. Free WiFi.
5. A Judge or Referee and courtroom in the Help Center available to hear emergency *ex parte* applications, such as orders of protection and temporary restraining orders. This is an innovative best practice and has proven very successful in one of New York's Family Court Help Centers.
6. Filing of papers and acceptance of fees. It is much more efficient for both litigants when court papers prepared in the Help Center can be filed there as well.
7. Access to computerized case records. This is very helpful to litigants to save them a trip to another office to get records and then a return trip to the Help Center.

## Part III. Help Center Staffing and Responsibilities

### A. Help Center Staff in General

The number of people needed to staff a Court Help Center depends on a variety of factors including the number of unrepresented litigants in the area that the office serves, the litigants' legal needs, and the services offered. The sections below describe the basic positions and job responsibilities. This includes a Supervising Attorney, Court Clerks, Clerical Staff, and Interpreters. The positions and division of responsibilities must be flexible; job responsibilities may overlap if there are more or less staff members. No Help Center should be staffed with only one employee. The NYS Courts Access to Justice Program is available to assist court administrators inside and outside of New York in determining the appropriate staffing necessary to implement the suggested best practices in this guide.

Although continuity of staffing is ideal in any office where there is a significant learning curve, this is not necessarily advised in the Help Center. Interacting with the unrepresented public, people who are generally dealing with cases with serious consequences, is stressful, draining work, and can even lead to vicarious trauma. Rotating in and out of the Help Center gives staffers an opportunity to recharge. In addition, an employee is likely to work a counter or courtroom position in a more understanding and solicitous manner after having spent time working in a Help Center. Staggered biannual rotations are especially suggested for Help Center staff that conduct one-on-one consultations.

Key qualifications for all Help Center personnel include:

1. Even temperament: Help Center staffers need to have a personality that deals well with people who are going through a variety of emotions. Common decency, civility, and respect are essential character traits. Staff must be professional, yet also understanding and patient. Staff must also be able to control potentially volatile litigants by exuding a calm authority. These positions are not for everyone.
2. Strong communication skills: When people are in emotionally compromised states they may not be able to clearly express their needs and questions. Staff must be able to anticipate and answer basic questions clearly and succinctly, be able to quickly solicit information, be adept at keeping the litigant on topic, and be good listeners.
3. Experience: Help Center personnel should have knowledge about court rules, procedures and practicalities. It is best when Help Center employees have worked in other court offices that interact with unrepresented litigants prior to working in the Help Center.
4. Ethics: No gifts, payments, or favors can be accepted by staff working in the Help Center from the litigants they serve. In addition, staff may not assist litigants outside of the Help Center for any remuneration or encourage litigants to hire any particular attorneys. Accordingly, staff members should have the appropriate ethics and understanding of their role.

5. Bilingual: Not a requirement for employment but an extremely helpful qualification. The need for this ability is dependent on the Help Center's demographic.
6. Facilitating Access Training: All Help Center personnel should be well educated in the extent of information that they can provide and have attended training on interacting with unrepresented litigants prior to working in a Court Help Center (see Part V (F)).

## **B. Help Center Supervisor**

The recommended best practice is for the on-site Help Center Supervisor to be an attorney licensed to practice in the state and a member of the bar in good standing, with the requisite managerial experience and legal experience in the areas of law covered by the Help Center. An attorney has the best education and background to oversee any personnel who provide direct legal information to the public. An attorney can also oversee any lawyers or law students participating in volunteer programs, clinics or workshops and provide any supervision required. Where an attorney is not possible, the Help Center Supervisor should be an experienced Court Clerk. In New York State, some Help Centers are supervised by Court Attorneys and some by Court Clerks.

The Help Center Supervisor's duties include:

1. Have experience meeting with unrepresented litigants for private one-on-one sessions and can fill in when necessary to provide the core services outlined in Part II (B) and complete intake.
2. Conduct training of new Help Center personnel.
3. Periodically observe new and old staff assisting the unrepresented public and provide staff with feedback and evaluate performance.
4. Hold quarterly staff meetings. Be available to answer questions at any time.
5. Circulate important changes in the law, procedure, or anything else that affects the assistance being provided to the unrepresented litigants.
6. Make sure written materials are kept current, including referral lists.
7. Devise, post, and distribute promotional information about the Help Center.
8. Post and maintain Help Center information and resources on local court websites.
9. Delegate work to administrative and clerical staff.
10. Implement security protocols and train staff on the procedure to follow when there is a problem.
11. Collect and report statistical information to local administration and statewide Help Center administration.
12. Act as liaison to other offices in the Court and statewide Help Center administration and Managing Attorney.
13. Attend all statewide Help Center administration trainings and meetings.
14. Keep current with national trends for the improvement of delivery of Help Center services.

15. Periodically assess Help Center processes and make improvements where needed.
16. Depending on size, staffing, and services of the Help Center:
  - a. Develop written materials for the unrepresented public.
  - b. Establish collaborations with community partners (see Part II (F)).
  - c. Conduct community outreach and education programs.
  - d. Oversee volunteer lawyers.

### **C. Help Center Court Attorneys or Clerks**

This position or positions depends on the budget and size of the Help Center. Whenever possible, it is recommended that the employees providing legal and procedural information to the unrepresented public are attorneys with experience in the relevant areas of the law in which the Help Center provides services. Understandably, Help Centers may fill these positions with Court Clerk titles. If this happens and there is no Supervising Attorney, it is important that the Help Center non-attorney staff be able to seek greater assistance and guidance from statewide central administration. In a smaller Help Center, if there is only one person to supervise and provide consultations to the public, that person must assume the duties of both the Help Center Supervisor and the Help Center Attorney/Clerk.

Based upon the NYS Courts Access to Justice Program's experience, it is estimated that a court employee conducting one-on-one consultation can assist 20-25 people during a seven hour day in a busy Help Center. This is assuming that the litigants have been properly triaged before they are seen.

Court Attorney/Court Clerk duties include:

1. Meet with unrepresented litigants for private one-on-one sessions and provide the core services outlined in Part II (B).
2. Attend trainings.
3. Complete intake and gather any required statistical information.
4. Oversee other staff and volunteers.
5. Perform other tasks as assigned by the Help Center Supervisor.

### **D. Triage Person: Set-Up and Responsibilities**

The triage person is the most important person in the Help Center, perhaps in the whole courthouse. This position is best filled by an experienced Court Clerk who is capable of quickly and correctly determining what a litigant is trying to do and assist the litigant accordingly. He or she must be able to immediately discern whether the Help Center is the right place for the litigant, whether the litigant needs a consultation with a Help Center Attorney/Clerk, needs a court form, would benefit from informational materials, or needs a referral. This person should be familiar with all services and offices in the courthouse. He or she should be friendly, courteous, and able to clearly communicate procedural information. Depending on the demographic, a bilingual triage person is a plus. A good triage person in a busy

Help Center can assist upwards of 80 litigants per seven hour day. He or she is the reason the Help Center runs smoothly and efficiently and unrepresented litigants feel positive about their experience in the Help Center.

Triage responsibilities include:

1. Greeting litigants and assessing whether they are in the right place.
2. Explaining the scope of Help Center services and obtaining a signed understanding (see section G *infra*).
3. Monitoring, maintaining, and replenishing stock of written materials.
4. Maintaining statistics of litigants triaged.
5. Determining whether an interpreter is needed. This is best determined through conversation, in addition to asking if one is required. A litigant with lower English proficiency may feel that he or she can get by without an interpreter, but really needs greater assistance to fully understand unfamiliar legal information and procedures.
6. Initiating intake.
7. Referrals.
8. Dissemination of written materials.

#### **E. Additional Staff**

Depending on need and resources, there are a number of additional staff positions to employ in the Court Help Center:

1. An interpreter can be essential if the litigant population predominantly speaks a language other than English in which the staff is not fluent.
2. A Court Officer may be helpful to station in the Help Center to help maintain decorum.
3. Student interns and volunteers are always helpful to utilize in the Help Center as long as they can be properly trained and supervised.
4. Clerical staff is required for a variety of job duties.

Additional staff can assist with the following:

1. Maintaining supplies and equipment.
2. Answering phones and directing calls.
3. Intake data entry.
4. Assisting with compilation of statistical data.
5. Administering any feedback surveys.
6. Helping litigants with case status information.
7. Retrieving copies of court records for litigants.
8. Assisting litigants with document assembly programs.
9. Assisting litigants with legal research tools.
10. Distributing written materials including court forms.
11. Assistance with maintaining stock of written materials, copying, ordering, and collating.
12. Providing general information about the courts.
13. Assisting with promotion of Help Center services and events (see Part VI).

14. Making referral appointments.
15. Escorting litigants to other offices.

## **F. Referral Source Responsibilities**

It is essential that the Help Center staff is fully aware of all available referral sources and any criteria that each source requires in order to offer services. Referral source lists are a priority for a Help Center as referrals are an extremely important service to provide. A useful referral can be the most important help that a litigant receives in the Help Center. Equally important is maintaining accurate referral lists. Sending a litigant to a closed agency or one that he or she does not qualify for is a waste of the litigant's time and emotional well-being.

Staff responsibilities for referral sources include:

1. Compile lists of referrals for the sources listed in Part II (D). Include contact information, hours of operation, screening criteria, whether appointments are required or walk-ins welcome, interpreting services and website addresses.
2. Maintain lists of referral resources. This means making sure that all information is up to date; this can be checked bi-annually. This also includes adding new resources as they become available.
3. For referrals within the building, when possible, have an intern or volunteer walk a litigant over to their offices. Call ahead to say the litigant is coming. This extra step can go a long way in relieving a litigant's anxiety and may help them seen sooner.
4. For referrals outside the building, check with the referral source before sending someone over to make sure it can provide the help that the litigant needs.
5. When necessary, make appointments for litigants who may lack the ability to do so themselves.
6. Maintain neat and legible copies of referral sheets.

## **G. Intake Data Collection and Feedback**

The intake/data collection procedure must be efficient for a Help Center to function at its best. All staff should be familiar and have ready access to a shared intake/data collection program. The following procedure is recommended (see Part V (D) for more information):

1. Once an unrepresented litigant is triaged and a decision is made that he or she can benefit from Help Center Services, the triage person should initiate the intake process by starting a file entry in the shared database with some basic information.
2. If the litigant has been referred elsewhere or has been given a forms packet or put on a computer terminal and does not need a consultation, then this can be noted and the intake process is complete.
3. If the triage person determines that the litigant needs to see a Help Center Court Attorney/Clerk, the triage person should explain the scope of service provided by the Help Center, and then obtain the litigant's signature on a disclaimer form

confirming that he or she understands that the Help Center only provides legal information. This is particularly important when the litigant is seeing a Help Center Court Attorney because the litigant may assume that an Attorney is providing representation.

4. The Help Center Court Attorney/Clerk should continue the intake/data collection process on the computer by accessing the file started in triage and filling in the remainder of information, which includes demographic information and captures the assistance provided. The Court Attorney/Clerk can take a minute or two to complete this process when the litigant leaves, rather than waiting until the end of the day. Be mindful that litigants may ask for copies of any forms to show employers why they are late or have missed work. A Sample Intake Form is annexed as Appendix "A."
5. Help Center staff can administer a feedback form. It is helpful to evaluate whether Help Center users are satisfied with the service they received. A feedback form can identify a need for services or information, or staff and efficiency problems, or can indicate that the services in the Help Center are most favorable. One important caveat is that collecting feedback is only worthwhile if there is someone available with the time to administer the form and follow-up on the data.

## **H. Document Assembly Staff Responsibilities**

If the Help Center offers document assembly terminals, there are a number of best practices associated with their use. In a large Help Center with many document assembly programs, a full-time staff member can be assigned to work at the terminals.

Staff responsibilities include:

1. Direct litigants to the programs: All staff should be familiar enough with the available programs and their requirements to recognize when it is appropriate to suggest the use of a document assembly program to a litigant whether in person or over the phone. In New York, the NYS Courts Access to Justice Program offers periodic webinars on the DIY Form document assembly programs.
2. Assisted use: If possible, providing one-on-one assistance to litigants using the document assembly programs should be provided. However, if this is not feasible, at a minimum, staff should be readily available to assist litigants with starting and completing the program and to answer any litigant questions during the use of the program. A staff member can roam around the terminal area and be available to provide assistance to a number of litigants at the same time.
3. Checking the terminals and programs: A staff member or someone from courthouse computer support should be responsible for checking the document assembly terminal area every morning to:
  - a. Make sure that the computer is turned on and working and open to a menu page of the available programs.
  - b. Check the printer, if it is located by the terminal and make sure it is ready, working, not jammed, and has paper and ink.

- c. Check the computer accessories, such as the mouse and speakers or headphones.
  - d. Check the computer area and make sure it is clean and each terminal has a chair.
  - e. Check that the internet and the document assembly programs are working.
4. Post Signs: Clear plain language signs should be posted around the terminals telling the user what to do if the computer is not working or if they have a question, and explaining how to use the computer.
  5. Encouraging litigants to fill out document assembly User Surveys and returning them to central administration. In New York, a User Survey is generated with every document produced.

## Part IV. Help Center Facilities Set-Up

### A. Waiting Area

Litigants need to be treated with respect when they come looking for assistance. The Help Center waiting area sets the tone for how visitors will feel and can expect to be treated. It is important not to invoke a negative or unfriendly environment. Take care not to post signs everywhere that start with “Don’t” and “No.” Do not place Help Center personnel behind a window to communicate with litigants.

In general, the waiting area should:

1. Seem pleasant and inviting:
  - a. Choose a soothing paint color.
  - b. Hang art and signs with positive messages.
  - c. Choose a windowed room with sunlight.
2. Be large enough to comfortably accommodate all users.
3. Be immediately obvious where to begin when a litigant steps in the room, visible triage.
4. Have plenty of comfortable seating made from material unattractive to bed bugs (if this is an issue in the community).
5. Offer free Wi-Fi and have plenty of accessible charging outlets.
6. Have available audio and visual resource material, including:

Monitors or video viewing stations for watching informational materials, along with headsets (depending on the Help Center’s lay-out, this does not have to be set-up in the waiting room, as long as its availability is made clear).

  - a. Running slideshows with information to view while waiting for assistance.
  - b. Display racks and shelves stocked with free written materials.
7. Have comfortable surfaces for writing or filling out forms.
8. Provide hand sanitizer and pens.
9. Have space for appropriate community or social services organizations to staff tables to answer questions or offer their materials.
10. Be able to accommodate litigants with disabilities.

### B. Triage Area

Visitors to the Help Center should be triaged as soon as possible to prevent people from needless waiting.

1. The triage area must be directly accessible to the waiting room so it is the first stop a litigant will make.
2. The area should afford some privacy in conversation.
3. The triage should be face to face, no window between the litigant and triage person.
4. If long lines are expected, a number system should be employed so that litigants can sit while waiting to be called.
5. The triage person should have ready access to written materials to disseminate.
6. The triage person should have ready access to referral source information.

### **C. Document Assembly Terminal Area**

If document assembly programs are offered in the Help Center, a sufficient space must be designated for the public access terminals. The following should be considered:

1. Privacy: As best as space permits, set up terminal areas where litigants cannot see each other's screens and personal information. There are screen privacy filters that can be purchased that make it difficult to see a screen from the side.
2. Location: The terminals must be close to the filing windows. If litigants are told to go use a terminal down the hall or on another floor, it is far less likely that they will avail themselves. Terminals are best located within the sight line of a responsible Help Center employee. That way, if a litigant is having a problem they can signal the employee.
3. Express lanes: To encourage use of the program, designate an express window for the document assembly program users. In fairness, litigants who are sent to use the programs should not have to wait on line all over again to file their papers or see a Clerk.
4. Head-sets to listen to any programs with audio.
5. Hand sanitizer.
6. Computer configuration:
  - a. Document assembly programs only: the computer should be set up so that web addresses cannot be entered and visited. The terminal is not for checking email or shopping.
  - b. Homepage: the terminal should default to a page that offers the available programs.
  - c. Timers: in order to assure that the users' personal information is no longer displayed on the screen after they finish, it is recommended that a timer program be placed on the computer. Many litigants walk away from the terminals without closing the program. After a specified period of inactivity, the document assembly program should automatically close and return to the homepage.
  - d. Disability assistance: to make the document assembly programs more accessible to disabled litigants, special keyboards and monitors can be purchased for the visually impaired.
7. Printers: Depending on preference, printers can be set-up alongside the terminal area or near the window or desk where the litigant is to visit next to process his or her documents.
8. Signage and instructions: Plain language signs that clearly indicate who the terminals are for and what they can be used must be posted by the terminals. In addition, clear and easy to follow instruction signs for getting in and out of the programs should be placed alongside the computers so litigants can easily refer to them.
9. Who to contact if there is a problem: If an employee is not close by, a sign should be posted telling the litigant who to contact and how to reach the person if they

have encountered a problem, such as stuck on a question or the computer has frozen or a printer has jammed.

10. Enough terminals: Make sure there are enough terminals available so litigants do not have to wait for a space to free up. The more litigants that can be served simultaneously, the more efficient the use of the document assembly programs. The number of terminals depends on Help Center traffic and available space.
11. Workshops: When setting up the terminal area, consider whether this area will be used for group workshop classes on filling out forms. Provide space for a speaker and a screen for demonstrations that can be viewed from the terminals.

#### **D. Consultation Areas**

Since litigants are going to be talking about sensitive issues, it is important that they are able to have one-on-one meetings when they are being helped. The litigant is likely to volunteer more information in a private setting. Private rooms or room dividers should be utilized. Many unrepresented litigants are scared and creating an environment where they feel that their privacy will be respected will allow for more of a free flow of information. Consultations should not be conducted through a windowed partition.

#### **E. Integration with Case Management and Operations**

A fresh approach to the Court Help Center set-up is to integrate the Center's assistance with all relevant aspects of court operations. This results in tremendous time savings for both the litigant and the court. For example, Help Center personnel should be able to interface with the court's case management system so they can see where a case is procedurally as many unrepresented litigants are unable to articulate this themselves. To better assist litigants, Help Center personnel should be able to print documents from the court file, such as affidavits of service, decisions and orders, or motion papers. Many litigants do not bring necessary paperwork with them to the Help Center, requiring them to make a trip to a record's room to obtain copies before returning to the Help Center. Ready access to court files from the Help Center relieves this burden.

In addition, Help Center personnel should be able to complete the filing process after assisting litigants with court forms. If a document is ready to file, rather than send the litigant to another office to stand on another line and have a case found in the system and paperwork reviewed again, the Help Center personnel should have the ability to file documents, process payments, enter data, and issue court dates. As technology continues to improve and court systems are better networked, this integration is a natural progression for more efficient court operations. Accordingly, the Help Center should be outfitted and staffed to provide these services.

## **F. Security**

One of the most difficult aspects of explaining court rules, procedures, and options is having to tell people some things they do not want to hear. Unfortunately, sometimes people become hostile. In order to protect staff and visitor safety, it is important to implement security measures, such as the installation of security cameras or panic buttons under desks. If feasible, a court officer can be stationed in the Help Center or patrol through the Help Center throughout the day.

## **G. Additional Furniture, Equipment, and Supplies**

In addition to the needs outlined above and general office supplies, including pens and pads for litigant use, the Help Center should be equipped with the following furniture:

1. Sufficient desks and chairs as needed.
2. File cabinets and other storage units.
3. Bookcases.
4. Display racks.
5. Movable podium for guest speakers.
6. Hand sanitizer dispensers.

In connection with the services outlined in Part II, the Help Center should be outfitted with the following equipment and technology:

1. Outside and long distance phone service.
2. Access to high speed internet.
3. Access to legal research online services.
4. Access to case management information and any digitized court records.
5. Access to any electronic filing.
6. Access to intake database.
7. Staff Access to social media sites and webpages, if utilized by the Help Center.
8. Fax machines.
9. Photocopy machines.
10. Black and white printers as needed and a color printer for printing eye-catching promotional flyers.
11. Scanners and digital senders.
12. Technology and software needed for remote services, such as desktop sharing or computer cameras for face time.
13. Audio visual equipment to record speakers and save for replays.
14. Wi-Fi and charging stations.
15. Laptop, projector and screen for presentations.
16. Computers and work stations for document assembly programs and free internet.
17. Assistive technology for litigants with disabilities.

## **H. Other Space**

Other initial set-up depends on what services the Help Center offers. A large meeting or training room can be used for group workshops or clinics. Personal meeting rooms that afford some privacy can be used for clinics and volunteer lawyer programs. Free internet legal research computers should be set up in a well monitored area so court staff can provide basic assistance, maintain a clean area, and insure appropriate usage. Remote services that require the litigant to speak out loud should be placed in more private areas that will not disturb other litigants and allow the remote service users to be able to hear and be heard. It is best to factor in additional desks for volunteers or interns, keeping in mind that space can be shared.

## **I. Written Materials**

Every new Help Center should be stocked with the requisite resources and materials needed for day to day operations. Many of the materials for the public, like local referral sources and procedural instructions, may need to be created from scratch. There are guidelines for the creation of new written materials in Part V (C). The resources to stock depend on the case types and demographic served by the Help Center. See, for example, the list of forms and instructions for a New York Supreme Court Help Center, a court of civil jurisdiction for cases over \$25,000, annexed as Appendix "B". Other materials need to be ordered in advance and other materials created already by other Help Centers and Courts need to be edited. An effort should be made to stock materials in the languages spoken by the litigant population served by the Help Center. In New York, the NYS Courts Access to Justice Program can help with the collection of materials and assist in determining what materials are best for the Help Center's demographic. Once the materials are compiled, an inventory list should be composed and maintained.

It is important to stock:

1. Intake and disclaimer forms.
2. Court forms.
3. Sample court forms.
4. Referral lists.
5. Legal research materials, treatises, court rules, and statutes.
6. Litigant feedback forms.
7. Brochures, informational booklets, how-to guides, and instructional materials.
8. Posters and flyers advertising helpful litigant court resources.

## **Part V. Help Center Central Administration**

### **A. In General**

As stated in Part I (E), a central Help Center office can oversee, support, and connect individual Help Centers to facilitate uniformity, training, and the distribution of promotional materials and resource materials. In New York, the NYS Courts Access to Justice Program is the central administration for all the Help Centers statewide. While several staff attorneys and clerical staff work on uniform materials, one attorney is primarily responsible for Help Center supervision and functions as the point person for all Help Center personnel.

Central administration is also tasked with overseeing the technology that links the state Help Centers to one another. This includes a statewide shared site and a shared intake statistical program. Central administration can facilitate remote services programs and is responsible for posting Help Center information and resources on the court system's website and social media sites.

### **B. Central Administration Managing Attorney**

The Help Center Central Administration Managing Attorney is licensed to practice in the state and a member of the bar in good standing with extensive experience in management and delivery of Help Center services. He or she has an expertise in the areas of law assisted by the Help Centers. The Managing Attorney is personable and has superb communication skills, plain language skills, and a profound understanding of the challenges faced by unrepresented litigants when they come to court.

The duties include:

1. Available to the Help Center administrators and staff for questions and advice.
2. Conduct training of Help Center Supervisors.
3. Conduct training of Help Center staff when there is no Help Center Supervisor to do so.
4. Oversee Help Center unification.
5. Circulate updates and changes in the law and procedure.
6. Hold quarterly Help Center staff meetings and presentations via webinar.
7. Develop uniform intake procedure.
8. Be available to make in-house visits to evaluate.
9. Facilitate expansion of Help Centers throughout the state.
10. Monitor Help Center shared site.
11. Report and publish Help Center statistics.
12. Follow-up on additional Help Center needs based on statistics.
13. Consult and assist with Help Center stocking of resources.
14. Distribute Help Center materials.
15. Conduct Help Center promotion.



## **C. Creation of Written Resources for Unrepresented Litigants**

A Help Center needs quality neutral written materials to disseminate to its visitors. Generally, a busy Help Center does not have time to create new resources. The central administrative office can create written materials following the guidelines below for all Help Centers to use.

These guidelines apply to all materials:

1. **Uniformity:** Produce materials that can be used in any court of similar jurisdiction in the state. Working toward uniform procedure is a goal of central administration. In addition, all Help Center materials should have a uniform look:
  - a. Same sans serif font and large font size.
  - b. Descriptive graphics (picture clues to enhance understanding).
  - c. Attractive colors, when color printing is practical.
  - d. Branded with the Help Center logo.
2. **Plain Language:** All Help Center publications should be written in plain language.
3. **Multi-lingual:** Materials should be provided in the languages most commonly spoken in the jurisdiction.
4. **Testing:** Conduct user testing of written information to ensure comprehension.
5. **Review:** Have materials reviewed by the bar, legal services organizations, and other appropriate stakeholders. Have translated materials reviewed by bilingual attorneys to ensure that legal accuracy and nuance are not lost in the translation.
6. **Maintenance:** A written document is never finished. Conduct regular review of all materials to insure that information is up-to-date and correct. Check for:
  - a. Changes in the law and court rules.
  - b. Changes in addresses or phone numbers.
  - c. Changes in procedures.
  - d. Addition or deletion of referrals sources.
7. **Implement the following maintenance practices:**
  - a. Maintain master lists of all resources.
  - b. Set a schedule for maintenance checks of materials.
  - c. Promptly update information as soon as the need arises.
  - d. Have publication dates on all materials.
  - e. Maintain a cloud-based repository for all materials to facilitate universal updates.

## **D. Intake, Statistic Collection, Review, and Report**

The central administration office should develop universal forms and procedures for intake and data collection.

1. **Intake/Data Collection form:** The intake form is the source of all information about the public visiting the Help Center. It should be as simple as possible. The longer the form the less likely staff will fill out the whole form. Forms should have check boxes, rather than free text to make the form easy and quick to fill out. The longer the form takes, the less time to provide services. The NYS Courts Access to Justice Program is in the process of making a personalized automated

intake form. When completed, Help Centers will only see the intake questions that apply to the case types they assist.

Help Center information to collect and not to collect:

- a. Collect demographic information.
  - b. Collect types of cases.
  - c. Collect services provided, including referrals.
  - d. Collect any information needed for funding.
  - e. Track number of litigants assisted.
  - f. Do not collect irrelevant information: All information collected should have a purpose. Information that is not going to be used should not be included in the form.
  - g. Do not collect invasive information: Private information, such as social security numbers or sexual orientation should not be collected. Income and age questions can be optional.
2. Intake database: Central administration develops a shared database for all Help Centers to input their data. The effectiveness of any Help Center can be reviewed through statistics. Help Center statistics reports are most easily generated from a shared Help Center database. In New York, many of the Help Centers utilize the same intake and statistic collection program developed in FileMaker. These Help Centers do not need to report their statistics because the Access to Justice Program can run them from the shared database.
  3. Intake procedure: Central administration develops an efficient streamlined protocol for intake and data collection. Staff should never enter data by hand to be transferred later into a database. Both triage and the Help Center Court Attorney/Clerk should have access to the same database. It is recommended that the Help Center staff follow the intake procedure outlined in Part III (G).
  4. Disclaimer: Unrepresented litigants who are seeing a Help Center Court Attorney/Clerk should sign a disclaimer form confirming that they understand the scope of services. This is particularly important when the litigant is seeing a Help Center Court Attorney because the litigant may assume that an Attorney is providing representation. A sample disclaimer form is attached as Appendix "C."
  5. Review: It is important to track who is using the Help Center and what services are being provided. This ensures that the Help Center is appropriately staffed and stocked with useful materials. Central administration should review data collected from Help Center intake:
    - a. Review twice yearly.
    - b. Create new resources based on statistics.
    - c. Translate resources based on statistics.
    - d. Suggest additional accommodations, resources, and services based on statistics.
    - e. Publish statistics.

## **E. Internal Sharing**

A private shared cloud-based internal site for Help Center employees is ideal for sharing resources. All Help Center personnel can use the site to upload their own resources and download other Help Centers' work product. Sharing information and forms improves efficiency and helps maintain standards and uniformity. It encourages development of new materials. The shared site is also useful for posting queries that are unique to Help Centers. This private space allows Help Center staff to speak freely, provides support for a distinctively difficult job and fosters camaraderie. This shared site is especially helpful for Help Centers staffed by one or two people. Suggested folders for the shared site include:

1. Forms bank.
2. Discussion groups for posting questions.
3. Development center for group work on new resources.
4. Promotional materials.
5. Helpful links.
6. Staff contact information.
7. What's new postings.

A screen-shot of the New York State Court Help Center's internal shared site is attached as Appendix "D."

## **F. Facilitating Access Training**

Unrepresented litigants often ask Help Center court staff for advice in their cases. Employees are faced with having to tell the public that they cannot answer their questions. Sometimes, employees are unsure of where to draw the line between legal information and legal advice. Legal information is information about court procedures and options, court rules, definitions of legal words and information about available help. Legal advice is about how the law applies to the case and suggests the best way to proceed. Court staff may refuse to dispense information that would be entirely appropriate if phrased correctly, leaving the litigant without essential information. Furthermore, the public may perceive that employees are acting negatively or rudely when they refuse to respond to their inquiries. The nature and quality of the kind of treatment and help the public receives determines the public's opinion about the fairness of the courts as much as any other aspect of their courthouse experience.

To address these issues, the New York State court system designed the Facilitating Access Training Program. The program ensures that court staff have the knowledge, tools, and resources to respond appropriately to the public's questions. The training program emphasizes what information can be provided; what is and is not legal advice; and what are appropriate responses to frequently asked questions. Volumes 1 and 2 of the Facilitating Access Training Manuals can be found at: <http://www.nycourts.gov/ip/nya2j/publications.shtml>.

Although every new court system employee is given facilitating access training during orientation, central administration should confirm that all Help Center employees have received this essential training and conduct or supplement training when necessary. Every Help Center employee should be well versed in the CANs and CANNOTs contained in the Facilitating Access Training manual.

## Part VI. Help Center Promotion

### A. Visible Promotion in the Courthouse

It is extremely important that a Help Center located in a courthouse has a clear and visible presence. There is no point to following the other best practices in this guide if the public cannot find the Help Center or does not know about the Help Center's availability and its resources.

1. Signs: Many unrepresented litigants are nervous, intimidated, and overwhelmed by their court visit and will not ask where to find help. These litigants often fall through the cracks. Appropriate signage around the courthouse is essential to assist this type of litigant.
  - a. Plain language: signs should be written in plain language so that it is clear who the Help Center serves, what the Help Center offers, and where the Help Center is located.
  - b. Free: make sure that signs advertising the Help Center clearly state that there is no charge for the services.
  - c. Prominently displayed: post signs in all areas where unrepresented litigants are likely to see them. This includes the front lobby, Clerk's Offices, courtrooms, pro se parts, and elevators. Post directional signs that lead to the Help Center.
  - d. Multi-lingual: if the Help Center offers services in other languages, post signs in those languages.
  - e. Branding: put the Help Center logo on the signage.
2. Multi-lingual promotional materials: Create written materials, such as brochures, flyers, and postcards, which describe the Help Center in English and other language assisted in the Help Center. Place promotional materials around the courthouse for people to take with them. Have Clerks hand out the materials to unrepresented litigants when they come in to answer a summons. Put materials in mailings to unrepresented litigants. Make sure the materials list the Help Center location and hours and follow the same best practices for signs. See sample Help Center promotional brochures: <http://nycourts.gov/COURTS/nyc/civil/pdfs/ResourceCenterBrochure.pdf> and <http://nycourts.gov/COURTS/nyc/SSI/spanish/pdfs/ResourceCenterBrochure.pdf>.
3. Slideshows: Run slideshows in prominent areas of the courthouse advertising the Help Center's services and availability. Slideshows are a great way to provide helpful information to litigants whenever they are waiting in line or for their cases to be called.

### B. Court Staff

The Court staff outside the Help Center needs a clear understanding of the services offered in the Help Center. Holding staff webinars to explain how the Help Centers can help Court staff is a positive way to increase appropriate Help Center referrals.

1. Who to refer: Train court staff on the Help Center's services and availability so that they can knowledgeably refer the appropriate unrepresented litigants to the Help Center.
2. Who not to refer: Court staff need to be trained not to send every litigant to the Help Center. The Help Center is not a dumping ground for difficult litigants.
3. Train staff to give out Help Center promotional materials.
4. Train staff to tell litigants about the Help Center over the phone.
5. Train staff where to find a list of the Help Center's resources, contacts, and services.

### **C. Answering Machine**

Add Help Center information to the Court's outgoing message on voicemail.

### **D. Community Outreach**

1. Public events: Publicize the Help Centers at Information Fairs, Law Day celebrations, Court Tours, and any other community events by handing out written materials and/or by staffing a table and providing legal information and assistance.
2. Local organizations: Publicize the Help Center's services and availability to local organizations so that they inform their constituents about the Help Center. This may include bar associations, law schools, government offices, social work agencies, legal services organizations, local politicians, not-for-profit organizations, and clergy. Provide brochures and flyers for dissemination, if available.

### **E. Internet**

1. Court website: The Court's website is often the first place that people look for help. Therefore, it is important that the website clearly displays plain language information about the Help Center's resources and availability. This should include directions and hours. In New York, Help Centers is a quick link on every page on CourtHelp, the Court's unrepresented litigant website: <http://nycourts.gov/courthelp/GoingToCourt/helpcenters.shtml>.
2. Social Media: Social media sites, such as Twitter, are also a great way to publicize Court Help Centers. Consider making a Help Center video for YouTube.
3. Unrepresented litigant and partner websites: Notify and encourage organizations to post Help Center information on websites aimed at unrepresented litigants, such as LawHelp, and legal services pages.

## Appendices:

### A. Sample Intake Form

 <b>NEW YORK STATE UNIFIED COURT SYSTEM</b> <b>Data Collection Form / Court Help Center</b>	
1. Help Center Location: _____	4h. Is the client an attorney? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A-Unknown
2. Mode of Inquiry: <input type="checkbox"/> In-Person <input type="checkbox"/> By Phone <input type="checkbox"/> By Mail/E-Mail	4i. Did the client need special assistance because he/she is disabled? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A-Unknown
3a. Date of Visit/Month: _____	4j. Did the client need special assistance due to a literacy problem/issue? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A-Unknown
3b. Year of Visit: _____	
<b>Unrepresented Litigant Client Information</b>	
4a. 1. NYS County of Residence <input type="checkbox"/> Manhattan <input type="checkbox"/> Westchester <input type="checkbox"/> Suffolk <input type="checkbox"/> Bronx <input type="checkbox"/> Dutchess <input type="checkbox"/> Nassau <input type="checkbox"/> Kings <input type="checkbox"/> Orange <input type="checkbox"/> Erie <input type="checkbox"/> Queens <input type="checkbox"/> Putnam <input type="checkbox"/> Richmond <input type="checkbox"/> Rockland	<b>Type of Court Most Closely Related to Inquiry</b> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Federal Court <input type="checkbox"/> City Court <input type="checkbox"/> NYC Civil Court <input type="checkbox"/> Community Court <input type="checkbox"/> NYC Criminal Court <input type="checkbox"/> County Court <input type="checkbox"/> Supreme Court <input type="checkbox"/> Court of Claims <input type="checkbox"/> Surrogate's Court <input type="checkbox"/> District Court <input type="checkbox"/> Town & Village Court <input type="checkbox"/> Family Court
2. Other county: _____	
3. Out of State (specify): _____	
4. Incarcerated? <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Services Rendered</b> <input type="checkbox"/> ADA/special Services <input type="checkbox"/> Provide legal/procedural information <input type="checkbox"/> Appellate Term Coordinator Services <input type="checkbox"/> Provide general information <input type="checkbox"/> Distribute copy of statute <input type="checkbox"/> Referrals (see Referral section below) <input type="checkbox"/> Distribute court form/instructional kits <input type="checkbox"/> Review forms for completeness <input type="checkbox"/> Divorce kit <input type="checkbox"/> Search court records/report status <input type="checkbox"/> Notary <input type="checkbox"/> Pro bono legal service/attorney <input type="checkbox"/> Provide informational brochures <input type="checkbox"/> Other: _____
4b. Client's 5-Digit Zip Code: _____	
4c. Gender (optional): <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>Referral Type</b> <input type="checkbox"/> Bar Association <input type="checkbox"/> Social Service Agency/Community Agency <input type="checkbox"/> Child Support Enforcement Bureau <input type="checkbox"/> Other Government Agency <input type="checkbox"/> County Clerk's Office <input type="checkbox"/> Other court <input type="checkbox"/> Legal Aid/Legal Services <input type="checkbox"/> UCS Website <input type="checkbox"/> Public Access Law Library <input type="checkbox"/> Other legal resources website <input type="checkbox"/> Other: _____
4d. The client is visiting/contacting this Help Center location for the: <input type="checkbox"/> 1 <sup>st</sup> time <input type="checkbox"/> 2 <sup>nd</sup> time <input type="checkbox"/> 3 <sup>rd</sup> time or more	
4e. Interpreter needed? Language: <input type="checkbox"/> Not needed <input type="checkbox"/> Haitian/Creole <input type="checkbox"/> Spanish <input type="checkbox"/> Italian <input type="checkbox"/> American Sign Language <input type="checkbox"/> Korean <input type="checkbox"/> Albanian <input type="checkbox"/> Mandarin <input type="checkbox"/> Arabic <input type="checkbox"/> Polish <input type="checkbox"/> Bengali <input type="checkbox"/> Portuguese <input type="checkbox"/> Cantonese <input type="checkbox"/> Russian <input type="checkbox"/> French <input type="checkbox"/> Vietnamese <input type="checkbox"/> Greek <input type="checkbox"/> Other: _____	
4f. Did the client bring any papers? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A-Unknown	
4g. Is the client represented by an attorney? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A-Unknown	

## B. Sample List of Forms and Instructions for Supreme Court Actions



### Sample List of Forms and Instructions for Supreme Court Actions

#### I. Informational Packets

- A. How to Commence a Civil Action
  - Instructions
  - Summons
  - Summons with Notice
  - Complaint
- B. How to Commence an Uncontested Divorce
  - Informational Packets
- C. How to Commence a Special Proceeding
  - Instructions
  - Notice of Petition with Verification
  - Order to Show Cause in Special Proceeding
  - Verified Petition
- D. How to Serve Papers
  - Instructions
  - Affidavit of Service of Initiating Papers
  - Affidavit of Service of Papers by Personal Delivery
  - Affidavit of Service of Papers by Mail Delivery
- E. How to Respond to a Complaint
  - Instructions
  - Sample Answer
  - Notice of Motion
  - Notice of Appearance
- F. How to Make or Respond to a Motion
  - Instructions
  - Notice of Motion
  - Order to Show Cause

- G. How to Extend the Deadline to Answer a Complaint or Make a Motion
  - Instructions
  - Order Extending Time
- H. How to Vacate a Default
  - Instructions
  - Notice of Motion
  - Order to Show Cause
- I. How to Apply for Poor Persons Status
  - Instructions
  - Poor Persons Order
  - Affidavit in Support of Application to Proceed as a Poor Person
- J. Filing a Notice of Claim
  - Instructions
- K. How to File a Request for Judicial Intervention
  - Instructions
  - R.J.I. Form
- L. The Discovery Process
  - Instructions
- M. How to Prepare a Subpoena
  - Instructions
  - Sample Subpoena
- N. How to Correct a Birth Record
  - Instructions
  - Notice of Petition
  - Order to Show Cause
  - Order Changing Birth Certificate

O. How to Change your Name

- Instructions
- Affidavit
- Consent
- Name Change Order

P. Requirements for Infant Withdrawal Order

Q. How to Take an Appeal

- Instructions
- Notice of Entry
- Notice of Appeal
- Pre-Argument Statement

**II. Glossary of Frequently Used Terms**

## C. Sample Disclaimer Form



### COURT HELP CENTER DISCLAIMER

Date: \_\_\_\_\_ Index/Docket #(s): \_\_\_\_\_

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Sign your INITIALS next to each of the sentences below.**

I understand that:

- The Help Center **will** provide me with legal information.\* \_\_\_\_\_(initial here)
- The Help Center **will not** give me legal advice.\*\* \_\_\_\_\_(initial here)
- The Help Center is available to help **both** sides  
in my case. \_\_\_\_\_(initial here)
- Help Center staff are **not** my lawyers, the  
Help Center is **not** representing me in my case. \_\_\_\_\_(initial here)

**I have read these statements or they were read to me. I understand what they mean.**

\_\_\_\_\_

Print Name

\_\_\_\_\_

Signature

\* **Legal information** is information about court procedures and options, court rules, legal definitions, other places to go for help.

\*\* **Legal advice** tells you how the law applies in your case and tells you the best way to handle your case. Help Center staff can't give you legal advice.

## D. Screen-Shot of Internal Help Center Shared Site



New York State Unified Court System

Office of Court Administration

NY A2J Help Centers ▾ Home

Home Housing Intake Form ?

<b>Forms Bank</b>
Existing forms
Forms in progress
NY Housing Intake Form
<b>Discussions</b>
Questions Forum
New ideas/brainstorms
Staff Contact Information
<b>Development Center</b>
Statewide Materials
Inside NYC
Outside NYC
Promotional Materials
Helpful links
What's New



**Welcome to the Help Center Staff Intranet!**

This is where we as help center staff can work together to share forms, post questions, collectively work on new resources, post and share promotional materials. Before you start a new project on your own check the Forms Bank or Promotional Materials link to see if another Help Center has already created it, or maybe posted a template that you can alter to meet the needs of your courthouse. There are also helpful links to various statewide resources from the Attorney General's office to local community groups. Please be sure to share the links that work for you.

Finally, each and every one of you does amazing work. Therefore if you've been honored by staff, mentioned in an article, or highlighted in any way, please share it on the "What's New" postings.

If you have forgotten how to use this website here are some helpful links:

- [Find out how to use this website](#)
- [Top 10 helpful tips for using SharePoint](#)
- [Watch a video about how to use Sharepoint](#)

Let's work together to make each and every Help Center the best it can be!



**New York State Courts Access to Justice Program**

<http://www.nycourts.gov/nya2j>

[NYA2J@nycourts.gov](mailto:NYA2J@nycourts.gov)

646-386-4200

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