



Michigan
Justice for All Commission

Legal Self-Help Center Guidelines

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About Legal Self-Help Services

Across Michigan, just as across the nation, there are vast unmet civil legal needs. For most, traditional legal representation is out of reach. As a result, 70–80% of people who appear in civil court are not represented by a lawyer but represent themselves. The self-represented encounter a legal system that was not designed for them and remains complex, opaque, and unwelcoming. This is our Justice Gap.

Work is ongoing on many fronts to meet this challenge. Efforts are underway to expand legal aid services and pro bono legal services for those with low income. Courts are working to simplify their processes and become more accessible. Access to personal legal self-help services is essential in meeting the civil legal needs of the public.

Legal self-help services make available to those who are seeking to solve basic legal problems or to use courts on their own access to legal information, forms, resources, guidance, and referrals. These resources help educate and empower them to more effectively use and to better advocate for themselves within the legal system.

With origins in the late 1990s, legal self-help services have grown over the years. In some places such as California, New York, and Maryland, self-help services are widely available and their effectiveness well-demonstrated. In other parts of the country, the development of legal self-help services has been less comprehensive, developing within some courts and communities, and not at all in others.

Self-Help Services in Michigan

The Michigan Justice for All Commission (JFAC), created by the Michigan Supreme Court in 2021, has undertaken to assure that everyone in Michigan is able to access the legal services they need when they need them. Toward that goal, the JFAC Self-Help Center Work Group is working to expand and enhance effective, efficient, and sustainable self-help center services across Michigan.

Michigan is fortunate to have Michigan Legal Help (MLH), a nationally recognized online legal self-help platform, as the backbone of legal self-help services for the people of Michigan. The Michigan Legal Help website, and its companion Spanish site, Ayuda Legal de Michigan, offer articles on a wide variety of substantive and procedural legal topics along with the ability to use document assembly toolkits to prepare legal forms and court filings. The MLH Guide to Legal Help directs users to resources on the site and other sources of additional legal services, for individuals who might need more assistance with a legal issue. Existing and new Michigan self-help centers can build their services with Michigan Legal Help at the core and can further leverage that tool by helping the public to make the best possible use of Michigan Legal Help.

Michigan is also fortunate that the Michigan Supreme Court's State Court Administrative Office (SCAO) provides a suite of legal forms for use by courts, lawyers,

and the public. Many, not initially designed for public use, will be part of a comprehensive plain language forms revision project to make them simpler and more user friendly in the coming years.

Even with these resources, many without the technology tools and skills to work effectively online risk being left behind. It is also true that often people just need or want to talk to someone about their unique circumstances; someone who will listen to their needs, answer their questions, and help them better understand the path to legal problem solving. For that reason, it is essential to assure that staffed, effective legal self-help centers are available to everyone in Michigan.

Currently across Michigan, 28 counties have self-help centers, located in 58 separate sites. Existing centers are diverse – located in courts, law libraries, public libraries, and community centers. Many are affiliated with Michigan Legal Help and use it exclusively. Many are in libraries; some are in law libraries. A few centers are independent, nonprofit organizations. The services offered are diverse as well, ranging from busy, robustly staffed centers to those with some dedicated staff to those consisting of unstaffed computer kiosks.

These Guidelines are designed to serve as an outline of best practices for self-help centers in Michigan with the expectation that they will be used to expand and enhance effective, efficient, and sustainable self-help center services across Michigan. Recognizing that we all must begin where we are, the intention is to help start new centers, expand and elevate existing centers, and to support the important services they all provide.

Core Principles of Self-Help Services

- **Commitment to Public Service**
Self-help centers must be focused on meeting the legal needs of the public and should be a source of neutral, accurate, and reliable legal information and guidance.
- **Commitment to Excellence**
Self-help centers must assure that they have the legal expertise to support the services they provide and assure that individuals with sufficient knowledge and training are responsible for the design, scope, implementation, delivery, and oversight of self-help services.
- **Commitment to Respect**
Self-help centers must provide service that is welcoming, kind, respectful, empathetic, and empowering. Self-help center patrons should feel seen, heard, and understood.

- **Commitment to Neutrality**
Self-help services must be neutral such that that all persons seeking assistance receive the same level of service and such that others do not influence the services provided.
- **Commitment to Clarity**
All self-help center communications, including forms, resources, tools, signage, and materials must be clear, simple, and accessible following the principles of plain language writing and user-centered design.

Self-Help Center Programs and Services

I. Self-Help Center Services

a. Eligibility for Services

Self-help services should be available to all unrepresented persons, without income limitations or other criteria for service. Self-help centers must not discriminate based on race, color, national origin, religion, age, physical or mental disability, sex, gender identity, sexual orientation, marital status, pregnancy, or parenthood.

b. Fees for Services

Basic legal self-help services must be free including legal information, resources, guidance, and referrals. Some reasonable costs for resources (such as copies) may be charged to recoup costs expended by the center for providing those resources.

c. Scope of Services

Self-help centers should help with as broad a range of substantive legal areas as they can competently and effectively provide, prioritizing areas of greatest need. Each self-help center should intentionally identify and make clear the types of legal issues with which they are able to help.

Areas of greatest need include family matters such as divorce, custody, paternity, child support, and parenting time. Additional areas include housing matters such as eviction, security deposits, and repairs; consumer matters such as responding to a claim for debt, garnishments, and payment plans, as well as small claims cases. Requests for assistance with guardianships and probate indicate a growing need in these areas.

Self-help services should be limited to civil matters, although some matters filed in criminal cases such as a request to waive fines and fees or a request for expungement of a criminal conviction are quasi-civil and are appropriate areas for self-help assistance.

Self-help centers should not assist in the filing of general civil cases for which it would be necessary to craft a unique complaint consistent with the applicable jurisdictional requirements and the elements of the cause of action that form the basis of the complaint.

d. Legal Information v. Legal Advice

Self-help centers may provide general legal information, define legal terms and concepts, explain a legal process, describe procedural options, explain what a form may be used for and what it requires, and review forms for completeness. Self-help centers may not recommend a course of action, suggest what someone should or ought to do, predict an outcome, prepare the substance of a form or pleading, or suggest that someone has no legal remedy. Self-help centers may act as scribes, helping people who can't read or read English complete legal forms by reading questions and recording answers.

Self-help center staff may provide legal information, but not legal advice. Staff should be well trained on this distinction and how to manage those limitations in interactions with patrons.

e. No Attorney-Client Relationship, Waiver

Self-help centers should make clear that they are not providing legal advice, legal representation, or taking responsibility for any aspect of a patron's legal matter or case and that no attorney-client like relationship is suggested or created when services are provided. This can be accomplished by disclosure of these limitations in signage, a service agreement or waiver, and/or by direct communication to each patron. Self-help centers should be cognizant that where conversations and how conversations with patrons occur may affect perceptions of the limits of self-help center services.

f. Confidentiality

Communications with self-help center patrons should be private to the extent that information shared with self-help center staff should not be communicated publicly, with the opposing party to the case or matter, or with the court. Self-help center communications with patrons are not confidential in the same way that attorney-client communications are confidential.

Some affiliated organizations such as libraries have stricter duties of confidentiality. This provision is not intended to supersede those duties or to limit communication with courts about general procedural issues.

g. Limits on All Self-help Center Staff and Volunteers

Self-help center staff and volunteers regardless of education, experience, or license, including paralegals and licensed attorneys, are subject to the same limitations on self-help services. This includes providing legal information only, refraining from creating or suggesting an attorney-client relationship, and assuring appropriate self-help center confidentiality.

Should a self-help center offer legal clinics, workshops, or lawyer-for-the-day programs, the role and scope of services provided by the lawyers involved should be clearly defined both internally for the self-help center and for the public who participate in such programs. In addition, it should include, where appropriate, clear agreements about those legal services.

h. Assistance Limited to Self-Represented Persons

Self-help center assistance should not be provided to persons who are represented by an attorney. The self-help center may assist persons receiving limited representation by an attorney with the parts of their case or matter for which they are responsible.

i. Referrals – Legal

Self-help centers should offer referrals to other legal services such as legal aid, legal clinics, and to attorneys when the assistance needed is beyond the scope or capacity of the self-help center. The self-help center should not refer to individual attorneys or firms, but should refer to the local or state bar lawyer referral service or to an established list of attorneys providing limited scope legal services.

Lawyers or others who volunteer at the self-help center, including at clinics or workshops, should be prohibited from referring matters to themselves, their firms, or other individual attorneys or firms.

j. Referrals – Community Services

Self-help centers should maintain or have access to a directory of community services that may be able to assist with patrons' non-legal needs and refer patrons to these services when appropriate. Examples include housing assistance, domestic violence services, disability advocacy, alternate dispute resolution services, discrimination agencies and advocates, and the like.

II. Service Delivery

a. Delivery Channels

Self-help centers should provide services in person, either directly or remotely. Other remote delivery channels may also be appropriate including services by phone, email, text, chat, or video conference. Self-help centers should be intentional in their choice of service delivery channels to assure that they have the capacity, expertise, and technology to effectively deliver services by the chosen methods.

b. Customer Service

Self-help centers must provide excellent customer service, to engage with those needing assistance in ways that are welcoming, kind, respectful, empathetic, and empowering. The self-help center should be the place where people are and feel seen, heard, and understood. The self-help center should be a source of neutral, accurate, and reliable legal information and guidance.

Self-help center staff should be trained and familiar with the challenges faced by people attempting to solve legal problems and use the courts on their own. This includes understanding the impact and effect of stress, trauma, and varied cultural and economic circumstances on capacity, problem solving, and the ability to self-represent. The SHC Coordinator will provide trainings on these topics.

c. Accessibility

Self-help center services should be accessible to persons with disabilities. Self-help center design should use the physical configuration of the space and technology to eliminate barriers to service. If possible, self-help centers should try to assist patrons with a preferred language other than English through staff or a translation tool such as Language Line.

III. Program Integrity and Quality Assurance

a. Legal Resources

Self-help centers should have access to the legal resources and reference materials needed to support the services provided.

b. Education and Training

Self-help centers will assure that all staff and volunteers have access to the initial and ongoing education and training necessary to support the self-help services provided. This should include an understanding of the justice gap, the access to justice movement, the needs and challenges of the self-represented, the self-help center service model, providing high-quality customer service, Michigan court structure and jurisdiction, the relevant aspects of civil procedure, and the substantive and procedural aspects of the areas of legal assistance provided by the self-help center. The SHC Coordinator/SHC Alliance will facilitate these trainings.

c. Program Development/Innovation

Self-help centers that offer forms or resources other than those provided by Michigan Legal Help should have a process for form and resource development, review, and quality assurance.

d. Complaints

Self-help centers should have a process for receiving and addressing patron complaints. Self-help centers that are programs of courts, libraries, or others may use that organization's complaint process.

IV. Program Evaluation

Data Collection and Reporting

The Self-Help Center Alliance will create a common framework for self-help center data collection to allow for the compilation of statewide data about self-help center services to advocate for and support funding for self-help center services. Self-help centers should cooperate with statewide data collection and reporting efforts including alignment with standard data metrics and processes.

Self-Help Center Operations

I. Operational Models

Self-help centers are nonprofit programs offering legal self-help services to persons who are not represented by counsel. Self-help centers can operate as programs and services provided by courts, public libraries, law libraries, universities, or as independent, nonprofit organizations. The stakeholder community seeking to offer self-help services should be intentional in selecting the operational model that best meets the needs of their community and with the understanding that the choice of operational model will impact funding, structure, and other operational needs.

II. Facilities

a. Location

The self-help center location should be selected to best meet the needs of the community it intends to serve. Options include locations at or near a courthouse, at or near court related services, or at locations familiar to the public such as libraries and community centers. Consideration should be given to public access including hours, security, parking, and bus service.

b. Hours

Self-help centers should offer consistent hours, make clear the hours during which staff assistance is available, and make sure that the self-help center hours are posted and easy for the public to find. Self-help center hours should be aligned with community needs and the self-help center capacity. Consideration should be given to staffing for high volume hours which may include normal business hours, lunch hours, and evening and weekend hours.

c. Space

Self-help centers should be clearly visible and easily accessible, ideally close to the building entrance or, if not, have clear, visible signage

directing the public to the self-help center location. Self-help centers should be configured and furnished in a way that supports the service delivery model and meets the needs of the public and the staff including adequate and functional furnishings, equipment, and supplies. Space and configuration consideration should be given to the possible need for patrons to wait for service, take time to complete paperwork and use computers, and be accompanied by their children.

d. Equipment and Technology

Self-help centers should have the equipment and technology needed by patrons and staff. This would include, at a minimum, computers, printers, copiers, scanner, and adequate internet service. Where appropriate, the self-help center may wish to offer public wi-fi to support patron devices and have the capacity to fax documents. Consideration should be given to the IT services that will be necessary to install, support, and maintain self-help center technology.

Self-help centers should have the software needed to support both patron services and staff operational needs. Electronic access to court records where available and to court registers of actions (where available) is essential to effective legal self-help services.

e. Security

Self-help centers should have safety, security, and emergency plans that provide for protocols and training in case of fire, threat, or another emergency, and/or follow the security and emergency plans for the building they occupy.

III. Staff

Self-help centers should have staff with the education, training, skills, and experience needed to provide quality self-help services. Self-help center staff may include attorneys, paralegals, and/or other trained staff.

Self-help centers should have a director to manage and oversee the services and operations of the self-help center.

The director should be familiar with the challenge of access to justice, the needs of self-represented litigants, court structure and jurisdiction, court processes, rules, and procedures, and the substantive legal areas in which the self-help center provides services.

IV. Volunteer Program

Trained, supervised volunteers can help to provide self-help services. Using volunteers can be an effective way to leverage limited staff to expand self-help center services. A self-help center using volunteers should have a structured volunteer program that includes recruitment, training, supervision, management,

and recognition. Such a program may include interns who volunteer for academic credit.

A self-help center using volunteers should be prepared to and able to commit the time necessary to sustain the program. Time and resources will be needed to recruit and train volunteers, manage volunteer schedules, and supervise volunteers. The volunteer program should be structured to assure consistency and continuity. Self-help centers should be aware of and plan for the staffing and infrastructure needed to develop and sustain a volunteer program.

Experienced and skilled staff should assure adequate supervision of volunteers when serving the public to assure that the public receives quality service and addresses any needs that are beyond the skills of volunteers.

V. Marketing and Communication

MLH provides marketing materials (SHC-specific brochures and signage, and generic business cards) free of charge to all SHCs wishing to use them. Otherwise, self-help centers should develop and maintain the tools, resources, and capacity to effectively communicate their services to the public and to stakeholders. They should also employ the principles of plain language and user-centered design to assure communications are accessible and easy to understand.

VI. Stakeholders, Relationships, and Collaboration

a. Stakeholders

Positive, ongoing relationships with self-help center stakeholders are essential for success. Stakeholders who understand and support the self-help center can help communicate the availability of self-help center services and advocate for support of the self-help center in the community. Stakeholders can also provide a valuable perspective to aid in identifying community needs and evaluating self-help center programs and services.

Self-help centers should identify their key stakeholders. Stakeholders may include courts, including Friends of the Court, legal aid providers, libraries, community social service providers – particularly including those providing domestic violence, housing, and 211 services, as well as neighborhood associations, faith communities and organizations, and others.

Having identified key stakeholders, self-help centers should work to develop and sustain ongoing collaborative relationships based in an understanding of one another's goals, needs, programs, and services. Regular and ongoing communication with key stakeholders will assure positive and sustainable working relationships. The self-help director

should lead in creating and sustaining relationships and assuring regular communication.

b. Relationships with Courts

Self-help centers should develop and sustain strong working relationships with the courts in their community. Regular communication and collaboration is essential to keep the self-help center informed of changes in court operations. In addition, a working relationship with the court is imperative to assure that the self-help center receives feedback about the quality and effectiveness of their services, and that the unique voice offered by self-help center leadership and staff is present and considered in the development of court operations and functions. Court and self-help center representatives should meet regularly to exchange information and ideas.

c. Other Community Relationships

Self-help centers should develop mutually supportive relationships with community organizations where members of the public are served. By exchanging program information and promotional materials, self-help centers can be well positioned to refer and receive referrals from community organizations.

d. Michigan Self-Help Center Alliance

Self-help centers should actively participate in the Michigan Self-Help Center Alliance to facilitate professional development of self-help center staff; increase collaboration, coordination, and communication among centers; access shared resources including education, training, and tools for communication and outreach; and support the effort to expand and fund self-help center services across Michigan.