

Sherlocks Provide Valuable Support for Self-Represented Litigants

by Nancy E. Rice, Chief Justice, Colorado Supreme Court

Remember the first time you set foot in a courthouse? Maybe it was during law school, or to appear at your first motions hearing. Or maybe, like me, you visited a courthouse with a relative when you were a child. For most of us lawyers, that first court experience was exciting, but also a bit intimidating.

Now, imagine how you might have felt during your first courthouse experience if you had no knowledge of the law, had no lawyer to help you, and feared that the court might take away your kids, your rented home, or some of your hard-earned money. Would you be intimidated? Overwhelmed? Frightened?

For many people, the first courthouse experience resembles this second scenario. In an effort to meet the procedural, and often emotional, needs of self-represented litigants in civil cases, the Judicial Branch created the Self-Represented Litigant Coordinator (Sherlock) program in 2013. This program, designed to increase the public's access to the justice system by providing one-on-one procedural assistance to the unrepresented, has grown spectacularly in popularity with the public even though it remains largely unknown within the legal community.

This article shares a bit about the Sherlock program to raise attorney awareness of this valuable resource.

Program History

Chief Justice Directive 13-01 established the Sherlock program just over two years ago. Sherlocks now serve every judicial district in Colorado. They work in courthouses, usually in designated self-help centers, and provide procedural assistance to civil litigants. Sherlocks do not provide legal advice, but rather assist litigants and potential litigants in understanding the legal process. They offer information on court procedures, provide appropriate forms, and direct individuals to outside organizations for legal and other assistance, such as education and counseling.

The Sherlock program has seen tremendous success during its brief tenure. In 2014, the Sherlocks' first full year in operation, the program had more than 100,000 contacts with self-represented individuals. Contacts this year are on track to far exceed that number. Without the assistance of Sherlocks, many self-represented individuals may have decided the court process was too complicated and walked away or, alternatively, proceeded without guidance, requiring court clerks, judges, and other staff members to provide piecemeal guidance and correct erroneous filings. The courts have thus increased access to the justice system by providing Sherlock services.

A Typical Sherlock Interaction

A typical Sherlock interaction occurs when an unrepresented individual needs help filing a case or needs help in an ongoing case. The Sherlock will sit down with the individual and have a conversation to determine the individual's needs. The Sherlock can then

research court filings, provide appropriate forms, assist in filling out forms and reviewing those forms for completeness, and provide filing and service information. If the individual needs more than procedural help, the Sherlocks can provide information about *pro bono* clinics and offer guidance on how to contact an attorney. The Sherlocks' goal is to provide help to every person who calls, emails, or walks in the door.

Ideally, each Sherlock will have a 50-50 balance of work, with half the work time spent helping individuals and half devoted to cultivating resources and strategizing about new programs. In practice, however, the public demands so much of the Sherlocks that there is simply not enough time for them to focus on cultivation and programming. Sherlocks provide help in person, over the phone, and by email, and the public takes full advantage of all three of these avenues.

As such, Sherlock burnout is a serious concern. I plan to address this concern in part by authorizing a team within the Judicial Branch to develop an Equal Access Center website. This website, endorsed by the Access to Justice Commission, will provide, among other resources, an online "first stop" for self-represented litigants to use before seeking Sherlock services.

Self-Help Centers as Laboratories

Each district's Sherlocks operate autonomously, with some central coordination through the State Court Administrator's Office. This autonomy allows each district's Sherlock(s) to explore new programs and report to the other districts about what has succeeded and what has not. While some ideas make the most sense on the local level, some ideas have statewide applicability.

For example, the 5th JD was the first judicial district in Colorado to implement a "Divorce Day" concept where divorcing couples who were in the final stages of their case could come to the courthouse on a Saturday and walk away with a finalized divorce the same day. These couples received procedural help from the Sherlocks, support from family court facilitators, assistance from family counselors, and final resolution via a decree signed and entered by a judge. The public responded positively to this program, and the Divorce Day concept now serves as a model for other districts.

The Sherlocks have also developed a statewide Legal Resource Day, now in its second year. During the course of this one-day event, the Sherlocks host presentations and *pro bono* legal clinics addressing many areas of law to provide an overview of the process involved in different cases and the procedural issues that may arise. Last year's inaugural Legal Resource Day was held in Denver. This October 2, Denver again held a Legal Resource Day, and several other judicial districts held their own Legal Resource Day with local programs as well as live-streamed programs from Denver.



Call for Engagement

Sherlocks provide valuable procedural support to their communities and the courts, and receive enormous thanks from the people they help on a daily basis. While they already receive some important assistance from their local access to justice committees and bar associations, Sherlocks always need help from attorneys willing to provide *pro bono* legal advice to the unrepresented and to put their

names on locally administered lists of lawyers who provide assistance in certain types of cases. If you would like to help support this groundbreaking program, please visit the Judicial Branch website (www.courts.state.co.us) for your local Sherlocks' contact information.

Until the winter. ■