

Improving the E-Filing Experience for Self-Represented Litigants in Illinois



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February 2022

Prepared for: Administrative Office of Illinois Courts

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Updated: Apr 18, 2022

Cover photo: Cardinals in a Crab Apple Tree
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1 INTRODUCTION

Since 2018, all civil cases in the Illinois Supreme, Appellate, and Circuit Courts are required to be electronically filed. With a few exceptions, *e-filing* is mandatory for all filers in all Illinois counties. Many filers are not represented by an attorney. Often, these *self-represented litigants* (SRLs) -- also called *pro se litigants* -- may not be able to access or afford legal counsel. These SRLs, without an attorney or a legal background, often in a stressful frame of mind during a personal crisis, embark on a journey to resolve their legal issues on their own, navigating through a justice system that has been historically intended primarily for legal professionals. The aim of this study is to understand the current e-filing experience for SRLs and develop an approach for improving it.

Before mandatory e-filing, filers would have to travel to a courthouse building and file paper documents at the court clerks' counter. E-filing enables filers to submit documents electronically from anywhere and anytime using a web browser. Filers are required to submit using one of several authorized *Electronic Filing Service Providers* (EFSP) that connect to Illinois' statewide *Electronic Filing Manager* (EFM) which in turn communicates with a court's *Case Management System* (CMS). Illinois' EFM is operated by Tyler Technologies. Thirteen vendors are certified to serve as EFSPs in Illinois and provide a web-based interface to e-filing. The EFSP mostly used by SRLs is free while the other EFSPs mostly used by legal professionals provide additional fee-based services. Illinois does not have a unified court system and there are several CMS vendors in the state that integrate with the statewide EFM.

To help SRLs e-file, Illinois amended court policies to ensure that court clerks provided adequate space, equipment, and technical support in courthouses. While court staff are not allowed to provide legal advice, Illinois made it clear that they are allowed to assist SRLs with e-filing tasks as this is considered providing legal information, not legal advice. Court staff could help SRLs select an EFSP, create an email account, register with an EFSP, select filing codes, fill out fields, and submit through an EFSP. The *Administrative Office of Illinois Courts* (AOIC) offered training for clerks, court staff, librarians, and others who might help SRLs e-file. AOIC also

collaborated with legal aid organizations such as *Illinois Legal Aid Online* (ILAO) to support SRLs and develop automated interviews to help populate a large suite of statewide forms. AOIC's *Access to Justice* (ATJ) Division offers step-by-step guides, walkthrough videos, and resources in English and Spanish for SRLs. ILAO offers additional resources including charts of process workflows. AOIC's ATJ Division has also launched *Illinois Court Help* (ILCH) , a technology-assisted customer support platform for court users.

The rollout of e-filing in Illinois changed the experience for SRLs from one of working with paper forms and interacting with court staff to a software-driven experience that demands access and familiarity with technology. Even with web-based resources and assistance from trained professionals available, e-filing presents challenges for SRLs. The goal of this study is to better understand the current e-filing experience of SRLs, learn about the advantages and challenges they face, and arrive at recommendations for improving it.

This study was primarily about listening and understanding. We interviewed legal navigators who assist SRLs with e-filing. We conducted focus group sessions with clerks and AOIC staff. Though the scope of this study did not include directly interviewing SRLs, we analyzed feedback comments from SRLs collected via a survey form sent to those who were able to e-file. We talked to experts and vendors who are building the next generation of legal technology solutions.

We would like to thank all the legal navigators, clerks, AOIC staff, and technology experts who shared their experiences with us. We would also like to thank Lisa Colpoys of ILCH and Matthew Newsted of ILAO for their insights.

We conducted this work during a pandemic. Along the way, we came across small unseen acts of empathy by legal professionals as they assisted SRLs during an anxious time of rapid changes and restrictions. Thank you.

We hope that this study will help improve the civil justice ecosystem in the state of Illinois for SRLs and those who assist them.



2 NAVIGATOR INTERVIEWS

Navigator Interview Format

In Illinois, legal navigators assist people without lawyers in navigating the civil justice system. They provide legal information to SRLs, guide them to legal aid services and self-help resources. We interviewed five legal navigators about their experiences helping SRLs with e-filing . Three navigators were from the *Illinois JusticeCorps* volunteer program which employs recent college graduates to assist SRLs at their courthouses or remotely with e-filing. The other two navigators were from staff working at courthouses who assist SRLs with their needs, including e-filing.

Each interview was conducted separately via Zoom and was approximately one hour long. The first part of the interview was about the navigator's background, location, and nature of services they provided. Then we talked about their in-person and/or remote experiences providing e-filing assistance, their understanding of the challenges SRLs faced, and their recommendations for improving the SRL e-filing experience.

Interview notes were shared with the participants after the interview and they were invited to review and make corrections, refinements, or additions as they felt necessary.

Insights from Navigator Interviews

Here are key insights from legal navigators in their own words organized by theme:

The current e-filing experience and process is not user-friendly:

E-filing is not user friendly. It takes so long! It is really time-consuming.

The E-filing platform has too many steps. There is too much to do. We can include information and screenshots to help them but it's just too much.

It might be better to have a completely separate user experience for SRLs.

As long as e-filing is mandatory, make it easier.

SRLs are under stress; they can be angry or frustrated. When in that frame of mind, the e-filing system is very intimidating.

There are about 20 EFSPs and there is a comparison chart but people don't know which one to pick.

The SRL e-filing experience was inefficient and took too long:

People will spend hours on an e-file when it should take 15-20 minutes. We have to clarify that they shouldn't be taking so long, and if they are, they should get help.

E-filing should not be such a barrier to justice that it is. It should absolutely not take more than 15-20 minutes.

Remote e-filing is even more challenging than in-person. How long it takes depends from case to case.

e-filing session time is a minimum of 20-30 min and an average of about 45 min. It can be as long as 1.75 hours. It depends a lot on the tech competency of the SRL. Before this session, they have been through at least a couple of hours of filing out the forms.

SRLs are confused about the process:

It would help to add information to websites that explains the process.

Provide the SRL a complete overview up front about how the process works, what you need to do, which documents you need, what fees they need to pay and when, what a fee waiver is and how you can get one. Include information about e-filing exemptions and expectations how long it would take. Provide links to county legal self-help centers.

Make an easier process with fewer steps.

SRLs need information in plain language:

SRLs do not know what e-filing means or even what filing forms means.

No one (SRLs) seems to know what e-filing is.

System should use plain language.

SRLs need the legal language clarified for them.

Educate SRLs about their legal issue and where to find resources:

Educate SRLs about terms as they go along the process -- terms like defendant, plaintiff, petition, etc.

Information is available online but SRLs don't know it is there when they come to me.

Integrate education about the process/journey along with the e-filing process.

Identifying the correct "filing code" is a major issue:

Choosing a filing code is too difficult.

Matching the filing code correctly is the most common issue.

About 70 to 80 percent have the wrong filing code.

It would help to eliminate or automatically assign filing codes.

If they miss a court date, they would need the "Motion to Vacate" filing code but they don't know that.

Dealing with PDFs presents a significant technical hurdle for SRLs:

I personally help them scan into a PDF.

Our court does not accept a single PDF. We need separate PDFs. This may be different from county to county.

They have to upload documents in PDF. If the document is in JPEG it would fail or be rejected.

Forms need to be in PDF format. SRLs can take a photo and then convert to PDF or fill out the form online and generate PDF. This is a problem.

I would let people email me their JPEGs and I would print out, rescan and then make PDF. Even though some PDF forms are fillable, they have to be flattened. The Judge only sees the embedded image in a PDF anyway.

Reasons for rejection could be one single PDF is not accepted; they need to split up into separate PDFs. Sometimes my first point of contact is after they are rejected. Sometimes people upload form instructions along with the form.

Steps for registration, payments, and fee waivers are confusing:

The process of registering for an e-filing account is confusing for SRLs.

SRLs are confused why they have to have a payment method on file during e-filing even though many may have a fee waiver.

I don't think the new website should force you to add a payment method, because some people never have to pay for anything.

Registering...is complicated. [The interface asks them if they are registering as a law firm or SRL.] They know they are not a firm, but they don't know that they are an SRL. Instead it could say "not using a lawyer".

The e-filing fee is \$334 but if rejected, it takes 2 weeks for the SRL to get their money back. If they don't want to wait, they have to put up more money to file again.

One person was out nearly \$1000 for multiple attempts. She was rejected 3 times so the judge referred her to me. Even though I had helped her over Zoom, it got rejected a 4th time. She had to email me the forms and I filed for her.

Cell phones are not allowed in the building. The system makes you verify email addresses, but court kiosks can't be used to verify email. Because the SRL would not have their phone with them, they cannot get past two-factor authentication. I would have to send them back to the parking lot to verify their account by clicking on the verification email. We had made a laminated card in English and Spanish with instructions

for this. Some people went out and never came back, and some come back next week.

SRLs face challenges of accessibility and the digital divide:

Think about SRLs mobile experience. Many SRLs only have a cell phone, not a home computer.

More people e-file in-person at court computers than at their home computers. Some think they are required to file from a court computer even though they can do it from anywhere.

Advantage of remote is that they have their cell phone with them so I could walk them through all the steps. But there are many disadvantages too. Many SRLs have internet access only through their phone or their kids' school Chromebooks. Most may not have a scanner at home.

System should work on PCs as well, not just phones. Older generation learned to use computers but are not familiar with smartphones. Poorer people are not familiar with computers but familiar with smartphones. After the pandemic more people were using tablets. So we need it all.

Dyslexia can be an issue. Need a color-coding system that is both color-blind and dyslexic-friendly. Gray boxes are hard to read. Use bright colors and color codings.

It would be ideal to have an app that goes along with e-filing.... The app should have a PDF converter and SRL should be able to take a picture and upload that.

I understand the utility of e-filing but I can also understand people's frustration when they don't have access to technology.

Digital divide is huge and e-filing by itself will not work for everyone. Need to change that requirement. Also literacy and computer competency are major issues.

Information and software are not enough -- SRLs need human expert assistance

SRLs are not inclined to sit and read information. Talking to a real person would be helpful.

Current process can be okay as long as people have access to navigators.

It is important to have people to help SRLs walk through that process.

The vast majority of people tend to have lower income and they don't have the tech competency so having a law library and a public library is critical.

If I could change something, I wish we had more people across the state, like JusticeCorp fellows and court navigators, to help SRLs with hands-on help.

We need more places where people can get one-on-one assistance.

Many SRLs are not tech savvy so prefer to have someone do it for them.

People need someone to walk them through the e-filing.

Current system is challenging to legal navigators and would benefit from standardization and simplification.

It would be better if it was standardized across different counties.

Local court rules are a giant headache.

I have to figure out which form they need. Sometimes I don't know, and I have to reach out to clerks or my supervisor on which forms to use.

I think a better system would be beneficial to all including SRLs and circuit clerks.

Summary

- The current e-filing experience and process is not user-friendly
- The SRL e-filing experience was inefficient and took too long
- SRLs are confused about the process
- SRLs need information in plain language
- Educate SRLs about their legal issue and where to find resources
- Identifying the correct “filing code” is a major issue

- Dealing with PDFs presents a significant technical hurdle for SRLs
- Steps for registration, payments, and fee waivers are confusing
- SRLs face challenges of accessibility and the digital divide
- Information and software are not enough -- SRLs need human expert assistance
- Current system is challenging to legal navigators as well and would benefit from standardization and simplification

(Note: The navigator interviews also uncovered specific usability and *user experience* issues with the current systems that are not included in the summary above. See Appendices 8.01 -8.05)



3 COURT CLERKS/STAFF FOCUS GROUPS

Planning & Format¹

Clerks play an integral role in e-filing since they receive the documents submitted by filers, review them, determine whether they should be accepted or rejected, and relay instructions back to the filer if the submission is rejected. Clerks know the internal business processes that govern how documents have to be e-filed in their jurisdictions and are most often the court stakeholders that SRLs turn to for help with e-filing.

To better understand the SRLs e-filing experience we reached out to the court clerks and staff that assist court users. We created four focus groups with a total of 24 clerks from counties across the state and AOIC staff.

Focus Groups:

- *Zones 1 & 4 (4 participants):* Union/1st, Tazewell/10th, Jo Davies/15th, Rock Island/14
- *Zones 2 & 3 (6 participants):* Morgan/7th, Sangamon/7th, Madison/3rd, Moultrie/6th, Montgomery/4th, Vermillion/4th
- *Zone 5 & Court Services (8 participants):* DuPage/18th, AOIC (2), Will/12th, Winnebago/17th, McHenry/22nd (3)
- *Cook (6 participants)*

A week before each group's session we sent out a survey form to:

- Collect background information about each participant
- Get participants to start thinking about the upcoming focus group session so that they can be more productive during the meeting
- Generate topics and themes that can serve as a starting point for the session.

The focus group sessions were conducted via Zoom and lasted 90 minutes. The session format was as follows:

- *Introductions*
- *Orientation*: Overview of the objectives of this meeting, re-iterate what's in scope and what isn't, the process we will follow, and the goals/deliverables by the end of the meeting
- *Brainstorm*: Display topics collected via pre-session survey, ask for more to add to list
- *Themes*: Ask participants to cluster ideas into themes and come up with theme labels and groupings
- *Recommendations*: Collaboratively prepare a list of recommendations
- *Wrap-up*

Themes Identified by Focus Groups

Included below is a condensed list of themes as identified by the focus groups. Groups identified similar themes and some, such as the need for better *user experience* (UX) and plain language, were identified by most groups. (See appendices for complete list.)

1. Make it simple for SRLs
2. Understanding of the process ahead -- guided walk-through step by step
3. SRLs need information before getting started with e-filing and/or while they are engaging in the process
4. Registration and payment issues and making the process simpler.
5. Access to appropriate technology -- computers and scanners, not just mobile devices
6. Better user experience across computers to phones
7. Expert (human) assistance is needed
8. Plain language used throughout the SRL UX
9. Empathy in process to accommodate different SRL challenges -- language, literacy, etc.
10. Time -- how long it takes the SRL
11. Smarter more helpful tech (do the work it can rather than having the SRL do it)
12. System that is understanding, accommodating, smarter
13. For majority, providing some services or legal advice (expert-assisted or tech-assisted)
14. Amount of time and effort to help SRLs (both SRLs and clerks)

Recommendations by Focus Groups

Focus groups arrived at the following recommendations. (Presented below in their own words. Some recommendations overlap.)

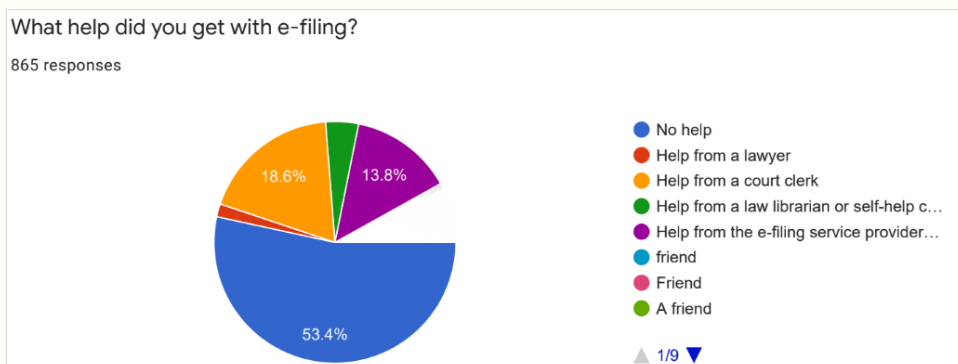
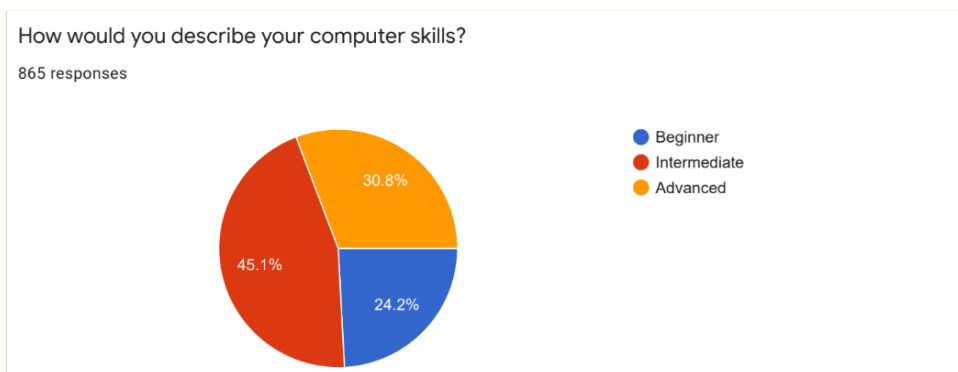
1. Simplify registration and payment accounts processes
2. Develop an e-filing system that takes into account all the barriers presented by SRLs (e.g., language, technology)
3. Have non-legal experts design away the legalese, legal jargon, etc. ingrained into the system design -- reducing the burden on SRLs
4. Turbo Tax style document assembly to complete statewide forms rather than navigating the lengthy forms and instructions
5. Embed some logic into the system so that it can automatically populate some of the information that is needed to reduce the burden on SRLs
6. Use plain language throughout the SRL UX
7. Make the SRL process more interactive using a question-answer approach instead of filling out a form. (e.g., some sort of indicator that alerts users to next steps, helpful tips, etc.)
8. Make process more time-efficient
9. Reduce cognitive burden on SRL. If the system can figure it out then it should do it in the background without bothering the SRL.
10. Registration should require addition of a payment account since the overwhelming majority of cases at some point in the life of a case will require some sort of fee or fee waiver with a SRL-friendly explanation of how to properly set up a fee waiver account.
11. A series of questions to triage SRLs into certain paths (e.g., Turbo Tax) -- filing in the right district or division and forms packet.
12. Use plain-language throughout the system to make it more accessible and easier to understand (e.g., ad damnum, service)
13. A singular starting point for users to visit with different options to services, forms, resources, etc.
14. Step-by-step directions on the process or the path ahead
15. Direct to dedicated services to address certain types of needs (e.g., for people with limited English proficiency, seniors, people with disabilities, general SRLs, etc.) or case complexity.
16. More resources for state funded organizations for legal advice

(See Appendices 8.06 - 8.10)



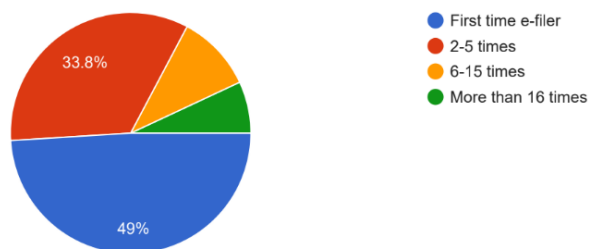
4 USER FEEDBACK

The scope of this study did not include interviewing SRLs directly. However, since the spring of 2021, AOIC had in place an online survey form to collect feedback from users that had successfully submitted an e-filing. The link to the survey was automatically emailed to an e-filer when the user was able to submit a filing. The email asked those without lawyers to fill out the survey. Note that only those who were able to complete a filing received a link to the survey. So this feedback only represents those who were able to submit an e-filing. It is not representative of all SRLs that might have embarked on this journey and does not capture the experience of those filers who left the system because they could not successfully submit a filing.



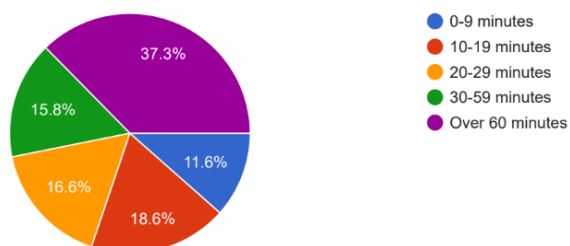
How many times have you tried to e-file, including this time?

865 responses



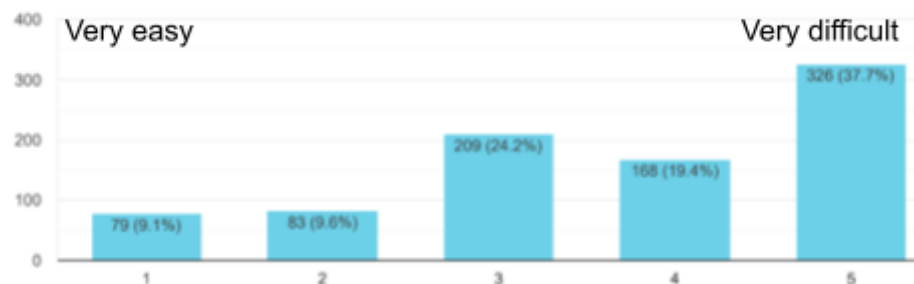
About how long did it take you to e-file?

865 responses



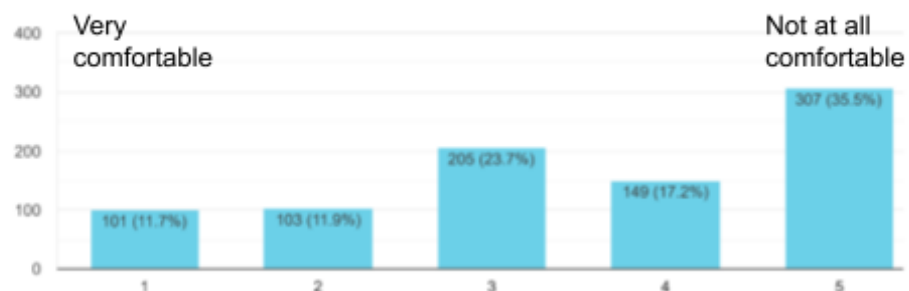
How easy or difficult was it to e-file?

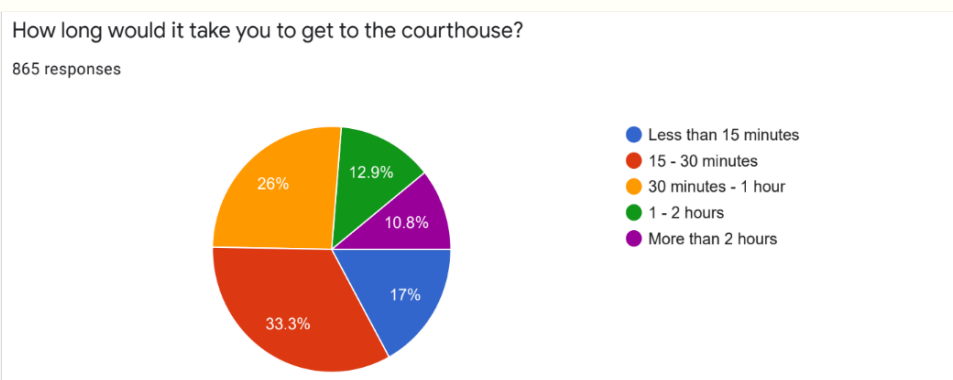
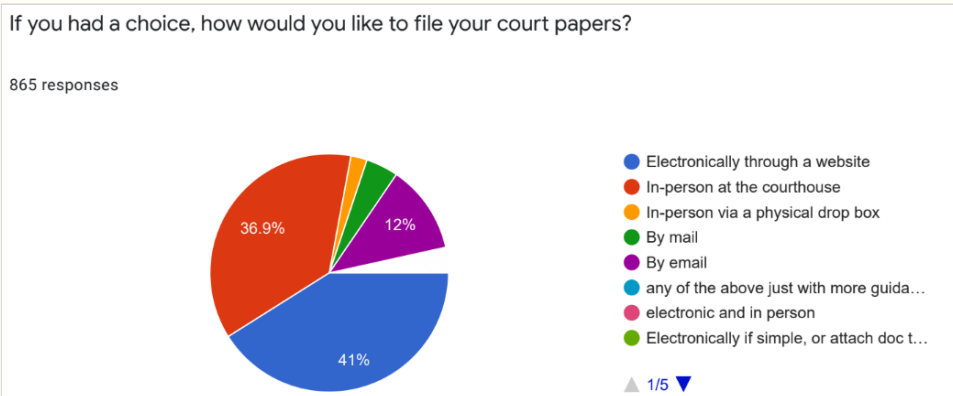
865 responses



How comfortable did e-filing make you feel about handling your legal issue overall?

865 responses





Key takeaways:

- 49% of those who responded said they were first-time e-filers while 34% said they had tried e-filing 2-5 times. The remaining needed even more attempts.
- 37% said it took more than 60 minutes to e-file and 16% said it took more than 30 minutes.
- 57% found the e-filing process difficult or very difficult.
- 53% felt the e-filing process made them feel uncomfortable or not at all comfortable about handling their legal process overall.

In addition to the data summarized above users also submitted open-ended feedback comments:

“I'm a college graduate. This is a crazy system.”

“I was an IT manager and programmer for 11 years, but it took all day to figure out what I thought I should do and now they reject what I sent.”

“I was nervous as to whether I was even picking the right forms to fill out.... I get very nervous not knowing if I am doing it correctly.”

“Seems like it was designed to be as difficult as possible. Next time I will use a lawyer. I think that is the intent of the whole process.”

“It is very, very frustrating and I cannot afford a lawyer to help me, nor do I feel like it is ‘okay’ that people are forced into getting attorneys to assist with this type of thing as it could be made way easier with more instructions.”

“I have had it returned 6 times so far for different things each time. Just tell us exactly how to return it -- not change one thing each time. It’s RIDICULOUS.”

“Accessible navigation buttons, fewer infinite loops of connect the dots, understandable payment and fee information in conspicuous locations, UNDERSTANDABLE instructions.”

“It’s not at all clear what needs to be done and at what point in the filing process.”

“A clear explanation of what to expect when filing. I used to work for an attorney and still found the process convoluted and difficult.”

In the responses to the open-ended questions in the survey users pointed out some serious UX issues. They also said they were not able to get a clear picture of what to expect during the e-filing process and felt like they were chasing a moving target. In other comments, users that might have been already stressed when they started the e-filing journey expressed confidence issues. Some of the comments showed something worrisome -- a bad user experience could undermine trust in the justice system.



5 ANALYSIS

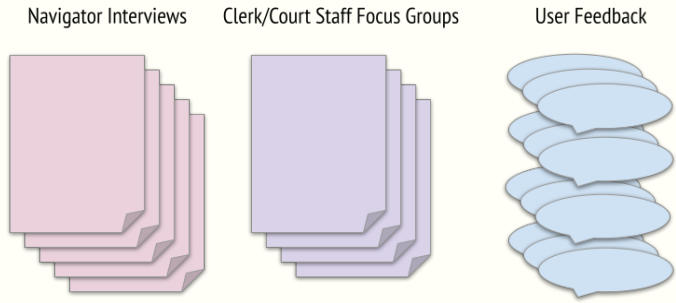
Data Preparation

At this stage of the project we had assembled three sets of text data:

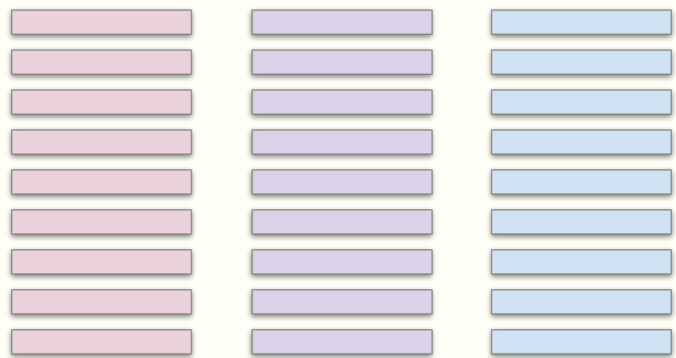
1. The experiences, observations and recommendations from legal navigators that provide assistance to SRLs.
2. Themes and recommendations generated by focus groups of clerks and AOIC staff on how to improve the user experience for SRLs.
3. The user feedback collected from a web survey sent to SRLs who were able to e-file.

To be able to compare across these three sets, we sliced them into discrete statements. We created a spreadsheet with a row for each statement. This spreadsheet with over 800 rows of statements, enabled us to study comments from all three sources together. Searching for keywords such as “language” or “pdf” we were able to read comments from users alongside observations by legal navigators and recommendations by clerks. We assigned tags to indicate source, topic, theme, etc. While we used this spreadsheet to derive insights for this study, it should be useful in future projects to explore stakeholder feedback on user experience and needs.

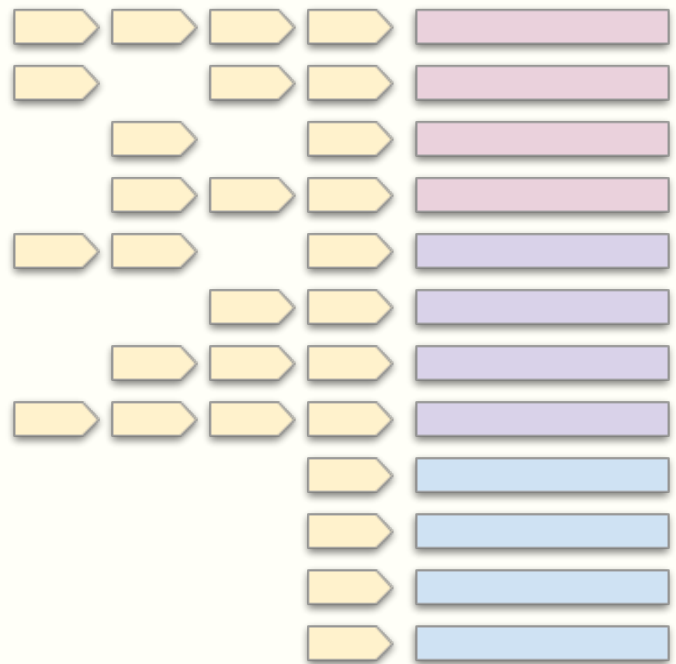
1 - Assemble data sets



2 - Slice into discrete statements



3 - Combine and search keywords



Observations

In Illinois, the journey to e-file can take SRLs through a landscape of web resources, human experts providing legal assistance, and several technology platforms.



The [Illinois Court Help](#) (ILCH) website is a free service of Illinois Courts, and its court guides help SRLs understand court processes. The [Illinois Supreme Court Commission on Access to Justice](#) (ATJ Commission) lists legal information, court forms, and referrals to free or low-cost legal help. The website of [Illinois Legal Aid Online](#) (ILAO) offers a vast collection of self-help resources for SRLs and step-by-step guides to finding information, filling forms, and connecting with free legal help. SRLs can also get assistance from legal navigators, court clerks and staff as well as librarians. The Illinois Courts website offers [e-filing instructions](#) for SRLs for the most commonly used free EFSP. Several of these resources link to each other so SRLs can discover relevant resources.

However, we found that one common issue SRLs had was not knowing where to start. They were unclear about the process ahead of them and the next steps involved. Some SRLs were not aware of self-help resources and assistance available to them. They took a convoluted path as they tried to discover and navigate to resources and help. Along the way, SRLs might come across a web page that lists 13 EFSPs and an intimidating [EFSP comparison chart](#) that may or may not be relevant to SRLs. When they start to e-file, they may encounter

questions for the first time -- for example, choosing the correct “filing code” -- and an incorrect choice could lead to the filing being rejected.

This creates inefficiencies for the SRLs as well as those who assist them. For example, some SRLs have to consult a legal navigator multiple times as they learn more about their legal issue after finding the right forms or talking to staff. One navigator started keeping notes on paper to be ready in case a SRL returned again for more help. Navigating from one resource to the next, SRLs may need to retell their story, the specifics of their legal issue, and try to recall what they were told by others who had assisted them in the past.

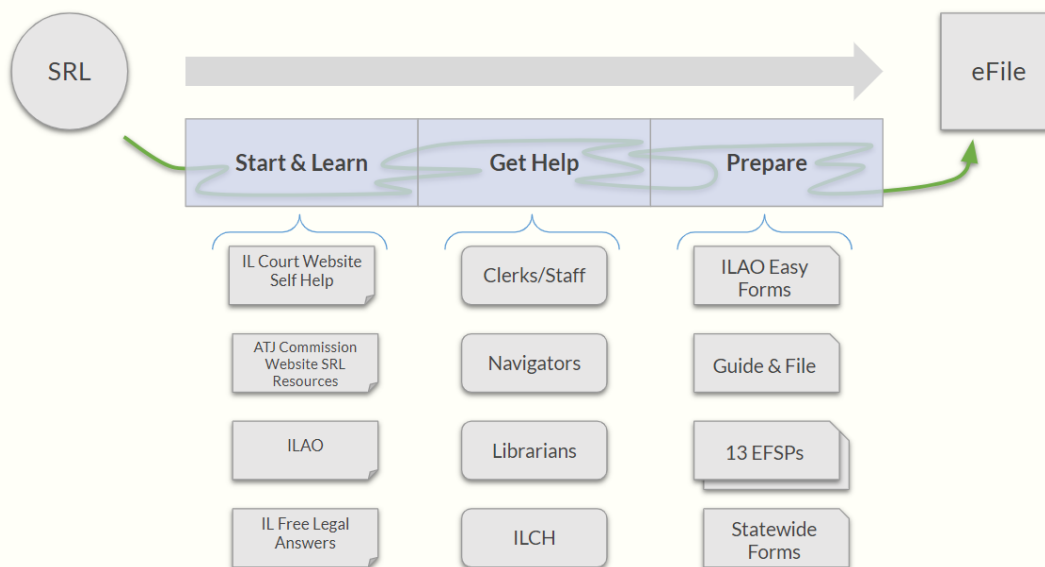


Without the services of a lawyer, SRLs have to not only serve as their own advocate but also as their own law office, assembling and organizing documents, scheduling and tracking tasks, and maintaining notes on their legal progress.

Concept

To improve the SRL e-filing experience we would need to improve not just the point of e-filing but the whole journey leading to e-filing. From the feedback we collected there appears to be a need for a seamless SRL-centric digital experience that is designed specifically for SRLs, and supports them through the entire journey, helping them learn, connect them with the available assistance and resources, and prepare them for e-filing step-by-step. It would

need to be omni-channel, interacting with users via a web browser, mobile app, email, SMS text message, and phone -- whichever is most convenient to the user. Illinois already has strong assets and expertise to help SRLs such as the services offered by ILCH and ILAO's guides and resources. These could be aligned and linked to create a more seamless and coordinated journey for SRLs.



To provide a seamless experience consider the approach taken by the [Maryland Justice Passport](#) web portal. SRLs can sign up to create a “justice passport” which they can use to track applications for legal services, store important documents, and organize case information. The SRL can then choose to temporarily share case information with a legal service provider when applying for services. This approach can keep the SRL in control of their information and helps them stay organized. An accompanying mobile app could provide SRLs tools to scan documents, schedule tasks, set reminders, and receive notifications.

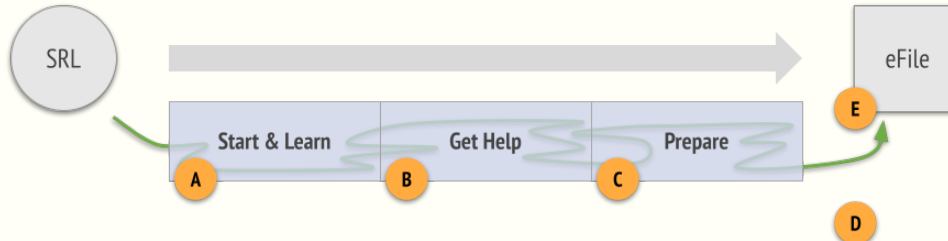
A dedicated SRL experience would provide a clear starting point for SRLs, informing the user about the steps ahead, recommending relevant resources, and directing the user to appropriate expert help all using plain language and current UX best practices. This would not only help SRLs but it would also be beneficial for those who provide assistance to SRLs.



6 TECHNOLOGY INTERVIEWS

The next phase in our project was to interview technology experts and vendors that have experience building software to assist SRLs. To build a cohesive and seamless user experience needed to support SRLs through the entire e-filing journey would require a wide range of functionality. We grouped the technical functionality into five broad areas corresponding to different stages of a user's journey:

- A. Start & Learn: web development, content authoring, etc.
- B. Get Help: Guided interviews, triage, connecting with human experts and legal service providers, etc.
- C. Prepare: SRLs tools, forms, etc.
- D. Development Frameworks
- E. e-file Integration: Certified for Tyler Technologies EFM



It may not be possible to find a single vendor or pre-built off the shelf product that would cover all the above areas. It is likely that an initiative of this kind would require collaboration between two or more vendors/contractors coordinated by a multidisciplinary project team that provides :

- Project management
- Ongoing stakeholder engagement
- User feedback analysis
- Data strategy and analysis
- Search engine optimization (SEO) and public relations

Based on what we learned from interviews with legal navigators and clerk focus groups, we reviewed several projects that used technology to provide some type of assistance to SRLs or legal professionals providing services to SRLs. We then compiled a list of technology vendors and developers who appeared to have expertise in building legal technology solutions. From this list we selected five vendors for in-depth interviews. This selection is not meant as a recommendation of these vendors; our selection was based on relevant experience in areas we wanted to learn more about, innovative projects/products, and to cover multiple areas of expertise. The vendors interviewed included access to justice consultants, a large legal technology company, document assembly and e-filing platform vendors, and a law school legal technology research lab. Interviews were conducted via Zoom.

Key Takeaways:

- Commercial cloud-based *customer relationship management* (CRM) services or client portal platforms can provide viable framework options for building functionality needed to support SRLs in the early stages of e-filing. These platforms can offer many advantages including lowering cost and time for development, as well as including industry standards for user interface design and security, and offering mobile apps, phone/email integration, and other omni-channel capabilities. The challenge would be mapping and adapting legal processes needs to standardized functionality built into these platforms.
- The act of e-filing is not the desired outcome, it is just the beginning. Design for the outcome. Ideally, SRLs will need to be supported before, during, *and after* e-filing. They will need to be able to access this support from a computer, smartphone, email, text message, or a phone call. Assist SRLs in organizing documents in a cloud-based document repository.
- When complex legal processes need to be expressed in software such as guided interviews, “no-code” or “low-code” approaches are desirable as it enables those with legal expertise to directly build the experiences without requiring a high-level of programming expertise.
- Open source frameworks such as *docassemble* and community-driven initiatives can offer a viable approach to collaboratively innovating and building SRLs-focussed solutions that can be shared and replicated. The

open source legal technology community is growing around these initiatives.

- The complexity of court processes makes it harder for developers and content authors to build SRL-focussed solutions. The many jurisdictional variations multiplies the amount of effort needed to meet SRL needs and compounds the difficulty of development and maintenance efforts.

(See Appendix 8.12)



7 RECOMMENDATIONS

In this study, we have collected feedback, opinions, and ideas from legal navigators, court clerks, AOIC staff, SRLs, and technology experts on how to improve the e-filing experience for those that seek to address their legal issues without an attorney. This collection includes a wide range of stakeholder input from general concepts to process improvement ideas to observations about specific user interface issues. Based on our analysis of this compilation, we have distilled five guiding principles and a suggested action plan for improving the e-filing user experience for SRLs in Illinois.

Guiding Principles

1. *Support SRLs' entire e-filing journey:* SRLs need a user experience that is designed specifically for them and provides seamless support from the point when they begin looking for information about their legal issue all the way through to e-filing. This will help SRLs be better prepared and organized when they e-file and be more efficient for those who help them along the way. It could translate to a better experience when in court since all the steps leading up to that point have been well explained and efficiently handled. It would also result in better data about the entire SRL journey and outcomes.
2. *Simplify court processes and reduce jurisdictional variations:* Complex court processes and differences between jurisdictions impose a heavy load on software developers, content authors, and those who provide support to SRLs. This results in technology implementations that are difficult to build, maintain, and keep updated. In the end, SRLs have to bear the burden of this complexity.
3. *Build upon existing legal technology initiatives:* Illinois already has legal technology initiatives that are building SRL-centric solutions and implementing industry best practices. ILCH is building a statewide omni-channel support system for SRLs using cloud-based services. ILAO

provides self-help resources, step-by-step guides, automated interviews to populate forms, and has familiarity with different technology frameworks. Open source initiatives for document assembly and e-filing may provide components that are suitable for integration.

4. *Consider a modular technology approach:* A monolithic software development project to address all SRLs needs could be a formidable challenge. Instead, consider a more nimble modular approach, building upon available cloud-based services, frameworks, APIs, as well as promising existing initiatives including technology-facilitated access to human assistance and expertise, stitched together with an SRL user account, to create a seamless SRL experience. Think pathways, not platforms.
5. *Start with a viable pilot project:* Identify a legal case pathway that has a significant volume of SRL parties, has a relatively simpler process, and fewer jurisdictional variations across the state. Build consensus to reduce or eliminate jurisdictional variations, and create a simplified statewide process for SRLs before attempting to build a software solution for it. Engage users and stakeholders throughout the project, testing, and incorporating feedback. Valuable lessons learned building one pathway can be used to build the next one.

Suggested Action Plan

1. *Assemble Task Force:* Invite representatives from all willing jurisdictions and legal aid organizations in the state to participate in a body tasked with selecting one (or top 5) SRL e-filing pathways to be improved and collaboratively simplifying and streamlining one pathway to be built as a statewide pilot project. (The task force format could be modeled on the court focus groups assembled for this study.) The task force should include neutral experts to inform and facilitate the collaboration. Also appoint a project manager (or a small project team) to provide management and operational continuity for the initiative.

2. *Select Pathway(s)*: Consider three criteria to select the pathway(s) for a pilot project: volume/need, process complexity, and jurisdictional variation. Data to support this decision-making can be compiled through data analysis or opinion surveys. Select the pathway(s) that have the least process complexity, least variation across jurisdictions, and would benefit the most number of SRLs. Additional criteria that could be considered are processes that currently are a significant pain point for court clerks and/or legal aid programs, and pathways for which resources have already been developed by ILCH, ILAO, and others.
3. *Streamline Pathway(s)*: Collaboratively arrive at a streamlined pathway that would be adopted by all participants. The functionality needed for this will become the basis of the functional requirements for the pilot project.
4. *Release RFP and Select Contractor(s)*: The RFP will include the functional requirements for the pilot project developed in the previous step as well as additional technical requirements. (Examples: SRL user account, document repository, SRL tools, etc). Note that due to the nature of this project, it may be likely that several contractors with different expertise areas may be needed and would require technical project management capabilities as well. Project requirements should also include user feedback components and metrics to measure the effectiveness of the project.
5. *Build, Listen, Learn, Refine*: Throughout the building process, listen to users, learn from them and from the metrics, and iteratively refine.

Once the first pathway is operational, repeat by selecting the next pathway to simplify and build -- reusing components already built for the previous one, and building any new functionality needed. Every new pathway built will add to the overall feature set of the system which will start evolving into a full-featured SRL e-filing platform. Also, each new pathway added to this technology implementation will mean another legal process that is simplified and standardized across the state.

We recommend this incremental approach -- with *process improvement and technology implementation being developed together with stakeholder input and user testing* -- to ensure that the technology solution being built is closely tailored to the needs of SRLs and the courts in Illinois.

Implementation of the above action plan will take a significant amount of time and requires starting small and building incrementally. While this long-term initiative is underway, robust human-centered measures will continue to be necessary in the interim. This can include expanding already existing resources such as ILCH, the Illinois JusticeCorps program, the Court Navigators Network, and information provided on ILAO as well as working on improving the UX of existing EFSPs and standardizing and simplifying court processes across all case types and jurisdictions whenever possible.



8 APPENDICES

8.01 Navigator Interview #1

May 26, 2021

Background

I started working in August 2020 providing in-person assistance in McHenry County.

Observations

In-person

For in-person SRL assistance, there is a help desk in the court clerk's office with plexiglass and computer stations beyond. SRL will go talk to a clerk and get the right forms. They are informed it has to be e-filed. SRLs do not know what e-filing means or even what filing forms means. I think this is the most important takeaway! The website should provide some information on what SRLs are actually doing by logging into their e-filing account -- right now it assumes attorney level knowledge.

Idea: It would help to add information to websites that explains the process.

Information is available online but SRLs don't know it is there when they come to me. When they come to me I look at their form to see what is missing and answer their questions. Then we scan the forms to PDF. During Covid I told them how to do it themselves. Now I personally help them scan into a PDF.

Remotely Over Phone

No one (SRLs) seems to know what e-filing is. SRLs do not know what filing code to use for a given document. I would recommend including some sort of popup/note on the website like, "Your filing code is the name of your document. For example, if you are uploading a document titled 'Petition,' your filing code would be 'Petition'. Some documents may have attached fees and others may not. If you are not sure if you have to pay a fee, contact your circuit clerk's Office at xxx-xxx-xxxx."

When SRLs create an online account they expect the website will create the case for them. They don't know that it is a separate step that involves creating a

PDF. Sometimes over the phone I would tell how to fill out the PDF and fill in blanks in PDF. There are many steps involved. Merging these processes might help but won't work as one-size-fits all to getting where the forms need to go.

Idea: Guided interviews should be like Turbo Tax. Even if Guide and File is improved, I assume some SRLs will always have to create their own court documents and upload them as PDFs. The website should have some note saying that court forms are what create your case, and e-filing is only the mechanism for submitting court forms to the court. E-filing is useless without court forms.

Payment and Waivers

Such a disclaimer does NOT currently exist, though it should be added. SRLs are confused why they need a payment account on file if (1) they do NOT have a court fee waiver and (2) they do NOT have to pay any court fees. This sometimes happens when an SRL reopens an old case for which they previously had an attorney. I don't think the new website should force you to add a payment method, because some people never have to pay for anything.

Only credit card or echeck is allowed in McHenry County. Given all the local court rules, maybe you should include some disclaimer about how you might be able to use certain payment methods in some places and not in others.

Waiver gets confusing too because they think that when they get a waiver in-person when they see the judge, the waiver is immediate. There should be a disclaimer on the e-filing site that if you select fee waiver you haven't automatically been granted a fee waiver. When SRLs add "waiver" as their payment method, they think they automatically get a waiver of their court fees. This is incorrect. They still have to e-file an Application for Waiver of Court Fees for a judge to review. If the judge grants the request for a waiver, then the SRL can use "Waiver" for their payment method for the duration of their case. If not, then they will have to pay and maybe re-file.

Order of Protection cases have no fees so that is confusing too. SRLs ask "Why do I have no fees for this but not for that." The court fees are in Odyssey but only if you know where to look. People think there is a fee to e-file but there isn't -- but there are court fees.

Interface

There is a lot of "noise" in the UX that is only applicable to attorneys and that really confuses SRLs. For example, the interface has a "Client Reference Number" that an SRL will never have. In Odyssey there is an option to e-file-and-serve which gets auto-selected. This confuses SRLs because they don't know what "serve" is, and I am not sure if it even works. Half the calls I get are questions about "what is my 'service-contact'" (which is in the interface).

Idea: It might be better to have a completely separate user experience for SRLs. and some explanation of what "serving" a party means. You should include a note that lets them know while they CAN/MIGHT BE ABLE TO serve a party through Odyssey, this is not necessarily the best method of doing so. They could also do by email, hand delivery, etc.

One common issue is in Odyssey at the bottom of the page, SRLs don't know where the "Submit" button is. So when they fill out fields it is only saved as a draft. Most SRLs are not able to find the submit button.

Idea: It should be clear where the Submit button is.

Idea: In some counties when you have your documents approved by the court, you get an email saying your doc was accepted. Include a link to a court-stamped version of the document. This is useful if they need to serve the party. You can find it if you go to your Odyssey account but SRLs don't know that.

Odyssey Guide and File (OGF) is more similar to Turbo Tax and has the option to either download all court forms as one multi-page PDF or as separate PDFs. Our court does not accept a single PDF. We need separate PDFs. This may be different from county to county.

Idea: OGF should disable single-PDF option.

SRLs run into a bug on IL Courts website; it's the " print-and-save-as-pdf" vs "save-as-PDF."

Suggestions

Talk to someone in Cook County. They have a very complicated system. Ask about payment method rules and fee waiver rules which are different in different counties. Local court rules are a giant headache.

For me SRLs usually start in-person or by calling the court. They do not usually start at the website. More people e-file in-person at court computers than at their home computers. Some think they are required to file from a court computer even though they can do it from anywhere.

Idea: Think about SRL's mobile experience. Many SRLs only have a cell phone, not a home computer.

Idea: SRLs are not inclined to sit and read information. Talking to a real person would be helpful. One advantage of in-person assistance is I can be more helpful and help them save time.

People will spend hours on an e-file when it should take 15-20 minutes. We have to clarify that they shouldn't be taking so long, and if they are, they should get help.

This is a key point. E-filing should not be such a barrier to justice that it is. It should absolutely not take more than 15-20 minutes. According to IL Supreme Court Rules, an SRL is EXEMPT from e-filing if it is taking too long/is too hard. SRLs deserve to know their rights, they deserve to know this information. The new system should include a link to this form, and explain that if e-filing is too hard, they should fill out [this form](#) and return it to the clerk's office by mail or in person.

Idea: Provide the SRL a complete overview up front about how the process works, what you need to do, which documents you need, what fees they need to make and when, what a fee waiver is and how you can get one. Include information about e-filing exemptions and expectations on how long it would take. Provide links to county legal self-help centers.

Idea: Educate SRLs about terms as they go along the process -- terms like "defendant, plaintiff, petition, etc. If you are filing a motion you have to give a notice to the other party. SRLs don't know they have to serve notice and that they can do it through e-filing or emailing.

Idea: Integrate education about the process/journey along with the e-filing process.

One other observation. Have the web address actually correspond to the website's name. No one knows what Tyler Host is or why they are receiving emails from Tyler Host.

Another random observation: The process of registering for an e-filing account is confusing for SRLs. Odyssey does not use terms consistently which can be confusing. For instance, it uses "pro se" and "self-represented litigant" interchangeably, but this, again, assumes prior legal knowledge that SRLs don't have. Also, the registration page should have SRLs enter their email address and desired password two times each. It does not currently do so, and people type the wrong thing all the time and then can't log into their account.



8.02 Navigator Interview #2

Jun 03, 2021

Background

I started in March 2020 providing assistance for all civil cases in the 19th Circuit. Mostly family case types and many evictions and some small claims. I specialize in guardianship. I was the first person to take this job. I was only providing remote services when I started. By April 2021 I was providing in-person assistance as well. Our court is fully remote, and I provide individual support in-person.

Observations

Assistance

I help SRLs choose the right forms and help them fill them out. I provide basic court info and explain next steps. I direct SRLs to e-file, but I don't provide e-filing help. Another program does that. I started helping with e-filing but it was taking too long.

E-filing is not user friendly. It takes so long! It is really time-consuming. So I stopped helping all the way through. The circuit court has e-filing help stations, and I refer SRLs to the clerk's office.

In-person

This begins when the SRL is already in the courthouse. SRLs would have stopped in the law library or clerk's office. They can't help with forms so they send the SRLs to me saying the coordinator "can help you with that." I first tell them to finish as much as they can and make an appointment with me. This is not usually the same day.

Remote

This is via live chat or email reference from the clerk's office or referred by the judge. I sit in each day on a civil court call and provide support via Zoom breakout room. I tell them I am not a lawyer so can't give legal advice, but I can help them fill out the form. I will sit with them for 30 minutes to fill out the

forms and give them e-filing instructions on how to upload. I also offer Zoom Assistance test runs to help people get set up with Zoom for court. There was more need in the beginning of Covid but now most people are comfortable with Zoom. We have Zoom stations in the court and we use DocuSign.

If it is going to take too long in the breakout room to e-file, we give another court date.

Challenges and Pain Points

E-filing takes too long. Particularly for first-timers, which is most of the SRLs. People get really frustrated with rejections (when their attempt is rejected). Remote e-filing is even more challenging than in-person. How long it takes depends from case to case. It might take 15-minutes if it is easy but I usually allocate 1 hour. Usually it takes 30-60 minutes. Language is a challenge -- I speak Spanish but it takes longer to translate.

E-filing is done in circuit courts office or law library. People have so many questions. They have to register for an account, and figure out making payments. They might have to spend 20-30 minutes e-filing after having spent 45 mins filling out the forms.

I point them to the e-filing exemption. I give them fee waiver information and tell them that they have to file it first. Wait for a couple of days for approval then come back. If granted they come back and file for free.

E-filing is hard from home so they come into court. In-person they fill it out on paper form. For remote we do screen share to help fill out forms.

I usually don't do case management or retain any of their info. Some people come in because they couldn't e-file from home. Then they came in to e-file and have to file for a fee waiver. Then they would have to come in again so I might keep their info to help them when they come back but that's an exception

The e-filing platform has too many steps. There is too much to do. We can include information and screenshots to help them but it's just too much. For example choosing a "Filing Code" is too difficult. Another example -- if they miss court date, they would need "Motion to Vacate" filing code but they don't know that is. SRLs have questions like: Did it go through? Did I submit it? There are many reasons for rejections and if their e-filing is rejected they have to start all over again.

The fee to file a common court document is \$334, but if rejected, it takes 2 weeks for the SRL to get their money back. If they don't want to wait they have to put up more money to file again. One person was out nearly \$1000 for multiple attempts. She was rejected 3 times so the judge referred her to me. Even though I had helped her over Zoom, it got rejected a 4th time so she emailed me the forms and I filed for her.

It is time-consuming for me too. I don't have access to all the info so I have to ask or send them somewhere else.

Suggestions

Make an easier process with fewer steps.

Send email notifications and e-filing system should be able figure out some things on its own

SRL should be able to log on to an online portal and upload documents and the system should know what it is and what needs to be done.

Illinois is moving to standardized forms from the AOIC/Supreme court. All small claims, appearance forms should look the same

We will keep some remote assistance even after the pandemic. We have divorce hearings from all over the world, even Mongolia. Both in-person and Zoom are suitable for different situations.

The forms themselves are fine and I help them so it's ok. But as long as e-filing is mandatory, make it easier.



8.03 Navigator Interview #3

Jun 3, 2021

Background

I provide assistance in the Cook County Helpline. It's the biggest for e-filing. I mostly assist with Dissolution and Small Claims cases. There are three of us from IL Justic Corp, and we provide assistance remotely. I just pull it up on my screen.

Observations

Path

The Odyssey e-file system is not easy to use. SRLs get my number from a judge or circuit clerk which advertises as general help with e-filing. SRLs usually have their paperwork done and need help with e-filing. If they have incorrect forms -- for example for a different case type -- I send them off to fill out the right form and to come back. We usually don't help filling out the forms themselves. Most common is that we tell them about the fee waiver. If you file a fee waiver form, clerks may not see it. We recommend filing for Petition or Appearance (defendant, litigant) and Fee Waiver at the same time. If at the same time a petition is filed and the fee waiver and judge's decision is pending they get notified by email from the circuit clerk. I am not sure if it is from Odyssey "Courtesy Copy" field or it could be on the fee waiver e-file.

Challenges

Matching the "Filing Code" correctly is the most common issue. Petition and Appearance are a bit easier for filing code. Others like Summons are hard because it may not match the title of the document. Petition for "certification agreement" on form and filing code is "Stipulation for contested cause" so it doesn't match and you have to know that one is referring to the other. Another example is that "Transcripts" are called "Record of proceedings" in the e-filing system. About 70 to 80 percent of SRLs have the wrong filing code

Process

Another issue on PDF is being upside down. The form is in PDF and can be downloaded. ILAO can generate PDFs. Some fill out a paper form and take a picture. Some go to the circuit clerk to get a paper form. They get told e-filing is mandatory, but they might be exempt and they don't know there is an exemption form. Reasons could be language (e.g., English as a second language), not having a computer, or other major roadblocks. Orders of Protection are automatically granted exemptions. They fill out a paper form and bring it into the courthouse. Less than half the time I actually see the form but it's less common. Most people are able to create an e-filing account. They have to upload documents in PDF. If the document is in JPEG it would fail or be rejected.

Odyssey is impossible to use on your phone so we ask them to get to a computer.

We also help with the cross-reference number such as "99500". If you are SRL and get asked to enter this code, they have to select the cross-reference type "Motion Type: Motion". Getting a hearing through e-filing, party info, location etc. follows.

Duration

e-filing session time is a minimum of 20-30 min and an average of about 45 min. It can be as long as 1.75 h. It depends a lot on the tech competency of the SRL. Before this session they have been through at least a couple of hours of filing out the forms.

Information

SRLs don't know they have instructions in Odyssey. I have to give them that info, which code to enter, etc. Some instructions appear in pop-ups but people don't see them or close the pop-ups without reading. There are great resources online but they don't often find them. (Or it may be that those who don't, don't come to me because they have already found them and don't need me.)

Suggestions

SRLs need the legal language clarified for them.

People can't pull up their case by case number because they don't know the case number format (e.g., 19 instead of 2019).

It would help to eliminate or automatically assign filing codes.

Hearing dates : If this situation applies to you you can pick a hearing date. They are presented a hearing date for their motion. If someone files an appearance then they don't get to choose a hearing date. Odyssey does this but not very effectively.

Questions to ask other navigators: Differences in fee waivers, how various courthouses do court dates etc. through Odyssey.



8.04 Navigator Interview #4

Jun 3, 2021

Background

I help with SRL e-filing in the 15th Judicial Circuit. It's a rural area. People travel quite a way to access services. I was the only person 1 day a week for 4 hour. We did a lot of family law. In April 2021 I moved to become an ILCH guide.

Observations

Path

During the pandemic, we moved to provide assistance remotely. I got a second cell phone and email address for just this purpose. They called me for help with e-filing. This was usually just over the phone. I offered to assist over Zoom but no one took me up on that. Most coming to me were not very tech savvy. Using Zoom was stressful for them, and e-filing via Odyssey was stressful too. People need someone to walk them through the e-filing. Not everyone has good internet access. Libraries were shut down during the pandemic. SRLs could call me on their own time and convenience over the phone. It takes several calls.

In-person help would take a long time but I could give them forms. I would help them fill out and then e-file forms at the self-help center. This is not true for all counties though. SRLs would be referred from circuit clerk's office, trial court admins, or judges. Some forms are easily accessible like divorce. In the 15th Judicial District people were sent directly to me. Circuit clerk's offices were spread thin.

Service

I would answer their questions such as "I am trying to get a divorce, what should I do?" I would then send them forms by email and explain what they would have to do, how to fill them out and to file them. I would tell them about fee waivers. I would communicate with them via text, email, and ask them to call me back.

We did some light demographic research for 15th Judicial and I have some data. I will send it to you.

I used the Odyssey Efile system before I started at AOIC. Usually I would be on the phone and help SRLs through the e-filing process. Sometimes I would send them info and instructions and ask them to call me back if they needed help.

Courthouse In-Person Experience

Cell phones are not allowed in the buildings. The system makes you verify email addresses, but court kiosks can't be used to verify email. Can't use two-factor authentication because SRL would not have their phone with them. I would have to send them back to the parking lot to verify their account by clicking on the verification email. We had made a laminated card in English and Spanish with instructions for this. Some people went out and never came back, and some came back next week. Odyssey verification email is not time-limited but some SRLs said it was.

Remote Experience

Advantage of remote is that they have their cell phone with them so I could walk them through all the steps. But there are many disadvantages too. Many SRLs have internet access only through their phone or their kids' school Chromebooks. Odyssey doesn't work as well on mobile phones. Most may not have a scanner at home. Forms need to be in PDF format. SRLs can take a photo and then convert to PDF or fill out the form online and generate PDF. This is a problem. I would let people email me their JPEGs, and I would print out, rescan and then make PDF. Even though some PDF forms are fillable, they have to be flattened. The judge only sees the embedded image in a PDF anyway.

Many forms are not a standardized fillable form. Most have to be printed with a wet signature and scanned. It would just be so much easier if it accepted a JPEG picture.

e-filing Challenges

- Choosing your own security question is complicated.
- Registering for a Firm or Individual account is complicated. They know they are not a firm, but they don't know that they are an SRL. Instead it could say "not using a lawyer". Once registered it is easier.

- State of the filing can be: 1) Pending; 2) Returned: Rejected for some reason; 3) Draft: not submitted, 4) Served: digitally given to other party (usually not relevant for SRL).
- SRLs need to know their location. (Common question: "What district I am in?")
- Category terms can be confusing.
- Yellow buttons are not always helpful.
- Case type can be confusing, but I help them pick the right ones. SRLs don't know that selecting the Case type reveals the filing fee. They also don't realize that save changes saves draft.
- Party info: I am Party auto fills
- The Lead Attorney field is confusing if they don't have an attorney. They get stuck on their own. They don't need to enter this.
- It can also get confusing if they don't have an address.
- Filings: Efile (usually when they are starting) or E-file/Serve options: Filing type, Filing Code, Filing description
- Client reference number: This is typically for attorneys. Even some attorneys don't use it. I hope they get rid of it.
- Courtesy copy options are confusing.
- Lead document gets a stamp. After they save the first document they could add more. But it is confusing because they don't see the "Add Another Filing" option. I asked Tyler to make it green but they haven't. SRL has to repeat for each filing, and it has to be a PDF. (JPEG upload will fail)
- If SRL wants a waiver they would have to set up a waiver account. This means they have to save draft, then go back to setup payment, and then come back to the draft(see below).
- SRL has to click on the "Summary" button. This is confusing to some. SRL has to review and then submit.
- Payment Account: Choose Yellow "Actions Button " and set up a credit card. Fee waiver account will automatically waive it in the e-filing system

temporarily, but a judge's decision is needed. If the judge decides they have to pay they usually have 30 days to pay.

- There are many EFSPs, and clerks send people to one they like. I would send people to Odyssey. There are about 20 EFSPs and there is a comparison chart, but people don't know which one to pick. Many are used by lawyers and have different features. I would get calls from everyone including SRLs and lawyers.
- If rejected, "Copy Envelope" can make a new draft. I help them with it. The term "returned" is confusing; it should be labeled "Rejected." Most people just start a new case. Rejections are pretty common, particularly if they are doing it themselves. Reasons for rejection could be one single PDF is not accepted and they need to split the document up into separate PDFs. Sometimes my first point of contact is after an SRL filing has been rejected. Sometimes people upload form instructions along with the form.
- We used ILAO guided interviews and people uploaded all of it. Some like guided interviews but others don't because it may give too much info. For example you rarely need Final Judgment form but ILAO creates it.

Suggestions

- Digital divide is huge and e-filing by itself will not work for everyone. Need to change that requirement. Also literacy and computer competency are major issues.
- It would be ideal to have an app that goes along with e-filing. Odyssey is unusable on mobile device/tablet. The app should have a PDF converter, and SRL should be able to take a picture and upload that.
- Dyslexia can be an issue. Need a color-coding system that is both color-blind and dyslexic-friendly. Gray boxes are hard to read. Use bright colors and color codings.
- System should work on PCs as well, not just phones. Older generation learned to use computers but are not familiar with smartphones. Poorer people are not familiar with computers but familiar with smartphones. After the pandemic more people were using tablets. So we need it all.
- It would be better if it was standardized across different counties.

- System should use plain language.
- I think a better system would be beneficial to all including SRLs and Local court rules are a giant headache.s.



8.05 Navigator Interview #5

Jun 4, 2021

Background

I have been providing assistance since August 2020 in Bloomington-Normal in the law library. I provide in-person assistance only. I provide legal info, access to court forms, and e-filing help.

Observations

Path

Biggest challenge for SRLs is navigating the e-filing process. It took me a while to learn myself. The SRL usually begins their journey with the navigator info that is on our website. Sometimes they learn of us through other counties or through clerks though they don't handle e-filing or have paperwork. Sometimes through judges also. Like in a divorce case SRLs may not enter an appearance so judges will refer them to the law library to get the form and to waive court fees. Usual case types are Small Claims, Family Law, and Guardianship.

When SLRs get to me it's a mix -- some have the forms and some don't. For some, a judge may have written them down for them. For those that don't, I have to figure out which form they need. Sometimes I don't know, and I have to reach out to clerks or my supervisor on which forms to use. One example is Grandmother Petition For Custody Of Unborn Child, and it was complicated

Interaction

Usual consultation time can be 5 minutes if it is easy with brief instructions. Maximum time can be long. Someone was there for 5 hours but that was an unusual case and they were asking a lot of legal advice questions which I can't answer. A typical interaction is around 20 minutes and it involves getting the forms, filling them out, and answering their questions. Usually I help with e-filing by looking over their shoulder but sometimes I might physically e-file for them if they are having trouble. Many are not tech savvy so prefer to have someone do it for them.

Interface

The Odyssey user interface is not the best. You need knowledge of the law to be able to use it. For example, I ask people to uncheck the "Service" button; they don't know what it is for. Maybe we need a user interface element that tells them what that is for. Sometimes they don't have the contact info for the other person they have to serve. It can be confusing.

Security settings: Almost all e-filed documents are non-confidential so maybe just make it the default.

Lead documents and attachments seemed confusing for me in the beginning. Tried to e-file as one lead document and a bunch of attachments. Difference between lead and attachments can be confusing.

Once you know how to use the software it is straightforward, but it is hard for first-time users. SRLs are under stress; they can be angry or frustrated. When in that frame of mind, the e-filing system is very intimidating. It is important to have people to help SRLs walk through that process.

Resources

Some SRLs have scanners at home so they go off and do it themselves. But the vast majority of people tend to have lower income and they don't have the tech competency so having a law library and a public library is critical. Scanner is available, and it is attached to the computer. We have 3 computers and 3 scanners. We have configured the scanner to save PDFs by default.

Suggestions

Client Reference number: I don't know what that is and I never had to do that. Maybe it's there for a reason but I don't know.

Most SRLs say "I wish I could just hand my forms in." I understand the utility of e-filing, but I can also understand people's frustration when they don't have access to technology. If I could change something, I wish we had more people across the state like JusticeCorp and other court navigators to help SRLs with hands-on help. Bloomington has done training for e-filing for staff. We need more places where people can get one-on-one assistance. Current process can be okay as long as people have access to navigators.

8.06 Clerks Focus Groups Session Outline

We used this outline to structure the focus group sessions.

1. INTRODUCTIONS

- a. Facilitators

- i. Sarah Song -- AOIC, Access to Justice: Sarah works on tech projects, including remote court, online dispute resolution, and electronic filing. Before joining the AOIC, Sarah was a housing lawyer at Legal Aid Chicago.
 - ii. Abhijeet Chavan -- Consultant: Abhijeet Chavan has over 25 years of technology consulting experience with public-sector, higher education, and non-profit clients.

- b. Participants

- i. Name -- Court/County/Organization
 - ii. Bio

2. ORIENTATION: The Supreme Court's Commission on Access to Justice is conducting in-depth research into how we can improve e-filing for self-represented litigants. We know clerks are on the front lines not only assisting SRLs with submitting their e-filings and figuring out next steps but also establishing business practices and accepting/rejecting these filings. We would like to hear from you, particularly on how to improve the filing process for users, with the goal of reducing not only rejections but also the number of requests from SRLs for support, which we know can be very time consuming. Our goal is to interview small groups of clerks to get a representative picture of clerks' pain points and suggestions for improvements to e-filing that will hopefully cover the diversity of clerks' interests and needs, especially in Cook County. Please bring all your feedback—the good, the bad, the ugly. We want to hear your honest critiques and innovative suggestions. Thank you!
3. BRAINSTORM: Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?
4. THEMES: Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.
5. RECOMMENDATIONS: Generate a list of recommendations/larger principles to improve e-filing for SRLs.

Focus Groups:

- Zones 1 & 4 (4 participants): Union, Tazewell, Jo Davies, Rock Island
- Zones 2 & 3 (6 participants): Morgan/7th, Sangamon/7th, Madison/3rd, Moultrie/6th, Montgomery/4th, Vermillion/4th
- Zone 5 & Court Services (8 participants): DuPage/18th, AOIC (2), Will/12th, Winnebago/17th, McHenry/22nd (3)
- Cook (6 participants)



8.07 Focus Group Zones 1 & 4

Sep 8, 2021

Zones 1 & 4 (4 participants): Union, Tazewell, Jo Davies, Rock Island

Brainstorm

Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. Simplify the how to instructions
 - a. We print out the packet -- the forms with the instructions. SRLs are intimidated by the number of pages in the packet.
 - b. Struggle with the basic language.
2. Are we going to have more Guide and File programs available?
 - a. What works well with OGF is they are asked questions (like Turbo Tax) and it seems to work well to help SRLs build their petition.
 - b. Guide & File interview for a petition to modify in divorce cases would help
3. No matter how much time we spend with SRL's our Judges require SRLs to know what they are doing when they come to court.
 - a. Don't know how to proceed once the documents are filed and/or they arrive in the courtroom; judges cannot favor one party over another and expect SRLs to present evidence and present their case
 - b. Pro bono legal advice/representation
 - c. All this time spent filling out and filing paperwork just to get shot down in court because they don't have a good legal case
4. Most SRL's are not familiar with the Case Categories and don't always know to choose Law Magistrate for an Eviction or Miscellaneous Remedy for Name Change
5. Explain case subtypes to SRLs
6. Tyler seems to always redirect the filers back to the clerk's office
 - a. Formatting errors such as the PDF not being correct
 - b. Undefined what Tyler's support number can assist with and what they cannot assist with
7. The state should fund pro-bono attorneys in each judicial district.

8. Oftentimes filers include the Statewide Forms instruction pages with their filings and submit everything as one single document.
 - a. Separate lead documents versus one large PDF -- summons separate from appearance separate from another document
 - b. How you separate them and load them into efileIL
9. Easier to understand instructions for each step
10. How can we help our seniors be more comfortable with e-filing
 - a. Not comfortable with computers. Lot of times we just do the waiver.
 - b. They don't know what a PDF is. They don't have access to a scanner.
 - c. 2 stations for SRLs to scan and e-file but most people request an exemption
 - d. Stations available in Rock Island, but clerk has to stand behind the user and directing them on what to click/choose or how to use scanner
 - e. Send people to the law librarian for additional support when short staffed
 - f. Some people would rather have a person guide them then look through manuals or other written resources
11. More forms for stalking no contact and civil no contact.
 - a. Available on ILAO's website but would be helpful to have in one spot on the statewide forms website
12. SRL's indicate they do not receive copy of filed documents
 - a. SRLs do not know how to set themselves up as a service contact
 - b. SRLs do not know how to serve court documents to another party (e.g., do you have to email it to them?)
13. The box for the file stamp is not in the appropriate space.
 - a. Standardized forms have a box, four/five different lines have to be moved, better if forms did not have anything in the top right corner
14. SRLs trying to decide on case type, not attorneys and clerks are not attorneys and don't have expertise beyond more basic types -- cheat sheet that selects the fields based on what you are filing
15. Providing SRLs with referral to Illinois Court Help -- have not heard specific feedback but SRLs have not been coming back to the clerk's office, particularly in smaller offices where someone may not be available to help
16. People arrive and want to tell their stories, taking up a lot of valuable time

17. Moved to Zoom court during pandemic mostly except for some. Provided terminals for those who did not have access to Zoom. Had to provide technical assistance using Zoom, headphones, etc.
18. Lots of questions about what is proper service on the other party
19. SRLs don't just need to know how to e-file. They need to know how to proceed with their case. Clerks have to be careful what we tell them because if they don't get the result they expect they think it is the clerk's fault.
20. Scaling weekly zoom call in to assist SRLs for counties that do not have the resources to staff it on their own; dedicated channel for SRLs to get access to services/assistance
21. SRLs start by calling for information. Then they may make several trips or multiple phone calls. (Not unusual to have a 30-min call with SRLs). Clerks spend a lot of time with SRLs on the phone before they even come in. If they don't have the right or adequate documents they may make several trips.
22. SRLs' reliance on clerks to act as their attorney because they cannot afford one
23. No issue with the current process for fee waivers. But standards for fee waivers are too low (depending on cost of living in the area).

Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

- *Services providing information to SRLs*
 - Case Types -- Guide to which category to file under
- *Legal Advice* For majority, providing some services or legal advice (expert-assisted or tech-assisted) would meet their needs.
 - Pro-bono legal advice
 - Legal Aid (e.g., Prairie State, Land of Lincoln, Legal Aid Chicago)
- *Technology Assistance*
 - Assistance for Seniors
 - Guide and File
 - Tyler Support
- *Amount of time and effort to help SRLs (both SRLs and clerks)*
 - Not adequate resource for clerks to handle SRL needs
- *Plain language and UX*

Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

- A singular starting point for users to visit with different options to services, forms, resources, etc. Step-by-step directions on the process (the path ahead)
- Direct to dedicated services to address certain types of needs (e.g., for people with limited English proficiency, seniors, people with disabilities, general SRLs, etc.) or case complexity.
- More resources for state funded organizations for legal advice for those qualifying.



8.08 Focus Group Zones 2 + 3

Aug 13, 2021

Brainstorm

Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. The Illinois e-file website is really unuser friendly.
2. The limited number of approved forms available to SRL's.
3. The changes in the Manual of Recordkeeping for circuit clerk's.
4. Assisting with filing
5. Set up Payment Account during the registration process
6. Better Way to view "add another filing"
7. Observation: most SRL's do not understand the difference about the documents that they are filing.
8. I would like the instructions easier for the filer
9. Time to our cms
10. does everyone have problems getting SRL to do it themself
11. SRL's have an extremely hard time when doing from home
12. Can it be audio enabled
13. Kiosk availability for ILCH
14. Advice on front counter training
15. Finding additional resources for low literacy individuals
16. We should not force the filer to choose the Case Category. Each Case Type has only one Case Category. For example, if someone picks Foreclosure, we know it's a CH. Evictions are also a problem (usually coded LM).
17. Making the registration easier. Particularly for courthouses where cell phones are not allowed or users do not recall their passwords.
18. Including definitions with Case Types or using modern descriptions for Case Types. Ex. Replevin
19. SRL customers do not understand how to upload and label their pleadings, nor do they understand what to mark as confidential. It would be nice if the forms committee could identify "Confidential" on their standardized forms.
20. SRL customers do not know which forms that they should be using nor do they understand how to fill them out properly. Form committee needs

- to shorten and simplify those for the SRLs. Filing instructions along with court forms. Left-hand marginal instructions are too much info for SRLs.
21. There needs to be a better way for customers to receive support or assistance other than using the Tyler phone support number. SRL customers and efileIL users usually do not get good support and are referred to speak w/ the individual clerks offices.
 22. Case number search
 23. Document attachment and format (e.g., one large PDF versus separated PDFs); not flattening PDFs prior to filing.
 24. Payment account designation
 25. Electronic service
 26. A how to video on the clerk's website on how to e-file for SRL
 27. When & how to select optional fee services.
 28. Error messages. A thin red line which is sometimes off the screen does not cut it. It should take you to the error and make it obvious
 29. Payment accounts. Why can't it allow filing if there is no fee involved without an account?
 30. Needs a back screen for when they set up their account. They do the email part on the phone then they have to reload the website on a computer to be able to log in.
 31. Perhaps a live chat function for people filing from home to get help?
 32. Clean up logic or categories for filing codes (e.g., summons versus alias versus use of other document options)? Have to balance between too many and too few filing codes. Better organization of drop down options.
 33. People who are responsible for creating our systems (e.g., forms and instructions) are either an attorney or have had decades of experience with these systems; SRLs are not. Some of these terms mean nothing to them (e.g., alias).
 34. What problems does anonymous e-filing (kiosk mode) create down the road? A lot of people cannot create an account. They may not have a phone. What problems does anonymous-filing create for SRLs? Subsequently viewing documents can be difficult.
 35. People coming in the day of their hearing and staff has to assist them on each step of the process. Time to upload can be very fast but other times not so. Judge may send SRL to e-file answer on the same day.
 36. Frustration from SRLs who expect clerks to complete e-filing for them or use of clerk resources devoted just for e-filing.
 37. Odyssey registration process.
 38. Walk-along options either to fill out forms or just to complete the e-filing fields.

39. Misunderstanding between what court considers documents and what SRLs consider documents
40. Statewide forms are confusing and complex -- hard to capture the true SRL perspective when looking at forms since everyone is “part” of the system.
41. 5 public kiosks to help address digital barriers and adding ILCH or ILAO to the kiosk; hard to toe line between legal information versus legal advice.
42. Most helpful is to have a staff person walking through the e-filing process from start (registration) to finish (submission) with a SRL including help filling out forms (e.g., advocates for OPs). Not realistic to devote staff full time to e-filing support. More JusticeCorp fellows.
43. SRLs do not want to read or watch videos, just want to be told what to do. But they may respond well to an interactive program.
 - a. Time is valuable to SRLs and clerks
44. Videos?
45. More guided interviews to fill out statewide forms.
46. Intimidated by 35 page order protection packet. Tyler’s OGF <https://illinois.tylerhost.net/SRL/SRL/ExecuteInterview> was much easier to go through. It doesn’t use big words. It is faster for the filer which makes it faster for the clerk, which makes it faster for the judge. Even print-and-file is useful.
 - a. It may be plain language to us (legal experts) but it is not plain language to SRLs.
 - b. Instructions on the side are good but most people don’t read those. They want to fill it out as quickly as possible and so they don’t read.
 - c. Interactive question-answer is way we are headed
47. 1-312 vs 312 -- lack of familiarity with the tech they have.
48. May have a phone but no access to computers (mobile accessibility)
49. Most file anonymous instead of registration. They don’t think they will need it again.
50. Front-line before they even get to us
51. SRLs are not aware of the time it takes and are unprepared when it takes longer. Something to assist with expectation management.
52. After Jan 1st, new case types, SRLs may not even know which case types. Even legal professionals may not know since we had to add new filing codes.

53. e-filing exemption forms are available but first ask users to try e-filing before turning to paper filing; preference is to receive documents electronically.
54. Filers uploading all documents into one filing (e.g., notice of motion, motion, and proposed order on one PDF).
55. If Tyler's platform is the first step (setting aside the digital divide issue), it does not contain instructions and does not alert filers of errors; errors only come up on the clerk reviewer side.
56. Have to dumb it down -- most people don't understand difference between plaintiff/petitioner and defendant/respondent
57. More visual cues (e.g., graphics, pictures, icons, etc.)
58. Difficult uploading forms (e.g., flattening a PDF). Even I can't do that so how can SRLs? They try to take a picture.
59. Decision paralysis by the time SRLs get to the point of service of process or e-filing
60. e-filing is helpful as it goes into CMS. But it's difficult and mandatory for SRLs.

Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

- Access to appropriate technology -- computers and scanners, not just mobile devices
- Familiarity with using technology
- Legal understanding or lack thereof
- Understanding of the process ahead -- guided walk-through step by step
- Expert (human) assistance
- Plain language used throughout the SRL UX
- Empathy in process to accommodate different SRL challenges -- language, literacy, etc.
- State of mind -- frustrated and stressed
- Time -- how long it takes the SRL
- Smarter more helpful tech (do the work it can rather than having the SRL do it)
- Make it simple for SRLs.

Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

- Use Plain language throughout the SRL UX
- Make the SRL process more interactive using a question-answer approach instead of filling out a form. (e.g., some sort of indicator that alerts users to next steps, helpful tips, etc.)
- Make process more time-efficient and also
- Reduce cognitive burden on SRL. If the system can figure it out then it should do it in the background without bothering the SRL.



8.09 Focus Group Zone 5 & Court Services

Aug 12, 2021

Zone 5 & Court Services (8 participants): DuPage/18th, AOIC (2), Will/12th, Winnebago/17th, McHenry/22nd (3)

Brainstorm

Below are the thoughts, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. We should not force the filer to choose the Case Category. Each Case Type has only one Case Category. For example, if someone picks Foreclosure, we know it's a CH. Evictions are also a problem (usually coded LM).
2. Formatting the forms to make them more user friendly for SRLs. This should include revising the instruction portions and the lengths of the forms.
3. Making the registration easier.
4. Including definitions with Case Types or using modern descriptions for Case Types. Ex. Replevin
5. SRL customers do not understand how to upload and label their pleadings, nor do they understand what to mark as confidential. It would be nice if the forms committee could identify "Confidential" on their standardized forms. Who should be responsible for marking something "Confidential," filer or the clerk/court? Lack of standardization on how this is handled or treated. Should not be an option on the public facing application. Does not account for all the other security settings (e.g., impounded, sealed, confidential, etc.). At the end of the day, it is not their choice.
6. Need to account for attorney filers versus SRL filers. Separate SRL user interface?
7. SRL customers do not know which forms that they should be using nor do they understand how to fill them out properly. Form committee needs to shorten and simplify those for the SRLs. Filing instructions along with court forms. Left-hand marginal instructions are too much info for SRLs.
8. SRL customers want someone else to do everything for them.

9. SRL customers do not know how to identify their parties based upon the case caption and the party standards.
10. There needs to be a better way for customers to receive support or assistance other than using the Tyler phone support number. SRL customers and efileIL users usually do not get good support and are referred to speak w/ the individual clerks offices.
11. Case number search
12. Document attachment and format (e.g., one large PDF versus separated PDFs); not flattening PDFs prior to filing.
13. Payment account designation
14. Electronic service
15. The state's standardized forms make everything more complex than it needs to be. Simpler forms would benefit everyone, especially SRLs.
16. Would it make sense to allow the ability to file as a "guest" rather than set up an account? The filer would need to enter all of their information and payment info each time, but those who file one time for one case might appreciate this. And many people do not like to save payment information within an online account for fear of fraud.
17. IL state forms coming to our system blank.
18. The attachment of personal information regarding financial affidavit W2, personal account numbers. Related to confidentiality and misunderstanding what that indicator actually accomplishes.
19. A how to video on the clerk's website on how to e-file for SRL
20. When & how to select optional fee services.
21. Emails. Should be one per submission per envelope and one per accept/reject per envelope
22. Error messages. A thin red line which is sometimes off the screen does not cut it. It should take you to the error and make it obvious
23. Payment accounts. Why can't it allow filing if there is no fee involved without an account?
24. Needs a back screen for when they set up their account. They do the email part on the phone then they have to reload the website on a computer to be able to log in.
25. Perhaps a live chat function for people filing from home to get help?
26. Common rejection is for payment reasons. SRLs do not know what optional services (e.g., certified mailing, alias summons, counterclaims, etc.) they have to add and when to add them. Clerks cannot add fees onto a filing in the review process and can only reject it for the filer to

correct. System cannot associate a fee to a filing code unless it is attached to some optional service (for example, counterpetition fees). Why can't it automatically connect that optional fee to the document that is filed? Lawyers struggle with this as well.

27. Clean up logic or categories for filing codes (e.g., summons versus alias versus use of other document options)? Have to balance between too many and too few filing codes. Better organization of drop down options.
28. You cannot bring your phone in. Go outside, come back in, during the registration process. Since you need to verify your identity via your email address.
29. SRLs who do not speak English (most commonly Spanish) are stuck even though they are provided a Spanish version of the form; they have to file responses in English.
30. People who are responsible for creating forms/instructions are either an attorney or have decades of experience with these systems; SRLs are not. Some of these terms mean nothing (e.g., alias).

Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

Registration and Payment

- Common rejection is for payment reasons. SRLs do not know what optional services (e.g., certified mailing, alias summons, counterclaims, etc.) they have to add and when to add them. Clerks cannot add fees onto a filing in the review process and can only reject it for the filer to correct. System cannot associate a fee to a filing code unless it is attached to some optional service (for example, counterpetition fees). Why can't it automatically connect that optional fee to the document that is filed? Lawyers struggle with this as well.
- Payment account designation
- Payment accounts. Why can't it allow filing if there is no fee involved without an account?
- Would it make sense to allow the ability to file as a "guest" rather than set up an account? The filer would need to enter all of their information and payment info each time, but those who file one time for one case might appreciate this. And many people do not like to save payment information within an online account for fear of fraud.

- Making the registration easier.
- You cannot bring your phone in. Go outside, come back in, during the registration process. Since you need to verify your identity via your email address.
- Needs a back screen for when they set up their account. They do the email part on the phone then they have to reload the website on a computer to be able to log in.

Standardized Forms and Documents

- Formatting the forms to make them more user friendly for SRLs. This should include revising the instruction portions and the lengths of the forms.
- SRL customers do not understand how to upload and label their pleadings, nor do they understand what to mark as confidential. It would be nice if the forms committee could identify "Confidential" on their standardized forms. Who should be responsible for marking something "Confidential," filer or the clerk/court? Lack of standardization on how this is handled or treated. Should not be an option on the public facing application. Does not account for all the other security settings (e.g., impounded, sealed, confidential, etc.). At the end of the day, it is not their choice.
- The attachment of personal information regarding financial affidavit W2, personal account numbers. Related to confidentiality and misunderstanding what that indicator actually accomplishes.
- The state's standardized forms make everything more complex than it needs to be. Simpler forms would benefit everyone, especially SRLs.
- IL state forms coming to our system blank.
- SRLs who do not speak English (most commonly Spanish) are stuck even though they are provided a Spanish version of the form; they have to file responses in English.
- Document attachment and format (e.g., one large PDF versus separated PDFs); not flattening PDFs prior to filing.
- Formatting the forms to make them more user friendly for SRLs. This should include revising the instruction portions and the lengths of the forms.
- SRL customers do not know which forms that they should be using nor do they understand how to fill them out properly. Form committee needs to shorten and simplify those for the SRLs. Filing instructions along with court forms. Left-hand marginal instructions are too much info for SRLs.

- Clean up logic or categories for filing codes (e.g., summons versus alias versus use of other document options)? Have to balance between too many and too few filing codes. Better organization of drop down options.

SRL Assistance/User Choice + Education

- Perhaps a live chat function for people filing from home to get help?
- A how to video on the clerk's website on how to e-file for SRL
- Emails. Should be one per submission per envelope and one per accept/reject per envelope
- Error messages. A thin red line which is sometimes off the screen does not cut it. It should take you to the error and make it obvious
- SRL customers want someone else to do everything for them.
- SRL customers do not know how to identify their parties based upon the case caption and the party standards.
- There needs to be a better way for customers to receive support or assistance other than using the Tyler phone support number. SRL customers and efileIL users usually do not get good support and are referred to speak w/ the individual clerks offices.
- We should not force the filer to choose the Case Category. Each Case Type has only one Case Category. For example, if someone picks Foreclosure, we know it's a CH. Evictions are also a problem (usually coded LM).
- Including definitions with Case Types or using modern descriptions for Case Types. Ex. Replevin
- Need to account for attorney filers versus SRL filers. Separate SRL user interface?
- Case number search
- Electronic service
- People who are responsible for creating forms/instructions are either an attorney or have decades of experience with these systems; SRLs are not. Some of these terms mean nothing (e.g., alias, Chancery, detinue, supervision in the traffic context). Need to make an effort to plain language and simplify all of our processes, resources, forms for people who have no interaction with the court system.
- Barriers need to be knocked down.
 - Where do I start?
 - Do I have the technology?
 - SRL UX starts before we speak to them

- No centralized structured way to access the knowledge SRLs need
 - State-wide starting point?
- With legal definitions and helps start an SRLs journey that will then branch out into different counties for their own particularities

Recommendations

Generate a list of recommendations/larger principles to improve e-filing for SRLs.

17. Simplify registration and payment accounts processes (see above)
18. Develop an e-filing system that takes into account all the barriers presented by SRLs (e.g., language, technology)
19. Have non-legal experts design away the legalese, legal jargon, etc. ingrained into the system design -- reducing the burden on SRLs to the ins and outs of the legal system
20. Assistance from the system:
 21. Turbo Tax style document assembly to complete statewide forms rather than navigating the lengthy forms and instructions
 22. Embed some logic into the system so that it can automatically populate some of the information that is needed to reduce the burden on SRLs.



8.10 Focus Group Cook County

Aug 26, 2021

Cook County (6 participants)

Brainstorm

Below are the thoughts, what works well and what doesn't, ideas, recommendations, suggestions, issues, pain points, annoyances, requirements, etc. suggested by this group. Can you think of any others?

1. Acceptable Font for created PDF Files. Cook has had the issue with the vendor being unable to accept a PDF File because of the Font
2. Informing the customer that filling out the payment option is required at registration.
3. Can the Odyssey Guide & File System be updated to include informational Walk Me Pop- Ups that were in the Silverlight version of the eFileIL System.
4. When e-filing, how to save and upload documents.
5. Forms - how to obtain forms and save the fillable forms.
6. Navigating the computer - how to access the website
7. How to attend hearings via Zoom and submit orders
8. Obtaining copies of court orders
9. How to create a version of instructions that people will actually read.
10. How to guide the filer through the trickier parts of e-filing. In Cook County this would be case type selection, Case Cross Reference Section, and Motion Type Selection.
11. Possibility and feasibility of creating some way to provide real time help while filer is in an envelope.
12. Everyone - internally and externally needs a better understanding of how the service functions work in eFileIL.
 - a. SRLs are confused by service in eFileIL and think they do not need to go to sheriff for service required by statute
 - b. If not accepted by the clerk, filing will not be served and that confuses SRLs.

- c. Return of service is confusing and filing of affidavit is insufficient.
 - d. The term “service” to a layperson is confusing, use “service of summons”
 - e. “We use terms that lay people don’t really understand.”
 - f. SRLs confused by the option of serving by certified mail when it isn’t really available to them (must be under \$10k and within IL, excludes eviction cases).
13. Attorney Codes/Self Represented not clear
 14. Forms to use are hard to find
 15. Pops ups not exactly clear to Pro Se's
 16. Divisions not explained
 17. Understanding Waivers from start to finish (criteria, forms, waiver accounts, etc.) and how they will be beneficial to the filer.
 - a. Window prior to creating a payment account that explains this
 18. Specifics for filings and what forms are needed, what filing codes, etc. (e.g., divorce, small claims, mortgage foreclosures, evictions); what are the next steps and criteria you need to select in eFileIL
 19. Walk me pop ups are only shown briefly and missed by many people (e.g., administrative review cases requiring certified mail option) -- needs to be more intuitive and user friendly (should come up and stay there until the correct choice is made)
 - a. Pop ups are not consistent or missing (language supplied by legal dept.)
 - b. Content in pop ups provided by us
 - c. 160 character limit in popups.
 - d. Is it possible to provide an external link to more information and then easily return to your filing?
 20. Before filing, this is what you need, this is how to switch to PDF, this is how you upload, these are the codes you select, etc.
 21. High SRL volume in divorce with children -- only so much clerks can do but there needs to be a set criteria for what to do; better understanding of joint simplified options (e.g., asset limits, children, etc.)
 22. Guide & File system is supposed to provide SRL users with information before getting started with what is needed prior to filing (regardless of case type)

23. SRLs need information before they file and can have significant consequences to someone's life (e.g., foreclosures, evictions, divorce)
24. After selecting the case type, could there be some kind of instruction that tells the user what forms need to be filed?
25. SRLs Appreciate that system is 24 hours now (in pandemic) This is an advantage
26. Partial waivers (25%, 50%, 75%, 100%)
 - a. Pay by phone option used more during pandemic
 - b. Currently partial fee is paid over the counter or by phone
 - c. Have to file motion to get refund if waiver (partial or full) is granted
 - d. Vast majority of fee waivers are full waivers
27. Whole Process is confusing to SRLs. How to replicate face-to-face experience talking to a person providing assistance to a digital system? What options to select -- which forms, attorney codes, etc.
28. Many don't realize they need forms completed before they get to the e-filing site (filled out, formatted, saved, named, etc. properly)
29. Short term: how to get contact information (email, phone number, etc.) front and center
30. Long term: digital navigator system who can hold the user's hand similar to in-person assistance
31. SRLs use computers, or court kiosks primarily. PDFs and fillable-forms are challenging on phones or tablets.
32. Some basic functions don't work well like calculating payments.
33. We don't know there is a PDF issue until it fails. Some issues could be caught before. (Wingdings!)
34. Users are already stressed and upset -- they don't want to be sued or to sue. Now they have to deal with UX issues.
35. Smarter systems react to users' inputs and help them step-by-step. More intuitive.
36. We are asking SRLs to learn something for one-time that attorneys have taken months to learn. This is not like shopping online.
37. Hard to tailor information for SRL to their court/county. This should be expressed real-time to the SRL as they are working through the process.
38. Volume and complexity complicates certain features (e.g., scheduling)

39. Forms -- SRLs should not have to guess. The information should be available to them when they need it

Themes

Let us try to cluster the above ideas and issues into themes. Feel free to refine, combine, split, or add new ones.

- SRLs need information before getting started with e-filing and/or while they are engaging in the process
- Better User experience across computers to phones
- System that is understanding, accommodating, smarter
- Forms -- how to obtain, which forms needed.

Recommendations

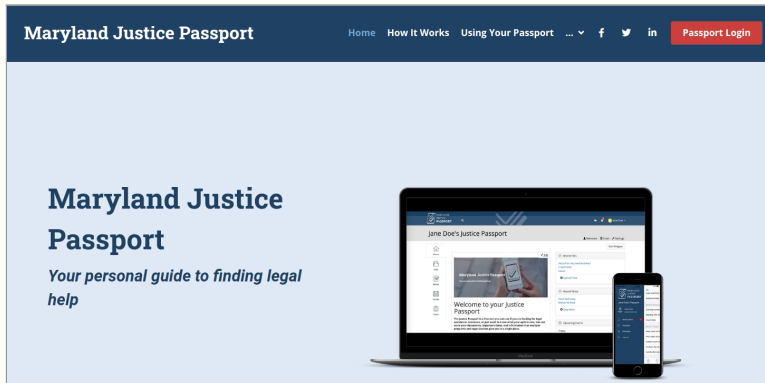
Generate a list of recommendations/larger principles to improve e-filing for SRLs.

- Registration should require addition of a payment account since the overwhelming majority of cases at some point in the life of a case will require some sort of fee or fee waiver with a SRL-friendly explanation of how to properly set up a fee waiver account.
- A series of questions to triage SRLs into certain paths (Turbo Tax) -- filing in the right district or division and forms packet.
- Use plain-language throughout the system to make it more accessible and easier to understand (e.g., ad damnum, service)



8.11 Case Study: Maryland Justice Passport

Website: <https://www.mdjusticepassport.org/>

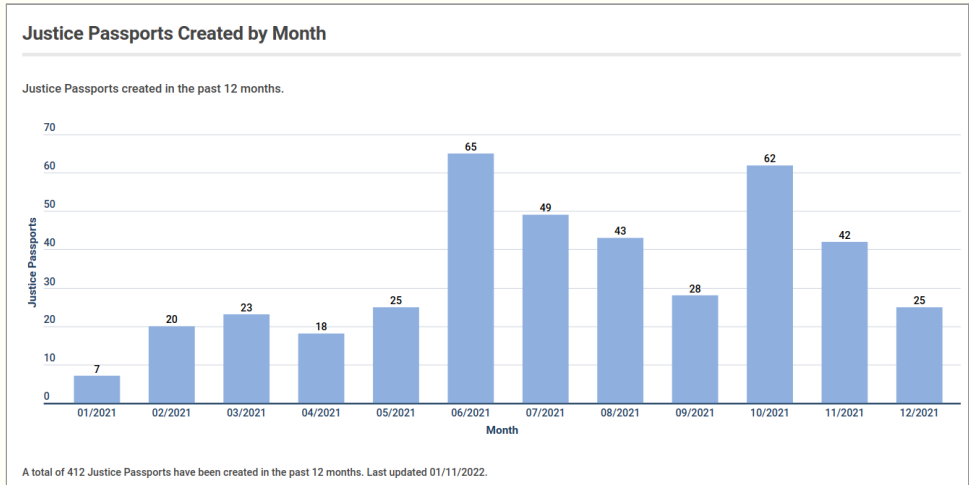


The Maryland Justice Passport (MJP) project is a web portal to assist those seeking legal help. SRLs can sign up to create a “justice passport” that can be used to track applications for legal services, store important documents, and organize case information. The SRL can then choose to share the justice passport with a legal service provider when applying for services.

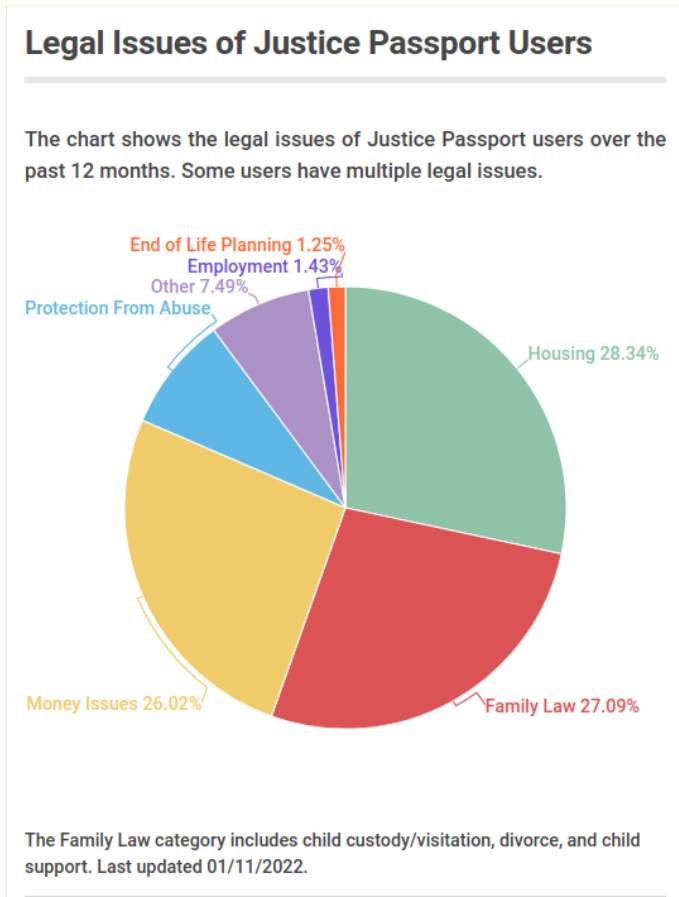
This project aims to address the [challenges](#) faced by SRLs:

- Unrepresented people may not know which organization they visited for help. This can be a problem when they appear at another organization and are not sure who referred them or why.
- Under stress and without legal experience, people without lawyers may be unable to recall verbal instructions even a few minutes later.
- Unrepresented people may forget where they have been referred for additional help or next steps.
- People without lawyers may be retraumatized by having to re-tell stories over and over, particularly in family law or domestic violence cases.
- People without lawyers may have trouble keeping track of important paperwork like lease agreements and court papers. Housing instability or lack of transportation can complicate this problem.

Over 400 users created MJP passports in 2021.



The top three [legal issues](#) users faced were housing, family law, and financial.



Pilot in Prince George's County: Project Update Oct 30, 2020

<https://www.youtube.com/watch?v=0RA08WNGv3w>

Provide Litigant with:

- Case summary
- To-do list
- Referrals to legal service providers
- Temporary access to case info for legal services provides via code
- Secure file storage for important case documents
- Links to forms and legal information
- Stay organized as they look for legal help

Maryland Conference of Circuit Judges: Project Update May 17, 2021

mdcourts.gov/sites/default/files/import/ccj/pdfs/minutes20210920.pdf

Excerpt from minutes meeting of the Maryland Conference of Circuit Judges on May 17, 2021:

Sarah Bowes, Executive Director of Civil Justice, Inc., gave a presentation on Maryland Justice Passport, a digital portfolio designed to assist self-represented litigants to better navigate the court system and legal services. It can be used to track applications for services, store documents, and keep all the user's information organized. Ms. Bowes noted that there are 40 legal services organizations that are a part of Maryland Justice Passport. She noted, however, that there is not a coordinated process, so each has to be contacted individually.

Maryland Justice Passport launched in March 2020, but the Covid-19 pandemic slowed its progress. To date, approximately 350 passports have been established and the momentum has been increasing as the court help centers get engaged. Ms. Bowes remarked that people generally are under a lot of stress when involved in the justice system and may not absorb all the information provided during consultations with the various court help centers. Additionally, there can be a significant amount of trauma with having to repeatedly retell their story. Maryland Justice Passport provides a digital facility to house and organize the massive amounts of paperwork, thus helping to alleviate some of those concerns.

Ms. Bowes described some of the features of the dashboard, which includes options for storing files; tracking events; noting tasks; uploading documents, files, and photographs; and organizing notes. With respect to the tasks that can be stored, the litigant can manipulate the number of days to be notified in advance of a scheduled event or appointment. Litigants can share their information, which is helpful when dealing with various organizations.

Ms. Bowes added that one of the most helpful things a provider can receive is a summary of the case which is possible with Maryland Justice Passport. Her goal is to work with the court help centers to ensure they capture the information from litigants seeking assistance. Chief Judge Morrissey thanked Ms. Bowes for her presentation and expressed his appreciation for her efforts. He remarked that part of the larger goal for court help centers is to enlist pro bono attorneys to volunteer so that the centers can refer calls to them to assist.

SRLN Presentation Oct 8, 2021

register.gotowebinar.com/recording/3914295897975309839

(Register to access video recording.)

Summary:

- Project started March 2020
 - MD AOC sent out RFP to guide litigant
 - civiljusticenetwork.org (Baltimore) responded
 - Brought on goa2jtech.com (Colorado)
 - Designed to keep litigant in control
 - Balance litigant and legal provider needs
- Needs
 - Which organization?
 - What steps?
 - Where have they been referred to?
 - Re-traumatized (Having to tell story again and again)
 - Trouble keeping track of important paperwork
- Concept: Make stronger pathway to getting legal help
 - 1) *Court Help Center*
 - 1. Litigant received assistance from Court Help Form
 - 2. Fill out passport form

- 2) *Passport Operations*
 - 1. Receive new passport request notification
 - 2. Passport setup by Court help center, libraries, other partners
- 3) *Litigant*
 - 1. Receive email (and text messages)
 - 2. Setup username and password
 - 3. Setup info and need
 - 4. Take recommended next steps
 - 1. Add documents to passport
 - 2. Apply for legal aid
 - 3. Read self-help information
- Partner Passport Form (Using airtable.com)
 - Sort of an intake for providers
 - Partners can update litigant passports
 - Add notes, docs, events, and tasks
- Entrance ramp to legal highway
 - Help users stay organized
 - Designed to work with any legal issue
 - Self-help center staff creates focused curated case summary
 - This is efficient for other providers as its concise
 - Can save time for provider
- Created Knowledge Base for litigants & partners
 - Documentation with screenshots
- Partner benefits
 - Case summary and knowledge base
 - Reduced time for support calls
- Platform:
 - Using Enterprise plan on clinked.com
 - Around \$500 a month
 - SAAS with some customizations
- Challenges
 - Were people -- both litigants and legal partners -- going to use this?
 - Issues accommodating partner-requested customizations
 - But we had buy-in with some partners and able to slowly add new partners
- Stakeholder Engagement
 - Collaboration meetings
 - Relationships are important

- Communication are key (quarterly meetings & monthly newsletter)
 - User engagement and testing after development
 - Started by calling user after passport setup to get feedback
 - Formal interviews with users (recorded tasks) using userinterviews.com
 - Funding: AOC / A2J Commission
 - Now secured additional funding
 - Extending Passport to other non-legal service providers too
 - (E.g. Foreclosure crisis etc.)
 - How do we get this to other parts of the country?
 - - Met with a neighboring interested state
 - - We believe it can be used elsewhere
 - - Presenting at LSC ITC (TIG) conference
 - - Happy to share everything we know
- 

8.12 Technical Expertise Areas & Requirements

A large range of technical expertise and services would be needed from technology vendors to build an e-filing solution for all stages of the SRL e-filing journey.

- A) *Start & Learn*
 - Web development and hosting
 - Content authoring experience and familiarity with legal context
 - Efficient user experience and interface design
 - Use of plain language best practices in design and content
 - Accessibility across both desktop and mobile
 - Search Engine Optimization to gain visibility in web searches
- B) *Get Help*
 - Secure user accounts for SRLs and legal partners
 - Email integration for account verification and notifications
 - Phone/SMS integration for authentication and alerts
 - Ask and store user information relevant to providing assistance
 - Upload and store user files including PDFs and photos
 - Integrate API-based services from other platforms
 - Assist users to identify their legal issues
 - Match users with legal partners by legal issues/services
 - Guide users to appropriate resources
 - Recommend appropriate forms
- C) *Prepare*
 - Assist users with e-filing via guided interviews
 - Extract information from uploaded files where possible
 - Test prepared e-filing to catch errors or incomplete information
 - E-file integration
 - Handle rejected e-filings and assist users in filing again
- D) *Development*
 - Expertise in or developer of technology frameworks used as a foundation for building the needed functionality
- E) *E-Filing Integration*
 - Certified for E-filing with Tyler Technologies EFM



Team

Abhijeet Chavan

Legal Technology Consultant

Abhijeet Chavan has over 25 years of technology consulting experience with public sector, higher education, and non-profit clients. In 2017, he was named as a *Fastcase 50 Global Legal Innovator*. He regularly presents at conferences on access to justice and technology. Previously, he served as Senior Executive Advisor for Tyler Technologies. Abhijeet has graduate degrees from the University of Illinois at Urbana-Champaign.

Sarah Song

Senior Program Manager (Legal Technology Initiatives)

Access to Justice Division of the Administrative Office of Illinois Courts

Sarah Song works on a number of tech projects, including remote court, online dispute resolution, and electronic filing. Before joining the Administrative Office, Sarah was a housing lawyer at Legal Aid Chicago and the *Thomas Geraghty Fellow* at the Bluhm Legal Clinic. Sarah graduated from Northwestern University and Columbia Law School.

