

Snowberger

STANDING COMMITTEE ON SELF-REPRESENTED LITIGANTS MEMBERS

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Abby Brown, Attorney-at-Law

Kim Dumon, Administrator Justice Court

Patricia Fain, Statewide Pro Bono Coordinator

Erin Farris, Court-Help Program Manager

Ed Higgins, Director of Community Engagement Montana Legal Services

Lisa Mecklenberg Jackson, Director, State Law Library of Montana

Hon. David Ortley, District Court Judge

Phyllis Smith, Clerk of District Court

Randy Snyder, Attorney-at-Law

August Swanson, Montana Legal Services

ACCESS TO JUSTICE COMMITTEE MEMBERS

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Jon Bennion, Office of the Attorney General, Business/Communications leader

Jennifer Brandon, Clerk of District Court

Matthew Dale, Office of the Attorney General

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Andy Huff, Representative of Native American Communities

Rep. Chuck Hunter, Montana State Legislature

Hon. Richard Jackson, Montana-Wyoming Tribal Judge Association

Hon. Kurt Krueger, District Court Judge

Michelle Robinson, Montana Justice Foundation

Hon. David Ortley, District Court Judge

Alison Paul, Montana Legal Services Association

Melanie Reynolds, M.P.H., Representative of organization working with low-income individuals

Sen. Rick Ripley, Montana State Legislature

Jackie Schara, Clerk of Justice Court

Hon. Michele Snowberger, Court of Limited Jurisdiction Judge

Randy Snyder, State Bar of Montana

Hillary Wandler, University School of Law

Standing Committee on Self-Represented Litigants

VISION:

It is the vision of the Standing Committee on Self-Represented Litigants to achieve the fair and efficient resolution of unmet legal needs.

CHARGE:

- Form Development
- Recommend an action plan to the Montana Supreme Court
- Consider and recommend court rule and statutory changes
- Coordinate with existing programs
- Develop new pilot programs
- Seek grants

EMPHASIS AREAS:

- Collaboration/Communication
- Education/Training
- Developing Self-Help Resources/Tools
- Legislative and Rule Changes

POTENTIAL ACCESS STRATEGIES:

- Complete a State of Montana SRL report;
- Create a mechanism for ongoing development, review and updating of forms;
- Continue support for the support of the court-help program;
- Study and recommend changes to court rules and operations, Code of Judicial Ethics, Rules of Professional Conduct for Attorneys, and legislative changes;
- Update materials and renew training of court clerks regarding how to distinguish between legal information and legal advice;
- Host a retreat for court leadership, including administrative judges, clerks, and court administrators;
- Host a Montana State SRL Summit;
- Conduct an inventory of resources, materials, and support currently available to SRL
- Update SRL Handbook for judges.

Usability

Can your readers fill out your forms, or find the information they need?

Visual Accessibility

Certain design features help people read more easily.

Here are terms you'll need to know:

Serif Sans Serif Text Enhancement
a **a** Reverse Text **Strikeout**

Case lower case ALL CAPS White Space
 Title Case Sentence case Justification
 SMALL CAPS Kerning Leading Leading

Chunking
 Should I use mediation?
 Mediation is a non-adversarial, out-of-court alternative used to settle disputes. You and the other person with whom you have the dispute meet with a panel of volunteer mediators in a neutral location to discuss and attempt to resolve your dispute. If you want to use mediation, you need to contact a mediator or an agency that provides mediation services. The mediator will contact the other side and explain the process to them. If both sides agree, then a mediation session is scheduled.

VS.
What is mediation?
 Mediation is when a trained professional (a mediator) works with you and the other people in your case to find a solution without going to court.

Can I use mediation?
 Yes! In fact, this court says you must try to mediate first.

Where is the mediation?
 You will meet with the mediator in a private room in the courthouse. The mediator will meet with each side privately. Then, you will all meet together.

Highly usable documents are:

- as short as possible
- intuitively ordered, from the reader's perspective
- predictable

They:

- avoid cross-references and complex tables
- follow readability "real estate" guidelines
- use columns
- chunk text, using subheads
- are field tested with typical users to find the weak spots

Readability =

- Visual Accessibility
- Usability
- Register
- Reading Interest
- Reading Persistence

Reading Interest & Reading Persistence

Interest: Capture your readers' interest right away – no preambles!
Persistence: Use navigation and intuitive ordering to keep them reading.

Tips...

- The title is (almost) everything. It should respond to the reader's natural question.
- Put the title in its natural location.
- Use highly readable fonts and meaningful graphics.

Register

The level of complexity of the words, phrases and reading grade level (RGL). Use familiar language and active voice. Examples:

- Modification → Change
- Subsequently → Then
- At the present time → Now
- The Court further orders → You must

This:
 This Uniform Civil Affidavit of Indigency is an optional form for those who believe they qualify for financial relief. If the judge determines that you qualify for financial relief, the filing fee may be deferred; however it will not be forgiven. – 12th grade

Becomes:
 if you cannot afford to pay the filing fees at this time, fill out this form. – 4th grade

Run a Spelling & Grammar check, to access the RGL.

Counts		Readability Statistics	
Words	402	Sentence Length	16.2
Phrases	41	Words per Sentence	18.7
Paragraphs	16	Characters per Word	4.5
Sentences	26	Readability	1.8
Average		Positive Sentences	1.9
Sentences per Paragraph	1.2	High School Grade Level	11.9
Words per Sentence	15.7		
Characters per Word	4.5		
Readability			
Positive Sentences	1.9		
High School Grade Level	11.9		

Belgrade City Court Video Appearances

91 East Central
Belgrade, MT 59714
406.388.3774
406.388.3779, fax

You have requested information about appearing at a hearing by Skype
You will need to follow the procedures in this document.

1. Preliminary Process

- a. The judge must approve all video appearances. You or your attorney must call the court to get approved.
- b. Both you and the judge must be able to see and hear each other for the entire video appearance. You should consider this when you choose the type of video appearance you make. Skype is a low cost method of video conferencing, but there are many technical problems that happen. Often, the judge is not able to complete a hearing because there is a problem seeing or hearing you.
- c. If you have email, tell the judge your email address.
- d. Schedule the video appearance.
- e. You will be sent paperwork from either the court or your attorney. For example, your *Advisement Of Rights*, or *Change Of Plea Advisements*.
Read, sign, and return these documents before the video appearance. You may scan and email, fax, or mail them by United States Postal Service.
If you do not do this, the court will cancel the video appearance.

2. Initial Appearances

- a. Please tell the court how you will plead (not guilty or guilty), so the appropriate paperwork can be prepared. It is alright for you to not know or change your mind at your initial appearance.
- b. You will receive the following paperwork:
 - i. *Confidential Defendant Information Sheet*—complete, sign and date

- ii. *Advisement of Rights*—read, sign and date the last page
- iii. Possibly a *Minimum/Maximum* supplemental page—read, sign and date
- iv. *Initial Appearance—Minutes*—this will be completed during your initial appearance.

3. Change of Plea Hearing

- a. You will receive:
 - i. *Acknowledgement of Rights and Change of Plea*—read, check the appropriate boxes, sign and date the last page
 - ii. Possibly a *Minimum/Maximum* supplemental page—read, sign and date

4. The Video Conference

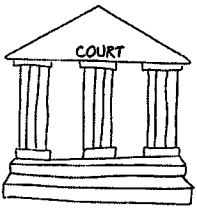
- a. The judge will start the video call.
- b. After your hearing,
 - i. You may be sent additional documents to complete and return to the court.
 - ii. You will receive copies of important documents from the court. Be sure to keep these in a safe place. For example, you will receive either a *Conditions of Bond Order* or a *Sentence Order*.

5. Skype

- a. The court's skype name is: **Belgrade.City.Court**.
- b. **You must email your Skype name to the court.**
- c. You must have a web cam with a microphone installed on your computer.
- d. You must install Skype and create an account
 - To Download Skype
 - Go to Skype.com
 - Click on "Get Skype"
 - Select the appropriate computer
 - Download Skype Free
 - Click Create an Account
 - Enter all of the required information; this includes your full name, your email address, your desired Skype name and password, your country and

your preferred language. You may also optionally enter other information, such as your birthday, gender and city.

- Click on the "I agree-continue" button. This will take you to your new account page, where you can buy Skype credit, sign up for a monthly plan, buy an online number so your contacts without Skype can call your computer directly, and more.
 - Add **Belgrade.City.Court** to your contacts
- e. There is no additional cost to Skype with the court. However, if you do not have a web cam, you will need to buy and install a webcam with a microphone on your computer.



You Want to Appear in Court by Video

Choose your video connection.

- ∞ You and the judge must be able to see and hear each other for the entire video.
- ∞ Choose the type of video connection:
 - Skype®. You must have a web cam and a microphone installed.
 - Check with your local Montana court to see if you can use their equipment.

Get the judge's approval.

- ∞ Complete the **Motion To Request A Video Appearance**.
- ∞ Print neatly, the judge must be able to read your answers.
- ∞ File the completed papers with the court asking to appear by video.

The judge will schedule the hearing.

- ∞ If the judge agrees, your video hearing will be scheduled.
- ∞ You will get a copy of the order.

Complete your paperwork.

- ∞ You will receive papers.
- ∞ Read, sign, and return your papers to the court **before** your court date.
- ∞ You may scan and email, fax, or send the papers by regular mail.
- ∞ If the judge doesn't receive your papers

on time, the judge will cancel the hearing.

If using Skype®

- ∞ Install Skype®
 - Go to Skype.com
 - Click on "Get Skype"
 - Select the appropriate computer
 - Download "Skype Free"
 - Click "Create an Account"
 - Enter all required information
 - Click on the "I agree—continue" button.
- ∞ Add **Belgrade.City.Court** to your Skype® contacts.
- ∞ Make a test video call to a friend to make sure your connection works.

The hearing.

- ∞ The judge will call you.
- ∞ Remember, you are in court.
- ∞ Be somewhere quiet.
- ∞ Don't sit in front of a window. The judge has to see you.

Court information.

Hon. Michele Snowberger, Judge
Belgrade City Court
Skype® Name: Belgrade.City.Court
91 E Central
Belgrade MT 59714
406.388.3774 406.388.3779, fax

Your name

Your mailing address

City State Zip

Your phone number

IN THE BELGRADE CITY COURT, GALLATIN COUNTY, MONTANA

91 E Central, Belgrade MT 59714

406.388.3774

406.388.3779, fax

CITY OF BELGRADE

Plaintiff,

vs.

Defendant.

Case No: TK-2013-0000000

**Motion
To Schedule a Video
Appearance**

I am the Defendant in this case and ask the court to:

1. Schedule a video appearance for

initial appearance

change-of-plea hearing

appear on a warrant

other: _____

2. I will be using

Skype. My Skype name is _____

Montana State network. I will be using another Montana court's equipment. My local court's name is _____

3. My email address is: _____

4. I understand the court must agree to let me appear by video.

5. I understand I must follow the court's instructions.

Signed: _____
(Your Signature)

Dated: _____