



Report on Family Court Accessibility and Litigant Resources

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Introduction

Since 2010, the Family Law Commission has made the accessibility of Family Court resources one of its top priorities. As I became the Director of Pro Se Services and Professional Development for the Family Court in late September of 2010, I began to focus on the Commission's concerns and identified several avenues by which the Court could improve its accessibility to the citizens of Delaware.

After conducting several weeks of surveying within the Court's Resource Centers in each of the three Delaware Counties, we began to make some important observations. The first was that a very small portion of those surveyed indicated that they were unable to appear during and/or inconvenienced by the Court's current hours of operation. While this was contrary to the feedback that the Commission had received at their annual public hearing in 2010, it was clear that a small group existed and that services needed to be put in place.

It was the Commission's original goal to have the Court evaluate the possibility of extended business hours. The original proposal was to provide resources as well as Court hearings beyond 4:30 PM. A combination of security, financial, and facility concerns have made this a very challenging option. A different approach was needed to facilitate immediate change.

This leads to the second observation. Data from the Resource Center Surveys indicated that the majority of those participating in the Family Court survey had a means to access the internet and that they were also either comfortable or very comfortable in using the internet to locate information.

The Court drafted a multifaceted approach that would provide consistent information from the Court in a number of different formats. Most of the Court's resources have existed for several years. It is the way that this information is organized, promoted, and presented that will yield the most benefit for the public.

This report will outline the progress the Court has made through the following venues:

- The Family Court Website
- The Family Court Live Chat Initiative
- Family Court's e-Delivery solution through nCourt
- The Family Court Resource Centers

The Family Court Website

www.courts.delaware.gov/family

The Family Court Website has provided an immense amount of knowledge to the public since its creation several years ago. Over time, this site has evolved to meet the Court's immediate needs. As new legislation was passed or new rules were introduced, it was the Court's website that was used to deliver these updates to the public.

However, as time moved forward, these new items and initiatives began to take precedence and the core information most pertinent to the citizens of Delaware became bogged down. To truly benefit our litigants, the website needed to be reviewed, restructured, and updated in its entirety.

Since the February 17th, 2011 meeting of the Family Law Commission, I have spent many hours on these revisions in conjunction with Amy Whitman of the Judicial Information Center (JIC). I am pleased to announce that as of June 7th, 2011, the Family Court's newly revised website has been launched.

Upon your initial visit to the website, you will notice that an emphasis has been placed on the case types which Family Court has jurisdiction over. Each case type is listed independently with links to related forms, instruction packets to guide litigants through the process, and overviews of each pleading to help litigants understand what filing is applicable to their situation.

This site acts as a virtual Resource Center; offering all of the same resources that are available in each county. But unlike the Court's resource centers, the site is available 24 hours a day, seven days a week.

One of the major improvements to the site is the form pages related to each filing type. We've designed these pages in such way that litigants can clearly identify which forms are required as part of their filing and which forms are related to a specific situation. Each "Situational Form" is briefly and simply described to assist users with deciding what to file. Each form is available for download directly from the Family Court forms database to ensure that the most recent revisions are provided to the public.

In addition to the availability of these forms, the Court has coordinated with openoffice.org to provide a link to their free word processing software. This will allow litigants who do not have access to Microsoft Office products to download a free program that will allow them to view, print, and even fill out the forms electronically.

A series of Frequently Asked Question handouts also top the list of important resources provide by the Court. These FAQ's are available on the website and are accessible from the homepage. Working in conjunction with the Administrative Office of the Courts (AOC), Family Court was able to convert many of these important resources into the Spanish language. A section is under development to provide these documents to the Spanish speaking

population here in Delaware; helping to bridge a difficult and sometimes frustrating communication gap.

We also improved resources for respondents. An emphasis has been placed on forms and packets that assist respondents in filing answers with the Court. On each overview page on the website, you can find a colorful link to a dedicated page containing links to answer forms as well as instruction packets specific to each case type.

While the new layout of the Family Court website is intended to be more easily navigated, we understand that some may not be comfortable using a website. To help the public navigate the newly revised website more efficiently, we've prepared a tutorial using Adobe Captivate. This module will guide the user through each page of the site, highlighting the documents and information most commonly sought by the public. A link to this tutorial will be made available on the Family Court homepage within the next two weeks.

Much of the information displayed on the various pages of the Family Court website has been reviewed to ensure that it is in compliance with the Delaware Code. This will be an ongoing process as the site will need to be continuously monitored and updated to maintain its current level of accuracy and effectiveness.

In order to determine the effectiveness of the website, we will need to review the usage and flow of traffic through out the site. This aspect will be discussed in detail as we move into the next two sections.

The Family Court Live Chat Initiative

Early in 2011, Chief Judge Kuhn requested that I begin to research the feasibility of an electronic customer service product which would allow us to chat directly with litigants who visit the Family Court Website. In mid February 2011, I was put into contact with Syd Swann, a Project Leader with the Government Information Center (GIC). I soon discovered that the very service that we were seeking was already integrated into the delaware.gov website.

As it were, Syd and the GIC were anxious to involve other State agencies in this project and they were thrilled that a portion of the Judiciary was interested in participating. The GIC graciously has footed the bill to include the Family Court in this project. We engaged immediately and by April 7th of 2011, I was provided with access to the live chat system provided through LivePerson.com.

As I said earlier, this product will allow customer service representatives with the Family Court to engage in a text conversation with visitors to the Family Court Website. Once the service is made available, a button will appear on the website alerting the public that a representative is available to chat. When the button is clicked, a brief survey will appear. In this survey, the individual will be asked to provide their first name, identify if their question is related to the civil side or criminal side of Family Court, and provide a brief description of their question.

The customer service representative will receive notification on their computer that someone wishes to chat with them. They receive the description of the question and can immediately start to research an answer. Fortunately, the Court's LivePerson account will have a collection of pre-researched answers which the customer service representative can then filter to find the best answer for the litigant. After a quick keyword search, the customer service representative will have the answer at their fingertips, which may or may not include a direct link to information within the Family Court Website.

The individual that was helped is now logged in our system. A record will be kept of the conversation that took place and we will be aware if and when they return to the Family Court website. Additionally, as the chat is ending, they are given the opportunity to complete another brief exit survey. In this survey, they can rate the service that they received as well as request an emailed copy of the transcript from the conversation that took place.

The Court is moving forward at an ambitious rate to see this service fully launched for the public. The summer months will be spent populating the collection of pre-researched answers with the use of local interns. Fall will be used to develop procedures and customer service standards and prepare staff for the launch of a pilot phase in New Castle County. It is conceivable that the public will see the benefit of this service as early as late November/Early December.

Added Benefits of LivePerson Integration

As I eluded in the Family Court Website section, a continuous evaluation of our online resources and their effectiveness will need to take place. Amazingly, much of this can also be accomplished through the Court's LivePerson account. With LivePerson integrated into the Family Court Website we will be able to track the amount of traffic each page is getting on an hourly, daily, or weekly basis. Beyond that, we can also evaluate those using a search engine to get to the Family Court website and determine what the most common search terms are. This will also help us to understand what people are looking for most frequently and enable us to update our online resources to emphasize the most sought after information.

Already, in these early stages, this product has provided an insight to our most commonly reviewed pages on the website. While Child Support is the most commonly filed pleading with Family Court, it is actually Divorce which is reviewed online most frequently.

In fact, in the first three (3) weeks we had the service active, we found that the pages related to Divorce on the Family Court Website received 3,167 hits while Child Support received only 707 hits. To put this into perspective, the Family Court website as a whole received 7,847 total hits over this period of time. Divorce accounts for nearly half of those hits.

This information when presented to the Supervisors in the three Delaware Counties prompted even more food for thought. Perhaps the reason that so few review our resources on Child Support is because they are referring to the Division of Child Support Enforcement (DCSE) website to obtain this information. In which case, Family Court can evaluate their links to the DCSE webpage and continue to promote the value and availability of the information housed there.

Although we did not have earlier statistics to compare our divorce traffic, I felt that these numbers could potentially be higher than normal. As I considered all of the reasons why additional visitors would be looking for divorce information on the Family Court website, I remembered the recent activity with section 216 of Senate Bill 30. If, in fact, we were seeing additional traffic from individuals seeking information on the dissolution of civil unions, I wanted to be sure we had a notice on the site indicating when the Senate Bill would be effective and when additional resources would be available from the Court.

This is just one example of how we are improving our resources based on the information we are able to glean from the analytics integrated into the LivePerson system. It is encouraging to discover that so many are seeking information through the Family Court Website, and having these tools will become more valuable as we move forward.

Family Court's e-Delivery Solution through nCourt

In the past several months we have been working to perfect our e-Delivery process. To be in compliance with the statutes governing Family Court's case types, it was necessary to modify the Court's e-Filing rule. During this time, nCourt could not be offered to the public.

Family Court spent this down time to further review the nCourt service and identify ways to make it more convenient and user friendly. However, with the changes to the Court's e-Filing rule, it was necessary to add an additional step to the e-Delivery process. Litigants will now be required to have their documents notarized and resubmit them electronically to nCourt to ensure compliance with the various rules that dictate the Court's jurisdiction.

I have worked closely with nCourt to ensure that these changes create a minimal impact on the convenience of the service. Litigants will have the option of submitting their notarized documents via fax or digital scan. As nCourt receives these documents, they will combine them with the pleading and submit the entire filing to Family Court.

These changes have not slowed the progress of the nCourt service. As of June 30th, we will have re-launched services for Custody and Motions. We are working to improve the Divorce filing process to integrate publication costs for filings that include a Respondent living outside of Delaware. Links to these filing types through nCourt are more accessible with our newly revised Family Court website.

In the months to come, we will be able to evaluate the effectiveness of the service even further to determine what direction this project takes next. At this time, little is known about the future of the Court's Case Management System. As more details unfold regarding the Case Management System, we will be able to determine more about nCourt's integration and development into traditional e-Filing. It is the Court's goal to provide a comprehensive e-Filing solution that will allow the public to file anything at any time.

This will be a continuously evolving project; to give any time frame regarding its evolution would be unrealistic and inaccurate. However, I find it important to note that Family Court is doing everything in its power to provide what services are obtainable at this time.

The Family Court Resource Centers

In each County, the Court has developed a Resource Center to provide all necessary information and paperwork an individual would need to file a pleading with the Court. These Resource Centers are staffed by knowledgeable employees who have been trained on what information we can and can not provide to the public. While this is frustrating to some who visit the Centers, it is necessary that our staff do not provide any party with what can be construed as legal advice. As recently as June 8th, a statewide training was provided to Family Court staff regarding what is and is not considered legal advice. The Court is dedicated to providing an equal opportunity to all litigants, Petitioner and Respondent alike.

To ensure consistency in the information conveyed to the public, our resources are used to educate and assist them through the Court process. Each Resource Center includes official Family Court forms, instruction packets, a collection of Frequently Asked Questions, an Attorney Roster, public access computers with links to the Family Court Website and the Delaware Code, work areas for completing paperwork, and copy machines to make copies of a pleading.

Our instruction packets were developed to walk our Pro Se Litigants through a specific Family Court filing. For example, our Custody Packet would explain what Custody is, who is eligible to file for Custody, how to complete your filing using sample forms, what to file with the Court under certain circumstances, what happens after you file, and a brief overview of what will happen at your Court hearing and/or mediation. These packets are offered fully printed and bound for \$5.00 each at our Resource Centers and also come with Form Packets which include all relevant forms to the particular filing.

For those who can not afford a copy of the packet, these are offered on the Family Court website, free of charge. From there, litigants can either review the document electronically or print a copy at their leisure. For those who do not have internet access at their residence, our public access computers are available during normal business hours (8:30AM to 4:30PM, Monday through Friday).

Our Frequently Asked Question Sheets are less detailed than our Instruction Packets, but can help an individual identify what filing type is right for their situation or if Family Court can offer the type of relief being sought. These documents are printed in full color and are offered free of charge in each Resource Center or online at the Family Court Website.

Other important resources offered at each of the Family Court Resource Centers include an attorney roster providing general information about family law practitioners within Delaware, printed copies of official Court forms, and other relevant Delaware publications.

Conclusion

The Family Court is taking steps to improve the quality and accessibility of information that is helpful to the public we service. Accessibility exists in many different capacities and it will continue to be a goal of the Court to expand on these services and ensure no individual is without the information they need to seek relief from Family Court.

The newly revised Family Court website is now available to make accessing important information easier than ever before. The revisions were made with the public in mind and an emphasis has been placed on the Court's Instruction Packets, Forms, Answer Packets, and FAQ's. We've organized the information in a way that should make navigation of the site simple. For those who are uncomfortable navigating the website, we've also created a tutorial to guide them along the way.

The integration of our LivePerson account is allowing us to improve the quality of Family Court's resources behind the scenes. While the public will not see the integration of live chat accessibility through the Family Court website until later this year, the benefits of this product can be seen today. The built in analysis of the Court's website has allowed us to improve accessibility to the most sought after information. Learning about our audience and their needs now will help the Court to provide better customer service once the live chat functionality is made available.

With nCourt's re-launch, litigants will again be able to file select pleadings with Family Court without ever coming to the Courthouse. We've made necessary changes without compromising the users experience and with minimal impact to the services convenience. The coming months will be spent evaluating the public's use of the nCourt service and decisions will be made for the future development of additional case types. This project will continue to evolve as the future of the Court's Case Management System becomes clear.

Finally, The Resource Centers in each Family Court location are still the keystone of the services we provide. The services listed above are designed to replicate those available in our Resource Centers in an effort to increase the public's accessibility to Family Court information.

While I am confident that the Court has made positive strides towards increasing its accessibility, there will always be room for improvement. We will continue to evaluate our services and will make improvements to benefit the public. I would like to thank the Family Law Commission for the opportunity to outline the Court's progress and ask that you consider meeting with me again within the next year to see our growth.