Developing Standardized Definitions and Counting Rules for Cases with Self-Represented Litigants

Final Report
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Executive Summary

The purpose of establishing a consistent approach to reporting cases with self-represented litigants (SRLs) is to allow comparative data to be produced within and among jurisdictions, facilitating the understanding of the nature and extent of self-representation in the state courts. While domestic relations (family) and civil cases remain the primary policy focus, the question of self-representation in all matters deserves an empirical description. Following extensive consultation with state court constituents, case management system vendors, and subject matter experts, the National Center for State Courts (NCSC) recommends that state courts adopt the following definitions, counting rules, and reporting guidelines for cases involving self-represented litigants:

Definitions
- Self-Represented Litigant
  A person (party) who advocates on his or her own behalf before a court, rather than being represented by an attorney. These litigants are also known as *pro se* or *pro per* litigants.

- Cases with Self-Represented Litigants
  Legal cases in which one or more parties is self-represented.

Counting Rules
- Unit of Count
  The unit of count for cases with self-represented litigants is the legal case. A case with self-represented litigants should be counted as a single case, whether the case has one, two, or more self-represented litigants.

- Point of Count
  A case should be counted at the point of disposition of the case (i.e., entry of judgment or reopened disposition). State courts should count on a regular basis all disposed cases in which one or more parties was self-represented at any time during the life of the case. For plaintiffs/petitioners, the life of the case runs from filing to disposition; for defendants/respondents, the life of the case runs from arraignment/answer to disposition.

Reporting Guidelines
- Minimum National-Level Reporting Guideline (Snapshot at Disposition)
  On a regular basis, but at least annually, state courts should count, by case type, the number of cases with self-represented litigants disposed during the reporting period. The report is a count of all cases disposed in which the legal representation status of one or more parties, however designated in a case management system, was indicated as self-represented at the end of the reporting period.

- Optimal National-Level Reporting Guideline (Look Back at Disposition)
  On a regular basis, but at least annually, state courts should count, by case type, the number of cases with self-represented litigants disposed during the reporting period. The report is a count of all cases disposed in which the legal representation status of one or more parties, however designated in a case management system, was indicated as self-represented at any time during the life of the case.

- Event-Level Reporting Guideline
  On a regular basis, but at least annually, state courts should count, by case type, the number of events, by event type, in which one or more parties is self-represented. The report is a count of events, by case type and by event type, in which the legal representation status of one or more parties, however designated in a case management system, was indicated as self-represented. Some systems may be able to supply additional detail for this report by distinguishing whether plaintiff/petitioner, defendant/respondent, or both are self-represented at the event.

Introduction

Despite longstanding anecdotal reports of an "explosion" in self-represented litigants and a resulting increase in workload, there is not a standard method for state courts to use when counting cases in which one or more of the litigants is self-represented. This prevents comparisons of caseloads within and across jurisdictions and inhibits the ability to calculate court workload for judges and staff. For decades, state courts have been addressing the issue of cases involving self-represented litigants without this most basic management information.

State courts remain confused about whether to count *cases* involving self-represented litigants or the *litigants* themselves. While the latter may be useful for certain kinds of programmatic activities (e.g., workshops for such litigants), the former is the key piece of management information that would inform policy, workload assessment, and performance measurement.

The value of identifying cases with self-represented litigants goes beyond merely documenting the volume of such cases and understanding whether that number has increased or decreased over time. This information, when organized at the level of discrete events throughout the life of a case, can provide a profile of these cases that allows courts to focus resources where they are most needed. For example, civil cases involving self-represented litigants in one court were found to stall at the 120- to 150-day mark; knowing this allowed the court to provide a specific workshop for these litigants on how to bring their case to final disposition.

In addition to the insight gained within a single jurisdiction, armed with this information a centralized state would be able to determine if self-representation is a bigger issue in some jurisdictions than others and allocate resources accordingly. In decentralized states, individual courts would benefit from the same information on a smaller scale, allowing them to see whether self-representation varies across a court's divisions or courthouses. Whatever its institutional arrangements, the court community would benefit from knowing whether and how self-representation varies geographically or demographically.

Being aware of the representation status of litigants by specific case types would allow state courts to develop both general and specific strategies for assisting self-represented litigants at a greater level of specificity. For example, the issues facing a litigant in a divorce case vary significantly from those in an automobile tort case. Knowing definitively that the former are prevalent while the latter are rare would allow state courts to focus resources appropriately.

Finally, an accurate count of cases with self-represented litigants is more than a matter of statistical reporting or resource allocation. The inability to identify and manage cases with self-represented litigants raises the risk of delay, lack of compliance with court orders, and unequal access to justice. Failure to deliver dispute resolution in a timely and fair manner threatens the very core values of our judicial proceedings.

Developing Standards for Cases with Self-Represented Litigants

In October 2012 the National Center for State Courts received a grant from the State Justice Institute (SJI) for the purposes of developing standardized definitions and counting rules for cases with self-represented litigants. This project was designed to accomplish the following goals:

1. Draft, disseminate, and vet a standard set of definitions, counting rules, and reporting guidelines suitable for creating national, comparable caseload data; and
2. Develop, and eventually incorporate into the court technology standards, language that reflects the business capabilities and data management needs of courts with respect to cases with SRLs.

The methodology used to achieve these goals was consultative and inclusive, examining the current practices used in state courts to identify, count, and report cases with SRLs as well as the case management systems

(CMS) used to collect and report caseload data. The guiding principle informing this project was to develop standards that are feasible and practical and thus could be implemented now.

The remainder of this report discusses project activities, describes the NCSC's recommended definitions and counting rules, includes results from the pilot testing of those recommendations, outlines the proposed updates to SRL-related court technology standards, and suggests ideas for additional research that would enhance the court community's understanding of cases with non-traditional litigants (i.e., cases with self-represented litigants and/or litigants with limited English proficiency).

Survey Development and Dissemination
In order to understand the issues involved with counting and reporting cases with self-represented litigants, project staff developed two surveys that requested information on the manner in which a respondent's case management system (CMS) identified, counted, and reported self-represented litigants and cases with self-represented litigants.   Four constituent groups were targeted to review and respond to an online survey: Administrative Offices of the Courts (AOCs), trial court administrators, court information technology officers, and CMS vendors.

In December 2012, project staff met with the two technology groups that were chosen to be surveyed.   At the e-Courts Conference staff met with Marlene Martineau, chairperson of the Forum for the Advancement of Court Technology (FACT), to secure cooperation for the survey of case management system (CMS) vendors. FACT agreed to assist in reviewing drafts of the survey and in administering the online survey to its membership. Project staff also made a presentation to the membership of the Court Information Technology Officers Consortium (CITOC) at their midyear meeting regarding the goals and purpose of the project. CITOC agreed to administer a survey to its membership, similar to that which was to be developed for the CMS vendors. The benefit of surveying CITOC members, in addition to FACT vendors, was that information was gathered from both state- and court-level IT managers, allowing staff to discover the capabilities of systems that were developed in-house by the state or court as well as the capabilities of systems that were commercially developed by vendors.

User perspectives on the manner in which CMSs identify, count, and report self-represented litigants and cases with self-represented litigants were gathered by disseminating the survey developed for CITOC members to state data specialists (i.e., research staff of the AOC) and to members of the National Association for Court Management (NACM).   These constituents were surveyed in order to determine how systems are currently being used to report on cases with self-represented litigants and to compare what is currently being done to what the vendors and IT professionals say can be done.

In March 2013, the four groups named above were invited to complete the SRL survey.   The survey was administered online using the NCSC's Confirmit survey software and remained open for approximately three weeks.   The Self-represented Litigant (SRL) surveys are provided in Appendix A (AOC, NACM, and CITOC) and Appendix B (FACT).

Survey Results
At the close of the survey, 100 responses had been received from AOC data specialists, NACM members, and CITOC members.[1] The majority of respondents stated that their case management system treats representation status as an attribute of the party and that their systems keep a history of the changes that are made to a party's representation status.   A smaller number of respondents (16%) relayed that their CMS considered representation status to be an attribute of a party by event, allowing them to see whether and when litigants represent themselves or seek representation.   A summary of the responses from CMS users is shown below.

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[1] Prior to dissemination, project staff requested constituent review of the survey. Twelve of the AOC data specialists indicated that state-level analysis of case management systems would be difficult due to the variety of systems in use throughout the state.

(AOC, NACM, and CITOC Survey Responses = 100)

1. Respondent Types

	Number	Percent
AOC/Supreme Court	43	43%
Trial Court	53	53%
Appellate Court	4	4%
Total	100	100%

2. Case Management System (CMS) from Vendor or In-house?

	Number	Percent
Vendor	54	54%
In-house	46	46%
Total	100	100%

3. Does the CMS Capture Whether a Party is Self-Represented?

	Number	Percent
Yes	87	87%
No	13	13%
Total	100	100%

4. Self-Represented Parties Are Captured by Way of:

	Number	Percent
Flag or Field	37	43%
Attorney Listed as Inactive	14	16%
Absence of Attorney	49	56%
Other Method	23	26%

5. Self-Represented Data an Attribute of:

	Number	Percent
Case	9	10%
Party Only	60	69%
Event Only	6	7%
Party and Event	14	16%

6. Is Entry of Self-Represented/No Attorney Field Required?

	Number	Percent
No	62	71%
Yes	25	29%
Total	87	100%

7. Does the CMS Keep a History of Changes Made to the Representation Status?

	Number	Percent
No	27	31%
Yes	60	69%
Total	87	100%

8. Case Categories for Which the CMS Captures Data:

	Number	Percent
Civil	79	91%
Domestic Relations	68	78%
Criminal	69	79%
Juvenile	58	67%

9. Does CMS Provide Reports for Cases with Self-Represented Parties?

	Number	Percent
Do not have data by case	6	7%
Reports not pre-defined	29	33%
Reports can be run regularly	16	18%

	Number	Percent
Reports only run on an ad hoc basis	36	41%
Total	87	100%

Six case management system (CMS) vendors responded to the survey, representing the following CMS products: Contexte, JustWare, ICMS, AiCMS, Benchmark, and Odyssey.   The vendor responses were very similar, with all vendors reporting that their products capture self-represented parties by flag or field and that all capture the history of the changes that are made to a party's representation status. A summary of the responses from CMS vendors is shown in the following table.

(CMS Vendor Survey Responses = 6)

1. Does the CMS Capture Whether a Party is Self-Represented?

	Number	Percent
Yes	6	100%
No	0	0%
Total	6	100%

2. Self-Represented Parties Are Captured by Way of:

	Number	Percent
Flag or Field	6	100%
Attorney Listed as Inactive	0	0%
Absence of Attorney	0	0%
Other Method	0	0%

3. Self-Represented Data an Attribute of:

	Number	Percent
Case	0	0%
Party Only	5	83%
Event Only	0	0%
Party and Event	1	17%

4. Is Entry of Self-Represented/No Attorney Field Required?

	Number	Percent
No	3	50%
Yes	3	50%
Total	6	100%

5. Does the CMS Keep a History of Changes Made to the Representation Status?

	Number	Percent
No	0	0%
Yes	6	100%
Total	6	100%

6. Case Categories for Which the CMS Captures Data:

	Number	Percent
Civil	6	100%
Domestic Relations	6	100%
Criminal	6	100%
Juvenile	6	100%

7. Does CMS Provide Reports for Cases with Self-Represented Parties?

	Number	Percent
Do not have data by case	0	0%
Reports not pre-defined	3	50%
Reports can be run regularly	1	17%
Reports only run on an ad hoc basis	2	33%
Total	6	100%

Additional Communication with Select States

Knowing the count of cases with self-represented litigants is a key piece of management information since such data informs resource allocation, workload assessment, and performance measurement. However, that aggregate number does not reveal how SRLs are interacting with the courts. For example, a single count of cases cannot answer questions such as: Are there case types that are more likely to be handled by self-represented litigants or Is the litigant self-represented for the entire life of the case or only for certain events? In order to answer these questions, courts need to know the number of cases with self-represented litigants by both case type (to answer the first question) and by event (to answer the second). States that reported having the capability to generate these more detailed management reports were selected for additional follow up.

As previously mentioned, 16 percent of survey respondents stated that their CMS treated representation status to be an attribute of a party by event. From those respondents, the following states were chosen for additional discussions: California, Florida, Kansas, Utah, and Wisconsin.[2] In order to facilitate additional communication, the state court administrator for each state was contacted and was asked to recommend the appropriate person(s) that could talk to project staff about the CMS in use and how the SRL-related data that was captured was used for case management. Email invitations were sent to the recommended contacts and conference calls were scheduled with four of the five states (Kansas provided a detailed email response so further communication was deemed unnecessary).

During the interviews project staff requested a detailed description of the CMS in use, the type of SRL-related data captured by the CMS, the ways in which that data is currently being used, and the participants' wish list of SRL-related data (i.e., if they could design a CMS or a management report generated by a CMS, what would that system do or what data would that report contain?). Several common themes were identified and are discussed below.

Lack of a consistent definition for what constitutes a self-represented litigant
Is a self-represented participant a litigant who has represented himself in *all* events in a case or a litigant who has represented himself in at least one "key" event in a case? Is a litigant not considered self-represented if an attorney makes an appearance in a case, but subsequently ceases participation in that case? These are the types of questions that arise when attempting to define a self-represented litigant, and the conference call participants stated that they had struggled to come to terms with these and more when attempting to define SRLs for their own reporting purposes. Participants also stated that while their Administrative Office of the Courts (AOC) may favor one definition for a SRL or a key case event, local courts may use different definitions; such inconsistencies result in inaccurate and unreliable counts of self-represented litigants.

The participants agreed that a single, universally accepted and applied definition for a SRL would greatly improve their ability to produce accurate and reliable data. Given the nuance inherent in being self-represented, participants noted that the definition should be as simple as possible and that a snapshot approach to capturing data was likely to produce the best counts of cases with self-represented litigants.

Burden on court staff in recording changes in representation status
Case management systems offer a number of ways in which to identify a litigant in a case as self-represented. These include, but are not limited to, setting a specific SRL flag (such as a check box), selecting the self-represented option in the attorney field, leaving the attorney name blank in the attorney field, and entering a text note in an open text box. Since it is the responsibility of the court clerk to enter information into the CMS, it falls to the clerk to record each change in a litigant's representation status.

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[2] See Appendix C: SRL Survey Responses for Select States for the responses of the five states chosen for additional discussion.

One of the participant states conveyed that they had solved this problem by automating the task of identifying a litigant as self-represented. In other words, the CMS includes code that turns the SRL flag off when an attorney is attached to the case. The use of automation not only removes the burden to the court staff of entering additional information into the CMS, it eliminates the possibility that individual courts or staff will use different definitions or methods of indicating SRLs.

Irregular reporting of event-level information
An effective practice for managing cases with self-represented litigants is to identify representation status by litigant by event. This means that for every event in a case, the CMS contains information on whether a litigant was self-represented or represented by an attorney. While all conference call participants indicated on their surveys that their CMS was capable of identifying representation status by party by event, conversations with the states clarified that such information is not regularly reported.

The participants agreed that receiving regular event-level reports that included information on the number of cases with SRLs would allow them to determine the types of events for which litigants are most likely to be self-represented. Additionally, participants noted that being able to track SRLs throughout the court process would allow them to identify the events that cause SRLs the most problems, thus enabling them to focus self-help resources on explaining how to move through and beyond those events.

Missing demographic variables such as language and geographic location
Demographic information can be used to better understand specific populations. Project staff asked if the court's CMS captured a party's age, gender, race/ethnicity, and/or indigence. While not a required data field, the selected states did reply that such information could be captured as part of the case file. During the conference calls language and geographic location were also identified as demographic characteristics that are of consequence when working with self-represented litigants.

Participants reported that the primary reason for knowing the demographic characteristics of the self-represented litigant population is to ensure that the self-help resources being offered are appropriate for the SRL population being served. For example, knowing that the majority of SRLs live in the same community might influence a court's decision about where to locate a self-help center. Similarly, knowing that a significant number of SRLs are limited in their English proficiency may lead to a decision to offer self-help resources in specific languages or may drive a decision to offer culturally specific outreach and education programs.

Management Reports
In addition to developing definitions and counting rules for cases with self-represented litigants, project staff developed reporting guidelines that will help facilitate the collection of national, comparable caseload data and improve the management of cases with self-represented litigants. Project staff approached the creation of these guidelines from three different perspectives: 1) a review of current state/court SRL management reports, 2) NCSC creation of case-level and event-level SRL management reports, and 3) a pilot test of the NCSC-created case-level SRL management report.

State/court SRL management reports
To determine the current practice in data collection, project staff requested copies of SRL-related management reports used by the states/courts. Over a dozen different reports were received and reviewed, with staff noting both their similarities and differences.

The majority of management reports showed the number of cases with self-represented litigants, either as a total or divided by whether both parties were self-represented, both parties were represented, or one party was self-represented. All of the reports provided some level of case type breakdown, and many of the reports reflected whether the self-represented party was the plaintiff/petitioner or defendant/respondent in the case.

Other management reports received provided the number of self-represented litigants, the number of appearances made by self-represented litigants, and the number of documents filed by self-represented litigants.

Management report prototypes for cases with SRLs
Project staff created two management report prototypes for cases with self-represented litigants. The first is a case-level report designed to capture a count of the total number of cases and the total number of cases with self-represented litigants, by case type. The case-level report includes the civil and domestic relations case types recommended in the *State Court Guide to Statistical Reporting (Guide)* and calculates the percentage of cases with SRLs for each case type and for the case category total. Templates were created for monthly, quarterly, or yearly data collection cycles and include graphs that display the percentage of cases with SRLs per month, quarter, or year.

The second management report prototype is an event-level report designed to capture a count of the total number of events and the total number of events with a self-represented party, by case type. The event-level report also includes the *Guide*-recommended civil and domestic relations case types and calculates the percentage of events with SRLs for each case type. In addition, the templates allow for the reporting of data by up to six events per case category and breaks the data into the number of events with one or more self-represented plaintiffs/petitioners, one or more self-represented defendants/respondents, and the number of events in which both sides (plaintiff/petitioner and defendant/respondent) are self-represented. The graphs included with the event-level report show the percentage of parties that are self-represented per event, by both case type and case category.

Portions of the SRL management report prototypes are provided in the appendix. Appendix D includes the annual data collection template and graphic for the case-level report, and Appendix E includes the data collection template and graphics for the event-level report for domestic relations cases.

Pilot test of SRL management report prototypes
Project staff worked with the data specialist from the Minnesota Administrative Office of the Courts to pilot test the SRL management report prototypes. Minnesota was chosen for several reasons, including:
- Minnesota has a single-tiered court structure, meaning that all cases are heard in one court of general jurisdiction;
- All of Minnesota's general jurisdiction court locations use the same case management system: Odyssey, the CMS from Tyler Technologies;
- Minnesota's AOC has a well-developed research division with extensive experience compiling data from a data warehouse environment; and
- Minnesota completed an SRL Survey, noting that they could report SRLs by party, by event and did keep a history of representation status.

Pilot testing involved the creation of data audit reports that provided the number and percentage of cases with self-represented litigants at the time of filing, at the time of answer, and at the time of disposition. These reports showed that there were approximately 5 percent more cases with at least one self-represented litigant when the count of cases was taken at filing than if the count of cases was taken at either answer or disposition. The working assumption is that the rate of cases with self-represented litigants is higher when counted at filing because the representation status of the defendant/respondent is not known, resulting in the incorrect classification of cases that have not yet been answered as cases with self-represented litigants. Given that such inflation of the caseload could not occur if the count is taken at any time after the defendant/respondent has appeared or given answer, project staff decided that the count of cases with SRLs should be taken at the time of disposition. By waiting until the case is closed, the representation status of all parties can be reviewed to determine if any party was self-represented during the life of the case.

Appendix F provides a detailed description of the Minnesota pilot test.

Vetting of Draft Definitions and Other Feedback
Project staff provided constituents and subject matter experts a number of ways in which to review and comment upon the proposed definitions, counting rules, and reporting guidelines for cases with self-represented litigants. First, project staff presented the recommendations to the Conference of State Court Administrators (COSCA) and the National Association for Court Management (NACM) at the annual membership meetings of both groups. COSCA's Access, Fairness & Public Trust, Court Statistics, and Joint Technology committees all received updates on the current project and were afforded several opportunities to comment on the proposed recommendations. In addition, the project and its recommendations were regularly reported to and discussed by the Research Group of the Self-Represented Litigant Network (SRLN), and the NCSC's network of AOC data specialists.

Second, in an effort to gather additional feedback on the proposed recommendations, project staff decided to use social media as a means for gathering opinions. Staff chose LinkedIn as the social media platform and created the 'NCSC Self-represented Litigant Project' group. Invitations to join the group were sent to members of the CSP data specialists' listserv, the SRLN, the Court Information Technology Officers Consortium (CITOC), and NACM. By joining the group, participants could review a web site (http://www.courtstatistics.org/Other%20Pages/SRL_Main.aspx#!) containing the proposed recommendations and provide comment directly to the group. The anticipated result of this experiment was a conversation among practitioners as to the accuracy and relevance of the recommendations. The LinkedIn group was active for approximately two months in September and October 2013 and had a total of 45 members.

Posted comments provided meaningful points for project staff to consider. For example, the first few posts pointed to some of the problems associated with counting cases with self-represented litigants at filing. These comments led to the pilot test reports comparing the numbers of cases with SRLs that are reported at different times during the case. Another post raised the question of whether or not to consider defaulted litigants as self-represented, and, as a result, project staff added to their proposed point of count that the life of the case for a defendant/respondent ran from answer to disposition, incorporating the idea that in order to be counted as a litigant the defendant/respondent must file an answer with the court. Thus, a defaulting defendant/respondent who has never responded in the life of the case is not a self-represented litigant.

Third, staff attended the 2013 Court Technology Conference (CTC) in order to attend the self-represented litigant track and to interview participating case management system vendors about the ways in which their products captured, counted, and reported SRLs and cases with SRLs. The education sessions included presentations on the type of information that SRLs need and the best ways to provide them with that information; the benefits, risks, and challenges of self-help web sites (portals); the provision of SRL services in other countries; and the future of SRL services. Even though the defining and counting of SRLs was not an item of discussion during the sessions, attendance at the SRL track allowed project staff to make contact with additional subject matter experts and to invite anyone interested in the project to join the LinkedIn group discussed above.

The case management system (CMS) vendor interviews with Tyler Technologies, New Dawn, Sustain, Court View, and AmCad revealed that all systems can be configured to capture characteristics such as representation status, but most do not have standards reports regarding such characteristics. Additionally, all of the major CMS keep a history of changes to representation status and these systems are capable of reporting representation status by event.

NCSC Recommendations

After each phase of pilot testing and each round of feedback project staff modified and refined its proposed definitions, counting rules, and reporting guidelines for cases with self-represented litigants. The final recommendations as well as commentary on those recommendations are below.

Definitions
- Self-Represented Litigant
  A person who advocates on his or her own behalf before a court, rather than being represented by an attorney. These litigants are also known as *pro se* or *pro per* litigants.
- Cases with Self-Represented Litigants
  Legal cases in which one or more parties is self-represented.

Before the number of cases with self-represented litigants can be counted, there must be a definition for what it means to be a self-represented litigant. The above definitions are included in the NCSC recommendations so that each court can, using their individual case management systems, choose the data elements that will allow them to accurately select those litigants who are self-represented. As was evidenced with the Minnesota pilot test, the misidentification of a litigant as self-represented can greatly affect the count of cases that are reported as having at least one self-represented litigant.

Another issue affecting the identification of litigants as self-represented is that of limited legal assistance. Self-represented litigants in some states can take advantage of limited scope legal representation (also known as limited assistance representation or unbundled legal services) to assist with the preparation of specific documents or to argue certain legal issues in a hearing before a judicial officer. While these self-represented litigants have representation for a specific and limited purpose, they remain fundamentally self-represented. Thus, cases in which self-represented litigants have obtained limited scope legal representation are still considered cases with self-represented litigants and should be counted as such.

Counting Rules
- Unit of Count
  The unit of count for cases with self-represented litigants is the legal case. A case with self-represented litigants should be counted as a single case, whether the case has one, two, or more self-represented litigants.
- Point of Count
  A case should be counted at the point of disposition of the case (i.e., entry of judgment or reopened disposition). State courts should count on a regular basis all disposed cases in which one or more parties was self-represented at any time during the life of the case. For plaintiffs/petitioners, the life of the case runs from filing to disposition; for defendants/respondents, the life of the case runs from arraignment/answer to disposition.

The case, rather than the litigant, was chosen as the unit of count for the national-level reporting of cases with self-represented litigants. By identifying the cases with self-represented litigants courts can determine if there are changes to the total number of cases in which litigants are representing themselves, can determine the types of cases in which self-representation is most common, and, by comparing caseloads across jurisdictions, can determine if geography or some other characteristic affects the types or numbers of cases with self-representation. Additionally, while knowing the number of litigants that are self-represented can be useful for some purposes, it is the analysis of caseloads that drive most policy decisions.

Capturing representation status at the close of a case is recommended for one principle reasons. In order to know the representation status of all parties, the cases need to be counted after the representation status of all litigants is recorded by the court. For the defendants/respondents, the usual time for providing that

information is when an answer is filed in a civil or domestic relations case or when arraignment is held in a criminal or traffic case.[3] However, representation status can change at any point in the life of the case, and this requires counting the representation status of litigants in a case upon the disposition of that case. Since the definition of a case with self-represented litigants requires that one or more parties are self-represented, this can only be correctly determined once the case is disposed.

This recommendation provides a fixed point that is common for all jurisdictions and case types. The recommendation to count cases if there is at least one instance of self-representation is based on the need to produce consistent counts of cases across state court systems. It is neither practical nor useful to arbitrarily invent a rule like "If a litigant is self-represented in more than 50 percent of the events in a case, that case shall be considered a case with a self-represented litigant." Such rules would quickly become the subject of debate about definitions of events key events, and the variation in the meaning of such events by case type, ultimately distracting from the important purpose at hand.

Reporting Guidelines
- Minimum National-Level Reporting Guideline (Snapshot at Disposition)
  On a regular basis, but at least annually, state courts should count, by case type, the number of cases with self-represented litigants disposed during the reporting period. The report is a count of all cases disposed in which the legal representation status of one or more parties, however designated in a case management system, was indicated as self-represented at the end of the reporting period.
- Optimal National-Level Reporting Guideline (Look Back at Disposition)
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- Event-Level Reporting Guideline
  On a regular basis, but at least annually, state courts should count, by case type, the number of events, by event type, in which one or more parties is self-represented. The report is a count of events, by case type and by event type, in which the legal representation status of one or more parties, however designated in a case management system, was indicated as self-represented. Some systems may be able to supply additional detail for this report by distinguishing whether plaintiff/petitioner, defendant/respondent, or both are self-represented at the event.

Since state courts vary in their ability to count and report all manner of statistics, both the minimal and optimal recommendations for the national reporting of cases with self-represented litigants are provided to allow all jurisdictions to be able to report these cases. Case management systems that maintain a history of representation status can, at disposition, look back over the case events (e.g., filing, answer, disposition) at the end of a reporting period (monthly, quarterly, annually) to determine if, at any point in the case, a party was self-represented and their case should be counted. These courts would be able to follow the optimal reporting guideline. Those case management systems that overwrite representation status as it changes over time (and thus delete the record of whether a party was self-represented at the time of an earlier event) would follow the minimal reporting guideline.

The event-level reporting guideline could only be followed by those courts that can report representation status by party and by event. By definition, these courts would follow the optimal national-level reporting guideline for counting cases. Since the case management systems in these courts do more than simply keep a history of whether representation status changed, they can produce a profile of the representation status of litigants over

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[3] In most states, by definition and/or practice, self-representation is common (if not required) in civil small claims and traffic cases, but since policy interests may shift, the recommended definitions and counting rules are designed to be applicable to all case types.

the life of the case. Such a report allows courts to understand at what point(s) in the process litigants are more likely to seek representation, provides valuable management information, and enhances the ability of courts and attorneys to focus resources where they are most needed.

Court Technology Standards
Over a decade ago the National Consortium for State Court Automation Standards developed a set of functional standards for case management systems. The purpose of these standards is to assist states and courts with system development and procurement by specifying the functional requirements needed in an effective case management system. As such, the standards serve as a resource for states and courts looking to obtain state-of-the-art computer systems, whether those systems are developed in-house or are procured from a case management system vendor. The NCSC, at the direction of the Joint Technology Committee of COSCA and NACM, is charged with developing the next generation of court technology standards. This update of the functional standards is being done to better reflect current court realities, one of which is the presence of self-represented litigants in all types of cases.

The current functional standards reference self-represented litigants only once – in the Person Information section of the standards on Domestic Relations cases. Such placement reflected the thinking and experience of the court community at the time the standards were created, but recent changes in litigant behavior and, thus, in court experience have led to the understanding that self-represented litigants can appear in any case, resulting in the need for new case management systems to have the capability to handle such litigants in all case categories (e.g., civil, criminal, domestic relations, juvenile, traffic, and appellate). To ensure that the next generation of court technology standards does, indeed, include the functionality needed to identify, count, and report on cases with SRLs, project staff, relying on the information gathered through the previously described discussions with states, courts, subject matter experts, and CMS vendors, worked with NCSC Court Consulting Division and Technology Division staff to examine the business rules, reports/displays, application capabilities, and data management needs related to such litigants and cases.

Development of next generation court technology standards is a five-step process and starts with the identification and description of a business capability. A business capability is used to describe what a business does without detailing how the work is accomplished or by whom. In the current instance the business capability of interest is the analysis of litigant and case representation status. A use case is a more detailed version of the business capability, and the use case for analyzing representation status in cases is as follows:

> Record litigant and case representation status, either self-represented or attorney represented (specifying full or limited scope legal representation) and use this information to understand and improve court operations related to self-represented litigants (SRLs).

In other words, the CMS needs to be able to determine whether a litigant is self-represented, is using limited scope legal representation, or is fully represented. Similarly, the CMS needs to be able to determine if the case should be categorized as containing self-represented or fully represented litigants and needs to be able to recognize that a litigant who is using limited scope legal representation is, in fact, a party to a case that contains self-represented litigants.

The second step in developing next generation court technology standards is to clearly articulate the business rules that are related to the business capability. Business rules provide detailed guidance about what a business can do to achieve the action described in the use case. For the analysis of representation status, there are five business rules:
1. Inference of self-represented litigant status;
2. Inference of self-represented case status;
3. Change in self-represented litigant status;

4. Change in self-represented case status; and
5. Defining parameters of when a case is delayed.

Inferring self-represented status for both the litigant and the case requires knowing the definitions for self-represented litigants and cases with self-represented litigants; the case types that could include self-represented litigants; and, for each case type, the point at which litigants and cases can be considered self-represented. Using the definitions and counting rules produced by this project, the first and second business rules state that court policy may infer that a litigant is self-represented when that litigant acts without legal counsel and that a case is self-represented when a litigant acts without legal counsel or with limited scope legal representation at any time after arraignment (in Criminal and Traffic cases), filing (for a petitioner in a Civil or Domestic Relations case), or answer (for a respondent in a Civil or Domestic Relations case). Given this description of how to determine self-representation status, it follows that the business rules state that a change to litigant status will only occur when an attorney, providing either full or limited representation, enters the case and that a change in case status will only occur when an attorney, providing full representation, enters the case. This is recorded in the case record as a filing of appearance (either for full or limited representation) or the appointment of counsel by the court (for indigent defendants).

The final business rule addresses a perennial case management problem – case delay. During discussions with court personnel project staff learned that self-represented litigants do not always take the necessary steps to close their cases with the courts. This is often due to a lack of knowledge of court procedure; the litigant may think that their case is closed when in fact one or two additional actions need to be taken. Courts can help move those cases toward closure by identifying the specific points at which self-represented litigants run into problems. This process is represented as a business rule that states that the court may infer that a case with self-represented case status is delayed when a specified number of days between expected events has elapsed. By defining delay within the business rules of the business capability, the court can see which cases have not moved along as expected and can then determine what actions, if any, should be pursued in order to bring the case to closure.

The third step in developing next generation court technology standards is to specify the reports that are to be used in managing and, when needed, improving the business processes involved in accomplishing the action described in the use case. Business processes are descriptions of the actual tasks that are performed by the business and will vary from one business to the next based on resources such as staff, technology, and budget. No matter what the specifics of the business process are, though, information reports are essential to ensuring that those processes are working effectively. In order to manage the issues surrounding self-represented litigants and cases with SRLs, courts should regularly run four information reports:

- Self-representation history of a litigant;
- Self-representation history of a case;
- Self-representation history by event; and
- Delayed cases with self-represented status.

For all four reports, the system searches for cases in which the case status is self-represented. The output for the first report displays, by case, the representation status of each litigant, allowing the court manager to see whether the litigants are self-represented, using limited scope legal representation, or are fully represented. The output for the second report displays, by case, whether the plaintiff/petitioner, defendant/respondent, or both is self-represented or using limited scope legal representation. The third report displays, by case, the events that have occurred in the case, the representation status of the litigants for that event, the age of the case at the time of the event and at the time of the report, and the current status of the case (e.g., active, inactive, closed). The fourth report identifies those cases that are delayed. This output displays, by case, the cases that are delayed as defined in Business Rule 5: Defining parameters of when a case is delayed (described above) and the

representation status of each party. Combined, these reports provide a plethora of case information that court managers can use to monitor the progress of cases with self-represented litigants.

The fourth step in developing next generation court technology standards is to define application capabilities. In other words, a list of functions that the case management system must be able to do needs to be defined so that those building the CMS will know what is expected of the system. In the present instance, the CMS must be able to automatically mark a litigant as self-represented, represented, or using limited scope legal representation and must be able to automatically mark a case as self-represented or represented based on other data elements that are entered in to the system. The representation status of both the litigant and the case will, by default, be self-represented. In order for the status to change, one of two things must occur: an attorney must file an appearance form (either for full or limited representation) or the court must appoint counsel (in the case of an indigent defendant). When either of these events occur, the representation status changes as appropriate – to represented if an attorney filed for full representation or the court appointed counsel (this applies to both the litigant and the case) or to represented if an attorney filed for limited representation (this applies to the litigant only as the case status remains self-represented). Conversely, if an attorney withdraws from a case or files an end to their limited representation appearance, the status for both the litigant and the case, if necessary, returns to self-represented.

 The fifth, and final, step in developing the next generation of court technology standards is to describe the detailed data needs associated with the use case in question. For cases with self-represented litigants, there are three specific data needs: 1) the system must keep a history of representation status, 2) the system must contain a self-represented litigant flag, and 3) the system must contain a self-represented case flag. The representation history is necessary so that a query showing the changes to the litigant's representation status can be run. The query would display the date when attorney representation began and ended, whether representation was full or limited, and whether council was retained or appointed. The self-represented flag is necessary because that is the mechanism the CMS uses to automatically update the litigant's and case's representation status from the default of self-represented to represented, as appropriate.

The language of the court technology standards for cases with self-represented litigants, as it will be presented to the Joint Technology Committee, is included as Appendix G. As explained above, the Joint Technology Committee has requested that NCSC update the functional standards, but it is the Committee that will make the final recommendation for inclusion of new items in those standards. While it is anticipated that the SRL-related standards will be included as written, it is possible that additional edits could be made before the updated standards are considered final.

Implications for Managing Cases with Self-represented Litigants
The work completed as part of the current project has brought to light several important issues that deserve additional attention. These issues are:
1. Each state will certainly have particular issues in their case management system/data storage environment (both its architecture and its usage) that will affect their ability to accurately count cases with self-represented litigants (SRLs). This means that most, if not all, states are in need of technical assistance in order to provide complete and comparable data for national-level reporting.
2. Even with appropriate definitions and counting rules in place, states will need to exercise governance over their information systems to produce consistent and useful information. The fact revealed by the survey that many states have data elements in place, but fail to require their use makes this obvious. Without that governance, definitions and counting rules will be ignored.
3. State courts do not, as a rule, produce useful management reports on cases with self-represented litigants. This project failed to discover a single, useful report that is regularly produced and used to manage the self-represented litigant caseload. The availability of event-level data and reports using that data would greatly increase the court's understanding of how its litigants are progressing through the

court process. Court managers would be able to see the events for which litigants obtain attorneys as well as determine when a case is delayed. Such information would be beneficial in determining the best use of court and self-help center resources for ensuring that SRLs are provided the assistance they need.

4. There are a number of similarities between cases with self-represented litigants and cases with interpreters. Counting both types of cases could involve the same methodology, and many of the lessons learned during this project could be applied to the collection and reporting of case- and event-level data for cases with interpreters.

Implementation and Dissemination

The definitions and counting rules recommended in this project will be incorporated into the latest edition of the *State Court Guide to Statistical Reporting* published by the NCSC's Court Statistics Project and will be disseminated to each state's AOC data specialist in January 2014. Following distribution of the *Guide*, CSP staff will begin contacting states to determine the technical assistance needed by each. This technical assistance will include the identification of and solutions to issues that affect the accurate reporting of cases with self-represented litigants.

In addition, the recommendations will be discussed at the upcoming meetings of the Conference of State Court Administrators (COSCA), the National Association of Court Management (NACM), the Court Information Technology Officers Consortium (CITOC), and the Forum for the Advancement of Technology (FACT). These organizations are expected to endorse the recommendations presented here, and states will start the process of adding the appropriate data elements to their statistical reporting systems. Project staff will continue to communicate the definitions and counting rules through the Court Statistics Project's (CSP) web site, www.courtstatistics.org, where a page will be devoted to explaining the new data requirements. Lastly, project staff will continue liaising with the Self-Represented Litigant Network (SRLN), not only as a means of disseminating the products of this project, but also as a way to solicit jurisdictions for the next set of projects related to self-represented litigants.

Going forward, the state courts will also need technical assistance to implement the two event-level reports designed during this project. The first is the prototype that was created following review of SRL-related management reports currently in use by states/courts, and the second was developed as part of the proposed updates to the SRL-related court technology standards. Neither of these reports was pilot tested during this study. Since event-level reporting is as important a management tool as case-level reporting, it will be useful to work with individual jurisdictions that are interested in designing and testing various event-level management reports. These design and testing projects would greatly enhance the court's understanding of their cases with SRLs and enable court managers to better allocate SRL-related resources, thus improving the experience of the self-represented litigant.

Over the life of this project, it became clear that the state courts face the same set of issues for cases with interpreters as they do for cases with self-represented litigants. Just as they do with cases with self-represented litigants, the state courts need to count and manage their cases with interpreters. And the overlap of litigants requiring interpreter services and self-represented litigants also needs to be better understood. To facilitate this, the NCSC's Court Statistics Project will also incorporate into the next edition of the *Guide* new definitions and counting rules for cases with interpreters. The methodology for submitting national-level data on interpreter cases will be similar to that described for SRL cases: at disposition, count cases in which at any point during the life of the case one or more parties had a sign language or spoken language interpreter assigned by the court. The CSP staff will also offer the same type of technical assistance for counting these cases as is described above. Project staff will also pursue individual jurisdictions that are interested in creating and testing management reports for interpreter-related data. Through these projects, NCSC and court staff will learn which case attributes are essential to managing cases with interpreters as well as discover the patterns of usage for interpreters in various types of cases. Answers to questions such as how often do litigants request an

interpreter and how often interpreters are appointed as a result of such requests could be explored. Funding for these projects would be sought from agencies like SJI, and interested jurisdictions would be encouraged to contract with the NCSC to design and implement their management reports. As with the event-level reporting projects for cases with self-represented litigants, the information provided to court managers as a result of these interpreter-related projects would greatly enhance the court's understanding of cases with interpreters and enable court managers to provide greater access to justice for the litigants in those cases.

Conclusion
This project has resulted in the creation of standard definitions, counting rules, and reporting guidelines that will be used for national-level reporting of cases with self-represented litigants. For the first time, state courts will be able to make use of a common method for defining and counting these cases, making possible an empirical understanding of issues such as the number and type of these cases and whether and how these cases vary across jurisdictions. Through an inclusive process of consultation with a wide range of state courts, and taking into account the state of the art in case management systems, this project has arrived at a set of coherent work products that are practical and can be implemented today.

In addition, the project designed prototypes of management reports based on the definitions and counting rules that can improve management of cases with self-represented litigants and improve the knowledge on the trajectory and nature of these cases. This represents an important first step toward the routine and systematic use of data to drive management decisions to improve the access to justice for self-represented litigants.

Appendix A: Self-represented Litigant (SRL) Survey for AOC, CITOC, and NACM

Counting Cases with Self-represented Litigants

Introduction

The purpose of this survey is to assist the National Center for State Courts (NCSC) in developing a standardized approach to counting and reporting cases involving self-represented litigants. This project is funded by the State Justice Institute and will survey case management system (CMS) vendors, state court chief information officers, data specialists from the Administrative Offices of the Courts (AOCs), and managers of individual trial courts. The idea is to consolidate the perspectives of these stakeholders to develop a feasible method of reporting that will facilitate improved court management through the use of these data.

Definitions

- **Self-represented**: a party who represents themselves throughout the life of a case
- **Represented**: a party who engages an attorney to represent them throughout the life of a case
- **Limited assistance representation**: a party who engages an attorney to represent them, but only for certain pleadings or appearances throughout the life of a case, and otherwise represents themselves

Instructions

Please provide your name, contact information, and the case management system (CMS) to which your answers will apply. If there is more than one CMS for which you can provide answers, please complete a separate survey for each. Note that you will not be able to return to a specific survey once it is submitted. As such, all questions are required unless stated otherwise and must be answered before a survey can be submitted so you may wish to review the questions before beginning the survey.

Please submit your survey(s) no later than **March 29, 2013**. Should you have any questions or experience any problems while completing the survey, please contact Shauna Strickland at sstrickland@ncsc.org or 757-259-1511.

Contact Information

Survey respondent
- Full name
- Title
- Court name and/or State
- Phone number
- Email

Case Management System (CMS)
- Vendor name or In-house (radio buttons)
  Note: Select In-house only if the CMS was built specifically for or by the judicial branch. Please provide the vendor name for those systems that were purchased from a vendor and modified by judicial branch staff.
- CMS product
- CMS version

Questions

Does the case management system (CMS) capture whether or not one or more parties to a case is self-represented? (Y/N)
_____

How does the CMS capture whether a party is self-represented?
Select all that apply.
    Self-represented flag or field
    Attorney listed, but marked as inactive
    Absence of attorney
    Other [open text box]
_____

Is the self-represented/attorney flag or field captured as a characteristic of:
    A case: No distinction in representation can be made between parties to or events within the case
    A party: Each party in the case can be given a different representation status, but all events in which the party participated are deemed to have occurred with that representation status
    An event: Each event in the case can be given a different representation status, but each party that participated in the event is deemed to have that representation status
    A party by event: Each party in a case can be given a different representation status for each event within the case
_____

Is entry of the self-represented/attorney flag or field **required**? (Y/N)
_____

Does the CMS keep a history of changes made to the representation status throughout the life of the case? (Y/N)
_____

Optional: Please provide additional information regarding the functionality, or business rules, of the self-represented/attorney flag or field. (open text box)
_____

For which case categories does the CMS capture whether or not one or more parties to a case is self-represented?
Select all that apply.
      Civil
      Criminal
      Juvenile
      Domestic Relations
_____

Does the CMS capture this information for ALL case types (e.g., felony, misdemeanor, contract, tort, etc.) in those case categories (Y/N)? If no, explain: (open text box)
_____

Which of the following demographic information does the CMS collect for each party?
Select all that apply.
      Age (or birth date)
      Race/ethnicity
      Gender
      Indigence
_____

Which demographic information is **required** by the CMS?
Select all that apply.
      (List the options selected above)
_____

Does the CMS provide any standard reports that show the number of:

> Cases with self-represented parties?
> Self-represented parties?
> Cases by the number of self-represented parties (e.g., all self-represented, one or more self-represented, all represented)?
> Self-represented parties by event type (e.g., filing, first appearance, hearing, trial, disposition)?

(Note: the answer options for this set of questions are 1. Data not captured, 2. Data captured, but reports not predefined, 3. Reports can be run regularly (e.g., monthly, quarterly, annually), 4. Reports can be run on an ad hoc basis)

_____

Optional: Please provide the URL to a sample report or the PDF of a sample report for each of the reports provided by the CMS. List URLs here and email PDFs to Shauna Strickland at sstrickland@ncsc.org. (open text box)

_____

Optional: Please provide any additional relevant information about the CMS. (open text box)

Appendix B: Self-represented Litigant (SRL) Survey for FACT

Counting Cases with Self-represented Litigants

Introduction

The purpose of this survey is to assist the National Center for State Courts (NCSC) in developing a standardized approach to counting and reporting cases involving self-represented litigants. This project is funded by the State Justice Institute and will survey case management system (CMS) vendors, state court chief information officers, data specialists from the Administrative Offices of the Courts (AOCs), and managers of individual trial courts. The idea is to consolidate the perspectives of these stakeholders to develop a feasible method of reporting that will facilitate improved court management through the use of these data.

Definitions

- **Self-represented**: a party who represents themselves throughout the life of a case
- **Represented**: a party who engages an attorney to represent them throughout the life of a case
- **Limited assistance representation**: a party who engages an attorney to represent them, but only for certain pleadings or appearances throughout the life of a case, and otherwise represents themselves

Instructions

Please provide your name, contact information, and the case management system (CMS) to which your answers will apply. If there is more than one CMS for which you can provide answers, please complete a separate survey for each. Note that you will not be able to return to a specific survey once it is submitted. As such, all questions are required and must be answered before a survey can be submitted so you may wish to review the questions before beginning the survey.

Please submit your survey(s) no later than **March 29, 2013**. Should you have any questions or experience any problems while completing the survey, please contact Shauna Strickland at sstrickland@ncsc.org or 757-259-1511.

Contact Information

Survey respondent
- Full name
- Title
- Phone number
- Email

Case Management System (CMS)
- Company name
- CMS product
- CMS version

Questions

Does your company's case management system (CMS) capture whether or not one or more parties to a case is self-represented? (Y/N)
_____

How does the CMS capture whether a party is self-represented?
Select all that apply.
    Self-represented flag or field
    Attorney listed, but marked as inactive
    Absence of attorney
    Other [open text box]

_____

Is the self-represented/attorney flag or field captured as a characteristic of:
    A case: No distinction in representation can be made between parties to or events within the case
    A party: Each party in the case can be given a different representation status, but all events in which the party participated are deemed to have occurred with that representation status
    An event: Each event in the case can be given a different representation status, but each party that participated in the event is deemed to have that representation status
    A party by event: Each party in a case can be given a different representation status for each event within the case

_____

Is entry of the self-represented/attorney flag or field **required**? (Y/N)
_____

Does the CMS keep a history of changes made to the representation status throughout the life of the case? (Y/N)
_____

Optional: Please provide additional information regarding the functionality, or business rules, of the self-represented/attorney flag or field. (open text box)

_____

For which case categories does the CMS capture whether or not one or more parties to a case is self-represented?
Select all that apply.
       Civil
       Criminal
       Juvenile
       Domestic Relations

_____

Does the CMS capture this information for ALL case types (e.g., felony, misdemeanor, contract, tort, etc.) in those case categories (Y/N)? If no, explain: (open text box)

_____

Which of the following demographic information does the CMS collect for each party?
Select all that apply.
       Age (or birth date)
       Race/ethnicity
       Gender
       Indigence

_____

Which demographic information is **required** by the CMS?
Select all that apply.
       (List the options selected above)

_____

Does the CMS provide any standard reports that show the number of:

     Cases with self-represented parties?
     Self-represented parties?
     Cases by the number of self-represented parties (e.g., all self-represented, one or more self-represented, all represented)?
     Self-represented parties by event type (e.g., filing, first appearance, hearing, trial, disposition)?

(Note: the answer options for this set of questions are 1. Data not captured, 2. Data captured, but reports not predefined, 3. Reports can be run regularly (e.g., monthly, quarterly, annually), 4. Reports can be run on an ad hoc basis)

_____

Optional: Please provide the URL to a sample report or the PDF of a sample report for each of the reports provided by the CMS. List URLs here and email PDFs to Shauna Strickland at sstrickland@ncsc.org. (open text box)

_____

Optional: Please provide any additional relevant information about the CMS. (open text box)

Appendix C: SRL Survey Responses for Select States

State/Court Name	Superior Court of California, County of Orange-Resp.#1	Superior Court of California, County of Orange-Resp.#2	Superior Court of California, County of Orange-Resp.#3	17th Judicial Circuit Court of Florida (Broward County)
Vendor	In-house	CA AOC / Deloitte	ACS	Tyler Technology
CMS Product	N/A	CCMS V3	Banner	Odyssey
Product Version	N/A	3.12	unknown	Version: 4.0.2.174, Release 2011.6.67
Capture SRLs	Yes	Yes	No	Yes
How Captured	Absence of attorney	SRL flag or field		Absence of Attorney
Capture By	Case	Case		Party, Event, Party by Event
Flag Required	No	Yes		Yes
Keep History	Yes	Yes		Yes
Flag Additional Info	Two ways: 1. Absence of an attorney 2. Docket code entry describing who participated, in what role, at a hearing		We determine it just by absence of the listing of an attorney. Parties are just listed as petitioner or respondent. Field indicates whether an attorney is present or not...in the background of the party screen, we can mark an attorney as active or not	
Case Categories	Criminal	Civil		Civil, Criminal, Juvenile, Domestic Relations
For All Case Types	Yes	Yes		Yes
Capture Demographics	Age, Race, Gender	Indigence		Age, Race, Gender, Indigence
Demographics Required	Age	Indigence		None
Reports: Cases with SRLs	Reports can be run ad hoc	Reports can be run ad hoc		Reports can be run regularly
Reports: SRL parties	Reports can be run ad hoc	Reports can be run ad hoc		Reports can be run regularly
Reports: Cases by #SRLs	Reports can be run ad hoc	Reports can be run ad hoc		Reports can be run regularly
Reports: SRLs by event type	Reports can be run ad hoc	Reports can be run ad hoc		Reports can be run regularly
Sample Report	None	We can provide	Reports are all ad hoc	
Additional Info	Also applies to Traffic cases	We can provide		We use crystal reports to generate reports. As long as data is captured, we can produce any report.

State/Court Name	Kansas - Administrative Office of the Courts	Rice County District Court, Kansas	Douglas County District Court, Kansas
Vendor	Justice Systems Inc.	Justice Systems Inc.	Justice Systems Inc.
CMS Product	FullCourt	FullCourt	FullCourt
Product Version	Version 5	Version 5.3.0.8445	Version 5
Capture SRLs	Yes	Yes	Yes
How Captured	ProSe is entered as the name of the attorney for that party.	SRL flag or field	SRL flag or field
Capture By	Party	Party by event	Party
Flag Required	No	No	No
Keep History	Yes	Yes	Yes
Flag Additional Info	If a litigant is entitled to an attorney but chooses to represent themselves, the clerk should assign the "ProSe" attorney to that party. Parties appearing for criminal first appearances, juvenile first appearances, limited actions answer dockets, small claims cases, or traffic cases where the party is simply paying the ticket, do not need to be marked in FullCourt with the ProSe attorney.	When a pro se litigant is involved in the case we mark the individual with a "pro se" indicator. We are able to produce a report showing which cases and/or how many cases have pro se litigants.	
Case Categories	Civil, Criminal, Juvenile, Domestic Relations	Civil, Criminal, Juvenile, Domestic Relations	Civil, Criminal, Juvenile, Domestic Relations
For All Case Types	Yes	Yes	Yes
Capture Demographics	Age, Race, Gender	Age, Race, Gender	Age, Race, Gender, Indigence
Demographics Required	None	None	None
Reports: Cases with SRLs	Reports can be run regularly	Reports can be run regularly	Reports can be run regularly
Reports: SRL parties	Data captured, but reports not pre-defined	Reports can be run regularly	Reports can be run regularly
Reports: Cases by #SRLs	Data not captured	Data not captured	Reports can be run regularly
Reports: SRLs by event type	Data not captured	Data not captured	Reports can be run regularly
Sample Report		Sample report provided	
Additional Info	The FullCourt CMS system is currently in 103 out of the 105 counties in Kansas. So, the information provided in this survey pertain to those counties only.		

State/Court Name	Utah - Administrative Office of the Courts	8th District & Juvenile Court, Utah	Second District Court, Utah
Vendor	In-house	In-house	In-house
CMS Product	CORIS	CORIS	CORIS
Product Version	NA	NA	NA
Capture SRLs	Yes	Yes	Yes
How Captured	Absence of attorney	SRL flag or field	Absence of attorney, notation in minute entry from hearing
Capture By	Party	Party	Party by event
Flag Required	Yes	Yes	Yes
Keep History	No	No	No
Flag Additional Info	Once an attorney is attached to a party, that party is not self-represented. Data collection is not event specific; no legal representation by event history is maintained. Attorney representation information at the event level has not been requested nor has it been deemed important enough for management or resource deployment purposes to support its implementation - design, programming, staff training, reporting and data quality management.		If attorney is reflected on the pleading, should be attached if no attorney reflected, assume self-represented and no action taken by clerk. Attorney appears on parties behalf reflected in the minute entry. Clerks should select pro se if party is appearing at hearing unrepresented (individual present screen)
Case Categories	Civil, Criminal, Domestic Relations	Civil, Criminal, Juvenile, Domestic Relations	Civil, Criminal, Domestic Relations
For All Case Types	Yes	Yes	Yes
Capture Demographics	Age, Race, Indigence	None	Age, Gender, Indigence
Demographics Required	Indigence	None	Age, Gender, Indigence
Reports: Cases with SRLs	Reports can be run ad hoc	Reports can be run ad hoc	Reports can be run ad hoc
Reports: SRL parties	Reports can be run ad hoc	Reports can be run ad hoc	Data not captured
Reports: Cases by #SRLs	Reports can be run ad hoc	Reports can be run ad hoc	Data not captured
Reports: SRLs by event type	Data not captured	Reports can be run ad hoc	Data not captured
Sample Report	Annual report provided		
Additional Info			Demographic information indicated above is gathered on criminal cases only. I'm not sure that the CMS provides standard reports that show the data indicated on self-represented parties.

State/Court Name	Wisconsin - Administrative Office of the Courts
Vendor	In-house
CMS Product	Consolidated Court Automation Program (CCAP) - Case Management
Product Version	N/A
Capture SRLs	Yes
How Captured	SRL flag or field; this flag is initiated only when this topic is being studied or analyzed by the State Courts
Capture By	Party, Party by event
Flag Required	No
Keep History	Yes
Flag Additional Info	
Case Categories	Civil, Domestic Relations
For All Case Types	Yes
Capture Demographics	Age, Race, Gender, Indigence
Demographics Required	None
Reports: Cases with SRLs	Reports can be run ad hoc
Reports: SRL parties	Reports can be run ad hoc
Reports: Cases by #SRLs	Reports can be run ad hoc
Reports: SRLs by event type	Reports can be run ad hoc
Sample Report	Sample report provided
Additional Info	Additional case types where pro se data is collected include: Probate, adoption, guardianship, family, paternity, habitual traffic, informal probate, juvenile adoption, probate and small claims.

Appendix D: Case-Level SRL Management Report (Annual Data Collection Option)

Annual Report of Self-Represented Litigants (SRL)

Disposed Cases with at least one Self-Represented Litigant at any time during the case - Plaintiff/Petitioner or Defendant/Respondent
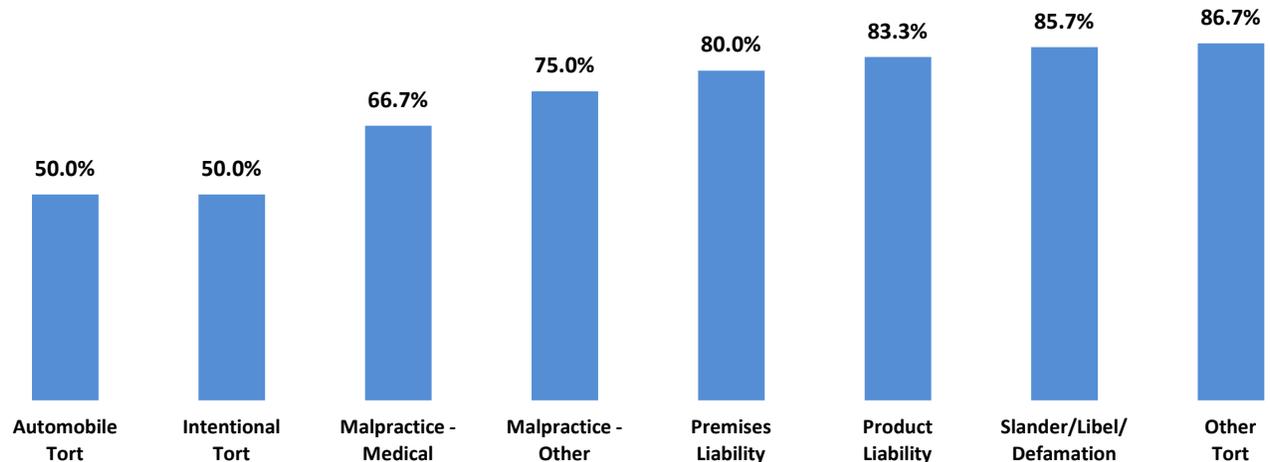
Report Date:	12/31/2013		Report Period:	2013	

Case Category			Annual Total		
Civil			**Disposed Cases**	**Cases with SRL**	**Percent with SRL**
1.	Automobile Tort		2	1	50.0%
2.	Intentional Tort		4	2	50.0%
3.	Malpractice - Medical		6	4	66.7%
4.	Malpractice - Other		8	6	75.0%
5.	Premises Liability		10	8	80.0%
6.	Product Liability		12	10	83.3%
7.	Slander/Libel/Defamation		14	12	85.7%
8.	Tort - Other		15	13	86.7%
9.	Buyer Plaintiff		16	14	87.5%
10.	Employment - Discrimination		20	16	80.0%
11.	Employment - Other		22	20	90.9%
12.	Fraud		24	22	91.7%
13.	Unlawful Detainer		2	1	50.0%
14.	Landlord/Tenant - Other		4	2	50.0%
15.	Mortgage Foreclosure		6	4	66.7%
16.	Seller Plaintiff		8	6	75.0%
17.	Other Contract		10	8	80.0%
18.	Eminent Domain		12	10	83.3%
19.	Real Property - Other		14	12	85.7%
20.	Small Claims		16	14	87.5%
21.	Guardianship - Adult		20	16	80.0%
22.	Guardianship - Juvenile		22	20	90.9%
23.	Guardianship - Unknown		22	20	90.9%
24.	Conservatorship/Trusteeship		24	22	91.7%
25.	Probate/Wills/Intestate		2	1	50.0%
26.	Probate/Estate - Other		4	2	50.0%
27.	Mental Health		6	4	66.7%
28.	Appeal from Admin. Agency		8	6	75.0%
29.	Appeal from Ltd Juris. Court		10	8	80.0%
30.	Civil Appeals - Other		12	10	83.3%
31.	Habeas Corpus		14	12	85.7%
32.	Non-Dom. Rel. Restraining Order		16	14	87.5%
33.	Tax		20	16	80.0%
34.	Writs		22	20	90.9%
35.	Civil - Other		24	22	91.7%
	Grand Total - Civil		**451**	**378**	**83.8%**

Domestic Relations

36.	Dissolution/Divorce	4	2	50.0%
37.	Paternity	8	3	37.5%
38.	Custody	12	4	33.3%
39.	Support - IV-D	16	5	31.3%
40.	Private (non IV-D)	28	8	28.6%
41.	Support - Other	32	9	28.1%
42.	Visitation	36	10	27.8%
43.	Adoption	40	11	27.5%
44.	Civil Pro./Restraining Orders	44	12	27.3%
45.	Domestic Relations - Other	48	13	27.1%
	Grand Total - Domestic Relations	**268**	**77**	**28.7%**
	Total - Civil/Domestic Relations	**719**	**455**	**63.3%**

Shaded cells are automatically calculated. Enter data only in unshaded cells.

Percentage of All Disposed Civil Cases with at Least One Self-Represented Litigant, by Case Type, 20XX (1 of 4)

Automobile Tort	Intentional Tort	Malpractice - Medical	Malpractice - Other	Premises Liability	Product Liability	Slander/Libel/ Defamation	Other Tort
50.0%	50.0%	66.7%	75.0%	80.0%	83.3%	85.7%	86.7%

Percentage of All Disposed Domestic Relations Cases with at Least One Self-Represented Litigant, by Case Type, 20XX (1 of 1)

Dissolution/ Divorce	Paternity	Custody	Support - IV-D	Private (non IV-D)	Support - Other	Visitation	Adoption	Civ. Pro./ Restr. Orders	Dom. Relations - Other	Grand Total - Domestic Relations
50.0%	37.5%	33.3%	31.3%	28.6%	28.1%	27.8%	27.5%	27.3%	27.1%	28.7%
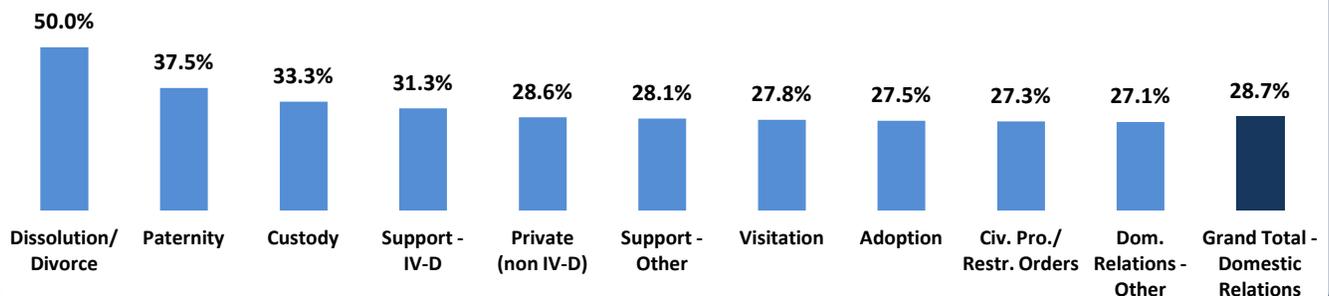
Appendix E: Court SRL Reporting Model (Domestic Relations Event-Level Data)

Report of Self-Represented Litigants (SRL) by Event Type and Domestic Relations Case Type

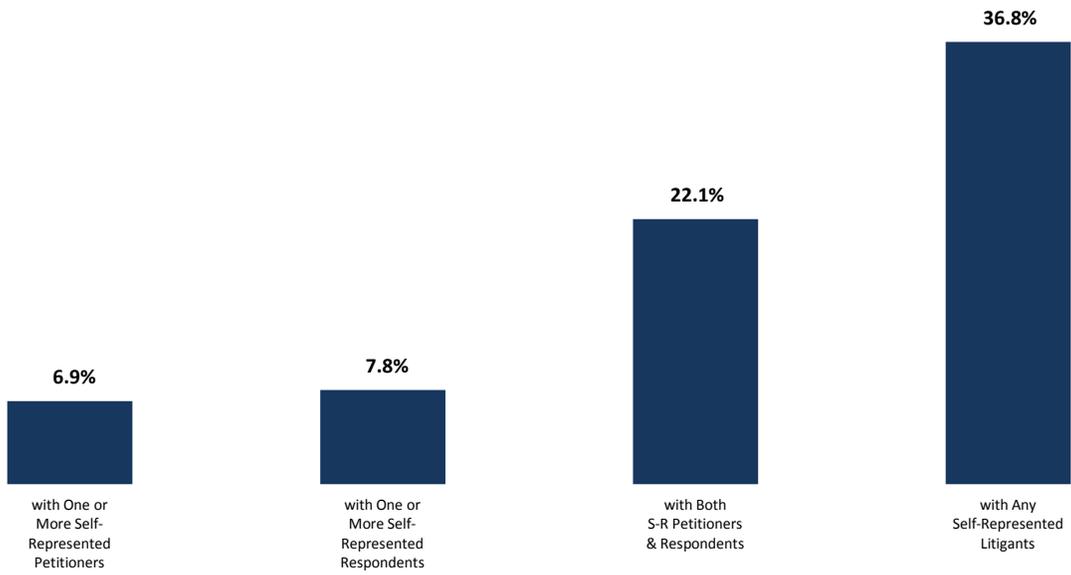**Report Date:** 12/15/2013   **Report Period:** November, 2013

Case Category/Type	Event Type 1 (Name of Event)						
				Number of Events…			
Domestic Relations	**Number of Cases with Events (Type 1) During Period**	**Total Number of Events (Type 1) Occurring**	**Average Number of Events (Type 1) per case**	**with One or more Self-Represented Petitioners***	**with One or More Self-Represented Respondents***	**with Both Self-Represented Petitioners & Respondents**	**with *Any* Self-Represented Litigants****
1. Dissolution/Divorce	25	40	1.60	1	5	10	16
2. Paternity	30	50	1.67	2	5	12	19
3. Custody	35	60	1.71	3	6	14	23
4. Support – IV-D	40	70	1.75	4	6	16	26
5. Private (non IV-D)	55	100	1.82	7	8	22	37
6. Support - Other	60	110	1.83	8	8	24	40
7. Visitation	65	120	1.85	9	9	26	44
8. Adoption	70	130	1.86	10	9	28	47
9. Civ. Prot/Restr Orders	75	140	1.87	11	10	30	51
10. Dom. Rel. - Other	80	150	1.88	12	10	32	54
Total - All DR Case Types	**535**	**970**	**1.81**	**67**	**76**	**214**	**357**

* Count only one per party per event in these columns. ** If this cell turns red, this sum is greater than the number of cases entered in Column 1 (Total).
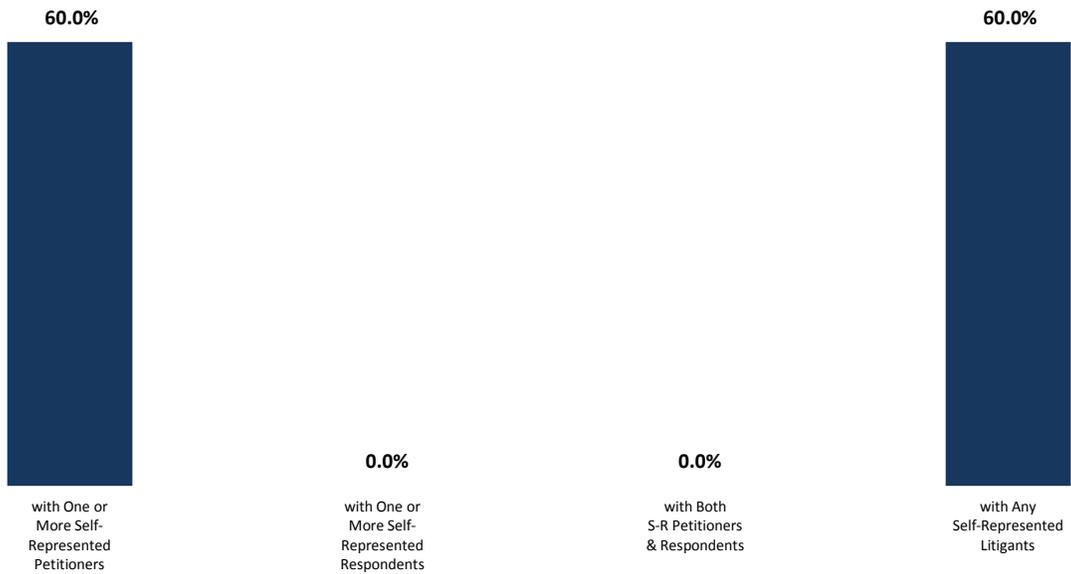
Report Date: 12/15/2013   **Report Period:** November, 2013

Case Category/Type	Event Type 1 (Name of Event)				
		Percent of Events…			
Domestic Relations	**Total Number of Events (Type 1) Occurring**	**with One or More Self-Represented Petitioners**	**with One or More Self-Represented Respondents**	**with Both Self-Represented Petitioners & Respondents**	**with *Any* Self-Represented Litigants**
1. Dissolution/Divorce	40	2.5%	12.5%	25.0%	40.0%
2. Paternity	50	4.0%	10.0%	24.0%	38.0%
3. Custody	60	5.0%	10.0%	23.3%	38.3%
4. Support – IV-D	70	5.7%	8.6%	22.9%	37.1%
5. Private (non IV-D)	100	7.0%	8.0%	22.0%	37.0%
6. Support - Other	110	7.3%	7.3%	21.8%	36.4%
7. Visitation	120	7.5%	7.5%	21.7%	36.7%
8. Adoption	130	7.7%	6.9%	21.5%	36.2%
9. Civ. Prot/Restr Orders	140	7.9%	7.1%	21.4%	36.4%
10. Dom. Rel. - Other	150	8.0%	6.7%	21.3%	36.0%
Total - All DR Case Types	**970**	**6.9%**	**7.8%**	**22.1%**	**36.8%**

All Domestic Relations - Event 1

6.9%	7.8%	22.1%	36.8%
with One or More Self-Represented Petitioners	with One or More Self-Represented Respondents	with Both S-R Petitioners & Respondents	with Any Self-Represented Litigants

Dissolution/Divorce- Event 1

60.0%	0.0%	0.0%	60.0%
with One or More Self-Represented Petitioners	with One or More Self-Represented Respondents	with Both S-R Petitioners & Respondents	with Any Self-Represented Litigants

Appendix F: Minnesota Pilot Test of SRL Management Report Prototypes

Pilot testing took place in three phases. In the first phase, the AOC data specialist documented the business requirements involved in creating the pilot test reports. This information was shared with project staff prior to the first round of data collection and included definitions of key terms (e.g., a Minnesota self-represented litigant is a case party who has either no attorney designated to represent them or has a pro se attorney type selected), the parameters being used to compile data (e.g., all non-criminal, non-juvenile case types filed or disposed on or after a given date), and the data elements included in the pilot test reports (e.g., the number and percentage of cases with a SRL filed or disposed within the reporting period). In addition, concerns that the AOC data specialist was aware of regarding the data (e.g., cases converted from the legacy system might not follow the same data entry rules as newer cases) were also noted. Three of these concerns were shown in the pilot test to distort the number of cases with SRLs. These were 1) the defendant/respondent may not have an attorney recorded at the time of filing; 2) case parties (e.g., petitioner, respondent) may not always be clearly distinguished from interested persons (e.g., a child, a guardian); and 3) cases with multiple litigants on one or both sides may associate the attorney for all the litigants on that side with the name of only one litigant, causing the others to appear to be self-represented. All of Minnesota's documented business requirements are shown below.

Minnesota's Business Requirements for Pilot Testing the Capture of Cases with SRLs

Objective:
To provide the National Center for State Courts (NCSC) an accounting of cases with self-represented litigants filed and an accounting of cases with self-represented litigants disposed within a specified period of time.

Definitions:
- Self-represented litigant (SRL) – A Minnesota self-represented litigant will be a case party who has either no attorney designated to represent them or has designated, in Court, that they are self-represented (as such, a "Pro Se" attorney type is selected in the case management system).
- Qualifying case – a case where there is, at a minimum, one case party who is self-represented.
- Self-represented at filing – a case party that is self-represented on the date that a case is filed (case filed date).
- Self-represented at disposition – a case party is self-represented at the date of first final disposition (first case closing status date).
- Case type – MNCIC case types or, where applicable, Minnesota Weighted Case Types mapped to NCSC case types.

Report Parameters:
- Qualifying cases will include cases filed or disposed on or after January 1, 2010.
- Case Parties will include any party that is not an attorney, Guardian ad Litem, or any "participant" on a case. Recommended case party connections to be included would be primary civil litigants (Plaintiffs, Petitioners, Respondents, and/or Defendants).
- Qualifying cases will include all non-criminal, non-juvenile case types.
- Annual reporting period.

Reporting Elements:
- Reporting period (year filed or disposed).
- Number of cases filed or number of cases disposed within reporting period.
- Number of cases filed with a SRL or number of cases disposed with a SRL within reporting period.

- Percentage of cases filed with a SRL or percentage of cases disposed with a SRL within reporting period.
- Dataset structure will allow for quarterly reporting.

Data Concerns:
- Reopened cases – cases not properly closed on legacy system at time of conversion that were subsequently closed on MNCIS and thus may not be the first final disposition.
- Not all NCSC case types can be mapped due to Minnesota State Court System not tracking these specific case types (e.g., automobile tort).
- Use of "attorney removed data" and/or pro se flag.
- Party/Participant distinction not always entered in CMS, especially on cases that were initiated on legacy systems.

Counting Concerns:
- Filed cases – at the time that a case is filed, although the plaintiff/petitioner may have a designated attorney, the defendant/respondent may not have an attorney recorded on the case until a response is filed.
- Multiple party cases with many litigants.

The second phase of pilot testing involved the creation of two data audit reports. These reports provided the number of cases and percentage of those cases with at least one self-represented litigant at filing, by Minnesota's civil and domestic relations case types, for the years 2010 – October 2013 and the number of cases and percentage of those cases with at least one self-represented litigant at disposition, by Minnesota's civil and domestic relations case types, for the years 2010-October 2013. The data were collected at both filing and disposition in order to address the first data concern listed above and to explore the following assumption: if counted at filing, the number of cases with SRLs will be larger than if counted at disposition due to the fact that the defendant's/respondent's representation status will not be known at the time of filing, possibly resulting in the incorrect categorization of the defendant/respondent as self-represented. The reports provided by the Minnesota AOC showed that there are approximately 5 percent more cases with at least one self-represented litigant reported when the count of cases is done at filing. Based on this result, Minnesota was asked to run an additional report: the number and percentage of cases with at least one self-represented litigant at answer. Project staff were informed that answer, as a distinct event type, was not consistently recorded in the CMS so a proxy of 'filing plus 45 days' was used to determine the date at which to run the report.   The data was run for 2012 only and resulted in the same percentage of cases with at least one self-represented litigant as was reported in the 'at time of disposition' report. These findings provided project staff with the empirical basis upon which to recommend that the national-level point of count counting rule be to count cases at disposition.

The third phase of the pilot project was originally intended to provide a count of cases at disposition that had at least one self-represented litigant at any time during the life of the case. This final report would be compared to those reports provided during phase two, and project staff would be able to determine if a look back over the case resulted in significantly different numbers of cases with self-represented litigants than the number that was captured when the count of cases was taken as a snapshot only (i.e., counted at filing, counted at answer, or counted at disposition). However, the volume of cases being included in the phase two reports seemed, to project staff at least, to be very high (for 2012, the percentage of cases with at least one self-represented litigant was 94 percent at filing, 88 percent at answer, and 88 percent at disposition).   The following table shows the percentage of cases, by Minnesota case type, that were identified as self-represented for calendar year 2012. The data are presented as the percentage calculated at filing, at answer (filing date + 45 days used as proxy), and at disposition (case closure).

Minnesota Pilot Test of Case-Level Data Collection - Summary Data
% of Cases with SRL Litigants at Filing, Answer (Filing+45 Days), and Disposition

Minnesota Case Type	2012		
	Filing	**Answer**	**Disposition**
Civil	94.0%	90.4%	90.2%
Bond Forfeiture	98.9	97.4	96.6
Contracts, Torts, Damage, or Injury	79.4	66.5	61.8
Other Civil	85.5	79.5	80.5
Tax Suits and Condemnation	51.3	33.2	17.1
Family	96.1	86.8	87.9
Adoption	98.5	94.8	93.8
Civil Domestic Violence	99.9	93.5	95.0
Divorce	89.3	75.7	73.5
Guardianship (Family)	94.4	80.6	78.1
Other Family	89.0	82.3	78.1
Parent/Child Relationship	99.3	79.7	98.1
Paternity	99.0	94.1	90.1
Support	99.7	99.3	99.0
Probate or Mental Health	80.7	66.7	66.9
Guardianship (Probate)	88.8	64.3	63.5
Mental Health	44.1	12.7	13.2
Probate	98.3	97.7	98.1
Related Civil	91.9	87.8	85.8
Grand Total	**93.7**	**88.2**	**88.3**

Through discussions with the Minnesota data specialist project staff learned that there were a variety of issues with the manner in which both events and parties were identified within the Minnesota CMS. For events, it was known that a proxy was needed in order to run a report at answer (or response), but staff also learned there are issues that complicate the date being used to run a report at disposition. For instance, in the Minnesota CMS, a date is associated with the final disposition hearing, but there is usually a lag in time between that final hearing and the date that a case is "closed" in the system. Thus, if a report is run requesting a list of cases that are closed, the attorney might have withdrawn from the case during that time lag, resulting in the improper classification of the case as having been self-represented.[4] For parties, the analysis revealed that case participants (e.g., guardians ad litem and children) were not always clearly identified and, as noted in the second data concern above, were mistakenly counted as litigants without attorneys; in other words, as self-represented litigants. These types of participants, while involved in the case, are not litigants without attorneys and should not be counted as self-represented litigants. In addition, the data specialist discovered that there were instances in which one or both sides of a case may include multiple litigants, but an attorney was listed for only one of those litigants even though the attorney represented all of the litigants in that party. This phenomenon,

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[4] The Minnesota data specialist ran an additional report using a proxy of 'case closure date minus 30 days' in an effort to compensate for the possible withdrawal of attorneys between the final disposition hearing and the case closure date. This report showed that, in 2012, 91.1 percent of all civil cases had at least one self-represented litigant. The data specialist theorized that the percentage was inflated due to different case processing procedures in probate cases, but was not able to completely explain the increase. Since a definitive explanation was not determined during the pilot testing, project staff decided not to include the percentages from this report in the table above.

listed above as the third concern of the data specialist, was common when the litigants were husband and wife or a business and the business owner.

As a result of the discoveries about how self-represented litigants were identified, project staff decided to change the focus of the third phase of pilot testing. Instead of looking back over the life of disposed cases to determine if the case included a SRL at any time (which would most likely result in an increase in the percentage of cases with SRLs), staff requested that the Minnesota data specialist attempt to determine the percentage of cases in which litigants may have been incorrectly identified as self-represented. Project staff could then apply that percentage to the data provided in the reports run in phase two to determine how much of an effect the misidentification had on the volume of cases that were counted as having at least one self-represented litigant. The Minnesota data specialist did attempt to provide the newly requested data. Unfortunately, he discovered that, due to the various ways in which litigants were (or were not) identified, writing a query of the CMS that returned all of the questionable cases was a difficult and time intensive task. Project staff will still apply the percentage as noted if the data specialist is able to develop the query language needed to provide the requested data. In this particular instance, though, the absence of data is an important insight into the challenges that states will face as they start collecting statistics on cases with self-represented litigants.

Appendix G: Court Technology Standards for Cases with Self-Represented Litigants (SRLs)

Analyze Self-Representation Status in Cases

Use Case Description	Record litigant and case representation status, either self-represented or attorney represented (specifying full or limited scope legal representation) and use this information to understand and improve court operations related to self-represented litigants (SRLs).
Business Rules	**BR 1-1 Inference of "Self-Represented" Litigant Status** Court policy may infer that a litigant is "self-represented" for statistical purposes when a litigant acts without legal counsel, as recorded in the register of actions any time after the following events: • Traffic and Criminal cases: at arraignment; and • Civil and Domestic Relations: for a petitioner, filing; for a respondent, answer. **BR 1-2 Inference of "Self-Represented" Case Status** Court policy may infer that a case is "self-represented" for statistical purposes when one or more litigants acts without legal counsel or with limited scope legal assistance, as recorded in the register of actions any time after the following events: • Traffic and Criminal cases: at arraignment; and • Civil and Domestic Relations: for a petitioner, filing; for a respondent, answer. **BR 1-3 Change in Self-Represented Litigant Status** Court policy may infer that a litigant remains self-represented unless an attorney files an appearance for representation (either full or limited scope legal representation) or the court appoints indigent counsel. **BR 1-4 Change in Self-Represented Case Status** Court policy may infer that a case remains self-represented unless an attorney files an appearance for full representation or the court appoints indigent counsel. **BR 1-5 Define Parameters of When a Case is "Delayed"** Court policy may infer that a case with "self-represented" case status is "delayed" when a gap between court events in the register of actions exceeds ___ days (e.g., 90), as defined by local rule, occurring any time after the following events: • Traffic and Criminal cases: arraignment; and • Civil and Domestic Relations: for a petitioner, filing; for a respondent, answer.
Reports/ Displays	**RD 1-1 Self-Representation History of a Litigant Report** For cases filed or disposed in a date range, show cases where the case status is "self-represented," in case number order, and display the representation status (self-represented, full representation, or using limited scope legal representation) for each litigant in the case. **RD 1-2 Self-Representation History of a Case Report** For cases filed or disposed in a date range, show cases where the case status is "self-represented," in case number order, and display whether the litigant with self-represented or using limited scope legal representation status is the plaintiff/petitioner, defendant/respondent, or both. **RD 1-3 Self-Representation History by Event Report** For cases filed or disposed in a date range, show cases where the case status is "self-represented," in case number order, and display by event in the register of actions, the event type, the representation status of each litigant, the cumulative number of events of that type, the numbered day since filing at which each event occurred, the current age of the case, whether the case is active, inactive or disposed, including such events as the following: • Continuances • Motion and pretrial hearings • Trial settings

	• Adding or dismissing an attorney **RD 1-4 Delayed Cases Report** For cases filed or disposed in a date range, show cases where the case status is "self-represented" and the case is "delayed" (as defined in **BR 1-5 Define Parameters of When a Case is "Delayed"**), in case number order, and display the representation status (self-represented, full representation, or using limited scope legal representation) for each litigant in the case.

Application Capabilities	**AC 1-1 Automatically Change Litigant Self-Represented Status**
	From a default setting of "Self-Represented," automatically mark a litigant as "Represented" when, on a given date, one of the following conditions occurs:
	    a. When an attorney files an appearance form (for either full or limited representation), or
	    b. When the court appoints indigent counsel for a litigant.
	AC 1-2 Automatically Change Litigant Represented Status
	From a setting of "Represented," automatically mark a litigant as "Self-Represented" when, on a given date, one of the following conditions occurs:
	    a. When an attorney files an end to a limited representation appearance, or
	    b. When an attorney files a withdrawal form (applies to full representation).
	AC 1-3 Automatically Change Case Self-Represented Status
	From a default setting of "Self-Represented," automatically mark a case as "Represented" when, on a given date, one of the following conditions occurs:
	    a. When an attorney files an appearance form (for full representation only), or
	    b. When the court appoints indigent counsel for a litigant.
	AC 1-4 Automatically Change Case Represented Status
	From a setting of "Represented," automatically mark a case as "Self-Represented" when, on a given date, the following condition occurs:
	    a. When an attorney files a withdrawal form (applies to full representation).

Data Needs	**DN 1-1 Attorney Representation History** A case query must display all history for a litigant's attorney representation in the case (i.e., dates when attorney representation began and ended, whether representation was full or limited, and whether counsel was retained or appointed). **DN 1-2 Self-Represented Litigant Flag** The default value of this data field is 'On' (self-represented) and is automatically updated (turned 'Off') when an attorney files an appearance form (for either full or limited representation) or when the court appoints counsel for a litigant, and is turned back 'On' when an attorney withdraws from the case (either full or limited representation) before disposition. [Assumes that limited representations end with a withdrawal, and all withdrawals require court approval.] **DN 1-3 Self-Represented Case Flag** The default value of this data field is 'On' (self-represented) and is automatically updated (turned 'Off') when an attorney files an appearance form (for full representation only) or when the court appoints counsel for a litigant, and is turned back 'On' when an attorney withdraws from the case (either full or limited representation) before disposition.