



NATIONAL ASSOCIATION
of
WOMEN JUDGES

NAWJ 2022 Midyear Meeting

Self-Representation as Part of the Civil Justice Reform Landscape: New Opportunities for Judicial Leadership

The earliest study on self-representation focused on domestic relations cases in two Connecticut courts 1974-1976. The data collected indicated that only 2.7% of such cases involved a self-represented litigant (SRL). Today, depending on case type or location 60%-100% of the civil cases involve self-represented litigants. Over the last two decades, many interventions and innovations such as forms, instructions, self-help centers, and other supportive services have been adopted to improve court operations. In recent years, there has been a growing understanding of the profound impact these civil legal entanglements have on individuals and communities in matters involving essential basic needs, such as housing, safety, food security, health, education, wages, and family matters. Indeed, these are the very things that shape the culture, well-being, and capacity of our communities and addressing how people solve these problems is becoming a fundamental concern for those engaged in social justice, anti-poverty, and civil rights work.

This panel will offer a brief update of some of the leading SRL innovations since the onset of the pandemic, examine how judicial ethics inform judicial engagement in access to justice activities, and then contextualize these reforms within the larger civil justice reform movement both domestically and internationally. The community of practice that supports self-represented litigants also connects well with the global legal empowerment movement and its goal of helping individuals and communities know, use, and shape the law that impacts them.

You will hear from a sitting bench officer sitting in a courtroom hearing only domestic violence restraining orders where a majority of the litigants are self-represented and an international justice expert about the move towards a people centered approach to problem solving and trust building, as well as how data exchanges, partnerships, simplification, and the use of regulatory sandboxes are expanding access to justice. The panel will conclude with a discussion of the opportunities for judicial leadership within this changing landscape in ways that comport with ethical and practical considerations.