

FOR IMMEDIATE RELEASE

OCTOBER 2, 2009

DELAWARE SUPREME COURT'S DELAWARE COURTS: FAIRNESS FOR ALL TASK FORCE ISSUES REPORT

Every day in courtrooms throughout Delaware, individuals in civil cases are representing themselves without the assistance of an attorney. A report studying this issue was recently approved by the Delaware Supreme Court which had appointed a task force, called The Delaware Courts: Fairness for All Task Force, to study this issue and the related issue of procedural fairness. The report describes the challenges facing self-represented litigants, the court system, and others related to self-representation and makes recommendations for addressing these challenges and furthering procedural fairness, and the public's perception of such fairness, in the courts. The Task Force based its findings and recommendations on the results of surveys and public hearings conducted statewide. Co-chaired by Chief Magistrate Alan G. Davis and State Court Administrator, Patricia W. Griffin, the Task Force's membership includes representatives from the Judicial, Legislative, and Executive branches, as well as others familiar with the court system and issues faced by self-represented litigants.

According to Co-Chair Alan G. Davis, "Individual courts have already undertaken substantial efforts to assist self-represented litigants, but the Task Force looked at an integrated, system-wide strategic approach to the challenges created by the self-representation phenomenon." "The perception of procedural fairness was also an issue that particularly needed to be explored," adds the Task Force's other co-chair, Patricia W. Griffin. "Procedural fairness refers to how the public perceives the fairness of the legal process itself, apart from actual outcomes, and has been receiving much national attention recently," she explains.

Among the Report's recommendations is the development of interactive court forms for court web sites. These forms ask litigants questions and place their responses into the official form to be filed with the court, making the process simpler for self-represented litigants. Some of the other recommendations include clarifying rules permitting attorneys to provide limited services to clients in litigation so that those who could otherwise not afford an attorney can obtain help with certain aspects of their case, and increasing the formats in which information is provided to self-represented litigants.

A copy of the report can be obtained from the Judicial Branch web site at <http://courts.delaware.gov/?FAIRNESSFINALREPORT.pdf>

For further information contact Christine Sudell at (302) 255-0098.