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"I Need a Form off the 'Net" - Meeting Patrons' Expectations for Finding and Creating Court Forms Online

by Mareth Wilson, Sacramento County Public Law Library.

Public law librarians spend significant time at the reference desk mediating questions from patrons that start out "Where is the form for...," "I need the form that...," or "They told me you have the form...." When the patron asking the latter question is not an attorney, the word "they" usually signifies a referral from the public service counters at the courts.

Once we determine for each instance that the patron really does mean "form" and does not have some other information need, and make all the necessary comments and disclaimers about jurisdiction and context, we come full circle to the original question – "Where is the form?" According to conventional wisdom, the form on which the patron's world now turns is at the librarian's fingertips, on the Internet, ready made, and free. Many times we must gently disabuse patrons of this notion.

COURT FORMS

There are a couple of potential obstacles to success at finding and using the standardized forms at court websites that can frustrate a novice user.

The forms page of the fantastic Judicial Council of California site – www.courtinfo.ca.gov/forms – is browse-able by name, form number, or within the general legal topic. The lack of a keyword search function is a drawback that can make the difference between finding a ready-made form here and missing it. Local forms at California Superior Court websites tend to be posted the same way, as browse-able lists under general headings.

The other obstacle at these sites can be the limited options for filling in and saving the forms electronically. The Judicial Council site allows interactivity, but the Adobe format is not portable or editable unless both the library computers and the patron's home computer are supplied with the full Acrobat or Acrobat Approval software. And at most of the superior court websites, the local forms cannot be filled in online at all.

The U.S. Court Forms site – www.uscourtforms.com – helps overcome both of these obstacles. One of the solutions is free; one is fee-based. Free registration allows keyword searching of the title and text fields for state and local jurisdictions. A search usually produces a short list of forms containing the key word(s).

Completing the forms online requires a paid subscription, which unlocks the ability to complete, edit, and save the forms in MS Word. The Sacramento County Public Law Library subscribes to the California forms database, which includes, among other form banks, all Judicial Council and local superior court forms, as well as California Appellate and local federal district forms. The fill-able local forms are the highlight of the service for many of our attorney and non-attorney patrons alike.

EZ Legal File – www.ezlegalfile.com – is an interactive program for creating Judicial Council form sets. Users involved in family law, unlawful detainer, small claims, guardianship, or domestic violence actions answer a series of questions online, which generates completed form sets in printable Adobe format. Which forms sets are accessible through this program varies from court to court. EZ Legal File is appropriate for the patron who is commencing an action or responding to a newly filed action. The product is not set up for pinpointing individual forms.

SAMPLE PLEADINGS

Searching for sample pleadings on the Internet is just this side of futile, but that doesn't stop patrons from trying. While none of us can ever be completely sure we have searched all possible Internet sources for a given form, I'd wager that most law librarians have put significant time and effort into looking for sources to bookmark, preparing for the day when we can pull that rabbit out of our hat for a stressed-out and worthy patron.

In one recent foray I came across a couple of websites that include templates for civil litigation pleadings. The website of the Law Offices of Edward E. Kinsey – www.kinseylaw.com – offers templates for transactional, court, and litigation forms, with the appropriate disclaimers. These models might serve as useful skeletons for patrons in some situations. The other discovery quickly turned victory into despair. The Consumer Attorneys of California website – www.caoc.org – under the *Resources* link, harbors a large library of court pleadings. Alas, these are available only to members. Our public law library is unable to benefit by their work.

Public domain forms and pleadings that our patrons do benefit from can be found at a relatively obscure page within the Judicial Council site's *Programs* section – www.courtinfo.ca.gov/programs/equalaccess – that provides, behind the *Instruction* link, many model pleadings for a few dozen basic civil actions. Our librarians have made good use of the models provided for instructing patrons in how to complete similar documents.

We use a variety of proprietary databases to demonstrate to patrons the tools they will use when it is finally clear to them that they will be spending time and effort creating pleadings from a blank slate. Patrons can research their action either online or in print to pinpoint the model pleadings they need, and then cut and paste the sample language into Word. Our Westlaw contract includes access to the California procedural guides published by Rutter and Bancroft Whitney. A LexisNexis product provides access to text and model pleadings from Matthew Bender's publications. Practice sets published by California Continuing Education of the Bar (CEB) come with their own forms CDs, and the new web-based *Onlaw* allows searching the entire library of CEB products online for content, pleadings, and procedure.

A pleading template on the Sacramento County Law Library website under *Forms, Motions and Pleadings* – www.saclaw.lib.ca.us/pages/forms-page.aspx – allows patrons in or outside the library to paste sample language into pleadings that they can then customize to their own situation. This tool is one of our most consistently useful services for attorney and non-attorney patrons alike.

N.B. to NOCALL Members: I suspect that many law librarians are collecting sources of Internet-based court forms and pleadings, and that in the course of searching have found sources that others have not. As this year's chair of the NOCALL Public Access Committee, I

want to consolidate the products of our collective efforts in a central place accessible to all of us. Please contact me if you would like to participate in this effort.

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