

Arizona Commission on Access to Justice
SRL-LJC Workgroup
NOTES
June 11, 2020
2:00 p.m. to 4:00 p.m.

Appeared virtually: Judge Anna Huberman (chair), Judge Charles Adornetto, Scott Davis, Veronika Fabian, Stan Hammerman, Denise Holliday, Paul Julien, John Skiba

AOC Staff: Theresa Barrett, Julie Graber, Sabrina Nash, Kathy Sekardi

Matters considered:

1. Welcome and opening remarks

The June 11, 2020, meeting of the SRL-LJC Workgroup was called to order by Judge Anna Huberman, chair, at 2:04 p.m.

2. Update on eviction action issues

Julie Graber reported that the following COVID-19 related items have been updated:

- Disclaimer has been added to general FAQs, Child Support & Family Law webpage
- Guidance for Processing Eviction Matters During the COVID-19 Pandemic (English and Spanish)
- Small Claims website (English and Spanish)
- Trustee's Sale Eviction with assistance from Judge Adornetto

Outstanding videos:

Julie Graber reported that a coworker who's fluent in Spanish will be working with her on the backlog of videos that need to be translated into Spanish.

Judge Huberman inquired if there were other completed videos that needed to be translated into Spanish, and if so could the English version of the videos be posted to the webpage. Julie Graber replied that the English videos were posted to the webpage and that the subsidized housing, domestic violence and military videos still needed translation into Spanish and would then be posted to webpage.

3. Review storyboards

My HOA is Taking Me to Court

The workgroup reviewed the video edits raised during the May meeting. The workgroup had additional changes:

- Slide 19 - change to *"the court will either set the case for case management or pre-trial conference or for mediation.*
- Slide 20 – add disclaimer to litigant regarding small claims court procedures. *"If your case is in small claims court please view "What Happens in Small Claims Court" video.*
- Slide 21 – add siren and warning *"if your case is filed in Small Claims court it likely will be set for a hearing or trial within 60 days with no other court dates."*
- Slide 22 – *"if you are not in small claims court, you will have the opportunity to try to settle your case and learn what evidence the HOA has against you."*

The workgroup agreed with the edits and approved the video.

My Loan Creditor is Taking Me to Court

4. The workgroup reviewed the video edits raised during the May meeting. The workgroup made additional changes:
- Slide 3 – change to *“If your loan is secured by your vehicle, please view the video entitled “Car Title Loans.”*
 - Slide 33 – add siren and warning: *“The losing party may be ordered to pay reasonable attorneys’ fees to the winning party.”*
 - Slide 35 – add duplicate language in HOA video.
 - Slide 31 – change to *“If a judgment is entered against you, the creditor may request the court to order your employer to withhold money from your paycheck or your bank to transfer money from your account to the creditor.”*

The workgroup agreed with the edits and approved the video.

A Creditor Filed a Lawsuit Against Me - What’s Next?

Kathy Sekardi presented this script for the workgroup’s review.

- Slide 7 – add previously used language *“A process server may have handed those papers to you or someone else in your home.”*
Note: Kathy Sekardi to compare language in slides 1 – 7 with previous language used in other scripts.
- Slide 9 – add *“If you agree you owe these amounts.”*
- Slide 10 – add *“You can settle this lawsuit by paying the creditor.”*
- Slide 17 – *“What if you don’t agree with this creditor?”*
- Slide 18 – add *“you will need to explain your reasoning in your timely answer.”*
- Slide 19 – add what it means to file an answer.
- Slide 20 – change to *“Remember that any documents you provide to the court you must also provide to the creditor.”*
- Slide 21 – add siren and warning: *“If the plaintiff has an attorney you must send the documents to the plaintiff’s attorney.”*
- Slide 25 – add *“After you file an Answer, the parties need to provide each other a Disclosure Statement.”*
- Slide 28 – add siren and warning: *“Not providing a disclosure statement may have serious consequences, including you may not be allowed to present your evidence at trial.”*
- Slide 29 – add *“Time limits apply to your Disclosure Statement: in justice court you have 40 days after filing your answer. In superior court, 30 days.”*
Discussion: regarding creation of Statute of Limitation video/info sheet or list the statute of limitations in individual videos.

5. Next steps

- Workgroup is to review storyboards D-F prior to next meeting. Kathy Sekardi to share link on where the storyboards are located.
- Kathy Sekardi to get “What Happens in Small Claims Court?” into a storyboard
- Veronika Fabian will write script for “Responding to a Consumer Debt Case.”
- Judge Huberman asked workgroup to review the script “How to Settle a Claim.”
- Judge Huberman will create list of pending topics and ask for volunteers to write scripts. Suggested topics: What Happens at Trial, How to File an Answer, Summary Judgment.

Next SRL-LJC Meeting: July 9, 2020, 2:00 p.m. – 4:00 p.m.