

New Help Available for Pro Per Appellants in Maricopa County

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Contact: [Callie Parkinson, Esq.](#)

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By: Callie Parkinson, Esq.[\[1\]](#)

Each year, the Arizona Court of Appeals, Division One handles hundreds of civil and family law appeals filed by pro per litigants. Pro per appeals create unique challenges for the litigant and the court. The litigant is often at a disadvantage due to a lack of legal knowledge and experience. According to Chief Judge Ann A. Scott Timmer, “many pro per appellants are unfamiliar with the court’s rules so they miss deadlines or file briefs that do not comply with the rules. Most pro pers are unfamiliar with laws applicable to their appeals so they fail to adequately support arguments or miss them altogether. Some pro pers do not understand the court of appeals’ role and tend to view an appeal as a “do-over” rather than a review of the trial court’s rulings.” The court frequently expends additional resources to understand and respond to briefs filed by pro per litigants.

In an effort to ensure access to appellate justice, regardless of economic status, Division One of the Arizona Court of Appeals along with volunteers from the Appellate Practice Section of the Arizona State Bar Association, Community Legal Services, and the Arizona Foundation for Legal Services & Education have implemented the Maricopa County Appellate Pro Bono Pilot Program. The program will assist litigants who cannot afford legal counsel in navigating through appellate procedure and adhering to court requirements while handling their family law and civil appeals. Depending on the pro per’s income, legal services will be provided free of charge or at a reduced rate of \$75 per hour. The program will begin on February 1, 2011, and conclude on January 31, 2012.

Lawyers participating in the program will also benefit from the opportunity to gain meaningful appellate experience. Kimberly Demarchi, Chair of the Arizona State Bar Appellate Practice Section, explained that “one of our goals has been to expand the opportunities our members have to provide pro bono services that draw on their particular skills as appellate lawyers. This program will help litigants who have not traditionally been covered by other pro bono programs.” In order to encourage lawyers to volunteer their services, the court of appeals will grant oral argument requests made by lawyers appearing as counsel of record in an appeal brought or defended by program participants. The Appellate Practice Section will also provide training for volunteer lawyers at no cost or a reduced cost, depending on whether the attorney will be compensated. All training will fulfill Continuing Legal Education (CLE) credit requirements. The first CLE training will be held at Lewis and Roca at 3:00 p.m. on February 1, 2011.

If you are interested in volunteering or attending CLE training, please contact Kimberly Demarchi at KDemarchi@LRLaw.com. Additional information will be available at the court of appeals’ website, <http://cofad1.sp.state.az.us/>.

Arizona Foundation for Legal Services & Education

[\[1\]](#) Ms. Parkinson currently serves as a law clerk for the Honorable Ann A. Scott Timmer, Chief Judge of the Arizona Court of Appeals, Division One.