

Achieving Civil Justice

A Framework for Collaboration

A REPORT FROM THE
MAKING JUSTICE ACCESSIBLE INITIATIVE

Achieving Civil Justice

A Framework for Collaboration

AMERICAN ACADEMY OF ARTS & SCIENCES
Cambridge, Massachusetts

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Contents

Foreword: Letter from the Cochairs	v
Executive Summary	1
Reintroducing the Civil Justice Gap	4
<i>What Is It? Why Does It Matter?</i>	4
Current Success in the Civil Justice Field	11
Bringing Justice Out of the Courthouse to the People Who Need It	11
Offering Legal Services Through Providers People Already Turn To	14
Using Technology to Streamline Access to Assistance	19
Expanding the Supply of Affordable Legal Assistance	25
Expanding the Workforce of Civil Justice Professionals	28
Funding and Scaling Solutions	33
Achieving Civil Justice for All Takes an Ecosystem	36
Securing Civil Justice for All Americans	39
A Framework for Tackling Civil Justice Projects	39
Conclusion	45
Appendix A: Organizations Mentioned in the Report	47
Appendix B: Civil Justice Data Initiatives	51
Appendix C: Making Justice Accessible Advisory Committee	52
Endnotes	53

Foreword:

Letter from the Cochairs

“**O**ur justice system has become inaccessible to millions of poor people and so every day, we violate the ‘equal justice under law’ motto engraved on the front of the grand United States Supreme Court.”¹ This statement, true ten years ago, remains true in 2024. Over the last ten years, the American Academy of Arts and Sciences’ Making Justice Accessible project has worked to understand, assess, and advocate for innovative solutions to the civil justice gap. Since 2014, the Academy has drawn insights and talents from a wide range of individuals and groups to make clear the stakes in social, economic, and human costs of that gap and marshalled evidence and awareness about promising solutions in service of ensuring all Americans have access to the justice our nation heralded in the very first sentence of the United States Constitution: “We the People of the United States, in Order to form a more perfect Union, establish Justice . . . do ordain and establish this Constitution for the United States of America.”

This report reflects research and data analysis as well as convenings and discussions across a wide range of participants in the American Academy’s Making Justice Accessible project. The project has already led to the historic *Dædalus* Winter 2019 issue, dedicated to Access to Justice, which fittingly marked the first open access issue of the journal. Additionally, two reports detail recommendations and guidance for professionals and institutions pursuing access to justice initiatives:

- The *Civil Justice for All* report surveys innovative methods for providing legal services and assistance and calls for the establishment of a new and sustaining national initiative to coordinate multiple efforts needed to address the civil justice gap.
- In *Measuring Civil Justice for All*, the Academy elevated data collection as a priority and presented a blueprint for data collection and sharing across agencies and courts, and between federal and state leaders.

In this new document, the Academy offers a roadmap for strengthening the collaboration and coordination required to achieve civil justice for all.

This initiative has been steered by the Academy’s previous presidents, Jonathan Fanton and David Oxtoby. Many Academy members have served as advisors for the project, including Diane Wood, John M. Hansen, David M. Rubenstein, Ken Frazier, and Goodwin Liu, founding members of the initial exploratory meeting covering access to justice. Critical to this work are the contributions of the project’s Advisory Committees and Working Groups. We are especially grateful for the vital contributions of Mariano-Florentino Cuéllar, Nathan L. Hecht, William C. Hubbard, David F. Levi, Lance M. Liebman, Judith Resnik, Margaret H. Marshall, James J. Sandman, Judy Perry Martinez, Harriet Miers, Andrew Perlman, and Rebecca Sandefur.

FOREWORD: LETTER FROM THE COCHAIRS

Thanks as well to the Academy staff that made this work possible: Eduardo Gonzalez and Betsy Super, Tania Munz, Darshan Goux, and Peter Robinson. Special thanks are also due to the writing team that joined in the effort to produce this report: Daniel B. Rodriguez, Advisory Committee member, and E. J. Graff, editorial consultant.

Finally, we thank the innumerable stakeholders, thought leaders, and experts who contributed knowledge and insights to our project team, and who gave generously through interviews, focus groups, comments, workshops, and other activities to develop the lessons in this and previous reports.

These efforts started with a raised hand nearly ten years ago—a willingness to expose a crisis and call for action. When the American Academy’s then-president Jonathan Fanton asked for ideas that could be funded and launched by a new exploratory fund, one of us raised our hand. The Academy hosted a meeting at the University of California, Berkeley Law School, where John Levi made clear that the legal system needed help from professionals far beyond the legal profession—that while lawyers and judges, in part, created the problem, it would take the help of all disciplines to recreate and reimagine our country’s civil justice system. During the ten years since, the Academy has supported the Making Justice Accessible initiative in ways that exceeded even that ambitious call.

At the opening of the Making Justice Accessible Summit in March 2024, we returned to Attorney General Robert Kennedy’s remarkable Law Day address at the University of Chicago’s law school on May 1, 1964:

Each time a man stands up for an ideal, or acts to improve the lot of others, or strikes out against injustice, he sends forth a tiny ripple of hope, and those ripples build a current which can sweep down the mightiest walls of oppression and resistance.

—Robert F. Kennedy

In publishing *Achieving Civil Justice*, the Academy continues its commitment to this pressing issue by advancing a shift in the narrative surrounding civil justice, focusing on an approach that is both pragmatic and pluralistic. We sincerely hope this report is useful— that it honors and dignifies the important work happening in every community, and that it will inspire and create even more ripples, which will build into the big wave our country needs to keep faith with its founding vision of equal justice for all.

John G. Levi, Chairman of the Board of the Legal Services Corporation;
Senior Counsel at Sidley Austin LLP

Martha Minow, 300th Anniversary University Professor at Harvard University

Kenneth C. Frazier, Chairman of Health Assurance Initiatives at General Catalyst

Executive Summary

Each year, Americans confront more than 150 million new civil justice problems involving basic human needs, such as seeking a safe place to live, maintaining a meaningful way to make a dignified living, and caring for those who depend on them. Every year, as many as 120 million of those problems go unresolved. Yet only some Americans recognize that these are matters of civil justice. Even fewer have access to the affordable and quality legal support needed to help resolve these problems. This is the civil justice gap: the disparity between the legal needs of Americans and the resources available to meet those needs.

For the past ten years, the American Academy of Arts and Sciences has worked to understand, measure, and advocate for innovative solutions to the civil justice gap. Since 2014, the Making Justice Accessible project has highlighted the scale of the civil justice gap by recognizing its social, economic, and human costs and calling for improved data collection. The work also looks ahead to set standards for civil justice and to ensure all Americans have meaningful access to justice. In 2021, the report *Civil Justice for All* articulated seven strategies for closing the civil justice gap through a variety of approaches being used across the nation. That publication concludes with a call to establish a new national organization, or team of organizations, that can coordinate the multiple efforts needed to achieve the goal of access to justice for all.

This report, *Achieving Civil Justice*, highlights the strategies and initiatives that are helping to advance new solutions and sustain effective models. Thanks to tireless work by leaders and institutions working on civil justice issues, efforts across the country are improving the delivery of civil legal assistance

through new training programs and reform efforts, partnerships that integrate legal services into other community engagements, and leveraging technology and simplification—all to design solutions to the civil justice gap that respond to the communities they intend to benefit. As a clear picture of their individual and combined work emerges, it becomes evident what a pluralistic and pragmatic civil justice effort can achieve: a people-centered approach in which Americans can access the support they need, when they need it, from trusted, quality providers. Courts and lawyers are the essential lifeblood of the civil justice system. But this transformation cannot be done by courts and lawyers alone. Their work must be paired with the efforts of a broader network of community justice providers, law schools, researchers, technologists, allied professionals, community leaders, and business and philanthropic leaders. In the pages that follow, these innovations are described in sections that roughly follow the experience of Americans moving through the civil justice system. Both old and new, these efforts involve listening, offering legal help, using innovative technology, training, and building partnerships.

EXECUTIVE SUMMARY

- *Listening to and learning from underserved communities.* This has included adapting tribal communities' models, such as coordinating with state agencies and national organizations to train local paraprofessionals to serve health and legal needs. It has also enabled people to explain to local officials their difficulties in navigating legal problems, thus helping the government to create programs that better serve them. When efforts to help Americans navigate civil justice issues start by listening to those who need that help, those solutions and policies are far more effective in providing communities what they need.
 - *Offering legal help where people already are.* Offering legal assistance from doctor's offices, public libraries, and mobile courts reaches people where they already seek help. When people encounter legal information and assistance where they are already tackling life problems, they can get help that they may not have realized they needed—and avoid becoming mired in legal crisis.
 - *Using technology to make it easier to gain access.* Many courts and legal services offices have updated their operations to offer Americans access to justice via newer, streamlined technologies. Websites, artificial intelligence (AI)-enabled chatbots, document automation, electronic filing, and integrated case management systems—systems many Americans are familiar with by now—have enabled far more people to, for example, quickly file an objection to an illegal eviction notice or “appear” in court without having to travel. These initiatives suggest a new minimum standard for legal services, including broad adoption of user-friendly websites, standardized e-filing, digitized and automated court forms, and critical investments in foundational digital infrastructure needed to pursue emerging technologies such as generative AI.
 - *Training more people to support Americans with legal needs.* In many circumstances, licensed lawyers are not available. Many organizations and jurisdictions are developing new ways to train professionals who can support or even represent Americans facing pressing needs, such as access to housing or experiencing crises like domestic violence. To make this possible, states are adopting new rules and reforming regulations to allow advocates to represent and give advice on issues that most Americans would otherwise struggle with alone. Nonprofit and membership organizations are training volunteers to help vulnerable neighbors with common issues. The evidence, training, and resources that these efforts are producing offer models that newer efforts can replicate or adapt.
 - *Building partnerships with philanthropies and businesses to expand funding, resources, and innovation in the field.* The collaborations discussed here have enabled a broader array of actors to accomplish much more, including convening stakeholders, launching and refining pilots, developing technological fixes, distilling practical insights about what works, and raising awareness among citizens, community leaders, businesspeople, and funders about the tremendous need. Major funders like the Kresge Foundation, the Public Welfare Foundation, and The Pew Charitable Trusts as well as leading businesses like Kaiser Permanente have vastly expanded the number of Americans who can use the civil justice system for problems large and small, accomplishing things that would otherwise be out of reach for courts and legal aid organizations.
- These efforts reveal that, while far too many Americans continue to fall through the civil justice gap, those who wish to close that gap have

innumerable opportunities to make American legal systems available to all. To close the civil justice gap, it is critical that this work continue. For legal leaders, communities, nonprofits, and individuals who want to help widen access to justice, this publication identifies four steps anyone can apply to their work in civil justice.

- First, organize civil justice efforts around the people seeking civil legal help—the self-represented litigants—rather than lawyers, legal systems, or courts. Strategies include creating information access points, such as self-help centers or kiosks, that offer free access to legal resources.
- Second, coordinate, connect, and participate with local, state, and national groups that actively engage on listservs, conferences, virtual meetings, and other forums to share best practices, scholarship, and emerging strategies. These networks share opportunities and best practices for new participants or professionals seeking to learn or partner. Civil justice efforts need not proceed alone.
- Third, embrace an evidence-based approach. To date, research has shown that judges', lawyers', and court systems' views of justice do not align with the public's views of justice. Reorientation is needed. Look closely at the evidence to guide any proposed action.
- Finally, adjust tactics and strategy as projects evolve. Expect projects to develop through numerous stages, including identifying the need being addressed, proving the concept, learning and improving, and scaling up solutions through partnerships and expansion so others can adapt and replicate. At each stage, the project strategy should match the resources, stakeholders, and milestones needed to move forward successfully.

The goal of civil justice for all is urgent, important, and achievable. By strengthening the efforts detailed in this report and more like them, with increased federal, state, and private funding and resources, Americans can realize the promise of equal justice under law.

Successful projects and ideas are making a difference in the legal services ecosystem. As will be recounted in more detail later, some are pilots or proof-of-concept projects that have been undertaken with the blessing—and, on occasion, under the edict—of local state courts. Others were seeded by ingenious inventors and individuals who partnered with foundations or businesses. Still others are as yet only promising ideas, some emerging from innovative scholarship, both empirical and theoretical. These are showcased here in the hope that they may move forward at least as experiments. What all these developments share is that they are reliably grown from a local, focused undertaking and born from real experiences with the civil justice gap. They build on local knowledge, strategic assessments, methodical planning, and examined evidence.



Reintroducing the Civil Justice Gap

Achieving *Civil Justice* is the culmination of the Academy’s multiyear project to identify solutions and strategies to close the chasm—known as the “civil justice gap”—between the legal needs of Americans and their access to adequate legal assistance. The civil justice gap is the space where families are torn apart, homes are lost, and debts pile high. It is where life’s hardships and inequities fail to find relief in the civil justice system. It is the focus of renewed efforts to better understand how the lack of legal services harms Americans and the nation’s pursuit of justice. And it is where those who wish to close that gap must begin when undertaking evidence-based explorations of rapid response and sustainable solutions. This is where those who wish to implement those well-resourced plans must begin.

What Is It? Why Does It Matter?

Anyone in the United States can face any number of social, cultural, and personal challenges in a given year. Maybe an individual is struggling to maintain her family’s home despite threats of eviction. Maybe a young professional has accumulated medical bills from an unexpected and persistent illness, leaving him unable to work to pay them off. Maybe a mother is trapped in a terrible domestic situation, penned in by violence. Maybe a disabled veteran has been kicked off much needed public services and is navigating the appeals process alone while managing physical hardship.

All these are vexing problems, ones that disproportionately burden Americans who have fewer resources, financially and socially. As life problems and the complicated and complex legal system become intertwined, the civil justice gap becomes most apparent. In any given year,

Americans face more than 150 million new civil legal problems, and every year as many as 120 million of those problems go unaddressed.² And as Rebecca Sandefur’s pathbreaking research finds, only 14 percent of civil justice problems are taken to a court or hearing body.³

Americans, low-income or otherwise, struggle to claim and secure benefits and protections fundamental to our very democracy. When their efforts fail, these troubling problems can become legal needs, impacting individuals and their families across all aspects of social and civic life. Someone might not realize that they qualify for public programs that address food or housing insecurity. Or a veteran may return home to civilian life and struggle to understand legal documents and procedures. Or a middle-class family can teeter toward homelessness when faced with medical bankruptcy, job loss, or domestic violence. Or a grandmother with custody may have difficulties ensuring that her

grandchild with special needs can get a quality education with necessary resources. Problems that can be solved through a legal system arise between people, with the companies Americans work for, or with government entities that determine who receives public services. The civil justice gap arises when people need and cannot get help navigating documents, options, and procedures in civil, criminal, and administrative settings.

The Civil Justice Gap Affects Every American

Most interactions with legal systems do not involve cases that reach litigation. Nevertheless, sometimes, when other solutions such as mediation or alternative dispute resolution fail, these problems do end up in our court systems. That a social or personal problem has developed a legal dimension with a remedy in law is not always obvious, however. Yet, the outcomes of these legal interactions, whether litigated in a case or denied in an agency decision, have real impacts on the rights, services, and options Americans have available to them to navigate problems and pursue opportunities.

Law, legal systems, and lawyer services are usually not the first solution to which a person turns when life problems get so bad that they expose that person to legal risks and vulnerabilities. The affected individual may not know how to name their legal problem or be aware of local services available to them, or they may believe they cannot afford those services or think a lawyer can do nothing to help. The unfortunate result is that too many people do not seek help. They might ignore letters that lead to defaults on debt or uncontested evictions. They might miss opportunities to modify protection or welfare orders when employment and income change. They might needlessly

accept an eviction record that will disqualify their family from housing vouchers or other assistance programs. Or they may let deadlines pass for public grants and support programs for local small businesses. With distressing regularity, individuals might not realize they should seek help until court documents or case information is delivered directly.

When people do seek legal help, they often find no affordable legal services. That remains true despite efforts by the Legal Services Corporation (LSC), the congressionally created nonprofit organization that has built a network of legal services providers across the country over its fifty years. LSC has funded grantees in every state and state equivalent, and has organized bar and individual lawyer efforts to render legal services pro bono. Because of chronic underfunding, there is still insufficient free legal assistance to meet the needs of all who qualify. Although no one knows the full scale of legal problems that go unaddressed, the vast majority of the people who seek assistance from legal aid organizations do not secure the legal help they need. LSC's April 2022 *Justice Gap Report*, for example, found that three out of four low-income households eligible for free legal assistance had faced one or more civil legal problems in the preceding year.⁴ Most of these problems had serious effects on families' household finances, housing, relationships, safety, jobs, or mental or physical health. Of those low-income individuals, 92 percent reported that they received no or inadequate legal assistance from a lawyer.⁵ And while low-income Americans are particularly vulnerable, individuals from nearly all socioeconomic levels encounter both civil legal problems as well as financial and practical barriers to favorable legal resolutions. Stagnant funding, over so many years, means LSC grantees are unable to provide any or enough

REINTRODUCING THE CIVIL JUSTICE GAP

help for 71 percent of the civil legal problems brought to their door—that’s an estimated 1.4 million problems low-income Americans seek help for over the course of a year that current resource and capacity levels cannot reach.⁶

For those Americans not poor enough to qualify for scarce free legal help or whose issues cannot be taken because of resource constraints, the cost of obtaining private legal assistance is too steep for all but the wealthy or for larger corporations. Two-thirds of the U.S. population faced at least one legal issue from 2016 to 2020, according to the *Justice Needs and Satisfaction* study conducted by the Institute for the Advancement of the American Legal System (IAALS) and the Hague Institute for Innovation of Law.⁷ Civil justice problems affect every American at one time or another. Moreover, state requirements that a law degree and state license are prerequisites to offering any type of legal support limit participation in the robust workforce needed to

address the justice crisis and chill programs that might otherwise furnish affordable or no-cost services when lawyers are not an option.

When no professional help is available, people are left on their own to navigate information, court documents and procedures not written in plain language or one they can understand, and the fallout from their legal issues. Moreover, while we think of justice as being administered within a system, in the federated form of government within the United States there are numerous *systems* of government, increasing the informational costs of understanding courts. At the least, in addition to the federal court system, each state court oversees multiple courthouses to serve its residents. California has 58 superior courts, one for each county—the Los Angeles Superior Court alone operates through 37 courthouses in the county’s 4,752 square miles.⁸ Data published of 47 states by the National Center for State Court’s Court Statistics Project show there are



Most people do not immediately turn to the law or legal system to resolve life problems. When they do, access to affordable legal services often does not meet the scale of the need, leaving many to represent themselves.

more than 2,000 such courts that might operate multiple courthouses, each with different rules, procedures, and resources to assist their patrons.⁹ While state courts, legal aid offices, bar associations, and nonprofit organizations do develop and offer “self-help” or “DIY” programs and free information for people representing themselves, these programs and solutions are unequally distributed and face the difficulties of working to scale across so many systems. Whether someone can find help depends on where they live. This often makes civil justice problems disproportionately more difficult for rural, immigrant, tribal, and other already vulnerable communities.

The Importance for a Functioning Constitutional Democracy

Civil justice ought not to be a luxury. It is a basic component of the rule of law, that idea that power will not be wielded arbitrarily, that it will be subordinated to well-defined laws, and that justice will be available equally to all. Given what is known about the civil justice gap and what it means for civil legal needs to go unmet, the access to justice problem is fundamentally an issue about the fair and equitable treatment of all individuals. In a nation founded on the rule of law, civil justice work gives its people the opportunity to claim those protections.¹⁰ A combination of state and federal legal systems, procedures, and assistance enables individuals to actualize those protections and liberties. A constitutional democracy that is operating under the rule of law can, in part, measure its commitment to civil rights and to equal justice by how successfully it opens the avenues of civil justice to all—in ways equitable, affordable, and accessible.

And yet, despite the urgency and importance of civil justice, Americans have no nationally

recognized constitutional right to legal representation outside the criminal justice system.¹¹ Many will recall television shows in which an officer informs individuals accused of a crime, “you have a right to an attorney, and if you cannot afford one, one will be provided to you at government expense.” This right, however, is limited to criminal matters. Americans have never had such a right in the civil justice system, where courts consider actions involving debts, including but not limited to bankruptcy, as well as evictions, family law, employment discrimination, tort liability, contracts, and countless other issues that arise in daily life. In approximately 75 percent of civil cases in this country, depending on the issue, at least one party is proceeding without a legal representative by their side.¹² In many cases, both parties move forward without a lawyer.¹³ The absence of a right to counsel in civil matters is one reason the access to justice gap is so large. Of the 20 million civil cases filed in state courts each year, roughly two-thirds include a self-represented litigant. But that astonishing figure includes just the cases and litigants we can see. Beyond that lies the hidden crisis, consisting of millions more Americans experiencing legal problems but taking no legal action to protect their interests—or the up to 120 million legal problems that go unaddressed.¹⁴ Much of that scope relates to the adjudication of high-volume, high-stakes, low-dollar-value civil claims that arise in areas such as debt collection, evictions, home foreclosures, and child support.¹⁵

Individuals without legal assistance face numerous barriers as they try, alone, to negotiate private solutions, navigate administrative bureaucracies, or engage in arbitration or mediation to stay out of court. When these people go to court, they must navigate unfamiliar court systems and figure out their legal rights and

REINTRODUCING THE CIVIL JUSTICE GAP

responsibilities without experience or training to advocate in a process well known to lawyers and judges but as unfamiliar to most Americans as speaking a new language. Too often, Americans are their own lawyers in civil and administrative proceedings—without the benefit of a law degree or training.

A Pragmatic and Pluralistic Approach

Expanding access to justice for all is imperative. Solutions must be creative. Innovators must be willing to explore new ideas and, if necessary, improve existing rules and structures to move toward a world in which “equal justice for all” is not merely a platitude but an achievable goal. *Achieving Civil Justice* provides a broad framework for new thinking about this enduring problem. Rather than provide a single recommendation, this report takes a *pluralistic* and *pragmatic* approach, relying on evidence-based, data-driven projects that have been or can be tested and that expand access to justice in some small or large way.

Successful projects and ideas are making a difference in the legal services ecosystem. As will be recounted in more detail later, some are pilots or proof-of-concept projects that have been undertaken with the blessing—and, on occasion, under the edict—of local state courts.

Others were seeded by ingenious inventors and individuals who partnered with foundations or businesses. Still others are as yet only promising ideas, some emerging from innovative scholarship, both empirical and theoretical. These are showcased here in the hope that they may move forward at least as experiments. What all these developments share is that they are reliably grown from a local, focused undertaking and born from real experiences with the civil justice gap. They build on local knowledge, strategic assessments, methodical planning, and examined evidence. Even so, while these examples highlight local needs and ideas, they can and should suggest opportunities to create and expand similar efforts elsewhere.

This publication’s strategy is likewise pragmatic. It seeks to maximize the possibilities of garnering enthusiastic new support and pressing forward with constructive change. This approach is different from that tried by a long line of civil justice reformers who have sought to achieve comprehensive reform through major national changes, only to claim incremental but important improvements.¹⁶ Some claim that existing federal and state funding programs should be sufficient—yet Congress’s appropriations to LSC have not kept up with inflation or increasing legal needs, leaving legal aid organizations nationwide to ration help to low-income Americans eligible for

Too often, Americans are their own lawyers in civil and administrative proceedings—without the benefit of a law degree or training.



free services.¹⁷ Others advocate for expanding other non-LSC federal programs to enable those funds to support legal aid services.¹⁸ Likewise, current levels of state funding continue to limit local adoption of new strategies and technology, and prevent expansion of services that could respond to rising needs surrounding debt, housing, and health crises.¹⁹ Many insist that practicing lawyers must simply deliver more pro bono legal services. Those who support this approach often call for new pro bono mandates on lawyers and law students.²⁰ Some insist that law schools are too expensive, thereby incentivizing new lawyers to seek higher-paying jobs to pay off their own debts, and too focused on sending graduates into firms serving only the business sector.²¹ According to a national study of civil legal aid lawyers conducted by the American Bar Association in 2023, there are only 2.8 paid civil legal lawyers nationwide for every 10,000 people in poverty.²² Others active in the civil justice movement advocate specific court and regulatory reforms that could make a big difference, such as calls to modernize courts and access to them so that judges preside over the merits of a case rather than deficiencies in procedure.²³ And they include calls to eliminate Rule 5.4, an American Bar Association (ABA) model rule that limits nonlawyers' investments in law firms.²⁴ Still others criticize the ABA and state bar associations for clinging to outmoded “unauthorized practice of law” rules that, well-intentioned or not, overregulate professional legal services to the point of preventing willing and capable nonlawyers from helping individuals with basic and specialized legal needs.²⁵ Meanwhile, evidence-based research has illuminated the limits of projects primarily focused on training lawyers, rather than focusing on serving unmet legal needs. In response, many have called for training other trusted professionals

and community volunteers, such as social workers, librarians, counselors, community leaders, educators, and everyday citizens, with the skills and knowledge needed to assist people navigating legal challenges.²⁶

All these arguments are worthy of consideration but need not stop the flow of help to people who need it. Many, if not most, of the projects and ideas recounted in this report can be adapted and implemented in the present civil justice ecosystem, without any overhaul of existing regulations. This is important to emphasize: significant change can be achieved today, given resolve, more funding, and a pluralistic and pragmatic strategy.

Achieving Civil Justice is based on a vision that is fundamentally people-centered, recognizing that lawyers and judges must work in partnership with and be supported by a wide array of civic, nonprofit, business, and community leaders. This approach seeks to drive understanding, cooperation, and collaboration about the right-sized roles for each system actor, while acknowledging the essential participation of those being served. Enabling all Americans to have access to justice—truly scaling improvements and changes—will require a broader range of people working together, from many disciplines. This report argues that this vision is achievable, already being enacted in various places and projects, and is ready now for adaptation and replication.

A Guide to the Chapters that Follow

Achieving *Civil Justice* is designed for many audiences. The goal is to spark new conversations and inspire new thinking. The civil justice movement has focused on the urgency and magnitude of the crisis, and rightfully

REINTRODUCING THE CIVIL JUSTICE GAP

so. This report adds a collective framing for how civil justice progress can be achieved. It, and the examples it showcases, will jumpstart new conversations about what can be done to serve unmet legal needs. Connected, robust networks of professionals and organizations are collectively working toward a common vision. Actors include state supreme courts, bar associations, members of state and national legislatures, organizations of lawyers and other professionals who deal with law, and law schools. But they also include organizations of tenants, veterans, small business owners, intimate partner violence support groups, entrepreneurs, business leaders, advocates, technologists, and many more with an interest in expanding access to justice.

The efforts described here emphasize collaborative ways to not only develop but also scale projects and proposals. They will capture the interest of the widest possible group of stakeholders and encourage actionable steps to close the justice gap.

The first part of *Achieving Civil Justice* sketches the scope of the civil justice problem. The second part offers examples of efforts that are addressing the problem through research, experiments, and improvements to legal systems. As the second part describes in detail, commitments and initiatives across many institutions and organizations built the civil justice movement's momentum, resulting in the strategies described in this document. Finally, the third part distills best practices from those experiences and ends with four actionable steps that new and interested organizations can take to put justice within reach of more Americans.

This report, of course, is not the end of the inquiry. As the legal landscape evolves, and as more people and organizations develop successful models, insights, and approaches to close the civil justice gap, more opportunities to collaborate and contribute will later emerge.

Justice for only those who can afford it is neither justice for all nor justice at all. If the justice system is to deliver on the faith America asks people to place in it and on the values it claims to preserve, greatly improved access to justice is an imperative.²⁷

—Nathan L. Hecht, Chief Justice of the Supreme Court of Texas



Current Success in the Civil Justice Field

The American justice system is a mosaic of hundreds of jurisdictions and policies. Necessarily, the movement to expand access to civil legal assistance and information involves numerous local experiments, research, and other efforts that result in some successes and some failures. When those efforts work, they allow others to observe and then use the knowledge gained to replicate proven solutions or adapt those approaches for the specific needs of their own jurisdictions and communities. Often, enthusiasm for a solution spreads because civic activists, philanthropists, professors, policymakers, or others can envision how to stop small, human-sized problems from snowballing into devastating and costly legal crises, such as eviction, destitution, hospitalization, and criminal conviction.

Bringing Justice Out of the Courthouse to the People Who Need It

A major barrier to civil justice is the widespread lack of understanding of a simple fact: many personal and social problems have a legal side and thus a potential legal solution. The optimal moment to tackle a civil justice crisis is early on, ideally when legal knowledge in hand can forestall major court cases down the road. To offer that help, frontline workers already involved in everyday life problems—healthcare workers, librarians, educators, advocacy organizations, social workers, teachers, even retirement home staff—can be trained to recognize and respond to legal issues before they become catastrophes.

Training community members to deliver help where it is needed

Alaska is vast in acreage. It has the nation's lowest population density, only 1.26 inhabitants per square mile. Its 733,391 people—roughly the population of Vermont—are spread out across 665,384 square miles, a territory greater than that of Texas, California, and Montana combined. Many communities are connected to the rest of the population only by air, boat, or snowmobile.²⁸

Nikole Nelson had just stepped into her role as executive director of Alaska Legal Services Corporation (ALSC), Alaska's statewide legal services organization with twelve offices across more than one hundred and sixty communities, when she made a site visit, traveling to an isolated Alaskan Native village that was not connected to any road system. Asked by village residents how to process and enforce

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

protective orders in domestic violence cases, she explained that the legal procedure was simple: register the order at the local courthouse, then have local police serve the order on the defendant and urge the petitioner to wait in the local shelter until then. Locals responded that the village had no state courthouse, local police force, or domestic-violence shelter. The insight into the community's actual needs transformed Nelson's understanding of the task ahead. She spent the next three days working with the community to establish plans for registering a protective order with the nearest courthouse, flying in sheriffs to deliver and enforce orders, and engaging with local community groups to secure alternatives for sheltering impacted families.

The Alaska Supreme Court's Access to Civil Justice Committee was aware that a vast proportion of urgent civil justice cases involved individuals unrepresented by anyone with legal knowledge. To better understand the issue,

the committee applied for and received a Justice for All Initiative grant administered by the National Center for State Courts (NCSC) and supported by the Public Welfare Foundation, the Kresge Foundation, the Open Society Foundation, and the JPB Foundation.²⁹ The 2016 grant provided funding to take an inventory of the state's civil legal resources and legal needs as part of developing a strategic implementation plan, making Alaska one of ten states in the first cohort funded through this initiative. Through this project, they surveyed Alaska social service providers already on the front lines, many of whom worked closely with Native Alaskan nations.

The Access to Civil Justice Committee then worked with the Self-Represented Litigation Network (SRLN) to develop a geospatial visual map of social, medical, and information service providers across the state, along with the infrastructure anyone would need to access those services, such as roads, mobile phone



Nikole Nelson (Frontline Justice) shared her experience on the “People-Centered Civil Justice” panel at the Making Justice Accessible Summit at the American Academy of Arts and Sciences, March 2024. **Matthew Burnett** (American Bar Foundation) also participated in that panel discussion.

service, and internet.³⁰ The committee discovered that many villages were isolated, having no legal professionals within one hundred miles. Seeing a visual representation of these gaps across the state pushed the committee to explore more solutions.

This research also uncovered a similar gap in the provision of medical services, making clear that community health programs faced the same problem: too few medically trained nurses and doctors to serve such a vast territory.³¹ Instead of reinventing the wheel, ALSC adapted a solution already in use by community service providers. The solution was straightforward: train local community members to be health aides who can handle basic needs.³² By partnering with health aides, tribal social workers, and other trusted community members, ALSC's legal team developed training for a statewide cadre of "community justice workers."³³

With continued support from LSC to improve training and participation in the program, this cross-disciplinary model proved effective in serving remote communities. Moreover, the community justice workers who partnered with ALSC were empowered to expand the services they were providing. Impressed by this success, the Alaska Supreme Court approved a waiver of regulations that banned anyone except licensed lawyers from offering legal information or advice—so long as they completed training provided by ALSC, accepted ALSC supervision, offered services exclusively through ALSC, and informed clients in writing about their community justice worker status.³⁴

As of July 2024, the Alaska Community Justice Worker Program, or CJP, has recruited and trained more than five hundred community justice workers in forty-seven Alaskan communities.³⁵ The program has been

so successful that it received a \$1 million 2022 CIVIC Innovation Grant from the National Science Foundation (NSF) to expand further. NSF awards those grants only to programs that successfully engage local communities, work across disciplines to achieve urgent goals, and show real-world proof that a community benefits.³⁶ In other words, CJP is a proven and effective approach to closing the civil justice gap.

Arts and culture projects to empower residents and promote trauma-informed housing policies

The NuLawLab at Northeastern University School of Law also draws on community insight and local knowledge in its work.³⁷ By placing culture at the center of organizing strategies and engaging with community-invested artists, the NuLawLab uses the arts to foster more trauma-informed policies consistent with community experiences. The NuLawLab's Stable Ground program brings together law students, legal experts, artists, community-based housing justice organizations, and the City of Boston's Office of Housing Stability with members of the community to understand the human impact of the housing crisis through participatory, community-based arts and culture programming.³⁸ The NuLawLab's arts projects, such as poetry workshops in which participants can express their experiences with chronic housing instability and insecurity, connect housing policy decision-makers with the very people those policies impact.³⁹

Because of these relationships, the NuLawLab and its partners were able to launch the Stable Ground: Boston Housing Support Stations, a project to assist with pandemic-related rapid-relief efforts.⁴⁰ The stations are designed to provide local residents with access to computers,

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

internet, and printers, as well as law student volunteers who can help residents use that technology to access government and nonprofit resources for securing housing stability. The goal: to give Boston residents greater confidence in courts and legal aid organizations and reduce alienation and fear. Funded by the Kresge Foundation's Arts & Culture program, the Stable Ground program helped build the foundation for this collaboration with an impressive group of organizations: the City of Boston's Artist-in-Residence and Office of Housing Stability, Maverick Landing Community Services, City Life Vida Urbana, Tuft University/School of the Museum of Fine Arts, Suffolk University Law School's Legal Innovation and Technology Lab, Ropes & Gray, and Runcible Studios. The NuLawLab works with its partners to help the Boston government design responsive programs that help orient services and policies to better serve residents.

Offering Legal Services Through Providers People Already Turn To

Another approach involves offering legal assistance in places people regularly go for help: doctor's offices, libraries, and city and community events where civic and local organizations meet residents. Much as annual check-ups can provide early warning signs for health issues, legal information and screening can be used to prevent legal problems from becoming legal cases—making it easier to resolve issues outside courts.

Medical-legal partnerships deliver better life outcomes

A vast number of the health problems Americans endure result from social issues, called “social determinants of health,” such as unsafe or unstable housing, lack of high-quality food,



Bethany Hamilton, Director of the National Center for Medical-Legal Partnership (NCMLP) at the Milken Institute School of Public Health, at the Making Justice Accessible Summit at the American Academy of Arts and Sciences, March 2024.

family violence, encounters with bias, or unsafe working conditions. Furthermore, Americans regularly turn to healthcare teams for help with medical or health concerns, while few regularly check in with lawyers about problems that could be legal. Healthcare systems are increasingly screening patients for unmet social needs or risk factors, including potential legal issues that contribute to health problems. Through medical-legal partnerships (MLPs), healthcare teams collaborate with legal aid organizations to receive specialized training on health-harming legal needs and the various legal services and resources available to patients. These teams can refer patients to dedicated partners at legal aid organizations who possess the expertise to prevent crises such as avoidable hospitalizations or homelessness. These referrals facilitate access to free legal services or pro bono volunteers, provide guidance to help patients and their providers navigate issues independently, and ensure that patients are able to access the resources, programs, and public services for which they qualify.

Here are two real-world stories to illustrate how this works.

Recognizing that Ms. Donaldson could benefit from legal help, the doctor referred her to a partner organization providing free legal services. The legal team successfully advocated for the landlord to remediate the hazardous housing conditions, in partnership with the pediatrician who shared a letter about why those conditions were especially harmful to Ms. Donaldson's asthmatic child and required urgent attention. In addition, the legal team reinstated her food stamps and secured rental assistance and additional benefits, improving her

financial situation and ultimately preventing her eviction. Her child's asthma attacks ceased, and the family avoided significant trauma and health harms by remaining housed.⁴¹

Dr. W is worried about her pregnant patient who is struggling with poor living conditions related to nonworking appliances, rats, and an unresponsive landlord. Fortunately, Dr. W's practice includes a medical-legal partnership that allows her to refer her patient to an attorney. When it becomes clear that new housing will not be ready by the time of delivery, the attorney secures temporary housing paid for by the landlord. When Dr. W's patient and newborn leave the hospital, she knows they will have a clean, safe apartment with working appliances.⁴²

Numerous organizations are working to make such interventions routine. For instance, at Georgetown University's Health Justice Alliance, law students supervised by a law professor work alongside the healthcare teams at Medstar Washington Hospital Center.⁴³ Here the learning goes in many directions. Students learn about the real-world health consequences of legal issues. Healthcare workers learn about legal resources for patients whose life situations are harming their health. Patients learn that legal help can alleviate their medical problem, and they walk away with referrals that are just as important as inhalers or blood pressure medicine in improving the quality of life.

Georgetown's Health Justice Alliance is just one example. Medical-legal partnerships have spread quickly. The movement has trained thousands of healthcare professionals to spot legal issues that are hindering health and to

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

refer patients to the appropriate resources. Currently, almost five hundred MLPs across the United States are helping patients find legal resources. Of course, with a population of 340 million people, five hundred is not enough.⁴⁴ But it is a start. For those interested in learning about or instituting one of these efforts, the National Center for Medical-Legal Partnership has led much of the research and offers guidance on MLP implementation and practice.⁴⁵

In a breakthrough, federal funding can be used to support access to civil legal services. In 2014, the Health Resources and Services Administration (HRSA) recognized civil legal services as an “enabling service,” meaning that health centers can use federal dollars to pay for on-site legal assistance for patients.⁴⁶ Since then, the U.S. Departments of Housing and Urban Development (HUD) and Health and Human Services (HHS) agencies have endorsed using Medicaid dollars to fund efforts to tackle and improve social determinants of health in coordination with housing programs, launching a new federal initiative in 2024 known as the Housing and Services Partnership Accelerator to strengthen partnerships across housing, disability, aging, and health sectors.⁴⁷ In February 2024, eight states and the District of Columbia were selected to participate in the Accelerator. Participating state Medicaid agencies, in collaboration with their state and local housing partners and disability and aging networks, health, and behavioral health system partners, will join in peer-to-peer learning, state needs assessments, and meetings with agency and subject-matter experts to design housing-related activities that improve service delivery to individuals experiencing housing insecurity.⁴⁸

Other federal agencies are also leveraging medical-legal partnerships. HRSA joins other

federal programs investing in MLPs, including the Office of the Administration for Children and Families’ Medical-Legal Partnerships Plus grant program that strengthens and expands long-standing MLPs by introducing social service navigators, increasing collaboration with social services organizations, and contributing to a knowledge base around MLP best practices. MLPs are also part of the U.S. Department of Veterans Affairs’ strategy for coordinating better care for veterans. The VA’s National Center for Healthcare Advancement and Partnerships offers resources, funding opportunities, and operational support for more than thirty MLPs at veterans affairs facilities nationwide.⁴⁹

Medical-legal partnerships are important in themselves, offering opportunities to significantly improve quality of life by approaching several life challenges at once. But they also help answer the problem mentioned at the beginning of this section: That all too often, Americans either do not realize they need legal help or they do not know how, when, or where to obtain it. If they learn at the clinic that more solutions are available, they become more likely to turn to such services in the future or refer family and friends to them. That builds community resilience, dispelling the helplessness, defeat, and despair that can prevent people from even trying to improve their lives—building instead a sense of individual and community efficacy and possibility.

Legal kiosks and information centers in public spaces

Medical systems are just one option for heading off larger crises. Some states make legal aid information available through kiosks in community spaces like libraries, so that people who seek information can get help directly from trusted sources such as legal aid

organizations and courts. A2J Tech, a public benefit corporation designing technology services and solutions for increasing access to justice, has partnered with civil justice organizations to install over three hundred such kiosks across ten states.⁵⁰ Kiosks such as these serve as information terminals that can deliver plain-language guides, legal referrals, information about interpreter services, and even access to public computers, internet, or other devices for attending virtual hearings. In some cases, legal aid teams can train librarians, staff, or volunteers to help patrons find resources, understand filing requirements and procedures, and identify documents they need to move forward on their own. Since installing its first such kiosk in 2022 in Marion County, the state of Indiana has installed more than one hundred fifty kiosks in local courts, public libraries, and public assistance offices.⁵¹ In

twenty Texas locations, users can find a virtual court kiosk at a public library or other community space from which to attend virtual courts if they lack adequate access to devices, cellular data, or internet services of their own.⁵² And, for the last twenty years, Illinois Legal Aid Online, a nonprofit independent of the court, has developed a suite of websites available in every county delivering self-help to residents, specialized legal information on common issues, and training for volunteers and other providers on how to provide legal information.⁵³

The pandemic prompted some of these innovations. With courts and legal aid offices closed nationwide, LSC took note of the many Americans who were turning to public libraries for internet, information, language, and other services; thanks to those resources,



Legal kiosks, like this one in Minnesota, allow users to access legal information in places they already visit.

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

they were nevertheless able to access virtual services despite pandemic closures. This prompted LSC to partner with an existing library technology nonprofit to produce a series of online webinars designed to train public librarians to point their users toward essential legal information, being careful to ensure that the information provided did not cross the line into being the kind of legal advice that only lawyers may provide.⁵⁴ With funding from the Susan Crown Exchange Foundation, the Mellon Foundation, and LSC itself, the group worked with a nonprofit cooperative known as OCLC, a global library support organization offering technology services, original research, and community programs in line with public libraries' missions. The result: a series of free, self-paced courses that train library staff to ask patrons the right questions and help them find the resources and information needed to tackle their civil justice questions.

Called "Creating Pathways to Civil Legal Justice," these courses are hosted on WebJunction and are available for free to anyone, not just librarians.⁵⁵ OCLC and LSC, in consultation with law libraries, continue to create new training modules that help with issues surrounding evictions or natural disasters. Since they are free and available to anyone, these courses might be useful for people working in other public settings. Could early education about the civil justice system and the organizations serving legal needs become a component of civics in high schools? Could providing information about legal services, programs, and resources in other public spaces—say, a train station kiosk with basic legal information or a public gathering in a park—help too?

Services do not need to be delivered in buildings

There is no reason why civil justice cannot go to those who need it, rather than waiting for people in need to come to the court or legal aid office. Although this can be an effective delivery tool, it is too infrequently used. In Salt Lake City on the third Friday of each month from April to October, the Salt Lake City Justice Court is open (weather permitting) for sessions that take place on canoes or kayaks along the Jordan River or on bikes or walking trails.⁵⁶ Recognizing the difficulty of serving the legal needs of those experiencing chronic housing instability, the Justice Court identified a novel way to reach the growing encampment along the city's Jordan River. Courts and lawyers may not be the best first contact for those with negative experiences with legal systems. Recognizing this, the Justice Court contacted the Salt Lake City Housing Stability Division and organized a volunteer group of public defenders, defense attorneys, judges, social workers, and community members to work as a team for what are called Kayak Courts.⁵⁷ Social workers paddle, bike, or walk ahead of legal teams to identify people open to talking about their legal needs. Caseworkers lead with trauma-informed practices to match individuals who want to work with volunteers, who provide assistance and make a connection if an individual feels safe receiving the service.

Similarly, in Tennessee, you might come across a light-blue cargo van with large print text calling itself the Tennessee JUSTICE BUS.⁵⁸ This mobile law office is outfitted with computers, tablets, a printer, internet access, video displays, and office supplies to help lawyers and other volunteers provide light-touch, on-the-spot access to legal help. Tennessee is not alone—justice buses, or mobile



The Tennessee Justice Bus

legal information hubs, have been launched in Minnesota, Louisiana, and Ohio.⁵⁹

Partnerships and collaborations across sectors can weave together services responsive to community needs. And they need not be based in a courthouse or legal aid office. These efforts are underway across the country, with many looking for stabilizing support to help replicate or scale these programs and raise awareness about these services.

Using Technology to Streamline Access to Assistance

Not everyone qualifies for free or reduced-cost access to lawyers' time—or can find such assistance even if they do qualify. As a result, part of the answer to the civil justice crisis must be streamlining access to legal information, simplifying interactions with courts, and

making guidance and information available in plain and multiple languages rather than legal jargon. To ensure that every American can find basic legal information, file simple court documents, or “appear” in court without having to enter a courthouse, civil justice organizations in a variety of jurisdictions are investing in improving online access. The pandemic jumpstarted much of this innovation.

Websites with trusted information for the public

The nonprofit Pro Bono Net (PBN) had been designing products that enable legal aid organizations to launch websites and other tech-enabled services of their own. Established in 1999, PBN is a national nonprofit organization committed to increasing access to justice through innovative technology solutions and collaboration within the legal

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

community. States use PBN's LawHelp.org website platform to customize information and resources for patrons from their state, and PBN has introduced additional tools such as automated document assembly interviews through its product LawHelp Interactive.⁶⁰ Launching and improving these websites is supported through LSC's Technology Initiative Grant program and other funders, or directly in a legal aid organization's operating budget.⁶¹ These legal aid websites provide vetted legal information and referral options to patrons that are sensitive to local rules, and they help legal aid organizations deliver resources they develop for all to use.

Technology to assist self-represented people

Often, new technological tools and services for legal aid come from university innovation hubs specifically dedicated to making it easier for Americans to seek justice. For instance, in

Boston, the Suffolk University Law School Legal Innovation and Technology Lab (LIT Lab) works to develop law-related technologies based on current data science, artificial intelligence, and document automation.⁶² As the pandemic began, many in Massachusetts—as in much of the country—were laid off and unable to pay rent. They received eviction notices even after the Centers for Disease Control and Prevention (CDC) declared an eviction moratorium. Courts were closed. To simplify efforts to get emergency assistance, the LIT Lab partnered with Greater Boston Legal Services and the Massachusetts Law Reform Institute to create its Document Assembly Line project, which gathered a network of a hundred volunteers on five continents to automate the relevant court forms and self-help materials in numerous languages.

Within twenty-four hours of the moratorium, Massachusetts residents could go to the resulting website—on mobile phones if



The Legal Design Lab at Stanford University Law School.



Quentin Steenhuis (Suffolk University Law School) presents about the Suffolk LIT Lab at the Making Justice Accessible Summit at the American Academy of Arts and Sciences, March 2024.

necessary—and fill in a simple form that asked key questions in plain language. The program then produced a completed court filing PDF that could be downloaded or printed, no legal knowledge required. The result: printable and enforceable demand letters to hand or email to landlords, employers, and others. Roughly six thousand people used the form within the next month—when just the month before they would have had to create these forms on their own to claim their right to stay in their home.

In 2020, the Massachusetts Appeals Court approved an order authorizing the LIT Lab to prepare and submit court filings through its program.⁶³ Known today as Court Forms Online, the project is hosted by the LIT Lab and now works with partners in other tribal, state, and federal courts across the country.⁶⁴ Currently, the LIT Lab is staffed through a clinic with twelve students and several volunteers

who work on projects all year long. The project was intentionally built on an open-source platform known as docassemble and shared on GitHub under an MIT license so that others can improve the system or adapt it in their own jurisdictions.⁶⁵

Finding information without needing to know legal jargon

Another LIT Lab project, an AI-powered legal issue spotter called Spot, aims to improve how people discover legal information. A website or chatbot built on top of the Spot-API can help users identify legal issues and the help needed to resolve them. Someone who is not a lawyer types or speaks their description of a problem, in ordinary language. Spot responds with a list of legal issues the problem could involve, making it easier to look up possible courses of action. The list of legal issues itself

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

comes from a national taxonomy, the Legal Issue Taxonomy (LIST), developed in collaboration with Stanford University School of Law's Legal Design Lab.⁶⁶ As with Court Forms Online, the project is designed to enable others, like nonprofit and legal aid organizations or courts, to build interfaces such as chatbots and websites that connect users to appropriate legal information without needing the legal expertise of a lawyer.

Modernizing and improving how cases move through the system

On a larger scale, Stanford Law School's Legal Design Lab and Deborah L. Rhode Center on the Legal Profession have launched the Filing Fairness Project.⁶⁷ Supported by the Ford Foundation and the Mousetrap Foundation, the project is working with key stakeholders from numerous jurisdictions to agree on basic requirements for court filings and to eliminate unnecessary or outdated requirements like notarized signatures. By helping these different states coordinate the information they will need and reach consensus on reasonable fees, the project plans to standardize court filings and develop easy-to-use forms. These forms will reduce the burden for getting emergency help for such issues as partner violence, missed child support payments, debt collection, and eviction notices.

In early 2024, the Superior Court of Los Angeles County, the nation's largest trial court system, announced a partnership with the Rhode Center and the Legal Design Lab to research, design, and implement innovative, evidence-based approaches to reduce barriers to participation in the judicial process—improving access to justice for all court users.⁶⁸ The primary focus of the project is on case types with high percentages of self-represented

litigants, including eviction, child support, and debt collection actions. Efforts to build partnerships across governments, states, and private sectors—like the collaborative work underway in Los Angeles—are helping to reveal a fuller picture of opportunities to address civil justice gaps.

More accurate data would help these projects expand. How many cases are coming through the U.S. legal system? What proportion involve individuals who represent themselves? Whom do evictions hurt the most? How many cases concern one party defaulting—thus leading to eviction or wage garnishment—for lack of information about how to respond to a court notice? Simply *collecting* that data is an enormous challenge, since every jurisdiction maintains slightly different information in incompatible formats. Worse, many local court systems still conduct their operations on paper, with physical case files sorted by hand, making that data nearly impossible to collect from a distance.

Supporting tech-enabled courts for better policy

For that reason, The Pew Charitable Trusts (Pew) launched a project to explore civil court modernization.⁶⁹ This multiyear effort worked to enable state and local courts to update their technologies and simplify court processes for more streamlined services court users could navigate effectively. Pew invested in several proof-of-concept projects, sharing its technical capacity to support new technology and sending in skilled staff to help. Partnering with states, Pew helped aggregate, synthesize, and report court data to further understand strengths and areas for improvements.

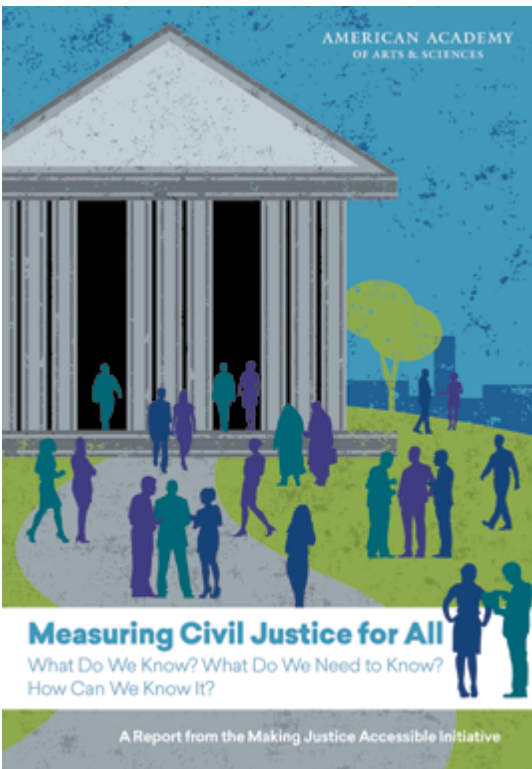
Identifying a lack of national consensus about how to move courts toward modernization,

Pew brought together a working group of its partners to conduct a literature review, share insights about court technical capacity, and uncover common roadblocks across court systems. The result: a civil court modernization toolkit that gives courts resources to become tech-enabled by prioritizing court openness, effectiveness, and equity in court operations. The toolkit includes a series of fact sheets that make the case for this investment and offers guidance on standardizing data and simplifying court processes, making legal information clear and useful for everyone regardless

of whether they have legal representation, and using the resulting data.

Pew also helps raise awareness of the challenges and opportunities for reform in the way courts handle debt cases. Through this project, for example, Pew partnered with the Community Foundation of Greater Chattanooga (CFGC), Tennessee, and the Hamilton County, Tennessee, General Sessions Court to look at the civil court debt collection process and how it affects county residents.⁷⁰ The research revealed key insights. First, the vast majority of debt collection cases in the county ended up in default judgment simply because the person who was sued did not show up to defend themselves—suggesting serious deficiencies in the notification process, which left those sued uninformed about their responsibilities, options, and the consequences of not responding.⁷¹ The study revealed that more than half of debt collection cases resulted in default judgment, enabling debt collectors to garnish as much as a quarter of a worker's paycheck and all the money in their bank account. Those levels of garnishment and account seizure can be devastating for the people who are already struggling financially, and unable to afford necessities such as food, housing, and healthcare.

Once a debt collector files to garnish an individual's wages, that person's employer receives a notice to begin withdrawing the money. The employer then has twenty-four hours to notify the employee and ten days to calculate the amount they are permitted to garnish, fill out the paperwork, and send the garnished pay to the court. During this time, if the employer makes a mistake or misses the deadline, the debt collector, who may not even live in the state or be able to prove they are owed the debt, can haul the employer into court—in essence,



Led by Academy Member **John M. Hansen** and **Rebecca Sandefur**, the Academy's Making Justice Accessible Project published the whitepaper, *Measuring Civil Justice for All*, that provides a national blueprint for the collection of data about civil justice activity in the United States. Available at www.amacad.org/publication/measuring-civil-justice-all.

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

holding the employer liable for its employee's debt. As a practical matter, the General Sessions Court was being used by debt collectors, many of them located out of state, to extract wealth from employees *and* their local employers. For small employers, this proved to be a tremendous burden. Court data analyzed for the study showed that, from 2016 to 2022, debt collectors took four hundred fifty-eight Hamilton County businesses to court for alleged mistakes in garnishment processing. In 60 percent of those cases, the employer ended up having a judgment entered against it.⁷² The main lesson: neither those who were sued nor their employers had the necessary information, instructions, or access to assistance to understand how to respond, navigate, and defend against these lawsuits.

The Community Foundation of Greater Chattanooga's report gained attention not just from those small businesses, the mayor's office, the General Sessions courts, and the legislature. Pew's partnerships with the CFGC redoubled the county's efforts by bringing in the necessary technical capacity to scale the investigation needed to examine and improve the process to better serve its residents, enabling targeted local policy solutions to help consumers

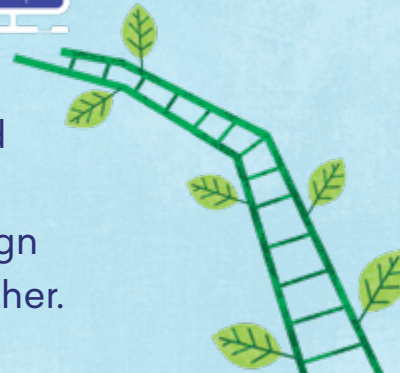
to know their options and helping small businesses realize and fulfill their responsibilities earlier in the process.⁷³ And this was not the first project the Hamilton County General Sessions judges had worked on. Through long-term engagement with local partners like the CFGC and on projects with national organizations like Pew, the county courts have worked to update local rules to improve the debt notification process, advocating for meaningful changes that would require debt collectors to provide stronger evidence in their filings, improving notices by updating them to be written in plain language, and explaining the details of the debt in question.

In 2024, the Tennessee legislature passed a law requiring third-party collectors, such as debt buyers and debt collection agencies, to disclose certain details about a debt and their authority to sue on it when filing a lawsuit.⁷⁴

Expanding technology capacity and skills in courthouses

The Georgetown Law Justice Lab has launched an initiative with support from Schmidt Futures, the New Venture Fund, the Pew Charitable Trusts, the State Justice Institute, and

The audit also uncovered the fact that case numbers printed through the court's system were too small to read. A simple request to the IT department resulted in an immediate win, and the court now works to achieve bigger wins by bringing together court and county staff to design ways for their technology systems to work together.



the Utah Bar Foundation to recruit developers who can help courts create needed tools and data infrastructures. Through the Judicial Innovation Fellowship program, technologists, designers, and data scientists are placed within state, local, tribal, and territorial courts.⁷⁵ Fellows working with courts in Utah and Kansas are bringing technology sector standards and skills to make these civic institutions effective and accessible. Utah's statewide Self-Help Center website is making it easier to find the most important actions to take and streamlining access to court-approved forms and self-help guidance. In Hamilton County, Tennessee, building on the relationships and lessons from its work with Pew, the General Sessions Court and County Mayor's Office asked its fellow to conduct an audit of the court's data system. In addition to revealing interoperability issues between the court and county governments' case management systems, the audit also uncovered the fact that case numbers printed through the court's system were too small to read. A simple request to the IT department resulted in an immediate win, and the court now works to achieve bigger wins by bringing together court and county staff to design ways for their technology systems to work together.

Just like healthcare and legal teams learn from each other through medical-legal partnerships, cross-training through the Judicial Innovation Fellowship projects enables critical process improvement. For example, court professionals working with fellows now use notion and kanban boards (already well-known to technology professionals) to manage project tasks and timelines across their program. Through the fellows' projects, county government, courts, legal aid organizations, community members, and technologists are meeting in working groups that never existed before the program was launched.

These projects reveal that, when courts can invest in basic digital infrastructure, technology solutions can be leveraged to help people with legal problems.

Expanding the Supply of Affordable Legal Assistance

Helping Americans handle basic legal tasks on their own, even with technology, solves only so much, however. Sometimes people will need assistance from a human being. Some small businesses and working- or middle-class Americans might be able to find solo practitioners or smaller law practices they can afford, but more low-cost services are needed. Although law practices are common in cities and larger towns, many cannot afford to serve low- or middle-income clients even when they are motivated to engage in some level of pro bono work. Outside cities, not enough lawyers are available, period, for those who need help with their civil legal problems.

More affordable services are sorely needed

One way to increase the supply of affordable services is to empower more small and solo practitioners to offer reduced-cost assistance. While technology can reduce operating costs, running a practice alone or with a small team can still pose a challenge. That is where incubators can help. The ABA's Standing Committee on the Delivery of Legal Services published a comprehensive survey in 2021 that highlighted seventy lawyer incubator programs in law schools across the country.⁷⁶ These programs, designed to support solo and small practice lawyers to develop and launch law practices, offer meeting space, mentoring, and training to licensed lawyers and support them in designing services and fee structures. While each

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

program is structured differently, the survey found an overarching interest in access to justice, exposing lawyers to unbundled and limited-scope services and alternative fee structures that help reduce costs for clients. Of these programs, 80 percent encouraged lawyers to establish practices that address the needs of low- and moderate-income individuals.⁷⁷

Every state permits some form of unbundled services or limited-scope offerings by which legal costs can be reduced by having an attorney assist in discrete tasks rather than provide full representation.⁷⁸ A lawyer might prepare only court documents, or the client might fill out the documents and work with a pro bono attorney or low-cost attorney to represent them in court appearances only. These limited services, like preparing a will or filing an uncontested divorce, can be offered for a flat fee. For other cases, lawyers might base fees on a client's ability to pay, determined by, for example, income and family size.

The traditional lawyer-client relationship—in which an attorney agrees to represent a client—can still be prohibitively expensive. Even with these alternative fee structures and limited-scope services, costs can balloon quickly. So how can we help more Americans get the aid they need? Simply increasing the numbers of qualified, licensed attorneys willing to offer their services pro bono or at low cost will not solve the entire civil justice gap. Every effort, however, can contribute to the solution.

More lawyers who focus on unmet needs are essential

Encouraging law schools to graduate students to be ready for such work is another way to close the civil justice gap. Law schools have already adapted their curricula so that graduates

are ready to practice, adding clinical and experiential training programs to their offerings, but too few such programs dedicate concentrations and curriculum to the civil justice gap. And while most well-resourced law schools have the resources to support collections of clinical programs on a range of issues, such as housing, criminal justice, immigrants' rights, civil rights, and other discrete areas, many law schools cannot afford these programs or must focus on specific types of issues. The necessary student-to-faculty ratio, engagement with practitioners, resources to investigate problems and appear in court, and student interest often limit the longevity and sustainability of such clinical programs. Moreover, the focus remains on preparing clinical students to provide direct services to clients through a law practice model, rather than opportunities where law students learn and apply the skills they will need for civil justice careers. These include experiences proposing and managing public and private grants, producing self-help resources and standardizing court forms, conducting focus groups with communities and other system actors, collecting data and evidence as part of research and evaluation, or managing technology projects and contracts with vendors.

Legal education and licensure should be accessible

Reducing the cost of law school would also help. The average law school graduate owes upward of \$130,000 for the cost of attending law school, including school fees, cost of living, and undergraduate debt.⁷⁹ Even for a law school graduate, getting authorized to practice law is difficult and expensive, costing thousands of dollars just to study, register, and sit for a state bar exam. And since the bar is graded on a curve—guaranteeing that many will fail—the exam must be taken more than once



Leaders from Oregon that worked on the Oregon State Supervised Practice Portfolio Examination project stand on a stage to accept the IAALS 2024 Rebuilding Justice Award, given in recognition of their leadership, innovation, and role in catalyzing national dialogue on licensure reform.

by some law graduates. To lower this barrier, several states—including Washington, Oregon, and New Hampshire—now have some form of alternative licensing options.⁸⁰

Leaders from the Oregon Board of Bar Examiners, the Oregon State Bar Exam, and the Oregon Supreme Court convened a task force to expand the number of attorneys authorized to practice in the state by offering an alternative path to a traditional bar exam. Given the state's legitimate interest in testing the competency of new lawyers, the task force engaged lawyers, judges, bar examiners, practitioners, students, and stakeholders in other states pursuing similar efforts to design a program that addressed these concerns. The resulting alternative approach to licensure, the Supervised Practice Portfolio Examination, offers a rigorous apprenticeship supervised by experienced lawyers; examiners then look at the applicant's portfolio of work to assess their practice skills. Instead of sitting for the traditional bar exam,

candidates that apply for this new pathway must complete a 675-hour paid apprenticeship under a qualified supervising Oregon-licensed lawyer, leading at least two initial client interviews or client counseling sessions and at least two negotiations, and producing at least eight pieces of written work product.⁸¹

In California, the California State Bar Board of Trustees approved a program to develop its own portfolio-based licensure pathway. The California State Bar proposed the project after securing a commitment from the Bay Area Legal Services Funders Network (LSFN) that offered to fully fund the start-up costs, which could run to \$425,000.⁸² LSFN also works to increase the number of public interest lawyers by funding fellowships throughout the state.⁸³ Law firms and nonprofits similarly sponsor dedicated fellowships for early career public interest lawyers. All of these efforts are improving the supply of lawyers, and more can be done to increase the supply of legal help.

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

Expanding the Workforce of Civil Justice Professionals

In the civil justice system, individuals can have a lawyer assist them, first with advice, judgment, and experience to evaluate the claim at issue and then, if the matter remains in dispute, as an advocate in court. But the economics of legal practice put such advice and representation out of financial reach for millions. And since we know that, in two-thirds of civil cases, at least one party is proceeding alone, judges in trial, state, and administrative cases are put in positions where deficiencies in procedure—not the merits of a case—drive outcomes.⁸⁴

The key predicament here is that existing rules prohibit the “unauthorized practice of law” (UPL)—meaning that lawyers and only lawyers can furnish advice and representation. Furthermore, those who sit on the state bar associations and regulatory bodies that interpret these rules are also lawyers and judges. Lawyers get to decide what services fall under these rules. In a word, lawyers have a monopoly on providing legal services. They can and do charge prices that they believe are warranted, and, as individuals of free volition and professional prerogative, need not charge any less. Those prices, however, put their services essentially out of reach for most

Americans—for tenants, middle- and low-income families, retirees, and those who do not earn enough to pay. Thus, in the absence of a national constitutional right or federal statute, only states can combat this monopoly by permitting, say, paraprofessionals or technology to offer specific services to clients in need and reduce cost barriers to meaningful assistance.

Legal information is helpful even if it cannot be “advice”

Understandably, lawyers—having worked long and hard to master their profession—appreciate the value their skills provide compared to untrained competition. Also understandably, courts and legal profession regulators do not want rogues to advise individuals whose lives hang in the balance. But over the past decade, the movement for access to civil justice has started to persuade state court systems to view these prohibitions in a different light, driven by arguments that lawyers are interpreting UPL rules too broadly—and overregulating in ways that harm the most vulnerable. Most states have developed policy guidance to distinguish between legal *advice*, which only lawyers are qualified to deliver, and legal *information*, which others can offer. Such policies, however, are not standard across states and depend on local court policy decision-makers.⁸⁵

Rethinking the line between advice and information can allow people without a law license, yet equipped with training and resources, to help close the civil justice gap.



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When legal advice is needed, other kinds of models have emerged that increase the supply of professionals able to provide more than legal information. According to the IAALS's June 2023 survey report of the U.S. legal landscape, twelve states now allow alternative legal services, from "allied legal professionals" to "community-based justice workers."⁸⁶ The former is the phrase IAALS uses to describe a tier of providers who are trained and certified to be a regulatory body that can offer legal advice and services for certain case types, without needing a bar license.⁸⁷ Community-based justice worker models train and certify individuals at community-based organizations to offer legal advice and services in certain case types in which the courts effectively suspend application of UPL restrictions. These models unlock services to low-income individuals and supply more legal help providers through removal, modification of, exemption from, or waivers of UPL restrictions. Texas has since joined the twelve states in IAALS's report that have begun to explore how people other than lawyers can 1) offer specific kinds of legal information on limited subjects; 2) prepare and file certain kinds of legal documents; 3) communicate with and review documents from the opposing party and the court; and 4) represent litigants at mediation and settlement conferences.⁸⁸

Opportunities to safely test pilot projects

Utah has launched a pilot project to enhance legal efficiency and access to justice. In 2020, after economists and legal scholars presented evidence of the state's access to justice gap, the Utah Supreme Court approved the creation of what it

calls a regulatory "sandbox": a live, time-limited project enabling the use and testing of various innovations, supervised by regulators.⁸⁹

The innovations involved two principal changes to the existing rules governing legal services. First, in the sandbox, entities could apply for approval for a business structure that would permit profit sharing among lawyers and nonlawyer entities, although such collaborations would otherwise violate legal ethics Rule 5.4, which is designed to limit nonlawyer investment in law firms. Second, certain legal services could be provided by nonlawyers in special circumstances. These experiments would gather data and enable the court, bar authorities, and other stakeholders to evaluate successes and failures.

In 2022, the Deborah L. Rhode Center on the Legal Profession at Stanford Law School issued a comprehensive report on the sandbox projects.⁹⁰ The report found that most of these experiments offered legal services to individual consumers and small businesses, not big corporations. Waivers of UPL rules enabled technology and those who did not hold a law license to offer support. Nonprofit groups offered meaningful legal services to indigent clients and others who might otherwise have been shut out of the civil justice system. The report found no evidence that consumers suffered: No more consumer complaints were filed against sandbox entities than against traditional lawyers and law firms.

Design hubs convene stakeholders to make reform possible

In Arizona, the state supreme court, working closely with the state bar and other stakeholders, moved even further, eschewing a regulatory sandbox and formally repealing the rule

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

that prohibited nonlawyer investment in and ownership of private law firms.⁹¹ Such investment can now go to technology startups and other types of organizations that would normally be prohibited from sharing profits with lawyers under these rules. The same 2022 Rhode report described above found that because of the repeal, more Arizonans could access justice, with no reported complaints.

Straddling the border between the two states, the Innovation for Justice (i4J) process design hub, cohosted by the University of Arizona James E. Rogers College of Law and the University of Utah Eccles School of Business, focuses on looking at how human beings use systems and processes, and then works to analyze and streamline how things get done by codesigning solutions *with*, not for, communities.⁹²

To show how restrictions on the unauthorized practice of law made it harder to help those with legal problems, i4J interviewed and then repeatedly convened a range of system actors—domestic violence survivors and advocates, social services providers, healthcare providers, mental health professionals, regulators, attorneys, judges, community members, and more—to consider what new service models

could better connect those in need of legal help with resources. This working group emerged with agreement on minimum standards to allow i4J to engage advocates to assist and advise self-represented survivors through the court system. The result: Arizona’s Licensed Legal Advocate (LLA) Program, which launched in 2020 as a two-year pilot project allowing i4J to train and license domestic violence advocates.⁹³ In 2023, following the completion of the pilot period, the Arizona Supreme Court authorized the program for statewide expansion.⁹⁴ That success helped create pathways for similar projects i4J has since launched in Arizona and Utah to help communities experiencing medical debt, housing instability, and other frontline issues.

Stanford’s Legal Design Lab (LDL) works similarly to coordinate stakeholders in designing a legal process that satisfies all stakeholders’ concerns.⁹⁵ To help respond to the pressing problems that can cascade from evictions, LDL worked with the National League of Cities on the Eviction Prevention Learning Lab (EPLL), which brought together a cohort of thirty cities in a peer-to-peer network for learning about best practices, policies, and tools to prevent evictions.⁹⁶ The LDL maintains a website



Advocates-in-training and the i4J team meet in Arizona with U.S. Department of Justice’s Office of Access to Justice Director Rachel Rossi.



Once trained, these navigators can help people spot relevant legal issues and identify appropriate and basic legal actions to take, if necessary referring them to legal services lawyers.

These basic services provide information and guidance, rather than legal advice.

with resources collected through the EPLL and also profiles current initiatives targeted at the eviction crisis to help government and non-profits develop more effective responses.⁹⁷

These legal design hubs—NuLawLab, LIT Lab, i4J, Legal Design Lab, Georgetown Law Justice Lab, and others—can work with city and state governments and their courts in ways that most professional or advocacy groups cannot, convening participants around a shared problem in neutral territory to move solutions forward.

Navigators within communities are able and willing to assist

Oakland’s Legal Link, created in 2015, offers brief but intensive “legal first aid” training programs for housing advocates, librarians, civic-minded neighbors, or anyone moved to volunteer, training them to be what it calls “community justice navigators.”⁹⁸ As Legal Link puts it, the organization empowers “housing counselors, domestic violence counselors, immigration advocates, tenants’ union volunteers, and credit counselors, among others . . . [to] interface with legal issues and navigate clients through and around them to reach a resolution.”⁹⁹ Once trained, these navigators can help people spot relevant legal issues and identify appropriate and basic

legal actions to take, if necessary referring them to legal services lawyers. These basic services provide information and guidance, rather than legal advice.

The Georgetown Law Justice Lab has been helping other communities adapt the Legal Link model for themselves. A collaboration among Georgetown, Legal Link, Charleston Legal Access, and Charleston Pro Bono Legal Services started in the summer of 2022.¹⁰⁰ In the first six months of the program, the South Carolina Justice Navigators Network, supported by a Ford Foundation seed grant, trained more than one hundred twenty social services staffers in the tri-county area around Charleston to help clients spot and address legal issues before they become crises and court cases.¹⁰¹ The South Carolina pilot project inspired the similar Oklahoma Community Justice Network, which has been funded by the Oklahoma Access to Justice Foundation and uses federal Housing Stability funds.¹⁰² Caseworkers are also trained to use resources already available in Oklahoma, such as a curated legal referral search tool, and can access more than two hundred trainings on advanced legal issues. Within the first year of the program, Oklahoma trained five hundred civic volunteers as community justice navigators in their network; these volunteers are active in every county in the state.¹⁰³

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

Programs launched by nonprofits and membership organizations can train navigators

In addition to the “legal first aid” training in the tri-county area around Charleston, South Carolina now has a broader and more formal program. In 2023, the South Carolina Access to Justice Commission released a report revealing a statewide eviction crisis, with 99 percent of those in housing court representing themselves, and one in every ten tenants evicted every year.¹⁰⁴ South Carolina Legal Services had turned away more than two thousand people each year from 2017 to 2019 because it lacked resources.¹⁰⁵ The state affiliate of the National Association for the Advancement of Colored People (NAACP) recognized that not enough free and low-cost lawyers were available to represent all of its constituents who needed help—and that the best solution was to train individuals who were not licensed to practice law. But what to do about the state’s UPL regulations? In 2023, the South Carolina Conference of the NAACP sued the state, claiming that banning UPL was too restrictive and violated the First Amendment guarantee of free speech, drawing the line between expert advice and legal information.¹⁰⁶

The lawsuit has since been settled, with the state court agreeing to try out the NAACP’s Housing Advocate Program as a three-year pilot, training and certifying volunteers in this very limited area of law.¹⁰⁷ The NAACP must submit reports and data about the project’s successes and failures, measuring effectiveness in providing access to meaningful help with housing issues. The court will submit annual reports to the South Carolina Court Administration and the South Carolina Access to Justice Commission and evaluate after three years whether to allow a broader rollout.



Participants in the NAACP’s Housing Navigator Program in Columbia, South Carolina, sharing their reasons for joining the program after being interviewed by SC Appleseed.

South Carolina’s experiment not only provides an imaginative way to use people other than lawyers to deliver needed legal services, but also shows an alternative outcome in constitutional litigation related to UPL laws. In litigation brought by a financial education and civil rights nonprofit called Upsolve, the New York rule against the UPL was challenged as applied to their training program for volunteers.¹⁰⁸ The Southern District of New York agreed with Upsolve and granted a preliminary injunction preventing enforcement of the rules, finding that a content-based restriction of Upsolve’s training program and guidelines to volunteers was not justified. As of this writing, that decision has been appealed by the New York attorney general, who is asking the Second Circuit Court of Appeals to end Upsolve’s program to train volunteers and dissolve the injunction. Upsolve’s American Justice Movement trains volunteers to give basic legal advice to New Yorkers facing debt-collection lawsuits. These volunteers are trained to help people fill out a form that allows them to respond to a debt

lawsuit by checking a handful of boxes. Because of the complexity of constitutional litigation, this suit has gone on for nearly two years, effectively halting training of new volunteers as the case moves through the litigation process.

Negotiated experiments, such as in South Carolina, show one way that collaboration among interest groups can avoid an adversarial approach, yet each state must grapple with the conditions under which these efforts are launched. This collaboration between state legal authorities and other stakeholder groups could be a productive start.

In summary, the rise of alternative legal services providers is promising. Helpers who are not lawyers are not new in cases in which legal rights and protections are at issue. The Legal Aid Interagency Roundtable's (LAIR) 2023 report, *Access to Justice in Federal Administrative Proceedings*, highlights that federal agencies have long recognized the value of nonlawyer assistance and some will allow or have established formal accreditation programs to facilitate access in their proceedings.¹⁰⁹ These agencies include the Department of Veterans Affairs, the Department of Justice Executive Office for Immigration Review, the Department of Treasury Internal Revenue Service, the Department of the Interior Bureau of Indian Affairs, and the U.S. Patent and Trademark Office. Agencies that have accreditation programs offer training and provide protection to consumers when bad actors abuse their credentials to cause harm. Other agencies, like the Social Security Administration and the Equal Employment Opportunity Commission, do not have accreditation programs, but still allow nonlawyer help, providing applicable guidelines and education, such as for SSA qualified representative programs.¹¹⁰ Courts have also recognized the role of navigators within the

courthouse building, each with varying degrees of supervision.¹¹¹ Navigators come from a variety of backgrounds—court staff, AmeriCorps members, students—and cannot give legal advice, but they help people in courts navigate the courthouse, complete court documents, and some are even permitted to accompany litigants to hearings for emotional support and to answer factual questions asked by the judge.

Funding and Scaling Solutions

The progress these experiments have achieved has been with the backdrop of significant underfunding of civil justice and legal aid operations. In its most recent FY 2025 budget request, the Legal Services Corporation calculated that to fully resolve the legal problems of low-income Americans served by its grantees, Congress would need to appropriate \$1.749 billion of funding for Basic Field programs, which comprise 97 percent of LSC's proposed budget. Although LSC's budget was increased by \$6 million, the U.S. Senate Appropriations Committee approved a proposal of \$566 million.¹¹² This number does not keep up with inflation, the aftermath of public emergencies like the pandemic and climate disasters, and the increasing need for legal services. Within states, legal services are funded through a state appropriations process and through funds distributed through a state's interest on lawyer trust account (IOLTA) program.¹¹³ For many communities, however, funding is scarce, competitive, and often not targeted to support expanding program services or scaling a project. Even as other funders step up, civil legal services will always require collaboration and significant engagement from federal and state partners as well as regional and local funders. That is where public and private sector philanthropy and businesses can help.

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

To bring these promising approaches into more jurisdictions requires funding and capacity. In the past, many have seen the only option as state or federal government funds. Given stagnant and chronically underfunded budgets, however, these sources of funding cannot alone address the civil justice gap. When approached thoughtfully, businesses, individuals, and philanthropies are willing and able to invest in these urgent initiatives—whether with funds, technical resources, policy advocacy, adopting internal changes, or other support. Supporters of expanding access to civil justice can help philanthropists understand that investing in access to civil justice enables them to deliver on their other goals, whether protecting worker safety, securing veterans’ well-being, ensuring stable housing, expanding food security, making families and communities safer, or building a stronger local workforce.

Philanthropy and civil justice can learn from each other

This approach was jump-started in 2014, when the Kresge Foundation and the Public Welfare Foundation (PWF) teamed up to release the groundbreaking report *Natural Allies: Philanthropy and Civil Legal Aid*. The report shows how funding legal aid can transform the lives of homeowners in danger of being foreclosed upon after fraudulent investment schemes, consumers

hounded by predatory lenders, people escaping intimate partner violence, and more.¹¹⁴

After releasing *Natural Allies*, the Public Welfare Foundation and the Kresge Foundation funded a convening of National Association of IOLTA Programs (NAIP) members, whose programs use the interest from money that a state’s courts hold in escrow to fund legal services in that state.¹¹⁵ Interest on Lawyer Trust Accounts programs are usually a state’s biggest legal aid funder. The 2014 NAIP Leadership Summit brought together civil legal aid leaders from across the United States to learn from one another, discuss strategies, and develop understanding about engaging with local grant makers. Public Welfare then committed \$150,000 to NAIP, which

- helped NAIP members meet with private philanthropists to discuss funding legal aid;
- offered small grants that enabled IOLTA leaders to convene regional meetings with philanthropies;
- funded a March 2016 NAIP Foundation Leadership Summit, which enabled members to report on their activities and evaluate and refine strategies; and
- launched the NAIP Foundation Leadership Alliance Project, in a third round of support to expand this work to other states.

Two major efforts—from the Kresge and Public Welfare collaboration and from Pew’s work with courts—show that strategic, trust-based partnerships in civil justice can leave the field transformed and far better equipped for the future.



Boosted by all this, NAIP has improved the landscape for civil legal aid funding by commenting on proposed rules for state court practices; convening IOLTA leaders online and in person; and collaborating on advancing best practices for funding legal help. In 2022, NAIP launched the NAIP Funders Collaborative to continue expanding the work started through PWF's investment through technical support, which focuses on cultivating relationships and engagement with organizations that assist and support its members. Even a modest investment can be leveraged for big gains.

While a list of every project, policy, and research that philanthropists and national nonprofit organizations have supported with the goal of expanding access to justice is beyond the scope of this report, two major efforts—from the Kresge and Public Welfare collaboration and from Pew's work with courts—show that strategic, trust-based partnerships in civil justice can leave the field transformed and far better equipped for the future. Kresge and Public Welfare's publication of *Natural Allies* and the multiyear investment in helping NAIP learn to raise charitable dollars will keep paying dividends for years, as will Pew's careful engagement in technical capacity and promising practices for state and local courts to modernize and better serve Americans seeking justice. And while support from large, national grant makers and research institutions is important, regional and community grant makers and local leaders are equally critical to ensuring that projects have the support needed to stabilize and scale. Each leaves the field better off and better able to move ahead. Their efforts will improve lives for countless Americans struggling for healthy housing, safe families, manageable debt, decent jobs, and other basics needed for a good life.

Businesses invest in justice

Some corporations invest in access to justice projects. They choose to do so for a variety of reasons: to build employee satisfaction, to invest in more stable communities, and because business leaders are themselves citizens who care about society. That matters a great deal—in part because individual philanthropy can do its part but can never be sufficient. Corporate, public, and private philanthropy are needed across the landscape of opportunities addressing the civil justice gap. Sometimes corporations do so by setting up philanthropic efforts, offering technical resources, or donating to access-to-justice projects through their foundation arms. At other times, they take up the innovations launched by the access-to-justice movement and amplify those across their own systems.¹¹⁶

A recent example of this comes from one of the nation's largest nonprofit healthcare systems, Kaiser Permanente. The company's mission is to focus on high-quality, compassionate care through a whole-person approach for the 12.5 million members it serves across its integrated healthcare system. It was interested in learning from pilot medical-legal partnerships, from HUD/HHS commitments to working on the social determinants of health, and from data collected by organizations mentioned earlier in this report that conduct research through medical-legal partnership programs.

In 2021, Kaiser Permanente launched a proof of concept for a medical-legal partnership across six of its service regions, aiming to understand how to prevent homelessness and increase housing stability among its patients and communities while simultaneously building the capacity of the local legal aid ecosystem. Working with the National Center for

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

Medical-Legal Partnership, HealthBegins, and six legal aid organizations, Kaiser Permanente incorporated access to legal aid services as part of the standard workflow for patients at risk of eviction. Kaiser Permanente also invested in significant implementation and outcome evaluations from 2021 to 2024, finding that upstream access to legal aid services improved patients' physical and mental health, as well as their housing quality and stability.¹¹⁷ Moreover, access to legal aid expertise was demonstrated to improve job satisfaction for participating frontline healthcare staff.

In 2023, Kaiser Permanente announced it was expanding its Health, Housing, and Justice: Medical-Legal Partnership initiative by investing in building legal aid capacity across seven of its eight regions, with a goal of preventing evictions for up to ten thousand more community residents and expanding access to housing-related legal support to up to forty-five hundred Kaiser Permanente members, patients, and families by 2025. From 2020 to 2024, Kaiser Permanente made one of the most significant national financial commitments to building legal aid sector capacity and access and should be considered a benchmark for business investment in civil legal aid services.

These examples offer some ways for private sector engagement, but other area partnerships and collaborations should be explored. As reported in the ABA Profile of the Legal Profession, chronic underfunding of civil legal aid and court salaries and operations diminishes the ability of these organizations to retain, recruit, and develop the necessary workforce to serve legal needs in their community.¹¹⁸ Could investments from local businesses or membership organizations help these programs develop the workforce and capacity needed to scale solutions? Whether the investment in

civil justice supports a pilot project, or research about legal needs, or helps secure much needed professional development and salaries—funding, resources, and capacity will be needed to get these solutions in the hands of every American. Without these investments and creative partnerships, the promising ideas described in this report will remain aspirational.

Achieving Civil Justice for All Takes an Ecosystem

Any state or organization ready to tackle the challenge of closing the civil justice gap does not need to go it alone. Rich cross-professional networks of resources, knowledge, and leadership have helped cultivate and advance the projects discussed so far. These networks and institutions stand ready to help any emerging project learn from what has already been done, find funds, and borrow technical expertise to put ideas into practice and to partner with organizations in communities to expand access to much needed legal assistance.

The premier source of support for legal services is LSC, whose funding programs include a Technology Initiative Grant, Pro Bono Innovation Grant, Basic Field Grants, and grants focused on staffing efforts to work on loan repayment, disaster relief, and veterans' assistance. In 2016 and 2022, LSC produced a civil justice gap report, giving a baseline measurement of the magnitude of the gap and revealing the scale of the crisis.¹¹⁹

Equally important is the National Center for State Courts (NCSC), which houses the Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA). Through these groups, NCSC fosters thought leadership and develops guidance and strategic vision for state courts across the United States.¹²⁰ In



Networks and institutions stand ready to help any emerging project learn from what has already been done, find funds, and borrow technical expertise to put ideas into practice and to partner with organizations in communities to expand access to much needed legal assistance.

2015, the CCJ and COSCA issued joint resolutions that reaffirmed the goal of “100% Access to Justice for All.” The fact that the national advising bodies of state chief justices and administrators issued such ambitious statements made a difference. Backed by that national vision, chief justices in more states were able to make the case for investing court resources in understanding their state’s civil justice gap.

From 2014 to 2016, the ABA Commission on the Future of the Legal Services completed a study to examine why meaningful access to legal services remained out of reach for too many Americans.¹²¹ Among the findings: despite sustained efforts, significant unmet legal needs persisted; funding for LSC remained insufficient; and pro bono work was an inadequate solution on its own. The report acknowledges that the complexity of the justice system and the public’s lack of understanding about how it functions undermine the public’s trust and confidence. The commission issued a call for the legal profession to support the provision of some form of assistance for civil legal needs to all persons otherwise unable to afford a lawyer and for courts to consider regulatory innovations in legal services delivery and simplification efforts. Upon the commission’s recommendation, the ABA launched a Center for Innovation with the goal of educating lawyers, judges, academics, and the public about innovations and new approaches to delivering legal services.¹²²

Created in 2012, the Department of Justice’s Office for Access to Justice has led the federal government’s efforts to address barriers to legal systems and has spearheaded the work of the White House Legal Aid Interagency Roundtable (LAIR), a collaboration of over twenty federal agencies to improve the coordination of federal programs to advance access to justice. The LAIR 2016 report, *Expanding Access to Justice, Strengthening Federal Programs*, provided a roadmap and priorities for achieving Goal 16 of the United Nations 2030 Agenda for Sustainable Development, which calls on countries to ensure “equal access to justice for all.”¹²³ Today, the Office and LAIR issue reports and publish resources for state agencies to implement access to justice strategies.¹²⁴

The combination of these efforts alerted more individuals and states to the urgency of the civil justice gap and the opportunities to address the crisis. All these major bodies then worked to help states take action to close the gap. Through the PWF’s 2015 Civil Legal Aid Special Initiative, several investments went to fund access to justice commissions and helped scale networks like the SRLN and National Legal Aid and Defenders Association (NLADA).¹²⁵ PWF also brought together Kresge, the JPB Foundation, and the Open Society Foundation in 2016 to create a nearly \$4 million fund to launch the Justice for All (JFA) Initiative, an initiative hosted at the

CURRENT SUCCESS IN THE CIVIL JUSTICE FIELD

NCSC to help fourteen states conduct strategic planning for achieving 100 percent access to justice.¹²⁶ Participating states received funding for initial strategic planning to assess resources and deploy diagnostic tools to develop statewide strategic action plans and identify the most urgent priorities. The NCSC and SRLN would then be available to offer consultation and capacity to help with network building and planning. These projects developed civil legal needs studies and fostered access to justice ecosystems that enabled jurisdictions to think critically and holistically about the power and potential within their communities. These networks and plans led to many pilots and reforms, including legislative changes to garnishment laws, community justice worker pilot projects, legal education efforts for human services networks, and coordinated intake and referral for legal aid providers. The District of Columbia has even taken the initiative to adopt the JFA approach and used these same resources to conduct strategic planning of their own, without JFA funding.¹²⁷

In 2024, the NCSC released updates to the JFA guidance materials with learning from experiences across the fourteen participants and launched the Justice for All Diagnostic Tool. The tool provides a series of questions about a jurisdiction's current activities and then produces a customized report that suggests activities from the JFA framework worth considering.¹²⁸ As demonstrated by the D.C. Access to Justice Commission, this resource helps states develop strategic access to justice plans that reflect each state's unique ecosystems.

State courts and bar organizations went on to establish access to justice advising bodies to advance efforts, implement best practices, and seek funding within their states. The ABA's

Standing Committee on Legal Aid and Indigent Defense now formally convenes state civil justice coordinators at an annual gathering of Access to Justice Chairs where the ABA has combined its annual IOLTA and National Lawyer Referral Workshops so that these commissions can share what they have learned about how best to expand access to civil justice and adapt solutions across state lines.¹²⁹

Another deeply important network for the lawyers delivering much needed legal services is the NLADA, which has a century-long history of connecting legal services professionals to one another through annual conferences, policy expertise, and partnerships across issues.¹³⁰ Having long worked on criminal justice issues, NLADA is equally concerned with civil justice. It offers advocacy, training, and technical assistance to public defenders and civil legal aid programs across the United States and has a mutual insurance program to enable legal aid programs to gain affordable coverage. Moreover, as a national network, professionals join affinity groups focused on identity within the profession or particular areas of law.

Today, all these groups connect, orient, and support state coordinators and frontline professionals to better assist the people they serve.

Every new access to justice project that needs help or knowledge to move forward or could learn from others' insights now has access to a network through which to connect with the right professionals. These professionals participate in conferences and convenings to share what they learn. Beginning to engage is the first step in connecting to these networks. Although the civil justice field may seem loosely organized, these networks form a national community of practice that makes the ambitious vision of justice for all achievable.

Securing Civil Justice for All Americans

Achieving progress will require deep and broad engagement from a diverse array of constituencies. For that reason, *Achieving Civil Justice* is designed as an enabling device—a collection of demonstrations that shows the kinds of efforts that can achieve progress and a roadmap for understanding how progress can scale. Addressing the civil justice gap requires the hard work and good ideas of lawyers, judges, scholars of law and social science, technologists, professionals from other fields such as medicine, design thinkers, and policymakers—all engaged in collaborative, multidisciplinary enterprises. Equally necessary are the voices of everyday Americans, whose lived experiences should guide decisions about how justice is to be achieved. In this country’s federalist system, different reforms will emerge in different states, growing from highly particular statutes, case law, and regulations and from the facts about interactions with the justice system among the state’s citizens. That is why viewpoints crossing geographical and ideological divides are required.

Critically, solutions must be people-centered, not lawyer-centered. So often debates about rules governing lawyers and courts are viewed from the perspective of lawyers and judges, with progress assessed by their welfare; they focus on the case, a legal document moving through legal procedures. However, the access to justice crisis is a problem of and for those whose lives and well-being are at stake: the consumers, not the producers, of legal services. This approach, and the promising approaches described in this report, center on ordinary people in their interventions. While these innovations focus on the people’s welfare and justice for those people, they make clear that lawyers’ welfare and the people’s welfare need not collide.

A Framework for Tackling Civil Justice Projects

This report’s sampling of efforts to close the civil justice gap has illustrated how broad and deep that gap continues to be. But anyone interested in spreading the spirit of innovation will be more successful if they keep in mind the following four steps.

1. Take a people-centered approach

For these justice solutions to succeed and achieve scale, they must be replicable, adaptable, and, most important, backed by the communities they intend to serve. Among the projects discussed here, successful solutions were the ones oriented to serve people

SECURING CIVIL JUSTICE FOR ALL AMERICANS

who needed help rather than lawyers offering that help.

This report has tried to follow the experience of a person with a legal problem: from realizing that a personal issue might have a legal dimension, to finding services in familiar locations, to turning to free and online sources for information, to trying to access courts and navigate legal systems, whether with a lawyer or by leaning on others who can offer help. Other sections examine the size of investments and their sources, describing the disproportionate, long-term impact even modest funds can have when coordination and collaboration are prioritized.

The aim is to show the many points of intervention, of different sizes, in this national crisis and the many opportunities to launch or support a project that will be useful in bringing civil justice to more Americans when needed—from long before someone has a

legal case until long after they have worked through a resolution. For instance, widening access to basic legal information and offering clearer ways to use court services and procedures relies on deeply understanding the experiences of actual users: the Americans who are forced by circumstance to act as their own lawyers. Offering more comprehensible legal information and more intuitive court processes also equips professionals and others who are willing to be trained to assist their neighbors. Infrastructure investments that enable courts and agencies to adopt and implement innovative strategies and technology also raise the baseline of what can be achieved.

The law can also empower. In fact, the law is often used by small businesses, corporations, foundations, and other private-sector organizations to secure licenses, permissions, public grants, and so on and to take advantage of immigration and tax programs. Expanding



Stacy Jane (i4J) facilitates a breakout discussion with participants at the Making Justice Accessible Summit, March 2024. Seated, left to right: **Lance Liebman** (Columbia Law School), **Vikrant Reddy** (Stand Together), **Diane Wood** (American Law Institute), **Christine Fecko** (IOLA of New York), and **Keegan Warren** (Institute for Healthcare Access).



During the Summit workshops, participants' notes were posted for group discussion and to organize the ideas raised in each session.

access to legal information and services and improving legal systems can uplift a variety of communities, and, as has been detailed throughout this report, this can be done in many ways.

But it starts by thinking about opportunities to help the people who rely on the legal system, not just the lawyers whose profession depends on that system.

2. Join the existing ecosystem of those already working on civil justice

Dedicated networks of professionals of all kinds, legal and otherwise, are working collaboratively to develop and share best practices, new research, and adaptable strategies. The easiest of these steps is to reach out and connect, to learn and ask questions, and to engage with others in partnerships that can optimize resources, capacity, and funding to deliver sustainable solutions. One place to start is this report's appendix, which lists organizations mentioned throughout *Achieving Civil Justice*.

3. Embrace evidence-based strategies—and contribute that knowledge to the ecosystem

Every successful project and initiative in this report relied on and emphasized a key principle: Evidence and data show the way to success and out of failure. Collecting data and evidence about the civil justice gap helps awaken more people, organizations, and institutions to the urgency of Americans' civil justice needs. Telling stories about the lived experiences of people who struggle with legal problems has power; data can reveal how many people have similar experiences. Data can clarify the breadth of Americans' legal needs; reveal the limits of legal aid resources; show how paraprofessionals can offer a net to catch Americans who would otherwise fall through the civil justice cracks; expose how little we understand what is happening in state court systems; show which attempts to solve a crisis are working and which are not. Data can point the way toward solutions, improvements, and next steps. As ideas get refined, collecting data shows how those

SECURING CIVIL JUSTICE FOR ALL AMERICANS

projects can be replicated elsewhere—and where the next problem and research question will emerge. Data help refine the solutions and policies that make these experiments possible.

Civil justice projects now launching will want to turn to the many sources of data already collected to build sturdier policies, practices, technologies, models, and funding. Moreover, the frameworks developed through these data initiatives are well-tested and should be embraced. While this report has mentioned many of those sources, and others are listed in the appendix, a few sources are especially worth mentioning:

- The National Center for Access to Justice conducts regular national surveys to assess and rank policies that promote greater access to justice. It releases these surveys, data, and rankings through its Justice Index.¹³¹
- LSC offers a Justice Gap Report. In 2019, it also launched the Civil Court Data Initiative (CCDI), which includes advice and technical assistance for legal aid organizations wishing to collect their own real-time data to inform efforts to respond to changing local needs.¹³²
- In early 2024, the U.S. Department of Justice's Bureau of Justice Statistics awarded \$2 million to the American Bar Foundation's Access to Justice Research Initiative and the National Opinion Research Center (NORC) at the University of Chicago to launch the Access to Justice Design and Testing Program. Those results will be available on NORC's project website.¹³³
- Launched in 2016, the ABA Center for Innovation collects information about regulatory reforms and state laws and regulations related to access to justice strategies and offers guidance for states seeking to implement these innovations.¹³⁴

Of course, as researchers, policymakers, nonprofits, advocacy groups, academic programs, courts, legal aid organizations, federal agencies, and other projects collect legal data, they must remain acutely attentive to protecting individuals' privacy. Exposing the names and addresses of domestic violence survivors seeking protective orders or revealing the private financial and identification data of people in bankruptcy court could lead to disaster. Pew's Civil Court Modernization Toolkit explains the urgency of privacy protection and offers guidance about how to pursue it. Numerous experts in the civil justice reform movement have been examining how to protect against security leaks while collecting essential civil legal data responsibly, in ways that are being continuously improved as more is learned. Anyone working on data collection will also want to collaborate with those experts developing the evidence base needed for scalable solutions.

4. Expect four phases before a project reaches its full scale

This report has showcased many projects, small and large, that are working to expand the numbers of Americans who have access to civil justice. Not one was immediately successful. Numerous people and groups had to invest time, ideas, planning, discussion, resources, and networking to build those projects into real working models that could improve lives and strengthen communities. They had to contend with very different conditions determined by geography, laws and regulations, community needs and capacities, local funders and institutions, court policies, available professionals and digital infrastructure, and so on.

Transforming ideas into practical working projects requires continuous iteration, a commitment to a growth mindset, and an embrace of the process. Here is what to expect.

Phase 1: Identify. The first phase simply involves identifying the problem and beginning to puzzle over how to offer a solution. A clear statement of the problem is invaluable. Stakeholders might reach out to those who know more about the landscape, identify resource or knowledge gaps, propose solutions, and ask others to find holes or suggest improvements. This first phase involves a great deal of research and ingenuity when funds are difficult to secure. It could involve data-gathering, focus group discussions, small-scale, low-stakes testing, and then dedicated time for revision based on what is learned.

Phase 2: Prove. Planning and innovating take time. But eventually a working model must be put to the test so that the project can start gathering feedback for improvements. A wider group of stakeholders must now be persuaded. A project introducing case management technologies might begin to reach out to court administrators or to sign up judges who would use the tool. A plan to launch points of access to legal services, on the other hand, may require outreach to community organizations, clients, and local regulators for insight. Testing the model helps both in clarifying the problem and improving the solution. Showing where the model works, through more testing, should help gain support from funders and stakeholders. What is critical is having clear metrics and milestones. How effective is it in practice? What do users want, and how do they suggest it can be fine-tuned and improved? With refinements based on that feedback and evidence gathered about who and how it can help, the project can win approval to continue.

Phase 3: Improve. The earlier phases have proven that the innovative solution can actually help respond to the underlying problem and improve Americans' access to civil justice. Now the project is ready to seek funding, approval, partners, and support to roll out its solution at scale, improving continuously as it does so. What local, state, or national funders might invest in the project? Which local or state partners can handle various aspects of the solution? How do people using the solution say it can be refined even more? What is needed to make it sustainable? As it is rolled out with stable funding and staffing, the project needs continual monitoring, data analysis, and fine-tuning to streamline operations, improve user outcomes, and stabilize even further. This phase involves revisiting benchmarks and evaluation metrics, streamlining operations, and developing a long-term strategic plan.

Phase 4: Sustain. In this ultimate phase, a project has stabilized. Funding and budgets are consistent. The systems in which the project is embedded take its existence for granted. Relevant community members know where to refer others for this kind of support. Those who have been involved may now wish to think about how to expand the work to still more who would find it useful. Perhaps operations expand from the county to the entire state. Perhaps its innovators work with new partners who wish to take up the effort or find ways to share their lessons with people in other jurisdictions, unlocking new sources of stable funding. At this stage, projects may not seek further scaling, but that does not mean their success cannot be replicated and adapted elsewhere. The goal is not to find a single solution but to ensure each effort is responsive to the diverse communities that benefit from this help. When a project can be adapted or replicated somewhere else, it is scaling.

SECURING CIVIL JUSTICE FOR ALL AMERICANS

Further, this is the stage at which the project's principles and stakeholders will want to invest in telling their story. Without numerous initiatives, campaigns, independent research, and collective work to communicate knowledge across state lines, many of the lessons learned at local levels cannot hope to inform national best practices. That story might be told through data, narrative, reports, conference appearances, information spread through online networks, or philanthropic initiatives. Communications professionals might work to capture information on a website or to interest journalists, advocacy groups, and others who might wish to learn from and adapt the project. Passing along successes and lessons learned reveals a project's worth and replicability.

One example that demonstrates the four stages of project development is the Alaska community justice worker project mentioned at the start of this report. After listening, gathering evidence, and improving on the early community justice worker model, the Alaska Supreme Court was a partner and understood the potential for the program. The court later approved the program for statewide expansion, authorizing the Alaska Legal Services Corporation to train and supervise community justice workers across the state. Since then, the project has inspired adaptation nationwide,

led by Nikole Nelson who transitioned to a new role at Frontline Justice. Frontline Justice is a national organization, focused on empowering people in every state to implement their own version of this new category of legal helpers. Drawn from people already working in trusted roles, these legal helpers gain the training they need to assist people navigating legal challenges—Frontline Justice helps replicate Alaska's success in other states.

Why do these four steps matter? Because the potential innovator, funder, or supporter needs to know that the project will not look finished when it is started—and that each round of funding and effort will improve the solution's impact. A combination of private funding and public dollars makes the steps described here possible. When a pilot effort succeeds, it is often the search for additional or subsequent funding that limits its scale, and so thoughtful attention to opportunities for coordinating across funders, from private to public, is vital. Through a long-term campaign and shift in thinking about civil justice, courts and legal profession leaders are stewarding significant progress. Any individual or organization interested in launching a similar project will need to shepherd it through these four main phases. While some may seem messy, keep in mind that success simply looks different at different times.

A combination of private funding and public dollars makes the steps described here possible. When a pilot effort succeeds, it is often the search for additional or subsequent funding that limits its scale, and so thoughtful attention to opportunities for coordinating across funders, from private to public, is vital.

Conclusion

Today's civil justice crisis leaves hundreds of thousands of Americans without urgently needed legal knowledge or support during difficult moments concerning housing, healthcare, debt, veterans' benefits, family violence, child custody, worker safety, and more. But that is just the beginning. The United States is currently roiled by social conflict and legal battles over such issues as access to healthcare, voter registration, immigration, gender identity, education, and the ability to protest. Social unrest faced without support hurts both the people most immediately affected and the broader community, including businesses and other individuals. Too many people confronting such issues, whether personal or social or some combination thereof, will do so without reliable legal information, guidance, or assistance in navigating legal systems. When left unaddressed, these problems can lead to illness, prison time, disenfranchisement, homelessness, and other serious consequences. While bar associations, state courts, and other professional groups may support strengthening the rule of law, Americans need legal support services in addition to bar-licensed attorneys. That need will only increase in the coming years, as both local and national studies attest.

Americans need practical help to claim their constitutional rights and protections. The good news is that, increasingly, data show that legal support programs benefit the individuals who use them *and* the communities that host them, lowering social costs and increasing life satisfaction, productivity, and well-being.

The ideas and projects recounted here reveal that the extraordinary power of dedicated justice innovators, technology, and expert analysis—working alongside lawyers and judges—can be harnessed to transform the legal landscape in small and large ways. That is, the many justice professionals who worry about this gap are not waiting for a complete and defining solution. Because the civil justice

problem is nationwide in scope, local initiatives must be leveraged to find solutions that can scale and make a meaningful difference, not just for dozens or hundreds but for thousands and millions of Americans. While technology can often help these solutions scale, policy changes will also enable solutions to expand the usefulness of these efforts from localities to states to the nation as a whole.

The American civil justice ecosystem is not a single, monolithic system. No overriding strategic policy guides how every service and resource will get in the hands of those who need it. But a common vision drives those working to expand access to civil justice.

CONCLUSION

The vision: That all Americans will have the opportunity to meaningfully benefit from a justice system designed for them.

Efforts to end this crisis are already underway in our neighborhoods and towns. These include moments when court professionals and judges work with researchers, designers, and legal aid attorneys to understand why a court visitor is anxious about entering the building and too stressed to understand the forms and procedures needed to proceed with their case. It includes that team's efforts to simplify those forms, translating them into plain information in multiple languages. It includes the expansion of justice that comes when people can understand and use those forms without needing to worry about childcare, transportation, traversing metal detectors, or passing police officers standing guard.

Or consider another example. It includes law students who sit in on civil court hearings to see firsthand the plight of a self-represented litigant and realize that that individual is just one among many tenants appearing in front of a judge without notes or evidence or an understanding of the judge's questions. It includes law students returning to the classroom and creating an explainer video so that other tenants know what to expect and can be better prepared when their hearing date comes. And it includes those students going on, after they become attorneys, to help design other resources for people representing themselves in court.

What motivates people across the nation to grapple with all these civil justice challenges is that they know even incremental justice matters. When even one person gets the help they need, that helps deliver on the American promise of *equal justice under law*.

Appendix A: Organizations Mentioned in the Report

A2J Tech, <https://www.goa2jtech.com>

American Bar Association (ABA),
<https://www.americanbar.org>

ABA Center for Innovation,
https://www.americanbar.org/groups/centers_commissions/center-for-innovation

ABA Commission on Interest on Lawyers' Trust Accounts (IOLTA),
https://www.americanbar.org/groups/interest_lawyers_trust_accounts

ABA Standing Committee on Lawyer Referral and Information Service (SCLRIS),
https://www.americanbar.org/groups/lawyer_referral

ABA Standing Committee on Legal Aid and Indigent Defense (SCLAID),
https://www.americanbar.org/groups/legal_aid_indigent_defense

ABA Standing Committee on the Delivery of Legal Services, https://www.americanbar.org/groups/delivery_legal_services

Alaska Legal Services Corporation (ALSC),
<https://www.alsc-law.org>

Alaska Native Tribal Health Consortium (ANTHC), <https://www.anthc.org>

Alaska Supreme Court,
<https://courts.alaska.gov/index.htm>

American Bar Foundation (ABF),
<https://www.americanbarfoundation.org>

American Law Institute (ALI),
<https://www.ali.org>

AmeriCorps, <https://www.americorps.gov>

Arizona Supreme Court (ASC),
<https://www.azcourts.gov>

Boston Housing Support Station (BHSS),
<https://www.bostonhousingsupportstation.org>

California State Bar Board of Trustees,
<https://www.calbar.ca.gov/About-Us/Who-We-Are/Board-of-Trustees>

Charleston Legal Access (CLA),
<https://www.charlestonlegalaccess.org>

Charleston Pro Bono Legal Services (CPBLS), <https://www.charlestonprobono.org>

City Life Vida Urbana (CLVU),
<https://www.clvu.org>

City of Boston, Boston Artists-In-Residence (AIR), <https://www.boston.gov/departments/arts-and-culture/boston-artists-residence-air>

City of Boston, Office of Housing Stability,
<https://www.boston.gov/departments/housing/office-housing-stability>

Community Foundation of Greater Chattanooga (CFGC), <https://cfgc.org>

Court Forms Online,
<https://www.courtformsonline.org>

docassemble, <https://docassemble.org>

Ford Foundation,
<https://www.fordfoundation.org>

APPENDIX A: ORGANIZATIONS MENTIONED IN THE REPORT

Frontline Justice,
<https://www.frontlinejustice.org>

Georgetown Justice Lab, <https://www.law.georgetown.edu/tech-institute/initiatives/georgetown-justice-lab>

Georgetown University Health Justice Alliance (HJA), <https://www.law.georgetown.edu/health-justice-alliance>

GitHub, <https://github.com>

Greater Boston Legal Services (GBLS),
<https://www.gbbs.org>

Hague Institute for Innovation of Law,
<https://www.hiil.org>

Hamilton County General Sessions Court,
<https://www.hamiltontn.gov/Courts.aspx>

Hamilton County Tennessee Government,
<https://www.hamiltontn.gov>

Health Resources and Services Administration (HRSA), <https://www.hrsa.gov>

HealthBegins, <https://www.healthbegins.org>

Housing and Services Partnership Accelerator (HSPA), <https://acl.gov/HousingAndServices/Accelerator>

Illinois Legal Aid Online (ILAO),
<https://www.illinoislegalaid.org>

Innovation for Justice (i4J),
<https://www.innovation4justice.org>

Institute for the Advancement of the American Legal System (IAALS),
<https://iaals.du.edu>

JPB Foundation (JPB),
<https://www.jpbfoundation.org>

Just Trust, <https://www.thejusttrust.org>

Kaiser Permanente,
<https://www.kaiserpermanente.org>

Kresge Foundation (Kresge),
<https://kresge.org>

Legal Aid Interagency Roundtable (LAIR),
<https://www.justice.gov/atj/legal-aid-interagency-roundtable>

Legal Link, <https://www.legallink.org>

Legal Services Corporation (LSC),
<https://www.lsc.gov>

Legal Services Funders Network (LSFN),
<https://www.legalservicesfundersnetwork.org>

Massachusetts Access to Justice Commission (Mass A2J), <https://massa2j.org>

Massachusetts Law Reform Institute (MLRI),
<https://www.mlri.org>

Maverick Landing Community Services (MLCS), <https://mlcsboston.org>

Medstar Washington Hospital Center (MedStar Health), <https://www.medstarhealth.org>

Mellon Foundation, <https://mellon.org>

Microsoft, <https://www.microsoft.com>

Museum of Fine Arts Boston (MFA),
<https://www.mfa.org>

National Association of IOLTA Programs (NAIP), <https://www.iolta.org>

National Center for Healthcare Advancement and Partnerships (NCHAP), <https://www.va.gov/HEALTHPARTNERSHIPS/index.asp>

National Center for Medical-Legal Partnership (NCMLP), <https://medical-legalpartnership.org>

National Center for State Courts (NCSC),
<https://www.ncsc.org>

National League of Cities (NLC),
<https://www.nlc.org>

National Legal Aid and Defenders Association (NLADA), <https://www.nlada.org>

National Science Foundation (NSF), <https://www.nsf.gov>

NORC at the University of Chicago (NORC), <https://www.norc.org>

NuLawLab at Northeastern University School of Law, <https://www.nulawlab.org>

OCLC (previously Online Computer Library Center), <https://www.oclc.org>

Office of Community Services (OCS), <https://www.acf.hhs.gov/ocs>

Oklahoma Access to Justice Foundation (OAJF), <https://www.okaccesstojustice.org>

Oklahoma Community Justice Network (OCJN), <https://www.ocjn.org>

Open Society Foundation (Open Society), <https://www.opensocietyfoundations.org>

Oregon Board of Bar Examiners (OBBE) and State Bar Exam, <https://admissions.osbar.org/home>

Oregon Supreme Court, <https://www.courts.oregon.gov/courts/appellate/supreme/Pages/default.aspx>

Pro Bono Net, <https://www.probono.net>

Public Welfare Foundation (PWF), <https://www.publicwelfare.org>

Responsible Business Initiative for Justice (RBIJ), <https://www.rbij.org>

Ropes & Gray, LLP, Boston, <https://www.ropesgray.com>

Runcible Studios, <https://www.runciblestudios.com>

Salt Lake City Housing Stability Division (SLC HSD), <https://www.slc.gov/housingstability>

Salt Lake City Justice Court (SLC Justice Court), <https://www.slc.gov/courts>

Self-Represented Litigation Network (SRLN), <https://www.srln.org>

Social Security Administration (SSA), <https://www.ssa.gov>

South Carolina Access to Justice Commission (SCATJ), <https://www.scaccesstojustice.org>

South Carolina Legal Services (SCLS), <https://sclegal.org>

South Carolina National Association for the Advancement of Colored People (South Carolina NAACP), <https://www.scnaacp.org>

South Carolina Supreme Court (SCSC), <https://www.sccourts.org>

Stanford Law School, Deborah L. Rhode Center on the Legal Profession (CLP), <https://clp.law.stanford.edu>

Stanford Legal Design Lab (LDL), <https://www.legaltechdesign.com>

Suffolk University Law School Legal Innovation and Technology Lab (LIT Lab), <https://suffolklitlab.org>

Superior Court of Los Angeles County (SCLAC), <https://www.lacourt.org>

Susan Crown Exchange Foundation (SCE), <https://www.scefdn.org>

The Pew Charitable Trusts (Pew), <https://www.pewtrusts.org>

Tufts University, <https://www.tufts.edu>

University of Arizona, James E. Rogers College of Law, <https://law.arizona.edu>

University of Utah, Eccles School of Business, <https://eccles.utah.edu>

Upsolve, <https://www.upsolve.org>

APPENDIX A: ORGANIZATIONS MENTIONED IN THE REPORT

U.S. Centers for Disease Control and Prevention (CDC), <https://www.cdc.gov>

U.S. Court of Appeals for the Second Circuit, <https://www.ca2.uscourts.gov>

U.S. Department of Health and Human Services (HHS), <https://www.hhs.gov>

U.S. Department of Housing and Urban Development (HUD), <https://www.hud.gov>

U.S. Department of Justice, Executive Office for Immigration Review (EOIR), <https://www.justice.gov/eoir>

U.S. Department of Justice, Office for Access to Justice (DOJ ATJ), <https://www.justice.gov/atj>

U.S. Department of the Interior, Bureau of Indian Affairs (BIA), <https://www.bia.gov>

U.S. Department of Treasury, Internal Revenue Service (IRS), <https://www.irs.gov>

U.S. Department of Veterans Affairs (VA), <https://www.va.gov>

U.S. District Court for the Southern District of New York, <https://www.nysd.uscourts.gov>

U.S. Equal Employment Opportunity Commission (EEOC), <https://www.eeoc.gov>

U.S. Patent and Trademark Office (USPTO), <https://www.uspto.gov>

Utah Office of Legal Services Innovation, Regulatory Sandbox (Utah Sandbox), <https://utahinnovationoffice.org>

Utah State Courts Self-Help Resources, <https://www.utcourts.gov/selfhelp>

Utah Supreme Court (USC), <https://www.utcourts.gov>

Walmart.org, <https://walmart.org>

WebJunction, <https://www.webjunction.org>

Appendix B:

Civil Justice Data Initiatives

ABArray National Legal Aid Funding Data, American Bar Association, https://www.americanbar.org/groups/legal_services/abarray-national-legal-aid-funding-data

Access to Justice Design & Testing Program, American Bar Foundation and NORC at the University of Chicago, <https://www.norc.org/research/projects/access-justice-design-testing-program.html>

AI & Access to Justice (A2J) Initiative, Stanford Legal Design Lab, <https://justiceinnovation.law.stanford.edu/projects/ai-access-to-justice>

Caselaw Access Project, Harvard Law School Library Innovation Lab, <https://case.law>

Civil Court Data Initiative, Legal Services Corporation, <https://www.lsc.gov/initiatives/civil-court-data-initiative>

Civil Justice Data Commons, Georgetown Law Justice Lab, <https://www.law.georgetown.edu/tech-institute/initiatives/georgetown-justice-lab/civil-justice-data-commons>

Civil Right to Counsel State Status Map, National Coalition for the Civil Right to Counsel, <https://civilrighttocounsel.org/map>

Court Statistics Project, National Center for State Courts, <https://www.courtstatistics.org>

Eviction Lab Research, Eviction Lab, <https://evictionlab.org/research>

Fines and Fees Clearinghouse, Fines & Fees Justice Center, <https://finesandfeesjusticecenter.org/clearinghouse>

The Justice Gap, Legal Services Corporation, <https://justicegap.lsc.gov>

Justice Index, National Center for Access to Justice, <https://ncaj.org>

Justice System Metrics, Center for Innovation, <https://www.legalinnovationmetrics.info/metrics>

Medical-Legal Partnership Resources, National Center for Medical-Legal Partnership, <https://medical-legalpartnership.org/resources>

Unauthorized Practice of Law Reform Toolkit & National Policy Map, Innovation for Justice, <https://uplpolicytoolkit.org>

World Justice Project Rule of Law Index, World Justice Project, <https://worldjusticeproject.org/our-work/research-and-data>

Appendix C: Making Justice Accessible Advisory Committee

Advisory Committee Chairs

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Legal Services Corporation;
Sidley Austin, LLP

Martha Minow

Harvard University

Advisory Committee Members

Hon. Kimberly Budd

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Legal Aid Society
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Academy Staff

Eduardo Gonzalez

Program Officer
for Civil Justice

Peter Robinson

Chief Program Officer

Betsy Super

Program Director for
American Institutions,
Society, and the Public Good

Endnotes

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6. *Ibid.*, 75.
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ENDNOTES

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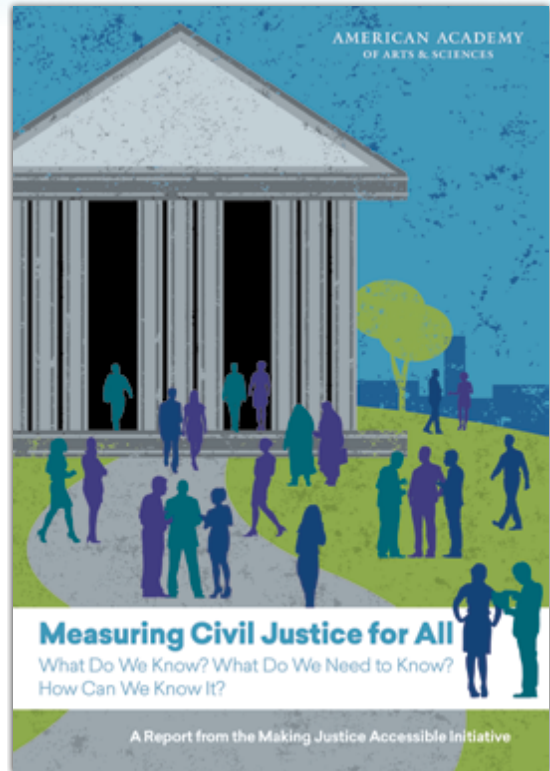
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Civil Justice for All

The *Civil Justice for All* report surveys innovative methods for providing legal services and assistance and calls for the establishment of a new and sustaining national initiative to coordinate multiple efforts needed to address the civil justice gap.

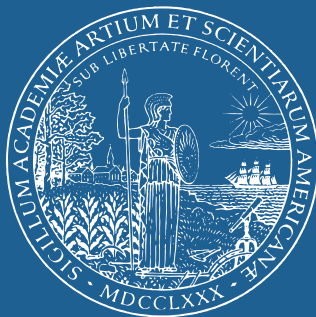


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In *Measuring Civil Justice for All*, the Academy elevated data collection as a priority and presented a blueprint for data collection and sharing across agencies and courts, and between federal and state leaders.

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