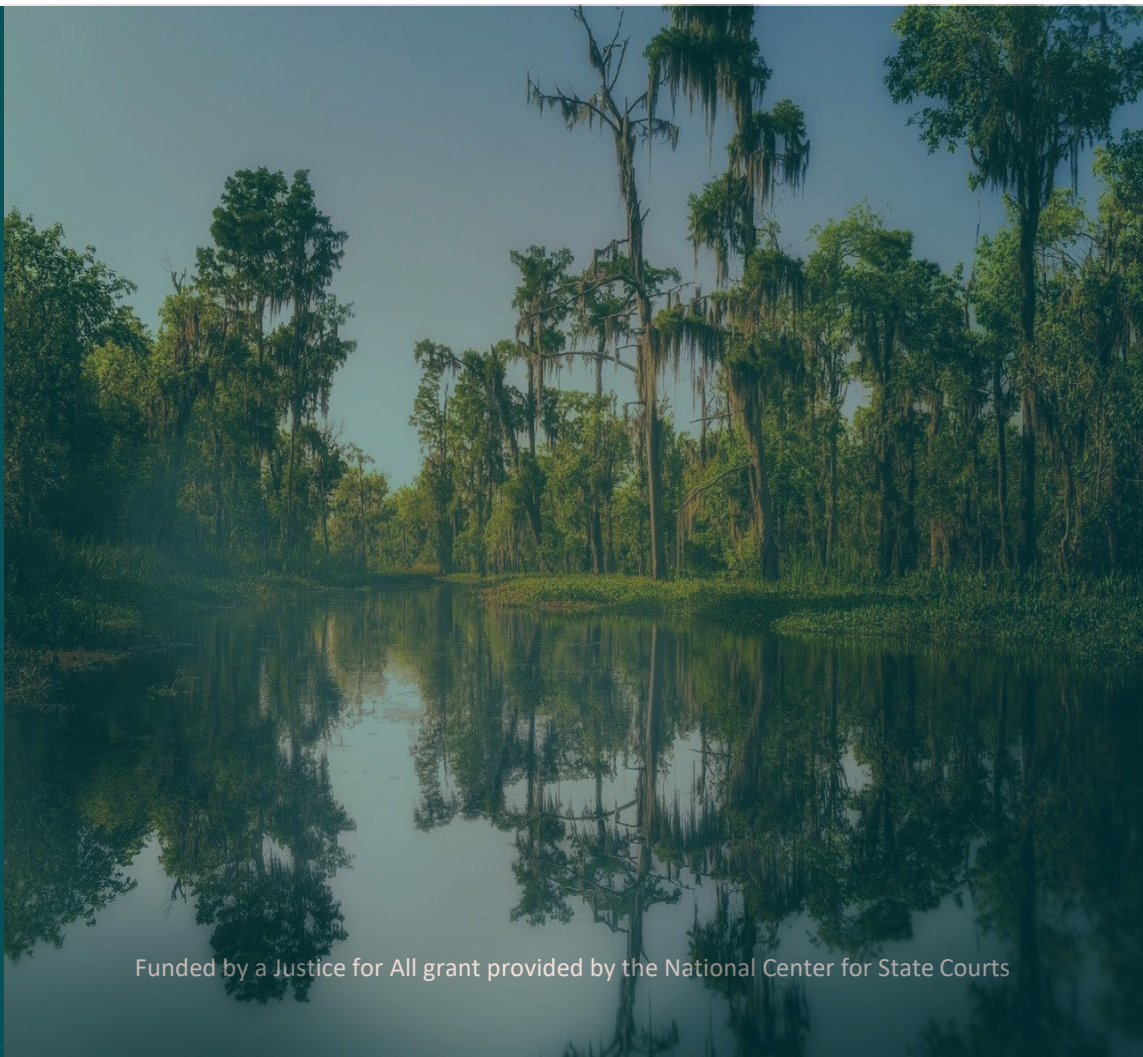


LOUISIANA JUSTICE FOR ALL FINAL REPORT AND RECOMMENDATIONS



Funded by a Justice for All grant provided by the National Center for State Courts

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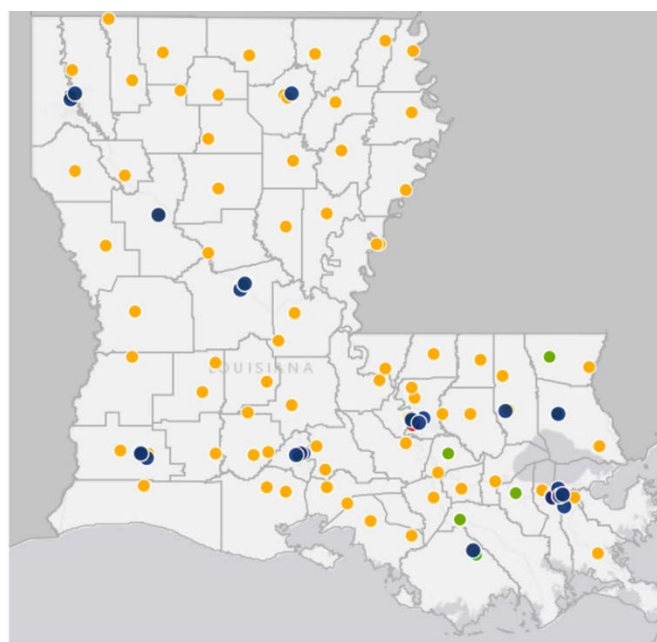
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BACKGROUND AND INTRODUCTION

In September 2019, the National Center for State Courts (NCSC) awarded the Louisiana Access to Justice Commission a Justice for All (JFA) grant. Housed at the National Center for State Courts and operating in partnership with the Self Represented Litigation Network (SRLN), the Justice for All initiative gives states the opportunity to engage a wide range of stakeholders to assess and systematically expand access to justice. At its core, the JFA initiative is about “making America’s justice system more responsive to people’s everyday civil legal needs through innovation, collaboration, and support of statewide efforts.” To accomplish its goal, the JFA initiative lays out an extensive evaluation framework. Guided by 15 components, stakeholders assess the current state of access to justice efforts. The information gathered in the assessment stage is then used to build and act upon a statewide strategic plan.

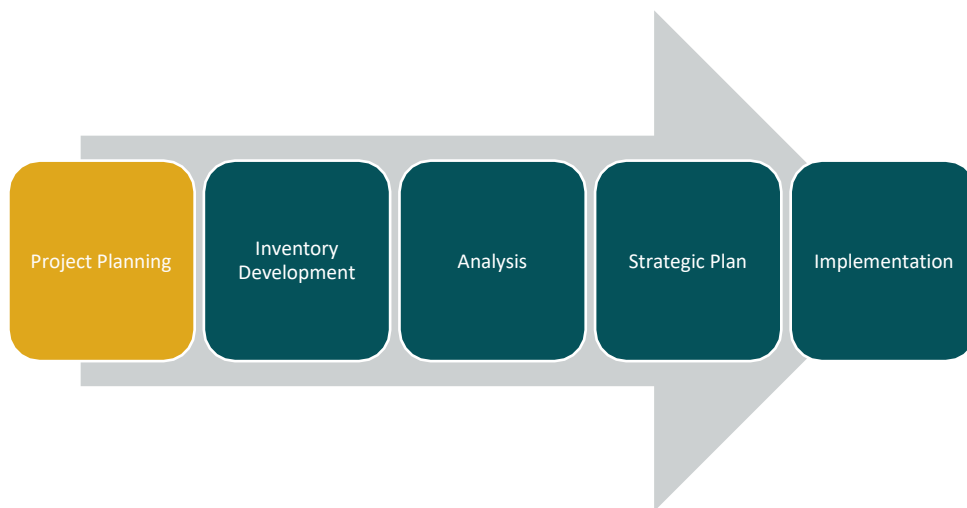
Like virtually every aspect of 2020, Louisiana’s JFA assessment, analysis, and planning stages were filled with unexpected turns and challenges - community listening sessions were cancelled during the height of the pandemic, and JFA Advisory Council meetings were moved online and condensed to accommodate overloaded and disrupted schedules. Despite these challenges, the JFA Advisory Council and Louisiana State Bar Association (LSBA) Access to Justice team have succeeded in completing a thorough inventory of the 15 JFA components recommended by NCSC for assessing progress toward the promise of justice for all. The resulting assessment includes a powerful new Geographic Information Systems (“GIS”) visual mapping tool that demonstrates the ATJ access points and layered barriers that remain for large swaths of the population in Louisiana.

Figure 1: ATJ access points: courts (yellow), LSC-funded legal aid offices (blue), law libraries (red), self-help centers (green)



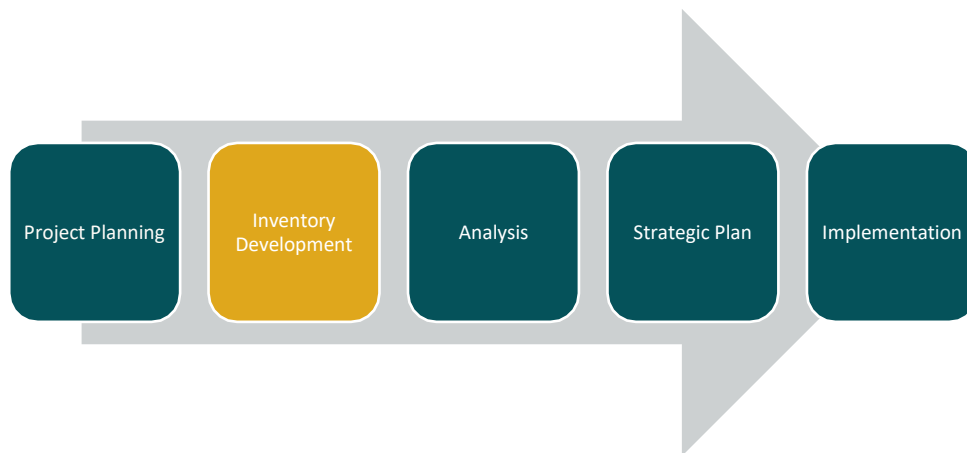
After considering the comprehensive assessment findings by component and a condensed set of key findings, the Advisory Council brainstormed and assessed potential strategies and activities for closing gaps and continuing Louisiana’s march toward greater access to justice. The resulting strategic plan and implementation priorities are described in more detail below. The centerpiece of the implementation stage will be a community-based, multi-pronged plan for addressing barriers to civil justice in up to three parishes located in civil legal deserts, as identified by the GIS mapping project.

This report will summarize the JFA planning journey in Louisiana and chart the path for an implementation stage which promises to make significant advancements in access to justice in Louisiana.



PROJECT PLANNING

During the planning stage, the LSBA Access to Justice team focused on creating buy-in for the JFA process, identifying a leadership team, and building an advisory committee with the expertise, skills, perspectives, and experiences to successfully move the project forward. LSBA hired project consultants who assisted in building project timelines, identifying goals, and planning and facilitating meetings. The team convened a group of over 50 stakeholders at a JFA Kick-Off Event in October 2019 at which participants learned about the JFA process and the leadership team identified enthusiastic traditional and non-traditional stakeholders to serve on the 12-member JFA Advisory Council (“Advisory Council”). A full list of the Advisory Council, LSBA team, and consultants is included as Appendix A.



INVENTORY DEVELOPMENT

To inform the inventory assessment, the JFA project team relied on user, community, and legal stakeholder surveys; oral histories from LSBA leadership; input from the Advisory Council and other participants at ATJ stakeholder meetings and summits; and individual interviews with identified leaders in certain component areas. A list of the information sources for each component analysis is included at Appendix B. Unfortunately, community listening sessions originally planned for the inventory stage were cancelled as a result of public-health precautions related to COVID-19. Instead, community input was garnered through surveys and individual interviews. The JFA implementation team looks forward to future plans that will re-engage deeply with community partners to design and tailor local solutions to access barriers.

Summary assessment tables for each JFA component are included below. Each table includes an overview of the component and its key elements juxtaposed with the strengths and challenges of Louisiana's access to justice ecosystem. The full inventory assessment report is included as Appendix C.

STRUCTURAL CAPACITIES

This cluster of four components seeks to obtain information about the jurisdiction in terms of user needs, jurisdictional structure, and existing access to justice ecosystem governance, innovations, and capacity. The four components are:

- Consumer Needs and Experience
- Jurisdiction Infrastructure
- Stakeholder Capacity and Governance
- Emerging Practices and Innovation

CONSUMER NEEDS AND EXPERIENCES

This component is designed to help inventory how stakeholders learn about the public's needs and experiences in and outcomes from the civil justice system. One of the unique aspects of the JFA Initiative is the focus on the individual user's experience as part of this systemic strategic planning.

Key Elements:

- Strong feedback loops with the public, service providers, and other community partners
- User-focused quantitative and qualitative data measures identified and captured
- Mechanisms for integrating user voice in strategic and operational access to justice decisions

Strengths:

- Service providers regularly ask clients for feedback through surveys and report one-on-one phone surveys lead to highest response rate
- Technology efforts consistently integrate user feedback
- Providers use public data sets to understand eligible service populations

Challenges:

- Lack of coordinated effort to collect, share, and analyze end-user feedback
- In some instances, low survey response rates and lack of time and resources to increase responses
- Users report few opportunities to provide feedback and had negative opinions on their experiences
- Courts do not actively seek or incorporate user feedback

JURISDICTION INFRASTRUCTURE

This component helps gather insights about how the infrastructure in your jurisdiction may impact access to justice innovation and reform. A state or local profile can help traditional and non-traditional stakeholders better understand how the courts, legal aid, the bar, and other institutions are structured and interact to support your states' civil access to justice ecosystem.

Key Elements:

- Infrastructure reflects representation from all civil access to justice stakeholders (traditional and non-traditional)
- Profile includes state and local level information, where possible
- Documents current infrastructure as well as potential areas for growth
- Informs civil access to justice governance structure

Strengths:

- Integrated civil justice system with strong partnerships and coordination among providers
- Understanding of continuum of services that exists for low- and moderate-income families

Challenges:

- 1 in 3 income-eligible person lives in an area where the closest legal aid office is over a 45-minute drive and broadband access is limited
- Only one full-time civil legal aid attorney for every 11,250 people income-eligible
- Non-unified court system resulting in variations of practice among jurisdictions

STAKEHOLDER CAPACITY & GOVERNANCE OF TRADITIONAL STAKEHOLDERS

This component provides insights into the capacity and structure of stakeholders engaging in the JFA process. Understanding more about the stakeholder capacities can inform what practical roles they can take in JFA planning and implementation. For instance, courts cannot undertake substantive law reform, while community groups can advocate for substantive law reform. Likewise, Legal Service Corporation grantees cannot handle class actions, but private attorneys can. As a robust continuum of legal help and information develops under JFA, an understanding of the role and capacity of each stakeholder within the continuum is critical.

Key Elements:

- Established forum and process for collaboration between stakeholder groups
- Clear understanding of access to justice roles and responsibilities within and between stakeholder groups
- Dedicated attention to funding, resources, and partnerships to support growing stakeholder and ecosystem capacity

Strengths:

- Dedicated attention from ATJ community stakeholders to secure funding and educate stakeholders on importance of civil legal aid
- Robust ATJ network and governance framework
- Forum for stakeholder collaboration within ATJ Commission, Committees, and practice area groups

Challenges:

- Geographic diversity of membership
- Coordination across providers
- Scarcity of funding and competition for funds

EMERGING PRACTICES AND INNOVATIONS

This component is the frontier of innovation today. A JFA good practice is to stay on the leading edge of change, especially with the massive transformation technology is having on our society. While emerging practices and innovations take varied forms, they all capture a way of doing business that has the power to transform the justice system, for bad and good. Leaders and planners must become conversant in these topics and have some sense of their implications.

Key Elements:

- Simplification
- Upstream Interventions
- ODR
- Portals
- Artificial Intelligence (AI) and Machine Learning
- Regulatory Reform
- Data Privacy
- Cyber Security
- Standards

Strengths:

- Technology to support litigants, including client portal using AI & machine learning, in development
- History of service providers using technology to increase capacity, including uniform online case management system
- Strong governance and infrastructure in place for service providers

Challenges:

- Lack of upstream interventions
- ODR not available
- Non-unified court system results in variation of local rules, processes, procedures, and programs
- Inconsistencies in available data and lack of data-driven decision-making
- Rural communities' barriers to access internet-based technologies

FOUNDATIONAL CAPACITIES

This cluster outlines existing judicial and court educational training and the community building efforts within the jurisdiction. The two components included are:

- Judicial and Court Staff Education
- Community Integration and Prevention

JUDICIAL AND COURT STAFF EDUCATION

This component contemplates the existence of a judicial education program that engages judges and promotes leadership on access to justice issues within and without the courts. A court staff education program will adopt many of the same principles tailored to staff interaction with users.

Key Elements:

Education programs should follow adult learning principles, be dynamic and interactive, and address the following topics:

- Engagement with self-represented litigants
- Availability of community resources and other referral opportunities
- Systems change leadership for judges
- Language access requirements and procedures
- Procedural fairness
- Cultural sensitivity

Strengths:

- Statewide SRL Summits are held annually to train judges, court staff, and self-help center administrators
- SRL reference materials are created and distributed to judges regularly
- Training infrastructure for judiciary exists via a coordinated Judicial College

Challenges:

- No mandatory judicial or court-staff training on access to justice issues
- Trainings tend to be regionalized and not often included in statewide offerings
- Trainings offered focuses on judges' interactions, not court staff
- Available trainings and resources are not being communicated well enough to judiciary and court staff
- Inconsistencies in staff training from court to court

COMMUNITY INTEGRATION & PREVENTION

This component contemplates civil access to justice responses that facilitate system access through community stakeholders and more effective responses to user's legal issues on the front end. Community leaders and service providers can often serve as a trusted intermediary that can demystify the justice system as well as connect individuals with services to decrease justice system involvement in the first instance.

Key Elements:

- Robust information exchange, including cross-training
- Community resources integrated into provider services
- Collecting and sharing information on user experience across providers
- Collaborative partnerships, including social services providers
- Community outreach, enabled by a robust communication strategy
- Cross-training between organizations
- Early issue identification and proactive, robust referrals in a range of areas (e.g., achieving access through partners)
- Education about dispute resolution without legal action

Strengths:

- Well-established Disaster Response Model as well as new models in development (reentry legal needs) with strong partnerships, cross-training, and communication across service providers (legal & non-legal)
- Individual programs that use holistic service models to support vulnerable populations, such as domestic violence survivors
- Education programs, such as LEAP, that educate public librarians on availability of legal services/resources

Challenges:

- Building relationships and expanding community integration to address wide variety of legal issues across the state through a coordinated effort of providers and social services
- Coordinated outreach systems and communication strategies outside of established models
- Early issue identification

FOUNDATIONAL SERVICES

This cluster seeks to inventory the activities and resources available to help the public obtain legal information, self-help, and legal referrals. Most of this work should be completed by courts and civil legal aid and pro bono partners. It should include both court-based and court-annexed resources as well as connections for limited-scope/unbundled and full representation legal referrals. Because the results of this cluster will be shared with non-traditional and community partners, they are useful for the inventory analysis and future community outreach (supporting the “no wrong door” approach). The five components included are:

- Self-Help Centers
- Plain Language Forms
- Triage and Referral
- Courtroom Assistance Services
- Compliance Assistance

SELF-HELP CENTERS

This component contemplates broad self-help informational services being accessible to system-users. This can be through information provided in-person or online. The component also contemplates the integration of court-based assistance for SRLs from case initiation to appearing in court. Self-Help Centers should provide a variety of information on procedure and the law in easily accessible formats.

Key Elements:

- All information provided in plain language
- Instructions on legal processes, applicable law, and how to prepare for and present a case
- Links to information and forms on other specific subject matters, including out-of-court resolution
- Materials optimized for mobile viewing
- Information on which courts hear what cases and how to access court (e.g., transportation)
- Staffed self-help centers in/near courthouse, or accessible in community
- Multiple channels of providing information (e.g., workshops, online)

Strengths:

- Most available self-help centers are inside or annexed to the court and easy to access
- Self-help centers provide information utilizing various methods: one-on-one, online, phone
- Available self-help resources include instructions on legal processes and how to prepare for court
- Self-help is a strong component of ATJ strategy
- Easily replicable self-help center model and support available for interested courts

Challenges:

- Limited access to in-person self-help in rural jurisdictions
- Low literacy and language barriers impact utility of self-help
- Self-help center assistance mostly limited to family law matters
- Educating the public on availability of in-person and virtual self-help centers
- Non-unified court system leads to inconsistencies of available services and forms from jurisdiction to jurisdiction
- Court-based self-help centers can cause increased work and problems for court staff

PLAIN LANGUAGE FORMS

This component contemplates implementing standardized, plain language forms that are also user-friendly. It is worth noting that the process around the development of plain language forms often gives rise to opportunities for procedural simplification.

Key Elements:

- Implementation of standardized plain language forms
- Testing for comprehensibility and usability
- Form data integration with the court information system
- Protocols for assessing and updating forms

Strengths:

- Systems in place to support form development
- Appetite for additional forms by stakeholders
- Instructions provided
- Some forms available in both print and automated versions

Challenges:

- Some stakeholders oppose the use of plain language forms
- Lack of unified court system makes standardized statewide SRL forms difficult and availability varies by jurisdiction
- Communication of available forms to users and community partners needs improvement
- While plain language principles were considered, forms are still difficult for SRLs to understand

TRIAGE AND REFERRAL

This component is about ensuring there is “no wrong door” to enter the legal system, whether through referrals or other channels. This requires a robust and continued triage system that assesses what services each individual and situation needs, followed by appropriate and verified referrals.

Key Elements:

- Triage/assessment and referral by any existing resource
- Identified, consistent triage and referral protocols & practices
- Triage supported by technology
- All stakeholders, including non-traditional ones, aware of referral information
- Effective referrals (i.e. entity can take matter without time, income, or subject matter restrictions precluding service)
- Central legal aid hotlines and market-based equivalents for moderate-income people to diagnose legal issues/potential solutions and resolve less-complex issues at an early stage

Strengths:

- Statewide Find Legal Help page provides central online location for referrals and resources for low- and moderate-income families
- Strong network of local legal referral systems/programs
- Online triage system supported by technology currently in development
- Awareness of referral information allowing community organizations to effectively refer individuals with legal issues to appropriate help or resource

Challenges:

- Creating a coordinated and centralized system for referrals accessible to those with and without internet access
- Understanding effectiveness of referrals and consistency in triage and referral protocols & practices

COURTROOM ASSISTANCE SERVICES

This component involves a more dynamic provision of information to system users through technology and in-person assistance. Judges and court staff are also central to providing courtroom assistance.

Key Elements:

- Instructional videos on logistics and procedures
- In-person assistants
- Technology tools to support work of assistants, such as automated forms
- Technology tools for the judges to prepare and explain final orders in the court room.
- Training tools for personal assistants and court staff

Strengths:

- Self-help center model incorporates instructional videos
- SRL resources incorporates training tools and materials for judges and court staff

Challenges:

- Limited court resources affect feasibility of courtroom assistance
- Non-unified court system leads to inconsistencies of available services from jurisdiction to jurisdiction
- Increased burden on court staff

COMPLIANCE ASSISTANCE

This component addresses strategies for increasing comprehension of and compliance with legal processes and court orders.

Key Elements:

- Written orders and compliance information available immediately after hearing
- Use of plain language orders and judgments
- Explanations provided by judges and other court staff
- Reminders prior to deadlines
- Online tools to assist with compliance and enforcement
- Collaboration with stakeholders and users to identify common problems and ways to address them

Strengths:

- Some courts provide one-to-one explanation for litigants
- Some judges are using foundational approaches in other areas of the court experience

Challenges:

- No coordinated or intentional approaches to advancing this component
- Lack of generalized compliance information written at appropriate reading levels
- Absence of court personnel or assistance post-judgment to provide information

RESOLUTION STRATEGIES

This cluster focuses on how human legal expertise, judgment, and analysis is deployed to resolve disputes. These are the scarcest resources of the justice system because they demand one-to-one, individualized, personal services. Just resolution requires that individuals fully understand their options and the downstream impact of their choices, and that their facts and circumstances are adequately presented to the court for a decision on the merits. One of the central challenges in access to justice work are to create systems that more efficiently and effectively distribute this cluster of components to people who need individualized legal help. When we combine the activities and resources of the previous clusters with resolution strategies, the consumer's experience can shift from confusion and frustration to one where they get the help they need, when they need it, and in a format they can use. The four components are:

- Alternative Dispute Resolution
- Navigator (non-lawyer) Services
- Limited Scope Representation
- Full Representation

ALTERNATIVE DISPUTE RESOLUTIONS

This component focuses on Alternative Dispute Resolution (ADR) and how it is integrated into the JFA case types. ADR encompasses many different activities, including mediation, arbitration, neutral evaluation and settlement conferences. It can be mandatory or voluntary. Within the context of the JFA initiative, the goal is not to deploy as much ADR as possible, but rather to examine the current use of ADR and develop safe, user-friendly off-ramps for ADR when it may be helpful in case resolution.

Key Elements:

- Provision of information about ADR modes and processes, substantive ADR law, and consequences
- ADR information available online and integrated into portal
- Clear codes of ethics for the non-judicial neutrals
- Access to ADR modes provided within procedural context, possibly through self-help
- Ethically appropriate collaborations between ATJ stakeholders and ADR providers

Strengths:

- Existing ADR Section with information on processes and substantive ADR law
- Broad support from access to justice stakeholders
- Collaborative pilot projects between access to justice stakeholders and ADR providers in development
- Availability of virtual options may increase accessibility in rural areas

Challenges:

- Lack of access to ADR modes provided within procedural context
- Educating all stakeholders on ADR options, including information for the public on what ADR is and how to access it
- Incentives for attorneys to provide pro bono services to SRLs have not yet been determined
- Availability of ADR services in rural areas

NAVIGATORS

This component contemplates a new set of roles that provides legal services by professionals who are not lawyers. Navigators support litigants on-site by selecting forms supporting their navigation through the court process.

Key Elements:

- Assist litigants in navigating court processes on-site.
- Assist litigants in selecting and filling out forms.
- Assist litigants in complying with legal processes for case actions with large numbers of self-represented litigants.

Strengths:

- Self-help centers provide replicable model for on-site navigation and assistance with filling out forms

Challenges:

- Lack of available navigation tools
- Non-unified court system leads to inconsistencies of available services from jurisdiction to jurisdiction
- Insufficient court resources and staff capacity

LIMITED SCOPE REPRESENTATION (LSR)

This component contemplates achieving sufficient levels of limited scope representation (also called unbundled or discrete task legal assistance) deployed at strategic points for the highest possible impact for users.

Key Elements:

- Lawyers willing to provide legal services on a discrete task basis
- Processes for conclusion of limited scope representation
- Training and resources to support participating lawyers
- Adoption of rules that facilitate limited scope representation and ease in entering/exiting a matter
- Good lines of communication between the limited scope attorney and the client
- Screening, triage and referral components to connect these lawyers with persons seeking their services
- Full acceptance by the judiciary of the practice
- Take steps to create and aggregate a market for discrete task representation through public education and advertising as well as through the creation of lawyer referral mechanisms focused on this form of law practice.

Strengths:

- Existence of LSBA Modest Means Directory
- Rules and forms for Notice of Limited Appearance and process for withdrawal adopted by the courts
- A growing library of training and resources for attorneys providing LSR in development

Challenges:

- Adoption of rules to further clarify attorney roles, responsibilities, and limitations for the provision of LSR
- Lack of attorney focus groups to discuss benefits and challenges when offering LSR
- No organized data collection efforts on end-user experience and feedback information following LSR services to determine satisfaction
- Lack of public and community awareness of LSR as an option for services and where to look for referrals

FULL REPRESENTATION EXPANSION

This component contemplates ensuring sufficient levels of full-service legal representation across income levels.

Key Elements:

- Assessment of existing service capacity in the state, factoring in geographic differences.
- Identification of effective service pro bono, legal aid and market-based delivery strategies with potential for replication/scaling
- Training & assistance with implementation of best practices for utilizing technology and process improvement; identification of potential support to make this possible.
- Incorporation of litigation strategies that have the potential to impact many people and decrease the need for full representation in the future.
- Training and mentoring for pro bono volunteers, both on substantive issues and on how to work with low-income clients.

Strengths:

- Consolidated and coordinated network of legal aid providers
- Priorities are driven by needs of the community
- Pro bono projects provide mentorship and resources to attorney volunteers
- Dedicated training counsel for civil legal aid, volunteer, and public interest attorney practitioners
- Ongoing assessment and awareness of service capacity of providers

Challenges:

- Need for services eclipse capacity
- Limited incentives for pro bono work and lack of pro bono reporting
- Rural communities with high concentrations of poverty have long drives to legal aid offices, barriers to internet access, and limited access to alternative resources

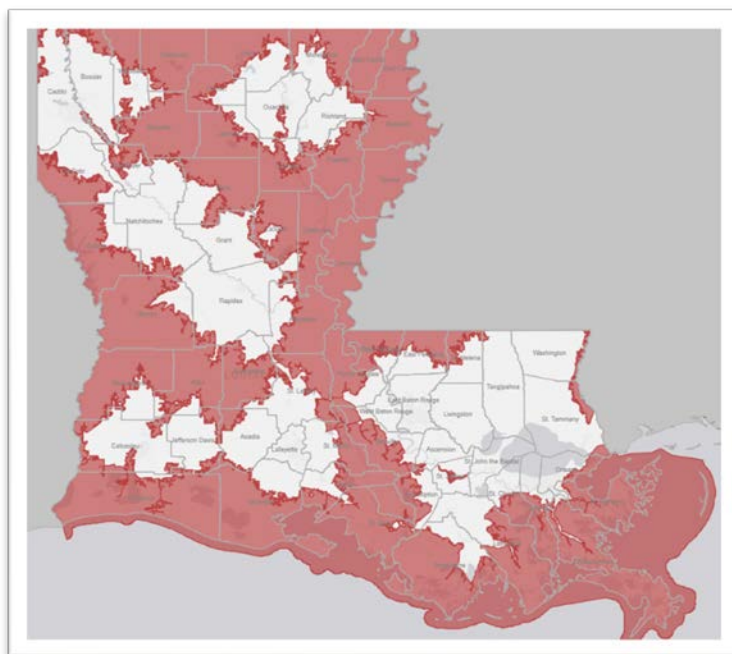
GIS MAPPING

In addition to the component-based inventory assessment summarized above, the JFA team engaged in a GIS mapping project to more thoroughly understand the access points for low- and moderate-income Louisianans with legal issues and the geographic and other barriers to those access points such as public transportation and broadband access. The mapping project revealed that nearly 15% of the state's population, and approximately 600,000 Louisianans living at or below 200% of the federal poverty line live in "civil legal resource deserts." These are areas where great barriers to in-person legal services and online resources exist.

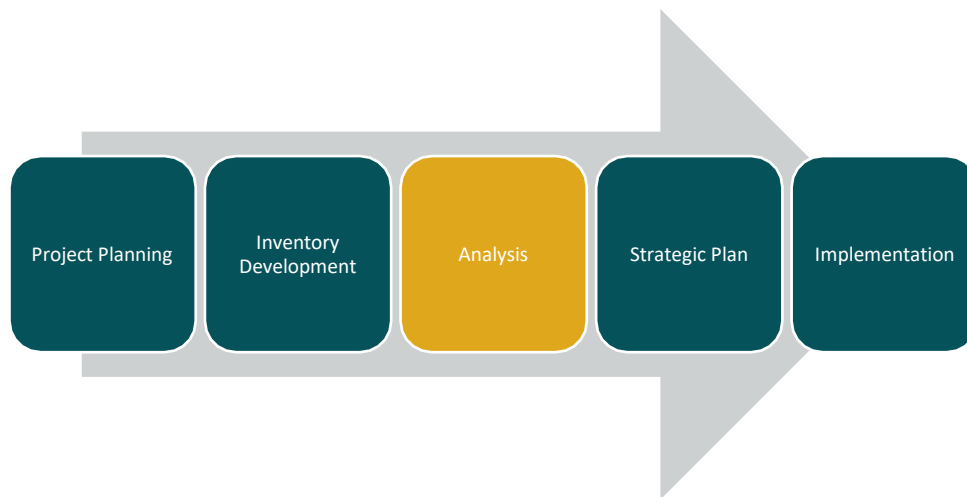
For example, areas designated in red in the map in Figure 2 represent places where in-person civil legal help (at either a civil legal aid office, law library, or self-help center) is at least a 45-minute drive away. These areas frequently also have high rates of poverty and limited access to broadband internet, making civil legal help effectively inaccessible.

The parishes with the highest poverty rates and lack of access to nearby legal aid offices and broadband include much of the Northeast side of Louisiana, including Concordia, Tensas, Madison, and East Carroll parishes.

Figure 2: Louisiana's Civil Legal Resource Deserts



The capacity for the GIS mapping project was the result of the unplanned and unfortunate cancellation of the community listening sessions. The flexibility of the JFA team in redeploying the freed-up resources created opportunities that have influenced stakeholders' understanding of ATJ challenges in Louisiana and the identification of priorities moving forward. In addition to revealing valuable insights into Louisiana's civil legal resource deserts, the maps provide data regarding the locations of other potentially critical community partners, including local libraries, places of worship, schools, and health care providers. The data and resulting maps will be invaluable resources as ATJ stakeholders begin implementing JFA priorities and re-engage with community partners across the state. The maps can be found [here](#).



ANALYSIS

Informed by the inventory assessment and GIS mapping project, the JFA Advisory Council and project team began analyzing the information and identifying key findings and potential strategies and activities for closing gaps. A summary of those findings is provided below.

- 1. Louisiana has achieved significant system-level ATJ coordination among legal stakeholders, primarily through the Access to Justice (ATJ) Commission and committee structure. Opportunities exist to further develop communication strategies, increase participation of community stakeholders, and broaden the geographic diversity of participating members to increase representation of rural communities.**

Potential Strategies & Activities:

- Review current commission and committee rosters. Assess and make recommendations for opportunities to diversify input and representation.
 - Establish goals and metrics for tracking progress toward justice for all.
 - Develop communications plan and strategy to publicize the implementation phase of this project to garner support and recruit champions for these initiatives.
- 2. Louisiana has a strong network of providers and community partners. However, capacity constraints result in significant “civil legal resource deserts,” where access to legal aid, transportation, and broadband are limited. Approximately 600,000 people income-eligible for legal services are required to drive over 45 minutes to get to the nearest legal aid office, law library, or self-help center. This accounts for 60% of the state’s land area and 34% of the population below 200% of the federal poverty line. Demand for all services, including full representation, far outstrips the capacity to serve. All of the efforts described in the inventory assessment make meaningful contributions to addressing these gaps, but significant barriers remain.**

Potential Strategies & Activities:

- Strengthen resource planning and funding seeking efforts to increase legal aid office presence in the state where needed
- Expand in-person self-help centers and self-help assistance, focusing on “legal deserts.”
- Create virtual self-help centers and/or clinics targeted to residents with the greatest challenges reaching in-person assistance.
- Use and enhance the GIS mapping project to identify potential high-impact future collaborations that support community partners in assessing, addressing, and/or effectively referring the legal needs of their patrons.
- Create opportunities to learn from rural states like Alaska and Montana regarding practices for delivering services across great distances.
- Create, systematize, and support ongoing efforts to attract, retain, mentor, and train pro bono attorneys.

3. **Louisiana has well-established models in place for community integration and prevention. Through disaster preparedness and response programs, stakeholders have a history of coordinating trainings, services, and resources to organizations and people affected by disaster. Additionally, several collaborative models exist through individual organizations and joint initiatives to address a variety of legal matters arising from medical issues, domestic violence, and incarceration. Strong partnerships with public libraries through the Legal Education Assistance Program (LEAP) have also bolstered outreach efforts to the public about available legal resources. Expanding these models to address a wider variety of legal issues through coordinated outreach and education involving legal and nonlegal providers would strengthen information exchange across agencies, increase access to existing legal resources, and help continuously identify unmet legal needs and opportunities.**

Potential Strategies & Activities:

- Use and enhance the GIS mapping project to identify potential high-impact future collaborations that support community partners in assessing, addressing, and/or referring the legal needs of their patrons.
- Create and track goals for additional outreach, communication, and collaboration with community partners.
- Support individual stakeholder efforts by developing and distributing template materials for outreach to community partners.

4. In Louisiana, strong local triage and referral systems exist in the highest populated areas of the state – namely, Alexandria, Baton Rouge, Lafayette, Lake Charles, New Orleans, and Shreveport. Additionally, the Find Legal Help webpage has improved the accessibility of online information for those seeking legal help by centralizing contacts, organization information, and resources. While community stakeholders reported awareness and frequent use of the referral resources available, additional opportunities exist to centralize triage and referral systems through partnerships with health and human services networks like 211. This would ultimately enhance the “no-wrong door” approach and ensure those with and without internet access can connect with the legal help they need. Robust triage with other community partners has not been systematically implemented.

Potential Strategies & Activities:

- Coordinate with 211 to identify and implement opportunities for increasing the effectiveness of legal referrals through the network.
- Offer training to legal providers on how to use 211 or other resources to ensure seamless referrals for addressing the non-legal needs of clients.
- Study the effectiveness of current referral protocols and practices, including the capacity, eligibility, and priority constraints of the entities receiving referrals, and recommend opportunities to improve effectiveness and information sharing.
- Study emerging best practices and innovative models for creating cohesive triage and referral models across the system of legal and community providers.

5. End user feedback and data are collected and used by some access to justice providers, programs, and projects. However, there are opportunities to improve collection, sharing, and utilization of user input and data to help guide system-level decisions and improvements.

Potential Strategies & Activities:

- Work with judges and court staff to develop a system to track litigant (user) experiences, outcomes, and knowledge.
- Provide regular or ongoing opportunities for users of the justice system to provide feedback on their experiences through community meetings, focus groups, or surveys.
- Provide a regular forum for providers and other stakeholders to share and learn from each other’s end-user data.
- Provide a statewide training for ATJ stakeholders on best practices for incorporating, ongoing end-user feedback.
- Diversify the ATJ Commission and subcommittees.
- Select several metrics for end-user feedback that are tracked across time by the ATJ Commission or appropriate subcommittee.
- Commit to including end-user feedback in any future projects of the ATJ Commission.

6. **The technology committee of the ATJ Commission coordinates technology projects, ensuring that technological innovation is an ongoing topic for discussion and planning. Significant innovation is taking place, including work on the civil legal navigator program. However, no systematic approach is currently in place for identifying new opportunities for innovation (including non- technological). Opportunities to simplify processes and develop best practice standards through a systemic approach remain challenging due to variations in local rules, processes, and procedures.**

Potential Strategies & Activities:

- Commit to ongoing participation in national conferences and trainings related to innovation and create systems for reporting and considering new approaches.
- Request technical assistance from NCSC on incremental projects that may assist in creating more uniformity in areas of innovation that would have the biggest impact on self-represented or low-income litigants.

7. **The Louisiana Judicial College (LJC) provides quality and relevant continuing legal education for judges. However, the lack of requirement for ATJ training programs for judges and court staff has led to decentralized efforts on a select few issues. Recent collaborative educational efforts by the ATJ Commission committees with the Louisiana District Judges Association, the Louisiana Judicial College and Louisiana Clerks of Court Association have been positive. Opportunities exist for a more consistent, structured plan of education for judges and court staff.**

Potential Strategies & Activities:

- Work with LJC to ensure ATJ topics are included in annual trainings available to the judiciary.
- Create and implement an annual ATJ training for court staff.
- Develop a toolkit of training materials that can be used by various presenters for judicial and court staff trainings.

8. **In Louisiana, development of self-help forms has been a high priority for access to justice stakeholders for more than a decade. Forms for divorce, child custody and support, name change, and select court procedures are available. While the Louisiana Access to Justice Commission has adopted standardized forms, Louisiana's non-unified court system has resulted in a lack of uniformity and led to variations in the content, availability, and costs to access the forms. As a result of these challenges, efforts to develop statewide approved forms have declined in recent years.**

Potential Strategies & Activities:

- Prioritize creation of additional materials in areas other than domestic relations based on user data about areas of greatest needs. Explore additional options for encouraging or mandating adoption of simplified forms across jurisdictions.
- Engage in ongoing judicial education about the importance of uniformity and plain language in achieving access to justice.
- Continue to develop resources like automated forms and orders that offer efficiency for judges adopting standardized, user-friendly, plain language forms.

9. Louisiana's self-help centers are a strong piece of Louisiana's access to justice strategy. There are currently 13 physical centers, largely located in urban areas, meaning that access in rural areas is limited. Self-help services generally include assistance with issue identification, form completion, procedure information, and referrals to legal services or community resources. Services are largely limited to domestic matters, and generally stop at the courtroom door. For jurisdictions that may lack capacity to implement physical self-help centers, virtual options exist. Much like the physical centers, these websites contain guidance on self-representation, legal information and forms, and contact information for legal and community organizations that may be able to help. Currently, 18 judicial districts employ virtual self-help sites, and an additional 10 host similar content on their court websites. Louisiana's non-unified system leads to inconsistencies in available services and forms.

Potential Strategies & Activities:

- Explore and expand remote technologies for enhancing customized assistance for individuals in jurisdictions without physical self-help centers. Examples include self-help clinics provided over video conference and virtual assistance kiosks in the courthouse.
- Consider expanding the availability of courtroom assistance or navigators to offer individualized assistance to self-represented litigants not currently available through the centers, perhaps through pilot projects.

10. Compliance assistance activities that help self-represented litigants understand and comply with court orders are virtually non-existent in Louisiana. Some judges provide oral explanations of judgements, and clerks of court are often approached by litigants trying to understand written orders. There is no indication of a concerted effort to support or ensure post-judgment compliance.

Potential Strategies & Activities:

- Provide automated, plain language orders based on standard forms to assist judges in completing written orders at the hearing. This may have the added benefit of encouraging broader use of standardized forms.
- Include trainings on the importance of compliance assistance in ongoing judicial education.
- Gather user and community feedback to identify areas where self-represented litigants have encountered the greatest challenges with compliance.

11. Alternative Dispute Resolution (ADR) programs have been initiated and tested for many years. Two Louisiana law school clinics are currently providing free conflict resolution services to individuals, organizations, and agencies by utilizing trained law students. Other ADR programs provide reduced-fee mediation on a sliding scale. A pilot project currently in development would offer mediation services through legal aid providers and volunteer mediators from the LSBA ADR Section. Survey results show that not many people know these services exist or what their function is in the legal system. Providing ADR services in rural areas is a challenge.

Potential Strategies & Activities:

- Explore online mediation options for locations not currently served by an established program.
- Create clear goals for educating stakeholders regarding available ADR options.
- If not already available, establish clear protocols and best practices for new mediation programs.
- If not already established, consider developing and passing a code of ethics for mediators.

- 12. Limited scope representation has been supported by the legal profession and courts in Louisiana for more than 20 years. While that support continues today, opportunities exist to increase participation by attorneys and litigants.**

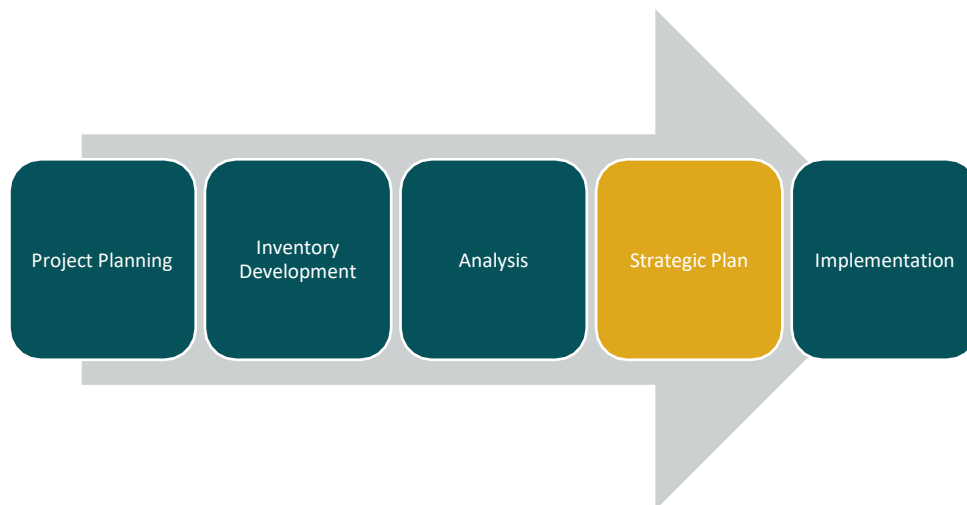
Potential Strategies & Activities:

- Create clear goals for educating stakeholders about existing LSR services.
- Evaluate the effectiveness of current efforts, including through the collection of feedback from attorneys providing LSR services.
- Adopt rules that further support and clarify attorneys' roles, responsibilities, and limitations for the provision of LSR.
- Create or enhance training materials and support available for LSR attorneys.

- 13. Louisiana's non-unified court system often results in challenges to efficiently expanding services and resources across the state or making existing resources more widely available.**

Potential Strategies & Activities:

- Request technical assistance from NCSC on incremental projects that may assist in creating more uniformity across areas that would have the biggest impact on self-represented or low-income litigants.
- Convene key stakeholders to study and recommend improvements.



STRATEGIC PLAN

After considering the assessment findings by component, the key findings summarized above, and the associated potential implementation activities, the JFA Advisory Council went through an abbreviated prioritization process via two facilitated online meetings, engaging in a SWOT analysis, a stakeholder analysis, and ultimately prioritizing areas of focus while considering the following guiding questions:

- If there were no constraints on time or money, what activities would be most meaningful and impactful?
- What activities do we have the collective capacity to meaningfully move forward in the next year?
- What activities would have the most meaningful impact on primary stakeholders? The most marginalized or excluded stakeholders?
- What activities would address areas in which there is the largest gap between where we are and where we should be?
- What activities would you be most excited to be a part of?
- What activities already have natural individual or institutional leaders to spearhead?
- What activities would deliver the biggest impact for the least amount of investment of time and funding?

At the end of the process, the Advisory Council and JFA team recommended that the Access to Justice Commission consider avenues for pursuing activities and strategies focused on the priority areas identified on the following page without diverting resources from the critically important legal aid, self-help, pro bono, clinical and court-based services already being delivered without sufficient financial resources.

| PRIORITY ACTIVITIES AND STRATEGIES FOR CONSIDERATION | JFA COMPONENT/S |
|---|--|
| <p>1. Increase support for access to justice efforts by developing and implementing a comprehensive outreach and communications plan that includes but is not limited to:</p> <ul style="list-style-type: none"> ○ Widespread distribution of the findings from the GIS mapping project to legal stakeholders, community, funders, legislators, and leaders. ○ Communication, coordination, and cross-trainings with non-traditional community partners | <ul style="list-style-type: none"> • Jurisdiction Infrastructure • Stakeholder Capacity & Governance of Traditional Stakeholders • Community Integration & Prevention |
| <p>2. Pursue a strategy for including an annual mandatory access to justice training for judges and court staff that includes but is not limited to:</p> <ul style="list-style-type: none"> ○ Information about barriers to civil legal justice (“legal deserts”) ○ Information about the importance of uniformity and consistency in overcoming those barriers | <ul style="list-style-type: none"> • Judicial & Court Staff Education |
| <p>3. Explore improvements to triage and referral by:</p> <ul style="list-style-type: none"> ○ Communication, coordination, and cross-trainings with non-legal referral mechanisms such as 211 ○ Studying the effectiveness of existing referral systems and recommending opportunities for improvements | <ul style="list-style-type: none"> • Triage & Referral |
| <p>4. Increase and centralize self-help resources for residents living in Louisiana’s civil legal deserts by:</p> <ul style="list-style-type: none"> ○ Increasing the availability of self-help kiosks/access points located at courthouses or community gathering spots ○ Coordinating efforts for statewide endorsement of current forms ○ Creating additional plain language forms and instructions | <ul style="list-style-type: none"> • Self-Help Centers • Plain Language Forms • Courtroom Assistance Services • Compliance Assistance |
| <p>5. Continue to invest in communication, education, and outreach to increase lawyer and litigant participation in:</p> <ul style="list-style-type: none"> ○ Alternative dispute resolution ○ Limited scope representation | <ul style="list-style-type: none"> • Alternative Dispute Resolution • Limited Scope Representation |

FRAMEWORK FOR PROCEEDING WITH JFA IMPLEMENTATION

With the above identified priorities in mind, the LSBA Access to Justice team recommended to the Commission the following framework for moving from JFA assessment to JFA implementation:

- Incorporate the JFA key findings and priorities into the existing ATJ Commission strategic plan.
- Offer planning facilitation to ATJ committees interested in looking more closely at the JFA findings and discussing ways to incorporate the findings into committee workplans.
- Seek NSCS funding for JFA implementation to support a multi-pronged strategy for addressing barriers to civil justice in up to three parishes located in civil legal deserts, as identified in the GIS mapping project (the project is described in more detail below).

ACCESS TO JUSTICE COMMISSION AMENDED STRATEGIC PLAN

With assistance from ATJ Commission Committee Chairs, the JFA team has drafted a revised and amended strategic plan for the Commission, integrating learnings and priorities from the JFA process. The amended strategic plan, included below, was considered and approved by the full Commission. In addition, facilitation will be offered to each Commission committee as they develop work plans and metrics based on the amended strategic plan and broader set of JFA findings, which will complete the remaining items in the report below.

DRAFT LOUISIANA ACCESS TO JUSTICE COMMISSION 2020 - 2022 STRATEGIC PLAN

*Proposed Priority Activities for 2021 are denoted in bold italics; the categories requiring additional information will be updated through Committee meeting facilitation and throughout the implementation phase.

STRATEGIC GOAL 1: INCREASE AND EQUALIZE ACCESS THROUGH UNIFORMITY IN ATJ RESOURCES AND SERVICES ACROSS LOUISIANA

| Strategic Activity/Project | Oversight & Accountability | Champions/Staff/Partners | Metrics | Progress |
|---|--|--|---|----------|
| <i>Pursue a strategy for including an annual mandatory access to justice training for judges and court staff that includes but is not limited to information about:</i> <ul style="list-style-type: none"> <i>barriers to civil legal justice (“legal deserts”)</i> <i>the importance of uniformity and consistency in overcoming those barriers</i> | SRL Committee | Commission: Staff: Stephanie Beaugh JFA Implementation Team (focusing on implementation project sites) | At least one training for judges and court staff in each JFA implementation parish. | |
| <i>Increase the availability of self-help kiosks/access points located at courthouses or community gathering spots in civil legal deserts.</i> | SRL Committee and Technology Committee | Commission: Staff: Stephanie Beaugh JFA Implementation Team | At least one community - supported self-help kiosk or access point is established. | |
| Create additional plain language forms and | SRL Committee and Technology Committee | Commission: Staff: Stephanie Beaugh | | |

| | | | | |
|---|---------------------------|---|--|--|
| instructions and encourage acceptance by all LA courts. | | | | |
| Continue to improve language access resources and services. | Language Access Committee | Commission: Luz Molina Staff: Stephanie Beaugh | | |

STRATEGIC GOAL 2: INCREASE AWARENESS OF AND COLLABORATION ON ACCESS TO JUSTICE EFFORTS AND ISSUES

| Strategic Activity/Project | Oversight & Accountability | Champions/Staff/Partners | Metrics | Progress |
|---|----------------------------|---|--|----------|
| <i>Create and implement a comprehensive outreach and communications plan that includes widespread distribution of the findings of the JFA GIS mapping project.</i> | Commission | Commission: Staff: JFA Implementation Team (focusing on implementation sites) | Communications progress and input incorporated into each Commission meeting. Outreach and communications plan executed in at least one to three parishes located in civil legal deserts (JFA implementation sites). | |
| Create and implement a plan for communications, coordination, and cross-trainings with non-traditional stakeholders. | Building Bridges Committee | Commission: Staff: Amy Duncan JFA Implementation Team | Plan executed in one to three parishes located in civil legal deserts (JFA implementation sites). | |

STRATEGIC GOAL 3: INCREASE PARTICIPATION IN AND SUPPORT FOR ATJ COMMISSION ACTIVITIES

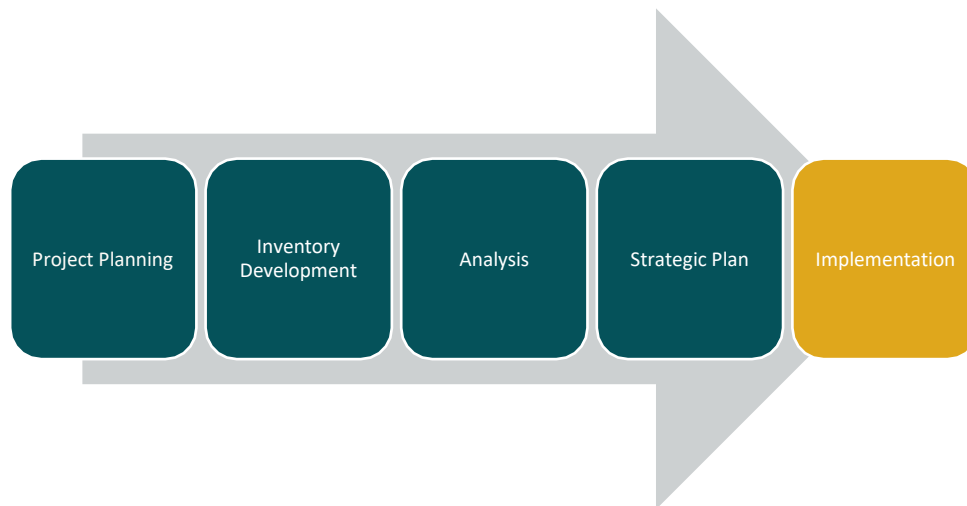
| Strategic Activity/Project | Oversight & Accountability | Champions/Staff/Partners | Metrics | Progress |
|--|----------------------------|--|---|----------|
| Continue efforts to increase legislative participation in and support of ATJ activities | Funding Committee | Commission: Staff: | | |
| Explore opportunities for incorporating Justice for All (JFA) key findings and priorities into the Commission's strategic plan and its committees' work plans. | Commission; all Committees | Commission: Committee Chairs Staff: JFA Implementation Plan Team | Each committee has considered the findings and discussed whether and how the findings shift the work priorities of the committee. Metrics have been established by oversight committees for priority activities. Progress is tracked and documented annually. | |

STRATEGIC GOAL 4: INCREASE LAWYER AND LITIGANT PARTICIPATION IN ACCESS TO JUSTICE PROJECTS AND PILOTS

| Strategic Activity/Project | Oversight & Accountability | Champions/Staff/Partners | Metrics | Progress |
|---|--|--|--|-----------------|
| Continue development and implementation of pilot conflict resolution program located where other resources are not readily available. | Modest Means and/or SRL Committee | Commission: Virginia Listach Staff: Amy Duncan/Stephanie Beaugh ADR Section of Bar | | |
| Expand and promote Legal Navigator Program. | Technology Committee | Commission: Amanda Brown Staff: JFA Implementation Plan Team | | |
| Continue implementation of best practices to increase attorney/legal volunteerism and develop initiatives and best practices. | Pro Bono Subcommittee (of the ATJ Committee) | Commission: C.C. Karr Staff: Rachael Mills | <ul style="list-style-type: none"> • Increase number of attorneys reporting volunteer hours by X%. • Increase average number of reported hours by X hours. | |
| Continue to invest in communication, education, and outreach to increase lawyer and litigant participation in limited scope representation and modest means representation. | Modest Means Committee | Commission: Virginia Listach Staff: Amy Duncan | Publication of LSR Toolkit for attorneys; CLE programming on LSR for attorneys in JFA parishes and attorneys on Modest Means Directory. | |

STRATEGIC GOAL 5: EXPLORE IMPROVEMENTS TO TRIAGE AND REFERRAL

| Strategic Activity/Project | Oversight & Accountability | Champions/Staff/Partners | Metrics | Progress |
|--|----------------------------|--|---------|----------|
| Explore improvements to triage and referral through communication, coordination, and cross-trainings with non-legal referral mechanisms such as 211. | | Commission: Staff: JFA Implementation Plan Team | | |
| Study the effectiveness of existing referral systems and recommend opportunities for improvements | | Commission: Staff: JFA Implementation Plan Team | | |



IMPLEMENTATION

The Louisiana Access to Justice Commission (“ATJ Commission”) has applied for a grant from the NSCS to implement a community-based multi-pronged strategy for addressing barriers to civil justice identified in Louisiana’s JFA assessment and planning stages. If funded, the community-based strategy will focus on up to three parishes located in civil legal resource deserts, as identified in the GIS mapping project.

Funding for the implementation phase would support a “viability phase” to determine which parishes would be best to initiate this work. Once the parishes are selected, the funding would be used to develop and implement a tailored, but replicable and scalable, approach to the local community that includes priority strategies identified in the JFA planning phase. Strategies will be finalized in consultation and partnership with local community partners and may include:

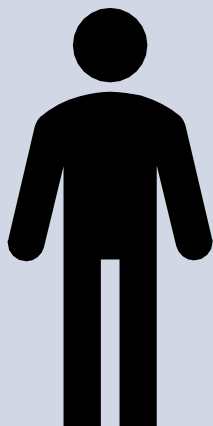
- outreach and education to nonlegal partners;
- cross-trainings for and with community partners;
- mapping community assets to identify places for effective access points such as self-help kiosks;
- support community partners with implementing locally identified projects and strategies;
- judicial and court education and outreach; and
- communication, education, and outreach to legislators, funders, and other leaders, using the GIS mapping project as a mechanism for (1) developing a greater understanding of the barriers to access to justice and (2) building support for increased funding.

This project has been prioritized based on: the comprehensive JFA assessment of access to justice in Louisiana; a recognition by the Justice for All Advisory Council (“JFA Advisory Council”) and the ATJ Commission that there are particularly challenging and layered barriers facing residents residing in civil legal deserts where access to legal aid, transportation, and broadband are limited; and a desire to fully embrace community partnerships and planning in selecting strategies for addressing those barriers.

The Louisiana Access to Justice Commission and the LSBA team are excited to continue this important work and grateful for the chance to continue to expand access to justice in the state with an even deeper understanding of the gaps, barriers, and opportunities that exist.

APPENDIX A: JFA ADVISORY COUNCIL MEMBERS, LSBA JFA TEAM, AND CONSULTANTS

Advisory Committee



DAVID AGUILLARD

Executive Director
Catholic Charities Diocese of
Baton Rouge

SARAH BERTHELOT

President + CEO
Louisiana Association of
United Ways

VIRGINIA LISTACH

Director, Clinical Legal
Education
Southern University Law
Center



Advisory Committee



**MICHAEL
McCLANAHAN**

President
NAACP Baton Rouge



LUZ MOLINA

Clinical Professor, Director
Workplace Justice Project



VERONICA SIZER

Executive Counsel
Governor's Office of
Homeland Security



Advisory Committee



AMANDA TAYLOR
Library Director
Concordia Parish Library



RANIE THOMPSON
Director of Legal Services
CrescentCare



LAURA TUGGLE
Executive Director
Southeast Louisiana Legal
Services



Advisory Committee



**SANDRA
VUJNOVICH**

Judicial Administrator
Supreme Court of Louisiana



**LISA WOODRUFF-
WHITE**

Family Court Judge
EBR Family Court



**Louisiana[®]
State Bar
Association**

Serving the Public. Serving the Profession.

LSBA Access To Justice Program Team



**MONTE
MOLLERE**

Director



AMY DUNCAN

Training &
Projects Counsel



**RACHAEL
MILLS**

Projects Counsel



**Stephanie
Beaugh**

Projects Counsel



**Louisiana[®]
State Bar
Association**

Serving the Public. Serving the Profession.

Project Team



AMANDA BROWN

Project Management &
Operations



TARA VEAZY

Strategic Research,
Advising, & Planning



APPENDIX B: SOURCES FOR COMPONENT ANALYSES

SOURCES OF INFORMATION AND DATA FOR COMPONENT INVENTORIES

| <i>Component/ Source</i> | <i>LSBA Leadership Oral History</i> | <i>End User Surveys (~120 respondents)</i> | <i>Community Stakeholder Surveys (~50 respondents)</i> | <i>Legal Stakeholder Surveys (~105 respondents)</i> | <i>Advisory Committee Meetings: Facilitated Component Input</i> | <i>Other Stakeholder Meetings/ Summits</i> | <i>Individual Interviews</i> |
|---|---|--|--|---|---|--|-------------------------------------|
| <i>Consumer Needs and Experience</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> |
| <i>Jurisdiction Infrastructure</i> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> |
| <i>Stakeholder Capacity and Governance</i> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> |
| <i>Emerging Practices and Innovation</i> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Judicial and Court Staff Education</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Community Integration and Prevention</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> |
| <i>Self-Help Centers</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

| <i>Component/ Source</i> | <i>LSBA Leadership Oral History</i> | <i>End User Surveys (~120 respondents)</i> | <i>Community Stakeholder Surveys (~50 respondents)</i> | <i>Legal Stakeholder Surveys (~105 respondents)</i> | <i>Advisory Committee Meetings: Facilitated Component Input</i> | <i>Other Stakeholder Meetings/ Summits</i> | <i>Individual Interviews</i> |
|--|---|--|--|---|---|--|-------------------------------------|
| <i>Plain Language Forms</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Triage and Referral</i> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> |
| <i>Courtroom Assistance Services</i> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Compliance Assistance</i> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>ADR</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <i>Navigator Services</i> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> |
| <i>Limited Scope Representation</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> |
| <i>Full Representation</i> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> |

APPENDIX C: INVENTORY ASSESSMENT

Justice For All Inventory Assessment Summary Findings

This summary includes an overview of each Justice For All (JFA) component and key elements juxtaposed with the strengths and challenges of Louisiana’s access to justice efforts as documented through a series of meetings, surveys, and research. A table summarizing when and how the supporting documentation was obtained can be found [here](#).

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A. Structural Capacities: This cluster of four components seeks to obtain information about the jurisdiction in terms of user needs, jurisdictional structure, and existing access to justice ecosystem governance, innovations, and capacity. The four components are:

- Consumer Needs and Experience
- Jurisdiction Infrastructure
- Stakeholder Capacity and Governance
- Emerging Practices and Innovation

| Consumer Needs and Experiences | |
|---|--|
| <p>This component is designed to help inventory how stakeholders learn about the public’s needs and experiences in and outcomes from the civil justice system. One of the unique aspects of the JFA Initiative is the focus on the individual user’s experience as part of this systemic strategic planning.</p> | |
| <p>Key Elements:</p> <ul style="list-style-type: none"> • Strong feedback loops with the public, service providers, and other community partners • User-focused quantitative and qualitative data measures identified and captured • Mechanisms for integrating user voice in strategic and operational access to justice decisions | <p>Strengths:</p> <ul style="list-style-type: none"> • Service providers regularly ask clients for their feedback in survey form reporting that one-on-one phone surveys lead to highest response rate • Technology-based work consistently integrates the user voice and feedback • Providers use public data sets to understand eligible service population <p>Challenges:</p> <ul style="list-style-type: none"> • Lack of coordinated effort to collect, share, and analyze end-user feedback • In some instances, low survey response rates and lack of time and resources to increase responses • Users feel there are no opportunities to provide feedback, and reported negative opinions on their experiences • Courts do not actively seek or incorporate user feedback |

Overview of Findings

Efforts to document and learn from consumer needs and experiences are not occurring regularly at the system level. However, this data is often collected by individual civil legal aid providers, through some public resources, and by some working on specific programs and projects to evaluate efficacy of services and technology, among other items. Programs also report using public data sets and client surveys to inform services. Survey results show opportunities to improve feedback loops, create data collection practices, and establish analysis processes at the systemic level to learn and share end-users’ experience with the civil justice system, which requires participation by the courts, service providers, and the public.

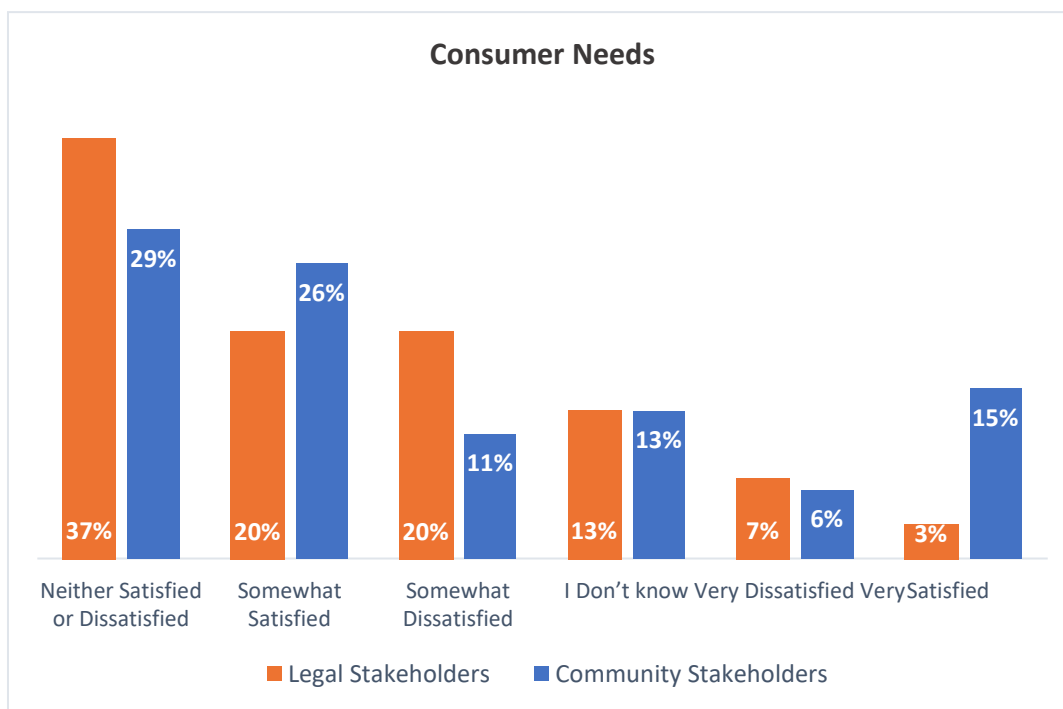
Survey Results

When legal and community stakeholders were asked to rate their satisfaction on opportunities to gain feedback on low-income individuals’ experience and outcomes when addressing civil legal matters, the majority response was “Neither Satisfied nor Dissatisfied.” The comments indicate respondents’

knowledge of their organization’s efforts to collect feedback from clients, as well as a lack of awareness as to what other organizations are doing in this regard. Respondents evidenced a desire for the courts to not only collect end-user experience feedback, but also solicit feedback from the courts, court staff, and clerk of court and staff, in addition to the litigant. Unfortunately, the most telling data of the user experience was the overwhelming response from end-users that out of those surveyed, 60% reported having “no opportunities to provide feedback” of their experience with handling a civil legal matter or ways to improve the system.

Legal & Community Stakeholder Responses - Consumer Needs

“How satisfied are you with opportunities to gain feedback on how to improve experiences and outcomes for low-income individuals with civil legal issues in Louisiana?”



Comments

“I would like to see more feedback from the court, court staff, clerk of court staff and, of course, the litigant.”

“Customer satisfaction surveys should be implemented by courts”

“I don't recall ever being asked by any court for feedback.”

| Jurisdiction Infrastructure | |
|---|---|
| This component helps gather insights about how the infrastructure in your jurisdiction may impact access to justice innovation and reform. A state or local profile can help traditional and non-traditional stakeholders better understand how the courts, legal aid, the bar, and other institutions are structured and interact to support your states' civil access to justice ecosystem. | |
| Key Elements: <ul style="list-style-type: none"> • Infrastructure reflects representation from all civil access to justice stakeholders (traditional and non-traditional) • Profile includes state and local level information, where possible • Documents current infrastructure as well as potential areas for growth • Informs civil access to justice governance structure | Strengths: <ul style="list-style-type: none"> • Integrated civil justice system with strong partnerships and coordination among providers • Understanding of continuum of services that exists for low- and moderate-income families Challenges: <ul style="list-style-type: none"> • 1 in 3 income-eligible person lives in an area where the closest legal aid office is over a 45-minute drive and broadband access is limited • Only one full-time civil legal aid attorney for every 11,250 people income-eligible • Non-unified court system resulting in variations of practice among jurisdictions |

Overview of Findings

Louisiana has a strong network of providers working closely with courts, libraries, and community partners to ensure access to civil legal aid where available. However, through the Geographic Information Systems (GIS) mapping project with SRLN, the project members identified legal desert areas in which access to legal aid, transportation, and broadband are limited. 600,000 people income-eligible for legal services are required to drive over 45 minutes to get to the nearest legal aid office. This accounts for 60% of the state's land area and 34% of the population below 200% of the federal poverty line.¹ These civil legal deserts also have the lowest access to internet in the home, which makes online resources less accessible. Ultimately, the findings may support the need for in-person self-help centers in civil legal desert areas; stronger relationships with places of worship, colleges and universities, and healthcare facilities in these areas; and expansion of civil legal aid infrastructure to support demand of civil legal services for the 1 in 3 income eligible person located in civil legal deserts. Additionally, Louisiana's non-unified court system often results in a variation of practices used and resources available by jurisdiction. (insert link to GIS mapping).

¹ 200% FPL was used as a measure of income eligibility for LSC-funded program services in accordance with 45 CFR 1611.5 to determine the maximum number of people possibly eligible for free legal aid under the guidelines, and recognizing that exceptions to 125% of FPL often apply.

Stakeholder Capacity & Governance of Traditional Stakeholders

This component provides insights into the capacity and structure of stakeholders engaging in the JFA process. Understanding more about the stakeholder capacities can inform what practical roles they can take in JFA planning and implementation. For instance, courts cannot undertake substantive law reform, while community groups can advocate for substantive law reform. Likewise, Legal Service Corporation grantees cannot handle class actions, but private attorneys can. As a robust continuum of legal help and information develops under JFA, an understanding of the role and capacity of each stakeholder within the continuum is critical.

Key Elements:

- Established forum and process for collaboration between stakeholder groups
- Clear understanding of access to justice roles and responsibilities within and between stakeholder groups
- Dedicated attention to funding, resources, and partnerships to support growing stakeholder and ecosystem capacity

Strengths:

- Dedicated attention from ATJ community stakeholders to secure funding and educate stakeholders on importance of civil legal aid
- Robust ATJ network and governance framework
- Forum for stakeholder collaboration within ATJ Commission, Committees, and practice area groups

Challenges:

- Geographic diversity of membership, specifically rural areas
- Coordination across providers
- Scarcity of funding and multiple organizations competing for the same funds

Overview of Findings

The Louisiana Access to Justice ecosystem is a network of partners playing a variety of roles. While the courts, legal aid, and bar operate independent of each other, significant coordination takes place through a variety of committees. These committees serve as the common thread for the entire network, serving as a system-driven governance framework, which includes a group of stakeholders dedicated to resource planning and funding. While recognizing a potential lack of awareness of these efforts by legal and community stakeholders as reported in survey responses, opportunities exist to develop communications strategies and broaden the geographic diversity of participating members to increase representation of rural communities.

Survey Results

When legal stakeholders were asked to rate their satisfaction regarding effective governance and management of access to justice efforts in the state, most responded as satisfied. However, the comments indicated a need to include a more diverse group of stakeholders, specifically those located in rural parishes and non-legal partners. When legal stakeholders were asked about resource planning, the

majority responded that they were “Neither Satisfied nor Dissatisfied” and “I Don’t Know,” indicating a possible lack of awareness of the ATJ community resource planning efforts as well as concerns that certain areas, such as rural communities, require additional attention.

Legal Stakeholder Responses - Governance

“How satisfied are you with effective governance and management of access to justice efforts in Louisiana?”



Comments

“I don't believe any assets of this type are being directed to the more rural districts is the State.”

“Need a more diverse body of stakeholders inclusive of non-attorney stakeholders and those with direct community impact.”

Emerging Practices and Innovations

This component is the frontier of innovation today. A JFA good practice is to stay on the leading edge of change, especially with the massive transformation technology is having on our society. While emerging practices and innovations take varied forms, they all capture a way of doing business that has the power to transform the justice system, for bad and good. Leaders and planners must become conversant in these topics and have some sense of their implications.

Key Elements:

- Simplification
- Upstream Interventions
- ODR
- Portals
- Artificial Intelligence (AI) and Machine Learning
- Regulatory Reform
- Data Privacy
- Cyber Security
- Standards

Strengths:

- Technology to support litigants, such as client-centered portal that uses AI and machine learning, in development
- Service providers using technology to increase capacity including uniform online case management system
- Strong governance and infrastructure in place for service providers

Challenges:

- Lack of upstream interventions
- ODR not available
- Non-unified court system results in variation of local rules, processes, procedures, and programs used
- Inconsistencies in available data and lack of data-driven decision-making
- Rural communities' barriers to access internet-based technologies

Overview of Findings

Louisiana courts and the access to justice community have experienced transformation and stagnation when it comes to adoption of emerging practices and innovations. In terms of transforming the system, LSC-funded programs were an early adopter of statewide uniform case management software to save resources, implement consistent procedures, cross-train, and support uniform reporting. In terms of using technology to expand access to resources, the LSBA was one of the first to sign on and administer the ABA's Free Legal Answers program. Additionally, Lagniappe Law Lab, a newly formed non-profit, has begun considerable work towards launching the Civil Legal Navigator program, a first of its kind client-centered portal in Louisiana that uses AI and machine learning to direct users to the proper referral or resource. While COVID-19 has had a dramatic impact on technology adoption, with many organizations and courts seizing the opportunity to affect long-term change, no systematic approach is currently in place for tech adoption and maintenance. Opportunities to simplify processes and develop best practice

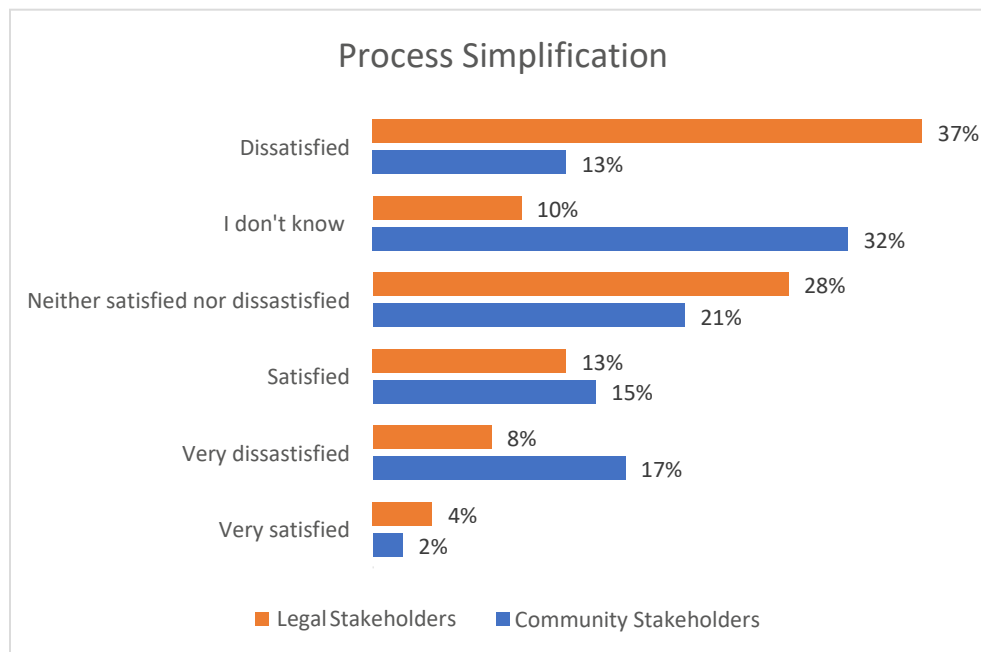
standards through a systemic approach remain challenging due to variations in local rules, processes, and procedures by jurisdiction.

Survey Results

Survey results show legal stakeholders' dissatisfaction with availability of simplified legal processes and highlight inconsistencies in practices across the state. Community stakeholders lacked knowledge or responded feeling neutral when asked their satisfaction level regarding the simplicity of court rules and procedures for clients. Legal stakeholders were also asked for their satisfaction level concerning technology use and its effect on automation and scalability. The majority responded neutral to dissatisfied stating concerns about tech availability in rural districts and ability of low-income families to access such resources.

Legal & Community Stakeholder Responses – Process Simplification

“How satisfied are you with the availability of simplified legal processes to facilitate better understanding of and experiences with the legal system?”



Comments:

“The legal process could always be improved upon. Less local rules that churn up more paperwork would be helpful (family law hearing officer worksheets for example are overly cumbersome).”

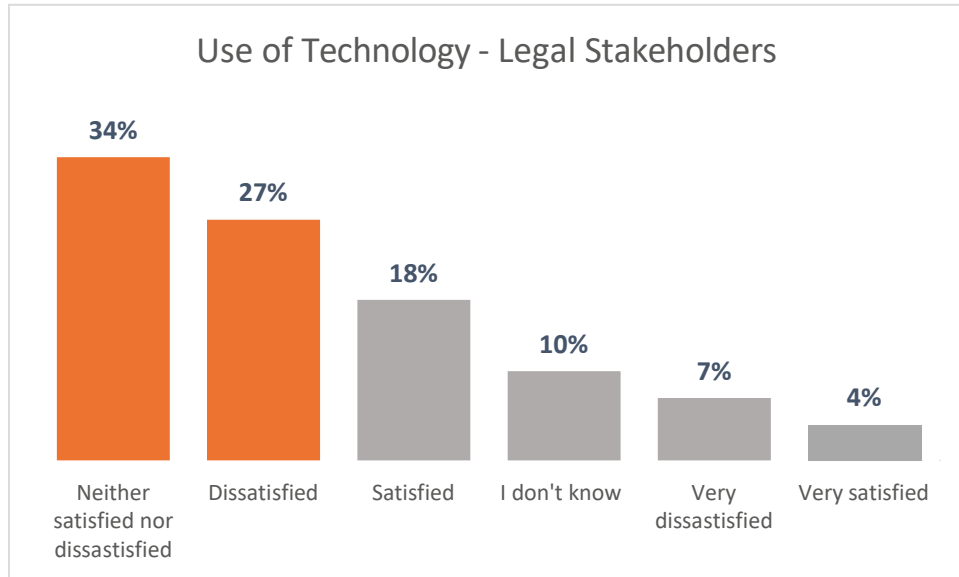
“A great concept but have not seen this in action yet.”

“Not unified or consistent across the state.”

“The system is more complex than it needs to be.”

Legal Stakeholder Responses - Technology

“How satisfied are you with the effective use of technology in Louisiana to automate and scale access to justice solutions?”



Comments

“If these assets are being utilized, they're not being provided to the rural districts.”

“Smaller and rural courts struggle to meet technology needs”

“Usually the individuals needing services have neither the financial nor intellectual ability to access these resources.”

B. Foundational Capacities: This cluster outlines existing judicial and court educational training and the community building efforts within the jurisdiction. The two components included are:

- Judicial and Court Staff Education
- Community Integration and Prevention

| Judicial & Court Staff Education | |
|--|---|
| <p>This component contemplates the existence of a judicial education program that engages judges and promotes leadership on access to justice issues within and without the courts. A court staff education program will adopt many of the same principles tailored to staff interaction with users.</p> | |
| <p>Key Elements: Education programs should follow adult learning principles, be dynamic and interactive, and address the following topics:</p> <ul style="list-style-type: none"> • Engagement with self-represented litigants • Availability of community resources and other referral opportunities • Systems change leadership for judges • Language access requirements and procedures • Procedural fairness • Cultural sensitivity | <p>Strengths:</p> <ul style="list-style-type: none"> • Statewide SRL Summits are held annually to train judges, court staff, and self-help center administrators • SRL reference materials are created and distributed to judges regularly • Training infrastructure for judiciary via a coordinated Judicial College <p>Challenges:</p> <ul style="list-style-type: none"> • No mandatory judicial or court-staff training on access to justice issues • Trainings tend to be regionalized and not often included in statewide offerings • Training offered focuses on judges' interactions, not court staff • Available trainings and resources are not being communicated well enough to judiciary and court staff • Inconsistencies in staff training from court to court |

Overview of Findings

The Louisiana Judicial College (LJC) provides quality and relevant continuing legal education for judges and does so excellently. The lack of requirement for Access to Justice training programs for judges and court staff has led to a compilation of decentralized efforts on a select few issues. More recent collaborative educational efforts by ATJ Commission committees and programs (SRL, Language Access and Building Bridges) with Louisiana District Judges Association, the Louisiana Judicial College and Louisiana Clerks of Court Association has supported the development of a more consistent, structured plan of education for judges and court staff in Louisiana's non-unified court system. Training for non-attorney court staff, with more limited opportunities for education, could play an essential role in providing information to address the needs and concerns of court users.

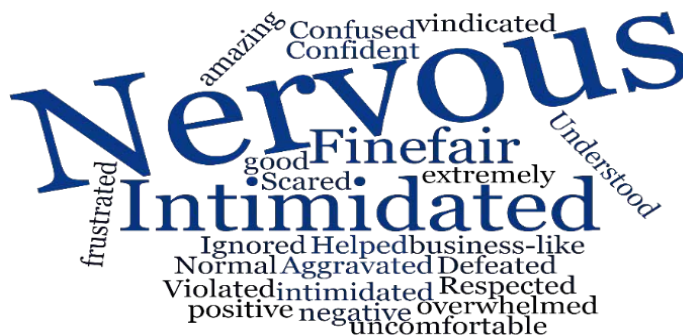
Survey Results

A majority of end-user survey respondents had been to court and rated their experiences poorly when ask how they felt when they interacted with judges and court staff. When community stakeholders were

asked how satisfied they were that judges and court staff effectively and fairly engage their clients in civil legal matters, approximate equal number of respondents were satisfied and dissatisfied. However, over half of respondents were “Neither Satisfied or Dissatisfied” or “Didn’t Know” indicating an opportunity to educate and engage community stakeholder with a more holistic approach to better understand the legal process. (Additional opportunities exist to educate judges and staff on benefits of engagement and fostering a holistic approach to effective court interaction.) When asked about satisfaction with available access to justice education for judicial and court staff, legal stakeholders respondent results distributed equally over the options provided – i.e., one third as either satisfied, dissatisfied or had no opinion. However, comments indicated a strong interest in court staff training.

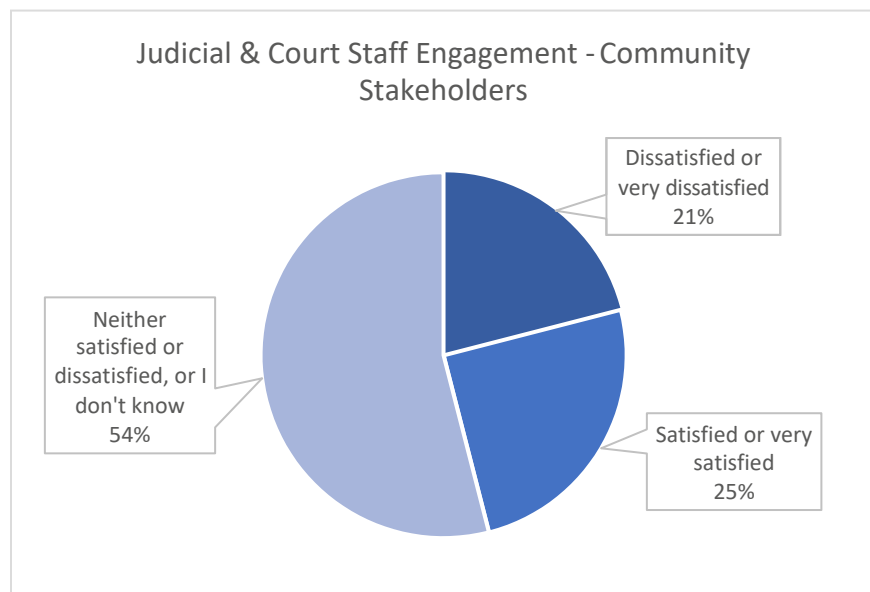
End-User Responses – Courtroom Experiences

“How did you feel in your interaction with the court staff or judge?”



Community Stakeholders Responses – Judicial and Court Staff Engagement

“Overall, how satisfied are you that judges & court staff effectively & fairly engage with your clients when they have to go to the courthouse for a civil (non-criminal) legal issue?”



Comments

“Court staff send [court patrons] here and tell them we will help them - we're an academic law library - we don't do legal advice, only research help.

“Need more services and outreach.”

Legal Stakeholder Responses – Judicial and Court Staff Education

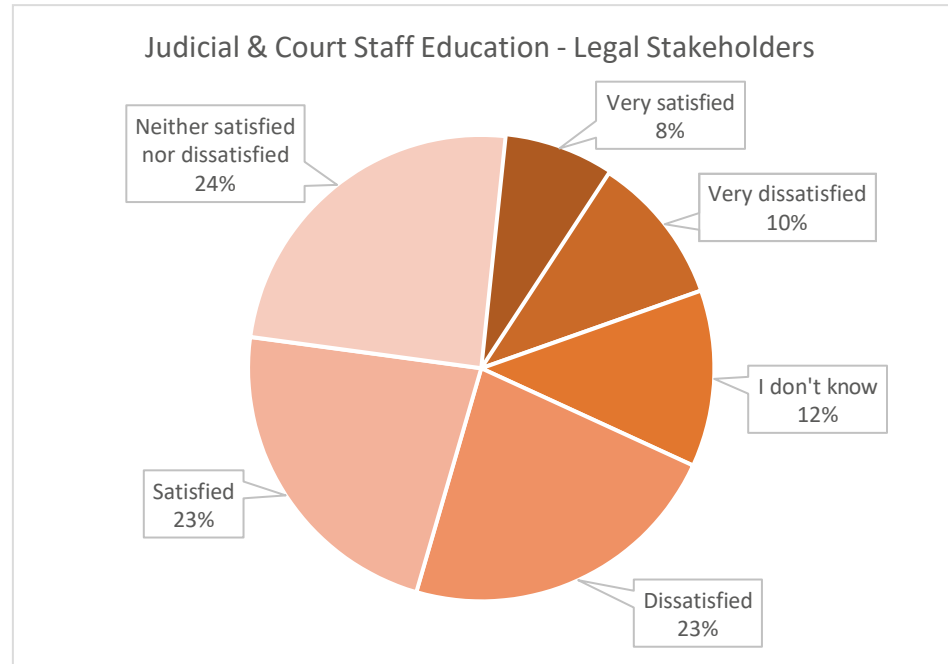
“How satisfied are you with the availability of judicial and court staff education programming focused on access to justice issues?”

Comments

“If this particularized training is available, it needs to be better communicated to the judiciary at the district level so that we can attend and/or have the court staff attend.”

“This has been a need for some time. Judicial training is excellent, but court staff only receive information and guidance from the individual judge and/or clerk of court, resulting in little or no consistency.”

“I am not aware of any educational programming that is focused on access to justice issues.”



| Community Integration and Prevention | |
|--|---|
| <p>This component contemplates civil access to justice responses that facilitate system access through community stakeholders and more effective responses to user’s legal issues on the front end. Community leaders and service providers can often serve as a trusted intermediary that can demystify the justice system as well as connect individuals with services to decrease justice system involvement in the first instance.</p> | |
| <p>Key Elements:</p> <ul style="list-style-type: none"> • Robust information exchange, including cross-training • Community resources integrated into provider services • Collecting and sharing information on user experience across providers • Collaborative partnerships, including social services providers • Community outreach, enabled by a robust communication strategy • Cross-training between organizations • Early issue identification and proactive, robust referrals in a range of areas (e.g., achieving access through partners) • Education about dispute resolution without legal action | <p>Strengths:</p> <ul style="list-style-type: none"> • Well-established Disaster Response Model as well as new models in development (reentry legal needs) with strong partnerships, cross-training, and communication across service providers (legal & non-legal) • Individual programs that use holistic service models to support vulnerable populations, such as domestic violence survivors • Education programs, such as LEAP, that educate public librarians on availability of legal services/resources <p>Challenges:</p> <ul style="list-style-type: none"> • Building relationships and expanding community integration to address wide variety of legal issues across the state through a coordinated effort of providers and social services • Coordinated outreach systems and communication strategies outside of established models • Early issue identification |

Overview of Findings

Louisiana has well-established models in place for community integration and prevention. Through disaster preparedness and response programs, stakeholders coordinate focused efforts across legal and community partners to provide cross-trainings, services, and resources to organizations and people affected by disaster. Additionally, several collaborative models exist through individual organizations and joint initiatives to address a variety of legal matters arising from medical issues, domestic violence, and incarceration. Strong partnerships with public libraries through the Legal Education Assistance Program (LEAP) has bolstered information exchange and education efforts – directly impacting outreach efforts to the public on available legal resources. Opportunities to expand the models in place to address a wider variety of legal issues through coordinated outreach and education, that involves legal and nonlegal

providers, can strengthen information exchange across agencies, increase access to existing legal resources, and help continuously identify unmet legal needs/opportunities for growth.

Survey Results

When asked their satisfaction regarding collaboration between legal, community, and social services organizations to ensure those seeking legal help can find it no matter where they start, legal and community stakeholders responded largely neutral-to-positive. Community stakeholder respondents showed strong interest in collaboration, cross-training, and information exchange opportunities in their survey responses. Most end-users reported never having looked for legal help through a community or social services organization. For end-users who did, 30% found it very or somewhat difficult to find legal help through community and social services organizations.

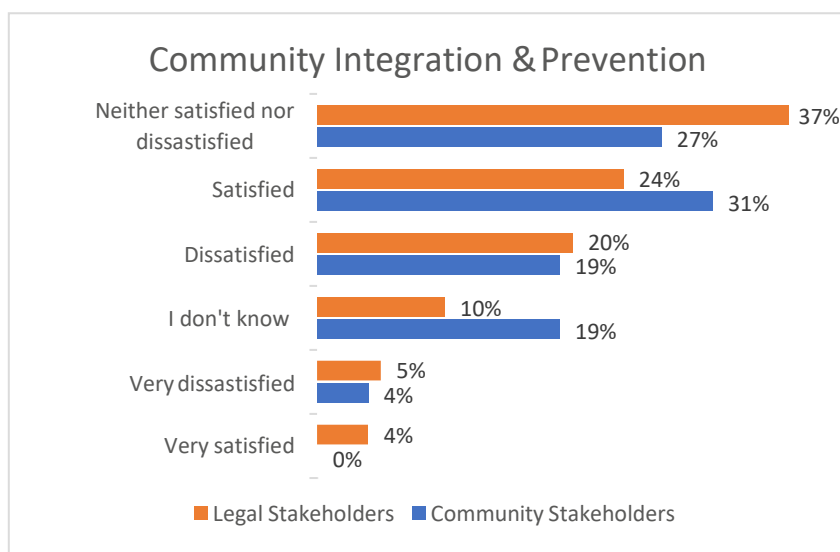
Legal & Community Stakeholder Responses – Community Integration and Prevention

“How satisfied are you that legal organizations work collaboratively with community and social services organizations, and vice versa, so that both legal and non-legal issues facing low-income individuals are identified early and effectively no matter where they initially seek help?”

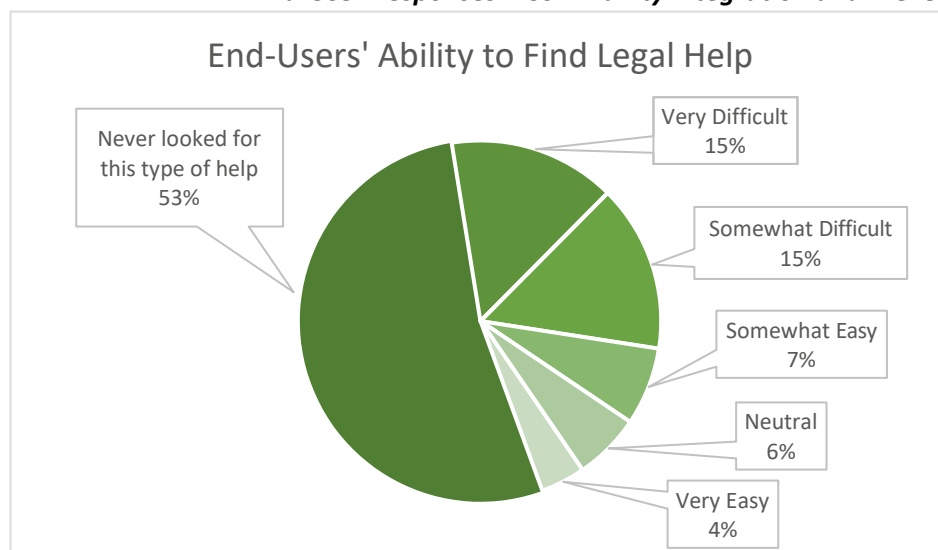
Comments

“Communication between organizations and agencies could be better.”

“I would like to see more integration, collaboration, cross-training, and outreach . . .”



End-User Responses – Community Integration and Prevention



“How easy or difficult was it to find legal help at community and social organizations no matter where you first went for help?”

C. Foundational Services: This cluster seeks to inventory the activities and resources available to help the public obtain legal information, self-help, and legal referrals. Most of this work should be completed by courts and civil legal aid and pro bono partners. It should include both court-based and court-annexed resources as well as connections for limited-scope/unbundled and full representation legal referrals. Because the results of this cluster will be shared with non-traditional and community partners, they are useful for the inventory analysis and future community outreach (supporting the “no wrong door” approach). The five components included are:

- Self-Help Centers
- Plain Language Forms
- Triage and Referral
- Courtroom Assistance Services
- Compliance Assistance

Self-Help Centers

This component contemplates broad self-help informational services being accessible to system-users. This can be through information provided in-person or online. The component also contemplates the integration of court-based assistance for SRLs from case initiation to appearing in court. Self-Help Centers should provide a variety of information on procedure and the law in easily accessible formats.

Key Elements:

- All information provided in plain language
- Instructions on legal processes, applicable law, and how to prepare for and present a case
- Links to information and forms on other specific subject matters, including out-of-court resolution
- Materials optimized for mobile viewing
- Information on which courts hear what cases and how to access court (e.g., transportation)
- Staffed self-help centers in/near courthouse, or accessible in community
- Multiple channels of providing information (e.g., workshops, online)

Strengths:

- Most available self-help centers are inside or annexed to the court and easy to access
- Self-help centers provide information utilizing various methods: one-on-one, online, phone
- Available self-help resources include instructions on legal processes and how to prepare for court
- Self-help is a strong component of Access to Justice strategy
- Easily replicable self-help center model and support available for interested courts

Challenges:

- Limited access to in-person self-help in rural jurisdictions
- Low literacy and language barriers impact utility of self-help
- Self-help center assistance mostly limited to family law matters
- Educating the public on availability of in-person and virtual self-help centers
- Non-unified court system leads to inconsistencies of available services and forms from jurisdiction to jurisdiction
- Court-based self-help centers cause increased work and problems for court staff

Overview of Findings

Louisiana's Self-Help Centers are a strong piece of Louisiana's access to justice strategy. There are currently 13 physical centers, which are typically stationed inside Judicial District Courthouses. These

centers, however, are largely located in urban areas, meaning that access in rural areas is limited. Additionally, self-help services generally include assistance in the form of issue identification, form completion, procedure information, and referrals to legal services or community resources, if necessary. Services are largely limited to domestic matters, and generally stop at the courtroom door.

For jurisdictions that may lack capacity to implement physical self-help centers, virtual options exist. Much like the physical centers, these websites contain guidance on self-representation, legal information and forms, and contact information for legal/community organizations that may be able to help. Currently, 18 judicial districts employ virtual self-help sites, and an additional 10 host similar content on their court websites.

Survey Results

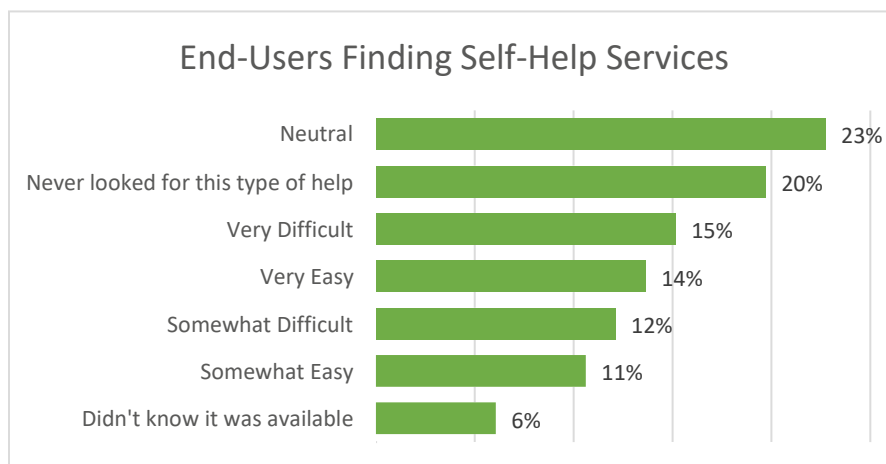
When asked how easy it was to find self-help information, 15% of end-users responded “Very Difficult,” 12% responded “Somewhat Difficult,” and 6% did not know this type of help was available.

When community stakeholders were asked if they ever used or referred clients to self-help resources, 25% used self-help legal information and 30% indicated using a self-help law center or program where people can get help finding resources to handle a legal issue on their own. Regarding satisfaction of the quality of self-help legal information and services, the majority of community stakeholders responded “I Don’t Know” and “Neither Satisfied nor Dissatisfied,” indicating either the community stakeholder’s lack of involvement in the process and/or the possible lack of awareness of available self-help centers and resources.

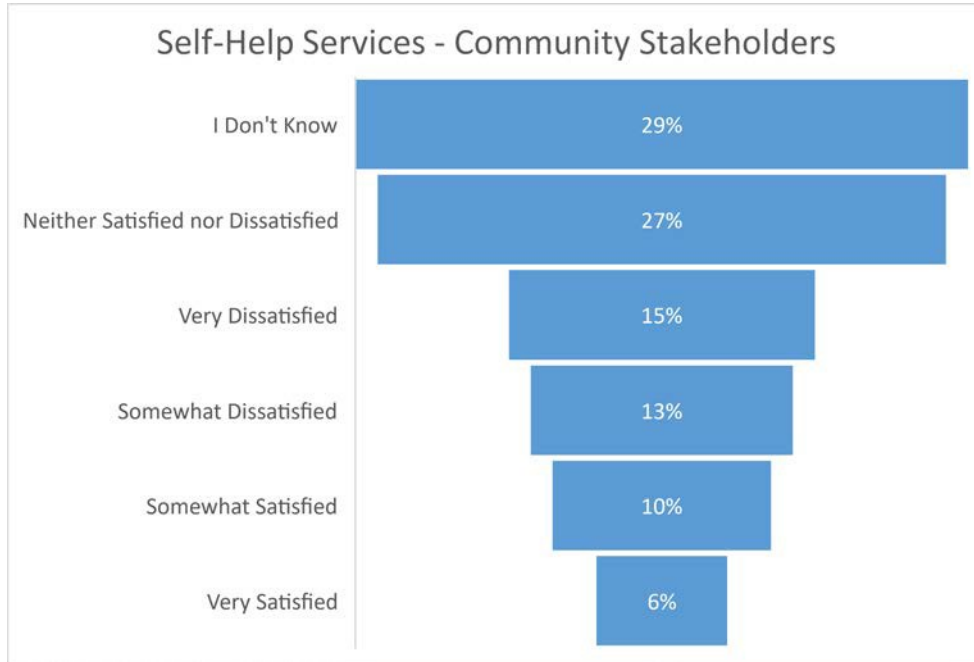
When legal stakeholders were asked to rate their satisfaction with regard to the availability of comprehensive self-help legal information and services, both in-person and online options, the majority indicated that they were dissatisfied. Such results indicate an opportunity there is significant room for growth to improve and provide the services this component contemplates. The results are shown below.

End-Users Responses – Self-Help Centers

“How easy or difficult was it to find self-help legal information and services (in-person and online)?”



Community Stakeholder Responses – Self-Help Centers



“How satisfied are you with the quality of self-help legal information and services for your clients who are trying to handle a civil legal issue on their own (without a lawyer)?”

Comments

“We need specialized help for people with low literacy.”

“Not aware of a resource like this.”

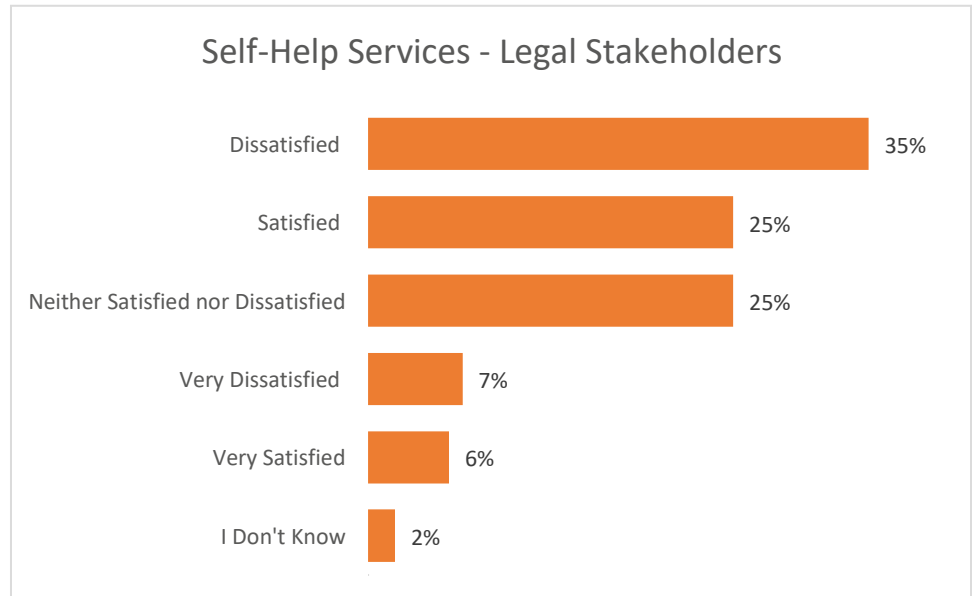
“Things are better in some JDCs than others”

Legal Stakeholder Responses – Self-Help Centers

“How satisfied are you with the availability of comprehensive self-help legal information and services, both in-person and online options, for people without a lawyer handling their own legal issue in Louisiana?”

Comments

“I personally think the promotion of self-representation produces more work and problems for court personnel that it solves.”



| Plain Language Forms | |
|--|--|
| This component contemplates implementing standardized, plain language forms that are also user-friendly. It is worth noting that the process around the development of plain language forms often gives rise to opportunities for procedural simplification. | |
| Key Elements: <ul style="list-style-type: none"> • Implementation of standardized plain language forms • Testing for comprehensibility and usability • Form data integration with the court information system • Protocols for assessing and updating forms | Strengths: <ul style="list-style-type: none"> • Systems in place to support form development • Appetite for additional forms by community partners and legal service providers • Instructions provided • Some forms available in both print and automated versions Challenges: <ul style="list-style-type: none"> • Some stakeholders oppose the use of plain language forms • Lack of unified court system makes standardized statewide SRL forms difficult and forms availability varies by jurisdiction • Communication of available forms to users and community partners needs improvement • While plain language principles were considered, forms are still difficult for SRLs to understand without assistance |

Overview of Findings

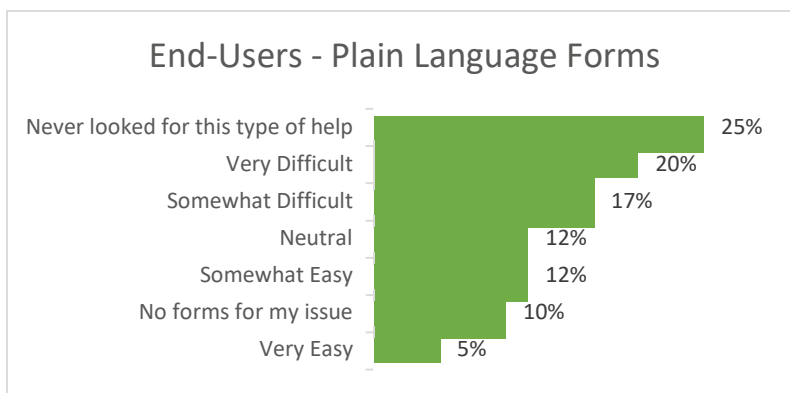
In Louisiana, SRL form development has been a high priority with access to justice stakeholders for more than a decade. Through these efforts, forms for divorce, child custody and support, name change, and select court procedures like continuances, contempt, and rules to show cause are available.² While the Louisiana Access to Justice Commission has adopted standardized forms to be used across the state, Louisiana's non-unified court system has resulted in a lack of uniformity and led to variations in the content of the forms and types of matters for which the forms are available. Furthermore, some judicial districts supply forms through their individual websites or their virtual self-help center websites, and locally approved forms take precedent over statewide approved or endorsed forms. This can result in a SRL filing an improper form without being aware. Additionally, although most forms and packets are freely available online, some jurisdictions charge fees. Thus, efforts to develop statewide approved forms has declined in recent years.

² A list of available forms are listed on the LSBA Find Legal Help page under Self-Help Services and Legal Forms: www.lsba.org/Public/FindLegalHelp/SelfRepresentation.aspx.

Survey Results

Survey results show support among legal stakeholders for expansion of plain language forms and a need to create more awareness of existing forms for both community stakeholders and end-users of the system. When end-users were asked how easy it was to find forms that were easy to understand, 37% of users responded that it was very to somewhat difficult to find, where as 25% did not know this type of help was available. When legal stakeholders were asked to rate their satisfaction with regard to the availability of forms being user-friendly and easy-to-understand, the majority were dissatisfied. In fact, 43% indicated they are dissatisfied with the availability of plain language forms, while about 36% felt otherwise. Although 28% of community stakeholders indicated that they either used or referred clients to self-help forms, the majority responded “I Don’t Know” to their level of satisfaction regarding the forms being user-friendly and easy-to-understand, indicating the possible lack of awareness of available forms. Comments from community stakeholders indicate a need for more plain language options.

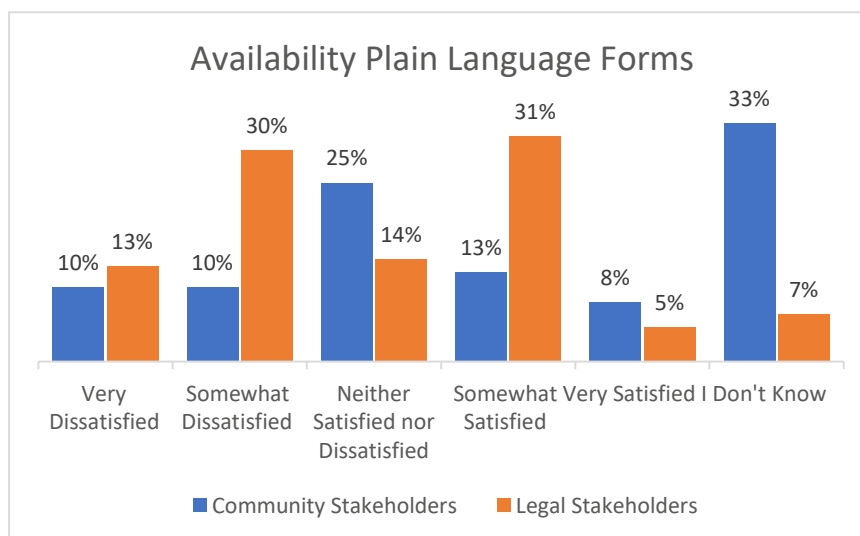
End-User Responses – Plain Language Forms



“How easy or difficult was it to find court forms that were easy to understand, user friendly, and useful to you?”

Legal & Community Stakeholder Responses – Plain Language Forms

“How satisfied are you that there are user-friendly and easy-to-understand legal forms for the legal issues most commonly facing your clients when they need to resolve an issue without a lawyer?”



Community Stakeholders Comments

“Not enough language options. Not enough low-literacy options. Part of this is a symptom of how problematic legal jargon is in general.”

“Not aware of a resource like this.”

“Very satisfied that user friendly forms exist, nonetheless dissatisfied about accessibility to or knowledge of the actual existence of such user-friendly forms.”

Legal Stakeholders Comments

“There are more forms available online now, but they usually don't come with directions. Secondly, SRLs are never sure about which form will be accepted at the court where they're filing. It would be great to have standardized forms across the state.”

“Most individuals need the assistance of the clerk to fill out the forms.”

“[E]ven though the Access to Justice Commission approved statewide forms, the forms aren't particularly user-friendly in a state with a low literacy level.”

| Triage and Referral | |
|---|--|
| <p>This component is about ensuring there is “no wrong door” to enter the legal system, whether through referrals or other channels. This requires a robust and continued triage system that assesses what services each individual and situation needs, followed by appropriate and verified referrals.</p> | |
| <p>Key Elements:</p> <ul style="list-style-type: none"> • Triage/assessment and referral by any existing resource • Identified, consistent triage and referral protocols & practices • Triage supported by technology (i.e., portal) • All stakeholders, including non-traditional ones, aware of referral information • Effective referrals (i.e. entity can take matter without time, income, or subject matter restrictions precluding service) • Central legal aid hotlines and market-based equivalents for moderate-income people to diagnose legal issues/potential solutions and resolve less-complex issues at an early stage | <p>Strengths:</p> <ul style="list-style-type: none"> • Statewide <i>Find Legal Help</i> page provides central online location for referrals and resources for low- and moderate-income families • Strong network of local legal referral systems/programs • Online triage system supported by technology currently in development • Awareness of referral information allowing community organizations to effectively refer individuals with legal issues to appropriate help or resource <p>Challenges:</p> <ul style="list-style-type: none"> • Creating a coordinated and centralized system for referrals accessible to those with and without internet access • Understanding effectiveness of referrals and consistency in triage and referral protocols & practices |

Overview of Findings

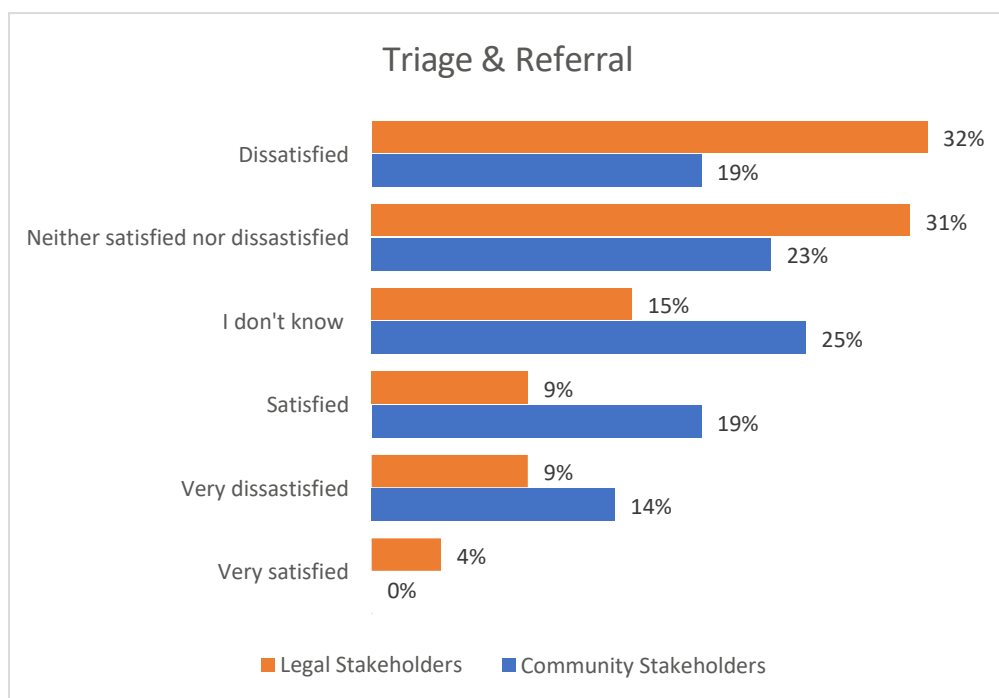
In Louisiana, strong local triage and referral systems exist in the highest populated areas of the state – Shreveport, Baton Rouge, Lafayette, and New Orleans. Additional efforts in recent years to guide those seeking legal help and centralize contacts, organization information, and resources in one online location has been accomplished by the LSBA’s Access to Justice program through its Find Legal Help webpage. While community stakeholders reported awareness and frequent use of the referral sources and resources available, opportunities to centralize triage and referral systems exist specifically through partnerships with health and human services networks, like 211. This would ultimately enhance the “no-wrong door” approach and ensure those with and without internet access can connect with the legal help they need. Additional understanding of the effectiveness of referrals, capacity issues, and consistency when it comes to triage and referral protocols is needed. Robust triage to other community partners has not been systematically implemented.

Survey Results

When legal and community stakeholders were asked about a person's ability to get the legal help they need based on current triage and referral systems in Louisiana for low-income individuals, most responded neutral, dissatisfied, or unaware. In the comments, respondents raised concerns about supply capacity of attorneys and legal services to meet the demand for needs, lack of consistency in resources/referral programs available by parish, and confidentiality if a centralized referral system is created.

Legal & Community Stakeholder Responses – Triage & Referral

"How satisfied are you with a person's ability to get the legal help they need no matter which provider or resource in Louisiana they reach out to first? Ideally, a triage and referral system for low-income individuals facing legal issues will create a "no wrong door" entry into the legal system."



Comments

"I don't think such a system exists in our geographic area."

"There are simply not enough attorneys available to serve the legal needs of low-income people."

"There are confidentiality issues to consider."

| Courtroom Assistance Services | |
|--|--|
| This component involves a more dynamic provision of information to system users through technology and in-person assistance. Judges and court staff are also central to providing courtroom assistance. | |
| Key Elements: <ul style="list-style-type: none"> • Instructional videos on logistics and procedures • In-person assistants • Technology tools to support work of assistants, such as automated forms • Technology tools for the judges to prepare and explain final orders in the court room. • Training tools for personal assistants and court staff | Strengths: <ul style="list-style-type: none"> • Self-help center model incorporates instructional videos • SRL resources incorporates training tools and materials for judges and court staff Challenges: <ul style="list-style-type: none"> • Limited court resources affect feasibility of courtroom assistance • Non-unified court system leads to inconsistencies of available services from jurisdiction to jurisdiction • Increased burden on court staff |

Overview of Findings

In Louisiana, courtroom assistance services vary from jurisdiction to jurisdiction due to the non-unified court system and the lack of resources available to all courts. Some survey responses indicate most courtrooms lack these services but some courts, such as the 19th JDC Family Court, consistently provides courtroom assistance.

Survey Results

According to survey results, 72% end-users responded that they have either appeared before a judge in a courtroom or visited the courthouse for a legal issue. When end-users were asked about how they felt in their interaction with the court staff or judge, the majority responded that they felt nervous. Others reported feeling frustrated, confused, overwhelmed, and ignored, indicating a need for more courtroom assistance services to ease concerns. Legal and community stakeholders majorly reported “I don’t know” regarding people’s access to the in-person courtroom assistance. Comments from legal and community stakeholder respondents indicate that they do not know of any courtroom assistance services and express concerns over the burdens such services would place on courthouse staff, especially considering the lack of resources available. The results are shown below.

Community & Legal Stakeholder Responses – Courtroom Assistance Services

“How satisfied are you that your clients who end up in court for a civil matter without a lawyer have access to the in-person courtroom assistance they need to navigate court processes and hearings effectively?”



Comments

“There isn't courtroom assistance available for pro se litigants.”

“I personally think the promotion of assistance to the self-represented produces more work and problems for court personnel than it solves.”

“Unsure if this exists? Haven't seen it in action.”

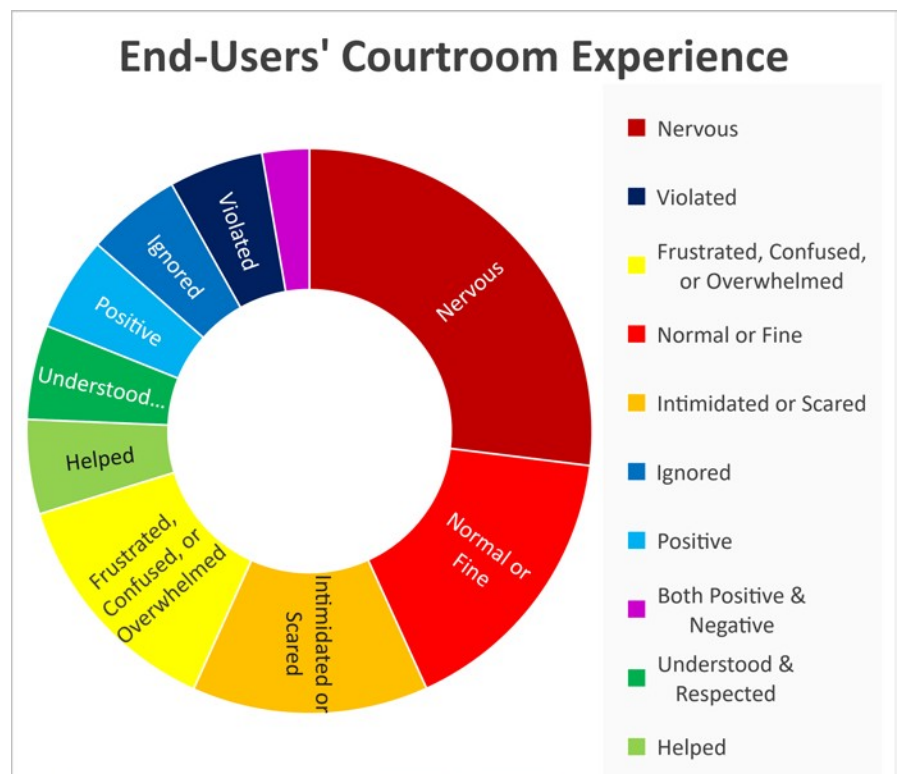
“There are none available and it requires the judge to juggle this aspect of his/her court with the limited staff that is available. More resources (\$\$) are needed, especially for courts that have high SRL involvement.”

End-User Responses – Courtroom Assistance Services

“Have you ever appeared before a judge in a courtroom or visited the courthouse for a legal issue?”

| | |
|-----|-----|
| Yes | 72% |
| No | 28% |

“How did you feel in your interaction with the court staff or judge?”



| Compliance Assistance This component addresses strategies for increasing comprehension of and compliance with legal processes and court orders. | |
|---|---|
| Key Elements: <ul style="list-style-type: none"> • Written orders and compliance information available immediately after hearing • Use of plain language orders and judgments • Explanations provided by judges and other court staff • Reminders prior to deadlines • Online tools to assist with compliance and enforcement • Collaboration with stakeholders and users to identify common problems and ways to address them | Strengths: <ul style="list-style-type: none"> • Some courts provide one-to-one explanation for litigants • Some judges are using foundational approaches in other areas of the court experience Challenges: <ul style="list-style-type: none"> • No coordinated or intentional approaches to advancing this component • Lack of generalized compliance information written at appropriate reading levels • Absence of court personnel or assistance post-judgment to provide information |

Overview of Findings

Compliance Assistance activities in Louisiana are virtually non-existent. Procedures, such as choosing court dates, that were in place before COVID-19, have been slightly expanded to more jurisdictions, but it would be difficult to determine what if any impact they have in the current environment. Some judges provide oral explanations of judgements and Clerks of Court, by default, often become the source of a litigants understanding of written orders. There is no indication of a concerted effort to support or ensure post-judgment compliance.

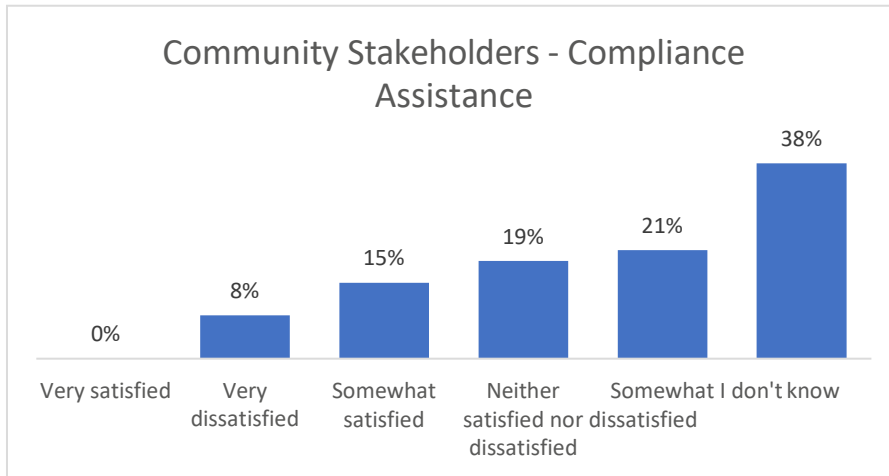
Survey Results

When asked whether they were satisfied with information available to clients about how to comply once a decision is made, more than half of the community stakeholders responded “I don’t know” (37.5%) or “Neither satisfied or dissatisfied” (18.75%). Community stakeholder, who can often have a substantial impact on court-user compliance, may not have access even to general/topical compliance information.

Less than 4% of legal stakeholders responded, “very satisfied.” Only 20% of legal stakeholder responded as “satisfied” with a litigant’s access to information that allows them to understand how to comply with legal processes and court orders. An astonishing 76% of legal stakeholders answered otherwise. Respondents generally felt litigants were not informed about compliance by the court, there was little online or written information available, and that information and orders were written at a reading level that made it difficult for litigants to understand. Results are shown below.

Community Stakeholder Responses – Compliance Assistance

“How satisfied are you with the information available to your clients about how to comply with court orders once a decision has been made by the court?”



Comments

“This would be a really helpful area for us to get more information.”

Legal Stakeholder Responses – Compliance Assistance

“How satisfied are you with litigants' access to information that allows them to understand how to comply with legal processes and court orders?”

Comments

“I've seen litigants walk out of court saying they didn't understand what just happened. It's a difficult problem.”

“Court document languages typically (not always) are written in a manner confusing to the average LA resident who has no legal training and is what - 3rd or 5th grade? literacy level.”



“SRLs ask us how to comply with legal processes and court orders almost every day. There's not a lot of clear information out there for a lay person.”

“Apart from plain language orders or processes, there are no protocols in place for: a. Someone to prepare a judgment for SRL's. It falls on the judge's staff to do that; b. SRL's with Limited English Proficiency (LEP) who have to deal with orders and processes.”

D. Resolution Strategies: This cluster focuses on how human legal expertise, judgment, and analysis is deployed to resolve disputes. These are the scarcest resources of the justice system because they demand one-to-one, individualized, personal services. Just resolution requires that individuals fully understand their options and the downstream impact of their choices, and that their facts and circumstances are adequately presented to the court for a decision on the merits. One of the central challenges in access to justice work are to create systems that more efficiently and effectively distribute this cluster of components to people who need individualized legal help. When we combine the activities and resources of the previous clusters with resolution strategies, the consumer's experience can shift from confusion and frustration to one where they get the help they need, when they need it, and in a format they can use. The four components are:

- Alternative Dispute Resolution
- Navigator (non-lawyer) Services
- Limited Scope Representation
- Full Representation

Alternative Dispute Resolutions

This component focuses on Alternative Dispute Resolution (ADR) and how it is integrated into the JFA case types. ADR encompasses many different activities, including mediation, arbitration, neutral evaluation and settlement conferences. It can be mandatory or voluntary. Within the context of the JFA initiative, the goal is not to deploy as much ADR as possible, but rather to examine the current use of ADR and develop safe, user-friendly off-ramps for ADR when it may be helpful in case resolution.

Key Elements:

- Provision of information about ADR modes and processes, substantive ADR law, and consequences
- ADR information available online and integrated into portal
- Clear codes of ethics for the non-judicial neutrals
- Access to ADR modes provided within procedural context, possibly through self-help
- Ethically appropriate collaborations between ATJ stakeholders and ADR providers

Strengths:

- Existing ADR Section with information on processes and substantive ADR law
- Broad support from access to justice stakeholders
- Collaborative pilot projects between access to justice stakeholders and ADR providers in development
- Availability of virtual options may increase accessibility in rural areas

Challenges:

- Lack of access to ADR modes provided within procedural context, possibly through self-help
- Educating all stakeholders on ADR options, including information for the public on what ADR is and how to access it
- Incentives for attorneys to provide pro bono services to SRLs have not yet been determined
- Providing these services in rural areas

Overview of Findings

Efforts to incorporate Alternative Dispute Resolution (ADR) as an access to justice initiative have occurred for many years. In the past, pilot pro bono mediation programs were attempted by direct service providers, who ultimately reported a lack of eligible cases. Two Louisiana law school clinics—Southern University Law Center and Louisiana State University Law Center—are currently providing free conflict resolution services to individuals, organizations, and agencies by utilizing trained law students. Other ADR programs currently exist but are not pro bono; rather, they provide reduced-fee mediation on sliding scale. Furthermore, one pilot project currently in review would offer mediation services through the Louisiana legal aid providers and volunteer mediators from the LSBA ADR Section. The program model is one based upon the American Bar Association Section of Dispute Resolution's *Manual for Legal Services*

and Pro Bono Mediation Programs. However, the survey results show that not many people know these services exist or what their function is in the legal system.

Survey Results

When community stakeholders were asked to rate their satisfaction regarding available information about ADR services, the majority responded, “I Don’t Know.” When legal stakeholders were asked the same question, most responded as neither satisfied nor dissatisfied. The stakeholder’s comments, however, indicate that many are unaware that such services exist. These results indicate a lack of understanding and awareness of ADR and current programs that might exist. Results also provide an opportunity to incorporate a communications plan into any future pilot programs and trainings. The results are shown below.

Legal & Community Stakeholder Responses - ADR

“How satisfied are you with the information available to your clients about alternative dispute resolution options like mediation that might help your clients avoid litigation or solve a problem without going to court?”

Comments

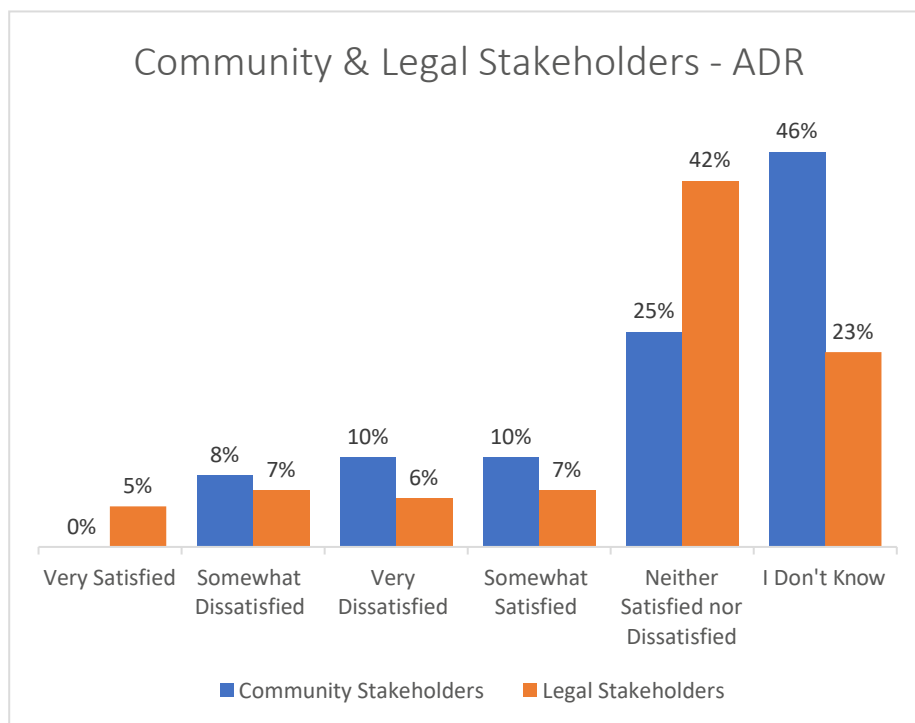
“There are not enough of these available to the low-income community.”

“In my experience, ADR derives from contested litigation and is generally recommended by counsel during a contested matter (i.e. recommending the parties to mediation). I am unaware of instances where the unrepresented deliberately sought out ADR from square one.”

“I haven’t heard much about this at all, so I doubt that many SRLs are aware of ADR.”

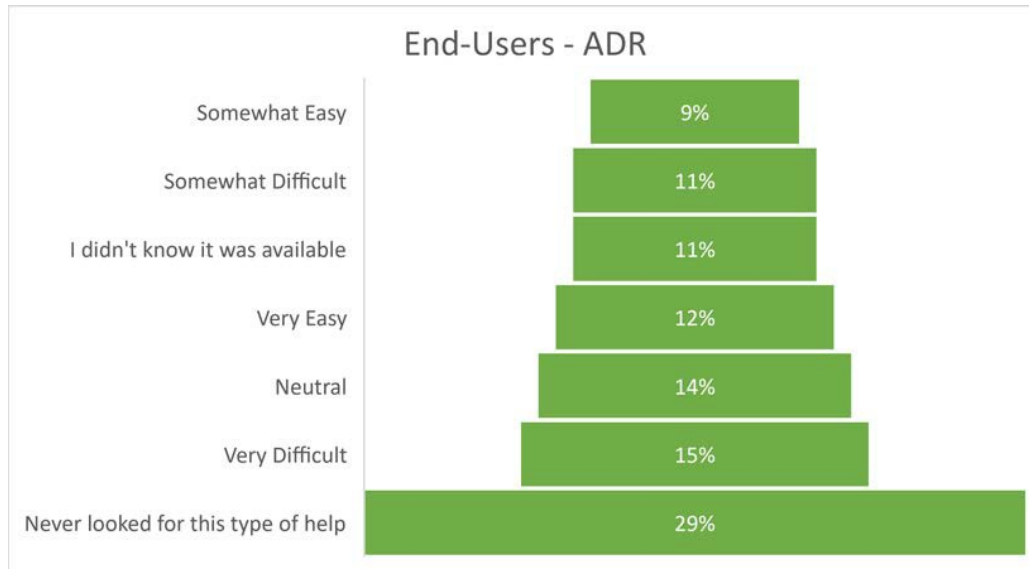
“I believe that ADR is rigged against low income, self-represented litigants since they cannot afford to pay the mediator.”

“I am not aware of any ADR options.”



End-User Responses - ADR

“How easy or difficult was it to find information about options that might help solve a problem without going to court? (ex: mediation or arbitration)”



| Navigators | |
|---|---|
| This component contemplates a new set of roles that provides legal services by professionals who are not lawyers. Navigators support litigants on-site by selecting forms supporting their navigation through the court process. | |
| Key Elements: <ul style="list-style-type: none"> Assist litigants in navigating court processes on-site. Assist litigants in selecting and filling out forms. Assist litigants in complying with legal processes for case actions with large numbers of self-represented litigants. | Strengths: <ul style="list-style-type: none"> Self-help centers provide some replicable model for on-site navigation and assistance with filling out forms Challenges: <ul style="list-style-type: none"> Lack of available navigation tools Non-unified court system leads to inconsistencies of available services from jurisdiction to jurisdiction Causes increased burden on court staff |

Overview of Findings

In Louisiana, there currently is a lack of navigator services. Of those available, there is often a variation of practices and resources available by jurisdiction. In select case types and when possible, case managers from the Family Justice Center of New Orleans accompany clients in court through the domestic violence protective order process. However, Family Justice Center representatives report that these case managers frequently serve only as moral support and childcare for litigants while they attend hearings.

Survey Results

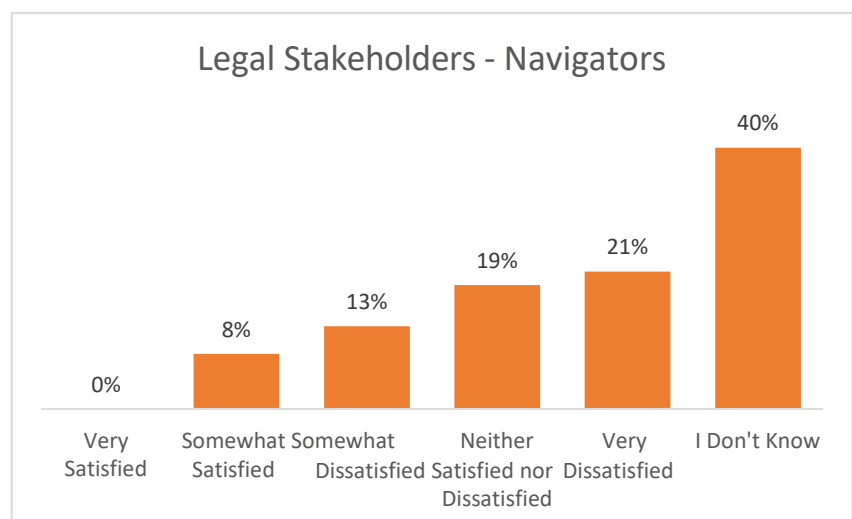
When legal stakeholders were asked to rate their satisfaction with regard to access to non-lawyer navigators, the majority responded they didn't know of these services. Notably, a total of 34% expressed dissatisfaction with navigator services.

Legal Stakeholder Responses - Navigators

"How satisfied are you with Louisianans access to non-lawyers who can effectively provide information, referrals, and assistance in selecting and filling out forms?"

Comments

"I personally think the promotion non-licensed attorneys providing legal work produces more work and problems for court personnel that it solves."



"I'm not aware of anyone providing this service in our district, except the assistance from the Clerk of Court's staff with the filing of petitions for protective orders."

"I'm not certain what non-lawyer assistance programs are available. I do not know of a robust non-lawyer program in this regard."

"We have none except in the context of the domestic abuse statute."

"I think we can do more here. Big opportunity."

| Limited Scope Representation (LSR) | |
|--|--|
| <p>This component contemplates achieving sufficient levels of limited scope representation (also called unbundled or discrete task legal assistance) deployed at strategic points for the highest possible impact for users.</p> | |
| <p>Key Elements:</p> <ul style="list-style-type: none"> • Lawyers willing to provide legal services on a discrete task basis • Processes for conclusion of limited scope representation, (i.e. client is aware of any remaining legal needs and how to do that through self-help or other resources) • Training and resources to support participating lawyers • Adoption of rules that facilitate limited scope representation and ease in entering/exiting a matter • Good lines of communication between the limited scope attorney and the client • Screening, triage and referral components to connect these lawyers with persons seeking their services • Full acceptance by the judiciary of the practice • Take steps to create and aggregate a market for discrete task representation through public education and advertising as well as through the creation of lawyer referral mechanisms focused on this form of law practice. | <p>Strengths:</p> <ul style="list-style-type: none"> • Lawyers offering LSR are easily identifiable through the LSBA Modest Means Directory • Rules and forms for Notice of Limited Appearance and process for withdrawal adopted by the courts • A growing library of training and resources for attorneys providing LSR in development <p>Challenges:</p> <ul style="list-style-type: none"> • Adoption of rules to further clarify attorney roles, responsibilities, and limitations for the provision of LSR • Lack of attorney focus groups to discuss benefits and challenges when offering LSR • No organized data collection efforts on end-user experience and feedback information following LSR services to determine satisfaction • Lack of public and community awareness of LSR as an option for services and where to look for referrals |

Overview of Findings

Limited scope representation, as an access to justice initiative and means to obtain legal representation, has been supported by the legal profession and courts in Louisiana for more than 20 years. While that support continues today, the findings show that opportunities exist to: 1) increase public awareness and understanding of limited scope representation as an option for legal services, 2) collect attorney feedback on successes and challenges for providing LSR, and 3) adopt rules that further support and clarify the attorneys, roles, responsibilities, and limitations for the provision of LSR.

Survey Results

Legal and community stakeholders majorly reported being “neither satisfied nor dissatisfied” and “I don’t know” regarding people’s access to unbundled legal services. Comments from legal and community stakeholder respondents indicate that they have difficulty identifying attorneys who provide LSR or where to refer people seeking LSR services. When end-users were asked about the level of difficulty they experience finding an attorney to assist them with part and not all of a case, the majority responded as never having looked for this type of help or not knowing it was available, indicating a lack of awareness that limited scope representation is an option for legal services.

Legal & Community Stakeholder Responses – Limited Scope Representation

“How satisfied are you with access to limited scope representation for people in Louisiana with matters that may be “unbundled” or allow for discrete tasks (e.g. assistance filling out a form or preparing for court, but not representation in court)?”

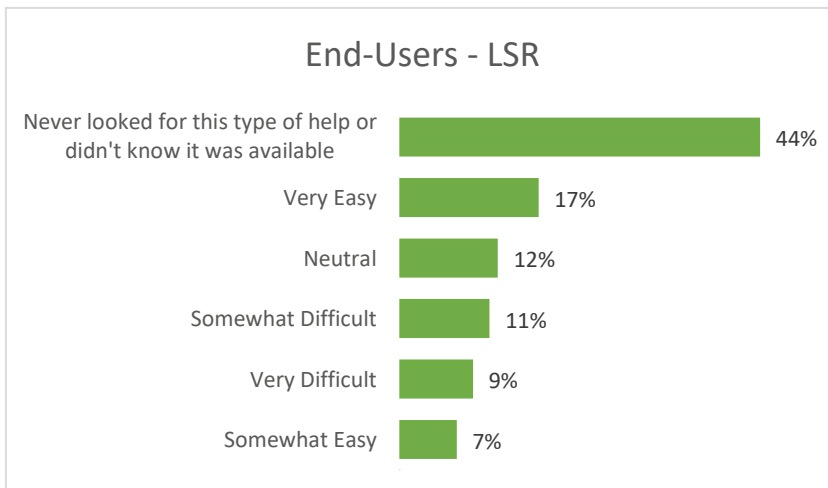
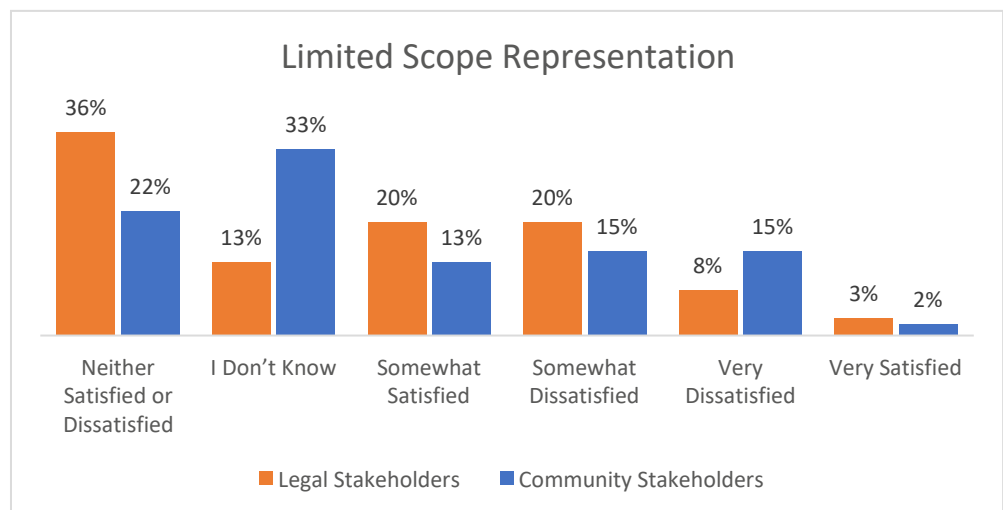
Comments

“I need to know where to refer them for help.”

“I’m not aware of anyone providing this service in our district.”

“A survey (to see the level of use) would

provide meaningful data. It does not appear to be used as much because of issues such as: a. billing entanglements with clients; b. withdrawal issues with courts; c. more promotion required by LSBA, ODC, and Courts.”



End-User Responses – Limited Scope Representation

“How easy or difficult was it to find an attorney that could help you for part of but not all of your case or legal matter?”

| Full Representation Expansion This component contemplates ensuring sufficient levels of full-service legal representation across income levels. | |
|--|---|
| Key Elements: <ul style="list-style-type: none"> • Assessment of existing service capacity in the state, factoring in geographic differences. • Identification of effective service pro bono, legal aid and market- based delivery strategies with potential for replication/scaling • Training & assistance with implementation of best practices for utilizing technology and process improvement; identification of potential support to make this possible. • Incorporation of litigation strategies that have the potential to impact many people and decrease the need for full representation in the future. • Training and mentoring for pro bono volunteers, both on substantive issues and on how to work with low-income clients. | Strengths: <ul style="list-style-type: none"> • Consolidated and coordinated network of legal aid providers • Priorities are driven by needs of the community • Pro Bono Projects provide mentorship and resources to attorney volunteers • Dedicated training counsel for civil legal aid, volunteer, and public interest attorney practitioners • Ongoing assessment and awareness of service capacity of providers Challenges: <ul style="list-style-type: none"> • Need for services eclipse capacity • Limited incentives for pro bono work and lack of pro bono reporting • Rural communities with high concentrations of poverty have long drives to legal aid offices, barriers to internet access, and limited access to alternative resources |

Overview of Findings

In Louisiana, a committed group of stakeholders and organizations invest substantial time to resource planning and funding for civil legal aid providers. Through this work, legal aid and pro bono organizations are continually assessing capacity of services to compare with the need. While investment in civil legal aid provides significant social return on investment for communities and the state, the need for legal services far outweighs capacity – finding one full-time attorney for every 11,250 people eligible for services. Access to legal aid for people living in rural communities is even more difficult, with long drive times to legal aid offices and limited access to internet or alternative resources – making legal help nonexistent for some. The survey results further emphasize the dissatisfaction with availability of full-service representation, particularly by the legal stakeholder and end-user respondents. Dedicated training for civil legal aid, volunteer, and public interest attorneys is provided by the Bar Association, legal aid and pro bono offices. However, lawyer reporting for pro bono representation is low and opportunities exist to communicate incentives to those who do provide and report pro bono representation.

Survey Results

Most legal stakeholder respondents reported being “very dissatisfied” or “dissatisfied” with a person’s ability to obtain full-service legal representation. Most community stakeholder respondents reported being “neither satisfied nor dissatisfied” or not knowing a person’s ability to get full representation. The latter indicates a lack of knowledge of what happens after a community or social services organization makes a referral, as evidenced in the comments. Additionally, end-user respondents reported experiencing great difficulty obtaining a full-service attorney they could afford. While it is unclear if the respondents would qualify for free legal services based on their responses, an inability to obtain counsel when needed is an access to justice issue and highlights an important problem.

Legal & Community Stakeholder Responses – Full Representation Expansion

“How satisfied are you with access to full-service legal representation across income levels for people who need it most?”

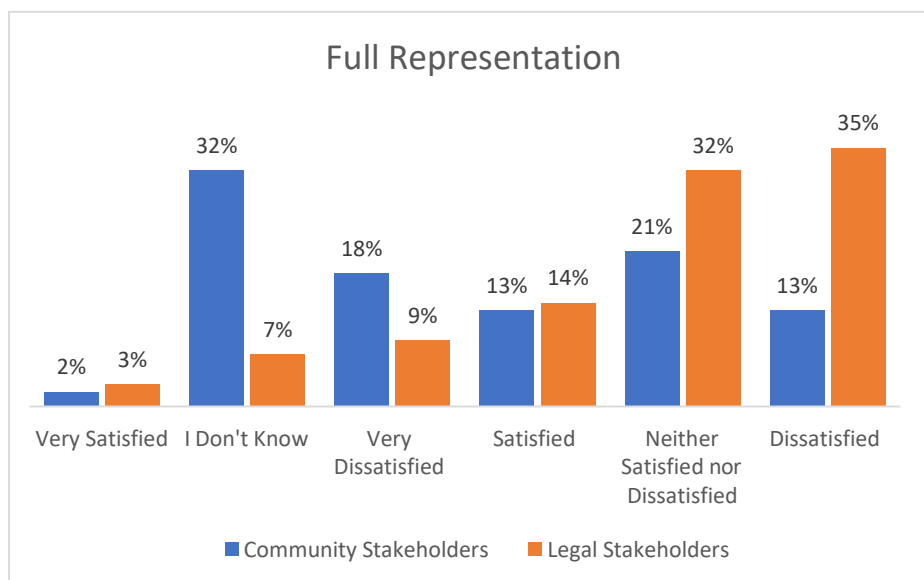
Comments

“Louisiana needs to build capacity”

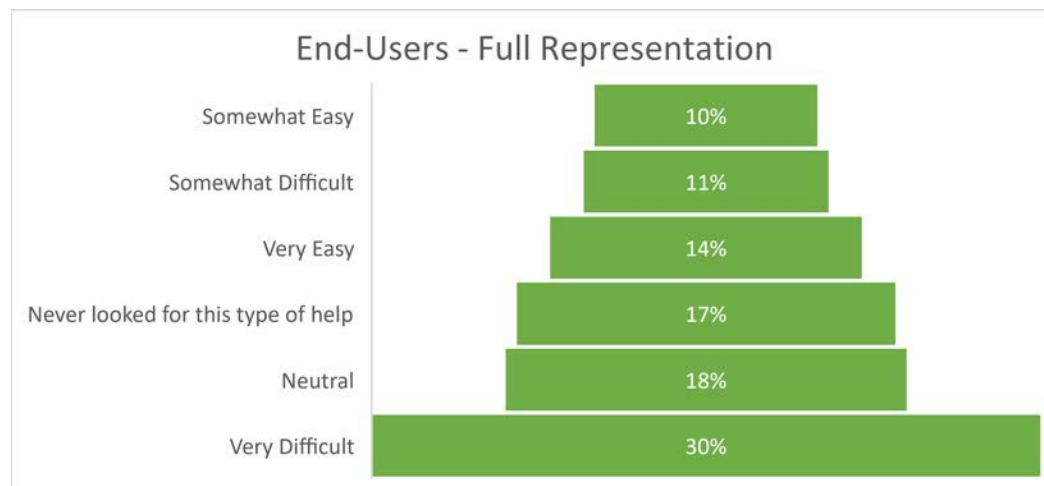
“The need is much greater than the resources available”

“Too few services available for the volume of people who qualify.”

“Since we provide referrals to callers, we often do not know the outcome of a specific person’s situation.”



End-User Responses – Full Representation Expansion



“How easy or difficult was it to find a full-service attorney that you could afford? (either through a free legal aid provider or a private attorney).”