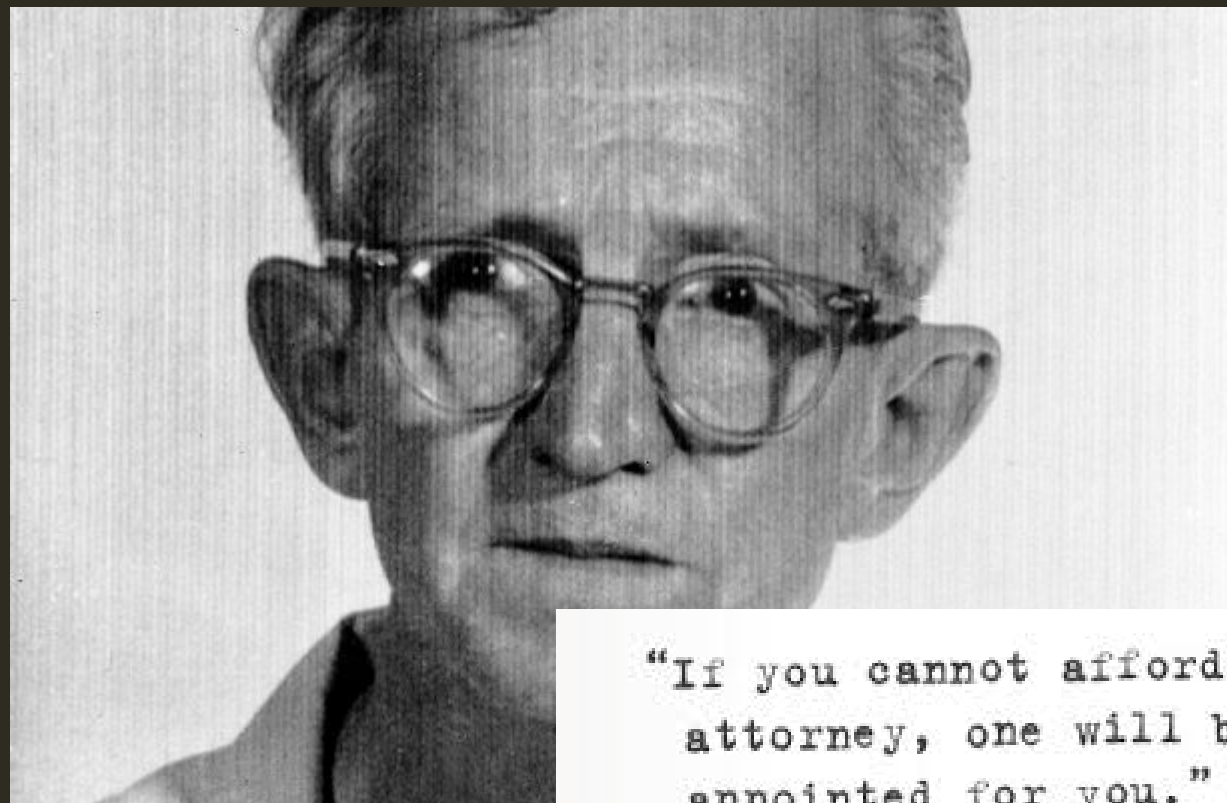
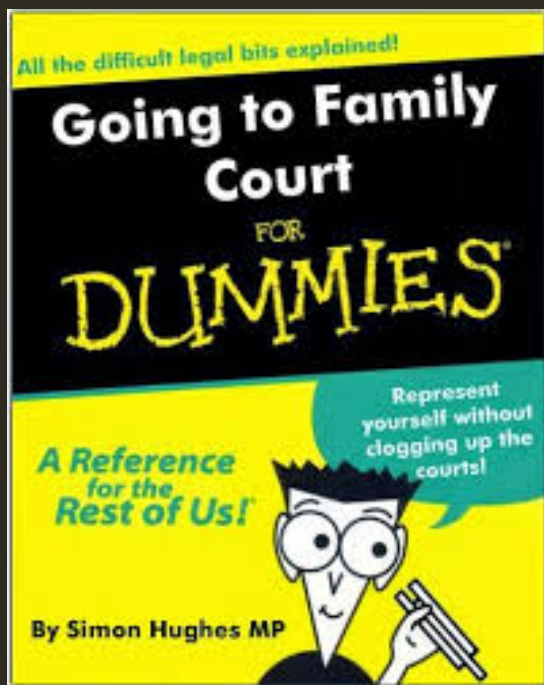


# UNDERSTANDING AND EVALUATING “ROLES BEYOND LAWYERS”

Rebecca L. Sandefur  
Thomas R. Clarke

**THE CONTEXT** |



“If you cannot afford an attorney, one will be appointed for you.”

**UNLESS** you're  
losing your children,  
or your home,  
or your health care,  
or...

[www.courts.ca.gov](http://www.courts.ca.gov)

Self-Help Center



# NON-LAWYER CIVIL LEGAL ASSISTANCE

Achieve the joint goals of access to justice and consumer protection.

# NON-LAWYER CIVIL LEGAL ASSISTANCE

Established: nonlawyers can appear in matters relating to immigration, social security, employment, tax...

California: Justice Corps

Colorado: SRLCs

New York: Court Navigators

Various: Family court facilitators

Various: Domestic violence advocates

Washington: Limited License Legal Technicians

**WHAT SHOULD WE BE ASKING?**



Appropriateness

Efficacy

Sustainability

# APPROPRIATENESS

Identify a discrete bundle of tasks that can **both**

- Make material difference in the conduct of justiciable events **and**
- Be competently performed by someone who is not fully legally qualified



# EFFICACY

Does it work?

- Use
- Competence
- Impact
  - Procedural justice
  - Reduced court burden
  - Improved litigant capacity (understanding)
  - Participation
  - Case outcomes
  - For whom – who can use this?

# SUSTAINABILITY

## Legitimacy

- Public
- Context

## Perceived value

- Role incumbent
- Client
- Funders
- Public

# RBL PROGRAM DESIGN DECISIONS

# DECISIONS — PART 1

Role Definition (restricted legal services, new role)

Training (none, OTJ, paralegal, law school)

Service Scope (process, facts, advice)

Practice Location (in court, out of court)

Regulation Strategy (regulated, unregulated)

Role Payment (market, volunteer, bureaucratic)

# DECISIONS — PART 2

Role Formality (ad hoc, formal)

Host (court, state bar, DOL)

Quality Control (modified lawyer, new)

Marketing Mode (courthouse, website, ads)

Role Permanency (temporary, career)

Funding Strategy (market, subsidy, charity)

# FINDINGS?

New York report scheduled for release Oct/Nov 2015

Washington report scheduled for release June 2016