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...
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