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An Evaluation Framework  
for Allied Legal Professional Programs:  
**ASSESSING IMPROVEMENTS IN  
ACCESS TO JUSTICE**



FIRST EDITION

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## Executive Summary

**The American legal system has a civil access-to-justice gap, wherein many people with civil legal issues are unable to obtain legal assistance. People with civil legal issues who cannot afford an attorney frequently must proceed through the legal system on their own.**

Civil legal aid societies can help fill this gap, but they are unable to meet the vast demand for representation. The justice gap has resulted in a growing number of self-represented litigants (SRLs), especially in straightforward cases that do not require the expensive skillset of an attorney. Nevertheless, even if their cases involve simple legal issues, SRLs can struggle to navigate the court system due to their inexperience with the legal process. These litigants can benefit from technical help, which includes guidance when filling out forms, understanding court processes and deadlines, and collecting required documentation.

As the number of SRLs grows, several jurisdictions have investigated the creation of an additional tier of legal service providers, who can give limited legal assistance at a lower price than attorneys. These types of paraprofessional providers go by several different names, including Non-lawyer Legal Service Providers, Licensed Paralegal Practitioners, Legal Paraprofessionals, Legal Document Preparers, Limited License Legal Technicians, or Limited License Practitioners. For the purposes of this report, we will refer to these service providers as Allied Legal Professionals (ALPs). ALP programs can involve a wide range of provider certification models, from a month-long training process to become a technician to a years-long combination of legal education, examinations, and work experience. ALP programs are sometimes controversial, with stakeholders raising concerns about the effectiveness and sustainability of the new legal roles.

### SECTION 1: Considerations for the Development of New ALP Programs

As more states create their own ALP programs, there are several important factors to consider. Section 1 of this report discusses the primary considerations that courts should take into account as they develop new ALP programs. ALP programs must meet the needs of the court user market, provide the right number of highly qualified ALPs, support the professional development and success of ALPs, and ensure ongoing political and financial support.

### SECTION 2: Evaluation Framework

As new ALP programs are implemented, it is important to evaluate their effectiveness. Section 2 provides an evaluation framework describing the data and analyses needed to evaluate the extent to which an ALP program

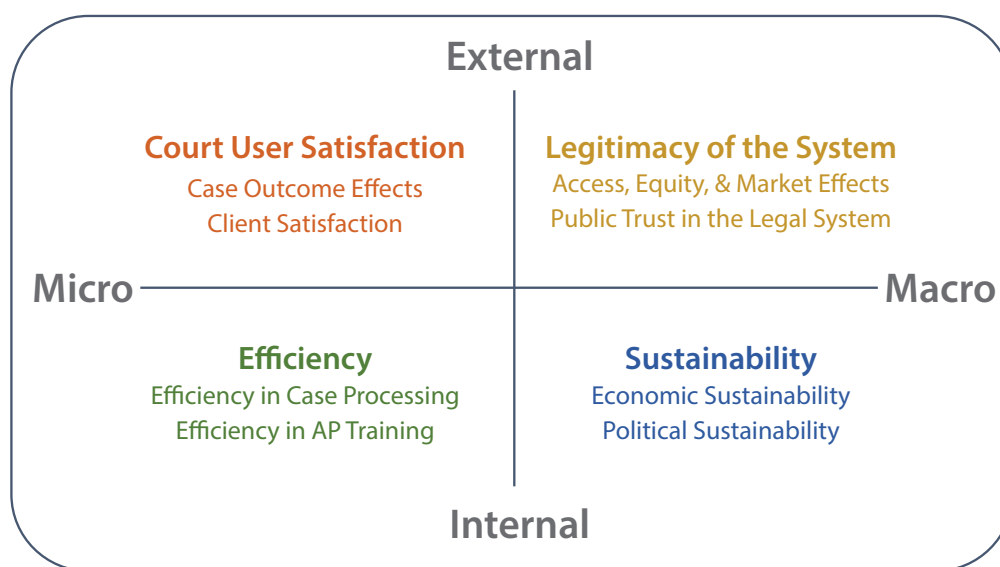


To what extent is the ALP program constructed to make it possible for ALPs to meaningfully improve access to justice?

is meeting its primary goals. In many cases, a valid and useful evaluation of the ALP program will depend on courts preparing to collect the right data before the program has launched. It is therefore crucial that courts proactively prepare for a complete evaluation process from the outset.

The balanced scorecard that underlies the Evaluation Framework is illustrated below. The horizontal axis distinguishes between measures that assess *micro* criteria, or the ALP program's effects on individual cases, court users, and legal service providers, from measures that assess *macro* criteria, or the ALP program's effects on the legal system as a whole. The vertical axis distinguishes between measures that assess the *internal effects* of the ALP program on the legal system and the courts from measures that assess the *external* effects of the ALP program on society and court users. Although the measures divide along these two spectrums and can be categorized into four quadrants, they all address the same underlying primary question: To what extent is the ALP program constructed to make it possible for ALPs to meaningfully improve access to justice?

## Allied Legal Professional Evaluation Framework



Together, the horizontal Micro-Macro axis and the vertical Internal-External axis create four quadrants: Court User Satisfaction, Legitimacy of the Legal System, Efficiency, and Sustainability. Each of these quadrants contains two evaluation categories, which are described in detail in Section 2.

Each measure category contains one Fundamental measure, which distinguishes between a program that is succeeding and one that is failing to meet the needs represented by that quadrant. Courts that are considering implementing an ALP



program should prepare to collect the necessary data for every Fundamental measure described in Section 2. The Fundamental measures are manner of disposition, client satisfaction, increase in representation, compliance with court orders, time to disposition, consistency between ALP training and practice, ALP income, and perceived role legitimacy.

Each measure category also contains some Supplemental measures, which evaluate the ALP program's secondary goals. The ability to measure and quantify these supplemental benefits may provide the courts with the evidence needed to secure ongoing funding or political support for the program.

Appendix 1 lists all evaluation indicators by category. Appendix 2 explains in more detail how to measure the 10 Fundamental evaluation indicators. Appendix 3 is an expanded version of Appendix 2 and contains detailed descriptions of all Fundamental and Supplemental evaluation indicators.

## Conclusions

The civil access-to-justice gap has reached a crisis point in the American legal system. As more courts develop creative solutions for providing low-cost representation to litigants, it will become increasingly important to examine how well these varied programs perform. This report provides both a framework for evaluating the performance of new ALP programs and a framework for monitoring the ongoing stability of established ALP programs. Our hope is that with this guidance, alongside tailored technical assistance from the National Center for State Courts (NCSC), courts will be well prepared to develop and support ALP programs that promote equity in access to justice.



## SECTION 1: ALP Programs

### The Civil Access-to-Justice Gap

The American legal system has a civil access-to-justice gap, wherein many people with civil legal issues are unable to obtain legal assistance.<sup>1</sup> According to a study by the Legal Services Corporation, 70% of low-income households experienced at least one civil legal problem in 2016, but only 20% sought legal assistance.<sup>2</sup> Many of the participants cited concerns about the cost of legal help or uncertainty about where to receive help as barriers to assistance. When traditional legal assistance was not used, 55% of litigants turned to other resources for help, including non-legal professionals and the Internet. These unregulated sources of assistance can lead to inaccurate or inappropriate legal information or advice, which can hinder both litigants and the courts.

*Gideon v. Wainwright*<sup>3</sup> gave criminal defendants the right to representation and required courts to appoint attorneys for indigent defendants, but this right has not been extended to civil litigants. This means that people with civil legal issues who cannot afford an attorney frequently must proceed through the legal system on their own. Civil legal aid societies can help fill this gap, but they are unable to meet the vast demand for representation.<sup>4</sup> In 2017, for example, 86% of civil legal issues received inadequate or no legal help. The justice gap has resulted in a growing number of self-represented litigants (SRLs), especially in straightforward cases that do not require the expensive skill set of an attorney. Nevertheless, even if their cases involve simple legal issues, SRLs can struggle to navigate the court system due to their inexperience with the legal process. These litigants can benefit from technical help, which includes guidance when filling out forms, understanding court processes and deadlines, and collecting required documentation.

As the number of SRLs grows, several jurisdictions have investigated the creation of an additional tier of legal service providers, who can give limited legal assistance at a lower price than attorneys. These types of paraprofessional providers go by several different names, including Non-lawyer Legal Service Providers, Licensed Paralegal Practitioners, Legal Paraprofessionals, Legal Document Preparers, Limited License Legal Technicians, or Limited License Practitioners. For the purposes of this report, we will refer to these service providers as Allied Legal Professionals (ALPs). ALP programs are at various stages of implementation in several states, including Arizona,<sup>5</sup> California,<sup>6</sup> Minnesota,<sup>7</sup> New

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<sup>1</sup> AM. ACAD. ARTS & SCI., CIVIL JUSTICE FOR ALL (2020), <https://www.amacad.org/publication/civil-justice-for-all>.

<sup>2</sup> LEGAL SERVICES CORP., THE JUSTICE GAP: MEASURING THE UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS (2017), <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-FullReport.pdf>.

<sup>3</sup> 372 U.S. 335 (1963).

<sup>4</sup> LEGAL SERVICES CORP., *supra* note 2.

<sup>5</sup> See Arizona Judicial Branch, Legal Document Preparer Program, <https://www.azcourts.gov/cld/Legal-Documents-Preparer-Program>; David Byers, *Arizona's Certified Legal Document Preparers: A Long-Standing Program Fulfilling the Needs of Self-Represented Litigants*, BAR EXAMINER, winter 2018-19, at 20.

<sup>6</sup> See California Ass'n of Legal Document Assistants, <https://calda.org/>.

<sup>7</sup> See Minnesota State Bar Ass'n, Report and Recommendations: Minnesota State Bar Ass'n Alternative Legal Models Task Force, <https://www.mnbar.org/docs/default-source/policy/alm-task-force-report-and-recommendations-final.pdf>; Minnesota Legal Paraprofessional Pilot Project, <https://www.mncourts.gov/Implementation-Committee.aspx>.



Mexico,<sup>8</sup> New York,<sup>9</sup> Utah,<sup>10</sup> and Washington.<sup>11</sup> They involve a wide range of provider certification models, from a month-long training process to become a technician to a years-long combination of legal education, examinations, and work experience. ALP programs are sometimes controversial, with stakeholders raising concerns about the effectiveness and sustainability of the new legal roles. As more states move forward with the creation of their own ALP programs, there are several important factors to consider.

## Overview of the First Edition

In this first edition of the evaluation framework for Allied Legal Professional programs, we describe the most important considerations for courts that are developing new ALP programs. These considerations are informed by Washington's Limited License Legal Technician (LLLT) program and other relatively new programs that are in development at the time of publication. As more state courts begin to implement ALP programs, we will update this report to reflect any new insights gained from the courts' experiences. As ALP programs become more numerous and new models emerge, there will likely be new factors for courts to consider and new recommendations for best practices.

This first edition also provides a detailed measurement framework for the evaluation of new ALP programs. Future editions may include illustrated examples of data collection and calculations as these examples become available in the courts, and they may provide a performance measurement framework for the monitoring of ongoing ALP program performance. Future editions may also update the recommendations for the collection of demographic data as social norms and measurement best practices evolve. In the meantime, the National Center for State Courts (NCSC) is available to provide technical assistance to any court system looking to develop a new ALP program and prepare an evaluation plan.

This first edition does not attempt to lay out a performance measurement framework for ALP programs. Performance measurement, in contrast with program evaluation, tracks changes in performance over time and compares performance to specific empirically-derived *benchmarks*. The development of performance measures depends on the ability to set meaningful benchmarks that are grounded in evidence. Accordingly, it is premature to set out a performance measurement framework at this time. Once a range of ALP programs across the country have been developed and sufficient data exist to establish benchmarks, future editions of this report may be expanded to include a framework for performance measurement. However, because program evaluations and performance measures often share many of the same underlying data elements, preparing for the evaluation of a new ALP program now can also help courts to proactively prepare for ongoing performance measurement in the future.



*In this first edition of the evaluation framework for Allied Legal Professional programs, we describe the most important considerations for courts that are developing new ALP programs.*

<sup>8</sup> See Steve Terrell, *New Mexico to Study Letting Non-Lawyers Give Legal Help*, LA CRUCES SUN NEWS, May 22, 2019, <https://www.lcsun-news.com/story/news/local/new-mexico/2019/05/22/new-mexico-supreme-court-study-non-lawyers-legal-help-civil-services/3768736002/>.

<sup>9</sup> See New York Navigator Program, <https://www.nycourts.gov/courts/nyc/housing/rap.shtml>; Regulatory Innovation Working Group of the Commission to Reimagine the Future of New York's Courts, Report and Recommendations of the Working Group on Regulatory Innovation (2020), [https://www.nycourts.gov/LegacyPDFS/publications/RWG-RegulatoryInnovation\\_Final\\_12.2.20.pdf](https://www.nycourts.gov/LegacyPDFS/publications/RWG-RegulatoryInnovation_Final_12.2.20.pdf) (recommending that the state license social workers to provide limited legal representation).

<sup>10</sup> See Catherine J. Dupont, *Licensed Paralegal Practitioners*, 31 UTAH B. J. (2018) (discussing Utah's Licensed Paralegal Practitioner program).

<sup>11</sup> See Washington State Bar Ass'n, Limited License Legal Technicians, <https://www.wsba.org/for-legal-professionals/join-the-legal-profession-in-wa/limited-license-legal-technicians>.





## Considerations for Developing a New ALP Program

The considerations summarized here are primarily informed by research that NCSC conducted on Washington's LLLT program, which was authorized in 2012 and launched in 2014. In June 2020, the Washington Supreme Court voted to sunset the LLLT certification program; current Legal Technicians in good standing may maintain their licenses and continue to provide services, but no new LLLTs will be licensed after July 2022. NCSC conducted a series of focus groups and surveys for a formal evaluation of the LLLT program, which was discontinued in light of the court's decision to sunset the program. The considerations that follow are informed by insights from those preliminary evaluation steps.

### Market and Equity Analysis

Jurisdictions interested in developing a new ALP program should begin by considering the unmet need for legal services that the program is designed to address. The ALP program will need to specify within which areas of law ALPs may practice, as well as which legal tasks ALPs are authorized to perform. For example, LLLTs in Washington are authorized to practice in family law and are only authorized to provide certain kinds of services within that area.<sup>12</sup>

Areas of law with the highest numbers of SRLs are good candidates for ALP representation. Within these case types, there should be sufficient demand for non-lawyer legal services among those who would otherwise go unrepresented. The program should also target areas of law in which SRLs will substantively benefit the most from gaining representation and can afford to pay the more limited fees of an ALP. In areas of law where SRLs predominantly belong to historically marginalized social groups (e.g., African Americans, Indigenous peoples, Latinx/Latines, LGBTQ+ individuals, women, low-income individuals, non-citizens, people with disabilities or language barriers), ALP representation is likely to have the biggest impact in promoting equity and materially improving people's lives. Courts should regard these case types as high priorities for ALP representation.

Case types that may benefit the most from ALP representation include family law, landlord-tenant, consumer debt, orders of protection, criminal record expungement, worker's compensation, unemployment benefits, social security benefits, disability benefits, or bankruptcy. Courts might consider conducting brief surveys of SRLs in certain types of cases to determine what proportion of them would seek ALP representation if it were available, as well as how much money these SRLs would be willing and able to pay in ALP fees. Courts might also consider conducting surveys of potential ALPs to identify their interests. Courts should determine that there is enough demand for ALP services in a particular area of law, as well as enough supply of potential ALPs, that ALPs can make a reasonable living doing the work.

In selecting case types for ALP representation, courts should also consider the nature of the work itself. Case types for which the court already uses standardized forms will be much better candidates for ALP representation than case types that typically involve, for example,

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<sup>12</sup> See Washington State Court Rules, Admission and Practice Rule 28, [https://www.courts.wa.gov/court\\_rules/pdf/APR/GA\\_APR\\_28\\_00\\_00.pdf](https://www.courts.wa.gov/court_rules/pdf/APR/GA_APR_28_00_00.pdf).

many hearings, filings, or oral arguments. Courts might even consider developing standardized forms or other process-simplification initiatives alongside the development of the ALP program.

## ALP Qualifications

Once the scope of ALP representation has been determined, courts should establish the minimum eligibility requirements for ALPs. In Document-Preparer-style programs, in which ALPs will primarily help litigants fill out standard court forms and collect documentation, a short, weeks-long training program may be sufficient. In programs where ALPs will provide individualized legal advice and assist clients through longer-term litigation, a more extensive training and certification process may be needed. For example, the minimum requirements for LLLTs in Washington are an associate's degree or 10 years of experience as a paralegal, completion of the core LLLT education program, three exams, and 1,500 hours of work experience.<sup>13</sup> As in the Washington program, courts should consider the extent to which previous professional experience might serve as a substitute for educational requirements.

Courts should also consider how many people already have the required qualifications and how this number compares to the optimal size of the provider market. If very few individuals are already qualified to become ALPs, the courts will need to put more effort into ALP recruitment and training to ensure that there are enough providers. If too many people are already qualified to become ALPs, the courts will need to consider whether the market will be too competitive for ALPs to succeed.

## Recruiting ALPs

Courts should consider which individuals may be interested in becoming certified as ALPs and should develop a plan for recruitment. Paralegals and legal secretaries may be good candidates for recruitment. Participants in the Washington LLLT focus groups suggested that courts should consider advertising the ALP program through community colleges and other institutions that offer paralegal and legal secretary training.

## ALP Certification

Courts should consider what skills and knowledge ALPs need to provide their designated services competently. These may include knowledge of civil procedure, the relevant areas of law, ethics and professional responsibility, advocacy skills, and skills related to small business operations.



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<sup>13</sup> The work experience requirement was originally set at 3,000 hours and was later reduced to 1,500.



*As courts establish the minimum qualifications and training requirements for ALPs, they should consider the investment (of both time and money) required to become certified as an ALP.*



The educational curriculum for ALPs should be carefully tailored to the skills and knowledge that ALPs need to succeed. Participants in the Washington LLLT focus groups suggested that coursework should not only touch on topics such as caselaw, statutes, and precedent, but also provide training on practical skills related to advocacy (e.g., filing motions, trial preparation, mediation and negotiation). As many ALPs will start their own practices or collaborate with law firms and legal aid services for referrals, it is also important for the curriculum to include business management coursework.

Courts should also consider whether to implement a practical-experience component for the certification process. For example, Washington LLLTs are required to complete 1,500 hours of service before becoming certified. In some cases, it may be appropriate to count certain types of past employment experience (e.g., working as a paralegal) toward the practical experience requirement. Courts should also consider whether a subset of the experience hours should be required to come from the specific area of law in which the ALPs will practice. In the Washington LLLT focus groups, participants were divided on this question. Some felt that a requirement of specific family law hours would promote higher quality representation; others felt that this requirement was too big a hurdle and that it was inconsistent with the requirements for attorneys (who can typically practice in any area of law, regardless of prior coursework or experience). Finally, if ALPs are conducting their service hours under the supervision of attorneys, it is important to distribute very specific guidance on what types of experience will qualify toward practical hours, so that all prospective ALPs receive the same credit for the same types of service. Generally speaking, courts should ensure that prospective ALPs have enough practical experience to provide competent representation, but they should avoid making the experience component unnecessarily onerous.

Finally, if ALPs are required to pass a certification exam, the exam should be carefully designed to test the specific knowledge and skills ALPs need to practice competently, as opposed to primarily testing abstract legal concepts. The exam should be offered in a format that is geographically and financially accessible, as well as accessible to people with disabilities. Preparatory materials should be developed and made available to all prospective ALPs to minimize economic disparities in test preparation.

## **ALP Investment**

As courts establish the minimum qualifications and training requirements for ALPs, they should consider the investment (of both time and money) required to become certified as an ALP. If it is too costly to become an ALP, courts will not be able to recruit enough providers. Furthermore, those who become certified will need to charge high rates for their services to make a living, which will undermine the program's goal of increasing access to justice through low-cost legal representation. As described above, courts should ensure that ALPs invest enough in their training and licensure to ensure competent representation, but not more than is necessary.

Courts should ensure that training courses are financially and geographically accessible for prospective ALPs. It is important to consider how, where, and at what costs coursework is

offered by academic institutions. Local community colleges may have the capacity to offer introductory coursework at lower costs than universities or law schools. If courses offered at universities are classified as “extended learning” courses, financial aid may not be available to prospective ALPs. Courts should consider establishing a scholarship fund specific to the ALP program, which might make it possible for some individuals to participate who may not otherwise be able to.

Finally, while designing certification requirements, courts should keep in mind that prospective ALPs may be balancing full-time jobs and family caregiving while becoming certified. Coursework and practical-experience requirements should be designed with this fact in mind, and courses should be offered remotely and on flexible schedules when possible.

## ALP Professional Development and Support

As part of the process of designing an ALP program, courts should consider what supports and resources are available to help new ALPs get established professionally. These might include networking resources, referral systems, advertising support, and continuing education. If existing professional development resources for attorneys cannot be adapted and made available to new ALPs, courts may need to establish new ALP-specific programs.

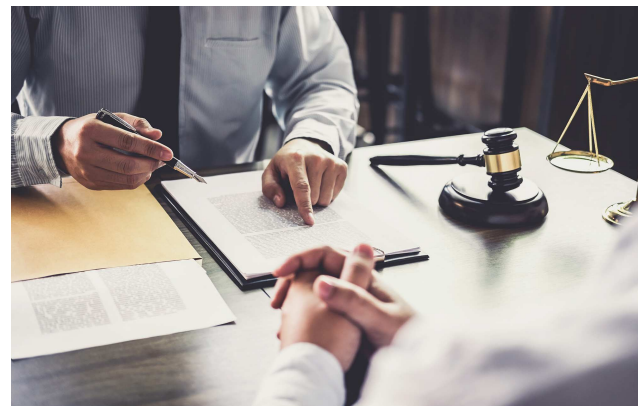
Participants in the Washington LLLT focus groups suggested that online forums tied to their educational curriculum, such as course-related chat threads, listservs, and other online communities, played an important role in facilitating networking and resource-sharing as they began their careers. They also commented that the 1,500 hours of practical experience they were required to obtain (3,000 for those who became licensed earlier in the program) provided them with valuable networking experience and opportunities to learn more about strategies for running a business.

A streamlined system for referral is a particularly important professional support, which will benefit litigants and ALPs alike. Judges, public-facing court staff, attorneys, and legal self-help centers are likely to encounter SRLs that would benefit from seeking the assistance of ALPs. Putting systems in place for automated or streamlined referrals to ALPs will help ensure that as many SRLs as possible know about the availability of ALPs and can access representation.

## ALP Program Governance and External Support

Finally, it is important for courts to carefully consider the governance structure of a potential ALP program. Where the program is housed and how it is funded will determine how vulnerable it is to political influence and individual turnover in leadership positions. For example, if an ALP program is housed within a state bar organization, its survival may depend on attorneys not viewing ALPs as market threats. Courts might consider alternative structures for program governance, such as housing the program within the judicial branch or as an extension of legal services or legal aid. It may also be beneficial to allow ALPs to become members of the bar association to allow for shared education and communication among colleagues.

The sustainability of an ALP program will depend on continued support from the state supreme court, state bar association, and other decision-making bodies within the legal



*As part of the process of designing an ALP program, courts should consider what supports and resources are available to help new ALPs get established professionally.*



profession. Widespread education about the qualifications, training, and roles of ALPs, as well as their intended client base, is important to ensure that other legal professionals understand the new role. These education and awareness efforts should be taken up by the governing body of the ALP program and other court branch organizations, so that it does not fall to individual ALPs to repeatedly explain their role to other legal professionals and advocate for themselves. Courts might consider creating bench cards for judges and other judicial staff, so that these legal professionals are aware of the services ALPs provide and how to refer court users to these services. Courts should also develop a streamlined referral process through which attorneys, judges, commissioners, legal self-help centers, bar associations, and other potential referral sources can easily refer court users to ALPs.

## Conclusions

To create and implement effective and sustainable ALP programs, courts should carefully consider all of the factors discussed here. ALP programs must meet the needs of the court user market, provide the right number of highly qualified ALPs, support the professional development and success of ALPs, and ensure ongoing political and financial support.

As new ALP programs are rolled out, it will also be important to evaluate their effectiveness and make ongoing adjustments as needed. Carefully planned data collection and evaluation are crucial components of the implementation of any new program designed to promote access to justice.<sup>14</sup> In Section 2, we describe the data and analyses needed to thoroughly evaluate a new ALP program.

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<sup>14</sup> AM. ACAD. OF ARTS AND SCI., MEASURING CIVIL JUSTICE FOR ALL (2021), <https://www.amacad.org/sites/default/files/publication/downloads/2021-Measuring-Civil-Justice-for-All.pdf>.



## SECTION 2: Evaluation Framework for ALP Programs

### Overview of the Evaluation Framework

Courts can prepare for a valid and useful evaluation by considering the following evaluation components as the new ALP program is being developed. In many cases, an evaluation of the ALP program will depend on courts preparing to collect the right data *before* the program has launched. It is therefore crucial that courts prepare for a complete evaluation process from the outset. This section provides an overview of essential data elements needed for evaluation.

### The Balanced Scorecard Approach

The ALP Evaluation Framework was informed by the performance measurement literature. This framework uses the Balanced Scorecard approach, which was originally developed for use in for-profit businesses<sup>15</sup> and then adapted for use in the state courts in the High Performance Court Framework.<sup>16</sup> The Balanced Scorecard approach organizes performance indicators in four quadrants spanning two axes. The purpose of adopting this approach is to guard against overreliance on one type of indicator at the expense of another. There are different entities and stakeholders involved in the creation of an ALP program, and the balanced scorecard approach is intended to ensure that different indicators of program quality (that may be of varying interest to different stakeholder groups) are all considered during program evaluation.

The ALP Evaluation Framework identifies two key, high-level spectrums of concern in the assessment of ALP programs: Macro-Micro effects and Internal-External effects. By developing measures in each of these domains, this Framework provides a means of comprehensively assessing the effectiveness of ALP programs. Although the measures divide along these two spectrums and can be categorized into four quadrants, they all address the same underlying primary question: To what extent is the ALP program constructed to make it possible for ALPs to meaningfully improve access to justice?

The Framework draws on insights gained from the NCSC study of Washington's LLLT program. The Framework also relies on the evaluation framework laid out by Clarke and Sandefur,<sup>17</sup> which divides evaluation criteria into Appropriateness, Efficacy, and Sustainability categories.

We explain in more detail below how each of the measures in the ALP Evaluation Framework fits into the Clarke and Sandefur framework.

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<sup>15</sup> Robert S. Kaplan & David P. Norton, *The Balanced Scorecard: Measures that Drive Performance*, 70 HARVARD BUS. REV., Jan.-Feb. 1992, <https://hbr.org/1992/01/the-balanced-scorecard-measures-that-drive-performance-2>.

<sup>16</sup> See Brian Ostrom & Roger Hanson, *Achieving High Performance: A Framework for Courts* (working paper, Nat'l Center for State Courts, 2010), [https://www.ncsc.org/\\_\\_data/assets/pdf\\_file/0024/15189/achieving\\_hpc\\_april\\_2010.pdf](https://www.ncsc.org/__data/assets/pdf_file/0024/15189/achieving_hpc_april_2010.pdf).

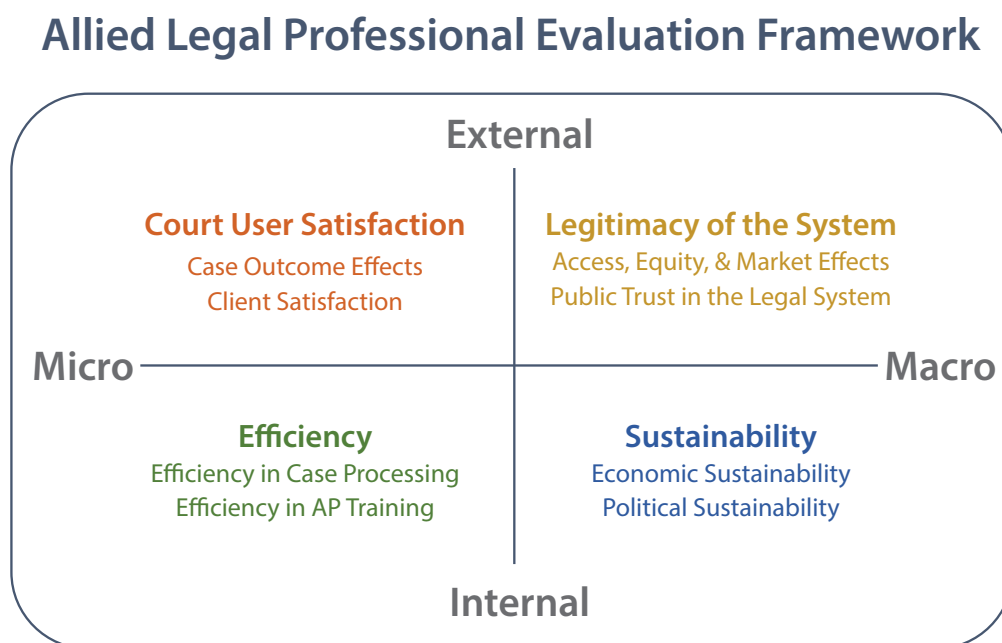
<sup>17</sup> See Thomas M. Clarke & Rebecca L. Sandefur, *Preliminary Evaluation of the Washington State Limited License Legal Technician Program* (2017), [http://www.americanbarfoundation.org/uploads/cms/documents/preliminary\\_evaluation\\_of\\_the\\_washington\\_state\\_limited\\_license\\_legal\\_technician\\_program\\_032117.pdf](http://www.americanbarfoundation.org/uploads/cms/documents/preliminary_evaluation_of_the_washington_state_limited_license_legal_technician_program_032117.pdf).



## Elements of the Evaluation Framework

The ALP Evaluation Framework is illustrated in Figure 1. In the framework, evaluation indicators are located on two axes. The horizontal axis distinguishes between measures that assess *micro* criteria, or the ALP program's effects on individual cases, court users, and legal service providers, from measures that assess *macro* criteria, or the ALP program's effects on the legal system as a whole. The vertical axis distinguishes between measures that assess the *internal* effects of the ALP program on the legal system (i.e., the bar, the ALP regulatory body, and the court) from measures that assess the *external* effects of the ALP program on society and court users.

Figure 1



Together, the horizontal Micro-Macro axis and the vertical Internal-External axis create four quadrants, which are described in more detail below. Each quadrant of the Framework is color coded; the evaluation measures and the respective data elements described below are likewise organized by the corresponding quadrant.

**Court User Satisfaction.** Evaluation indicators that assess court user satisfaction with the ALP program fall under the Micro/External quadrant of the Framework. These measures capture whether court users experience better case outcomes as a result of receiving assistance from ALPs and whether they are satisfied with this assistance. The Case Outcome Effects component of this quadrant falls under the Efficacy category, and the Client Satisfaction component falls under the Sustainability category, of the Clarke and Sandefur framework (see Figure 2).

**Legitimacy of the Legal System.** Evaluation indicators that assess the ALP program's impact on the legitimacy of the legal system fall under the Macro/External quadrant of the Framework. These indicators capture the extent to which the ALP program improves access to justice and equity, as well as the program's effect on public trust in the legal system. The

Access component of this indicator falls under the Appropriateness category of the Clarke and Sandefur framework, and the Public Trust component falls under the Efficacy category (see Figure 2).

**Efficiency.** Evaluation indicators that assess the efficiency of the ALP program fall under the Micro/Internal quadrant of the framework. These indicators capture how quickly and accurately cases move through the system, and they include both improvements in case processing and the efficiency of ALP training and certification. Both of these Efficiency components fall under the Efficacy category of the Clarke & Sandefur framework (see Figure 2).

**Sustainability.** Evaluation indicators that assess the sustainability of the ALP program fall under the Macro/Internal quadrant of the Framework. These indicators capture whether the ALP program will receive the ongoing financial and political support that it needs to survive. Both of these Sustainability components fall under the Sustainability category of the Clarke and Sandefur framework (see Figure 2).

**Figure 2**

## Mapping Evaluation Indicators onto the Clarke & Sandefur Evaluation Framework

**Appropriateness:** Does the program do the right thing?

Access, Equity, & Market Effects

**Efficacy:** Is the program doing it effectively?

Case Outcome Effects

Public Trust in the Legal System

Efficiency in Case Processing

Efficiency in AP Training

**Sustainability:** Is the program capable of doing it in the future?

Client Satisfaction

Economic Sustainability

Political Sustainability

## Using the Evaluation Framework

As described above, the Balanced Scorecard approach lays out a comprehensive set of measures to guard against overreliance on one type of indicator at the expense of others. The remainder of this section lays out each of the eight evaluation indicator categories in the Framework, as well as two cross-cutting measures that are used across categories. For each category, we discuss conceptually what information needs to be captured, distinguish between Fundamental and Supplementary measures, and describe the specific data needed. This information is also presented in Appendix 1. Note that some indicators are derived from the court's case management system and some are obtained through other means (e.g., surveys, regulator data).

**Timing the Evaluation.** Courts should carefully consider the appropriate timing for conducting a thorough evaluation of the new ALP program. Data collection should begin before the program is implemented, as some of the evaluation indicators rely on a before-and-after comparison. However, several of the evaluation indicators

Once a program evaluation indicates that the new ALP program is meeting its goals across all quadrants of the balanced scorecard, the court should consider moving from the ALP Evaluation Framework into a performance evaluation framework, which allows the court to monitor the ongoing stability and maintenance needs of the program over time.

depend on a critical mass of ALPs and ALP-represented clients. Therefore, data collection should continue until the new ALP program has been fully established, and the evaluation should not be conducted until that time. The amount of time it takes for a new ALP program to reach this critical mass will vary by area of law and jurisdiction, but in many cases, it may take several years.

**Repeated Evaluations.** The first time a program evaluation is conducted, it is likely to reveal some aspects of the new ALP program that are falling short of their goals and need some extra attention and support. In this situation, the court may wish to repeat the program evaluation process again after program developers have had time to address these areas of need. Once a program evaluation indicates that the new ALP program is meeting its goals across all quadrants of the balanced scorecard, the court should consider moving from the ALP Evaluation Framework into a performance evaluation framework, which allows the court to monitor the ongoing stability and maintenance needs of the program over time.

**Separating Evaluations by Case Type.** If the program allows ALPs to practice in multiple areas of law or in multiple case types, courts should indicate case type in the CMS. Program evaluation should be conducted for each case type separately. This is because the ALP program might be more effective in certain domains for one case type than for another. The remainder of this section assumes that all calculations and evaluations are conducted within a particular case type.

**Fundamental and Supplemental Indicators.** We consider the fundamental indicators under this Framework to be the ones that address the ALP program's primary goals. Indicators that are tagged as *fundamental* will distinguish between a program that is succeeding and one that is failing in a particular domain. Courts that are considering implementing an ALP program should prepare to collect the necessary data for every fundamental indicator described below (Appendix 2 contains the data elements for all fundamental indicators). Supplemental indicators, in contrast, address the ALP program's secondary goals. Indicators that are tagged as *supplemental* will help the courts to identify what additional benefits the ALP program has created, beyond its primary goals. The ability to measure and quantify these added benefits in an evaluation context may provide the courts with the evidence needed to secure ongoing funding or political support for the program. Accordingly, we encourage courts to collect the necessary data for the supplemental indicators described below (Appendix 3 contains the data elements for all fundamental and supplemental indicators). However, courts that face limited resources for data collection and analysis should consider the fundamental indicators as the minimum needed for a complete program evaluation.

**Relationship between Evaluation Indicators and NODS.** Wherever possible, the evaluation indicators described below, particularly those measured using CMS data, correspond to data elements from the National Open Court Data Standards (NODS).<sup>18</sup>

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<sup>18</sup> National Center for State Courts, National Open Court Data Standards (NODS), <https://www.ncsc.org/services-and-experts/areas-of-expertise/court-statistics/national-open-court-data-standards-nods>.



This correspondence ensures that courts that have implemented NODS can capitalize on the data collection they are already engaged in as they develop evaluation plans for their ALP programs. Appendices 2 and 3 describe in detail how the relevant evaluation indicators map onto existing NODS data elements.

## Cross-cutting Fundamental Indicators

**Representation Type (Fundamental).** At a minimum, courts must collect information in the case management system (CMS) that distinguishes between attorney-represented, ALP-represented, and self-represented cases. In most civil matters, there will be litigants on both sides of the case, each with the potential to be self-represented or represented by an ALP or attorney. In these cases, the CMS should include a record for each litigant. Depending on the nature of the ALP program and the case type, representation may need to be measured on either a per-case basis or a per-event basis for each litigant.

**Litigant Role (Fundamental).** Additionally, courts should collect information in the CMS that indicates the role of each litigant in the case (i.e., plaintiff/petitioner or defendant/respondent). Depending on the nature of the ALP program and the case type, litigant role may need to be measured on either a per-case basis or a per-claim basis.

Because representation type and litigant role are necessary underlying data elements for multiple categories of evaluation indicators, rather than measures of program success themselves, they are listed first in Appendices 1, 2, and 3.

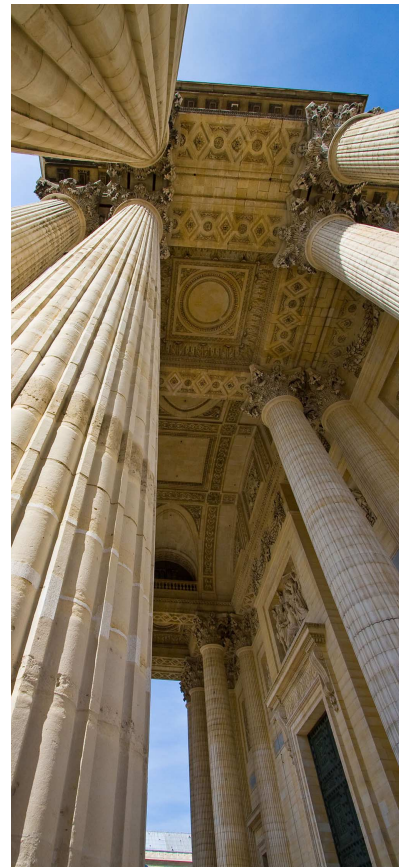
## Case Outcome Effects

**Manner of Disposition (Fundamental).** In order for an ALP program to achieve its goals, the disposition of cases should be more often on the merits of the case for court users represented by ALPs than for SRLs. Specifically, if court users who have access to assistance from ALPs are better able to navigate court rules and procedures than SRLs, they should be more likely to see their cases decided on the merits or decided through mediation or settlement, rather than being dismissed administratively for failure to prosecute or, in the case of defendants or respondents, decided as default judgments. Accordingly, courts should measure each case's manner of disposition using CMS data. If the ALP program is succeeding in this domain, the percentage of cases decided on the merits should be higher in ALP-represented cases than in self-represented cases.

**Outcome Favorability (Supplemental).** Another marker of the success of an ALP program is that cases decided on the merits should result in more favorable outcomes when litigants are represented by ALPs than when they are self-represented. For cases that are decided by adjudication, courts should track which litigants prevailed on the merits in the CMS. For cases that involve monetary damages, courts should track how the awarded damages compare to the initial demand in the complaint or petition. If the ALP program is succeeding in this domain, case outcomes should be more favorable, on average, for court users who are represented by ALPs than for SRLs.

## Client Satisfaction

**Client Satisfaction (Fundamental).** For an ALP program to achieve its goals, court users must be satisfied with their representation by ALPs. Accordingly, courts should survey



samples of court users who are represented by ALPs (see Appendices 2 and 3 for recommended survey item text). Before collecting the data, the court should decide what the goal is for client satisfaction. Specifically, is there a minimum average score that the court wishes to attain, or will the court be comparing court users' satisfaction with ALPs to their satisfaction with other representation or assistance? If the ALP program is succeeding in this domain, it should meet the court's predetermined goal.

**Client Fees (Supplemental).** Another marker of an ALP program's success is whether it reduces the cost of representation for clients. To measure this outcome, courts should survey both ALPs and attorneys who practice in the areas of law in which ALPs are licensed. The survey should measure the relative fees that ALPs and attorneys charge for comparable legal tasks (see Appendix 3 for recommended survey item text). If the ALP program is succeeding in this domain, fees should be lower, on average, among ALPs than among attorneys.

**Fee Structure Transparency (Supplemental).** Another marker of an ALP program's success is whether it increases the predictability and transparency of fees, relative to court users who are represented by attorneys. To measure this outcome, courts should survey both ALPs and attorneys who practice in the areas of law in which ALPs are licensed. The survey should measure the proportion of ALPs and attorneys who charge hourly rates versus per-task fees, as well as the proportion of providers who post their rates online (see Appendix 3 for recommended survey item text). If the ALP program is succeeding in this domain, fee transparency should be higher, on average, among ALPs than among attorneys.

## Access, Equity, and Market Effects

**Increase in Representation (Fundamental).** For an ALP program to achieve its goals, it must increase the number of court users who can afford to be represented. Specifically, there must be a certain proportion of court users who use the services of ALPs who otherwise would have either gone unrepresented or chosen not to bring their issue to court. Courts should measure the increase in representation by a survey of court users (see Appendices 2 and 3 for recommended survey item text). If the ALP program is succeeding in this domain, there should be a significant proportion of the court user sample who were represented by an ALP and who otherwise would have been unrepresented or not heard in court at all.

**Representation in Underserved Populations (Supplemental).** Another marker of an ALP program's success is whether it increases access to justice in specific, predetermined underserved populations. For many courts, the populations of interest will likely include low-income court users and rural court users. Courts can use CMS data to measure this outcome. The court should compare data from the same jurisdictions both before and after the implementation of the ALP program. If the ALP program is succeeding in this domain, the percentage of court users who live in rural areas or who request fee waivers (or another indicator of low-income status) should increase.



**Equity in Manner of Disposition (Supplemental).** Another marker of an ALP program's success is whether it results in more equity across relevant social groups in whether or not cases are decided on the merits. If the program successfully targets areas of law in which SRLs predominantly belong to historically marginalized social groups (e.g., African Americans, Indigenous peoples, Latinx/Latines, LGBTQ+ individuals, women, low-income individuals, noncitizens, people with disabilities or language barriers), it should have an impact in promoting equity in case dispositions. Courts can measure this impact by comparing group disparities in the Manner of Disposition measure before and after the implementation of the ALP program. First, courts must track the relevant litigant demographic characteristics that correspond to the disparities they are interested in measuring (e.g., race, ethnicity, gender, immigration status, disability status) in the CMS. Second, courts must track the manner of disposition in the same way described above for Manner of Disposition. If the ALP program is succeeding in this domain, group disparities in the likelihood of deciding a case on the merits will decrease after the program is implemented.

**Equity in Outcome Favorability (Supplemental).** Another marker of an ALP program's success is whether it results in more equitable case outcomes across relevant social groups. If the program successfully targets areas of law in which SRLs predominantly belong to historically marginalized social groups (e.g., African Americans, Indigenous peoples, Latinx/Latines, LGBTQ+ individuals, women, low-income individuals, noncitizens, people with disabilities or language barriers), it should have an impact in promoting equity in case outcomes. Courts can measure this impact by comparing group disparities in the Outcome Favorability measure before and after the implementation of the ALP program. First, courts must track the relevant litigant demographic characteristics that correspond to the disparities they are interested in measuring (e.g., race, ethnicity, gender, immigration status, disability status) in the CMS. Second, courts must track the outcome of the case in the manner described above for Outcome Favorability. If the ALP program is succeeding in this domain, group disparities in case outcome favorability will decrease after the program is implemented.

**Diversity of Court User Population (Supplemental).** Another marker of an ALP program's success is whether it results in the court user population more closely resembling the population of people who would benefit from legal services in the relevant area of law (e.g., the population living in rental housing for an ALP program targeting landlord-tenant cases).<sup>19</sup> Specifically, if the ALP program is succeeding, the courts should become more equally accessible to different social groups in the population. Accordingly, courts should measure court users' relevant demographic characteristics (e.g., race, ethnicity, gender, immigration status, disability status) in the CMS both before and after the implementation of the ALP program. If the ALP program is succeeding in this domain, the demographics of the court user population should evolve over time to more closely resemble the demographics of the relevant population of the jurisdiction in question.



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<sup>19</sup> For guidance on identifying the population of people who would benefit from an Access to Justice initiative, see THOMAS M. CLARKE & PAULA HANNAFORD-AGOR, MEASURING THE IMPACT OF ACCESS TO JUSTICE PROGRAMS: AN ASSESSMENT TOOL FOR FUNDERS AND POLICYMAKERS (2020), <https://ncsc.contentdm.oclc.org/digital/collection/accessfair/id/859>.



## Public Trust in the Legal System

**Compliance with Court Orders (Fundamental).** For an ALP program to achieve its goals, it should result in an increase in compliance with court orders. Specifically, court users who have access to legal assistance should be more likely to understand what a court order requires of them, more likely to adhere to court-imposed deadlines, and more likely to feel that the court order is legitimate. Courts can measure this outcome using CMS data. Courts should compare compliance by court users who are self-represented to compliance by court users who are represented by ALPs in comparable cases. Indicators of compliance will vary depending on the areas of law in which ALPs practice, but they may include bench warrants, contempt orders, default judgments, or any form of post-judgment enforcement. If the ALP program is succeeding in this domain, the average number of non-compliance events per case will be lower among court users who are represented by ALPs than among SRLs.

**Public Trust (Supplemental).** Another marker of an ALP program's success is whether it results in the public viewing the legal system generally, and ALPs' role specifically, as legitimate. The "public" in this context refers not just to litigants and court users, but anyone living in the jurisdiction of the court. As the ALP program becomes more established, more and more members of the public may consider using the courts a viable option for addressing their legal issues. Furthermore, the mere existence of the program, even for members of the public who do not experience a specific legal need, may signal that the courts are available and accessible to everyone. Courts should survey the public both before and after the implementation of the ALP program (see Appendix 3 for recommended survey item text). If the ALP program is succeeding in this domain, ratings of legal system legitimacy will increase after program implementation.

## Efficiency in Case Processing

**Time to Disposition (Fundamental).** For an ALP program to achieve its goals, it should result in more efficient case processing. Specifically, court users who have access to legal assistance should resolve their cases faster than SRLs. Courts can measure this outcome using CMS data. Courts should compare time to disposition for SRL cases to cases in which an ALP assists. If the ALP program is succeeding in this domain, time to disposition will be lower in cases that are assisted by ALPs than in SRL cases.

**Number of Proceedings (Supplemental).** Another marker of efficiency is whether court users who have access to legal assistance resolve their cases with fewer proceedings than SRLs. Courts can measure this outcome using CMS data. Courts should compare the number of proceedings in SRL cases to the number of proceedings in cases in which an ALP assists. Specific proceedings to be counted will vary depending on the areas of law in which ALPs practice, but they may include the number of continuances per case, the number of hearings per case, or the number of post-judgment modifications within a short time after disposition. If the ALP program is succeeding in this domain, the number of proceedings per case will be lower in cases that are assisted by ALPs than in SRL cases.

**Attorney Use of Expertise (Supplemental).** Another marker of an ALP program's success is whether it results in attorneys working at the top of their license, spending a larger proportion of their time dealing with complex matters that genuinely require a law degree. Courts can use CMS data to measure this outcome. The court should measure case complexity in attorney-represented cases both before and after the implementation of the ALP program. Measures of case complexity may vary depending on case type, but will generally include the amount in controversy, the number and nature of legal issues raised in the complaint or petition, the number of motions filed, and the number of hearings. If the ALP program is succeeding in this domain, case complexity for attorneys will rise after the implementation of the ALP program.

**Use of Court Staff Time (Supplemental).** Another marker of an ALP program's success is whether it results in court staff spending less time assisting SRLs. Specifically, if the ALP program is succeeding, court users who would

otherwise ask a clerk to help locate forms, look up deadlines, and point them to the correct court locations will have these questions answered by their ALPs instead. Courts can compare the efficient use of staff time in

ALP-represented cases to SRL cases in several ways:

- 1) Select a subset of cases in the areas of law in which ALPs practice that are comparable in terms of case complexity. Within that sample of cases, compare cost per case (CourTools Item 10<sup>20</sup>) in ALP cases to cost per case in SRL cases.
- 2) Have relevant court staff (i.e., staff in public-facing roles) log the amount of time that they spend answering court users' questions, both before and after implementation of the ALP program. Compare the average amount of staff time before and after implementation.

However staff time is measured, if the ALP program is succeeding in this domain, the amount of time that staff spend answering court users' questions should be lower when court users have access to ALP representation than when they are self-represented.

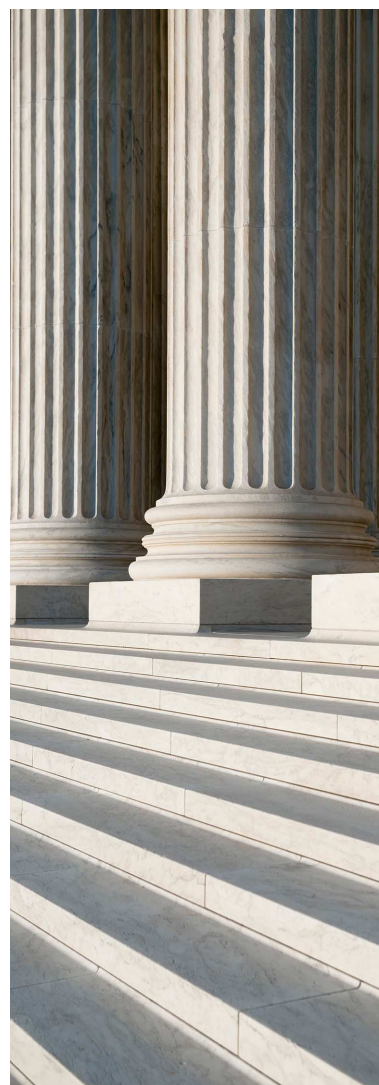
## Efficiency in Allied Legal Professional Training

**Consistency Between ALP Training and Practice (Fundamental).** For an ALP program to achieve its goals, the training program for ALPs must closely match the tasks that ALPs will perform. If ALPs are not trained on skills that are central to the job, many will spend their first few years of licensure self-teaching (and may be more prone to errors). Conversely, if ALPs spend significant time learning skills that do not get used in practice, the cost of their training will be unnecessarily high. Accordingly, courts should survey samples of ALPs once they have been practicing for a few years (see Appendices 2 and 3 for recommended survey item text). If the ALP program is succeeding in this domain, the survey responses should indicate that there are neither important skills missing from the training and licensure process nor substantial training time spent on unneeded skills.

**Cost of Legal Education (Supplemental).** Another marker of an ALP program's success is whether ALPs can obtain their legal education and certification at a lower cost than those of attorneys. Because ALPs are intended to charge lower fees than those of attorneys, it is important that the ALP program truly provide an alternative professional option for prospective legal service providers with lower costs of entry. Courts should survey both ALPs and attorneys who practice in the areas of law in which ALPs are licensed to determine the relative costs of education. Costs should be construed broadly to include financial costs, time, and geographic accessibility (see Appendix 3 for recommended survey item text). If the ALP program is succeeding in this domain, the average cost of education for ALPs should be lower than the average cost of education for attorneys.

## Economic Sustainability

**ALP Income (Fundamental).** For an ALP program to achieve its goals, ALPs must be able to charge fees that allow them to make a stable living. Courts should survey ALPs to determine how many of them work as ALPs full-time and can make a living wage from



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<sup>20</sup> At [http://www.courttools.org/\\_data/assets/pdf\\_file/0024/7629/courttools\\_trial\\_measure10\\_cost\\_per\\_case.pdf](http://www.courttools.org/_data/assets/pdf_file/0024/7629/courttools_trial_measure10_cost_per_case.pdf).

their work (see Appendices 2 and 3 for recommended survey item text). If the ALP program is succeeding in this domain, ALPs who choose to do so will be able to earn a stable living providing ALP services full-time.

**ALP Market Coverage (Supplemental).** Another marker of an ALP program's success is whether it results in enough ALPs to cover the overhead costs of the program. This means that the investment of time and money that prospective ALPs must put into their training and licensure is achievable for enough people. Courts can measure this outcome using data from the bar or regulatory body that oversees licensure. The court should determine its goal for how many ALPs enter and complete the education program and licensure process. The court can also use these data to identify stages in the licensure process at which there is attrition that should be addressed. If the ALP program is succeeding in this domain, the number of ALPs making it to each key stage of the training and licensure process will meet the court's goals.

## Political Sustainability

**Perceived Role Legitimacy (Fundamental).** For an ALP program to achieve its goals, ALPs must be seen as legitimate legal service providers by judges, attorneys, and other court professionals who refer cases to them. Courts should survey judges, attorneys, and other court professionals who work on cases in which ALPs regularly practice (see Appendices 2 and 3 for recommended survey item text). If the ALP program is succeeding in this domain, the survey responses should indicate that, on average, judges, attorneys, and other court professionals who work with ALPs understand ALPs' role and view it as legitimate.

**Perceived Market Threat to Attorneys (Supplemental).** Another marker of an ALP program's success is that attorneys view ALPs as performing a complementary role to their own, rather than representing a market threat. If there is a widespread belief among attorneys that ALPs are taking their clients, rather than serving court users who would otherwise go unrepresented, the bar may become a political barrier to the program's success. Courts can measure the perceived competitive threat among attorneys by surveying attorneys who practice in the areas of law in which ALPs are licensed (see Appendix 3 for recommended survey item text). If the ALP program is succeeding in this domain, the survey responses should indicate that, on average, attorneys do not view ALPs as a significant market threat.

## Conclusions

The civil access-to-justice gap has reached a crisis point in the American legal system. As more courts develop creative solutions for providing low-cost representation to litigants, it will become increasingly important to examine how well these varied programs perform. This report provides a framework for evaluating the performance of new ALP programs. Our hope is that with this guidance, alongside tailored technical assistance from NCSC, courts will be well prepared to develop and support ALP programs that promote equity in access to justice.



## Appendix 1: Evaluation Indicators by Category

Evaluation Indicator	Definition	Fundamental or Supplemental	Data Source
<b>All Categories</b>			
Representation Type	Type of representation (if any) for each litigant	Fundamental	CMS
Litigant Role	On which side of the case each litigant sat	Fundamental	CMS
<b>Case Outcome Effects</b>			
Manner of Disposition	Percentage of ALP cases, compared to SRL cases that were decided on the merits	Fundamental	CMS
Outcome Favorability	Percentage of ALP-represented litigants, compared to SRLs, that prevailed on the merits OR Average damages for ALP-represented litigants, compared to average damages for SRLs	Supplemental	CMS
<b>Client Satisfaction</b>			
Client Satisfaction	Average satisfaction ratings of ALP-represented litigants	Fundamental	Survey
Client Fees	Average fees charged by ALPs, compared to fees charged by attorneys, for comparable tasks	Supplemental	Survey
Fee Structure Transparency	Predictability and transparency of attorney fees compared to ALP fees	Supplemental	Survey
<b>Access, Equity, and Market Effects</b>			
Increase in Representation	Percentage of ALP-represented litigants who would otherwise have gone unrepresented	Fundamental	Survey
Representation in	Percentage of low-income or rural litigants after program implementation, compared to the percentages before program implementation	Fundamental	CMS
Equity in Manner of Disposition	Group disparities in the likelihood of deciding a case on the merits after program implementation, compared to group disparities before program implementation	Supplemental	CMS
Equity in Outcome Favorability	Group disparities in case outcome favorability after program implementation, compared to group disparities before program implementation	Supplemental	CMS
Diversity of Court User Population	Representativeness of the court user population after program implementation, compared to representativeness before program implementation	Supplemental	CMS
<b>Public Trust in the Legal System</b>			
Compliance with Court Orders	Average number of non-compliance events among ALP-represented litigants, compared to non-compliance events among SRLs	Fundamental	CMS
Public Trust	Average ratings of trust in the courts after program implementation, compared to average trust before program implementation	Supplemental	Survey

Continued on next page

Evaluation Indicator	Definition	Fundamental or Supplemental	Data Source
<b>Efficiency in Case Processing</b>			
Time to Disposition	Average time to disposition in ALP-represented cases, compared to average time to disposition in SRL cases	Fundamental	CMS
Number of Proceedings	Average number of proceedings per case in ALP-represented cases, compared to average number of proceedings in SRL cases	Supplemental	CMS
Attorney Use of Expertise	Case complexity of attorney-represented cases after program implementation, compared to complexity before implementation	Supplemental	CMS
Use of Court Staff Time	Court resources devoted to helping court users after program implementation, compared to resources devoted before program implementation	Supplemental	CMS or Survey
<b>Efficiency in Allied Legal Professional Training</b>			
Consistency Between ALP Training and Practice	Correspondence between the skills ALPs are taught and the skills ALP use on the job	Fundamental	Survey
Cost of Legal Education	Cost of ALP education, compared to cost of attorney	Supplemental	Survey
<b>Economic Sustainability</b>			
ALP Income	Average ALP income and proportion of ALPs who earn a stable living	Fundamental	Survey
ALP Market Coverage	Number of ALP making it to each stage of training and licensure process	Supplemental	Bar or Reg. body
<b>Political Sustainability</b>			
Perceived Role Legitimacy	Average perceived legitimacy of ALPs as legal providers among other court professionals who work with them	Fundamental	Survey
Market Threat to Attorneys	Average perception of ALPs as a market threat among attorneys	Supplemental	Survey

## Appendix 2: Data Elements Needed for 10 Fundamental Evaluation indicators

The data elements described in this Appendix are organized according to their source (e.g., CMS data, survey data). Within each data source, data elements are presented in the same order, and with the same color coding, as in Section 2.

### Data Elements in CMS

Collect data in all cases in the areas of law in which ALPs practice. Indicate case type in the data and conduct evaluations separately by case type.

#### Representation Type

Notes: Depending on case type, representation may need to be measured on either a per-case basis or a per-event basis.

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: representation, representationstart [if applicable], representationend [if applicable]

Calculations needed: none

Data Element Name	Values	Mapping to NODS Data Elements
representation	1 = SRL 2 = ALP 3 = attorney 4 = other advocate	2 = Attorney Type: Allied Legal Professional 3 = Attorney Type: private attorney, public defender, legal aid/legal services attorney, protection and advocacy (P&A) attorney, GAL/best-interest attorney, other 4 = Advocate Type: navigator, CASA/non-attorney GAL, court visitor, other
representationstart	Date when representation began	Attorney/Advocate Entry Date
representationend	Date when representation ended	Attorney/Advocate End Date

#### Litigant Role

Notes: Depending on case type, litigant role may need to be measured on either a per-case basis or a per-claim basis

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: role

Calculations needed: none

Data Element Name	Values	Mapping to NODS Data Elements
role	1 = plaintiff or petitioner 2 = defendant or respondent	<b>Relationship to Action–Civil:</b> 1 = plaintiff/petitioner on a primary claim, plaintiff/petitioner in a counterclaim, plaintiff/petitioner in a cross-claim, plaintiff/petitioner in a third-party claim 2 = defendant/respondent on a primary claim, defendant/respondent in a counterclaim, defendant/respondent in a cross-claim, defendant/respondent in a third-party claim  <b>Relationship to Action–Probate, Family, Dependency:</b> 1: petitioner 2: respondent



## Manner of Disposition

Notes: The types of disposition that are possible (and which types are considered “on the merits”) may depend on case type.

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, disposition

Calculations needed:

1. Among ALP cases, calculate the percentage of cases decided on the merits (ALP cases decided on merits ÷ all ALP cases).
2. Among SRL cases, calculate the percentage of cases decided on the merits (SRL cases decided on merits ÷ all SRL cases).
3. Compare the percentages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
disposition	1 = decided on merits by adjudication 2 = ended in settlement 3 = dismissed for failure to prosecute 4 = default judgment 5 = other	<b>Case Disposition Detail:</b> 1 = jury trial verdict, bench trial judgment, summary judgment, arbitration award, administrative judgment (by non-judicial officer) 2 = settled/pled during jury trial period, settled/pled during bench trial period, stipulated judgment, settled/pled pre-trial 3 = dismissal: stipulated/voluntary/nolle prosequi/withdrawn, dismissal: no service, dismissal: failure to prosecute 4 = default judgment 5 = transfer, removal, consolidation

## Compliance with Court Orders

Notes: Specific indicators of non-compliance to be measured will depend on case type.

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, compliance1 [if applicable], compliance2 [if applicable], compliance3 [if applicable]

Calculations needed:

1. Among ALP cases, calculate the average number of non-compliance events per case (total number of non-compliance events in ALP cases ÷ number of ALP cases).
2. Among SRL cases, calculate the average number of non-compliance events per case (total number of non-compliance events in SRL cases ÷ number of SRL cases).
3. Compare the averages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
compliance1	Number of bench warrants for litigant	
compliance2	Number of contempt orders against litigant	
compliance3	Number of default judgments against litigant	

## Time to Disposition

Notes: none

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, filingdate, dispositiondate

Calculations needed:

1. For each case, calculate the number of days to disposition (dispositiondate – filingdate).
2. Among ALP cases, calculate the average number of days to disposition (total number of days to disposition in ALP cases ÷ number of ALP cases).
3. Among SRL cases, calculate the average number of days to disposition (total number of days to disposition in SRL cases ÷ number of SRL cases).
4. Compare the averages from steps 2 and 3.

Data Element Name	Values	Mapping to NODS Data Elements
filingdate	Date of initial case filing	Case Initial Filing Date
dispositiondate	Date of disposition	Case Closed Date

## Data Elements from Client Survey

Sample court users who were represented by ALPs. Indicate case type in the data and conduct evaluations separately by case type.

### Client Satisfaction

Notes: Additional survey items are listed in Appendix 3 for courts that wish to adopt a longer survey.

Time periods to sample: After implementation of the ALP program

Data elements needed: satisfaction1, satisfaction2

Calculations needed:

1. For each ALP client, calculate overall satisfaction score ((satisfaction1 + satisfaction2) ÷ 2). Higher scores indicate greater satisfaction.
2. Calculate the average satisfaction score for all ALP clients (sum of all satisfaction scores from ALP clients ÷ number of ALP clients in sample).

Data Element Name	Survey Question	Response Options
satisfaction1	Overall, how satisfied are you with the services the Allied Legal Professional provided?	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied
satisfaction2	If you need legal assistance in the future, how likely are you to use Allied Legal Professional services again?	1 = Not at all likely 2 = Slightly likely 3 = Moderately likely 4 = Quite likely 5 = Extremely likely

## Increase in Representation

Notes: none

Time periods to sample: After implementation of the ALP program

Data elements needed: increaserep

Calculations needed: Calculate the proportion of ALP clients who would have gone unrepresented (number of ALP clients who chose response option 2 ÷ number of ALP clients who answered the survey question).

Data Element Name	Survey Question	Response Options
increaserep	If there was not an Allied Legal Professional available to assist with your case, what would you most likely have done?	1 = I would have hired an attorney 2 = I would have represented myself 3 = I wouldn't have brought my legal issue to court 4 = Other _____

## Data Elements from ALP Survey

Sample ALPs who have had time to establish their practices. Indicate case type in the data and conduct evaluations separately by case type.

## Consistency Between ALP Training and Practice

Notes:

1. The court should, in consultation with ALPs and other experts, identify the key skills needed for ALPs to succeed in their job. An example list of ALP skills is included here, but specific skills will depend on case type. Revise the list of skills (and the corresponding number of survey items) as needed. Examining this indicator involves a combination of quantitative calculations and qualitative analysis.
2. Provide the following survey instruction to participants: "The following is a list of skills that Allied Legal Professionals need to succeed. For each skill, please rate how well your Allied Legal Professional education, training, and licensure requirements prepared you for practice."

Time periods to sample: After implementation of the ALP program

Data elements needed: training1 [if applicable], training2 [if applicable], training3 [if applicable], training4 [if applicable], training5 [if applicable], training6 [if applicable], training7 [if applicable], training8 [if applicable], training9 [if applicable], trainingother1, trainingother2

Calculations needed:

1. To determine whether there are important skills missing from the ALP training and licensure process:
  - a. Examine the responses to the training[#] items: Filter data to clients who chose response option 1, 2, or 3 (do not include -1 responses in analysis).
  - b. Separately for each training[#] item, calculate the average score (sum of all participant responses on the item ÷ number of ALPs who responded to the item). Higher scores on an item indicate more adequate training on that skill. Lower scores on an item indicate that the ALP training and licensure process should emphasize that skill more than it currently is.
  - c. Examine the responses to trainingother1: If a high proportion of ALPs described necessary skills that they were not adequately trained on, this suggests further opportunities for the improving the ALP training and licensure process. learning but do not use in practice, this suggests further opportunities for the improving the ALP training and licensure process.



2. To determine whether the ALP training and licensure process devotes too much time to unneeded skills:
  - a. Separately for each training[#] item, calculate the proportion of ALPs who indicated that the skill is not necessary for their work (number of ALPs who chose response option -1 ÷ number of ALPs who responded to the item). High percentages for particular skills suggest that ALPs do not use that skill as much as program developers thought they would, the ALP training and licensure process should spend less time on that skill than it currently is.
  - b. Examine the responses to trainingother2: If a high proportion of ALPs described skills that they invested in learning but do not use in practice, this suggests further opportunities for the improving the ALP training and licensure process.

Data Element Name	Survey Question	Response Options
training1	Understanding relevant caselaw in <i>[area of law]</i>	-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional 1 = I had to learn this skill on the job 2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job 3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP
training2	Interviewing clients	-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional 1 = I had to learn this skill on the job 2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job 3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP
training3	Identifying legal issues in a client's case	-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional 1 = I had to learn this skill on the job 2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job 3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP

Data Element Name	Survey Question	Response Options
training4	Completing court forms	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training5	Compiling evidence or documentation	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training6	Filing complaints, petitions, or motions	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training7	Preparing for trial	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>

Data Element Name	Survey Question	Response Options
training8	Conducting mediation and negotiation	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training9	Managing a small business or solo practice	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
trainingother1	Are there any other skills you have found to be necessary for success as an ALP that were not covered in your training? Please describe them here.	
trainingother2	Are there any skills that were covered in your training or licensure process that you have not needed as a professional ALP? Please describe them here.	



## ALP Income

Notes: none

Time periods to sample: After implementation of the ALP program

Data elements needed: income1, income 2, income3

Calculations needed: Consider using income4 to filter data to ALPs who have had sufficient time to establish a practice after becoming licensed.

1. Examine the responses to income1: Calculate the proportion of ALPs who practice full-time (number of ALPs who chose response option 1 ÷ number of ALPs who responded to the item).
2. Examine the responses to income2: Calculate the average ALP income (sum of all incomes provided ÷ number of ALPs who responded to the item).
3. Examine the responses to income3: Calculate the average agreement with the statement (sum of all responses ÷ number of ALPs who responded to the item). Higher scores indicate that ALPs can earn a stable living doing the work.

Data Element Name	Survey Question	Response Options
income1	Do you practice as an Allied Legal Professional full-time or part-time?	1 = full-time 2 = part-time
income2	What is your annual income from your work as an Allied Legal Professional?	
income3	I earn enough money to make a living <i>solely</i> as an Allied Legal Professional if I want to.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
income4	For how many years have you been licensed as an ALP?	

## Data Elements from Attorney, Judge, and Court Personnel Survey

Sample attorneys who practice in the areas of law in which ALPs are licensed, as well as judges and other court personnel who either observe the work of ALPs or are in a position to refer cases to ALPs. Indicate case type in the data and conduct evaluations separately by case type.

### Perceived Role Legitimacy

Notes: Calculate the average scores for each professional group (i.e., attorneys, judges, court personnel) separately.

Time periods to sample: After implementation of the ALP program

Data elements needed: profession, legitimacy1, legitimacy2, legitimacy3, legitimacy4, legitimacy5

Calculations needed:

1. Separately among each professional group, calculate overall legitimacy score for each survey participant ((legitimacy1 + legitimacy2 + legitimacy3 + legitimacy4 + legitimacy5) ÷ 5). Higher scores indicate greater perceived legitimacy.
2. Separately for each professional group, calculate the average legitimacy score (sum of all legitimacy scores in the professional group ÷ number of participants in the professional group).

Data Element Name	Survey Question	Response Options
profession	What is your role in the legal system?	1 = attorney 2 = judge 3 = court personnel (non-judicial)
legitimacy1	Allied Legal Professionals are legitimate legal service providers.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy2	Allied Legal Professionals provide a valuable service to the court.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy3	Allied Legal Professionals provide a valuable service to clients.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy4	Allied Legal Professionals are competent to provide legal representation in <i>[area of law]</i> within the defined scope of their role.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy5	The next time you encounter a litigant who has a legal problem that could be addressed by an ALP, how likely are you to make a referral to an ALP?	1 = Extremely unlikely 2 = Somewhat unlikely 3 = Neither likely nor unlikely 4 = Somewhat likely 5 = Extremely likely

## Appendix 3: Data Elements Needed for 24 Fundamental and Supplemental Evaluation indicators

The data elements described in this Appendix are organized according to their source (e.g., CMS data, survey data). Within each data source, data elements are presented in the same order, and with the same color coding, as in Section 2.

### Data Elements in CMS

Collect data in all cases in the areas of law in which ALPs practice. Indicate case type in the data and conduct evaluations separately by case type.

#### Representation Type

Notes: Depending on case type, representation may need to be measured on either a per-case basis or a per-event basis.

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: representation, representationstart [if applicable], representationend [if applicable]

Calculations needed: none

Data Element Name	Values	Mapping to NODS Data Elements
representation	1 = SRL 2 = ALP 3 = attorney 4 = other advocate	2 = Attorney Type: Allied Legal Professional 3 = Attorney Type: private attorney, public defender, legal aid/legal services attorney, protection and advocacy (P&A) attorney, GAL/best-interest attorney, other 4 = Advocate Type: navigator, CASA/non-attorney GAL, court visitor, other
representationstart	Date when representation began	Attorney/Advocate Entry Date
representationend	Date when representation ended	Attorney/Advocate End Date

#### Litigant Role

Notes: Depending on case type, litigant role may need to be measured on either a per-case basis or a per-claim basis

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: role

Calculations needed: none

Data Element Name	Values	Mapping to NODS Data Elements
role	1 = plaintiff or petitioner 2 = defendant or respondent	<b>Relationship to Action–Civil:</b> 1 = plaintiff/petitioner on a primary claim, plaintiff/petitioner in a counterclaim, plaintiff/petitioner in a cross-claim, plaintiff/petitioner in a third-party claim 2 = defendant/respondent on a primary claim, defendant/respondent in a counterclaim, defendant/respondent in a cross-claim, defendant/respondent in a third-party claim  <b>Relationship to Action–Probate, Family, Dependency:</b> 1: petitioner 2: respondent

## Manner of Disposition

Notes: The types of disposition that are possible (and which types are considered “on the merits”) may depend on case type.

Time periods to sample: After implementation of the ALP program; however, if the court is also measuring Equity in Manner of Disposition, then Manner of Disposition must be measured both before and after implementation.

Data elements needed: representation, disposition

Calculations needed:

1. Among ALP cases, calculate the percentage of cases decided on the merits (ALP cases decided on merits ÷ all ALP cases).
2. Among SRL cases, calculate the percentage of cases decided on the merits (SRL cases decided on merits ÷ all SRL cases).
3. Compare the percentages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
disposition	1 = decided on merits by adjudication 2 = ended in settlement 3 = dismissed for failure to prosecute 4 = default judgment 5 = other	<b>Case Disposition Detail:</b> 1 = jury trial verdict, bench trial judgment, summary judgment, arbitration award, administrative judgment (by non-judicial officer) 2 = settled/pled during jury trial period, settled/pled during bench trial period, stipulated judgment, settled/pled pre-trial 3 = dismissal: stipulated/voluntary/nolle prosequi/withdrawn, dismissal: no service, dismissal: failure to prosecute 4 = default judgment 5 = transfer, removal, consolidation

## Outcome Favorability

Notes: For prevail, only enter data in cases where disposition = 1.

Time periods to sample: After implementation of the ALP program; however, if the court is also measuring Equity in Outcome Favorability, then Outcome Favorability must be measured both before and after implementation.

Data elements needed: representation, disposition, role, prevail, demandamount, damagesamount

Calculations needed:

1. To determine whether ALP clients are more likely to prevail on the merits than SRLs, examine prevail:
  - a. Among ALP cases, calculate average success (sum of all scores in ALP cases ÷ number of ALP cases with a prevail score).
  - b. Among SRL cases, calculate average success (sum of all scores in SRL cases ÷ number of SRL cases with a prevail score).
  - c. Compare the percentages from steps 1a and 1b.
2. To determine whether plaintiffs represented by ALPs receive higher damages than SRLs, examine demandamount and damagesamount only when role = 1:
  - a. For each case, calculate the proportion of the monetary demand that the Plaintiff in the case recovered (damagesamount ÷ demandamount).
  - b. Calculate the average proportion in ALP cases (sum of all recovery proportions from step 2a in ALP cases ÷ number of ALP cases with a recovery proportion figure).



- c. Calculate the average proportion in SRL cases (sum of all recovery proportions from step 2a in SRL cases ÷ number of SRL cases with a recovery proportion figure).
  - d. Compare the averages from steps 2b and 2c.
3. To determine whether defendants represented by ALPs become liable for lower damages than SRLs, examine demandamount and damagesamount only when role = 2:
- a. For each case, calculate the proportion of the monetary demand that the defendant was liable for (damagesamount ÷ demandamount).
  - b. Calculate the average proportion in ALP cases (sum of all liability proportions from step 3a in ALP cases ÷ number of ALP cases with a liability proportion figure).
  - c. Calculate the average proportion in SRL cases (sum of all liability proportions from step 3a in SRL cases ÷ number of SRL cases with a liability proportion figure).
  - d. Compare the averages from steps 3b and 3c.

Data Element Name	Values	Mapping to NODS Data Elements
prevail	0 = litigant lost on the merits 1 = mixed result (litigant prevailed on the merits on some claims but lost on others) 2 = litigant prevailed on the merits	Prevailing Party: [if role = 1] 0 = defendant [if role = 1] 1 = mixed [if role = 1] 2 = plaintiff [if role = 2] 0 = plaintiff [if role = 2] 1 = mixed [if role = 2] 2 = defendant
demandamount	Amount of damages demanded in Complaint/ Petition	Amount in Controversy
damagesamount	Amount of damages awarded to plaintiff in judgment or settlement	Monetary Damages

### Representation in Underserved Populations

**Notes:** Courts should choose a comparable sample of cases that were disposed before implementation of the ALP program and cases that were initiated after implementation of the ALP program. Restrict analysis to cases that fall under the areas of law in which ALPs are licensed to operate. Relevant underserved populations will vary by case type and by jurisdiction; courts should choose their specific demographic indicators accordingly.

**Time periods to sample:** Both before and after implementation of the ALP program

**Data elements needed:** underserved1, underserved2

**Calculations needed:**

1. To determine whether the ALP program increased the proportion of cases with low-income court users on the docket, examine underserved1:
  - a. In a sample of cases disposed before the implementation of the ALP program, calculate the proportion of low-income court users (cases with value 1 ÷ number of cases in sample).
  - b. In a sample of cases initiated after the implementation of the ALP program, calculate the proportion of low-income court users (cases with value 1 ÷ number of cases in sample).
  - c. Compare the proportions from steps 1a and 1b.

2. To determine whether the ALP program increased the proportion of cases with rural court users on the docket, examine underserved2:
  - a. In a sample of cases disposed before the implementation of the ALP program, calculate the proportion of rural court users (cases with value 1 ÷ number of cases in sample).
  - b. In a sample of cases initiated after the implementation of the ALP program, calculate the proportion of rural court users (cases with value 1 ÷ number of cases in sample).
  - c. Compare the proportions from steps 2a and 2b.

Data Element Name	Values	Mapping to NODS Data Elements
underserved1	0 = Litigant did not request fee waiver 1 = Litigant requested fee waiver	Fee Waiver Date: 0 = [date entry does not exist] 1 = [date entry exists]
underserved2	0 = Litigant resides in rural location 1 = Litigant resides in rural location	

### Equity in Manner of Disposition

#### Notes:

1. Courts should choose a comparable sample of cases that were disposed before implementation of the ALP program and cases that were initiated after implementation of the ALP program. Restrict analysis to cases that fall under the areas of law in which ALPs are licensed to operate.
2. Relevant equity analyses will vary by case type and by jurisdiction; courts should choose which demographic categories to measure according to local conditions. Courts might also wish to measure more specific ethnic subcategories than the ones listed here if there are particular ethnic groups of substantial size within their jurisdictions (e.g., immigrant communities from certain regions of the world, specific Indigenous nations).
3. Many of these equity variables are designed to map onto NODS data elements. Note, however, that best practices for measuring demographics may change over time as societal norms change and social science research better addresses the needs of marginalized groups. We recommend that courts use up-to-date measurement category labels where applicable. For further guidance on the collection of race and ethnicity data, see [“Collecting Race and Ethnicity Data.”](#)

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: disposition, equity1 [if applicable], equity2 [if applicable], equity3 [if applicable], equity4 [if applicable], equity5 [if applicable], equity6 [if applicable], equity7 [if applicable]

#### Calculations needed:

1. Select sample of cases disposed before implementation of ALP program and conduct these calculations separately for each equity[#] data element:
  - a. Complete the Manner of Disposition calculations (see Manner of Disposition above) for each group category measured as a value within the data element (cases decided on merits for members of the demographic group ÷ all cases for members of the demographic group).
  - b. For each group comparison to be made, find the extent of group-based disparity in the manner of disposition (percentage from step 1a for disadvantaged/minority group – percentage from step 1a for advantaged/majority group).

2. Select sample of cases initiated after implementation of ALP program and conduct these calculations separately for each equity[#] data element:
  - a. Complete the Manner of Disposition calculations (see Manner of Disposition above) for each group category measured as a value within the data element (cases decided on merits for members of the demographic group ÷ all cases for members of the demographic group).
  - b. For each group comparison to be made, find the extent of group-based disparity in the manner of disposition (percentage from step 2a for marginalized or minority group – percentage from step 2a for advantaged or majority group).
3. Compare the group-based disparities from steps 1b and 2b.

<b>Data Element Name</b>	<b>Values</b>	<b>Mapping to NODS Data Elements</b>
equity1 <i>[Litigant's self-identified ethnicity]</i>	0 = Litigant did not identify as Hispanic or Latinx 1 = Litigant identified as Hispanic or Latinx	<b>Ethnicity:</b> 0 = non-Hispanic 1 = Hispanic
equity2 <i>[Litigant's self-identified race; allow litigant to select all categories that apply]</i>	1 = Litigant identified as Black or African American 2 = Litigant identified as American Indian or Alaska Native 3 = Litigant identified as Asian 4 = Litigant identified as White 5 = Litigant identified as Native Hawaiian or other Pacific Islander 6 = Litigant identified as another race (_____)	<b>Race – self-identified:</b> 1 = Black or African American 2 = American Indian or Alaska Native 3 = Asian 4 = White 5 = Native Hawaiian or other Pacific Islander 6 = Other
equity3 <i>[Perceived race as indicated by clerk or other court actor interacting with litigant; select all that apply]</i>	1 = Litigant appears Black or African American 2 = Litigant appears American Indian or Alaska Native 3 = Litigant appears Asian 4 = Litigant appears White 5 = Litigant appears Native Hawaiian or other Pacific Islander 6 = Litigant appears to be another race	<b>Race – perceived:</b> 1 = Black or African American 2 = American Indian or Alaska Native 3 = Asian 4 = White 5 = Native Hawaiian or other Pacific Islander 6 = Other
equity4	1 = Litigant identified as a woman or female 2 = Litigant identified as a man or male 3 = Litigant identified as non-binary or another gender (_____)	<b>Gender:</b> 1 = female 2 = male 3 = non-binary
equity5	0 = Litigant identified as cisgender or did not identify as transgender 1 = Litigant identified as transgender	<b>Transgender:</b> 0 = No 1 = Yes

Data Element Name	Values	Mapping to NODS Data Elements
equity6	0 = Litigant did not request a disability accommodation 1 = Litigant requested a disability accommodation	<b>Special Needs/ADA Flag:</b> 0 = No 1 = Yes
equity7	0 = Litigant did not request an interpreter or other language accommodation 1 = Litigant requested an interpreter or other language accommodation	<b>Interpreter Flag:</b> 0 = No 1 = Yes <i>[if the interpreter was used to assist this particular litigant]</i>

### Equity in Outcome Favorability

#### Notes:

1. Courts should choose a comparable sample of cases that were disposed before implementation of the ALP program and cases that were initiated after implementation of the ALP program. Restrict analysis to cases that fall under the areas of law in which ALPs are licensed to operate.
2. Relevant equity analyses will vary by case type and by jurisdiction; courts should choose which demographic categories to measure according to local conditions. Courts might also wish to measure more specific ethnic subcategories than the ones listed here if there are particular ethnic groups of substantial size within their jurisdictions (e.g., immigrant communities from certain regions of the world, specific Indigenous nations).
3. Many of these equity variables are designed to map onto NODS data elements. Note, however, that best practices for measuring demographics may change over time as societal norms change and social science research better addresses the needs of marginalized groups. We recommend that courts use up-to-date measurement category labels where applicable. For further guidance on the collection of race and ethnicity data, see [“Collecting Race and Ethnicity Data.”](#)

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: disposition, role, prevail, demandamount, damagesamount, equity1 *[if applicable]*, equity2 *[if applicable]*, equity3 *[if applicable]*, equity4 *[if applicable]*, equity5 *[if applicable]*, equity6 *[if applicable]*, equity7 *[if applicable]*

#### Calculations needed:

1. Select sample of cases disposed before implementation of ALP program and conduct these calculations separately for each equity[#] data element:
  - a. Complete the Outcome Favorability calculations (see Outcome Favorability above) for each group category measured as a value within the data element.
  - b. For each group comparison to be made, find the extent of group-based disparity in outcome favorability (outcome favorability from step 1a for disadvantaged/minority group – outcome favorability from step 1a for advantaged/majority group).
2. Select sample of cases initiated after implementation of ALP program and conduct these calculations separately for each equity[#] data element:
  - a. Complete the Outcome Favorability calculations (see Outcome Favorability above) for each group category measured as a value within the data element.
  - b. For each group comparison to be made, find the extent of group-based disparity in outcome favorability (outcome favorability from step 2a for disadvantaged/minority group – outcome favorability from step 2a for advantaged/majority group).
3. Compare the group-based disparities from steps 1b and 2b.



## Diversity of Court User Population

### Notes:

1. To conduct this analysis, the court will need to have access to demographic data on the relevant population within the court's jurisdiction. This might include Census data or data from another source. The court should ensure that it defines the demographic categories in its own data elements in a way that is compatible with the way the categories are defined in this other comparison dataset.
2. Courts should choose a comparable sample of cases that were disposed before implementation of the ALP program and cases that were initiated after implementation of the ALP program. Restrict analysis to cases that fall under the areas of law in which ALPs are licensed to operate.
3. Relevant equity analyses will vary by case type and by jurisdiction; courts should choose which demographic categories to measure according to local conditions. Courts might also wish to measure more specific ethnic subcategories than the ones listed here if there are particular ethnic groups of substantial size within their jurisdictions (e.g., immigrant communities from certain regions of the world, specific Indigenous nations).
4. Many of these equity variables are designed to map onto NODS data elements. Note, however, that best practices for measuring demographics may change over time as societal norms change and social science research better addresses the needs of marginalized groups. We recommend that courts use up-to-date measurement category labels where applicable. For further guidance on the collection of race and ethnicity data, see ["Collecting Race and Ethnicity Data."](#)

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: equity1 [if applicable], equity2 [if applicable], equity3 [if applicable], equity4 [if applicable], equity5 [if applicable], equity6 [if applicable], equity7 [if applicable], plus corresponding measures of demographic categories in the broader population of the court's jurisdiction

### Calculations needed:

1. Select sample of cases disposed before implementation of ALP program and conduct these calculations separately for each equity[#] data element:
  - a. Using the external dataset, calculate the proportion of the relevant broader population that belongs to each group category (number of people in group ÷ number of people in population).
  - b. Using the CMS data, calculate the proportion of the relevant court user population that belongs to each group category (number of people in group in case sample ÷ number of people in case sample).
  - c. For each group comparison to be made, find the difference between the frequency of group members in the court docket and the frequency of group members in the population (proportion in step 1a – proportion in step 1b).
2. Select sample of cases initiated after implementation of ALP program and conduct these calculations separately for each equity[#] data element:
  - a. Using the external dataset, calculate the proportion of the relevant broader population that belongs to each group category (number of people in group ÷ number of people in population).
  - b. Using the CMS data, calculate the proportion of the relevant court user population that belongs to each demographic group category (number of people in group in case sample ÷ number of people in case sample).
  - c. For each group comparison to be made, find the difference between the frequency of group members in the court docket and the frequency of group members in the population (proportion in step 2a – proportion in step 2b).
3. Compare the group-based disparities from steps 1c and 2c.

## Compliance with Court Orders

Notes: Specific indicators of non-compliance to be measured will depend on case type.

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, compliance1 [if applicable], compliance2 [if applicable], compliance3 [if applicable]

Calculations needed:

1. Among ALP cases, calculate the average number of non-compliance events per case (total number of non-compliance events in ALP cases ÷ number of ALP cases).
2. Among SRL cases, calculate the average number of non-compliance events per case (total number of non-compliance events in SRL cases ÷ number of SRL cases).
3. Compare the averages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
compliance1 compliance2 compliance3	Number of bench warrants for litigant Number of contempt orders against litigant Number of default judgments against litigant	

## Time to Disposition

Notes: None

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, filingdate, dispositiondate

Calculations needed:

1. For each case, calculate the number of days to disposition (dispositiondate – filingdate).
2. Among ALP cases, calculate the average number of days to disposition (total number of days to disposition in ALP cases ÷ number of ALP cases).
3. Among SRL cases, calculate the average number of days to disposition (total number of days to disposition in SRL cases ÷ number of SRL cases).
4. Compare the averages from steps 2 and 3.

Data Element Name	Values	Mapping to NODS Data Elements
filingdate dispositiondate	Date of initial case filing Date of disposition	Case Initial Filing Date Case Closed Date

## Number of proceedings

Notes: Specific proceedings to be counted will vary depending on the areas of law in which ALPs practice.

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, proceedings1 [if applicable], proceedings2 [if applicable], proceedings3 [if applicable]

Calculations needed:

1. For each case, calculate the total number of proceedings (proceedings1 + proceedings2 + proceedings3).
2. Among ALP cases, calculate the average number of proceedings (sum of all proceedings in ALP cases ÷ number of ALP cases).

3. Among SRL cases, calculate the average number of proceedings (sum of all proceedings in SRL cases ÷ number of SRL cases).
4. Compare the averages from steps 2 and 3.

Data Element Name	Values	Mapping to NODS Data Elements
proceedings1	Number of continuances	Number of case events in which Hearing/Event Outcome = continued
proceedings2	Number of hearings	Number of case events in which Hearing/Event Outcome = held
proceedings3	Number of post-judgment modifications to the order within [X] months	

### Attorney Use of Expertise

Notes: Courts should choose a comparable sample of attorney-represented cases that were disposed before implementation of the ALP program and cases that were initiated after implementation of the ALP program. Restrict analysis to cases that fall under the areas of law in which ALPs are licensed to operate. Specific indicators of case complexity will depend on case type.

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: representation, complexity1 *[if applicable]*, complexity2 *[if applicable]*, complexity3 *[if applicable]*

Calculations needed:

1. Select sample of cases disposed before implementation of the ALP program:
  - a. For each case, calculate a case complexity score (complexity1 + complexity2 + complexity3).
  - b. Calculate the average case complexity score (sum of all case complexity scores ÷ number of cases that have a case complexity score).
2. Select sample of cases initiated after implementation of the ALP program:
  - a. For each case, calculate a case complexity score (complexity1 + complexity2 + complexity3).
  - b. Calculate the average case complexity score (sum of all case complexity scores ÷ number of cases that have a case complexity score).
3. Compare the averages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
complexity1	Number of legal issues raised in Complaint or Petition <i>[if applicable]</i>	
complexity2	Number of motions filed <i>[if applicable]</i>	Number of motion/filing events in which Motion/Filing Type exists
complexity3	Number of hearings <i>[if applicable]</i>	Number of case events in which Hearing/Event Outcome = held

### Use of Court Staff Time (method 1)

Notes: Select a subset of cases in the areas of law in which ALPs practice that are comparable in terms of case complexity. Conduct these calculations within that sample of cases.

Time periods to sample: After implementation of the ALP program

Data elements needed: representation, stafftime

Calculations needed:

1. Among ALP cases, calculate average stafftime (sum of all stafftime values in ALP cases ÷ number of ALP cases).
2. Among SRL cases, calculate average stafftime (sum of all stafftime values in SRL cases ÷ number of SRL cases).
3. Compare the averages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
stafftime	Cost per case ( <a href="#">CourTools Item 10</a> )	

### Data Elements from Bar or ALP Regulatory Body

If ALP licensure is separated by area of law or case type, indicate license type in the data and conduct evaluations separately by license type.

#### ALP Market Coverage

Notes: Specific indicators measuring the number of ALPs making it to each stage of the training and licensure process will vary by jurisdiction.

Time periods to sample: After implementation of the ALP program

Data elements needed: coverage1 [if applicable], coverage2 [if applicable], coverage3 [if applicable]

Calculations needed:

1. Compare coverage3 to the court's licensure goals.
2. Calculate the extent of attrition at each stage of the licensure process (coverage2 – coverage1; coverage3 – coverage2).

Data Element Name	Values
coverage1	Number of people who begin ALP education program
coverage2	Number of people who complete ALP education program
coverage3	Number of people who complete ALP licensure requirements



## Data Elements from Client Survey

Sample court users who were represented by ALPs. Indicate case type in the data and conduct evaluations separately by case type.

### Client Satisfaction

Notes: This is a longer version of the survey that is presented in Appendix 2.

Time periods to sample: After implementation of the ALP program

Data elements needed: satisfaction1, satisfaction2, satisfaction3, satisfaction4, satisfaction5, satisfaction6, satisfaction7

Calculations needed:

1. For each ALP client, calculate overall satisfaction score  $((\text{satisfaction1} + \text{satisfaction2} + \text{satisfaction3} + \text{satisfaction4} + \text{satisfaction5} + \text{satisfaction6} + \text{satisfaction7}) \div 7)$ . Higher scores indicate greater satisfaction.
2. Calculate the average satisfaction score for all ALP clients  $(\text{sum of all satisfaction scores from ALP clients} \div \text{number of ALP clients in sample})$ .

Data Element Name	Values	Response Options
satisfaction1	Overall, how satisfied are you with the services the Allied Legal Professional provided?	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied
satisfaction2	If you need legal assistance in the future, how likely are you to use Allied Legal Professional services again?	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied
satisfaction3	The Allied Legal Professional provided a knowledgeable point of view on how the courts tend to rule in similar cases.	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied
satisfaction4	The Allied Legal Professional made complex information easier to understand.	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied
satisfaction5	The Allied Legal Professional kept me involved and up to date on the status of my case.	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied

Data Element Name	Values	Response Options
satisfaction6	The Allied Legal Professional listened to me and understood my needs.	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied
satisfaction7	The Allied Legal Professional acted in my best interest.	1 = Not at all satisfied 2 = Slightly satisfied 3 = Moderately satisfied 4 = Quite satisfied 5 = Extremely satisfied

### Increase in Representation

Notes: none

Time periods to sample: After implementation of the ALP program

Data elements needed: increaserep

Calculations needed: Calculate the proportion of ALP clients who would have gone unrepresented (number of ALP clients who chose response option 2 ÷ number of ALP clients who answered the survey question).

Data Element Name	Values	Response Options
increaserep	If there was not an Allied Legal Professional available to assist with your case, what would you most likely have done?	1 = I would have hired an attorney 2 = I would have represented myself 3 = I wouldn't have brought my legal issue to court 4 = Other _____

## Data Elements from Public Survey

Sample members of the public who reside in the court's jurisdiction.

### Public Trust

Notes: The court should administer this survey both before the ALP program is implemented and after it, and public awareness about it, have been established. In addition to collecting data for the elements described here, the court may wish to collect demographic data using the equity[#] data elements. This would allow the court to determine whether the existence of the ALP program has reduced group disparities in public trust.

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: trust1, trust2, trust3

Calculations needed:

1. Calculate the average trust score for each participant  $((\text{trust1} + \text{trust2}) \div 2)$ .
2. To determine whether public trust increased after ALP program implementation:
  - a. Calculate the average trust score for all participants surveyed before ALP program implementation (sum of all trust scores ÷ number of participants in the sample).

- b. Calculate the average trust score for all participants surveyed after ALP program implementation (sum of all trust scores ÷ number of participants in the sample).
  - c. Compare the average trust scores from steps 2a and 2b.
3. To determine whether people who are aware of the ALP program trust the court system more than those who aren't aware, restrict analysis to those who were surveyed after program implementation:
  - a. Calculate the average trust score for all participants who chose response option 1 for trust 3 (sum of all trust scores among participants who chose option 1 ÷ number of participants who chose option 1).
  - b. Calculate the average trust score for all participants who chose response option 0 for trust 3 (sum of all trust scores among participants who chose option 0 ÷ number of participants who chose option 1).
  - c. Compare the average scores from steps 3a and 3b.

Data Element Name	Values	Response Options
trust1	I trust the judges in our state court to give everyone a fair hearing.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
trust2	Regular people like me have a fair chance to be heard in court.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
trust3	Allied Legal Professionals are people who are trained to represent clients in <i>[area of law]</i> . They're licensed to help clients on the limited number of legal tasks, and they typically charge a lower fee than attorneys. Before taking this survey, were you aware of the existence of Allied Legal Professionals?	0 = No 1 = Yes

## Data Elements from ALP Survey

Sample ALPs who have had time to establish their practices. If ALP licensure is separated by area of law or case type, indicate license type in the data and conduct evaluations separately by license type.

## Consistency Between ALP Training and Practice

### Notes:

1. The court should, in consultation with ALPs and other experts, identify the key skills needed for ALPs to succeed in their job. An example list of ALP skills is included here, but specific skills will depend on case type. Revise the list of skills (and the corresponding number of survey items) as needed. Examining this indicator involves a combination of quantitative calculations and qualitative analysis.
2. Provide the following survey instruction to participants: "The following is a list of skills that Allied Legal Professionals need to succeed. For each skill, please rate how well your Allied Legal Professional education, training, and licensure requirements prepared you for practice."

Time periods to sample: After implementation of the ALP program

Data elements needed: training1 [if applicable], training2 [if applicable], training3 [if applicable], training4 [if applicable], training5 [if applicable], training6 [if applicable], training7 [if applicable], training8 [if applicable], training9 [if applicable], trainingother1, trainingother2

Calculations needed:

1. To determine whether there are important skills missing from the ALP training and licensure process:
  - a. Examine the responses to the training[#] items: Filter data to clients who chose response option 1, 2, or 3 (do not include -1 responses in analysis).
  - b. Separately for each training[#] item, calculate the average score (sum of all participant responses on the item ÷ number of ALPs who responded to the item). Higher scores on an item indicate more adequate training on that skill. Lower scores on an item indicate that the ALP training and licensure process should emphasize that skill more than it currently is.
  - c. Examine the responses to trainingother1: If a high proportion of ALPs described necessary skills that they were not adequately trained on, this suggests further opportunities for the improving the ALP training and licensure process.
2. To determine whether the ALP training and licensure process devotes too much time to unneeded skills:
  - a. Separately for each training[#] item, calculate the proportion of ALP who indicated that the skill is not necessary for their work (number of ALPs who chose response option -1 ÷ number of ALPs who responded to the item). High percentages for particular skills suggest that ALPs do not use that skill as much as program developers thought they would, the ALP training and licensure process should spend less time on that skill than it currently is.
  - b. Examine the responses to trainingother2: If a high proportion of ALPs described skills that they invested in learning but do not use in practice, this suggests further opportunities for the improving the ALP training and licensure process.

Data Element Name	Survey Questions	Response Options
training1	Understanding relevant caselaw in [area of law]	-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional 1 = I had to learn this skill on the job 2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job 3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP
training2	Understanding relevant caselaw in [area of law]	-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional 1 = I had to learn this skill on the job 2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job 3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP



Data Element Name	Survey Question	Response Options
training3	Identifying legal issues in a client's case	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training4	Completing court forms	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training5	Compiling evidence or documentation	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training6	Filing complaints, petitions, or motions	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>

Data Element Name	Survey Question	Response Options
training7	Preparing for trial	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training8	Conducting mediation and negotiation	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
training9	Managing a small business or solo practice	<p>-1 = I have not found this skill to be necessary for my work as an Allied Legal Professional</p> <p>1 = I had to learn this skill on the job</p> <p>2 = I had some exposure to this skill as part of my training, but I needed to refine it significantly while on the job</p> <p>3 = I learned this skill as part of my training and was prepared to practice it when I began working as an ALP</p>
trainingother1	Are there any other skills you have found to be necessary for success as an ALP that were not covered in your training? Please describe them here.	
trainingother2	Are there any skills that were covered in your training or licensure process that you have not needed as a professional ALP? Please describe them here.	

## ALP Income

Notes: none

Time periods to sample: After implementation of the ALP program

Data elements needed: income1, income 2, income3

Calculations needed: Consider using income4 to filter data to ALPs who have had sufficient time to establish a practice after becoming licensed.

1. Examine the responses to income1: Calculate the proportion of ALPs who practice full-time (number of ALPs who chose response option 1 ÷ number of ALPs who responded to the item).
2. Examine the responses to income2: Calculate the average ALP income (sum of all incomes provided ÷ number of ALPs who responded to the item).
3. Examine the responses to income3: Calculate the average agreement with the statement (sum of all responses ÷ number of ALPs who responded to the item). Higher scores indicate that ALPs can earn a stable living doing the work.

Data Element Name	Values	Response Options
income1	Do you practice as an Allied Legal Professional full-time or part-time?	1 = full-time 2 = part-time
income2	What is your annual income from your work as an Allied Legal Professional?	
income3	I earn enough money to make a living <i>solely</i> as an Allied Legal Professional if I want to.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
income4	For how many years have you been licensed as an ALP?	

## Data Elements from ALP and Attorney Survey

Sample ALPs and attorneys who practice in the areas of law in which ALPs are licensed. If ALP licensure is separated by area of law or case type, indicate license type in the data and conduct evaluations separately by license type.

### Client Fees

Notes: Tasks that ALPs are licensed to perform will vary by jurisdiction and case type. Repeat the fees[#] data element for each legal task performed by ALPs that would be associated with a particular fee.

Time periods to sample: After implementation of the ALP program

Data elements needed: profession, fees[#]

Calculations needed:

1. Complete the following calculations separately for each legal task:
  - a. Among ALPs, calculate the average fee (sum of all fees for ALP participants ÷ number of ALP participants).
  - b. Among attorneys, calculate the average fee (sum of all fees for attorney participants ÷ number of attorney participants).
  - c. Compare the average scores from steps 1a and 1b.

Data Element Name	Survey Question	Response Options
profession	What is your role in the legal system?	1 = attorney 2 = ALP
fees[#]	How much do you typically charge a client for [specific task]?	

### Fee Structure Transparency

Notes: Tasks that ALPs are licensed to perform will vary by jurisdiction and case type. Repeat the fees[#] data element for each legal task performed by ALPs that would be associated with a particular fee.

Time periods to sample: After implementation of the ALP program

Data elements needed: profession, feestructure[#], feetransparency

Calculations needed:

- To compare average fee structure between ALPs and attorneys:
  - Calculate the average fee structure score for each participant (sum of all feestructure[#] items ÷ number of feestructure[#] items). Higher scores indicate a fee structure with greater transparency.
  - Among ALPs, calculate the average fee structure score (sum of all fee structure scores for ALP participants ÷ number of ALP participants with a fee structure score).
  - Among attorneys, calculate the average fee structure score (sum of all fee structure scores for attorney participants ÷ number of attorney participants with a fee structure score).
  - Compare the average scores from steps 1b and 1c.
- To compare average fee transparency between ALPs and attorneys:
  - Among ALPs, calculate the average fee transparency score (sum of all feetransparency values for ALP participants ÷ number of ALP participants with a feetransparency value).
  - Among attorneys, calculate the average fee transparency score (sum of all feetransparency values for attorney participants ÷ number of attorney participants with a feetransparency value).
  - Compare the average scores from steps 2b and 2c.

Data Element Name	Survey Question	Response Options
feestructure[#]	How do you typically structure your client fees for [specific task]?	1 = Hourly rate 2 = Per-task fee
feetransparency	Are your fees posted on your website?	0 = No 1 = Yes

### Cost of Legal Education

Notes: The particular costs to be measured will depend on the nature of the ALP education/training program.

Time periods to sample: After implementation of the ALP program

Data elements needed: profession, educationcost1, educationcost2, educationcost3, educationcost4

Calculations needed: Complete the following calculations for each educationcost[#] element separately:

- Among ALPs, calculate the average value (sum of all values for ALP participants ÷ number of ALP participants in sample).

2. Among attorneys, calculate the average value (sum of all values for attorney participants ÷ number of attorney participants in sample).
3. Compare the averages from steps 1a and 1b. Higher values indicate greater cost of education.

Data Element Name	Survey Question	Response Options
educationcost1	What is your best estimate for how much money you spent on education and training to become an Allied Legal Professional?	
educationcost2	How many months did it take to complete your legal education?	
educationcost3	The way my legal education program was set up made it difficult to work another job while completing the program.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
educationcost4	Did you have to move to a new location in order to complete your legal education?	0 = No 1 = Yes

### Data Elements from Attorney Survey

Sample attorneys who practice in the areas of law in which ALPs are licensed. If ALP licensure is separated by area of law or case type, indicate these areas of practice in the data and conduct evaluations separately by area of practice.

#### Perceived Market Threat to Attorneys

Notes: None

Time periods to sample: After implementation of the ALP program

Data elements needed: perceivedthreat1, perceivedthreat2

Calculations needed:

1. Calculate the average perceived threat score for each participant  $((\text{perceivedthreat1} + \text{perceivedthreat2}) \div 2)$
2. Calculate the average perceived threat score for the sample (sum of all perceived threat scores ÷ number of participants with a perceived threat score). Higher scores indicate greater perceived threat.

Data Element Name	Survey Question	Response Options
perceivedthreat1	Allied Legal Professionals represent unfair competition to attorneys.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
perceivedthreat2	Allied Legal Professionals primarily work with clients who cannot afford attorney fees.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree



## Data Elements from Court Personnel Survey

Sample public-facing court staff who help court users in the areas of law in which ALPs practice. Restrict analyses to those case types. Indicate case type in the data and conduct evaluations separately by case type.

### Use of Court Staff Time (method 2)

Notes: Courts should choose a comparable sample of cases that were disposed before implementation of the ALP program and cases that were initiated after implementation of the ALP program. Restrict analysis to cases that fall under the areas of law in which ALP are licensed to operate.

Time periods to sample: Both before and after implementation of the ALP program

Data elements needed: stafftime

Calculations needed:

1. In the sample of cases disposed before implementation of the ALP program, calculate average stafftime (sum of all stafftime values ÷ number of cases in sample).
2. In the sample of cases initiated after implementation of the ALP program, calculate average stafftime (sum of all stafftime values ÷ number of cases in sample).
3. Compare the averages from steps 1 and 2.

Data Element Name	Values	Mapping to NODS Data Elements
stafftime	Number of staff hours logged in the case	

## Data Elements from Attorney, Judge, and Court Personnel Survey

Sample attorneys who practice in the areas of law in which ALPs are licensed, as well as judges and other court personnel who either observe the work of ALPs or are in a position to refer cases to ALPs. Indicate case type in the data and conduct evaluations separately by case type.

### Perceived Role Legitimacy

Notes: Calculate the average scores for each professional group (i.e., attorneys, judges, court personnel) separately.

Time periods to sample: After implementation of the ALP program

Data elements needed: profession, legitimacy1, legitimacy2, legitimacy3, legitimacy4, legitimacy5

Calculations needed:

1. Separately among each professional group, calculate overall legitimacy score for each survey participant ((legitimacy1 + legitimacy2 + legitimacy3 + legitimacy4 + legitimacy5) ÷ 5). Higher scores indicate greater perceived legitimacy.
2. Separately for each professional group, calculate the average legitimacy score (sum of all legitimacy scores in the professional group ÷ number of participants in the professional group).

Data Element Name	Values	Mapping to NODS Data Elements
profession	What is your role in the legal system?	1 = attorney 2 = judge 3 = court personnel (non-judicial)

<b>Data Element Name</b>	<b>Values</b>	<b>Mapping to NODS Data Elements</b>
legitimacy1	Allied Legal Professionals are legitimate legal service providers.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy2	Allied Legal Professionals provide a valuable service to the court.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy3	Allied Legal Professionals provide a valuable service to clients.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy4	Allied Legal Professionals are competent to provide legal representation in <i>[area of law]</i> within the defined scope of their role.	1 = Strongly disagree 2 = Slightly disagree 3 = Neither agree nor disagree 4 = Slightly agree 5 = Strongly agree
legitimacy5	The next time you encounter a litigant who has a legal problem that could be addressed by an ALP, how likely are you to make a referral to an ALP?	1 = Extremely unlikely 2 = Somewhat unlikely 3 = Neither likely nor unlikely 4 = Somewhat likely 5 = Extremely likely

