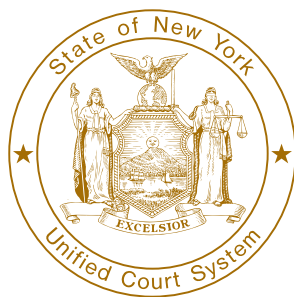


# JUSTICE FOR ALL STRATEGIC ACTION PLAN

*Submitted by*  
NEW YORK STATE  
UNIFIED COURT SYSTEM

*on behalf of*  
NEW YORK STATE  
PERMANENT COMMISSION ON  
ACCESS TO JUSTICE



DECEMBER 22, 2017

**JUSTICE FOR ALL**  
**STRATEGIC ACTION PLAN**

**Submitted by**  
**New York State Unified Court System**

**on behalf of**  
**New York State Permanent Commission on Access to Justice**

**December 22, 2017**

# Table of Contents

<b>I. Executive Summary</b> .....	<b>1</b>
<b>II. Introduction</b> .....	<b>4</b>
The New York State Permanent Commission on Access to Justice .....	4
The Justice for All Project Request for Proposals .....	7
Effective Assistance .....	10
Defining the “Justice Gap” and Identifying Barriers to Access to Justice.....	10
Moving Toward Justice for All.....	13
<b>III. The Strategic Action Planning Process</b> .....	<b>14</b>
Overview of the Three-Phase Process.....	14
Phase I: Learning, Organizing and Assessing, and Community Listening.....	14
<i>Learning</i> .....	14
<i>Organizing and Assessing</i> .....	15
<i>Community Listening</i> .....	18
<i>Evaluating Phase I</i> .....	24
Phase II: Developing the Strategic Action Planning Process.....	25
<i>Statewide Action Planning Process</i> .....	25
<i>Choosing a Local Pilot</i> .....	26
<i>Choosing Suffolk County</i> .....	27
<i>Strategic Action Planning Process – Suffolk County</i> .....	29
<i>Statewide Stakeholder Meeting</i> .....	31
Phase III: Completing the Strategic Action Planning Process.....	33
<i>Statewide Working Groups</i> .....	33
<i>Local Task Forces (LTFs) in Suffolk County</i> .....	52
<i>Creating an Integrated Strategic Action Plan</i> .....	73
<b>IV. The Strategic Action Plan</b> .....	<b>74</b>
<b>Statewide Strategic Action Plan</b> .....	<b>74</b>
<i>Foundational Capacities</i> .....	74
<i>Foundational Services</i> .....	75
<i>Enhancement Services</i> .....	76
<b>Local Strategic Action Plan – Suffolk County Pilot</b> .....	<b>77</b>
<i>LTF 1 – Legal Representation</i> .....	78
<i>LTF 2 – Initial Points of Entry</i> .....	79
<i>LTF 3 – Technology</i> .....	80
<i>LTF 4 – Messaging</i> .....	80
<i>LTF 5 – Accessibility</i> .....	81
<i>Evolution of the Pilot</i> .....	83
<b>V. Going Forward</b> .....	<b>85</b>
<b>APPENDIX A: Commission Members, Staff and Consultants</b> .....	<b>86</b>
<b>APPENDIX B: Suffolk County Maps</b> .....	<b>88</b>
<b>APPENDIX C: Organizations Represented at Statewide Stakeholder Meeting</b> .....	<b>91</b>
<b>APPENDIX D: Funding Considerations for Strategic Action Plan Implementation</b> .....	<b>94</b>

## I. Executive Summary

In 2010, then Chief Judge Jonathan Lippman established the Task Force to Expand Access to Civil Legal Services in New York (the Task Force) as a core component of a wider effort to increase the availability of civil legal services involving the essentials of life for low-income New Yorkers, and appointed Helaine M. Barnett, former President of the Legal Services Corporation, as Chair. Recognizing both the significant accomplishments of the Task Force and the ongoing work needed to achieve access to justice for all New Yorkers, the Chief Judge in 2015 institutionalized the Task Force and established the New York State Permanent Commission on Access to Justice (the Commission) through the promulgation of Part 51.1 of the Rules of the Chief Judge.

The Commission responded in 2016 to a Request for Proposals (RFP), issued by the National Center for State Courts (NCSC) and supported by the Public Welfare Foundation. Grants were awarded to seven states, including New York, for strategic action planning to create a system that enables everyone to get access to the information and effective assistance they need, when they need it, and in a format they can use.<sup>1</sup> Effective assistance contemplates a spectrum of services ranging from legal information to full representation, with full representation being the most comprehensive assistance that can be provided to a low-income individual facing legal matters involving the essentials of life. The Commission has developed, and will continue to develop, strategies to maximize the availability of full representation.

The Commission completed its strategic action planning using a three-phase process. Phase I was Learning, Organizing and Assessing, and Community Listening. During this phase, the Commission built upon the institutional knowledge of its members and organized itself for its work in Phases II and III.

Three working groups were formed by the Commission that aligned with the Guidance Materials provided by the NCSC: Foundational Capacities, Foundational Services, and Enhancement Services. The working groups consisted of members of the Commission; each had a chair or co-chairs and was assisted by a member of the Commission's staff. Once the working groups were established, the chairs were encouraged to invite additional stakeholders with skills, experience, or expertise relevant to each working group's components. Next, the working groups conducted inventory assessments for the components in their respective areas. These inventory assessments resulted in an understanding of the ongoing activities and capabilities that currently exist in New York State for each of the areas that the working groups were evaluating.

Concurrent with the working groups' inventory assessments, the Commission facilitated community listening sessions. To better understand the access-to-justice gaps that existed

---

<sup>1</sup> Justice for All Strategic Action Planning Request for Proposals. National Center for State Courts (NCSC).

throughout the State, representatives from the Commission traveled to four diverse communities in New York to engage with stakeholders at the local level. Civil legal services providers, bar associations, the courts, government agencies, schools, libraries, the faith community, and other justice system stakeholders participated in the community listening sessions. The community listening sessions revealed that while there were common access-to-justice gaps throughout the State, local gaps and challenges also existed. Perhaps what was most instructive about the community listening sessions was that stakeholders were often unaware of each other, presenting clear opportunities for enhancements in community integration and resource awareness.

Phase II was Initiating the Strategic Action Planning Process. Having completed their inventory assessments, the working groups transitioned to priority-setting. The working groups prioritized components based on: ease of implementation; stakeholder support; funding requirements; sustainability; measurability; and expected impact.

- The Foundational Capacities Working Group prioritized Community Integration and Prevention, Technology Capacity, and Judicial and Court Staff Education.
- The Foundational Services Working Group prioritized Help Centers, Language Access Services, and Plain Language Forms.
- The Enhancement Services Working Group prioritized Expansion and Efficiency of Full-Service Representation, Expansion of Limited-Scope Representation, and Role Flexibility for Other Professionals.

With these priorities, the Commission could have proceeded in two possible directions: selecting a case type for closing the access-to-justice gap or closing the access-to-justice gap in a geographic area. The Commission concluded that a local pilot to close the access-to-justice gap focusing on one county would be appropriate given that it is the entity around which many resources are structured (e.g., Department of Social Services, Department of Health Services, the courts, schools, public transportation, etc.). Before choosing to conduct a local pilot, the Commission also considered a pilot that would close the access-to-justice gap for one case type across the state (e.g., landlord/tenant, child support, guardianships). However, the Commission found during the community listening sessions that issues related to a case type developed differently across the state. For that reason, the Commission chose to conduct a local pilot, in which a strategic action plan would be developed with the goal of providing effective assistance to 100 percent of low-income New Yorkers confronting matters involving the essentials of life within a specific geographic area that could inform similar efforts in communities statewide.

As detailed in Section II, a variety of favorable attributes – supportive Judiciary, engaged providers, active bar association, involved law school, diversity of needs and population – led the Commission to select Suffolk County as a pilot designed to close the access-to-justice gap locally. A group of stakeholders, the Leadership Committee, were identified to work

closely with the Commission on the pilot. Five Local Task Forces (LTFs) were then established to facilitate collaboration and strategic action planning. The LTFs are:

1. Legal Representation;
2. Initial Points of Entry;
3. Technology;
4. Messaging; and
5. Accessibility.

These LTFs would follow a process similar to the statewide working groups' needs/gaps assessments and setting priorities. During the inventory assessments, the LTFs found that while Suffolk County has a variety of services and resources, needs of community members were still unmet.

Also in Phase II, a Statewide Stakeholder Meeting was convened to share the process of developing the strategic action plan through September 2017 and gather feedback from stakeholders across the state. The working groups and LTFs incorporated feedback from the Stakeholder Meeting in their strategic action plans.

Phase III was Completing the Strategic Action Planning Process. During this phase, the statewide working groups and the LTFs created strategic action plans for each of their priorities.

For each working group and LTF effort, data will be gathered and evaluated periodically, and a process for refining the efforts will be established. Having an evaluation and refinement function will enable us to measure success and provide the ability to continuously work to further eliminate the access-to-justice gap for low-income New Yorkers facing matters involving the essentials of life. Local efforts in Suffolk County will demonstrate how meaningful change happens at the local level.

Throughout the strategic action planning process, communities around the state have observed the Suffolk County activities. As a result, at least two other communities have expressed interest in undertaking similar efforts. The gradual expansion of local, customized efforts across the State will integrate with statewide initiatives, which collectively will lead to our goal to provide effective assistance for 100 percent of low-income New Yorkers in matters affecting the essentials of life.

Going forward, the Commission will serve as the statewide umbrella entity to coordinate and oversee implementation of the objectives of the strategic action plan throughout the State. The Commission will pursue statewide implementation funding. The Commission will identify localities where local access to justice committees can be established, identify stakeholders to work with the Commission in creating the membership of the local committees, and facilitate collaborations among the stakeholders and community partners.

## II. Introduction

### The New York State Permanent Commission on Access to Justice

*"No issue is more fundamental to the courts' constitutional mission than ensuring equal justice for all. The availability of affordable legal representation for low-income New Yorkers is indispensable to our ability to carry out that mission." - Hon. Jonathan Lippman*

The Permanent Commission on Access to Justice (the Commission), formerly known as the Task Force to Expand Access to Civil Legal Services in New York (Task Force), was established in 2010 as a core component of a wider effort to increase the availability of legal services involving the essentials of life for low-income New Yorkers. Since its inception, the Commission has been chaired by Helaine M. Barnett, former President of the Legal Services Corporation, and includes representatives from the courts, legal service providers, law schools, the private bar, government agencies, and businesses across New York. Each year, the Commission assists the Chief Judge in holding hearings on the value of civil legal aid, conducts research, and develops recommendations to help close the justice gap for low-income individuals and families throughout New York in matters affecting the essentials of life.<sup>2</sup>

Recognizing the Task Force's significant accomplishments, as well as the ongoing work needed to achieve access to justice for all New Yorkers, the Chief Judge in 2015 institutionalized it as a permanent commission, with the stated purpose:

[T]o assess the nature, extent and consequences of unmet civil legal needs, statewide, involving essential human needs, and to report on those findings and make recommendations to the Chief Judge with the goal of helping secure equal access to justice in civil legal matters by increasing availability of civil legal services throughout New York State, as well as encouraging increased pro bono service by the legal community and helping to improve the efficiency and effectiveness of the delivery of civil legal services.<sup>3</sup>

From the outset, the 32-member body has worked to expand the capabilities of the New York Unified Court System to provide meaningful access to justice. The Commission has demonstrated its ability to expand access to justice to low-income New Yorkers through monetary and non-monetary efforts, including:

- Reaching its initial funding goal of \$100 million of dedicated state funds to be allocated to civil legal service providers throughout the state;

---

<sup>2</sup> Detailed information about the Commission's work, including its annual reports to the Chief Judge and transcripts for the annual hearings, is available on its website, <http://www.nycourts.gov/accesstojusticecommission>.

<sup>3</sup> Administrative Rules of the Unified Court System & Uniform Rules of the Trial Courts. Rules of the Chief Judge, Section 51.1 The Permanent Commission on Access to Justice. <https://www.nycourts.gov/rules/chiefjudge/51.shtml#01>.

- Adoption by the Legislature of its proposed concurrent resolution proclaiming that it is New York's policy that low-income New Yorkers facing legal matters concerning the essentials of life have effective legal assistance;
- Expanding pro bono through (1) the amendment of the Rules of Professional Conduct to increase the recommended annual pro bono hours for New York lawyers from 20 to 50; (2) establishing mandatory reporting of pro bono hours and financial contributions to civil legal services as part of the biennial attorney registration; (3) permitting out-of-state in-house counsel to register for pro bono work; (4) supporting a 50-hour pro bono requirement for law school graduates seeking admission to the New York State bar; (5) encouraging the formation of the Pro Bono Scholars Program that would allow law students to spend their final semester performing pro bono work and take the bar exam prior to graduation; and (6) supporting the Attorney Emeritus program to encourage retired attorneys to perform pro bono legal services for low-income New Yorkers;
- Recommending formation of an advisory committee to evaluate the role of the nonlawyer in closing the justice gap that led to the creation of Court Navigator pilots where community members are trained to assist unrepresented litigants in certain matters;
- Supporting the opening of three Legal Hand neighborhood storefront centers where community volunteers are trained to provide free legal information, assistance and referrals to prevent problems from turning into legal actions;
- Developing a process for creating statewide simplified forms for use in landlord-tenant, consumer debt, foreclosure and child support matters;
- Securing amendment of the Code of Judicial Conduct to clarify that judges may make reasonable accommodations for unrepresented litigants to ensure their matters are heard fairly;
- Supporting the development of a court online dispute resolution (ODR) pilot program to evaluate the efficacy of ODR in helping to bridge the justice gap;
- Recommending a resolution, which was adopted by the Administrative Board of the Courts, declaring that it should be the court system's policy to support and encourage the use of limited-scope representation when appropriate;
- Establishing an annual Law School Conference and Statewide Law School Access to Justice Council to increase involvement by and collaborations among New York's 15 law schools and their students in expanding access to justice;
- Establishing an annual Statewide Technology Conference that promotes the use of technology by legal services providers and aims to improve the delivery of services through technology; and



- Supporting the development of online intake portals to facilitate information dissemination and increase access to legal assistance for consumer matters.<sup>4</sup>

The Commission’s work to date has been instrumental in moving toward the goal of 100 percent access to effective assistance for all New Yorkers. While the efforts noted above are signs of progress, evidence before the Commission documents a vast, continuing need for civil legal services for low-income New Yorkers. The access-to-justice gap hurts low-income New Yorkers, adversely impacts the functioning of the courts, and increases litigation and other costs for represented parties such as private businesses and local governments. Each year, the Commission presents to the Chief Judge of New York an independent economic analysis of the dollar value impact of civil legal aid funding. The funding has a direct positive impact on low-income New Yorkers in need of civil legal assistance and on state and local economies and governments in the form of dollars saved (e.g., reduced expenditures on state and local assistance, emergency shelter). These analyses demonstrate that to achieve the best possible outcomes, individuals may require full representation. The Commission remains committed to the need for full representation when the circumstances of a matter clearly require this level of assistance.

Despite modest economic recovery over the last several years, the number of New Yorkers living in poverty statewide remains extremely high. According to the U.S. Census Bureau, an estimated 5.9 million New Yorkers – approximately 31 percent of the State’s population – were living below 200 percent of the poverty level in 2016. Furthermore, the U.S. Department of Agriculture reported that as of 2016, the three-year average percentage of “food insecure” households in New York was 13 percent. Between 2007 and 2016, homelessness increased approximately 38 percent across New York – the largest increase in the country. Homelessness in New York City has increased almost 10 percent since 2015, with 60,525 individuals currently in the shelter system. Although most of New York State’s homeless population is concentrated in New York City, the Office of the State Comptroller has reported that communities in almost every corner of the State are confronting homelessness, particularly Nassau and Suffolk Counties, which have the third-largest homeless populations nationwide.

Faced with these challenges, the courts, legal service providers and other advocates have developed projects and programs aimed at helping those who face civil legal problems. Sharing in the National Center for State Courts’ (NCSC) vision of an integrated system that provides access to information and effective assistance, the Commission responded to its Justice for All Project Request for Proposals in October 2016. Seven states, including New York, were awarded grants for strategic action planning to create a system that provides for effective assistance to 100 percent of those in need.

---

<sup>4</sup> Report to the Chief Judge of the State of New York. Permanent Commission on Access to Justice. November 2016. [https://www.nycourts.gov/accesstojusticecommission/PDF/2016\\_Access\\_to\\_Justice-Report.pdf](https://www.nycourts.gov/accesstojusticecommission/PDF/2016_Access_to_Justice-Report.pdf).

## The Justice for All Project Request for Proposals

At the 2015 annual Conference of Chief Judges and Conference of State Court Administrators, both groups unanimously passed Resolution 5, *Reaffirming the Commitment to Meaningful Access to Justice for All* (Resolution 5), which:

supports the aspirational goal of 100 percent access to effective assistance for essential civil legal needs and urges their members to provide leadership in achieving that goal and to work with their Access to Justice Commission or other such entities to develop a strategic plan with realistic and measurable outcomes... and urges the National Center for State Courts and other national organizations to develop tools and provide assistance to states in achieving the goal of 100 percent access through a continuum of meaningful and appropriate services.<sup>5</sup>

In furtherance of Resolution 5, the Justice for All (JFA) project was developed. Supported by the Public Welfare Foundation and the National Center for State Courts, the project has provided, through a competitive request for proposal (RFP) process, funding to seven states to create strategic action plans to advance access to justice and provide effective assistance to 100 percent of those in need. The vision of the project is a civil justice system where everyone has access to information and effective assistance when they need it and in a format they can use. The JFA project is overseen by the JFA Advisory Committee, which is the body that chose the seven grantees.<sup>6</sup>

The request for proposal outlined three resources that would be available to awardee states:

- **Strategic Action Plan Grants.** The JFA Advisory Committee awarded grants to conduct a statewide inventory assessment to identify available resources and create a strategic action plan to achieve 100 percent access to justice as described in Resolution 5. Grant applicants must have considered how all stakeholders would work in an integrated fashion to accomplish the goal of 100 percent access.
- **Implementation Grants.** After the initial 12 months, the states that were awarded a strategic action plan grant can apply for an implementation grant. The JFA Advisory Committee will determine the process by which the implementation grants will be awarded. Implementation grants may be used to assist with the pilot projects as described in a state's strategic action plan or other needs the JFA Advisory Committee deems appropriate.

---

<sup>5</sup> Conference of Chief Justices, Conference of State Court Administrators. Resolution 5, Reaffirming the Commitment to Meaningful Access to Justice for All. 2015.

[http://www.ncsc.org/~media/microsites/files/access/5%20meaningful%20access%20to%20justice%20for%20all\\_fin\\_al.ashx](http://www.ncsc.org/~media/microsites/files/access/5%20meaningful%20access%20to%20justice%20for%20all_fin_al.ashx).

<sup>6</sup> Alaska, Colorado, Georgia, Hawaii, Massachusetts, and Minnesota were also awarded grants.

- **Guidance Materials.** An expert working group developed materials to help awardee states identify and prepare an inventory of available resources and to design a strategic action plan.<sup>7</sup> The materials included: “Justice for All Components,” “Justice for All Inventory Assessment Guide,” and “Justice for All Strategic Action Planning Guide.”

- Justice for All Components contains 16 components identified by the expert working group as necessary elements of a viable and comprehensive JFA strategy. Components are as follows:

1. Design, Governance & Management
2. Resource Planning
3. Technology Capacity
4. Triage, Referral & Channel Integration
5. Community Integration & Prevention
6. Judicial & Court Staff Education
7. Broad Self-Help Informational Services
8. Plain Language Forms
9. Language Services Integration
10. Alternative Dispute Resolution Integration
11. Compliance Assistance
12. Courtroom Assistance Services
13. Expansion & Efficiency Improvements of Full Service Representation
14. Unbundled (Discrete Task) Legal Assistance
15. Simplification
16. Role Flexibility for Other Professionals

The components also each contain between two and eight “Key Elements” which are more granular characteristics of the components. For example, the Plain Language Forms component further includes implementation of standardized plain language forms, protocols for assessing and updating forms, testing for comprehensibility and usability, and form data integration with the court information system as Key Elements.<sup>8</sup>

- The Justice for All Inventory Assessment Guide provides a framework to assess the status of each JFA Component. Outlined in the Guide are four action steps that states have used to conduct an inventory assessment: (1) Identify the inventory assessment strategy; (2) Tailor assessment indicators to your state; (3) Tailor the key elements to your State; and (4) Complete component assessment sheets for every JFA component.<sup>9</sup> Information

---

<sup>7</sup> Justice for All Strategic Action Planning Request for Proposals. National Center for State Courts.

<sup>8</sup> Justice for All Guidance Materials. National Center for State Courts. August 3, 2016.

<sup>9</sup> *Id.*

recorded in the assessment sheets has been used to guide the priority-setting process and has served as the foundation for the strategic action planning process.

- The Justice for All Strategic Action Planning Guide provides additional detail for the components and an overall approach to strategic planning. To make the strategic planning process less daunting, the Guide segments the process into three steps: (1) Establishing the planning process; (2) Prioritizing and staging the Justice for All components; and (3) Undertaking individual Justice for All component planning. The Guide recommends that each state approach the strategic action planning process keeping in mind its own unique characteristics and tailoring the plan accordingly. Realizing that implementing new programs or pilot projects for each component is likely not feasible for many, if not all, states, the Guide proposes a “cluster framework” in Step Two. The cluster framework groups components into four different clusters defined as:
  - i. Foundational Capacities – institutional capacities that need to be developed early for the system to operate efficiently and effectively.
  - ii. Foundational Services – services that must exist early for other broader services to be deployed later.
  - iii. Enhancement Services – services that are built by enhancing foundational services and result in more people being served throughout the system.
  - iv. System Completion Innovations – innovations that create meaningful access to justice for all at a reasonable cost, built primarily on the base of the other three clusters.<sup>10</sup>

To guide the Commission through the strategic action planning process, it solicited assistance from a New York City-based consultant. See Appendix A for a list of Commission members and consultants.

At the outset, the Commission sought to better understand the justice gap, as well as identify common barriers to access to justice. The Commission felt that this was an important step because, in order to formulate solutions, the problem must first be understood. The institutional knowledge of Commission members coupled with independent research provided a solid foundation for understanding the access-to-justice gap in its various forms. What the Commission gained through this process informed the thinking about how to best apply elements of the guidance materials in a meaningful way.

---

<sup>10</sup> *Id.*

## Effective Assistance

As noted above, Resolution 5 “supports the aspirational goal of 100 percent access to *effective assistance*...” [emphasis added]. “Effective assistance” acknowledges that the needs of low-income persons facing a legal matter involving the essentials of life can be fulfilled in a variety of ways.

### The Role of Full Representation in Effective Assistance

The most effective and comprehensive assistance that can be provided to low-income individuals facing legal matters involving the essentials of life is full representation by a lawyer throughout the entire dispute. The Commission will continue to strive to develop strategies to maximize the availability of full representation for low-income litigants.

### Other Considerations for Effective Assistance

Effective assistance also contemplates a spectrum of other services that meet the needs of low-income persons facing legal matters involving the essentials of life. For example, depending on the nature of the dispute and the capabilities of the litigant, effective assistance may include, but would not be limited to:

- Preventive assistance regarding an issue that could become a legal problem;
- Assistance from a trained non-lawyer about where to find legal resources;
- Legal information or guidance on how to complete a legal form;
- An accessible online form or guided interview to assist with completing the necessary legal form; and
- Brief and/or unbundled services, hereinafter referred to as limited-scope representation, where a lawyer provides legal advice to a litigant during a specific phase of the individual’s case.

## Defining the “Justice Gap” and Identifying Barriers to Access to Justice

The federal Legal Services Corporation (LSC) in its 2005 report “Documenting the Justice Gap in America” defined the justice gap as the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.<sup>11</sup> While this is the widely accepted definition of the justice gap, there are more diverse interpretations of “access.” Access is often framed as access for distinct populations (e.g., access for Veterans, access for immigrants), access to resources (e.g., access to housing, access to benefits), access to courts (e.g., access in housing court, access in family court), or access based on litigant

---

<sup>11</sup> Documenting the Justice Gap: The Current Unmet Civil Legal Needs of Low-income Americans. Legal Services Corporation. September 2005 (Second edition June 2007).

<https://www.lsc.gov/sites/default/files/LSC/images/justicegap.pdf>; *see also*

The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-income Americans. Legal Services Corporation. June 2017. <https://www.lsc.gov/sites/default/files/images/TheJusticeGap-FullReport.pdf>.

attributes (e.g., language access, physical access for the disabled). Even though slightly different, these framings of access are correct, and barriers to access exist for each. The barriers that unrepresented litigants face when trying to access the civil justice system vary. However, common barriers exist not only throughout New York but also throughout the country. Common barriers include:

- **Lack of recognition of legal issues.** A 2014 study by the American Bar Foundation found that individuals rarely turn to lawyers or the courts to help them solve their problems. Contrary to widespread belief, the reason for this is not the financial cost of hiring a lawyer. Rather, that individuals do not understand their problems to be of a legal nature. Participants in the study were asked, “Which, if any, of the [following] descriptions... best indicates the character” of the situation, and could choose as many as they felt applied. Potential answers included (1) bad luck/part of life; (2) moral; (3) private; (4) criminal; (5) part of God’s plan; (6) legal; (7) social; (8) bureaucratic; (9) family/community (i.e. something to be dealt with within the family/community); and (10) none of these. Respondents characterized only nine percent of their civil justice issues as legal. More commonly, 56 percent of respondents thought of their civil justice issues as either “bad luck/part of life” or “part of God’s plan.”<sup>12</sup> As the study reveals, more than half of Americans view their issues not as legal, but rather as adversity that they must overcome on their own.
- **Geographic, physical and mental health barriers.** Members of rural communities often find themselves at a steep disadvantage when trying to access the civil justice system or legal service providers. First, a disproportionate number of people living in poverty live in rural communities. At the same time, few attorneys provide legal services in rural communities. With a limited supply of lawyers in rural America, low-income individuals are forced to travel to other towns for basic legal services. Second, the ability to travel to legal service providers depends on a person’s access to transportation, whether it be private or public. When a vehicle is available, it is often only available during certain hours of the day when someone else is not using it as low-income families usually share a single vehicle. The transportation issue is not limited to rural communities. Additionally, public transportation schedules may not coincide with court or legal service providers’ hours of operation, leaving the individual seeking access without a viable transportation option.<sup>13</sup> If an individual is able to get to court, he or she may still face physical access barriers. While the Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities and requires reasonable accommodations to be made for disabled individuals, not all courts or legal service providers are ADA compliant. Lastly, mental illness can prevent individuals from fully accessing the civil justice system.

---

<sup>12</sup> Sandefur, Rebecca. *Accessing Justice in the Contemporary USA: Findings from the Community Needs and Services Study*. American Bar Foundation. 2014.

<sup>13</sup> Hannah Lieberman Consulting/John A. Tull & Associates. *Overcoming Barriers that Prevent Low-Income Persons from Resolving Civil Legal Problems: A Study Prepared for the Legal Assistance to the Disadvantaged Committee of the Minnesota State Bar Association*. September 2011.

<https://www.lsc.gov/sites/default/files/attach/resources/LegalNeedsStudy-MinnesotaBarAssociation.pdf>.

Anxiety disorder, addiction, psychosis, post-traumatic stress disorder, and depression are mental health issues that individuals may be facing and can lead them to feeling overwhelmed by the legal process. For a person suffering from mental health issues, the perceived burden of going through the legal process may preclude them from participating in the process at all or make sustained involvement in their case difficult.

- **Language and literacy barriers.** To achieve access to justice, all litigants – represented and unrepresented – must be able to understand what is happening in the courtroom. However, language barriers can prevent essential communication and understanding. Between 1990 and 2010, the number of limited English proficiency individuals in the United States increased by 80 percent, which represents approximately 25 million people or nine percent of the total population.<sup>14</sup> In New York, 13 percent of the population has limited English proficiency.<sup>15</sup> When litigants have limited or no English proficiency, courts and legal service providers may need to provide interpreters, translate documents, and offer other language assistance. Navigating the courthouse can also be challenging for limited English proficiency individuals. Many of the most important signs appear only in English, including directions to the petition room, clerk’s office, and how to find a Help Center.<sup>16</sup> When the court experience begins with an inability to understand basic signs and directions, litigants feel disempowered. Further, literacy can be a barrier to access. According to the National Assessment of Adult Literacy, only 15 percent of U.S.-born adults are proficient at completing complex literacy tasks such as reading and completing court pleadings and forms, collecting financial information or evidence, or preparing to speak in court.<sup>17</sup> Breaking down this barrier involves a movement toward plain language forms, documents, and courtroom interactions to ensure all litigants understand the process through terms that are familiar to them.
- **Negative perceptions of the system.** Many low-income individuals need and want legal services but fear seeking them. The fear can be generated from multiple sources: being undocumented, having been mistreated by others in positions of power in the past, the possibility of an unfavorable outcome, or the inability to articulate the situation(s) giving rise to the need for legal services.<sup>18</sup> Additionally, the well-documented perceived racial biases of the justice system can create a barrier to access. Parallel to the fear of accessing the civil justice system is the perception that accessing the system will not make a difference. In her study for the American Bar Foundation, Rebecca Sandefur found that 24 percent of individuals interviewed did not seek legal

---

<sup>14</sup> A Call to Action: Access to Justice for Limited English Proficient Litigants, Creating Solutions to Language Barriers in State Courts. National Center for State Courts. July 2013.

<sup>15</sup> The Limited English Proficient Population in the United States. Migration Policy Institute. 2015. <https://www.migrationpolicy.org/article/limited-english-proficient-population-united-states>.

<sup>16</sup> Interpreting Justice: Language Access in the New York Courts. Legal Services NYC, Civil Justice Initiative. 2016.

<sup>17</sup> SRLN Brief: Plain Language Resources for 100% Access. <https://www.srln.org/node/150/srln-brief-plain-language-resources-100-access-srln-2015>.

<sup>18</sup> Schafner, E. Fear and the Justice Gap. Mental Health Advocacy Services. November 13, 2013. <http://mhas-la.org/fear-justice-gap/>.

advice because they believed it would not make a difference.<sup>19</sup> When combined with the lack of recognition of legal issues barrier, these two barriers prevent individuals from entering the civil justice system at all, arguably underestimating the magnitude of the access-to-justice gap.

## **Moving Toward Justice for All**

The barriers discussed above are far from all-encompassing. The intersections between individuals and the civil justice system are complex, as are the necessary steps to ensure access to justice. As we begin to break down barriers and build a bridge across the access-to-justice gap, it is important to keep in mind the magnitude of what we are trying to accomplish, which is effective assistance for every low-income New Yorker in matters affecting the essentials of life. As the RFP states, the vision of the JFA Project is creating a system that enables everyone to get access to the information and effective assistance they need, when they need it, and in a format they can use. While 100 percent effective assistance is ambitious, we believe it is attainable, particularly with the funding, initiatives, and statewide access to justice community that the New York State Judiciary and the Permanent Commission on Access to Justice have developed. With an integrated system where communities are empowered, courts participate in and support access to justice initiatives, and legal service providers continue to be dedicated to serving those in need, we believe that the provision of effective assistance for all New Yorkers is possible.

---

<sup>19</sup> Sandefur, Rebecca. *Accessing Justice in the Contemporary USA: Findings from the Community Needs and Services Study*. American Bar Foundation. 2014.



## III. The Strategic Action Planning Process

### Overview of the Three-Phase Process

The Permanent Commission's development of this Strategic Action Plan encompassed three distinct phases. In each of the phases, the Commission expanded, focused, and revised its methods for building a strategic action plan. The phases were as follows:

- **Phase I: Learning, Organizing and Assessing, and Community Listening.** During this stage, the Commission sought to build upon the institutional knowledge of its members to inform its work in Phases II and III. Next, using the guidance materials, the Commission organized itself into working groups to address statewide access to justice issues. Early in the process, the Commission knew it would be critical to identify and engage as many stakeholders as possible to learn from their experiences. Traditional stakeholders (e.g., civil legal service providers, court staff, legal academics), as well as non-traditional stakeholders (e.g., librarians, school psychologists, faith leaders), were identified as groups from which the Commission could learn. After these stakeholders were identified, four community listening sessions were conducted throughout New York. This phase occurred between approximately December 15, 2016 and April 15, 2017.
- **Phase II: Initiating the Strategic Action Planning Process.** Informed by the stakeholder information gathered and synthesized in Phase I, the Commission transitioned to formulating a roadmap it would follow throughout the strategic action planning process. The roadmap closely resembled the Justice for All Strategic Action Planning Guide in which the inventory assessments were used to set priorities and begin strategic action planning. Early in this phase, it became clear that the Commission would need to decide on a local pilot for closing the access-to-justice gap. This phase occurred between approximately April 15, 2017 and June 15, 2017.
- **Phase III: Completing the Strategic Action Planning Process.** The final phase of the process was the development of a strategic action plan based on both statewide and local priorities. This phase occurred between approximately June 15, 2017 and December 15, 2017.

### Phase I: Learning, Organizing and Assessing, and Community Listening

#### Learning

Members of the Commission have brought an unparalleled wealth of knowledge and experience to the strategic action planning process. Commission members have been instrumental in sharing knowledge and conducting additional research to bring new ideas to the strategic action planning process.

### *Consultants Academy and Cohort Calls*

On January 26, 2017, the NCSC held an all-day academy for consultants who were assisting grantee states with the strategic action planning process. The Commission's consultant Neil Steinkamp, of Stout Risius Ross, LLC (Stout), attended the academy. NCSC representatives led the academy, which largely focused on reviewing the guidance materials, discussing statewide data collection tools, exploring governance structures, criteria for setting priorities, and evaluation, impact, and measurement techniques.

Throughout the past year, the NCSC also held monthly conference calls where grantee states would provide updates about their progress, share ideas, or ask questions of other states or the NCSC. Some of these calls were used to discuss access to justice issues such as the need to approach urban and rural communities differently and present strategies for evaluation that could be incorporated in the strategic action plans. In addition, the NCSC also participated in two of the Commission meetings, as we reviewed our progress in the strategic action planning process.

### Organizing and Assessing

As previously discussed, the guidance materials provided a four-topic framework for organizing component planning and implementation efforts. Details of these four topics are as follows:

- **Foundational Capacities.** Institutional capacities that need to be developed early for the system as a whole to work well and efficiently. The components in this group include:
  1. Design, Governance, and Management
  2. Resource Planning
  3. Technology Capacity
  4. Triage, Referral, and Channel Integration
  5. Community Integration and Prevention
  6. Judicial and Court Staff Education
- **Foundational Services.** Services that must be put in place early for other broader services to be deployed later. The components in this group include:
  7. Broad Self-Help Informational Services
  8. Plain Language Forms
  9. Language Services Integration
- **Enhancement Services.** Services, often using foundational capacities and enhancing foundational services, which enable many more people to be served throughout the system. The components in this group include:

10. Alternative Dispute Resolution Integration
11. Compliance Assistance
12. Courtroom Assistance Services
13. Expansion and Efficiency Improvements of Full-Service Representation
14. Limited-Scope Representation

- **System Completion Innovations.** Innovations that allow the system to get to meaningful access to justice for all at a reasonable cost, primarily building on and depending on the prior components. The components in this group include:

15. Simplification
16. Role Flexibility for Other Professionals

This framework served as the starting point for the Commission. However, based on the civil legal landscape in New York, the Commission slightly adjusted the framework. “Simplification” was included in both Foundational Capacities and Foundational Services. The distinction between each was that “Simplification” in Foundational Capacities would be reconstructed as “Simplification of Court Procedures,” and “Simplification” in Foundational Services would be reconstructed as “Simplification of Forms.” The Commission also included “Role Flexibility for Other Professionals” in Foundational Services as it believed other professionals could provide certain services to unrepresented litigants. After these adaptations, the Commission organized itself into three working groups around the following framework:

- **Foundational Capacities Working Group**

1. Design, Governance, and Management
2. Resource Planning
3. Technology Capacity
4. Triage, Referral, and Channel Integration
5. Community Integration and Prevention
6. Judicial and Court Staff Education
7. Simplification of Court Procedures

This Working Group was co-chaired by: Anne Erickson, President and CEO of Empire Justice Center and Lillian Moy, Executive Director of the Legal Aid Society of Northeastern New York, and was assisted by Barbara Mulé of the Commission staff.

- **Foundational Services Working Group**

8. Broad Self-Help Informational Services
9. Plain Language Forms
10. Language Services Integration
11. Simplification of Forms

This Working Group was chaired by Raun Rasmussen, Executive Director of Legal Services NYC, and was assisted by Lauren Kanfer of the Commission staff.

- **Enhancement Services Working Group**

12. Alternative Dispute Resolution Integration
13. Compliance Assistance
14. Courtroom Assistance Services
15. Expansion and Efficiency Improvements of Full Service Representation;
16. Limited-Scope Representation;
17. Role Flexibility for Other Professionals

This Working Group was co-chaired by: Adriene Holder, Attorney-in-Charge, Civil Practice, The Legal Aid Society and Barbara Finkelstein, CEO of Legal Services of the Hudson Valley, and was assisted by Barbara Zahler-Gringer of the Commission staff.

Once the working groups were established, the chairs were encouraged to invite stakeholders with skills, experience, and expertise relevant to each working group's components.<sup>20</sup> Because the working groups comprised experts from across New York, the Commission thought the working groups would be best suited to address large-scale, statewide access-to-justice issues and formulate strategic action plans that could result in comprehensive, statewide initiatives. The next step for each working group would be to conduct inventory assessments, which would aid them in learning more about current resources and services across the state.

#### *Working Group Inventory Assessments*

The guidance materials provided by the NCSC outlined a process for conducting inventory assessments. The inventory assessment process was designed to assess the status of each JFA component in New York State. Additionally, the inventory assessments gave the working groups a better understanding of solutions that had been successfully or unsuccessfully implemented and what new plans could be particularly effective. For each of the key elements of the components, the working groups researched the current state of the element and answered the following questions:

---

<sup>20</sup> Noted access-to-justice leaders were invited to join the statewide working groups: Rochelle Klempner, NYS Courts Access to Justice Program, Foundational Capacities and Foundational Services Working Groups; Mark O'Brien, Executive Director of ProBono.Net, Foundational Capacities Working Group; Fern Schair, Chair of the Advisory Board of the Feerick Center for Social Justice at Fordham University School of Law and former Co-Chair of the UCS Advisory Committee on Language Access, Foundational Services Working Group; David Udell, Executive Director of the National Center for Access to Justice, Fordham University of School of Law, Foundational Services Working Group; and Daniel Weitz, Director of OCA's Division of Professional and Court Services, Enhancement Services Working Group.

- Has the state developed this element anywhere?
- Does the current deployment of this element reach people throughout the state?
- Where the element is deployed, what proportion of the people who need it are served by such a program?
- Are the programs/services in this element scalable to serve the needs of all the people where it currently exists?
- Are the programs/services in this component scalable to serve the needs of all the people in the state?

For each question, the working groups ranked the state’s progress by responding with:

- No
- Yes, at baseline levels
- Yes, at sufficient levels
- Yes, at sufficient and self-sustaining levels

After completing the inventory assessments, each working group presented its findings at the April Commission meeting. The results of the assessments would be used by the working groups to identify priorities for further statewide development and deployment. Before transitioning to Phase II, the Commission recognized that for effective statewide strategic action planning, it would need to understand access-to-justice gaps in communities across the state.

### Community Listening

To gather the most helpful information about the access-to-justice gaps affecting low-income New Yorkers, the Commission visited four diverse communities across the State. The locations chosen were Suffolk County (a suburban area), Albany (an urban area outside of New York City), Queens County (an urban area inside New York City), and Steuben County (a rural area in western New York). Considerations given during the selection process included, but were not limited to, geographic location, population densities, civil legal case types, and availability of resources. The visits came to be known as “community listening sessions” to reflect what the Commission’s goal was: listening to communities. The visits were structured as one- or two-day visits with each day divided into approximately six to eight sessions, with 8-15 participants in each session. In total, the Commission heard from more than 200 community stakeholders in these four communities. The goal of the listening sessions was to engage as many stakeholders as possible to better understand:

- The access-to-justice gaps in the community;
- The legal and non-legal needs of community members;
- Existing collaborations among stakeholders;
- Opportunities for new collaborations; and
- What, in the stakeholders’ opinion, would have the biggest impact on closing the access-to-justice gap in their community

Each session began with a request for stakeholders to describe the needs in their communities. The Commission intentionally initiated the listening session with this broad request as many in the community do not realize that certain matters involve legal issues or do not fully understand what the access-to-justice gap is. In addition, many matters that start as non-legal issues become legal issues. The Commission also wanted to hear about root causes of issues that could manifest themselves into legal matters for members of the community. By initiating these sessions in this way, the Commission was able to prompt community members to share their views and perspectives on the community and areas where the needs for additional resources, collaboration, or support is most acute. During these sessions, there were opportunities to focus more specifically on legal issues and resources, when appropriate. These sessions took place between January 24, 2017 and March 8, 2017. The Commission documented the conversations, which are summarized by location in the following pages.

### *Suffolk County*

Although Suffolk County was chosen as the suburban area of New York, the county also has rural communities in its easternmost region. More than 70 community stakeholders participated in listening sessions throughout the day, including:

- **Advocates and Other Non-Profits.** Angels for Warriors; Catholic Charities; Central American Refugee Center; Empower Long Island; Long Island Advocacy Center; Long Island Community Foundation; Long Island Coalition for the Homeless; Long Island Housing Partnership; Safe Passage Project Clinic; United Way; YouthBuild Long Island
- **Bar Associations.** Amistad Long Island Black Bar Association; Nassau County Bar Association; Suffolk County Bar Association
- **Legal Services Providers.** Legal Aid Society of Suffolk County; Nassau-Suffolk Law Services; New York Legal Assistance Group; Pro Bono Partnership; Safe Center Long Island
- **Court Representatives and Court Resources.** Domestic Violence Court; Drug Court; Family Court; First and Fifth District Courts, Civil; Mental Health Court Treatment Team; Help Center Coordinator
- **Dispute Resolution and Counselors.** Long Island Dispute Resolution Center; Empower, Assist, Care Network; National Association for Marriage Enhancement Ministry; Suffolk County Law Department
- **Educators.** Brentwood School District; Eastern Suffolk Board of Cooperative Educational Services; Longwood School District; Wyandanch School District
- **Faith-Based Community.** Smithtown Gospel Tabernacle Church
- **Funders.** Hagedorn Foundation; Long Island Community Foundation
- **Government.** Economic Opportunity Council of Suffolk, Inc.; Suffolk County Department of Economic Development and Planning; Suffolk County Landbank Corporation

- **Health.** Long Island Health and Welfare Council; Nassau-Suffolk Hospital Council Population Health Improvement Program; Stony Brook University Office of Population Health
- **Judges.** Former Chief Administrative Judge, New York UCS; Suffolk County District Court Judge; Suffolk County Family Court Supervising Judge; Town of Southampton Justice
- **Law Enforcement.** Suffolk Police Department Community Response Unit
- **Law Schools.** Hofstra University School of Law; New York Law School; Touro Law School
- **Libraries.** Comsewogue Public Library; Hauppauge Public Library; Middle Country Public Library; Suffolk Cooperative Library System
- **Native American Representatives.** Shinnecock Nation
- **Touro Law Center Groups.** Empire Justice Center; Homeowner Protection Program; Language Access Program, Empire Justice Center; Public Advocacy Center at Touro Law Center; Touro Law Center Clinical Program

Observations from the Suffolk County listening sessions include, but are not limited to:

- Community members face persistent and significant housing and family law issues;
- The diverse population requires well-trained translators and interpreters, of which there is a shortage;
- Legal issues faced by community members do not always require representation;
- Community members, as well as the stakeholders at the listening sessions, are often not aware of all available resources – legal and non-legal;
- Access to public transportation is limited throughout Eastern Suffolk County, especially on the North and South Forks, resulting in difficulty accessing services and the courts;
- Libraries, schools, and places of worship want to help their constituents but feel ill-equipped to do so in certain instances;
- There is a large veteran and immigrant population; and
- The Town and Village Courts present unique issues.

### *Albany*

The capital city of New York was chosen as an urban area outside of New York City. Albany serves as a hub for judicial, legislative, and statewide stakeholders, many of whom attended the listening sessions. More than 40 community stakeholders participated including:

- **Advocates and Other Non-Profits.** Disability Rights New York; HomeSave Coalition; My Brother's & Sister's Keeper Initiative; National Association for the Advancement of Colored People; United Way of the Greater Capital Region; Community Foundation for the Greater Capital Region

- **Bar Associations and Foundations.** New York Bar Foundation; New York State Bar Association
- **Legal Service Providers.** Empire Justice Center; Legal Aid Society of Northeastern New York; The Legal Project; Mediation Matters; New York State Office of Indigent Legal Services
- **Clients.** Legal Aid Society of Northeastern New York; The Legal Project
- **Community Organizations.** Albany Community Action Partnership; Equinox, Inc.; US Committee for Refugees and Immigrants
- **Court Representatives and Court Resources.** Columbia County Help Center; Chief Clerk, Columbia County Surrogate’s Court; Court Attorney/Referee, Town and Village Courts, Third Judicial District; Department of Court Research; Deputy District Executive, Third Judicial District; Troy City Court
- **Educators.** Schenectady County Community College
- **Faith-Based Community.** Macedonia Baptist Church
- **Government.** Albany Housing Authority
- **Health.** LGBT Health Services, In Our Own Voices; St. Peter’s Health Partners
- **Law Enforcement.** Albany Police Department
- **Law Schools.** Albany Law School
- **Libraries.** Albany Public Library

Observations from the Albany listening sessions include, but are not limited to:

- The largest gaps are: guardianship cases that result from parents battling drug addiction and grandparents seeking guardianship of their grandchildren; contested divorces; housing – landlord/tenant and foreclosure; immigration; public assistance issues; community members with drug addiction; and elder law;
- Access to affordable public transportation outside of Albany city limits is scarce;
- Activating the nonlawyer community to serve as court navigators, translators or interpreters, and sources of reliable transportation could help to narrow the justice gap;
- Community members could benefit from having a “pathfinder” who provides them with individualized guidance through life events and can make appropriate referrals when necessary;
- The absence of after-school programs and summer-programs for children has contributed to the perpetuation of generational poverty and interaction with the justice system;
- Community members as well as the stakeholders at the listening sessions are often not aware of all available resources – legal and non-legal;
- Service providers should be permitted to use discretion when a community member seeking their services meets most program requirements but not all; and



- The medical community is grappling with the impact of access to justice on public health; community members are going to the emergency room with non-medical problems because they do not know where else to go.

## *Queens*

The largest New York City borough by area was chosen as an urban area inside New York City. Forty-eight percent of residents in Queens are foreign born, and 56 percent speak a language other than English at home.<sup>21</sup> Queens’s diverse community members and stakeholders led to a robust discussion attended by:

- **Advocates and Other Non-Profits.** Adhikaar; HerJustice; Legal Hand; Margert Community Corporation; New York City Elder Abuse Center; Sunnyside Community Services; Youth Represent
- **Bar Associations.** New York City Bar Association
- **Legal Services Providers.** Center for Family Representation; Court Square Law Project; Housing Court Answers; Legal Information for Families Today (LIFT); Legal Services for the Elderly in Queens; Mayor’s Office of Immigrant Affairs Legal Initiatives; New York Legal Assistance Group; Queens Legal Services; St. John’s Elder Law Clinic
- **Community Organizations.** Chhaya Community Development Corporation; Legal Hand Jamaica
- **Court Representatives and Court Resources.** Administrative Judge’s Office; Foreclosures Court Attorney-Referee; Queens County Civil Court Supervising Judge; Queens Family Court Supervising Judge; Queens Supreme Court - Self-Help Department, Matrimonial Department; Queens Surrogate’s Court
- **Faith-Based Community.** Revelation Pilgrim Ministries Apostolic Worldwide
- **Government.** Commission on Human Rights; Homelessness Prevention, Human Resources Administration Adult Protective Services; Mayor’s Office of Immigrant Affairs; New York City Office for Civil Justice; Office of Administrative Trials and Hearings
- **Law Schools.** CUNY School of Law; New York University School of Law Advanced Mediation Clinic; St. John’s University School of Law
- **Libraries.** Central Library; Queens Library at Rochdale Village; Queens Library at South Jamaica

Observations from the Queens listening sessions include, but are not limited to:

- The largest legal gaps are in housing, family law, and immigration;
- The diverse population requires an increased number of well-trained translators and interpreters;

---

<sup>21</sup> “Get the facts: The demographics of Queens, and what’s changing.” Brownstoner. September 20, 2012. <https://www.brownstoner.com/queens/news/get-the-facts-the-demographics-of-queens-and-whats-changing/>.

- Community members are largely unaware of their rights;
- Community members as well as the stakeholders at the listening sessions were often not aware of all available resources – legal and non-legal;
- Access to affordable public transportation is limited in the Rockaways;
- Expansion of the Court Navigator Program beyond Housing Court could help narrow the access-to-justice gap in Queens;
- Non-legal service providers can be taught how to identify legal issues and make a “warm handoff” to a legal service provider;
- Judges and court staff can be educated about what services and resources are available to unrepresented litigants and suggest that they seek assistance;
- Several organizations have innovative programs for Queens residents in need, including: Legal Hand, which provides trained nonlawyers who provide information, assistance and referrals and try to resolve problems before they turn into court matters; New York Legal Assistance Group’s Mobile Legal Help Center, which is a legal services office on wheels; and ActionNYC, which is a New York City initiative where Community Navigators screen clients for eligibility for immigration relief, provide application assistance, and connect individuals to relevant social services.

### *Steuben County*

Steuben County was chosen as the rural location for the community listening session. More than 16 percent of the county’s residents live below the poverty line, a number that is higher than the national average of 14.7 percent. Steuben County is less diverse than other community listening session locations with more than 93 percent of its residents identifying as white.<sup>22</sup>

- **Advocates and Other Non-Profits.** Catholic Charities; Family Service Society; NET Domestic Violence Services, Arbor Housing and Development; ProAction of Steuben and Yates County; Professional Elder Networking; The Arc of Steuben
- **Bar Associations.** Steuben County Bar Association
- **Civil Legal Services Providers.** Steuben County Public Defenders; Volunteer Lawyer Project, Steuben County; Legal Assistance of Western New York
- **Clients.** Legal Assistance of Western New York
- **Community Organizations.** 2-1-1 Helpline Services, Institute for Human Services; Friends of the Addison Youth Center
- **Court Representatives and Court Resources.** Administrative Judge’s Office; Corning City Court Judge, Chief Clerk; County Court, Chief Clerk; Steuben Family Court Judge, Support Magistrate; Supreme Court, Chief Clerk; Surrogate’s Court Judge, Chief Clerk
- **Education.** Corning Community College, Hornell School District
- **Faith-Based Community.** Bath First Presbyterian Church

---

<sup>22</sup> Data USA: Steuben County, NY. <https://datausa.io/profile/geo/steuben-county-ny/#economy>.

- **Government.** Steuben County Department of Social Services; Steuben County Manager; Steuben County Office for the Aging; Steuben County Youth Bureau
- **Health.** Bath Veterans Affairs Medical Center
- **Law Schools.** Cornell Cooperative Extension; Cornell Law School
- **Libraries.** Southeast Steuben County Library

Observations from the Steuben County listening sessions includes, but are not limited to:

- There is no critical mass of community members facing specific issues; the gaps are diverse;
- Safe and affordable housing can be difficult to secure given the lack of economic opportunity;
- Transportation – both public and private – is a barrier for community members who need to travel long distances to services or to court;
- Using technology to alleviate the transportation issues does not work as well as in other areas due to a lack of access to high-speed Internet and an elderly population not accustomed to using technology;
- In part, due to the rural landscape, the county has a shortage of lawyers;
- Children being raised by grandparents is common among families where the child’s parents are battling drug addiction or are incarcerated;
- The availability of re-entry work has a significant impact on whether an individual can gain economic stability;
- Community members, as well as the stakeholders at the listening sessions, were often not aware of all available resources – legal and non-legal; and
- Interfaith groups are meeting regularly with their congregants and community members to discuss their needs and ways the groups can assist.

### Evaluating Phase I

In Phase I, the Commission aimed to learn as much as possible about the needs and challenges of New York communities, the access-to-justice gap in New York, the stakeholders’ interaction with the access-to-justice gap, and the resources that are, or are not, deployed in communities across the state. The community listening sessions proved to be immensely valuable in understanding the role that libraries, schools, faith communities, bar associations, healthcare providers, and the Judiciary play in closing the access-to-justice gap. Significantly, in many instances, attendees were meeting other community services providers for the first time. It was striking that many attendees were unaware of the existence and services of the other providers in their communities.

Additionally, the Commission learned that common access-to-justice gaps exist throughout the state, but unique, community-specific gaps also exist. These two landscapes revealed the opportunity to close the access-to-justice gap by utilizing two strategies: a statewide strategy and a community-based strategy. Going forward, the working groups of the Commission

would focus on creating statewide strategic action plans for their respective components, while considering how to best address needs at the local level. The Commission transitioned to Phase II, Developing the Strategic Action Planning Process, with a better understanding of the access-to-justice gap and the resources that exist in the state.

## **Phase II: Developing the Strategic Action Planning Process**

When undertaking an effort as significant as creating a strategic action plan to close the access-to-justice gap, innovative ideas and sound strategies are important, but designing and implementing processes is critical. The processes should balance rigidity – to provide adequate structure – with flexibility – to respond to emerging issues or changes in the civil legal landscape. In Phase II, the Commission focused on creating strategic action planning processes for its statewide action planning and community-based action planning.

### Statewide Action Planning Process

The working groups, having completed inventory assessments for each of their component's key elements, transitioned to priority-setting. The priority-setting process utilized a framework to identify what efforts could most move New York closer to justice for all. When engaging with the priority-setting process, the working groups were encouraged to consider the following:

- Ease of implementation;
- Stakeholder support;
- Funding requirements;
- Sustainability;
- Measurability; and
- Expected impact

The working groups used the above factors to delineate their initial priorities, resulting in the following priorities for each working group:

- **Foundational Capacities.** Community Integration and Prevention; Technology Capacity; and Judicial and Court Staff Education.
- **Foundational Services.** Courthouse Help Centers; Language Access Services (Interpretation and Translation); Plain Language Forms.
- **Enhancement Services.** Expansion and Efficiency Improvements of Full-Service Representation; Expansion of Limited-Scope Representation; and Role Flexibility for Other Professionals.

Specific strategic action steps for the nine primary priorities are detailed in Phase III.

## Choosing a Local Pilot

The community listening sessions detailed in Phase I highlighted the importance of community, the nature of local problems, local resources, and the role of local courts. It became clear that to close the access-to-justice gap, incorporating these learnings and observations into the strategic action plan would be necessary. Although there are similarities throughout the state, each community is unique and will require careful consideration of local infrastructure and community factors (e.g., demographics; ethnicity; population density; educational system; public transportation; location of courts; availability of healthcare resources; access to libraries, faith communities, etc.). As a result, the Commission decided that a pilot focusing on one county would be appropriate given that it is the entity around which a variety of resources – Department of Social Services, Department of Health Services, the courts, school systems, public transportation – are structured.

Before choosing to conduct a local pilot, the Commission considered a pilot that would close the access-to-justice gap for one case type across the state (e.g., Landlord/Tenant, child support, guardianships). However, the Commission found during the community listening sessions that issues related to a case type developed differently across the State. For example, legal forms, court processes, and court jurisdiction for Landlord/Tenant cases vary based on geographic location. For those reasons, the Commission chose to conduct a local pilot in which a strategic action plan would be developed with the goal of providing 100 percent effective assistance for matters involving the essentials of life within a specific geographic area that could inform similar efforts in communities statewide. The pilot would:

- Identify a core group of community stakeholders who would facilitate collaboration among the wider stakeholder group;
- Leverage the abilities of non-traditional stakeholders (i.e., libraries, schools, churches, hospitals, social service providers) as trusted messengers and sources of information;
- Create new opportunities and tools for gathering and tracking data about community needs and available resources;
- Enhance triage to ensure resources are deployed as efficiently and effectively as possible;
- Refine and create a more comprehensive understanding of the access-to-justice gap in the community and the resources needed to close it;
- Engage the courts on action items that would improve not only their processes but also the unrepresented litigants' experience with the civil justice system; and
- Integrate with statewide efforts that can be impactful when coordinated and organized to address local needs.

The Commission then considered which geographic area would be appropriate for the pilot. Reflecting on the community listening sessions, the Commission determined it had a relatively comprehensive understanding of the factors influencing the ability for a local pilot strategic action planning effort to be successful in different areas of the state. Certain gaps and barriers to effective assistance were common across suburban, urban, and rural

communities, while each also had unique issues of their own. When considering a location for a local pilot, the Commission concluded that location should have:

- Sufficient existing resources that can be organized, expanded, and coordinated;
- Diversity of needs and community members that reflect a representative sample of New York (though recognizing that all communities face unique issues); and
- Sufficient challenges so that the Commission could demonstrate its ability to formulate solutions to longstanding, systemic problems and to maximize the educational effect of the local pilot for future strategic action planning efforts.

### Choosing Suffolk County

Upon reviewing the listening session notes and researching other potential communities, the Commission decided that Suffolk County would be an excellent location for the pilot. The Commission considered six factors indicating that Suffolk County would be a suitable location for a local pilot:

- **Sufficiently large county.** The population of Suffolk County is 1.5 million across approximately 900 square miles.<sup>23</sup> The size of the county will challenge the Commission to provide effective assistance to a large population across a geographically expansive and diverse area.
- **Significant need.** Suffolk County is home to the largest veteran population (approximately 80,000) as well as the largest Veterans Affairs Medical Center in the state.<sup>24,25</sup> The foreclosure rate is twice the state average and four times the national average.<sup>26</sup> The poverty rate ranges from 17 to 22 percent with ten percent of children living in poverty.<sup>27,28</sup> Suffolk County has the largest number of migrant children who have traveled to the United States without a responsible adult (known as unaccompanied minors) in the country.
- **Language, ethnic, and cultural diversity.** Twenty-two percent of households speak a language other than English at home, including more than 180,000 Spanish speakers.<sup>29,30</sup> Suffolk County's population identifies as 68 percent White, 19 percent

---

<sup>23</sup> U.S. Census Bureau. American Community Survey 1-year estimates. 2016.

<https://censusreporter.org/profiles/05000US36103-suffolk-county-ny/>.

<sup>24</sup> Employment in New York State. A Statistical Portrait of Veterans in New York State. November 2014.

<https://labor.ny.gov/stats/PDFs/enys1114.pdf>.

<sup>25</sup> Top 8 largest U.S. Veterans Affairs Hospitals. Modern Healthcare. December 21, 2015.

<https://www.pressreader.com/usa/modern-healthcare/20151221/282299614124313>.

<sup>26</sup> <https://www.graphiq.com/search/search?cid=4&query=foreclosure+suffolk+county+ny/>.

<sup>27</sup> [https://assessment.communitycommons.org/UserContents/CHNA\\_Content/CHNA38318RPT\\_2.pdf](https://assessment.communitycommons.org/UserContents/CHNA_Content/CHNA38318RPT_2.pdf).

<sup>28</sup> Child Well-being: Suffolk County. Council on Children and Families. 2015.

[http://www.nyskwic.org/get\\_data/county\\_report\\_detail.cfm?countyID=36103](http://www.nyskwic.org/get_data/county_report_detail.cfm?countyID=36103).

<sup>29</sup> U.S. Census Bureau. Quick Facts.

<https://www.census.gov/quickfacts/fact/table/suffolkcountynyork/HCN010212>.

<sup>30</sup> <https://datausa.io/profile/geo/suffolk-county-ny/>.

Hispanic, seven percent Black, and four percent Asian.<sup>31</sup> More than 15 percent of Suffolk County residents are foreign-born.<sup>32</sup>

- **Housing diversity.** The county, which has urban, suburban, and rural communities, has a mix of rental housing and homeownership.
- **Community diversity.** The average population density for the county is 1,650 people per square mile. However, Western Suffolk has a density of 2,430 people per square mile, and Eastern Suffolk has a density of 395 people per square mile.<sup>33</sup> Western and Eastern Suffolk County represent urban / suburban communities and rural communities, respectively.

The Commission, through the information gathered during the Suffolk County listening sessions, identified four factors that indicated Suffolk County would be a suitable location for a local pilot:

- **Engaged providers.** Suffolk County is home to a substantial network of civil legal service providers and other non-profits serving community members. These providers are receptive to efforts to develop more efficient and effective networks of service delivery. Opportunities for non-legal partnerships with organizations such as the Health and Welfare Council and the Suffolk County Public Library System also exist.
- **Supportive Judiciary.** Under the strong leadership of the 10<sup>th</sup> Judicial District (Suffolk County) Administrative Judge, Hon. C. Randall Hinrichs, the Suffolk County courts support efforts to expand access to justice. This leadership and support will assist in reaching other stakeholders as well as aid in the creation of strategic networks.
- **Active bar association.** The Suffolk County Bar Association (SCBA) is active and supportive of new efforts to promote accessibility to the justice system. Current and past leaders of the SCBA expressed an interest in being directly involved in the Commission's efforts in Suffolk County.
- **Law school presence.** Touro Law School, located in Central Islip, provides a variety of legal clinics for Suffolk County residents as well as trainings for legal services providers. Additionally, there is a supply of law students to deploy as volunteers for potential programs.

For additional data regarding Suffolk County, see Appendix B. Based on the factors described above, the Commission determined that Suffolk County would be an appropriate place to work toward closing the access-to-justice gap first. A combination of diversity, needs, resources, challenges, and support created an inviting landscape for strategic action planning.

---

<sup>31</sup> U.S. Census Bureau. American Community Survey 1-year estimates. 2016.

<sup>32</sup> U.S. Census Bureau. Quick Facts.

<https://www.census.gov/quickfacts/fact/table/suffolkcountynynewyork/HCN010212>.

<sup>33</sup> Suffolk County Comprehensive Plan. Chapter 2, Population. 2015.

[http://www.suffolkcountyny.gov/Portals/0/planning/CompPlan/vol1/vol1\\_chpt2.pdf](http://www.suffolkcountyny.gov/Portals/0/planning/CompPlan/vol1/vol1_chpt2.pdf).

## Strategic Action Planning Process – Suffolk County

With Suffolk County selected as the pilot location, the Commission recognized the need to establish a core group of stakeholders in Suffolk County to lead the local strategic action planning efforts. This core group of stakeholders was largely drawn from participants in the Suffolk County listening sessions and included representatives from civil legal aid providers, the Judiciary, Touro Law School, and the SCBA. Formal invitations to be a part of this effort were sent to the stakeholders, and upon acceptance, the Suffolk County JFA Leadership Committee (the leadership committee) was established.

The leadership committee, in conjunction with the Commission, decided that it should organize itself into task forces (local task forces or LTFs), to address certain access to justice issues or topics. During its first meeting, the leadership committee brainstormed, considered several potential task forces, and established five LTFs (described in detail below):

- Legal Representation;
- Initial Points of Entry;
- Technology;
- Messaging; and
- Accessibility

Each LTF would be led or co-led by leadership committee members. Following a similar framework as the working groups, the LTF leaders were encouraged to invite other stakeholders with relevant expertise and experience to their task forces. Once the LTF leaders formed their respective task forces, they would begin to follow a similar process that the statewide working groups followed – assessing, priority-setting, strategic action planning – but on a significantly expedited timeline. Throughout the local planning process, the leadership committee and representatives from the Commission met regularly to discuss the progress of the LTFs and to share ideas and resources. Detailed inventory assessments and prioritization rationale for each LTF will be discussed in Phase III. Below are summaries of each LTF.<sup>34</sup>

### *LTF 1 – Legal Representation*

The Legal Representation LTF was created to consider how civil legal services providers can create new service delivery models, expand current service delivery models, and identify areas of the law where the availability of civil legal services is lacking. Members of this LTF include: program and executive directors of civil legal and social service organizations; representatives from local bar associations; county and district executives; law clerks and other court staff; and the District Administrative Judge. LTF 1 is co-led by Donna England, Past President Director, SCBA; Patricia Meisenheimer, President, SCBA; and Jeffrey Seigel, Executive Director of Nassau Suffolk Law Services.

---

<sup>34</sup> The ordering of the LTFs above is random and does not imply importance or prioritization.



### *LTF 2 – Initial Points of Entry*

The Initial Points of Entry LTF was created to explore how the places that community members turn to in times of crisis can be more fully-equipped to assist community members in need. Churches, schools, and libraries, for example, are often the venues where community members first share their needs – legal or non-legal – with pastors, teachers, or librarians, hence the name, “initial points of entry.” As the system currently exists, the initial points of entry are often unfamiliar with available resources. or how to make an effective referral. Members of this LTF include: civil legal and social services organizations; health service providers; law clerks and other court staff; public library librarians and court law librarians; law school representatives; and the Commissioner of the Department of Social Services. LTF 2 is co-led by Myra Berman, Associate Dean for Experiential Learning and Associate Professor of Law Touro Law Center, and Warren Clark, District Executive, 10<sup>th</sup> Judicial District, Suffolk County.

### *LTF 3 – Technology*

The Technology LTF was created to evaluate how technology tools or systems could be developed and integrated into the community for all stakeholders. In addition to standardized data collection and technology infrastructure development, the work of this LTF was largely guided by the initiatives and ideas of the other LTFs. The Technology LTF would collaborate with the other LTFs on ways that technology could be incorporated to enhance or expand their efforts. Members of this LTF include: civil legal services providers using innovative technology tools; law school representatives; Suffolk County Courts Technology Department; and the court system’s Office for Justice Initiatives. LTF 3 is co- led by Jack Graves, Director of Digital Legal Education and Professor of Law at Touro Law School and Mike Williams, Chief Clerk, Suffolk County Family Court.

### *LTF 4 – Messaging*

The Messaging LTF was created to strategize how the efforts of the Suffolk County pilot would be branded, marketed, and communicated to community members and other stakeholders. Throughout the strategic action planning process, this LTF considered what processes should be followed for creating customized messages for different stakeholders and how to effectively deploy those messages. Members of this LTF include: civil legal services providers who have experience increasing awareness of their services; the Outreach Coordinator for Suffolk County Courts; and the Media Relations Manager at Voices for Civil Justice. LTF 4 is led by Thomas Maligno, Director of Pro Bono and Public Interest at Touro Law School and Executive Director of its Public Advocacy Center.

### *LTF 5 – Accessibility*

The Accessibility LTF was created to develop a strategic action plan that eliminates an array of access issues that can be grouped into two categories: physical access to services and courts (i.e., lack of reliable transportation, rural access, unrepresented litigants with physical

disabilities) and mental access to services and courts (i.e., unrepresented litigants with mental health limitations, fear of the civil legal system, and limited English proficiency). This LTF first identified general accessibility barriers as well as barriers that specific populations face. Next, it considered how the efforts of other LTFs – specifically Technology and Initial Points of Entry – could alleviate access issues. Members of this LTF include: representatives from specific populations (veterans, Shinnecock Nation, seniors, non-English speakers, and the physically disabled); mental healthcare providers; and users and representatives of public transportation. LTF 5 is co-led by Don Friedman, Managing Attorney, Empire Justice Center and Mary Porter, Principal Law Clerk for the Chief Administrative Judge of Suffolk County.

### Statewide Stakeholder Meeting

As the working groups' and LTFs' ideas and priorities began to materialize, the Commission determined that it would host a statewide meeting as an opportunity to solicit feedback from as many stakeholders across the state as possible. This meeting was an integral step in the strategic action planning process as the Commission was able to incorporate valuable feedback from stakeholders around the state with whom it had not yet had the opportunity to engage.

On September 27, 2017, the Commission hosted an all-stakeholder meeting at the New York State Judicial Institute in White Plains where leaders in access to justice throughout New York and around the country met to discuss the JFA strategic action planning efforts to date. The Commission had carefully considered when to convene this meeting to ensure it was far enough along in the process to present a variety of initial considerations, but not so far along that feedback could not be incorporated in the strategic action plan.

To organize the meeting, an invitee list, which contained not only stakeholders from Commission members' networks but also representatives from libraries, churches, schools, government agencies, and LSC, was created. Early in the development of the invitee list, the Commission realized it would be challenging, and perhaps ineffective, for every invitee to attend the meeting in person. To alleviate this issue and still be inclusive, a group of approximately 150 stakeholders were invited to the in-person meeting while the remaining invitees participated remotely via live stream. Keeping in mind the importance of ongoing interaction among community members and stakeholders, the Commission arranged for common meeting locations around the state for those who wanted to participate remotely with others from their community.

See Appendix C for a comprehensive list of organizations that attended in-person and remotely.

The all-day meeting began with an introduction by Helaine Barnett, Chair of the New York Permanent Commission on Access to Justice, followed by opening remarks delivered by Hon. Janet DiFiore, Chief Judge of New York. Neil Steinkamp, consultant to the

Commission, led the morning plenary session, which was an overview of the statewide strategic action planning process. Breakout sessions for each statewide working group followed the morning plenary. These sessions were led by the leaders of each working group and aimed to engage attendees in a more-detailed discussion about each working group priority. During lunch, the leaders of each working group presented summaries of their respective breakout sessions. The afternoon plenary, also delivered by Neil Steinkamp, provided an overview of the local strategic action planning taking place in Suffolk County. Following the afternoon plenary, breakout sessions for each LTF were convened under the same framework as the statewide working group breakout sessions. The meetings ended with the leaders of the LTFs summarizing their respective breakout sessions followed by closing remarks by Helaine Barnett.

Observations from the meeting will be discussed in greater detail in Phase III. However, relevant findings include:

- Standardized consistent, accurate data collection and tracking is critical to understanding the current need, monitoring emerging need, and evaluating efforts;
- Expanded technology capacity must include the development of content and data standards and a statewide knowledge management system;<sup>35</sup>
- Technology must be used to make lawyers more efficient and effective, rather than attempt to eliminate them;
- Poverty simulations for judges, court staff, volunteers, and other stakeholders can be beneficial to helping them understand the challenges that low-income community members regularly face;
- Language and literacy skills should be considered when creating or updating forms, signage, information, etc.;
- Trained volunteers can be deployed as a preventive measure to proactively engage community members on both legal and non-legal issues;
- Limited-scope representation, in appropriate cases, can be effective when coupled with proper training of judges, civil legal service providers, and pro bono attorneys;
- Messaging and communications should be customized based on the audience. The message should be carefully crafted as to not overpromise outcomes;
- Single points of entry can facilitate data collection and holistic approaches to service delivery – legal and non-legal;
- Certain accessibility issues, such as language barriers and rural geographies, can be overcome by using technology or by using trained volunteers to take services to community members rather than community members having to travel to the services.

---

<sup>35</sup> Knowledge management is the systematic management of knowledge assets for the purpose of creating value and meeting tactical and strategic organizational goals.

Both the working groups and the LTFs expressed the value they found in convening a statewide meeting not only to share their ideas and receive feedback but also to foster a more collaborative environment among stakeholders statewide. The Commission, its working groups, and the LTFs left the meeting with helpful feedback that would be incorporated into their final strategic action plans.

### **Phase III: Completing the Strategic Action Planning Process**

Throughout Phases I and II, the Commission, its working groups and the Suffolk County LTFs, organized and initiated the strategic action planning process. In collaborating with stakeholders throughout the State, and in local communities, a variety of ideas and observations were shared and considered throughout the process. As the Commission moved into its final phase of the strategic action planning process, these ideas and observations became concrete strategic action steps.

Phase III includes details of the creation of the strategic action steps for both the statewide working groups and the Suffolk County LTFs.

#### Statewide Working Groups

As described in Phase I, statewide working groups were established to develop strategic action plans to address statewide access to justice issues that would result in comprehensive, statewide initiatives. First, each working group conducted an inventory assessment using the Inventory Assessment Guide and the Component Assessment Sheets provided in the Guidance Materials. Next, the working groups set priorities and incorporated feedback from the September Statewide Stakeholder Meeting. Last, the working groups crafted strategic action steps for each priority. The result of these processes is detailed in the following pages for each working group.

#### *Foundational Capacities Working Group – Inventory Assessment and Priority-Setting*

The Foundational Capacities Working Group explored six components related to the efficient and effective operation of the justice system:

- Design, Governance, and Management;
- Resource Planning;
- Technology Capacity;
- Triage, Referral, and Channel Integration;
- Community Integration and Prevention; and
- Judicial and Court Staff Education

During the inventory assessment process, the Working Group verified the existence of certain programs, services, technology, and data; examined the extent of each component's

development and availability throughout New York; and evaluated impact and potential for scalability. The inventory assessments for the Working Group's priorities are as follows:

- **Technology Capacity.** Because of the disparate technology platforms, tools, and capabilities across the state, the Working Group found it challenging to conduct an inventory assessment for this component. Instead, it suggested that the overriding objective of technology should be to coordinate, integrate, and simplify the various resources, services, and capabilities offered by civil legal services providers, taking advantage of LawHelpNY as a statewide public access portal for resources and services.
- **Community Integration and Prevention.** Data reported by organizations receiving funding through JCLS and IOLA grants shows that numerous civil legal services providers collaborate and partner with legal and non-legal service providers and community organizations to provide direct and pro bono legal services, as well as offer workshops, trainings, and materials on a variety of topics that allow the service providers and community organizations to better assist their clients. Each year the Commission hosts hearings where such collaborative partnerships are presented as examples of community integration and prevention. For example, the Orange County Rural Development Advisory Corporation partners with Legal Services of the Hudson Valley to ensure that homeowners facing foreclosure have assistance and representation. Legal Hand neighborhood storefront centers, run by the Center for Court Innovation in collaboration with three legal services providers (The Legal Aid Society, Legal Services NYC and New York Legal Assistance Group), use trained nonlawyer community volunteers to provide free legal information, assistance and referrals to help resolve issues that affect the essentials of life and prevent problems from turning into legal actions. While these types of community integration and prevention efforts are ongoing, the Working Group's research indicated that a majority of stakeholders are unaware of the other stakeholders in their community. Accordingly, it was concluded that community integration and prevention efforts are currently only at a baseline level.
- **Judicial and Court Staff Education.** The Working Group identified a number of educational programs for judges on access-to-justice topics. However, this programming needs to be expanded as part of a broad-based curriculum and offered on a regular basis. For court staff, the Facilitating Access Training Program was developed in 2004 to enhance the ability of courthouse staff to expand access to the courts. Due to staffing and funding constraints, however, this program has not been regularly offered since 2008. The Working Group concluded that additional judicial and court staff educational efforts are needed.

The Working Group's three priorities and details for each are:

- **Community Integration and Prevention.** As was evident at the community listening sessions, robust community networks are needed to ensure that all service providers and community members are aware of available resources and proactively collaborate to connect individuals in need with the most appropriate services as soon as possible. The Working Group identified its highest priorities within this priority as: development of collaborative partnerships; enabling of robust information exchange between organizations; and proactive issue identification. This will be accomplished initially through the planning and convening of a statewide stakeholder conference for the sharing of knowledge, strategies and best practices on community integration.
- **Technology Capacity.** To better coordinate, integrate, and simplify resources so that individuals in need can easily access them, technology capacity must be developed. Additionally, innovative technology solutions properly deployed can create efficiencies for civil legal services providers, pro bono attorneys, and the courts. The Working Group identified its highest priorities within this priority as: creation of applications and APIs to allow ease of access; and integration into existing systems (e.g., integrate Do-it-Yourself (DIY) forms into the court and provider case management systems). For this to be accomplished, the Working Group recommends: comprehensive DIY forms be developed; enhancements be made to LawHelpNY so that it can serve as a statewide portal; remote pro bono consultation platforms be created (such as Closing the Gap, which supports secure urban/rural pro bono collaboration through a combination of videoconferencing, interactive interviews, document sharing, and workflow tools); data standards and content be adopted to ease integration and facilitate evaluation; and a statewide knowledge management strategy be developed in order to develop a virtual resource library for existing online litigation and substantive law resources.
- **Judicial and Court Staff Education.** Educating judges and court staff on, at a minimum: ethical obligations of judges in dealing with unrepresented litigants and ensuring equal access to justice; engagement of unrepresented litigants; availability of community resources and other referral opportunities; language access requirements; procedural fairness and cultural competency (including how poverty might impact a litigant's interaction with, and navigation of, the court system) will be essential to ensure that all litigants are treated equally and fairly, and have access to the resources and services necessary to resolve their problems. For this to be accomplished, the Working Group recommends mandating that the Facilitating Access Training Program be expanded and provided to all court staff, and an access-to-justice curriculum be created for judges and quasi-judicial officers, with course offerings incorporated into all existing annual judicial education programs such as the New Judges Seminar, the Matrimonial Seminar, the Family Court Judges Seminar and the Summer Seminars. Initial offerings should focus on cultural competency topics, including implicit bias, inclusion, and how poverty might impact a litigant's

interaction with and navigation of the legal system, with skills training incorporated through poverty simulations.

### *Foundational Capacities Working Group – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this Working Group was led by Anne Erickson, President and CEO of Empire Justice Center, and Lillian Moy, Executive Director of the Legal Aid Society of Northeastern New York. There were 39 in-person attendees, 17 individual live stream attendees, three live stream attendees at a group location on Long Island, and four live stream attendees at a group location in Rochester. Attendees to the breakout session included: executive directors, lawyers, board members and administrators of large and small legal aid organizations; legal technology experts; communications professionals; bar association presidents; funders; court staff; judges; law school administrators and professors; and social service representatives.

After providing relevant background regarding the inventory assessment and priority-setting processes, the breakout session leaders presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below for each priority.

- **Community Integration and Prevention**

Questions:

- What does a successful community integration project look like? What elements would it have in terms of leadership and participation? What is the infrastructure for ensuring sustainability? Is there/will there be interest and motivation among stakeholders?
- These are the characteristics of communities that have successfully integrated legal and other services: some variant of reliable and skilled leadership, a core group of agencies that believe and are committed to integration, some level of support from local government and the court, a variety of services for users, and users in need of services. Do you agree? What else is needed to develop networks and collaborations? Do you have examples of successful collaborations in your community? What makes it work? What would have been helpful to make the project even more successful? What lessons did you learn that we should be thinking about as we plan forward?

Attendee Feedback:

- Successful community integration starts with connected systems – data, services, and resources – that are continually sharing information and responding to community needs.

- While there are common features among successful examples of community integration, there is no cookie cutter approach. Community members are unique, their problems are unique, and solutions need to be unique.
- Word of mouth is powerful in communities. Successful interactions with community members lead to people sharing their experiences and in turn, other community members getting their needs addressed.
- Prevention requires a consistent presence in the community. This could be achieved by volunteers simply spending time in a community and getting to know its residents and their issues. The volunteers do not need to be attorneys but should be trained to issue spot and to make an appropriate referral.

- **Technology Capacity**

Questions:

- What is the most effective role technology could play in meeting the needs of clients? How can technology advance the selected priorities? What aspects of technology are priorities? How can technology be used when courts, communities, and providers have different systems or are at various levels of technological capacity? Who will take a leadership role? What are the resources needed to create sustaining levels of technology capacity?
- We need statewide and local technology resources. How are technology resources integrated into your community? Are you satisfied with the use of technology in your community? Do websites cross link or otherwise interact? What is missing? What is your ideal use of technology to better serve clients? Where have you seen technology work for your clients? What stood out to you? Where could technology be better used to make the work of your organization more effective?

Attendee Feedback:

- A statewide, technology-enabled knowledge management system would have a significant impact on the efficient delivery of services to individuals in need, by allowing the development of a virtual resource library for existing online litigation and substantive law resources for use by legal services attorneys and staff.
- Establishing or adopting data standards can assist in technology integration when courts, communities, and providers each use different systems. Linking these disparate systems or creating a shared portal can improve sharing of information via technology.
- When considering any user-facing technology, access to technology and technology literacy must be carefully researched. Not all community members



have consistent access to smartphones or the internet, and older generations may not be comfortable using technology.

- Technology should be thought of not only as “how do we improve what we are doing right now,” but also “how do we do new things that expand our capacity to serve.”

- **Judicial and Court Staff Education**

Questions:

- What training would help make your local judges and courts contribute more effectively to meaningful access to justice? What topics should be discussed in the training? Should the training be mandatory?
- Who would champion implementation? Who would develop the curriculum? Who would teach the courses? What training materials would need to be developed? What would the cost be to effectively train all judges and court staff?

Attendee Feedback:

- The everyday challenges faced by individuals living in poverty are widely misunderstood by judges and court staff. For that reason, educational programming on cultural competency, including poverty simulation experiences, should be developed and mandated.
- A reference guide to services and resources available to unrepresented litigants could be developed for use by judges and court staff, who should be trained in its use. When judges or court staff encounter an unrepresented litigant who they believe needs additional assistance, they will be able to use the guide to notify the litigant that services and resources exist.
- Attendees agreed that judge and court staff training should be mandatory.

*Foundational Capacities Working Group – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the Working Group developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized in the following pages.

- **Community Integration and Prevention**

1. A statewide conference will be convened to bring stakeholders from all regions of the State together to collaborate and share knowledge, strategies, and best practices on community integration of services.

2. Plan activities and events leading to statewide stakeholders meeting, possibly to be held in conjunction with the New York State Bar Association's Partnership Conference in October 2018.
  3. Begin gathering resources for development of tool kit and a best practices manual on community integration; develop expanded list of stakeholders to participate in conference; gather resources and research.
  4. Consider convening regional stakeholder meetings; select potential locations and stakeholders.
  5. Present updates at the annual Law School and Technology Conferences;
  6. Disseminate working drafts of tool kits and best practices manual to stakeholders and gather feedback.
  7. Gather additional feedback at statewide conference; finalize tool kits and best practices and publicize widely.
  8. Develop a process for periodic evaluation and refinement.
- **Technology Capacity**
    1. Develop technology to coordinate, integrate and simplify access to various existing resources and services, and provide integration among existing systems, including the courts' and providers' case management systems, with initial focus on establishing data and content standards and a knowledge management system.
    2. Meet with Pro Bono Net, NYSTech, Pro Bono Law Firm IT Initiative and law librarians to plan collaboration and prioritize efforts; build a strategic network of other legal technology stakeholders (e.g., Cornell Technology Center, court system IT specialists).
    3. Develop the agenda for annual statewide Technology Conference to focus on advancing the technology priorities identified in the Strategic Action Plan.
    4. Conduct an inventory assessment of technology resources throughout the state, including technology used by civil legal services providers; use the inventory assessment to update the Commission's 2013 Technology Assessment.
    5. Research existing and emerging data and content standards being used in New York and around the country.
    6. Conduct an inventory of existing knowledge management resources, including the online repository of administrative hearing decisions and the online health law resource center; use findings to begin thinking about and drafting a statewide knowledge management strategy for collecting and storing resources.
    7. Begin drafting data and content standards, as well as potential knowledge management strategies.
    8. Host relevant sessions at the annual Technology Conference; gather feedback regarding data and content standards as well as a statewide knowledge management strategy.

9. Continue drafting data and content standards; host a session on a statewide knowledge management system at the Partnership Conference.
10. Disseminate data and content standards for feedback; begin drafting a statewide knowledge management strategy; disseminate strategy for feedback and incorporate feedback. Institute a follow-up, evaluation, and oversight function.
11. Finalize data and content standards and statewide knowledge management strategy; begin piloting.
12. Develop a process for periodic evaluation and refinement.

- **Judicial and Court Staff Education**

1. Court system should strongly consider implementing an educational requirement for judges and court staff on issues related to cultural competence, including implicit bias, inclusion, and the impact of poverty that incorporates poverty simulations.
2. Review existing training programs and potential presenters; if none appropriate, tailor a program to meet needs of New York court system.
3. Update and expand the Facilitating Access Training Program for all court employees; explore developing an online training program.
4. Develop a deployment strategy for both judicial and court staff trainings.
5. Implement updated and/or new judicial and court staff training programs.
6. Gather feedback from participants; evaluate the programs; revise and refine curricula as necessary.
7. Continue roll out; consider additional access-to-justice topics for new trainings.
8. Develop a process for periodic evaluation and refinement.

*Foundational Services Working Group – Inventory Assessment and Priority-Setting*

The Foundational Services Working Group explored four components related to services that should be developed to enhance the scope of court-based services for unrepresented litigants:

- Broad Self-Help Informational Services;
- Plain Language Forms;
- Language Services Integration; and
- Simplification of Forms

During the inventory assessment process, the Working Group reviewed existing resources and initiatives; studied efforts and resources in other states; and evaluated impact and potential for scalability. The Working Group also identified opportunities for statewide development of new Help Centers; further development and integration of plain language forms; and increased investment in and oversight of the implementation of the court

system's 2017 Language Access Plan. The inventory assessments for the Working Group's priorities are as follows:

- **Broad Self-Help Informational Services.** The Working Group evaluated the effectiveness and availability of in-person and online self-help services provided by the court system. Reviewing plain language availability, mobile optimization, and staffing, the Working Group cataloged programs across the State. These programs and resources include: 28 Help Centers throughout the State where staff hold one-on-one consultations and provide legal information and referral services; CourtHelp, the Unified Court System's website that provides extensive online information in plain language; and LawHelpNY, another statewide website, available also in Spanish, that provides legal information and referral information. The Working Group concluded that there are opportunities for these resources to be expanded to self-sustaining levels.
- **Plain Language Forms.** The Working Group assessed printed forms, fillable .pdf forms, document assembly programs, and case management integration. Currently, the court system does not have standardized plain language printed or fillable forms or protocols for assessing the usability of existing forms. The NYS Courts Access to Justice Program in the court system's Office for Justice Initiatives develops and maintains the court's DIY document assembly program, which utilizes A2JAuthor and HotDocs software. The court system has integrated Family Court domestic violence cases for the Family Offense Petition Program to transfer data collected in the program directly to its universal case management system. A similar effort related to Family Court DIY forms is ongoing. The Working Group concluded that more resources dedicated to this component are needed to ensure its development.
- **Language Services Integration.** The Working Group assessed the programs by which language services are being provided, and the extent to which they are readily available to those in need of language services. Interpretation services are provided regularly and widely throughout the court system but additional resources are needed. Some Help Centers serve as a resource for limited English proficiency litigants as multi-lingual staff may be available to assist them. CourtHelp is available only in English and LawHelpNY is available in a variety of languages beyond English and Spanish. While there are significant investments in language programs and resources, further resources (e.g., more qualified interpreters, professional translation, staffing, Help Center language services, signage throughout the courts) will be necessary to ensure that language services are easily accessible and effective.

The Working Group's three priorities and details for each are:

- **Broad Self-Help Informational Services (focus on Help Centers).** Expansion of Help Centers in courthouses throughout New York would be impactful in providing litigants assistance in navigating court processes, filings and forms. Staffing, funding, and technology considerations will be integral to establishing additional Help Centers

throughout the State. Consideration also should be given to establishing Help Centers at other community venues with community partners, including law schools provided there is appropriate court oversight, supervision and training of legal and non-legal staff.

- **Language Services Integration (focus on interpretation and translation).** In March 2017, the New York court system issued a strategic plan for the New York State Courts; Ensuring Language Access, supplementing its 2006 and 2011 plans to enhance language access services statewide. This priority seeks to support implementation of this plan as well as highlight the need for expanded interpretation and translation services. For meaningful access, interpretation and translation services need to be available in the courtroom, throughout the courthouse, in-person, online and via telephone.
- **Plain Language Forms.** For initiatives concerning Language Services Integration to be successful, current forms and materials should be converted to plain language. A library of plain language court materials will facilitate translation into other languages. The use of plain language will help to simplify forms, which may help simplify court processes. Because of the numerous ways by which forms can be created by courts throughout the state, plain language initiatives have been difficult in the past. There is a large gap with respect to plain language, which is a reason why this component has been chosen as a priority.

#### *Foundational Services Working Group – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this Working Group was led by Raun Rasmussen, Executive Director of Legal Services NYC. There were 38 in-person attendees, 14 individual live stream attendees, and ten live stream attendees at a group location on Long Island. Attendees to the breakout session included: directors, lawyers, board members and administrators of large and small legal aid organizations; Help Center coordinators and administrators; court interpreters and interpreters for civil legal services providers; community resource coordinators; advocates; communications professionals; bar association presidents; funders; court staff; judges; law school administrators and professors; and social services representatives.

After providing background regarding the inventory assessment and priority-setting processes, the breakout session leader presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below for each priority.

- **Broad Self-Help Informational Services (focus on Help Centers)**

Questions:

- What are the capabilities of an ideal Help Center? Which capabilities are essential?
- How can we build a Help Center in every court throughout New York? How do we track progress in doing this?
- How do we find resources for Help Centers?
- What is the best way to develop and make online resources easily accessible to unrepresented litigants?

Attendee Feedback:

- Even though the Help Centers are designed to assist unrepresented litigants understand and navigate the legal and court processes, the vast majority of individuals still need personal assistance. Litigants often believe that Help Center staff are there to provide legal advice and answer substantive legal questions rather than only provide information. This confusion can lead to unrepresented litigants becoming further frustrated with the legal system.
- Physical space limitations in courthouses throughout the State present a challenge for installing Help Centers in every court. However, each county is required to have a public access law library. Partnerships with the law libraries could be explored as a viable option for physical Help Centers.
- Help Center staffing will need to be considered. It may be possible to reconfigure court staffing structures without adding dedicated Help Center staff, thereby creating efficiencies.
- Consider recruiting and training of law students to assist court staff in Help Centers.

- **Language Services Integration (focus on interpretation and translation)**

Questions:

- How can we support implementation of the court system's 2017 Ensuring Language Access Plan? Are there any other issues or areas that should be considered?
- What language services are most critical to accessibility for all?

Attendee Feedback:

- The first step in ensuring implementation of the 2017 Language Access Plan is to carefully consider the resources necessary for the plan to be effective. A larger pool of qualified interpreters and translators needs to be established.

- Unrepresented litigants often need access to a live interpreter who is physically with them. While interpretation services via phone or video are helpful, litigants may have hearing or other limitations and may not receive the benefits associated with body language.
- If in-person language services are going to be expanded or implemented for the first time, it is important for unrepresented litigants to know on what days and at which times the interpreter they need will be available at the courthouse. Right now, this information is not widely available, compounding access to justice issues and contributing to inefficiencies.
- Certain phrases and/or legal terms do not exist in other languages, yet unrepresented litigants need these phrases and/or terms explained to them. While it is not the role of the interpreters to provide the explanation, they often do so. If this is becoming a responsibility of interpreters, standardized explanations must be developed.

- **Plain Language Forms**

Questions:

- Current efforts to revise Family Court forms into plain language are ongoing, and a next potential case type for plain language forms is Landlord/Tenant. How can we expand, expedite and improve these efforts?
- What are the procedural barriers to creating plain language standards for forms?

Attendee Feedback:

- The process of creating plain language court forms should include an evaluation of forms needed for the legal action. Sometimes, judges or the court system requests certain information for the first appearance. However, this information is not necessary for the content of the petition. Requiring unnecessary information and forms creates an even more cumbersome process for unrepresented litigants.
- Seek advice from nonlawyers, including law students. Lawyers are accustomed to writing in “legalese,” which may hinder their ability to offer suggestions related to plain language.
- Because the law itself is not written in plain language, there may be resistance from lawyers and judges to accepting the movement towards increasing the use of plain language. It may be necessary to address plain language at the legislative level to standardize certain phrases and terms.

Incorporating the feedback from breakout session attendees, the Working Group developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

- **Broad Self-Help Informational Services (focus on Help Centers)**
  1. Expand Help Centers statewide, with consideration given to the feasibility of locations and staffing requirements, including both lawyers, law students and nonlawyers, along with the development of statewide standards and best practices, staffing, hours of operation and services
  2. Consider establishing a Help Center Strategic Planning Advisory Committee to identify priorities, opportunities for expansion, resources, strategic partners, governance structures, and plan for a multi-year implementation of Help Centers throughout the State.
  3. Expand CourtHelp, a heavily used online resource for unrepresented litigants, by increasing topic areas, live chat capabilities, and translating the website into Spanish.
  4. Develop a process for periodic evaluation and assessment.
  
- **Language Services Integration (focus on interpretation and translation)**
  1. Support implementation of the court system's 2017 Ensuring Language Access Plan.
  2. Recruit qualified interpreters for languages that are most underserved. Free or low-cost recruiting could be accomplished through partnerships with pro bono advertising firms, local government public service announcements, civil legal services providers, and colleges/law schools.
  3. The frequency of interpreter testing should be increased so that there is greater flexibility in adding interpreters when needed.
  4. Create annual training for judges and court staff on working with interpreters.
  5. The Committee on Translation, charged with studying translation services under the court system's 2017 Language Access Plan, should consider the creation of an Office of Translation Services under the umbrella of the Office of Language Access to oversee expansion and enhancement of translation services throughout the court system.
  6. Develop dictionaries of common legal terms and court-related words to maintain uniformity in interpretation of terms and for use in the translation of all court materials. These dictionaries should be utilized and available throughout the court system.
  7. Translate the following documents/communications first: (1) the CourtHelp website; (2) *How-to* guidebooks for unrepresented litigants; (3) court forms; and (4) Help Center documents currently in plain language.
  8. Develop a process for periodic evaluation and refinement.



- **Plain Language Forms**

1. Recommend to the Chief Judge that an advisory committee on plain language be established to develop an action plan for the creation of a plain language “library” of New York State court materials ranging from informational notices to pleadings and forms. The advisory committee should include justice system stakeholders, linguists, court users and other experts, and examine plain language initiatives in other states. The court system should oversee the development and approval of official and standard court forms to ensure consistency throughout the State.
2. Provide plain language training for all personnel involved in form creation.
3. Translate into plain language all statewide forms that are deemed “official” or “standard.”
4. Continue translation of Family Court forms into plain language. Next, translate Landlord/Tenant forms into plain language.
5. Explore the use of e-filing for plain language forms and DIY forms as a way to integrate with the courts’ case management systems.

*Enhancement Services Working Group – Inventory Assessment and Priority-Setting*

The Enhancement Services Working Group explored six components related to services that build upon foundational capacities and foundational services that enable more people to be served throughout the system:

- Alternative Dispute Resolution (ADR) Integration;
- Compliance Assistance;
- Courtroom Assistance;
- Unbundled (Discrete Task) Legal Representation, hereinafter referred to as Limited-Scope Representation;
- Expansion and Efficiency Improvements of Full Service Representation; and
- Role Flexibility for Other Professionals

During the inventory assessment process, the Working Group reviewed existing resources and initiatives; comparatively studied efforts and resources in other states; surveyed civil legal services providers throughout New York to gain a better understanding of their service capacity; and evaluated impact and potential for scalability. The inventory assessments for the Working Group’s priorities are as follows:

- **Expansion and Efficiency Improvements of Full-Service Representation.** The Working Group surveyed civil legal services providers throughout New York to identify how many are offering full representation and to gain insights about innovative strategies or efficiencies they are using to maximize service delivery. The responses indicated that many providers are expanding their pro bono programs, and

recognizing the benefits of technology for increasing efficiencies in intake and data management.

- **Limited-Scope Representation.** The Working Group catalogued both court-based and provider-based limited-scope programs across a variety of case types. Volunteer Lawyer for the Day programs exist throughout the state, mainly for consumer debt, housing, and uncontested divorce cases. These programs are made possible through strong partnerships with solo practitioners, law firms, and law schools. Pro se divorce clinics, CLARO Legal Hotline, the LGBT Advocacy Project, and the Consumer Bankruptcy Project are examples of provider-based limited-scope programs. As a point of emphasis, the Working Group referred to a 2016 administrative order declaring it to be the policy of the court system to support and encourage the practice of limited-scope assistance when appropriate.
- **Role Flexibility for Other Professionals.** The Working Group researched programs that utilize nonlawyers to better serve low-income New Yorkers. These programs including, NYC Housing Court Navigator Program and Legal Hand, are functioning well but should be expanded to ensure further access.

The Working Group's three priorities and details for each are:

- **Expansion and Efficiency Improvements of Full-Service Representation.** The signing of Intro. 214-B into law by Mayor de Blasio marked the first time in the country that low-income individuals would be guaranteed access to counsel for eviction cases in civil court, namely New York City Housing Court. The momentum generated from this legislation could be used to consider other case types ripe for access to counsel. Impact litigation could also be used to achieve legal resolutions that impact groups of litigants beyond the parties to the case. Additionally, the results of the survey conducted by the Working Group demonstrate that civil legal services providers are engaging in innovative strategies to realize efficiencies that are better enabling them to provide full representation. These efforts should be furthered throughout the state.
- **Limited-Scope Representation.** New York has taken important steps toward effectively providing unbundled representation, also known as limited-scope representation, to litigants when appropriate. However, many lawyer-for-a-day programs are at capacity, ways to expand existing programs should be considered and new models of limited-scope representation need to be explored. It is important to note that while limited-scope representation may provide effective assistance in certain instances, if full representation is the only way a litigant will be effectively assisted, full representation should be provided.
- **Role Flexibility for Other Professionals.** Experience has shown that using the services of trained nonlawyers can provide effective assistance. Integrating the services of nonlawyers in the strategic action plan by expanding the scope and capacity of existing nonlawyer programs throughout the State will provide assistance

to more individuals and allow lawyers to focus more on tasks that require a licensed lawyer.

*Enhancement Services Working Group – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this Working Group was led by Adriene Holder, Attorney-in-Charge, Civil Practice, The Legal Aid Society, and Barbara Finkelstein, CEO of Legal Services of the Hudson Valley. There were 41 in-person attendees, 16 individual live stream attendees, seven live stream attendees at a group location in New York City, and two live stream attendees at a group location in Western New York. Attendees at the breakout session included: directors, lawyers, board members and administrators of large and small legal aid organizations; referral and case management service providers; bar association presidents; funders; court staff; judges; law school administrators and professors; non-profits; and social service representatives.

After providing background regarding the inventory assessment and priority-setting processes, the breakout session leaders presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below for each priority.

- **Expansion and Efficiency Improvements of Full-Service Representation**

Questions:

- How do we facilitate partnerships between civil legal services providers, law schools and legal clinics, and pro bono attorneys to expand full representation?
- How do we replicate the current mobilization in the right to counsel movement that led to universal access in New York City for low-income tenants in Housing Court? Can we expand these efforts to other case types?

Attendee Feedback:

- Law students and summer associates could assist with form completion, filing of protective orders, etc., and then transition the case to an experienced attorney for representation. The New York City Family Justice Centers have been able to coordinate intake among service providers, which has increased efficiencies and allowed for more full representation. These Centers could be studied as a model for improving efficiencies.
- Pro bono attorneys seem to volunteer to take more cases when they have been properly trained and supported from the beginning of their service. Creating comprehensive pro bono attorney training and providing continued support

could result in more attorneys volunteering to provide full representation in more cases.

- Impact litigation should be considered as a way to affect a larger number of individuals.
- Recent actions by the federal government and the public's response to them suggest that immigration law may be a possible area to mobilize an access to counsel movement. If access to counsel is being considered for a case type, an independent cost-benefit analysis could be a useful tool to begin conversations on this idea.

- **Limited-Scope Representation**

Questions:

- How can we expand the pool of lawyers and civil legal services providers willing to provide limited-scope representation?
- How do we educate litigants about the benefits of limited-scope representation?

Attendee Feedback:

- Despite the court's support for limited-scope representation when appropriate, it can be difficult getting judges to agree to have an attorney appear for only a portion of a case. This tension can dissuade attorneys from volunteering to take cases where they can provide limited-scope representation, ultimately decreasing the pool of willing attorneys. A concerted effort should be made to educate judges on the benefits of limited-scope representation.
- Collaborative efforts among civil legal services providers could increase the ability of these providers to offer limited-scope representation. For example, lawyer-for-a-day programs have been successful throughout the state, but are often available only once per week or month. If five civil legal services providers each volunteered to staff the lawyer-for-a-day program for a few hours per week or a few days per month, no single provider would become overburdened, and more litigants could be represented.
- Clear, proactive messaging could be deployed to let unrepresented litigants know about lawyer-for-a-day programs. It is important for unrepresented litigants to be notified before they go to court that an attorney from the program will be at the courthouse on a certain day to assist them. Additionally, volunteers who are already offering legal information to unrepresented litigants could be used to explain to unrepresented litigants what limited-scope representation is and how it could benefit them.

- **Role Flexibility for Other Professionals**

Questions:

- For what types of civil matters would it be beneficial to utilize more nonlawyers? For what civil matters would it be most helpful to train groups of volunteers on completing court forms?
- How do we expand existing models that utilize nonlawyers?
- In what other ways can community members without legal training help to create an accessible civil justice system?
- What tasks do lawyers currently perform that can be accomplished by individuals without legal training? What tasks do lawyers currently perform that would be performed better by someone without legal training?

Attendee Feedback:

- In many administrative proceedings, nonlawyers are able to represent individuals. In other instances, nonlawyers assist in document-intensive preparation in matters such as foreclosure. The areas in which nonlawyers provide assistance should be expanded.
- Nonlawyers could become critical in conducting preventive community outreach. A group of nonlawyer volunteers could be consistently canvassing and interacting with community members to learn about the issues they are facing. Through these interactions, the nonlawyer volunteers would be able to spot issues and potentially provide solutions before the issues escalate into a legal/court matter.
- Properly trained nonlawyers can assist with triage and referrals. They may also be able to assist with lost-wage calculations and then transition the case to an attorney to handle the litigation.
- Social work schools are having their students conduct externships at legal aid providers and other non-profits, helping with school enrollment, client paperwork, transportation, etc. This type of cross-training could be a model to further explore for nonlawyers providing assistance.

*Enhancement Services Working Group – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the Working Group developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

- **Expansion and Efficiency Improvements of Full-Service Representation**

1. Recommend that current Judiciary Civil Legal Services funding levels be maintained. Identify and pursue additional sources of funding.

2. Implementation of the New York City access to counsel law should be reviewed and monitored to determine how the law might be replicated throughout New York State to provide representation in housing or other litigated matters involving the essentials of life.
3. Encourage civil legal services providers to bring impact litigation, which can provide significant results for a large number of individuals. Law firms may be eager to assist with pro bono representation for these types of legal matters and, where litigation is successful, there may be statutory provision for attorneys' fees.
4. Encourage expansion of pro bono legal services performed by attorneys and law students by providing expanded training and mentoring.
5. Develop a process for periodic evaluation and refinement.

- **Limited-Scope Representation**

1. Request that the Chief Administrative Judge send correspondence to Trial Court Judges explaining and encouraging limited-scope representation
2. Encourage training for judges on limited-scope representation so that they become comfortable with attorneys appearing on a limited basis and allow attorneys to leave a case when their limited representation is completed. Trainings should cover the benefits to judges for having attorney assistance during at least some stages of a case and encourage judges to accept papers prepared on behalf of litigants, but where the attorney will not be appearing in court. The training would be offered at annual judicial seminars and through webinars. Sessions on limited-scope representation should also be included in the mandatory training for Town and Village Justices.
3. Develop standard forms for notice of appearance and withdrawal from limited-scope representation matters.
4. Once limited-scope forms are promulgated, the Office of Court Administration (OCA) should send a letter to bar associations, citing the Administrative Order, training and forms, and ask that they make their members aware of the court system's support for limited-scope representation to help bridge the access-to-justice gap.
5. Support and encourage participation in limited-scope representation, by lawyers and bar associations.
6. Develop a free CLE training program on limited-scope representation for attorneys, and track trainees for referrals.
7. Establish a roster of attorneys who have completed the limited-scope training and are willing to accept these types of matters.
8. Expand volunteer attorney programs to new locations, and partner with service providers. Consider expanding these programs to include remote services delivery.
9. Develop guidance content on [www.nycourts.gov](http://www.nycourts.gov) for unrepresented litigants on the benefits of limited-scope representation.

10. Consider presenting on limited-scope representation resources and practices at the annual Law School Conference.
11. Develop a process for periodic evaluation and refinement.

- **Role Flexibility for Other Professionals**

1. Expand outreach and education to librarians in public libraries statewide, including the statewide offering of the newly developed training program, designed to provide librarians with the information needed to assist library users with questions related to legal matters. A train-the-trainer program should be developed, using volunteers from the civil legal services providers and community-based organizations, to connect with these librarians and educate them about the courts, the legal system and available resources.
2. Expand Legal Hand storefront centers to new locations in and outside of New York City to provide information, assistance and referrals to resolve problems before they turn into legal matters.
3. Expand the Court Navigator Program in New York City to courts throughout the state.
4. Develop and conduct standard training programs for legal issue spotting for nonlawyers.
5. Develop court-based Help Centers modeled after the Bronx Family Court Help Center and Rochester Hall of Justice Help Center, and establish best practices to ensure consistent information is delivered to litigants.
6. Expand the number of group training sessions offered to the public for completing forms, including the uncontested divorce form.
7. Develop a process for periodic evaluation and refinement.

The process outlined in this section – assessing inventory, setting priorities, gathering feedback, creating strategic action items – was also followed by the LTFs in Suffolk County. The result of this process related to the LTFs is detailed in the following pages.

#### Local Task Forces (LTFs) in Suffolk County

As described in Phase II, the Commission realized the potential for closing the access-to-justice gap at a local level through its community listening sessions conducted throughout New York. The creation of the Suffolk County Pilot is a local effort focused on helping to close the justice gap at the county level. The five LTFs in Suffolk County followed a similar process for strategic action planning as the working groups – assessing needs and gaps, setting priorities, incorporating feedback, and formulating strategic action steps – but on a much more expedited timeline. Because components did not exist for the LTFs as they did for the working groups, the inventory assessment process more closely resembled a needs/gaps assessment for each LTF's area of focus. The result of this process is detailed in the following pages for each LTF.

## *LTF 1 – Legal Representation – Needs/Gaps Assessment and Priority-Setting*

The Legal Representation LTF was tasked with evaluating the potential for various types of representation (i.e., full representation, limited-scope, pro bono) as well as areas of the law where there were few or no civil legal services providers. As its first step, the LTF identified, reviewed, and documented existing civil legal services providers in Suffolk County and summarized each provider's service offerings. This information was incorporated into a Resource Guide developed and updated by LTF 2, which will be the foundation of a more effective and comprehensive referral system for the county. In gathering this information for the Resource Guide, it became evident that Suffolk County had an extensive provider network, but there were three areas where the gaps were the largest: family law; immigration; and re-entry. These three areas of law became priorities for the LTF:

- **Family Law**

- **Divorce Cases.** Nassau Suffolk Law Services (NSLS) in collaboration with the Suffolk County Bar Association (SCBA) maintains a waitlist for divorces and assigns cases to members of the private bar who are willing to accept them pro bono. However, the number of cases assigned each year falls far below the demand. The need for divorce representation is high throughout the low-income population in Suffolk. The need is especially urgent for victims of domestic violence, for whom the ability to obtain a divorce is often of significant importance in breaking the hold that the abuser has over a victim of domestic violence.
- **Post-judgment Divorce Issues.** No civil legal services providers in Suffolk County are providing free legal services to address the issues that frequently arise after a divorce has been finalized. Issues typically arise when one party refuses to comply with the terms of the settlement agreement/court order, such as non-compliance with the financial agreement, the provision of health insurance, or the requirement to deed the house to the other party. Obtaining an equitable settlement for a divorce client is of little benefit if that client is later unable to enforce the terms of that settlement.
- **Child Support (including initial petition, violations, and downward modifications).** Custodial parents petitioning for child support, except for some victims of domestic violence and several other special populations, are not being provided legal representation by any civil legal services providers in Suffolk County. Child support violation cases may result in the loss of a driver's license, thereby leading to loss of employment and a downward spiral that makes it increasingly difficult to meet the support obligation. Some but not all low-income respondents may be assigned by the judge to Legal Aid or the 18B panel. Support payers who become disabled can petition for a downward modification of the support obligation, but without legal assistance to prove their disability – even if in receipt of supplemental security income or



social security disability income – establishing the inability to work to obtain sufficient income to make the previously ordered support payments is difficult. In situations in which one party has an assigned attorney but the other party does not, there is unequal access to justice.

- **Immigration**

- **Deportation Defense and Citizenship Applications.** One civil legal services provider in Suffolk County is providing these services. Empire Justice has started a project with one attorney, but with Suffolk County garnering national attention regarding undocumented immigrants and the numbers of deportations mounting, one attorney is not enough.
- **Education.** Long Island Advocacy Center addresses the educational needs of students, but is overwhelmed by the increase in the number of legal problems arising that involve immigrant children. Enrollment of immigrant children in school, especially those who are unaccompanied, faces resistance from school districts and requires advocacy. Advocacy is needed to obtain appropriate educational services for English learners, especially if the child also requires services due to a disability. There appear to be no classes for this anywhere in the county: either students attend English as a Second Language class or a Special Education class, but not both. Some school districts are suspending students by claiming "gang affiliation" without proof, and these cases are especially egregious, because the suspensions are then being used as a basis for deportation. Representation at suspension hearings is therefore critical for these students. For unaccompanied immigrant children (or citizen children whose parents have been deported), guardianship proceedings are needed to facilitate school enrollment. Legal representation for the proposed guardian is needed, but is not mandated by statute and so no assignment to Legal Aid or the 18B panel is made by the court.
- **Eviction (and other non-immigration-related cases for undocumented immigrants).** Most low-income tenants seeking legal assistance in eviction cases can obtain that assistance from NSLS, but NSLS is prohibited by federal regulation from providing legal assistance to many undocumented immigrants. Legal assistance in eviction cases and other civil matters, such as consumer debt, is needed for those who are ineligible for services from NSLS. Empire Justice attempts to address this gap, but with only one attorney assigned to handle this and other direct client services, the gap remains.

- **Re-entry**

- **Veterans and Servicemembers.** A serviceperson returning home after an active tour of duty abroad may face a number of legal problems that arise at least in part as a result of the active duty. Post-Traumatic Stress Disorder may lead to family instability and break-ups, which in turn lead to child support

obligations. The loss of active duty pay leads to decreased income available to pay existing child support obligations or rent. Non-payment of child support can cause a veteran to lose his or her driver's license, which in Suffolk County can mean loss of employment and will limit employment opportunities. Legal assistance to address child support matters and to prevent loss of driver's license or to achieve its recovery will have an enormous impact on the veteran's ability to support himself and his children. Representation is also needed for veterans in divorce, custody, and housing cases.

- **Formerly Incarcerated Individuals.** Post-conviction individuals require legal assistance to help them resolve issues that prevent them from re-establishing themselves as contributing members of the community. Certifications can be obtained to relieve the person of some of the burdens of a criminal conviction and render the person more employable, but the process is difficult and far more likely to be successful with legal advocacy. Child support, lack of a driver's license, and housing problems are likewise capable of acting as barriers to successful re-entry into the community. Legal advocacy is also needed to assure that youth in prison are provided the educational services they need to help them prepare for re-entry.

#### *LTF 1 – Legal Representation – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this LTF was led by Donna England, Past President Director, Suffolk County Bar Association, Patricia Meisenheimer, President, Suffolk County Bar Association, and Jeffrey Seigel, Executive Director, Nassau Suffolk Law Services. There were 19 in-person attendees, five individual live stream attendees, seven live stream attendees at a group location in New York City, and three live stream attendees at a group location on Long Island. Attendees to the breakout session included: directors, lawyers, board members and administrators of large and small legal aid organizations; referral and case management service providers; funders; court staff; judges; law school administrators and professors; non-profits; and social service representatives.

After providing background regarding the needs/gaps assessment and priority-setting processes, the breakout session leaders presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below.

#### Questions:

- Are we missing an area of law in our current priorities? Are we missing the perspectives of any important stakeholders?
- How can we utilize the spectrum of services (e.g., nonlawyer assistance to full representation) to provide effective assistance?
- How can we maintain responsiveness to gaps in service delivery as needs change?

- How do we identify funding for increased legal services and further utilize pro bono?

Attendee Feedback:

- Specific consideration should be given to Suffolk County residents who do not meet the federal income requirements for free civil legal assistance but cannot afford to pay for an attorney. A modest means panel could be developed, and consultations could be given at reduced or sliding scale rates.
- The strategy should go beyond incremental change (e.g., hiring another lawyer). For example, instead of having lawyers assist immigrant families in getting their children enrolled into school, a suit against the school district could be filed. Addressing systemic issues head-on could have a more far reaching impact than assisting only a single family in enrolling their child in school.
- When resources are constrained, as they often are, it is important to match the appropriate amount of resources to the level of need. For example, in certain housing issues, staff attorneys work with housing counselors to develop a budget and work through other details of the case. If an issue arises, it is brought to the attention of a supervising attorney who then decides what resources should be dedicated. It is possible that a staff attorney may be better suited to work through the issue than a more senior attorney. Civil legal services providers who utilize pro bono volunteers can partner with libraries or other places where community members congregate to offer services at those places. It will also be important to spend time with community members inside the community to respond to new needs and identify new gaps.

*LTF 1 – Legal Representation – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the LTF developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

- **Family Law**

- Divorce Cases
  1. Expand existing partnership with Touro Law School to identify and refer more uncontested divorce cases to Touro’s pro se project for assistance by law students.
  2. NSLS and the SCBA Association will attempt to increase awareness for volunteer attorneys with the possibility of obtaining fees from the moneyed spouse.

- Post-Judgment Divorce Issues
  1. Establish a pro bono panel among NSLS, SCBA, and the Pro Bono Foundation for post-judgment cases.
  2. Establish a modest means panel for post-judgment issues for individuals who do not meet the income eligibility requirements to receive free legal services but who are unable to afford an attorney.
  3. Identify experienced mentors for volunteer attorneys through existing networks.
  4. Develop a CLE curriculum, then recruit volunteers and instructors for the CLE program. Manage the panels.
- Child Support (including initial petition, violations, and downward modifications)
  1. Identify additional resources and funding to further develop this priority.
  2. Identify where efficiencies can be gained to allow for resource reallocation to child support issues.
- **Immigration**
  - Citizenship Applications
    1. SCBA will amend its rules to approve citizenship applications as a case type eligible for a modest means panel.
    2. SCBA and NSLS will seek assistance from the Immigration Law Committee and the Suffolk Academy of Law to develop a CLE curriculum for handling citizenship applications and to identify instructors. Attorneys who participate in the training and accept at least one case for representation will obtain free CLE credit.
    3. SCBA will work with the Immigration Law Committee to create a pro bono panel to assist with citizenship applications. Additionally, a “Citizenship Day” event at a location where the need for citizenship application assistance is the greatest could be developed.
  - Education
    1. Establish a pro bono panel and develop CLE training for new volunteers.
    2. Identify an organization willing and able to manage the pro bono panel.

- **Re-entry**

- Veterans and Servicemembers

1. Identify additional resources to further develop this priority.
2. Identify where efficiencies can be gained to allow for resource reallocation to veterans' and servicemembers' issues.

- Formerly Incarcerated Individuals

1. NSLS will attempt to dedicate resources for a new pilot project for these cases.
2. Foster collaboration between the Suffolk County Legal Aid Society, Touro Law School's "Breaking Barriers" Project, and the Suffolk County Probation Department.

### *LTF 2 – Initial Points of Entry – Needs/Gaps Assessment and Priority-Setting*

The Initial Points of Entry LTF conducted its needs/gaps assessment by identifying the people, places, organizations, and agencies most sought by those in need. To be comprehensive, the LTF invited a variety of community stakeholders to participate in its meetings. These stakeholders, along with the LTF, identified the following needs/gaps:

- **Fear.** Throughout the community, there are many individuals who fear the justice system, are discouraged about their circumstances, and perceive that they lack the power to exert influence over their lives. These individuals, who are often most in need of services, may not access the resources and services available to them because of this fear.
- **Ineffective Referrals/Lack of Awareness of Resources.** When individuals do seek assistance from a trusted community person, place, organization, or agency, these stakeholders are often ill-equipped to make helpful referrals. This issue seems to be twofold: (1) no referral mechanism exists, and (2) community stakeholders are unaware of each other's services. Individuals seeking assistance who get referred around the community without receiving timely help will likely stop searching for help, further expanding the access-to-justice gap. Solutions to this issue could include a single entity to which all community stakeholders refer individuals in need and frequent collaboration among community stakeholders to ensure broad awareness of services and resources in the community.
- **Holistic Service Delivery in the Community.** The leadership of LTF 2 invited the Department of Social Services (DSS) to join the LTF given its successes in establishing and maintaining positive interactions with the community members it serves. Recognizing the need to be in the community, DSS has four Community Resource Centers (CRC). Social Services and Department of Labor representatives staff the CRC throughout the week to assist community members with benefits enrollment and explore employment opportunities. CRCs are stocked with maps,

transportation information, informational material and resource guides to aid in helping community members with their issues.

Middle Country Library has created a similar “one-stop-shop” model in assisting community members. The library currently engages in the following community activities:

- Hosts the Nassau Suffolk Hospital Council’s Medicaid/Medicare enrollment programs;
- Assists patrons in applying for benefits;
- Hosts the Health Department’s immunization events;
- Offers a safe place for the homeless and community members suffering from drug addiction (staff is trained in administering Narcan for overdoses);
- Provides meeting space for Family Service League’s social workers to speak with clients;
- Administers the 2-1-1 database; and
- Offers a citizenship course

These services are promoted through flyers, the library website, social media, and outreach at food pantries. In addition to providing the CRCs and libraries with civil legal services provider resource guides, the LTF concluded that it could be possible to provide legal services at both the CRCs and libraries given that the “one-stop-shop” infrastructure is in place.

- **Lack of Access to Traditional Points of Entry.** While the idea of a physical “one-stop-shop” for individuals in need may be ideal, there are community members who are unable to travel to these places for a variety of reasons. Eastern Suffolk County is less densely populated than Western Suffolk County. Because of this, fewer services and resources exist in Eastern Suffolk. Exacerbating the problem, is the lack of access to public transportation in Eastern Suffolk and the long travel time to Western Suffolk to receive services or go to court. These remote access issues present an opportunity to utilize technology to create a mobile point of entry. LTF 2 concluded that smartphone applications, video conferencing, and a mobile services unit are potential ways to reach individuals who are unable to access resources and services in the traditional manner.

The needs/gaps assessment process led the LTF to choose the following three priorities:

- **Disseminate Information to Existing Community Resources.** The needs/gaps assessment revealed the lack of uniform, updated information available to community stakeholders who interact with individuals in need. LTF 2 will disseminate the Resource Guide to community stakeholders serving as initial points of entry in collaboration with the other LTFs. The Resource Guide will be initially distributed in printed and electronic versions with the goal of having it integrated with 2-1-1.

- **Provide Legal Services at Existing “One-Stop-Shops” and Expand the “One-Stop-Shop” Model.** Impressed with the efforts of the CRCs and Middle Country Library, LTF 2 will work to provide legal services at two pilot locations: the Huntington Station CRC and Middle Country Library. Both initial points of entry have multiple service providers on site, including advocates and social workers. To further provide holistic services, LTF 2 will recommend establishing a Legal Hand storefront in Eastern Suffolk County.
- **Create Digital/Mobile Entry Points.** To provide legal services to populations with limited or no access to traditional points of entry, LTF 2 will collaborate with LTF 3 to create mobile applications and a technology infrastructure that allows for virtual service delivery and assistance. Additionally, LTF 2 will assess areas of the county where a mobile services unit can have the greatest impact.

*LTF 2 – Initial Points of Entry – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this LTF was led by Myra Berman, Associate Dean for Experiential Learning, Touro Law Center, and Warren Clark, District Executive, 10<sup>th</sup> Judicial District, Suffolk County. There were 20 in-person attendees, four individual live stream attendees, ten live stream attendees at a group location on Long Island, and 2 live stream attendees at a group location in Western New York. Attendees to the breakout session included: directors, lawyers, board members and administrators of large and small legal aid organizations; referral and case management service providers; funders; court staff; judges; law school administrators and professors; non-profits; librarians; counselors; and social service representatives.

After providing relevant background regarding the needs/gaps assessment and priority-setting processes, the breakout session leaders presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below.

Questions:

- Is anyone familiar with similar pilots as the ones we are proposing? How do we evaluate the effectiveness of the pilot? What obstacles to the pilot do you foresee?
- If the pilot is expanded, what location should be next? How can we use data to inform this decision?
- How can these pilots become more proactive in reaching community members?
- Do you think a mobile services unit is viable? What resources would be needed to develop a mobile services unit?

Attendee Feedback:

- The Florida Bar Foundation’s Escambia Project is an ongoing initiative to expand community members’ access to both legal and non-legal assistance. They will be opening a One Stop Life Shop in 2018 that brings together multiple providers at one location, at one time, to facilitate easy access to services. LTF 2 should follow this initiative and could possibly reach out to its organizers for insights as it develops its own similar model.
- Staffing of both the CRC pilot and the Middle Country Library pilot will require reallocation of resources or the creation of additional resources. It is possible that volunteers could staff elements of the pilots where community members need assistance with enrolling in benefits or are seeking legal information rather than advice.
- Community awareness of the two pilots will be crucial. Creating the pilots is an important first step, but ensuring that the community is aware of them is just as important.
- New York Legal Assistance Group created a mobile law unit. The mobile law unit travels throughout New York City and portions of Long Island and Westchester. A similar unit could be effective in areas of Eastern Suffolk with limited transportation access and limited services. As with other initiatives, additional funding and staffing resources will need to be identified.

*LTF 2 – Initial Points of Entry – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the LTF developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

● **Disseminate Information to Existing Community Resources**

1. Distribute the Resource Guide to initial points of entry across Suffolk County.
2. Train the staff and volunteers at initial points of entry on how to use the guide for referrals and development of partnerships with service providers whose resources are most appropriate for helping individuals in need.
3. Gather feedback from the initial points of entry regarding the usefulness of the Resource Guide.
4. Develop a process to identify when service providers change.
5. Revise and redistribute the Resource Guide as service providers change.
6. Develop informational materials for use at the Huntington Station CRC and the Middle Country Library.
7. Collaborate with other stakeholders to create training videos for initial points of entry and nonlawyer staff who volunteer at the Huntington Station CRC and the Middle Country Library. These videos will be especially useful for schools, churches, and social services agencies.



- **Provide Legal Services at Existing “One-Stop-Shops” and Expand the “One-Stop-Shop” Model**
  1. Staff volunteer lawyers or law school students at the Huntington Station CRC and the Middle Country Library. Once efficacy is proven through these pilots, expand legal services offerings at other initial points of entry.
  2. Consider how law school students could be particularly impactful. For example, law school students could: learn how to disseminate information and how to make effective referrals; assist in the completion of DIY forms; and be trained as advocates in domestic violence cases to assist with filing petitions for Orders of Protection.
  3. Attorneys from Suffolk County Legal Aid Society will commit to providing legal services at the pilot locations. LTF 1 will work with LTF 2 to recruit additional attorneys to volunteer to serve at these sites or remotely.
  4. Establish a Legal Hand storefront center in Eastern Suffolk County to potentially co-locate with an already existing organization.
  5. Recruit and train volunteers to staff Legal Hand.
  
- **Create Digital/Mobile Entry Points**
  1. Work with LTF 3 to create mobile applications that can assist in virtual service delivery.
  2. Identify the funding and staffing requirements for a mobile services unit.
  3. Review available zip code data to determine geographic areas with the greatest need and farthest from physical services and resources.

*LTF 3 – Technology – Collaboration and Priority-Setting*

Because of technology’s wide applicability and potential in closing the access-to-justice gap, the Technology LTF approached the strategic action planning process slightly differently. Rather than conduct a needs/gap assessment, the LTF focused its efforts on how technology solutions could enhance the efforts of the other LTFs and the Suffolk County Pilot more generally. To do this effectively, the LTF 3 leaders participated in other LTF meetings and offered ways in which technology could complement their efforts. These discussions resulted in the following three priorities:

- **Create a Single Technology Point of Entry.** While LTF 2 is developing a strategic action plan to better equip community stakeholders who serve as initial points of entry and develop “one-stop-shop” models that could be considered single points of entry, LTF 3 is considering ways in which this same concept can be developed using technology. CourtHelp generally serves this purpose, but a more customized and comprehensive website could be useful in Suffolk County. The website would be in plain language English as well as other commonly spoken languages in the county. It would host a comprehensive repository of resources including: social services information; DIY forms; maps; locations of Help Centers; a digital version of the Resource Guide; a calendar of community events where in-person assistance will be

available; a live chat feature; and video conference capabilities. Having a singular website for this information will be significantly helpful not only for unrepresented litigants but also for initial points of entry to help those seeking assistance. After careful research and exploration, LTF 3 concluded that it is possible that an automated expert system using logic and algorithms could be integrated to assist with intake and triage.

- **Establish or Adopt Uniform Data Standards.** In order to manage resources effectively, identify new access-to-justice gaps, and measure success in Suffolk County, having uniform data standards across all civil legal services providers, initial points of entry, and the courts is critical. Currently, these systems are largely disparate and use a variety of taxonomies making evaluation challenging. LTF 3 will need to think carefully about what standards should be established or adopted so that expansion across the State is as seamless as possible.
- **Reconstruct the Current Referral Mechanism.** As previously explained, many initial points of entry are not aware of community resources and services available to those they are seeking to assist. Because of this, they are often unable to make an effective referral, and individuals in need do not always get timely assistance. LTF 3, in collaboration with LTF 2, concluded that the current way in which referrals take place can be enhanced by technology. The idea of giving a community member a “warm hand-off” to a service provider using a live chat tool, video conference, or a telephone call rather than verbal instructions to call NSLS, for example, is much more effective. Although this priority is not novel, LTF 3 concluded that the impact of providing “warm hand-offs” is important in closing the access-to-justice gap.

### *LTF 3 – Technology – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this LTF was led by Jack Graves, Director of Digital Legal Education and Professor of Law, Touro Law Center, and Mike Williams, Chief Clerk, Suffolk County Family Court. There were 21 in-person attendees, ten individual live stream attendees, and four live stream attendees at a group location in Rochester. Attendees to the breakout session included: directors, lawyers, board members and administrators of large and small legal aid organizations; referral and case management service providers; legal technology experts and developers; funders; court staff; judges; law school administrators and professors; non-profits; librarians; counselors; and social service representatives.

After providing relevant background regarding priority-setting process, the breakout session leaders presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below.

### Questions:

- How can we use technology to gather data and use the data to assess gaps and success?
- How do we address the absence of information technology systems in some organizations and/or the use of different systems among organizations?
- Has anyone seen or used an integrated technology platform?
- What role do automated forms and online document assembly play?
- How do we incorporate virtual hearings and online dispute resolution?

### Attendee Feedback:

- Consideration should always be given to the user interface when enhancing or developing technologies for nonlawyer users.
- As the LTF develops technology solutions, it must be conscious of the technology divide that exists for certain populations. Examples are rural areas where populations may not have high-speed internet or internet at all; elderly populations may not be technologically savvy; and the low-income population may not have consistent access to the internet.
- Automated forms and document assembly should be expanded to more case types where the forms generally standardized and unrepresented litigants can easily understand the processes.
- The current challenge in making referrals is the wide variety of program eligibility requirements. The LTF should consider how technology could be used to automate that process and have a nonlawyer review the results to ensure accuracy. To this point, it is important technology not replace volunteers or lawyers. Both are critical to the functioning of the system. Rather, technology should be used to deploy resources better and create service delivery efficiencies.

### *LTF 3 – Technology – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the LTF developed strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

- **Create a Single Technology Point of Entry**
  1. Establish a Suffolk County website specific to the JFA project. The website will contain social services information; DIY forms; maps; locations of Help Centers; a digital version of the Resource Guide; a calendar of community events where in-person assistance will be available; a live chat feature; and video conference capabilities.

2. Offer training to initial points of entry on how best to use the website and its resources.
  3. Explore the potential for artificial intelligence integration.
- **Establish or Adopt Uniform Data Standards**
    1. Research existing data taxonomies for applicability to the Suffolk County integrated technology platform.
    2. Create a list of critical data fields that need to be captured in order to measure success.
    3. Collaborate with an initial set of civil legal services providers and the court to develop a plan for uniform data standards integration and uniform data tracking across systems.
    4. Expand data sharing between the courts and the stakeholder community, similar to the interface among New York City courts, DSS and New York City Police Department.
  - **Reconstruct the Current Referral Mechanism**
    1. Utilize the Resource Guide, live chat, and video conferencing features of the Suffolk County website to enable “warm hand-offs.”
    2. Train initial points of entry and nonlawyer volunteers about how to use these functions. Explain to them the benefits of providing an effective referral to a community member in need and the potential consequence of providing an ineffective referral.
    3. Collaborate with LTF 2 to create a system or process for identifying when resources or civil legal services providers change so that the digital Resource Guide can be timely updated.
    4. Explore the potential for artificial intelligence integration with respect to program eligibility requirements.

*LTF 4 – Messaging – Collaboration and Priority-Setting*

Like LTF 3, the Messaging LTF’s efforts have wide applicability in closing the access-to-justice gap. LTF 4 approached the strategic action planning process in the same manner as LTF 3. Rather than conducting a needs/gap assessment, the LTF focused on developing a strategic action plan for maximizing awareness of the Suffolk County efforts. To do this effectively, LTF 4 members participated in other LTF meetings to keep abreast of projects and initiatives for which they would be creating strategic action plans. These discussions resulted in the following two priorities:

- **Develop a Brand, Logo, and Message.** Early in the priority-setting process, LTF 4 realized the importance of developing a consistent, easy to understand, and inviting brand, logo, and message. The variety of projects, programs, and initiatives that will be undertaken by the LTFs need to be associated with a larger community movement and an even larger statewide movement. LTF 4 concluded that to succeed in

developing this priority all community members must be engaged at the beginning of the process. Their insights will be valuable in understanding what brand, logo, and message ideas will be effective. While the brand and logo will remain consistent so as not to cause confusion among community members, the message will need to be customized for different segments of the community. For example, messaging to community members in need will be different from messaging to civil legal services providers.

- **Deploy the Brand, Logo, and Message.** Once these items have been tested and finalized, they need to be deployed throughout the community. Information, both printed and electronic, will need to be developed and disseminated to community stakeholders. The LTF concluded that it may be beneficial to hold a launch event that would be covered by local media outlets to reach a large portion of the community at once. After this event, it will likely be necessary to follow up with community members on a more individualized basis to ensure their understanding of the resources and services available to them.

#### *LTF 4 – Messaging – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this LTF was led by Tom Maligno, Executive Director, Public Advocacy Center, Touro Law School. There were 20 in-person attendees and 12 individual live stream attendees. Attendees to the breakout session included: communications and outreach experts; funders; court staff; law school administrators and professors; non-profits; librarians; counselors; and social service representatives.

After providing relevant background regarding priority-setting process, the breakout session leader presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below.

#### Questions:

- Has anyone seen a successful community-based messaging campaign? What were the key elements of the campaign?
- What should the brand, logo, and message entail?
- Where should the brand, logo, and message be placed?
- How do we use messaging to demonstrate that the civil justice system is not intimidating?

#### Attendee Feedback:

- Messaging information could be attached to summons, complaints, or other notices from the court. Although this form of deploying the message is reactive in that those receiving the message already have a legal issue, it could be impactful. Proactive messaging could include deploying the message in

places that community members frequent such as: schools, libraries, churches, hospitals, grocery stores, restaurants, etc.

- Messaging should be customized to the various populations in Suffolk County. Consideration should be given to cultural norms, languages, age, education, literacy levels, etc. Life experiences should also be considered when developing customized messages. For example, messaging to veterans will need to be different than messaging to immigrants.
- Nonlawyers could be used to deploy the message. A group of volunteers who are regularly in the community attending community events and interacting with community members could be a way to initially deploy the message and to ensure the message is effective.
- The message should be clear and concise.

#### *LTF 4 – Messaging – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the LTF developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

- **Develop a Brand, Logo, and Message**

1. Conduct focus groups, interviews, and listening sessions with community members to learn the ways in which they prefer to communicate and receive information, their current knowledge about the help that is available to them, and their current perceptions of the justice system.
2. Use the information gathered during the previous step to develop an initial draft of the brand, logo, and message.
3. Test the initial draft with community members. Community members should be asked if the brand, logo, and message are easy to understand, clear, in the proper tone, and prompts them to seek additional information about the resources available to help them.
4. Use the feedback gathered during the previous step to refine the brand, logo, and message.
5. Finalize the brand, logo, and message.
6. Develop both print and digital information for dissemination.

- **Deploy the Brand, Logo, and Message**

1. Plan a launch event. Invitees should include but not be limited to: local media outlets, government officials, community figures, owners of local businesses, judges and court staff, legal aid providers, the Suffolk County Bar Association, the faith community, and the superintendent of schools.
2. Plan a smaller scale event to ensure that all community members are educated about the effort underway in the County.

3. Disseminate information to the larger stakeholder community. Message locations could include grocery stores, laundromats, restaurants, coffee shops, barbershops, gyms, schools, healthcare facilities, DSS offices, libraries, post offices, and childcare providers. Having information easily accessible at these places could result in the prevention or early identification of legal or other issues.
4. Leverage 2-1-1 to spread the message. The 2-1-1 call center agents should be trained on what additional resources are available to community members seeking assistance through the Suffolk County efforts.
5. Establish a data-driven process to monitor where the message is and is not working.
6. Based on the findings in the previous step, establish a process to refine the message and respond to emerging issues.

#### *LTF 5 – Accessibility – Needs/Gaps Assessment and Priority-Setting*

The Accessibility LTF conducted its needs/gaps assessment by identifying specific barriers to access to justice. These barriers included: physical access, such as transportation and disability limitations; and mental access issues, such as fear, mental health issues and language barriers. To be comprehensive, the LTF invited a variety of community stakeholders to participate in its meetings. These stakeholders, along with the LTF, identified the following needs/gaps:

- **Lack of Reliable Transportation.** For public transportation options, the LTF utilized a mapping software to assess where initial points of entry, civil legal services providers, and the courts are in relation to bus and train routes. The LTF found that public transportation options as well as services are limited in Eastern Suffolk County. Additionally, an LTF member familiar with Suffolk County bus services noted limited hours of operation are a transportation barrier. Transportation barriers also exist for community members who do not utilize public transportation. Low-income families may not be able to afford a vehicle or are often able to afford only one vehicle that is shared among multiple drivers. While they can sometimes rely on friends or other family members to provide them with transportation, having to do so creates uncertainty and can lead to individuals missing court appearances or not being able to visit a service provider during its hours of operation.
- **Lack of Access to Information.** Similar to LTF 2's findings, LTF 5 concluded that a variety of community members and civil legal services providers did not have access to helpful information. Information gaps among community members were most pronounced for the immigrant and indigenous populations. Civil legal services providers shared that they felt disconnected from other service providers but also recognized that collaboration could foster better sharing of information.

- **Insufficient Accommodations for Mental Health Issues and Language Differences.** Throughout the needs/gaps assessment process, LTF 5 brainstormed ways in which access to justice could be expanded to community members who have mental health issues. The LTF concluded that the solutions they were initially considering for accessibility issues still did not address the barriers this population faces. Through its research, the LTF concluded that civil legal services providers would need to strengthen their relationships with social workers and the medical community to ensure individuals with mental health issues are being properly advocated for in the legal sense. Training could also be provided to judges and court staff on how to best interact with unrepresented litigants who have mental health issues. While steps have been taken to address language differences, more can be done to ensure that all community members can access the system in the language they best understand. Signage in courthouses, websites, messaging information, and DIY forms could be in languages other than English and Spanish.

The needs/gaps assessment process led the LTF to choose the following four priorities:

- **Legal Prevention and Early Intervention by Training Trusted Community Leaders.** Similar to LTF 2, LTF 5 prioritized ensuring that the people to whom community members in need turn to are properly trained. These trusted leaders should know how to spot issues, provide legal information, and make a “warm hand-off” referral when necessary. LTF 5 determined that by training the trusted leaders, access to information for both the trusted leaders and the community member is increased.
- **Create or Use a Single Phone Number for Information Services.** This phone number could provide general court and community resource information. LTF 5 recommended that calls to this phone number be tracked by zip code and type of information requested.
- **Identify a Location for a Legal Hand storefront in Eastern Suffolk County.** As previously discussed, Legal Hand is a preventive, holistic service storefront that serves low-income individuals in neighborhoods throughout New York City. LTF 5 concluded that it may be prudent to establish a Legal Hand storefront in Eastern Suffolk County where there are significant barriers to accessibility. The entity would be staffed with nonlawyer volunteers, managed by a volunteer coordinator, and have a legal services attorney on-site to train and assist volunteers. As with other locations, the Legal Hand in Eastern Suffolk County would have weekend and evening hours to accommodate community members’ work schedules and be equipped with computers, internet access, and printers.
- **Create an Intern Language Services (Interpretation and Translation) Program and Supplemental Video Language Services.** Civil legal services providers have noted the expense and difficulty of securing language services, including interpretation and translation services, outside of the courtroom. Examples of these



situations are needing an interpreter to explain to the litigant what is going to happen in the courtroom and what has happened after the proceedings. The court has limited capacity to allow interpreters to assist outside of the courtroom, making this service frequently unavailable. To address this accessibility barrier, LTF 5 has concluded that it will partner with local colleges to recruit and train interpreters and translators to provide services outside of the courtroom as well as provide services to civil legal services providers as needed. To supplement in-person interpreters, LTF 5 has concluded video language services should be further developed. These services should be provided in a segregated space in the courthouse to ensure privacy.

#### *LTF 5 – Accessibility – Statewide Stakeholder Meeting Breakout Session*

The breakout session at the Statewide Stakeholder Meeting for this LTF was led by Don Friedman, Managing Attorney, Empire Justice Center, and Mary Porter, Principal Law Clerk, 10<sup>th</sup> Judicial District, Suffolk County. There were 20 in-person attendees and 16 individual live stream attendees. Attendees to the breakout session included: directors, lawyers, board members and administrators of large and small legal aid organizations; language and disability access experts; Help Center translators and interpreters; court staff; judges; law school administrators and professors; non-profits; librarians; and social service representatives.

After providing relevant background regarding priority-setting process, the breakout session leaders presented the priorities, asked for feedback, and posed questions to attendees formulated to elicit action-oriented responses. The questions posed to the attendees and the results of these conversations are summarized below.

#### Questions:

- How can we improve language access locally? Is adding more translators and interpreters the solution? How does plain language play a role?
- How can we best train trusted community leaders? What resources do they need? How can they help prevent legal issues among their constituents develop into court matters?
- Has anyone seen a mobile services unit that has been successful? When should these be used and where? What are the challenges associated with them? What else should be considered with respect to transportation or rural access barriers?
- What is your reaction to the phone number for legal information services? What about the Legal Hand storefront concept?

#### Attendee Feedback:

- Given the indigenous population and the remoteness of communities in Alaska, service delivery models in Alaska can be considered for ideas of how to narrow both the language and the rural access gaps. They utilize video

conferencing for a variety of different phases throughout the court process. The criminal justice system could also provide insights about video conferencing. Many prisons around the country are now using video conferencing for appearances, meetings with lawyers, etc.

- Trusted community leaders should participate in an annual training about the resources and services available to their constituents as well as be trained on how to make a “warm hand-off” to the proper organization, which could be Legal Hand in some cases.
- While it could be resource intensive, home visits could be a way to spot issues and potentially prevent issues from becoming legal actions. The challenge with preventive programs is proving the efficacy and value to funders. This is not impossible, but it does require a sophisticated data tracking system.
- A mobile services unit could be successful in Eastern Suffolk County. However, the rural issue remains because community members may live many miles away from each other. Instead of traveling to each separate community, it may be more efficient to have the mobile unit at a location where individuals from multiple communities frequent. For example, the unit could be in the parking lot of a large grocery store, a community center, a church, a mall, etc. This would enable the mobile unit to serve more people while overcoming time lost during travel.

#### *LTF 5 – Accessibility – Initial Strategic Action Steps*

Incorporating the feedback from breakout session attendees, the LTF developed a set of strategic action steps for each of their priorities. These steps were finalized in mid-November 2017 and are summarized below.

- **Legal Prevention and Early Intervention by Training Trusted Community Leaders**
  1. Identify trusted leaders in communities facing accessibility issues.
  2. Collaborate with LTF 2, Initial Points of Entry, to distribute the Resource Guide and develop an annual training program.
  3. Identify specific populations facing accessibility issues. These may include indigenous populations, community members with mental health issues, veterans, etc.
  4. Collaborate with organizations serving these populations to train them how to spot potential legal issues.

- **Create or Use a Single Phone Number for Information Services**
  1. Review the capabilities of the court system's current informational phone number.
  2. Identify if data is being collected from calls. If it is, identify how it is being used to better inform community stakeholders of needs/gaps.
  3. If data is not being collected from calls, identify the additional capabilities the phone number would need to collect data.
  4. Develop a process for reviewing and analyzing the data.
  
- **Identify a Location for a Legal Hand in Eastern Suffolk County**
  1. Gather and analyze zip code data for each zip code in Eastern Suffolk County. For example, this information could be publicly available information aggregated by the U.S. Census and the Bureau of Labor Statistics. More granular data may be available through various Suffolk County government agencies as well. The LTF should also explore the availability of data from civil legal services providers and assess their willingness to share the data.
  2. Establish selection criteria based on the zip code data. Criteria could include: a high percentage of community members living in poverty; areas with limited or no access to public transportation; areas with limited or no service providers; and concentrations of specific populations (indigenous, immigrant, veteran, elderly, etc.).
  3. Select potential zip codes for a Legal Hand, and visit them to assess storefront locations that could be viable options.
  4. Meet with volunteers from current Legal Hand storefronts to better understand the community members that they serve and the resources necessary to effectively serve community members.
  
- **Create an Intern Language Services (Interpretation and Translation) Program and Supplemental Video Language Services**
  1. Identify colleges or universities on Long Island with robust foreign language programs.
  2. Meet with directors of these programs to inform them of the need for language services, including interpretation and translation services for unrepresented litigants in Suffolk County.
  3. Collaborate with these programs to explore the viability of offering Language Services Internship Programs in Interpretation and Translation for students.
  4. Develop a training and testing process for students interested in the Language Services Internship Program.
  5. Recruit additional interpreters and translators interested in providing their services via video conferencing to unrepresented litigants both in and out of the courtroom.

6. Collaborate with courts to designate private spaces in the courthouse where litigants could have private conversations with interpreters in-person and via video conferencing.

### Creating an Integrated Strategic Action Plan

Fully engaging in assessing inventories (needs/gaps assessment for the LTFs), setting priorities, and incorporating feedback has resulted in the preparation of strategic action steps by the working groups and LTFs. In reviewing the strategic action steps, the Commission began to see how these action steps, when properly integrated, could result in a cohesive strategic action plan to close the access-to-justice gap in New York. The statewide efforts aim to achieve wide-reaching systemic change and deploy statewide initiatives that will work to close the access-to-justice gap across the state. The local efforts in Suffolk County will serve as the blueprint for how meaningful change happens at the local level.

As the Commission discovered during the community listening sessions, every community across the State will have its own unique needs and gaps; local problems need local solutions. Because of this, the Suffolk County efforts cannot simply be applied in every community across the State to close the access-to-justice gap. However, the process that was followed in Suffolk County can be used as a foundation to create customized strategic action plans for other communities based on their unique characteristics. It is the Commission's belief that this combination of statewide and local strategic action planning, when expanded and refined, can close the justice gap for all low-income New Yorkers in matters involving the essentials of life.

Section III of this report will take the strategic action steps developed by the working groups and LTFs and transform them into an integrated statewide strategic action plan and an integrated local strategic action plan. As previously stated, when these two plans are properly integrated, a system that provides effective assistance can be achieved.

## IV. The Strategic Action Plan

### Statewide Strategic Action Plan

The strategic action plan for initiatives at the statewide level (the statewide strategic action plan) that will guide the short-term implementation effort is divided into three phases:

- Phase I: Execute Statewide Initiatives, Projects, and Programs.
- Phase II: Evaluate Statewide Initiatives, Projects, and Programs.
- Phase III: Refine Statewide Initiatives, Projects, and Programs.

Each phase will be described in greater detail in the following pages.

It is important to note that throughout each phase data regarding the activities, initiatives, programs, or pilots of the Commission will be collected for evaluation and refinement. In implementing our statewide strategies, we will work with the court system's Office for Justice Initiatives, the proposed advisory committee to be established by the Chief Judge on plain language and other court system committees involved with access-to-justice issues. Further, the Commission will continue to utilize its working groups to assist with certain elements of the implementation.

Concurrent with this three-phase process, the Commission will also be overseeing, advising, and guiding the expansion of the localized efforts occurring in Suffolk County and in selecting other localities for the development of access-to-justice efforts.

#### Foundational Capacities

**Phase I: Execute Statewide Initiatives, Projects, and Programs.** During this phase, the Commission is planning for and convening a statewide stakeholder conference for the sharing of knowledge, strategies and best practices for community integration. In the planning stages, the Commission will assist in developing tool kits and best practices manuals for community integration and expanding stakeholder involvement. Developments and successes observed in the Suffolk County pilot will inform this work. The Commission will also share its knowledge on community integration planning with other local communities, and consider the extent to which other statewide initiatives could be customized for further integration into local community efforts.

For its Technology Capacity priority, the Commission is exploring the potential for adopting data and content standards, and developing a statewide strategy or system for knowledge management, topics which will be the focus of the Commission's 2018 Statewide Technology Conference. Prior to the 2018 Conference, the Commission will review the findings and evaluations from other technology initiatives, as well as consider national initiatives and emerging trends. The Commission will collaborate with statewide technology stakeholders and court system staff to develop additional technologies and standards to

enhance individual organizations' operations and provision of services, and to promote system integration and efficiency.

The Commission will be available to assist the court system as it considers development and implementation of judicial and court staff education programs on issues related to cultural competency, including implicit bias, inclusion, and sensitivity to the impact of poverty, which should incorporate poverty simulations.

**Phase II: Evaluate Statewide Initiatives, Projects, and Programs.** The Commission will gather feedback from participants at its annual conferences and other planned events (as well as other conferences organized by other stakeholders, such as state and local bar associations), about the initiatives and projects executed in Phase I. As the activities in Suffolk County are carried out, the Commission will continue to incorporate findings from evaluations to inform statewide and local initiative development.

**Phase III: Refine Statewide Initiatives, Projects, and Programs.** Using the results from the prior phases, the Commission will: assess how to address community needs through stakeholder integration and resource development; continue to develop recommendations regarding technology capacity and integration within the courts and stakeholder community; and monitor the implementation of educational requirements for judges and court personnel. During this phase, the Commission will oversee, facilitate, and advise local groups on their efforts, including best practices.

#### Foundational Services

**Phase I: Execute Statewide Initiatives, Projects, and Programs.** During this phase, the Commission is available to assist the court system with efforts involving: (1) plain language initiatives, including designating a liaison to the Chief Judge's advisory committee; (2) the expansion of Help Centers throughout the State's courthouses, adoption of best practices and standards to assure consistency in staffing, delivery of services and operational functions; and (3) implementation of the court system's 2017 Language Access Plan to enhance interpretation and translation services in the courts. The Commission supports the expansion of online self-help resources accessible both in courthouses and remotely in English as well as other languages; DIY programs; and greater integration with the court system's universal case management systems.

**Phase II: Evaluate Statewide Initiatives, Projects, and Programs.** As the local pilot groups in Suffolk County initiate their own projects related to plain language, enhanced online self-help resources, and language access services for interpretation and translation, a liaison from the Commission will request reports on best practices, findings and data that may be collected to integrate into statewide and local efforts in these areas. All information collected will be shared with the court system to facilitate implementation efforts. Data that may be available from existing court system tracking mechanisms for information collection

on help center operations, online self-help resources and language access services will guide the ongoing evaluation of each project and initiative or refinement.

**Phase III: Refine Statewide Initiatives, Projects, and Programs.** Using findings and evaluations from both local and statewide initiatives from the prior phase, the Commission may suggest refinements to ongoing efforts. During this phase, the Commission will continue to provide oversight and guidance for communities in Suffolk County, as well as other localities across the State that have already initiated local access-to-justice efforts involving plain language, court-based Help Centers, online self-help resources and language access services.

### Enhancement Services

**Phase I: Execute Statewide Initiatives, Projects, and Programs.** The Commission will continue to support the expansion of full-service representation. The Commission will monitor the implementation of the recently enacted access to counsel legislation in New York City for low-income individuals facing eviction to determine whether it can be replicated in other areas of the state or in other areas of the law. During this phase, the Commission is also advocating for the expansion of the Court Navigator Program, Legal Hand and other ways in which to leverage the services of nonlawyers. In addition, the Commission is also making recommendations for developing and enhancing specific training programs and online guidance materials regarding limited-scope representation. The Commission will continue to collaborate with local groups and the court system to develop and replicate successful initiatives involving full representation, limited-scope representation and nonlawyer services.

**Phase II: Evaluate Statewide Initiatives, Projects, and Programs.** The Commission will gather existing data and feedback from the court system, legal services providers, bar associations, the Navigator Program and Legal Hand about the impact full representation, limited-scope representation and nonlawyer services initiatives are having on litigants and court/provider operations. The Commission will evaluate the effectiveness of its recommendations on expanding limited-scope representation. Efforts to implement new service models and best practices for full representation, limited-scope representation and nonlawyer services will be monitored and evaluated, and inform the Commission's strategies and recommendations for local and statewide initiatives.

**Phase III: Refine Statewide Initiatives, Projects, and Programs.** Throughout this phase, the Commission is studying the economic impact of local and statewide efforts to improve access to effective assistance through full representation, limited-scope representation and nonlawyer programs. The Commission will rely upon cost benefit analyses to determine future expansion of such services.

Throughout the implementation phases of the Statewide Strategic Action Plan, the Commission will:

- Convene regular meetings;
- Involve diverse stakeholders and participants beyond Commission members, as appropriate;
- Work with the court system to identify opportunities for the Commission to be of assistance;
- Facilitate feedback and collaboration with local strategic action plan efforts;
- Gather information necessary to perform reliable evaluations and refinements;
- Review the components not chosen for prioritization and consider them for possible strategic action planning;
- Identify opportunities for the expansion of full representation across the State; and
- Pursue opportunities to expand access to effective assistance through regular information gathering, assessment, evaluation, refinement, and strategic action planning.

The Commission will serve an important role in integrating the statewide and local efforts outlined in this strategic action plan. For this strategic action plan to be successful, statewide efforts will need to have an impact on local efforts, and the local efforts will need to inform statewide opportunities. The Commission will ensure that regular communication, information sharing, feedback and development occurs between and within the groups leading all of these initiatives. By combining and integrating these initiatives and utilizing feedback and refinement processes, there will be a foundation upon which to provide effective assistance to 100 percent of low-income New Yorkers facing challenges to essentials of life.

### **Local Strategic Action Plan – Suffolk County Pilot**

The local strategic action plan for the Suffolk County Pilot (the Pilot) that will be used for the first-year implementation is divided into four phases:

- Phase I: Initiate LTF Pilots, Projects, and Programs.
- Phase II: Expand LTF Pilots, Projects, and Programs.
- Phase III: Evaluate LTF Pilots, Projects, and Programs.
- Phase IV: Refine LTF Pilots, Projects, and Programs and Foster Concurrent Expansion.

The LTFs will undertake this four-phase process, which is detailed below. Throughout each phase, data regarding the activities, initiatives, programs, or pilots of the Local Task Forces will be collected for evaluation and refinement.



Throughout the implementation, the findings from this process will be used to inform the Commission’s expansion of similar local efforts throughout New York.

### LTF 1 – Legal Representation

**Phase I: Initiate LTF Pilots, Projects, and Programs.** During this phase, LTF 1 is expanding its existing partnership with Touro Law School’s pro se divorce project. For its pro bono panels and modest means panels, the members of LTF 1 are recruiting and training volunteer attorneys. For the case types that will be LTF 1’s focus – uncontested divorces, immigration defense, citizenship applications, education issues – CLE curriculums will be developed. Additional resources are being identified for child support and re-entry work.

**Phase II: Expand LTF Pilots, Projects, and Programs.** After initiating its projects, LTF 1 will be fully serving community members in the areas identified. Preliminary data detailing the use of expanded legal resources and the training programs will be collected and evaluated to guide the potential expansion of the Task Force’s projects. From this data, expansion could be prioritized for additional case types or for new geographic locations. Events such as “Citizenship Day” could be developed to further raise awareness, in conjunction with the Messaging LTF, of LTF 1’s efforts. Data regarding the deployment of legal services (through bar association panels and legal services pilot projects) and the training of judges and court personnel will be collected for evaluation and refinement.

**Phase III: Evaluate LTF Pilots, Projects, and Programs.** To gauge the impact of the LTF’s projects on local communities and services providers, LTF 1 will gather feedback from its volunteer lawyers and nonlawyer volunteers about their interactions with local litigants and legal aid organizations. To supplement these insights, the LTF will review available data from the first few months of its volunteer legal services projects, as well as the deployment of new CLE curricula for court staff, and compare new findings with data from existing programs, to gauge the impact of the projects on all relevant stakeholders.

**Phase IV: Refine LTF Pilots, Projects, and Programs and Foster Concurrent Expansion.** Using the results from the prior phase, LTF 1 will consider how to improve its efforts. Broadly speaking, LTF 1 could make refinements to its services expansion projects related to three areas: staffing models; target populations; and services delivered. Refining staffing models could include adding or subtracting staff and adjusting roles and responsibilities. Refining target populations could include customizing messaging specifically for veterans or immigrants. Refining services delivered could include adding or subtracting services based on the demand for those services. When making any type of refinement, LTF 1 should consider how to deploy scarce resources to each of its pro bono/modest means panels most efficiently. Throughout the refinement phase, services to community members and collection of project data will continue. The Task Force will continuously consider the progress and successes of the other LTFs’ projects and strategies, to more comprehensively inform how they may improve their efforts to enhance the volunteer services available for

each of the areas of law that their panels and projects seek to address. For example, there may be an opportunity to staff a pro bono attorney at the Huntington Station CRC to assist with citizenship applications once a month.

### LTF 2 – Initial Points of Entry

**Phase I: Initiate LTF Pilots, Projects, and Programs.** During this phase, LTF 2 is distributing the Resource Guide (described in Section II) to initial points of entry across Suffolk County and training their staff on how to use the Resource Guide. For its Huntington Station CRC and Middle Country Library pilots, LTF 2 is recruiting and training volunteer attorneys and nonlawyer volunteers. To better reach community members where traditional initial points of entry are limited, LTF 2 may collaborate with LTF 5 to explore the potential for a mobile services unit.

**Phase II: Expand LTF Pilots, Projects, and Programs.** After initiating its projects, LTF 2 will be serving community members through its new pilot projects, and collecting detailed data for each. When necessary, “warm hand-offs” are being made to holistically and efficiently serve community members. Each of the project’s data collection efforts will enable effective guidance for the expansion of each of the pilots. Based on the data, expansion could be to additional CRCs, libraries, and/or other community organizations. To guide and enable efficient expansion, LTF 2 will collaborate with other LTFs to incorporate their projects’ successes into project enhancement or replication initiatives. For example, the Accessibility LTF (LTF 5) may find that libraries in rural Eastern Suffolk County could be leveraged to reach remote populations. See Appendix B for Suffolk County maps. Data collection for future evaluation and refinement will continue within each of the pilot projects.

**Phase III: Evaluate LTF Pilots, Projects, and Programs.** To gauge the impact of those projects on local community populations, LTF 2 will gather feedback from its volunteer legal and non-legal staff about their experiences at each of the pilot projects. While the pilots will have only been deployed for a few months at this point, continued data collection at each of the pilots will supplement the insights gathered from local project staff and volunteers.

**Phase IV: Refine LTF Pilots, Projects, and Programs and Foster Concurrent Expansion.** Using the results from the prior phase, LTF 2 will consider how to enhance its pilots and begin expansion throughout the county. LTF 2 could make refinements to its staffing models, by reorganizing permanent and volunteer staff at each of the pilots, and expanding those models to new locations. The Task Force may also customize awareness efforts more specifically to different populations, such as immigrants or veterans, who could be served at each local pilot, or modify the stock of services available at each, according to the changing demands within local communities for different types of legal assistance. As the Task Force continues to collect data from the pilot projects to guide refinement and appropriate expansion efforts, it will also continue to consider how exactly to deploy scarce resources most efficiently. In planning the expansion of its pilot projects embedded within

the community, LTF 2 will collaborate with the other task forces to explore creative ways to improve the effectiveness and efficiency of those community-based pilot projects. For example, there may be an opportunity to collaborate with the Technology LTF about how to most efficiently update the Resource Guide.

### LTF 3 – Technology

**Phase I: Initiate LTF Pilots, Projects, and Programs.** During this phase, LTF 3 is collaborating with the other LTFs about the role of technology in their efforts. Additionally, LTF 3 is exploring the potential of data and referral systems integration with 2-1-1. This integration would allow for better evaluation mechanisms later in the Pilot.

**Phase II: Expand LTF Pilots, Projects, and Programs.** LTF 3 is developing tools specific to enhance the efforts of the other LTFs. For example, mobile applications could be developed to facilitate access for those who face specific accessibility barriers. When developing tools for the other LTFs, LTF 3 should consider the potential for data gathering pilot wide and the resources necessary to gather that volume of information. LTF 3 may also play a role in training other LTFs or staff at initial points of entry on how to use the tools it has created.

**Phase III: Evaluate LTF Pilots, Projects, and Programs.** LTF 3 will gather feedback from the users of the technology tools about their experiences with the tools to gauge the impact the technologies are having on community members. Any available data regarding the usage of new technologies at each of the LTFs' projects—in addition to the datasets available from existing data collection infrastructures at local community organizations and services providers—will enable detailed evaluation of the impact of those tools to supplement the insights described above.

**Phase IV: Refine LTF Pilots, Projects, and Programs and Foster Concurrent Expansion.** Using the results from the prior phase, LTF 3 will consider how to more effectively expand the technology capacities of the various LTFs, and to develop tools for each of their various projects. At the core of any strategic refinement for LTF 3, will be the consideration of how to most efficiently deploy technological resources amongst stakeholders and partners. Throughout the refinement phase, community members will continue to be served, and data will continue to be collected. As the Task Force collaborates with each of the other LTFs to enhance the technology capacity for each of their projects, it will also identify new technological solutions to existing barriers to access to justice. For example, there may be an opportunity to collaborate with the Messaging LTF about how to raise awareness for a new mobile application.

### LTF 4 – Messaging

**Phase I: Initiate LTF Pilots, Projects, and Programs.** During this phase, LTF 4 is considering whether there is funding necessary for any activities it is considering, such as focus groups of community members to inform the development of informational material.

However, LTF 4 will also be able to move forward with any activities that do not require funding. Additionally, LTF 4 is utilizing 2-1-1 data to inform the development of the message and assess the need for customized messaging. LTF 4 will begin developing potential messages based on the information gleaned from focus groups, interviews, and 2-1-1 data. After developing potential messages, LTF 4 should test the messages with community members, and select the message that community members indicate is most impactful.

**Phase II: Expand LTF Pilots, Projects, and Programs.** LTF 4 will first develop a plan for deployment of the message including consideration of a county-wide launch event, and the development of a paid/owned media strategy to promote widespread public awareness of the Pilot. After the launch event, LTF 4 is also deploying the message at smaller, more intimate events and through one-on-one interactions with community members by utilizing nonlawyer volunteers. Printed and digital informational materials are being disseminated throughout the community to stakeholders and places that community members frequent. LTF 4 should be collaborating with the other LTFs to explore the opportunity for customized messaging related to their efforts or specific populations that they serve.

**Phase III: Evaluate LTF Pilots, Projects, and Programs.** LTF 4 will gather feedback from stakeholders and community members about the impact that messaging is effective in raising awareness about the Pilot and its efforts. The Task Force will supplement those findings with any available datasets that track the deployment of its messaging and awareness campaigns, enabling them to more precisely target specific audiences through reliably effective messaging methods.

**Phase IV: Refine LTF Pilots, Projects, and Programs and Foster Concurrent Expansion.** Using the results from the prior phase, LTF 4 will consider how to improve its efforts. When making any type of refinement, LTF 4 should consider how resource deployment can most effectively and efficiently target key audiences to promote awareness amongst important populations and groups of stakeholders. Throughout the refinement phase, the message will continue to be deployed, and data regarding the effects of that deployment will continue to be collected. LTF 4's efforts are largely collaborative, which fosters concurrent expansion naturally.

#### LTF 5 – Accessibility

**Phase I: Initiate LTF Pilots, Projects, and Programs.** During this phase, LTF 5 is considering locations for Legal Hand in Eastern Suffolk County. Zip code data collected by 2-1-1 and data collected by the Pilot should be analyzed to inform LTF 5's selection of potential locations. Once potential locations are chosen, those locations should be visited to explore the possibility of co-location with an organization already using a storefront. After this, a location should be chosen. LTF 5 should meet with civil legal services providers in Suffolk County to explore the potential for one of their attorneys to appropriately staff Legal Hand. LTF 5 will also be considering the additional funding needed for this attorney as well

as office equipment needed for the Legal Hand storefront center. Concurrently, nonlawyer volunteers should be recruited and trained. For its language services project, LTF 5 will be identifying colleges and universities on Long Island with robust foreign language programs to gauge their interest in creating a translation services internship program with the Pilot.

**Phase II: Expand LTF Pilots, Projects, and Programs.** LTF 5 is serving community members at Legal Hand in Eastern Suffolk. When necessary, “warm hand-offs” are being made. LTF 5 is collaborating with LTF 4 about how to raise awareness about the Legal Hand and collaborating with the Initial Points of Entry LTF to train community volunteers. Lastly, LTF 5 will be working with colleges and universities on Long Island to create a translation services internship program. Preliminary data will be evaluated to explore the potential for pilot expansions. Based on the data, expansion could entail an additional Legal Hand location or contemplation of a mobile services unit for Eastern Suffolk County. LTF 5 should consider the efforts of other LTFs when contemplating expansion. For example, the Initial Points of Entry LTF may find that a CRC in Eastern Suffolk County could be leveraged to reach remote populations. Data will continue to be collected for evaluation and refinement.

**Phase III: Evaluate LTF Pilots, Projects, and Programs.** LTF 5 will gather feedback from its volunteer lawyers and nonlawyer volunteers about their interactions with community members and the impact the projects are having on local populations and community members. As the LTF’s efforts to establish a new Legal Hand center, train community volunteers, and establish translation services internship programs develop, any available data regarding the deployment of those initiatives will guide their refinement in conjunction with the feedback offered by volunteer stakeholders.

**Phase IV: Refine LTF Pilots, Projects, and Programs and Foster Concurrent Expansion.** Using the results from the prior phase, LTF 5 will consider how to improve its efforts. Broadly speaking, LTF 5 could make refinements related to three areas: staffing models; target populations; and services delivered. Refining staffing models could include adding or subtracting staff and adjusting roles and responsibilities. Refining target populations could include customizing messaging specifically for veterans or immigrants. Refining services delivered could include adding or subtracting services based on the demand for those services. When making any type of refinement, LTF 5 will consider how to deploy scarce resources most efficiently. Throughout the refinement phase, community members will continue to be served, and data will continue to be collected. To maximize the effectiveness of the LTF’s growth strategies for Legal Hand, the community volunteer training program, and the translation services internship program, they will collaborate with the other task forces to mutually enhance each other’s projects, as has been described by example above.

## Evolution of the Pilot

The Suffolk County Pilot represents the idea that significant change can happen at a local level and is spurred by engaged community stakeholders and community members. As Suffolk County moves through the first-year implementation phases described previously, it can expect the community to evolve.

In Phase I, the LTFs were focused on recruiting volunteer lawyers and nonlawyer volunteers, expanding and leveraging their partnerships, creating new partnerships, and utilizing existing data to make informed decisions. The result of Phase I was the laying of a foundation and the positioning for execution/expansion.

In Phase II, the efforts of the LTFs are beginning to work in an integrated fashion. The Huntington Station CRC, Middle Country Library, and Legal Hand – all “one-stop-shop” models – are serving community members, the message is deployed across the county and customized when needed, a mobile service unit is traveling to remote geographies in Eastern Suffolk County to engage with community members, and collaboration with colleges and universities to create a translation internship is underway. The expected result of Phase II is the coming together of a community. New resources and services have been deployed, community members are aware of the help that exists, technology is enabling access to populations who felt isolated in the past, and data is providing initial insights about additional gaps and the magnitude of the gaps.

In Phase III, the LTFs are evaluating their efforts. The evaluation process not only provides insights about what is and is not working in Suffolk County, but also informs the Commission’s ability to communicate and make recommendations to other areas of New York that have been observing what is going on in Suffolk County. The expected result of Phase III is having preliminary evidence that suggests building an integrated community is a viable approach for providing effective assistance to community members in need.

In Phase IV, the LTF efforts and Pilot as a whole are undergoing their first of many refinements. The data have served as the basis for the refinements. At this point, although improvements continue to be made, the access-to-justice gap is not yet closed in Suffolk County. However, a foundation of integral services has been laid and a repeatable process for evaluation and refinement has been created. As the Suffolk County stakeholders continue to learn from community members and expand their capabilities, more refinements will need to be made. As expansion happens around the State, Suffolk County will continue to evolve into, what the Commission hopes may be, the first jurisdiction in New York providing effective assistance in matters affecting the essentials of life to 100 percent of its low-income community members.

Undertaking a local pilot that includes numerous initiatives and projects provides a unique opportunity for data gathering and analysis for measurement of effectiveness. Throughout each phase of the implementation, it will be important for each LTF to be collecting data

related to its efforts. Decisions will need to be made about the appropriate data fields for evaluation purposes. Once those fields are chosen, a standardized reporting tool should be developed. Having the data in a common format and easily accessible through a reporting tool will enable analyses which will lead to informed refinement, monitoring of gaps in access to effective assistance, and the development of additional action plans.

## V. Going Forward

The Commission proposes a Suffolk County Access to Justice Committee (Suffolk Committee) be established to continue the work undertaken over the last six months. It should be composed of the members of the Suffolk County Leadership Committee and chaired by Hon. C. Randall Hinrichs, Administrative Judge, Tenth Judicial District, Suffolk County. The Suffolk Committee Chair may identify and appoint additional members to further the objectives of the Suffolk Committee.

The Commission will provide overall supervision for the Suffolk Committee to further the objectives of the statewide action plan. The Suffolk Committee will be responsible for coordinating local implementation efforts, including working closely with the Local Task Forces and all stakeholders for continued input, and to monitor progress to ensure that the initiatives are integrated for their most impactful result. The Suffolk Committee will report and make recommendations to the Commission on implementation efforts and activities. Quarterly in-person meetings will be held at which the members of the Committee will present oral and written reports to the Commission.

The Commission will designate one of its members to serve as liaison to the Suffolk Committee. Hon. Fern A. Fisher has agreed to serve in this capacity. The Commission also will be available for advice and counsel to the Suffolk Committee as issues arise.

Going forward, the Commission will serve as the statewide umbrella entity to coordinate and oversee implementation of the objectives of the strategic action plan throughout the State. The Commission will pursue statewide implementation funding and oversee its use.<sup>36</sup> The Commission will identify localities where local access-to-justice committees (local committees) can be established, identify stakeholders to work with the Commission in creating the membership of the local committees, facilitate collaborations among the stakeholders and community partners, and set forth action steps for the local committees, including a reporting and meeting schedule.

As detailed in this report, the Commission sets forth a strategic action plan that integrates statewide initiatives and local efforts to provide effective assistance to all low-income New Yorkers confronting matters involving the essentials of life. This statewide strategic action plan provides the framework for the Commission's continued work to close the justice gap in New York.

---

<sup>36</sup>See Appendix D for initial considerations regarding implementation funding.



## **APPENDIX A: Commission Members, Staff and Consultants**

## PERMANENT COMMISSION ON ACCESS TO JUSTICE

---

### **Helaine M. Barnett, Chair**

President, Legal Services Corporation (2004–2009)

#### **Hon. Rolando T. Acosta**

Presiding Justice, Appellate Division, First Department

#### **Hon. Lucy Billings**

Justice, Supreme Court, New York County

#### **Carmen Beauchamp Ciparick**

Former Associate Judge, Court of Appeals  
Co-Chair, Appellate Practice Group,  
Greenberg Traurig, LLP

#### **Robert N. Convisar**

*[Past President, Bar Association of Erie County]*

Offices of Robert N. Convisar, Esq.

#### **Mark G. Cunha**

*[Past Chair, Legal Services NYC]*

Of Counsel, Simpson Thacher & Bartlett LLP

#### **Matthew Diller**

Dean and Paul Fuller Professor of Law,  
Fordham University School of Law

#### **Shelley J. Dropkin**

*[Past Chair, New York Lawyers for the Public Interest]*

Managing Director, Deputy Corporate  
Secretary and General Counsel, Corporate  
Governance, Citigroup Inc.

#### **Camille Siano Enders**

*[Women's Bar Association of the State of New York]*

Assistant Public Defender, Schenectady  
County Public Defender's Office

#### **Anne Erickson**

President & CEO, Empire Justice Center

#### **Barbara Finkelstein**

Chief Executive Officer,  
Legal Services of the Hudson Valley

#### **Kevin Finnegan**

Political Director, 1199 SEIU

#### **Hon. Fern Fisher**

Special Assistant to the Dean for Public  
Interest Initiatives & Social Justice, Maurice  
A. Deane School of Law at Hofstra  
University

#### **Robert B. Fiske, Jr.**

Senior Counsel, Davis Polk & Wardwell LLP

#### **Alexander D. Forger**

President, Legal Services Corporation (1994-  
1997)

#### **Michael D. Fricklas**

Former General Counsel, Viacom Inc.

#### **Sheila A. Gaddis**

Executive Director, Volunteer Legal Services  
Project of Monroe County Inc.;  
Partner, Barclay Damon LLP

#### **Robert J. Giuffra, Jr.**

Partner, Sullivan & Cromwell LLP

#### **Kimberly Harris**

Executive Vice President & General Counsel,  
NBC Universal

#### **Adriene Holder**

Attorney-in-Charge, Civil Practice, The Legal  
Aid Society

#### **Denise Kronstadt**

Deputy Executive Director/Director of  
Advocacy, The Fund for Modern Courts

#### **Hon. E. Leo Milonas**

Partner, Pillsbury Winthrop Shaw Pittman  
LLP

#### **Lillian M. Moy**

Executive Director, Legal Aid Society of  
Northeastern NY

#### **Christopher O'Malley**

Executive Director, The IOLA Fund of the  
State of New York

#### **Herbert Pardes, MD**

Executive Vice Chair, Board of Trustees,  
New York-Presbyterian Hospital,  
The University Hospital of Columbia and  
Cornell

#### **Bettina B. Plevan**

Partner, Proskauer Rose LLP

#### **Hon. A. Gail Prudenti**

Dean, Maurice A. Deane School of Law at  
Hofstra University

#### **Raun J. Rasmussen**

Executive Director, Legal Services NYC

#### **Robert C. Sheehan**

Of Counsel, Skadden, Arps, Slate, Meagher  
& Flom LLP

#### **Lorie Slutsky**

President, The New York Community Trust

#### **Hon. Rowan D. Wilson**

Associate Judge, Court of Appeals

#### **Deborah L. Wright**

President, United Auto Workers, Local 2325

#### **EX OFFICIO**

#### **Hon. Edwina G. Mendelson**

Deputy Chief Administrative Judge for  
Justice Initiatives

#### **Senator John Bonacic**

Chair, Senate Judiciary Committee

#### **Assembly Member**

#### **Helene E. Weinstein**

Chair, Assembly Judiciary Committee  
(1994-2017)

#### **COUNSEL**

#### **Lauren Kanfer**

Office of Court Administration

#### **Jessica Klein**

Special Counsel & Head of Pro Bono  
Practice, Sullivan & Cromwell LLP

#### **Julie E. Krosnicki**

Sullivan & Cromwell LLP

#### **Lara J. Loyd**

Sullivan & Cromwell LLP

#### **Barbara Mulé**

Office of Court Administration

#### **Barbara Zahler-Gringer**

Counsel for Administration, Office of Court  
Administration

#### **SPECIAL ADVISORS**

#### **Marcia Levy**

Director of Externships and Field-Based  
Learning, Columbia University School of  
Law

#### **Mary C. Mone**

Special Counsel to the Chief Judge (Ret'd)

#### **CONSULANT**

#### **Neil Steinkamp**

Stout Risius Ross, LLC

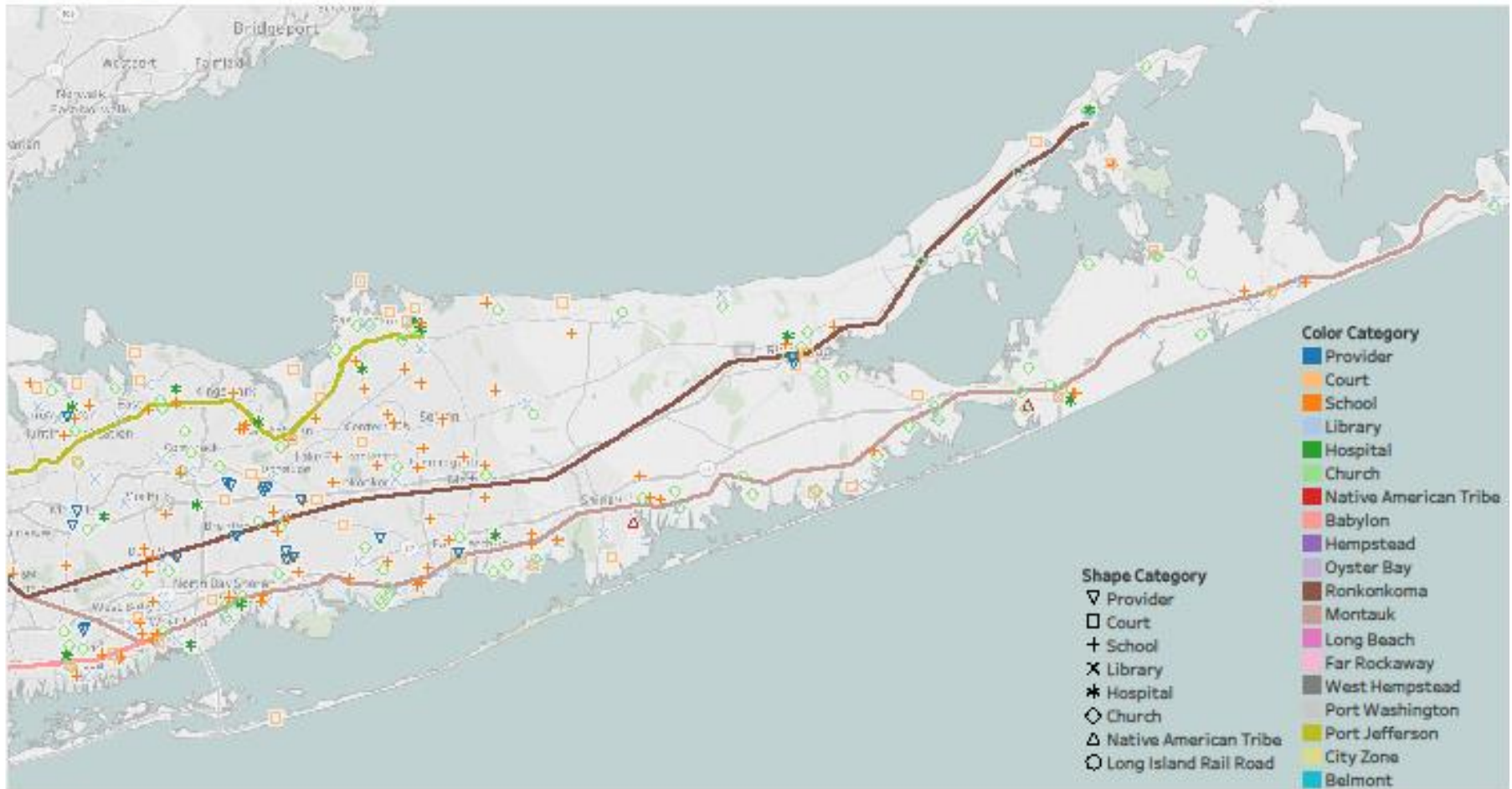
The Commission would also like to recognize the significant contributions of Sullivan & Cromwell LLP for its support to the Commission throughout the strategic action planning process. In addition, the Commission would like to recognize the significant contributions of Samantha DiDomenico and Will Lockwood who assisted the Commission's consultant, Neil Steinkamp, throughout the development of the strategic action plan.

## **APPENDIX B: Suffolk County Maps**

# Suffolk County Points of Interest and Per Capita Income



## Suffolk County Points of Interest



**APPENDIX C: Organizations Represented at  
Statewide Stakeholder Meeting**

Able2 Enhancing Potential Inc.	Legal Services of Central New York
Advocates for Children of New York	Legal Services of the Hudson Valley
Albany Law School	Legal Wellness Institute at The Family Center
American Bar Association	Lenox Hill Neighborhood House
Bronx Supreme Court Help Center	Long Island Advocacy Center
Brooklyn Bar Association Volunteer Lawyers Project	Make the Road New York
Brooklyn Defender Services	Maurice A. Deane School of Law at Hofstra University
Catholic Charities Archdiocese of New York	Mediation Matters
Catholic Family Center	Mental Health Association of Erie County
Catholic Migration Services	Middle Country Public Library
Center for Court Innovation	Mobilization for Justice, Inc.
Center for Elder Law and Justice	My Sisters' Place
Child Welfare Court Improvement Project	Nassau Suffolk Law Services
Children's Rights Society	Neighborhood Defender Service of Harlem
City Bar Justice Center	NYC Bar Association
Clinton County Office for the Aging	NYC Family Court
Empire Justice Center	NYC Family Court Volunteer Attorney Program
Empowerment Collaborative of Long Island Inc.	NYC Office of Civil Justice
Family Services of Westchester	New York IOLA Fund
Her Justice	New York Law School and Safe Passage Project
Hope's Door	New York Legal Assistance Group
Housing Conservation Coordinators	New York Legal Services Coalition
Housing Court Answers	NYS Attorney General's Office
Hudson Valley Legal Services	NYS Bar Association
iCircle	NYS Court of Appeals
Jewish Association Serving the Aging (JASA)	NYS Courts: Office for Justice Initiatives
John Jay Legal Services, Inc.	NYS Judicial Institute
Journey's End Refugee Services	NYS Office for the Prevention of Domestic Violence
Just-Tech	NYS Office of Indigent Legal Services
Legal Aid Society	NYS Permanent Commission on Access to Justice
Legal Aid Society of Mid-New York, Inc.	NYS UCS
Legal Aid Society of Northeastern New York	NYS UCS Suffolk Courts
Legal Aid Society of Rochester, NY	NYS UCS, 10th Judicial District, Suffolk County
Legal Assistance of Western New York, Inc.	NYS UCS, 3rd Judicial District
Legal Hand	NYS UCS, 7th Judicial District
Legal Information for Families Today	NYS UCS, 8th Judicial District
Legal Services Corporation	NYS UCS, 9th Judicial District
Legal Services NYC	NYS UCS: Office of Legal Information
Legal Services NYC: Staten Island	Northern Manhattan Improvement Corporation

NYC Office to Combat Domestic Violence	The Bronx Defenders
NYC Office of Administrative Trials & Hearings	The Crime Victims Center, Inc.
Office of Court Administration	The Legal Project
OCA: Division of Professional and Court Services	The Safe Center LI, Inc.
OCA: Family Court	Touro Law Center
OCA: Office of Alternative Dispute Resolution Programs	United Way of the Valley and Greater Utica Area
OCA: Office of Language Access	University at Buffalo School of Law
Pace University School of Law	Urban Justice Center
Pace Women's Justice Center	Urban Resource Institute NYC
Part of the Solution	US Department of Justice Office for Access to Justice
Prisoners' Legal Services	Vera Institute of Justice
Pro Bono Net	Voices for Civil Justice
Pro Bono Partnership	Volunteer Legal Services Project of Monroe County, Inc.
Queens Legal Services	Volunteers of Legal Service
Queens Supreme Court	Westchester County Family Court
Richmond County Supreme Court	Westchester County Office for People with Disabilities
Shinnecock Indian Nation	Westchester Library System
Steuben County Department of Social Services	Westchester Rockland Mediation Center of CLUSTER
Suffolk County Bar Association	Western New York Law Center
Suffolk County Courts	Worker Justice Center of New York, Inc.
Suffolk County Department of Health Services	YWCA Niagara Frontier
Suffolk County Family Court	



**APPENDIX D: Funding Considerations for  
Strategic Action Plan Implementation**

While many of the activities in this strategic action plan can be undertaken without additional funding, there are some that will require monetary expenditures. As estimating the funds needed to execute each activity that will require funding depends on a variety of factors, the Commission has estimated funding for each as “low”, “moderate”, and “high.” The activities and their corresponding funding levels are as follows:

<b>Activity</b>	<b>Funding Level Estimate</b>
Create an Office of Translation Services.	High
Expand the Court Navigator Program in New York City courts throughout the state.	High
Create Legal Hand storefronts for referral, preventive, and holistic services in new locations in and outside of New York City.	High
Develop court Help Centers modeled after the Bronx Family Court Help Center and Rochester Hall of Justice Help Center.	High
Convene regional community integration and prevention meetings.	Moderate
Expand CourtHelp by increasing topic areas, live chat capabilities, and translating the website into Spanish.	Moderate
Translate CourtHelp, How-To guidebooks for unrepresented litigants, court forms, and Help Center documents.	Moderate
Translate into plain language all statewide topic areas, live chat capabilities, and translating the website into Spanish.	Moderate
Continue translation of Family Court forms into plain language and begin to translate Landlord/Tenant forms into plain language.	Moderate
Create training videos for initial points of entry and nonlawyer staff who volunteer at the Huntington Station CRC and the Middle Country Library.	Moderate
Establish a Legal Hand storefront in Eastern Suffolk County potentially through collocation.	Moderate
Conduct focus groups, interviews, and listening sessions to inform the development of awareness and messaging campaigns.	Moderate
Develop printed and digital information for dissemination.	Moderate
Finalize community integration and prevention tool kits.	Low
Recruit qualified interpreters for languages that are most underserved.	Low
Develop translation dictionaries of common legal and court-related words.	Low
Develop standard forms for notice of appearance and withdrawal from limited-scope representation matters.	Low
Develop a limited-scope representation training program for attorneys.	Low
Offer free CLE training of limited-scope representation training program for attorneys.	Low
Develop and conduct standard training programs for legal issue spotting and for nonlawyers.	Low
Expand the number of group training sessions offered to the public for completing forms, including the uncontested divorce form.	Low
Recruit and train volunteers to staff Legal Hand.	Low
Establish a Suffolk County website specific to the plan implementation efforts.	Low
Plan a county-wide message launch event.	Low