

GEORGIA
JUSTICE FOR ALL
STRATEGIC ACTION PLAN

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EXECUTIVE SUMMARY

In 2017, after an extensive assessment of the components of Georgia's Access to Justice eco-system, the Justice for All Working Group developed a Strategic Action Plan. The Strategic Action Plan is intended to meet consumers of civil legal services where they are—geographically, institutionally, and financially. To that end, we have proposed three projects that will put the state on a path to ensuring that regardless of income, location within the state, or the institution with which individuals first make contact, every person in Georgia will be able to identify a source of assistance to address his or her civil legal needs.

People may not always know where to go for help, but there are places where many people in Georgia do turn to when they have a problem.

Our first project will explore the possibility of utilizing religious communities as a vehicle to help individuals identify when a need could benefit from legal assistance and to connect people with a source of assistance for that need. The training curriculum model developed through this project has the potential to translate to other forums in which legal needs may not be readily apparent to the individuals seeking assistance, such as schools and hospitals.

Sometimes people do know their problem is a legal one and are unaware of the self-help resources available to the community.

The second project will focus on creating and expanding self-help centers in law libraries, providing a means—particularly for those in rural areas—for individuals to identify the nature of their legal issue and the tools that they will need to address it. The model developed through this project has the potential to expand to public libraries as well.

And some who have an identified legal problem could benefit from a wide variety of legal solutions, but the feasibility of those solutions is unclear.

The third and final project will focus on identifying and assessing structural impediments that may be preventing legal service providers from developing and offering a range of solutions beyond full-service legal representation—including limited scope legal assistance, unbundled services, and the use of non-lawyers—to address civil legal needs across the state. Many of these solutions could address the needs not only of low-income Georgians, but of middle-income Georgians as well.

This project will clarify what the current rules allow, and relay that guidance to all relevant stakeholders—lawyers, judges, and legal consumers. Through this process—and through the implementation of the first and second projects—we expect to gain additional clarity as to whether and how those rules must evolve to accommodate new solutions to Georgia's access-to-justice problems.

GEORGIA JUSTICE FOR ALL STRATEGIC ACTION PLAN

I. Vision of Access to Justice in Georgia

Last year, the State Bar of Georgia Access to Justice Committee partnered with the Supreme Court of Georgia, the Administrative Office of the Courts, the Georgia Bar Foundation, the Atlanta Legal Aid Society and the Georgia Legal Services Program in the submission of a proposal for a Justice for All Grant.

In that grant proposal, the partners provided their vision of what 100% access to justice in Georgia would be viewed through the eyes of a hypothetical consumer, Ava Brown. Ms. Brown was a 70-year-old Vietnam veteran who lived in a mobile home in Baker County in Southwest Georgia - a county without any attorneys. Threatened with losing access to her power and water, Ms Brown used her rent money to pay her utilities. As a result, she faced eviction from her home because she was unable to meet her rent obligations. Where could she turn for help?

The partners imagined that if a consumer based access to justice eco-system were developed through a strategic planning process then the following scenario would occur. At church Ms. Brown mentions to her pastor her current situation. Based on his involvement in a statewide faith-based network, he knows about the triage portal, GeorgiaLegalAid, to which he refers Ms. Brown. Unfortunately, Ms. Brown does not currently have internet access. However, she does have regular contact with social service providers including her county's Senior Citizen Center and the State Department of Veterans Services, which also are also aware of the portal and refer her to the nearest county law library self-help resource center where she can obtain free computer and internet access. Once connected to the portal, Ms Brown is able to enter some basic information about her and the issues she is facing, after which the portal refers her to one of the following:

- 1) GeorgiaLegalAid.org for specific information;
- 2) A court-based center for assistance in self- representation;
- 3) A GLSP office for full or limited scope representation;
- 4) A pro bono attorney for full representation on a pro/low bono basis, or an attorney through a Lawyer Referral Service; or
- 5) The Atlanta Legal Aid Society's state-wide Georgia Senior Legal Hotline.

The elements to give life to this vision merely needed the support and coordination of a strategic planning effort to develop innovative pilot projects with replicable approaches and justice community collaborations that would have positive ripple effects throughout Georgia.

III. Process JFA Strategic Action Plan

A. Convene Stakeholders - Georgia has a history of a variety of stakeholders in the civil justice community partnering on specific initiatives. Upon notification of the JFA Grant Award, the State Bar Access to Justice Committee Chair, Honorable Jill Pryor, U.S. Court of Appeals, 11th Judicial Circuit, appointed Charles Lester, Esq., former President of the State Bar of Georgia, to serve as Chair of the JFA Working Group which included representatives of stakeholder organizations as well as representatives from the philanthropic community, consumer groups, the human service sector, and interfaith communities. (See *Attachment A – Working Group Members*)

B. Establish Work Plan and Task Teams - With the assistance of JFA Georgia consultant, Tom Clarke, the Working Group held its first meeting on February 3, 2017 at which time the group agreed upon a work plan and schedule. At that meeting, Clarke led a group discussion of the materials outlining the key elements of the JFA components. He also provided several innovative examples and trends that were being adopted in other jurisdictions to address the issues raised. These components served as the basis for the inventory assessments assigned to the designated four Task Teams (See *Attachment B – Task Team Assignments*). A drop box was created for the JFA Working Group with folders for each Task Team.

C. Complete Inventory Assessments and Identify Gaps- The second meeting of the Working Group was held on March 17, 2017 where the Captains of the four Task teams presented their initial inventory assessments and identified gaps in capacity. Each team identified the inherent challenges in completing the inventory assessments when faced with significant gaps. Task Team 1 found the gap in the design, governance and maintenance component to be the lack of a centralized and coordinated planning body in the State and recommended a Broader Governance Project.

Task Team 2 reported that the gap in the component of broad self-help informational services was the education and delivery of information related to legal needs: they proposed law libraries and public libraries to be the repository of self-help resources for the purpose of triage, referral, and channel integration. For the community integration prevention component, this team chose to focus on a broad general resource inventory of self-help resources which they defined as “pipelines” where people could go to either get information about or directly access the justice system. The team identified that, often those community access points are crisis personnel (i.e., clergy, doctors, educators, social service providers, etc.) who are not generally equipped with referral information. As a result of this gap analysis Team 2 recommended a project to educate religious leaders and religious communities on access to justice opportunities with the hope that this model would serve as a template for other community triage providers. To address the gap in the components for plain language forms and

language services integration, the Team proposed the creation of statewide standard forms as an urgent need.

For the component on ADR integration, Task Team 3 compiled an inventory assessment by the Director of the Georgia Office of Dispute Resolution which showed that 43 counties lack ADR programs. Presently, Georgia does not fund ADR/mediation programs in juvenile courts. As a result of this lack of uniformity in the provision of ADR services, Task Team 3 offered two proposals to provide ADR access in both juvenile and elder cases. In response to an assessment of the judicial and court staff education component, Team 3 identified a significant gap in the training of court staff on SRL questions because of concerns about the unauthorized practice of law (UPL). In addition to looking for guidance on UPL and best practices, the team recommended a project to develop and distribute UPL bench cards to clerks and courts. The team also completed the assessment on the Compliance Assistance Component by conducting a survey monkey of 156 court personnel. Again, UPL is a concern for courts with Compliance Assistance and the team proposed coordination and integration of UPL guidance.

Task Team 4 conducted an assessment of technology capacity in Georgia from AOC data which identified the lack of a single statewide portal site as a significant gap because SRL's presently have to search multiple websites to locate information. Team 4 also identified as a need for the use of electronic notifications as a way to improve access to justice. In assessing the component for simplification, the team used the Self-Represented Litigation Network (SRLN) for information on best practices and recommended a project to standardize forms and pleadings. The team also reviewed the gaps in the implementation of unbundled legal assistance and proposed the creation of a web-site and training to educate the bar, courts and the public on this subject. Team 4 combined an analysis of full service representation was combined with the survey assessment of all legal providers in Georgia as conducted by Team 1. Team 4 also analyzed role flexibility in Georgia from the perspective of UPL by exploring the Washington State Limited License Legal Technicians (LLLTs) and Utah Licensed Paralegal Practitioners (LPPs) and proposed an exploration of structural impediments in Georgia as it relates to UPL.

D. Conduct Gap Analysis & Identify Proposed Projects- On June 23, 2017 the third meeting of the Working Group was held. Each team had been assigned the task of finalizing their proposed projects with brief descriptions of each project. The proposed projects were to be mitigations of identified gaps in capabilities from the inventory assessment. Clarke led the Working Group in an exercise to assess and evaluate the list of proposed projects in an effort to develop priorities. In all, twenty-two gap proposals were presented. From the task team project presentations, Clarke facilitated an initial review and evaluation of the projects. Each project was evaluated according to three broadly defined criteria: feasibility, cost, and impact. The criteria were rated as high, medium, or low without any attempt to better define what was meant by those ratings. The

projects were listed in alphabetical order, since there was no overall prioritization yet proposed. The results are shown below:

<u>Project</u>	<u>Feasibility</u>	<u>Cost</u>	<u>Impact</u>
<i>Broader Governance</i>	Medium	Low	High

The group agreed to ask the Supreme Court to expand the mission of the existing Judicial Council Access, Fairness, Public Trust and Confidence Committee to include the coordination and implementation of the Strategic Access to Justice Plan and expand its membership to include additional appropriate stakeholders, such as organizations and individuals that are involved in the State’s civil justice work (contingent upon securing funding for staff support of the Committee).

<i>Electronic Notifications</i>	Medium	Medium	High
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For the convenience of all court participants, there is a need to provide for more efficient trial/hearing scheduling by encouraging use of electronic notifications and telephone or web conferences for simple hearings. Better use of informational technology would help to avoid delay and to prevent “no-shows”. On the day of hearings, a process for notifying participants inside the courthouse (and surrounding area) could include Automatic Text (SMS) message, Electronic Notice Boards like those at airports and/or pagers (like those used at restaurants) These devices could provide immediate notice to parties that their case is about to be called and would allow attorneys and others to work remotely during the waiting time.

<i>Expanded ADR Elders</i>	High	Low	Medium
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Expand the use of ADR in high conflict elder abuse/financial exploitation cases. This project proposes an elder mediation pilot program in one or two counties to assist high conflict families with resolving those conflicts that impede the resolution of probate cases. This project would represent a cost effective addition of a preventive resource for our increasing elder population who are the subject of a guardianship, conservatorship or conflict over the disposition of an estate through probate. The goal is supportive decision making.

<i>Expanded ADR Juvenile</i>	High	Low	Medium
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Expand the use of ADR in juvenile court dependency and termination of parental rights cases. The lack of uniformity in the provision of resources for ADR juvenile cases has been identified as a significant gap. The Georgia Office of Dispute Resolution should contact Juvenile Courts to ensure they are aware of the statutory provisions for mediation and resources. The Georgia Supreme

Court Committee on Justice for Children can provide local training on mediation for Juvenile Court judges and stakeholders.

Focused SRL Chat bots High Medium Medium

In the discussion of increasing remote access through the use of technology, the subject of Chat bots arose as a tool for SRL's to use text based interactions on smartphones to answer simple questions. The July issue of ABA Tech Journal had an article entitled "Chat bot apps help users communicate their legal needs"

http://www.abajournal.com/magazine/article/talking_tech_chatbot_legal_services/?utm_source=maestro&utm_med

Full Service Website High Low High

The current practice for unbundling is still not really limited scope in a serious way that is task based. To get a more robust use of limited scope representation, the project proposes to expand the current website www.georgiafreelegalanswers.org into a full web site that would create tools for attorneys including model engagement forms as well as a data base of attorney's interested in providing unbundled assistance.

Law Library Self-Help Centers High Medium High

Court provided self-help resources such as law libraries are currently unstaffed and under funded. A pilot project, in which a county law library, in collaboration with bar associations, the judiciary, legal aid providers and others, could offer a one-stop shop self-help center was proposed. The Group also suggested that universities and law school libraries could be added to the pilot project.

Low Bono Expansion Low High High

Expansion of low bono (reduced legal fee/sliding fee) services could be assisted with research by the Lawyers for Equal Justice and promotion of current Georgia based models. Another opportunity for low bono expansion is tied to the research currently being conducted by the ATJ Committee on what pro bono and legal work the some 15,000 senior attorneys in the State Bar would be willing to undertake. The State Bar YLD also has a project to explore low bono opportunities especially in rural practices.

Public Library Self-Help Medium Low High

Broad self-help resources such as public libraries, which are more accessible than law libraries and less intimidating than law libraries, could be helpful to SRL's or individuals without access to computers and information on

legal resources. Other jurisdictions have successfully implemented access partnerships with public libraries and could provide a model for Georgia. County law librarians could provide training and assistance.

Religious Leader Training High Low High

Faith based community resources are an important source of referral and channel integration that is currently underutilized. To address this gap the proposal is to educate religious leaders on access to justice resources by conducting a survey of awareness and by developing a curriculum that could be used in Georgia religious training sites.

Religious Leader Implementation High Low High

To build legal assistance capacity in religious communities, the proposal is to utilize the Tennessee Faith and Justice Alliance model of community based access to justice programs whereupon capacity to address legal matters within religious communities is expanded

Remote Legal Services High Medium High

The lack of access to attorneys and resources in rural areas creates “legal deserts.” To address this gap, this proposal calls for increasing the use of technology and use of volunteers and law students to create and provide mobile legal clinics

Statewide Forms Low Medium High

The team found the biggest gap to be the lack of plain language forms. To address this problem, the team recommended standardized forms that would provide one-stop form shop to assist SRL with help in filing.

Unbundling Training Medium Low Low

Another proposal was to undergo a marketing campaign to inform and train members of the Bar about and advocate for the provision of unbundled legal services

UPL Bench cards Medium Low Medium

There is a significant gap in the training of court staff on how to handle SRL questions. There is some concern about how best to address SRL questions to court staff because of concerns about the unauthorized practice of law. This proposal would develop a “UPL Bench Card” similar to other bench cards developed by the judicial council and approved by the Supreme Court.

E. Prioritize Proposed Projects - The fourth meeting of the Working Group was held on September 15, 2017 for the purpose of prioritizing the proposed projects. The Chair of the Working Group provided a summary of the 15 gap proposals that had been evaluated and preliminarily identified in June. The Chair also noted that in prioritizing the final action proposals the Working Group should assess not only feasibility, cost and impact but what other entities (AOC, State Bar, etc.) may be in a better position to address that specific gap. The Working Group then broke into three smaller groups who were assigned the challenge of identifying the 3/4 projects from the preliminary proposal list that should be included in the final Georgia JFA Strategic Action Plan.

Each of the three groups identified Religious Leader Training and Implementation as a high priority for feasibility and impact. Two of the groups identified law libraries/self help centers as a high feasibility and impact and recommended a pilot project in Dougherty County. Two of the groups identified statewide forms and unbundling as structural challenges that needed to be addressed. In conclusion of the discussion, it was suggested that a third priority should be to address structural impediments to access to justice such as unbundling and statewide forms and research and recommend ways to address those issues.

Upon agreement of the group, the top three projects selected were:

- 1) *Empowering Religious Communities as JFA Stakeholders;*
- 2) *Creating Law Libraries as Self-help Resource Centers; and*
- 3) *Removing Structural Impediments to ATJ*

F. Finalize Strategic Action Implementation Plan - Prior to the fifth and final meeting of the Working Group on December 1, 2017, each member of the Working Group worked on one of the three action planning groups to develop an implementation plan for each priority. Some of the elements that we considered in the process of developing the action plans for each project were: 1) Funding resources (amount and source); 2) Staffing resources (amount and source); 3) Stakeholders (identification and role); and 4) Evaluation approach (what metrics will be used and how).

IV. Priority Proposed Projects for Implementation

A. Empowering Religious Leaders as JFA Stakeholders

Project Description

This project will advance justice for all by empowering religious leaders and religious communities to connect members of the community with the resources needed to address legal problems. The project has two phases. In Phase One, the project will focus on religious leaders by studying religious leaders' current

approach to handling legal problems among community members and providing training documents for identifying and referring community members to available resources. In Phase Two, the project will focus on religious communities by developing a guide for religious communities to leverage resources within the community to address legal needs. This project seeks to empower religious communities to facilitate or provide access to justice support for those persons who face the greatest barriers to access due to poverty, geography, lack of knowledge, or fear of disparate treatment based on identity categories; however, because the project will increase knowledge and cooperation within religious communities the project will likely increase access to justice among individuals facing different degrees of access problems.

Project Leadership

- Convening Organizations
 - Center for the Study of Law and Religion, Emory University
 - Association for Clinical Pastoral Education
 - Access to Justice Committee, State Bar of Georgia
- Project Leaders
 - Silas Allard, Center for the Study of Law and Religion, Emory University
 - Trace Haythorn, Association for Clinical Pastoral Education (ACPE)
 - A Post-doctoral research fellow to be hired by Emory University
- Advisory Committee
 - Representatives of the State Bar of Georgia's Access to Justice Committee
 - Professors of Pastoral Care
 - Religious Leaders from Diverse Religious Traditions

Potential Collaborators

- Access, Fairness, Public Trust & Confidence Committee, Judicial Council of Georgia
- Center for Access to Justice, Georgia State University; Contact: Lauren Sudeall Lucas
- Center for Public Service, Emory University; Contact: Rita Sheffey
- Catholic Charities
- Leadership and Multifaith Program, Emory University/Georgia Tech; Contact: Deanna Womack, Deanna.womack@emory.edu
- Southwest Georgia Victims Assistance Alliance, Inc.; Contact: Alicia Page

Potential Resources

- Pastoral Care Faculty at Georgia Seminaries (see attached contact list for details)
- Statewide Religious Leadership (see attached contact list for details)

- Interfaith and Religious Coalitions in Georgia (see attached list for details)
- Tennessee Faith and Justice Alliance
- Lilly Endowment
- Henry R. Luce Foundation

Phase One: *Educating Religious Leaders on Access to Justice*

Summary

Phase One of the project would develop a curriculum for religious leader training and self-education that would teach religious leaders to (1) identify when a community member would benefit from access to justice resources and (2) effectively direct that community member to available resources. The project would proceed in two parts under the direction of the project leaders and led by a post-doctoral research fellow. In part one, a qualitative study would be conducted using survey and interview tools to determine (1) religious leaders' current awareness of and practice with regard to community members' legal problems; and (2) religious leaders' current awareness of access to justice resources. The survey will be designed to collect information from a variety of denominations and religions statewide and include rural communities. The survey results will be used to develop a report detailing access to justice knowledge and practices among religious leaders in Georgia. In part two, the results of the survey would be used to develop a curriculum that could be used in Georgia's religious training sites (seminaries, continuing pastoral education seminars, workshops, etc.) and could be provided to religious leaders for self-education. The curriculum will be developed to be adaptable to different religious contexts and will be deployed statewide and include rural communities. The curriculum will be developed under the direction of ACPE, the global leader in multi-religious clinical pastoral education, and disseminated through ACPE's platforms. While the curriculum will be designed using the information from the Georgia study, ACPE's national scope will make the curriculum available for adaptation to jurisdictions throughout the United States. The project would draw on similar work that has been done in the area of mental health.

We anticipate that although this project proposal is focused specifically on religious leaders, the model developed could later be adapted to other contexts involving non-legal community leaders. The underlying premise of this project is that those in need of civil legal services will inevitably come into contact with certain community leaders or entities; thus, those people and places present a promising point for intervention to identify possible legal needs and direct individuals to resources that can address those needs. In addition to places of worship, schools and hospitals can serve as similar points of contact. Thus, others could potentially adapt the materials developed as part of this project to those contexts as well.

Project Deliverables

1. A report detailing the current state of access to justice awareness among religious leadership in Georgia, current practices of religious leaders when confronted by congregants with legal issues, and an analysis of religious leaders' ability to identify congregants with legal issues.
2. Curriculum for religious leaders to train on (1) identifying legal issues and (2) referring congregants to appropriate legal resources.
 - a. One curriculum for self-study.
 - b. One curriculum for use in continuing religious leader education and workshops.
 - c. One curriculum for adaption in religious training environments, such as seminaries.
3. A scholarly article addressing the benefits of and mechanism for empowering religious leaders as justice for all stakeholders.

Timeline

Year 1 - 2

Jan. – August 2018: Apply for additional funding to support the project
August 2018 – June 2019: Recruit and hire a post-doctoral research fellow
July – September 2019: Research fellow training; background research
October – December 2019: Study design

Year 3

January – May 2020: Conduct study
May – August 2020: Draft report
September – December 2020: Develop curriculum

Year 4

January 2021: Launch curriculum; begin drafting scholarly article
May 2021: Assess curriculum
May – July 2021: Revise curriculum
July 2021: Submit scholarly article for publication

Current Research

A review of current research exposes a pronounced gap in explorations of this issue. Database searches for assessments of mechanisms for legal referral in congregations found no results. The present literature is mostly related to discussions of law as a theological concept or the preparation of religious leaders for navigating tax law. Little attention has been paid to the congregation as a

resource for legal aid or to religious leaders as a potential mechanism for connecting individuals to legal resources.

A brief survey of current course offerings among several institutions for pastoral training found no evidence of courses addressing pastoral training for knowing how and when to offer legal referrals to congregation members. This line of research grew from the knowledge of new emphasis in such institutions on training pastors for referral in cases of a need for psychological counseling beyond the capacity of the pastor. It would appear that similar training in referrals for legal assistance has not yet received the same emphasis, but frameworks and resources for training in the areas of mental health and pastoral care may be of use in structuring a similar model for legal aid. Several of these sources are included below.

Phase Two: *Building Legal Assistance Capacity in Religious Communities*

Summary

Phase Two would develop models of community-based access to justice programs to be implemented by religious communities. These programs would include legal clinics, mediation programs, referral programs, as well as other community-based programs. In addition to developing program models, the project would develop training materials and written support documentation to assist communities in creating and maintaining their programs. Both the programs and materials would use the Tennessee Faith & Justice Alliance (TFJA) *Implementation Manual* (2016) as a guiding resource, adapted to the Georgia context. The referral model suggested by the TFJA provides a path by which a member of a congregation may approach their religious leader with a legal issue. This religious leader contacts a lead coordinator, themselves a member of the community, who then attempts to locate a source of legal assistance within that community, although the search may eventually turn outward if no such internal source can be found. While the TFJA model contemplates referrals to licensed legal service providers, the leadership of this project will work with those leading the structural impediments pillar of the strategic plan to address concerns related to unlicensed practice of law.

Project Deliverables

1. A Georgia manual modeled on the TFJA manual to guide religious communities in providing access to justice services within the community.
2. A structure for housing and updating the manual for the future.

Timeline

September – December 2020: Background research; Consultation with TFJA
January – April 2021: Draft manual

April 2021: Circulate manual for comment
May - July 2021: Revise and publish manual

Current Research

As in Phase One, a survey of literature yielded a dearth of resources pertaining directly to our goals in this project. The TFJA *Implementation Manual* is the most developed program and resource found, and the manual provides a detailed framework for establishing structures and processes for legal assistance within religious communities. An additional model which resembles the model proposed by the Tennessee Faith & Justice Alliance is the Christian Legal Society's (CLS) legal aid ministry, which encourages members of the society to provide legal assistance to those who could not otherwise afford it. This program is modeled on an explicitly Christian framework, of course, but the model could be modified and replicated in the context of other faiths. The CLS model is envisioned as something exterior to the religious community which is brought in for assistance on occasion, representing a more temporary approach to legal aid in such settings. However, drawing on the framework established by CLS and establishing elements of this structure in the form of a more sustained system interior to religious communities could be beneficial to our aims.

Another avenue which may be fruitful to pursue would be examining existing structures for involvement of lay or non-ordained members of religious communities. Many such communities already have processes in place to engage lay members in efforts such as pastoral care or the facilitation of the community's administration efforts. While not a direct correlation to the effort we are undertaking, taking note of structures already in place within religious communities which serve to empower members of the community would improve our ability to formulate a more effective model for implementation of legal aid processes in these contexts.

Budget

Post-doctoral research fellow (\$62,500/year for 2 years):	\$125,000
Graduate research assistants: (300 hours at \$10/hour):	3,000
ACPE Consulting fees for curriculum development:	50,000
Travel (data collection and visits to TFJA sites):	5,000
Typesetting and printing of report and manual:	<u>2,000</u>
Total:	\$185,000

Project Goal

Rural areas suffer with an overwhelming need for access to civil justice. Many projects and organizations must work together to overcome the barriers. The county law library is a valuable but under-used resource. It makes sense to creatively use an existing resource that already has a statutory funding mechanism.

Libraries have always had a mission to inform and educate users. While the format of information has changed, the mission of libraries has not. Libraries are not just warehouses to store information. Libraries and librarians organize, retrieve, manipulate, store and preserve information. They are community resource centers that provide staff assistance to the public as well as space for collaborative interaction or quiet study. The main strengths of libraries are staff expertise and community services. Law librarians can add new services and a valuable perspective to access to justice initiatives.

Using her 13 year of experience serving self-represented litigants, a recent user needs survey, and scholarly articles on civil access to justice, Library Director Lauren A. Kelly has identified the services that users need most.

Project Services to be Provided

This project will demonstrate how to use law libraries as self-help resource centers. Law librarians can provide the following types of assistance:

- 1. Triage, Diagnosis and Referral.* The first step solving users' legal problems is to find out what they need. Librarians call this the reference interview. Staff can determine the information and assistance users need to solve their legal problems and provide referral to the proper source.
- 2. Substantive and Procedural Information and Assistance.* Users will be connected with the best information about the area of law that governs their situation. Most users do not want to learn general legal research skills; they want legal information that answers their immediate questions.
- 3. Substantive and Procedural Underlying Law.* Users need to understand the source of the specific law that governs their situations. They need help finding the law. Law librarians are experts at helping users find what they need to know.
- 4. Court Submission Tools (Forms and Document Assembly) and Assistance.* Our website provides the most commonly used forms. Users can find less common forms in our forms books and databases. Forms need to be uniform and user-friendly. Law libraries can provide assistance and technology for e-filing. The biggest need of self-represented litigants is help filling out forms.

Our attorney-supervised staff can help people fill out their forms without giving legal advice.

5. *Court Preparation Tools.* Self-represented litigants need to know how to gather the evidence that will prove their cases. This means teaching them how to perform pretrial discovery. Legal treatises, classes, brochures and workshops can provide information on pretrial discovery. The Sacramento County Law Library teaches a six-part class on trial preparation: <http://saclaw.org/video-library/part-1-introduction-and-jury-vs-non-jury-trials/>.

6. *Court Support and Navigation Tools and Assistance.* Self-represented litigants need to know how to present evidence in the courtroom. Very few self-help centers teach users how to prepare for court hearings. Evidence books designed for lawyers are too difficult for laypeople to understand. Some courts provide evidentiary guides for self-represented litigants. Videos on how to conduct different types of trials could help overcome this barrier. A good example is the video produced by the Georgia Civil Justice Foundation at <http://www.fairplay.org/about/i-present-my-case.html>.

7. *Follow up Tools and Assistance.* Self-represented litigants need help enforcing, challenging, modifying and complying with their court orders. This is an area where few self-help centers assist. The Georgia Council of Magistrate Court Judges' video, "After a Judgment" is a step in the right direction: <https://georgiamagistratecouncil.com/video-home/>. Another example is the Massachusetts Court System's civil appeals clinic staffed by volunteer attorneys: <http://www.mass.gov/courts/selfhelp/civil-appeals/>.

8. *Preventive Tools and Assistance.* People could avoid many legal problems if they understood the basics of common legal topics. Frequent problem areas include: used car purchases, car repossessions, car repairs, home repairs and child visitation between unmarried or divorced parents. The L.A. Law Library's class schedule provides a wonderful example of what can be done: <http://www.lalawlibrary.org/index.php/current-classes.html>.

9. *Planning Services.* People without a lawyer still need legal planning. Most lower and middle- income people lack wills and powers of attorney. People starting new businesses do not know how to find and follow business laws. Planning for future legal needs prevents many problems. The Wills for Heroes Foundation is a good example of legal planning help: <http://www.willsforheroes.org/>.

10. *Outreach to public libraries.* The American Association of Law Libraries stresses the connection between law libraries and public libraries. Georgians are more likely to be near a public library than a law library. Training public librarians to handle legal reference questions will reach more Georgians. The University of South Carolina School of Law's circuit riding law librarians

show one method of teaching legal research and reference to other librarians:
<http://guides.law.sc.edu/CircuitRiders>.

I. What services can a law library/self-help center offer?

A. Services provided by law libraries to self-represented litigants in 2015:

Service	% of Law Libraries
Legal research help	96%
Referrals to legal aid	93%
Computerized legal research	93%
Telephone reference	84%
Collections of print materials	83%
E-mail reference	71%
Pathfinders and Guides	64%
Explaining the legal process	57%
Maintain a website	50%
Document delivery	49%
Referral sheets to library services	26%
Chat reference	20%

B. Programs provided or hosted by law librarians to self-represented litigants in the law library in 2015:ⁱ

Program	% of Law Libraries
Legal clinics by another organization	80%
Legal clinics provided by law library	33%
Lawyers in libraries (1-on-1 help)	20%
Legal advice clinics (with multiple lawyers)	17%
Mediation programs with trained mediators	5%

Pilot Project – Dougherty County

The Dougherty County Law Library currently assists users from 25 other counties. Many nearby counties have a shortage of lawyers. Five bordering counties have a severe shortage of lawyers. 29% of Dougherty County residents

live in poverty. Only 19% of residents hold a Bachelor's degree or higher. The National Center for Education Statistics shows that 20% of Dougherty County residents lack basic prose literacy skills. 18% - 21% of mothers in Dougherty County are high school dropouts. Poverty and a lack of education create enormous barriers to accessing civil justice.

Dougherty County established a county law library in 1981. Filing fees, fines and forfeitures from city and county courts fund the Law Library. The library was designed to serve local attorneys and judges, who were intended to be its primary users. Now that attorneys have access to legal information electronically and so many laypeople represent themselves, the user base of county law libraries has drastically changed. 79% of the users are laypeople, and 21% are attorneys.

The Law Library cannot currently meet all the needs of the community for three reasons. First, the amount of work far exceeds what one full-time employee can accomplish. The Law Library serves, on average, 18 self-represented litigants each day. Helping each person takes an average of 20-50 minutes even without providing expanded assistance. 90% of the Library Manager's time is spent answering questions at the reference desk. Other necessary duties like accounting, ordering materials, maintaining the website and developing classes must be performed at the reference desk in the few minutes between questions. Second, the physical space is too small and is designed for attorneys who are doing their own research. The layout is not arranged to meet the needs of self-represented litigants. There is a need for small study rooms for assisting users and staff office space for doing behind-the-scenes work. Finally, the Law Library's income is much too limited to pay for additional staff. Dougherty County does process payroll for the Law Library, but all salaries and benefits must be paid from filing fee revenue. Dougherty County only provides space, lighting, building maintenance and utilities. While the cost of legal information increases 10% - 15% per year, county law libraries in Georgia have not received a funding increase since 1982.

This pilot project will show how a law library-based self-help center can expand access to justice to rural Georgians. The pilot project will follow the best practices recommended by Richard Zorza and other leaders in the access to justice movement. These best practices will be adapted to the needs of a rural Georgia community.

Potential Collaborators

Many stakeholders can collaborate with the Law Library Self-Help Center:

Collaborator	Role	Contact Information
The Judicial Council of Georgia/AOC	Leadership, advocacy, research support.	Carla Hardnett, Judicial Services Program Manager, 404-656-5171

		Carla.hardnett@georgiacourts.gov
The State Bar of Georgia	Leadership, advocacy, fundraising	Mike Monahan, 404-527-8762, mikem@gabar.org
Lawyers for Equal Justice	Provide attorney volunteers to conduct remote legal advice consultations.	Sarah Babcock, 404-400-5936, sarah@l4ej.org
Legal Aid of Southwest Georgia	Provide attorneys to conduct clinics, workshops and legal consultations, collaborating, referrals.	Cheryl Griffin, Managing Attorney, 229-430-4261, cgriffin@qlsp.org , Lorilynn Daniel, 229-430-4261, imdaniel@qlsp.org .
Dougherty Circuit Bar Association	Provide attorneys to participate in legal clinics, consultations, low bono and attorney referral list. Create a 501(c)(3) for the self-help center.	President John Kirbo, 229-883-5134, john.kirbo@gmail.com
Georgia Public Library Service	Collaboration, referrals, training library staff.	Julie Walker, State Librarian, 404-235-7140, jwalker@georgialibraries.org
Local public libraries	Collaboration, referrals, hosting workshops, training local library staff.	Lee County Library, Oakland Branch, Kevin Ellis, 229-889-0300, ellis@leecountylibrary.org
Local colleges with legal studies programs	Provide volunteers to assist SRLs with filling out forms.	Charles O. Ochie, Sr., PhD., Professor of Criminal Justice and Chair, ASU, 229-430-4919, Charles.ochie@asurams.edu ;
Other Georgia self-help centers	Collaboration, referrals, ideas for best practices in Georgia.	Fulton Justice Resource Center, Tiffany Russell, tiffany.russell@fultoncountyga.gov ; Kristin Schillig, Kristin.schillig@fultoncountyga.gov
Dougherty county	Providing physical space, design services, cost estimates, processing payroll.	Richard Crowdis, County Administrator, 222 Pine Ave. Ste 540, Albany, GA 31701, (229) 431-2121, rcrowdis@dougherty.ga.us

Potential Staffing

The Director currently receives \$57,738 in salary and benefits from the county library fund. Based upon the current volume of use, it is recommended that in addition to the full-time director a full-time assistant be hired at a salary of \$37,440 and two part-time assistants hired at \$16,640 for a total annual staffing budget of \$128,458. It is more difficult to attract and train qualified volunteers in a rural area and therefore a staffed pilot project would be better for Dougherty County

Potential Resources

- Approximately \$140,000 per year—Law Library Fund
- Approximately \$80,820 per year—Other funding sources include court budgets, state funding, county funding, bar funding, private grants, public grants, filing fees, city funding, federal funding, educational institution funding, fund-raising events, and income from workshops.
- State funding sources such as VOWA and VOCA.
- Grant money provides a critically important source of revenue. A process has begun seeking for 501(c)(3) status for the self-help center so it can apply for grants. Each law library/self-help center will be responsible for securing its own additional grants and funding

If adequate funding cannot be obtained, the project can still go forward because law library funding mechanisms already exist and a local attorney is working to secure 501(c)(3) status for the self-help center. However, with less funding the self-help center might have to provide a more basic level of service. A 2007 report of the Minnesota statewide law library/self-help center project advisory workgroup defined three basic levels of service that can be provided at a law library self-help center based on local resources and needs. The level of service will be affected by funding because funding determines staffing.

Governance

Georgia county law libraries are governed by a Board of Trustees. See O.C.G.A. § 36-15-1. The self-help center, as a result of its 501(c)(3) status, will be governed by a Board of Directors. The Board of Directors should include members of the Law Library Board of Trustees as well as local attorneys. The Law Library Manager will oversee this plan under the supervision of the Board of Directors. Until the self-help center has 501(c)(3) status, this project will be overseen by the Law Library Manager and the Law Library Board of Trustees. As in the “Empowering Religious Leaders” project, the leadership of this project will work with those leading the structural impediments pillar of the strategic plan to address concerns related to unlicensed practice of law and limited scope legal assistance.

Deliverables and Timelines

Phase 1: Create the Self-help Center

Reconfigure Law Library space to facilitate a self-help center

- Purge library print collection and calculate amount of shelving needed in new space.
- Get consultant to design space layout.

- Get Dougherty County Facilities to do renovations needed for new space layout.
- Move the library to its new facility.
- Timeline: December 2017 – August 2018

Finalize list of services to be provided

- Get feedback from the Law Library Board of Trustees, judges, court staff and attorneys regarding desired list of services.
- Obtain information on the most common questions asked of staff by self-represented litigants
- Review dockets to identify areas/case types with high levels of self-represented litigants on at least one side of the case
- Examine the research on services provided by other self-help centers.
- Talk with the directors at other self-help centers about the services they provide.
- Write down a detailed plan about the services to be provided.
- Timeline: December 2017 - February 2018

Develop staff training and policies

- Get feedback from the Law Library Board of Trustees, judges, court staff and attorneys regarding self-help center policies.
- Research best practices on self-help center policies.
- Talk with the directors at other self-help centers about their policies.
- Write a formal policy document regarding self-help center policies.
- Timeline: January – June 2018

Develop methods to measure success of the project

- Get feedback from the Law Library Board of Trustees, judges, court staff and attorneys regarding self-help center policies.
- Timeline: January – June 2018

Market the new self-help services

- Create brochures and posters.
- Send out press releases to newspapers, radio stations and television stations.
- Notify officials and court staff in surrounding counties.
- Notify nearby public libraries.
- Create a website for the self-help center.
- Speak at local bar association meetings.
- Timeline: April - August, 2018

Phase 2: Expand the project to include public libraries

Law Librarians across the country have reached out to public libraries. Here are some of the ways law librarians have expanded access to justice through public libraries:

- train public library staff at the public library;
- create training materials and presentations for public librarians to train their own staff;
- hold “lawyer in the library” days at public libraries;
- law librarians to shadow public library reference librarians;
- public librarians to shadow law librarians at the reference desk;
- hold a “people’s law school,” a seven-week course to teach library patrons about the foundations of the law;
- create print legal research guides to be distributed in the public library;
- sponsor book drives of law books to be donated to the public library;
- placing helpful materials on law library and/or public library websites;
- encourage public librarians to contact the law library. Many public libraries across the country host “lawyer at the library” days.

Public librarians sponsor annual summer reading programs. These summer reading programs include adult programs, and public librarians continually seek new adult program ideas. Late spring is the ideal launch time for public librarian outreach.

Finalize list of public library initiatives to perform.

- Get feedback from public librarians regarding desired initiatives.
- Examine the research on other law library initiatives to public libraries.
- Talk with other law librarians about their initiatives to public libraries.
- Write down a detailed plan about the initiatives to be undertaken.
- Timeline: January – March, 2019

Develop task lists for performing public library initiatives

- Get feedback from public librarians about the tasks.
- Write down list of tasks.
- Assign tasks to staff members.
- Timeline: January – March, 2019

Develop methods to measure success of the project

- Get feedback from the Law Library Board of Trustees, judges, court staff and attorneys regarding self-help center policies.
- Timeline: March – June, 2019

Market the new self-help services

- Create brochures and posters.
- Send out press releases to newspapers, radio stations and television stations.
- Notify public librarians locally and statewide.
- Speak at public librarian events.
- Timeline: March – May, 2019

C. Removing Structural Impediments to Access to Justice

Project Description

The Georgia JFA project recognized that no one program or approach alone can suffice to provide all Georgians in need of help for their civil legal problems with appropriate and meaningful assistance. The JFA Working Group has encouraged state efforts that include all relevant stakeholders in the civil justice community – the courts, the bar and legal aid providers to partner to implement CCJ/COSCA Resolution 5 (Meaningful Access to Justice for All). The Resolution envisions state systems in which everyone has access to meaningful and effective assistance for their civil legal needs through a comprehensive approach. This project recognizes that to accomplish this objective there are three structural impediments in Georgia that must be addressed, each of which are discussed in more detail below.

In addition to the three structural impediments, the JFA Working Group recognizes the importance of governance. The JFA Working Group agreed to request that the Supreme Court of Georgia take any necessary steps to enable the Judicial Council Access, Fairness, Public Trust and Confidence Committee of the Judicial Council to oversee the coordination and implementation of the strategic access to justice plan. Such steps could include any necessary expansion of the Committee's mission and adjustment of its membership to ensure inclusion of appropriate stakeholders.

Turning now to the three structural impediments identified by the JFA Working Group, it should be noted that each of these three structural impediments require greater in depth research and analysis of the barriers to consumer access to justice currently existing in Georgia and how Georgia may adopt solutions to address these barriers. It is anticipated this analysis will focus not only on what initiatives are currently being undertaken in Georgia but what other jurisdictions have used to address these issues. These three projects will require sufficient resources to facilitate the necessary research and data collection to implement change. The three structural impediments are:

1. Forms

Project Description and Goals

The issue of forms is one of the greatest impediments to access to justice for all consumers in Georgia. It is not necessary to have a unified judicial system in order to create statewide forms. In fact, the Georgia probate and magistrate courts are in the forefront of developing statewide forms. To address this barrier, the broader governance board should initiate and coordinate with other potential collaborators two objectives:

- 1) Create awareness of the barriers forms present.
 - Educate Court Councils on importance of forms;
 - Present problem from local level; and
 - Conduct analysis of impediments.
- 2) Analyze the two JFA priority projects
 - Use of forms in the law libraries as self-help centers;
 - Use of forms in the educating religious leaders

Potential Resources

- See <http://literacyprojectfoundation.org/community/statistics/>.
<http://www.ncsc.org/Topics/Access-and-Fairness/Plain-Language/Resource-Guide.aspx> <http://www.ncsc.org/microsites/access-to-justice/home/Topics/Forms-and-Document-Assembly.aspx>
- Councils of Superior, State, Probate, Municipal, Juvenile, and Magistrate Court Judges
- Judicial Council Standing Committee on Technology
- Self-represented Litigants Network www.srln.org
- National Center State Courts www.ncsc.org
- Tennessee Supreme Court <https://www.tncourts.gov/courts/supreme-court>
- Florida Supreme Court <http://www.floridasupremecourt.org/>

Potential Staffing

- Broader governance body would assume responsibility for coordination, oversight and implementation of a strategy to address this impediment

2. Limited Scope Legal Assistance

Project Description and Goals

Georgia' Disciplinary Rule 1.2(c) permits limited scope representation; however, there is little data on its usage or acceptance by attorneys and courts. To address this problem, the broader governance board should initiate and coordinate two objectives:

1) Awareness of Application of Limited Scope Representation: In order to expand ATJ, many jurisdictions are exploring and implementing the use of limited scope representation. The governance body should collaborate with the NCSC to provide technical assistance and experts to advise Georgia on lessons learned in other jurisdictions. One opportunity may be to test the use of senior pro bono attorneys to serve as navigators in the Dougherty County Law Library Self-help Resource Center.

2) Marketing Analysis: There is little or no data on the usage of unbundling in Georgia. In addition to attorneys and judges unfamiliarity with unbundling, the public does not know of its existence. There is a need to educate the public on the existence of unbundling as a resource, how and where to find it, what products and services are available, when to consume these services and how much to pay. The governance body should collaborate with a business school to assist in developing a marketing plan for educating the public on how to be good consumers of unbundled legal services.

Potential Collaborators

- State Bar of Georgia General Counsel
- NCSC
- Business School in Georgia

Potential Staffing

- Broader governance body would assume responsibility for coordination, oversight and implementation of a strategy to address this impediment

Potential Resources

- NCSC
- ABA ProSe/Unbundling Resource Center
- Self-represented Litigants Network www.srln.org

3. Unauthorized Practice of the Law (UPL)

Project Description and Goals

Any project to assist unrepresented individuals secure meaningful access to civil justice that does not utilize lawyers may have UPL implications. The Supreme Court has charged the State Bar with the duty of considering, investigating and prosecuting unauthorized practice of law, and created a Standing Committee and ten Judicial District Committees. The program has two staff attorneys and two investigators and were necessary seek interpretations from the Supreme Court using the Advisory Opinion process of Rule 14-9.1.

The governance body should collaborate with the NCSC to identify what lessons have been learned in other jurisdictions and identify sources of technical assistance to consider how UPL is evolving and how it could be applied in Georgia to remove impediments to access.

Two of the proposed action plans have the potential to raise UPL issues:

1) *Empowering Religious Leaders Project*. is designed for religious leaders to provide direction to legal assistance; however, the project is also designed to serve as a model to be adapted to other provider contexts such as educational, social workers, etc.

2) *Law Libraries as Self-help Resource Centers* provides another opportunity to clarify UPL in Georgia. The American Association of Law Libraries' *Code of Ethics* forbids the unauthorized practice of law. As Richard Zorza points out in his 2012 White Paper, *The Sustainable 21st Century Law Library and Access to Justice*, the "best protection" for "anxiety" over violating UPL rules is "clear written guidelines and a robust and ongoing staff educational program for all staff, well integrated into operations and staff development."

Potential Collaborators

- Unauthorized Practice of Law Staff and Committees
- NCSC
- ABA
- American Association of Law Libraries
- Association of Clinical Pastoral Education
- Latin-American Association

Potential Staffing

- Broader governance body would assume responsibility for coordination, oversight and implementation of a strategy to address this impediment

D. Evaluation Strategy

All three proposed projects are implementing new capabilities; therefore, the Working Group recommends initial concentration on measures that mostly assess the appropriateness of those capabilities. The evaluation would begin by assessing efficacy with a few measures that are cost effective and easy to collect. Those measures should align to the operational goals of each proposal.

Empowering Religious Leaders

Goals

- Develop a training curriculum for community religious leaders.
- Deliver the training curriculum to community religious leaders.
- Deliver information on self-help resources locally using community religious leaders.

Evaluation Measures

- Completion of curriculum, assessment of curriculum as valid by experts.
- Completion of training (how many religious leaders trained, estimated potential extent of geographical and user type coverage)
- Use (number of users helped by community religious leaders), appropriateness of referrals to information and providers (measure separately).

Creating Law Library Self-Help Resource Centers

- Develop a training curriculum for law librarians.
- Deliver the training curriculum to law librarians.
- Deliver information on self-help resources locally using law librarians.

Evaluation Measures

- Completion of curriculum, assessment of curriculum as valid by experts.
- Completion of training (how many law librarians trained, estimated potential extent of geographical and user type coverage)
- Use (number of users helped by law librarians), appropriateness of referrals to information and providers (measure separately).

Removing Structural Impediments

Goals

- Clarification of UPL.
- Clarification of limited scope representation.

Evaluation Measures

- Clarified definition and procedural guidance on UPL rule that is supported and used by all relevant organizations.
- Clarified definition and procedural guidance on limited scope representation that is supported and used by all relevant organizations.

IV. Implementation of Access to Justice in Georgia

With the implementation of the proposed JFA strategic action plan, it will allow Georgia to meet consumers of civil legal services, like Ava Brown, where they are—geographically, institutionally, and financially. The three proposed projects will help Ms Brown to identify a source of assistance to address her civil legal needs in the following manner:

- Facilitating community outreach and an effective communication strategy with faith based ministerial associations will prevent Ms. Brown and others from facing eviction by addressing the issue of utility payments in advance of shutoff;
- Establishing Self Help Centers in Law Libraries will enable Ms. Brown to have access to accurate and understandable information about court processes and procedures;
- Removing barriers to the Georgia access to justice system will provide Ms Brown with clarification on the correct use of forms for self-represented litigants;
- Clarifying UPL rules will enable Self-help centers to train and employ individuals like Ms Brown and others to help serve as “court navigators;”
- Informing Ms Brown and other consumers of the opportunities for the use of Limited Scope representation will expand the availability of legal resources;
- Expanding the governing body, Ms. Brown, or another consumer, will have a seat with other relevant stakeholders who will have sufficient consumer data to identify existing and new resources; and
- As a result, Georgia will have a responsive judicial system that builds trust for Ava Brown and all Georgians.

ATTACHMENT A
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ATTACHMENT B

TASK TEAMS & COMPONENTS

Task Team 1

- Design, Governance & Management
- Resource Planning

Task Team 2

- Broad Self help Informational Services
- Broad Self help Informational Services
- Triage, referral, and channel integration
- Community integration prevention
- Plain language forms
- Language services integration

Task Team 3

- ADR Integration
- Compliance Assistance
- Courtroom assistance services
- Judicial & Ct Staff Education

Task Team 4

- Simplification
 - Technology capacity
 - Expansion Improvements Full service
 - Unbundled legal assistance
 - Role flexibility other professionals
-