



# Justice for All:

Report on Self-Help in the District of Columbia and Recommendations for a More Efficient and Coordinated Future



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### The D.C. Access to Justice Commission and *Justice for All* Initiative

The District of Columbia Access to Justice Commission (the “Commission”) was created in 2005 by the D.C. Court of Appeals to address the scarcity of civil legal services for low- and moderate-income District residents. The goals of the Commission include reducing the barriers these residents face navigating the civil justice system and strengthening planning and coordination among D.C. civil justice stakeholders. The Commission’s appointed members include distinguished leaders from the D.C. Courts, D.C. Office of Administrative Hearings (“D.C. OAH”), past presidents of the D.C. Bar, other private bar leaders, legal services organizations, law schools, community-based organizations, and other local leaders.

Beginning in 2020, the Commission pursued a “*Justice for All*” strategic planning effort to develop a set of priorities to guide its future work. This effort was modeled after the *Justice for All* Initiative launched by the National Center for State Courts (“NCSC”) in February 2016 in response to a Conference of Chief Justices and Conference of State Court Administrators resolution entitled, “*Meaningful Justice for All*.”<sup>1</sup>

*Justice for All* emphasizes building “100% access to justice.” 100% access to justice does not mean that 100% of individuals with civil legal needs receive full representation by a lawyer. Instead, it envisions creating a system where everyone has access to *some sort of effective legal help* along a continuum of services—ranging from self-help information, to limited services, to full representation. To achieve this 100% access ideal, NCSC’s

*Justice for All* initiative promotes and supports systems-oriented strategic planning at the state level, including programs designed to provide services to people with unmet legal needs.<sup>2</sup> Multiple jurisdictions have pursued *Justice for All* efforts.

The Commission’s effort built on extensive qualitative and quantitative research on the District’s civil justice system, including the Commission’s December 2019 *Delivering Justice* report<sup>3</sup> and the D.C. Consortium of Legal Services Providers’ *Community Listening Project*.<sup>4</sup> To supplement that research, the Commission facilitated discussions among District legal service organizations and access to justice collaborators about the District’s legal ecosystem and the state of unmet legal needs.

For the District, improving self-help emerged as a priority. The Commission assessed that the large number of legal services organizations and the decentralization of responsibility and authorship for materials left an unwieldy and hard to navigate self-help system, with duplicative and sometimes outdated resources, and with significant gaps in legal issues where no self-help materials exist. In January 2022, the Commission adopted a set of *Justice for All* priorities, including self-help, with a specific goal to further: “[t]he assessment, maintenance, and development of high-quality, user-friendly, and accessible self-help information, forms, and instructions for self-represented litigants [to ensure District residents have access to necessary legal materials] whether they seek help online, at the courthouse, or through a legal service provider or community partner.”<sup>5</sup>

The Commission subsequently established a Self-Help Work Group<sup>6</sup> in June 2022 that has worked to further this *Justice for All* self-help goal by:

- overseeing an inventory of self-help materials currently in use and self-help services available in the District;
- analyzing areas of gaps and duplication;
- exploring user testing of materials;
- proposing and developing new high-priority forms and information; and
- communicating and collaborating with stakeholders on self-help improvements.

The bulk of the Work Group's efforts to date have focused on the inventory of self-help materials. As the project began, it became almost immediately clear that a new, centralized model for self-help would help the District get closer to *Justice for All's* 100% access ideal and address the structural and access challenges that were identified in the Commission's *Justice for All* assessment.

This report is the product of the Commission's research and assessment, the experiences of its Self-Help Work Group, and its exploration of what type of proposed self-help model would best advance the Commission's and *Justice for All's* challenge to ensure "everyone gets access to the information and effective assistance they need—when and where they need it—and in a format they can use."<sup>7</sup>

In this report, the Commission:

- describes what self-help is and why it is important to further access to justice;
- summarizes the self-help materials currently available in D.C.;
- provides an overview of the Self-Help Work Group's activities to date;
- outlines the Work Group's learnings thus far; and
- recommends a centralized approach to maintaining and making available self-help materials in D.C.

## I. What Is "Self-Help"?

As used in this report, the term "self-help" refers to resources and services that provide unrepresented individuals access to legal information and support. Self-help is a lifeline for those who are unable to obtain the dedicated services of a lawyer. It can also aid those who do get legal services to better prepare for, use, and understand those services. Self-help may help an individual navigate new or existing

cases at the D.C. Courts, D.C. OAH, and other administrative venues, or help a user better understand the law so they can avoid court processes.

Self-help is also an important resource for non-lawyer community professionals like social workers, community health workers, public librarians, housing counselors, and others. These materials can help these professionals better understand the legal context of common issues their clients confront and are a valuable resource that they can share with clients who come to them with these problems.

Self-help materials can take a variety of forms, such as written guides, fact sheets, tutorials, videos, and services that are designed to target self-represented individuals (e.g., legal helplines, walk-in clinics, live or AI chats, etc.). The Commission's definition of self-help materials and its related scope of work does not include referral sheets which simply list organizations and contacts for help with specific legal issues—a choice made to avoid duplication of the D.C. Bar Foundation's ("DCBF's") ongoing coordinated intake and referral efforts designed to streamline referral information and the referral process in the District.<sup>8</sup>

## II. Why Is Self-Help Important?

**There has long been a significant justice gap in the District, with up to 97% of litigants unrepresented in some civil case types.**<sup>9</sup> Despite increased funding for legal services, there are still significant unmet legal needs in the District.<sup>10</sup> Providing unrepresented individuals access to self-help is critical to bridge the gap in needed legal services and ensure everyone facing a civil justice problem can better navigate the legal system.

The United States has a well-documented "justice gap." For example, in 2022, the Legal Services Corporation ("LSC") found that nationally, "92% of the civil legal problems of low-income Americans did not receive any or enough legal help" and that "[n]early three quarters (74%) of low-income households experienced at least one civil legal problem in the previous year... They will receive only limited or no legal help for more than half of these problems due to a lack of resources."<sup>11</sup>

The Commission's last legal needs report found that in the District alone, self-represented litigants comprised:

- 97% of plaintiffs in small estate matters in the probate division;
- 75% of plaintiffs in housing conditions cases in the civil division;
- 88% of designated defendants in the landlord and tenant branch of the civil division;
- 97% of respondents in child support and paternity cases in family court;
- 88% of petitioners and 95% of defendants in the domestic violence division; and
- 83% of plaintiffs and 93% of respondents in the divorce/custody/miscellaneous cases in family court.<sup>12</sup>

Not everyone with a legal question needs full legal representation. Well-designed self-help resources support individuals who are able to navigate legal needs on their own or for whom no legal services are available. Self-help can be effectively supplemented by limited navigation support from a trained non-lawyer or a legal services provider. This also reserves scarce and in-demand attorney resources for those who most need the skills of a lawyer through brief service, limited representation, or full representation due to legal complexity, client characteristics, or other needs.

### III. The State of Self-Help in the District

Legal services organizations in the District currently face a significant number of challenges with creating, maintaining, and managing self-help materials. These challenges include:

- self-help materials currently authored by 40+ legal service organizations, as well as numerous District government agencies, resulting in numerous voices and duplicative efforts to create and maintain self-help materials;
- difficulty of communication and coordination among these numerous stakeholders;
- too many places where self-help materials currently reside, and confusion and lack of information on where to find the most accurate and up to date resources;
- lack of comprehensive, centralized information about self-help services that are available in the community like walk-in clinics or hotlines and how to access them;

- too many people “in charge” of creating and maintaining content but also a lack of ultimate ownership and accountability for materials;
- multiple online platforms that contain self-help materials, some of which are difficult to navigate;
- legal services staff lack the time, bandwidth, or dedicated funding to continuously create, maintain, and improve self-help materials in addition to other job duties and other immediate program needs;
- lack of uniform, accepted guidance and application of best practices around plain language, readability, etc.;
- limited and inconsistent availability of resources in languages other than English;
- different rules and procedures across civil legal cases heard by District government agencies, the D.C. OAH, and the D.C. Courts, and differences when matters are heard in-person or remotely; and
- no system-wide approach to incorporating user feedback and input on format, topics, and needs in the self-help area.

Currently, the bulk of self-help resources in the District are hosted on LawHelp.org/DC (“LawHelp”).<sup>13</sup> The DC Bar Pro Bono Center maintains the site, but the content is created and maintained by multiple actors. LawHelp was initially a joint project among the D.C. Consortium of Legal Services Providers, with many organizations producing the original suite of materials starting in 2002. The Consortium partnered with Neighborhood Legal Services Program to obtain a Technology Innovation Grant from the Legal Services Corporation to fund the project. Currently, some areas of legal content are managed by D.C. Bar Pro Bono Center staff, while others are managed by various legal services organizations that have volunteered to take on individual topic areas.



The current D.C. Bar Pro Bono Center staff assigned to LawHelp have additional responsibilities beyond the site, and thus limited capacity to conduct general oversight and review of the site's content. There is no staff member solely or primarily dedicated to legal self-help content creation and maintenance. The same is true across the legal services organizations that contribute to LawHelp. They also lack staff primarily or solely dedicated to self-help. While some legal services organizations may receive limited funding that supports work in the self-help area, the District's civil justice ecosystem has not prioritized setting aside sufficient dedicated resources to properly staff and maintain LawHelp or self-help content creation generally.

With legal services organizations facing crushing demand for direct legal services and the lack of dedicated community investment in self-help, this work understandably falls to the bottom of organizational priorities. **This is no single organization's fault. It is just a reality that self-help work requires a level of resources that the District simply has not had available.** This results in LawHelp being an uneven resource, with wide variations by legal topic area in how often materials are updated, how many materials are available, and how comprehensive or duplicative materials are. The Commission's review of materials also revealed wide variation in reading level, formatting, and style for self-help documents. Together, these wide variations make the overall bank of materials less useful and less credible.

Beyond LawHelp, other self-help resources can be found on websites maintained by the D.C. Courts, individual legal services organizations, and District government agencies. During the course of its work, the Work Group learned that LawHelp, the D.C. Courts, and the D.C. OAH are each engaged in separate efforts to update user-friendliness and the content of their websites—but these efforts only address pieces of the self-help approach in the District, not its full scope.

This reflects a larger lack of coordination on a comprehensive self-help strategy in the District. As a result, while there are numerous valuable resources available, individuals looking for help may not find them, may find only a small portion of what is available, or may struggle with piecing together information from various sites without necessarily knowing what is the most accurate or up to date. Professionals like those affiliated with community or social service organizations—and even legal services organizations<sup>14</sup>—also report difficulty efficiently navigating available self-help resources.

Finally, the cataloguing of self-help services (as distinct from materials) is another gap in the District's civil justice ecosystem. While there is a wealth of self-help services available in the District offering more one-on-one support

beyond legal information, such as self-help centers, walk-in clinics, and hotlines, there is no comprehensive, centralized resource that contains the most up-to-date information about what services exist and how to find and use these services.

## IV. The Self-Help Work Group: What Have We Learned?

The Commission's Self-Help Work Group has been conducting an inventory of self-help materials currently in use throughout the District, most of them authored by local legal services organizations, courts and administrative tribunals, and government agencies. In addition to volunteered time from Work Group members and other subject matter experts representing more than a dozen legal services organizations as well as the D.C. Courts and D.C. OAH, the Commission secured the support of a consultant from the National Center for State Courts and pro bono support from DLA Piper, which handled the complex information management required for the project.

The stages of the self-help inventory and review included:

- NCSC's creation of a model guide, *Best Practices for Creating Self-Help Materials*;
- development of an online survey for collecting self-help materials across a broad scope of civil legal services;
- legal services provider participation in submitting their legal self-help materials through the online survey;
- compilation of materials into an internal database, made possible by generous pro bono support from DLA Piper;
- a first review to remove duplicates, broken links, and clearly outdated information (some collected materials had not been updated in more than 10 years, and others were specific to expired pandemic laws and programs) and to ensure proper sorting by topic and subtopic; and
- a secondary review by attorneys recruited from over a dozen legal services organizations with expertise in particular issue areas to confirm the accuracy of the legal information, score the documents according to a rubric on best practices for readability and accessibility, and make recommendations about gaps, duplications, and the highest-quality materials.

This process was tailored to fit into the existing system of managing self-help resources in the District and illuminated and reflected the system challenges described above.

The enormity and complexity of these structural challenges is reflected in the need to extend the project's original timeline, even as its scope narrowed to account for limited resources, for example by isolating review to a small subset of D.C.

Courts' forms and delaying project tasks like reviewing self-help services available in the District, conducting our own user testing of materials, and creating new self-help materials.

A central challenge of the Commission's review process has been securing sufficient expertise and attorney time to complete the substantive review of the materials. This reflects the concern about limited existing staff time and bandwidth available to dedicate to self-help. In some instances, organizations that had created a substantial number of materials within a topic area were not able to participate in our review at all due to the current lack of staff capacity.

Reflecting a lack of coordination under the current system, the Commission found that multiple organizations were in some phase of reviewing or overhauling their self-help materials, but independently of one another and with little consistency in their approach, goals, and frequency of the review. While the Commission welcomed this attention to self-help work, the approach perpetuated concerns about duplication and an inefficient use of clearly limited community resources.

Further, this made avoiding duplication of efforts between these independent projects and the Commission's effort difficult and time-consuming. More generally, the Commission learned that managing a project like this—including engagement with Work Group members and subject matter experts, general workflow, and ensuring consistency through training—requires significant staff time and resources.

Other more specific Work Group reflections include that:

- Generally, the readability level of resources reviewed was too high. Best practice would be to aim for a reading level between Grades 3 and 6. Very few resources met this standard, with most above Grade 8 and many at a Grade 12+ level.
- Resources vary in their accessibility, and most information is presented solely through text, with few videos, guided interviews, graphics, or other formats available.
- The materials did not reflect any standard approach to periodic review of existing materials among organizations, and many resources do not state when they were last updated.
- Links to materials hosted by other organizations can be unreliable. This was particularly noted as a challenge on LawHelp, where the initial link might work, but the linked content contained nested links that no longer worked, undermining the utility and credibility of some resources.
- District agencies do not always timely update their materials to reflect legal developments, and there is a lack of communication and connections between these agencies and those who consume these materials, including legal services organizations.

- A widespread gap is the lack of instruction guides for court and administrative forms or related checklists for next steps across issue areas.
- It is difficult to react nimbly to create new self-help materials that respond to and incorporate relevant changes in emerging areas of community legal need.
- Currently, many providers must rely on volunteer and law clerk assistance for creating and maintaining self-help materials due to demands on full-time staff, even though their skillset may be the least well-matched with the unique skills required to create high-quality self-help materials.
- Of the limited time available within legal services providers, more is focused on the creation of materials rather than their maintenance, even though this latter task can require just as much time.
- There is a lack of a single identifiable source in the District for assistance with plain language, accessibility, and technological issues that could ensure the creation of uniformly high-quality self-help materials. Having responsibility spread across so many entities means there is no single "expert" within the community to turn to.

The Work Group has yet to tackle a critical project element, user testing of materials. Part of this difficulty is that we were not able to identify any community expertise or model doing regular user testing or incorporating user feedback and needs into self-help materials. More information about the importance of user testing and sample guides, interviews, and questions can be found in *Best Practices for User Testing Legal Self-Help Materials* created for the Commission by NCSC. It is clear that this piece of the project, while crucial for having a self-help system that meets user needs, requires dedicated infrastructure, staff, and funding and will be considered by the Work Group further in due course.

The Work Group also recommends a deeper study of what opportunities are available in the technology space to create better resources for self-help, especially advancements in artificial intelligence (AI) that have proved promising in the access to justice context.

Our conclusion—even while the project is still ongoing—is that sustaining or repeating the type of assessment that the Commission is undertaking in the future cannot be done without additional, dedicated permanent staffing and funding in the District. This calls for the type of centralized, user-friendly platform and community practices around self-help material development and maintenance that the Commission details in this report.

## Self-Help Inventory By the Numbers:

15

legal services organizations, plus the D.C. Courts, and D.C. OAH represented in review process

18

legal area topics (with 82 potential subtopics)

1,191

materials collected from 50+ organizations, with 110+ organizational authors, including legal services organizations, the D.C. Courts, D.C. OAH, District government agencies, and materials hosted on LawHelp

833

materials ultimately marked for second-level review (after eliminating broken links, clearly outdated materials, and materials that provided referral information only)

**Michigan Legal Help (“MLH”)** is a statewide legal information website, including a resource library and an online tool, that guides users through a series of questions to provide customized information, referrals, and court forms specific to a legal question or need. It is integrated with online intake for statewide legal services programs, and also screens for eligibility for other benefits programs. MLH staff create and maintain all of the resource library content under common branding and support self-help centers throughout Michigan. MLH has expanded since its inception to add live chat and conduct regular user testing, outreach, and data analysis and technological improvements. Currently there is a staff of 12 for all aspects of the program, with numerous community partnerships, and is a nonprofit primarily funded by the Michigan Supreme Court. <https://michiganlegalhelp.org/>

**Illinois Legal Aid Online (“ILAO”)** is a statewide, nonprofit legal help website that allows users to find information and resources in a broad range of civil legal areas. It also has a web-based “Form Library” which provides guided help with over 70 different types of legal documents, with nearly 30,000 forms generated a year by users. There is also an integrated, coordinated online intake system for those who want to request further help. The website has approximately 3.5 million visits each year, with resources available in three languages. For FY23, ILAO had total expenses of approximately \$2.7 million and just under 20 staff members (some of whom support the coordinated intake and referral elements), including staff for usability testing and accessibility, community engagement and navigation, legal content, community relations, and technology. <https://www.illinoislegalaid.org/>

## V. The Commission Recommends a Centralized Approach for Self-Help Materials and Resources, Where District Residents Can Go for Legal Help

From the Commission’s vantage point, civil justice stakeholders in the District are interested in developing solutions to more effectively provide targeted support to self-represented litigants through the expansion of self-help services and resources. Similarly, those that seek out self-help (and those professionals who interact with them) say that they need trusted sources and established programs that they can rely on for help, with materials that are easy to read, in plain language, and accessible (no matter what device they are being accessed on and by whom).

**We recommend a centralized strategy for self-help that has clear lines of responsibility and authority for creating and maintaining materials accepted and used by the entire legal services community.** Instead of having each of our numerous stakeholders playing a small role in a diffuse self-help ecosystem, we need singular or coordinated ownership of the work with clear goals, dedicated recurring funding and staffing, with sufficient capacity to ensure robust user testing and community outreach.

This approach should center the value and importance of self-help and ensure that professionals with the right skills are matched to these tasks. Developing high-quality self-help materials requires specialized skills, training, and expertise in plain language, accessibility considerations, and user testing. These take time and resources to develop, and they are not skills in which lawyers are generally trained. For example, non-lawyers with skills like communications or graphic design are currently underutilized resources for self-help.

A centralized approach will allow for the hiring and development of internal expertise on plain language, accessibility, user testing, and other best practices for legal self-help materials. Centralization would also allow quicker response to legal developments, intentional creation and curation of materials to avoid duplication, use of common style and branding to build credibility, and coordination and outreach to District legal and non-legal services organizations and residents. This centralized approach could also free legal services organizations to focus on core legal representation activities.

Finally, it would allow District residents and the non-legal service providers working with them to more easily find and use self-help materials. Improvements in the self-help area would have a direct and crucial benefit to the Coordinated Intake and Referral (“CIR”) project being led by DCBF. CIR will make it easier for residents to request help, but will not increase provider capacity to accept cases. Better self-help would help CIR navigators more easily connect callers with legal information while they make their way through the referral process and ensure that callers not ultimately placed with a lawyer, due to provider capacity or other reasons, do not leave the process frustrated and empty-handed.

The following elements of a proposed model draw from the experience of the Self-Help Work Group, stakeholder discussions and research, and consultation with experts in other jurisdictions - notably Michigan and Illinois - that serve as successful models of centralized self-help approaches.

## VI. Proposed Model for a Centralized Approach to Self-Help in the District

The Commission proposes an approach with the following essential elements:







### A. Central Responsibility and Single Authorship (Elements 1 and 2)

*Centralized responsibility for assembling, reviewing, and maintaining self-help materials (stand-alone project within an existing organization, or a single, new organization; “D.C. Legal Help”)*

*Centralized, singular authorship and branding of self-help materials*

It is essential that the District work towards creating one centralized, coordinated, and uniform resource for self-help. This platform would be more than a website—it would include dedicated staff responsible for creating and routinely maintaining and updating all self-help materials, as well as hosting them in a user-friendly platform and helping the District create and maintain a more cohesive self-help strategy.

This would be a cultural shift for the District legal community, which has long had a decentralized approach to creating and maintaining self-help materials amongst 40+ local legal services organizations and various platforms. Both Michigan and Illinois faced similar system changes, but their success demonstrates that this type of centralized hub is achievable and provides invaluable benefits once implemented.

**Responsibility:** One project, organization, or entity should have the responsibility for authoring, assembling, reviewing, and maintaining self-help materials. This could be done as a stand-alone project within an existing organization or by a newly established organization. Self-help materials could all be housed on one website that other legal services organizations, the D.C. Courts and D.C. OAH, and other community stakeholders could link to. Once established, the responsible project/organization would be viewed as the central source of information about self-help services available throughout the District.

The Commission sees significant positives to centralizing this self-help approach as a new project within an existing organization. This project will require significant trust-building and partnership with legal services organizations and other stakeholders, something an established organization may already have and be able to build upon.

Ultimately, community interest will guide whether there is an appropriate existing home for this project, or if there is leadership, expertise, and resources to guide the development of a new organization dedicated to centralizing self-help.

**Authorship:** District self-help materials should be authored by one dedicated project/organization, following a uniform style guide. Having dedicated staff who author materials allows them to become experts in gathering user feedback, using plain language principles, and following new innovations in accessibility – elements discussed in more detail in later sections.

Materials should also have common branding (for example, with the logo of the self-help project) under a single name (e.g., D.C. Legal Help). This approach also enables consistency of voice and style. Both Michigan and Illinois use this approach and have found this promotes community trust in the materials.

This singular approach would not leave other legal services organizations or key stakeholders like the D.C. Courts and D.C. OAH behind. There would still be a critical partnering role for the rest of the legal services community, for example through work groups, feedback, and tapping subject matter experts for review of materials. However, the ultimate responsibility for content would rest with the self-help project/organization.



### B. Dedicated Staffing (Element 3)

*Sufficient resources available to support dedicated permanent staff devoted to self-help functions (including staff with communications or other non-legal expertise)*

Centralized responsibility and authorship for self-help materials will require a dedicated, well-resourced team working exclusively on material development, improvement, regular maintenance, and other tasks to support the unified self-help approach. Dedicated staff can develop expertise in issue areas, plain language and other best practices, and user testing. They will need the bandwidth to follow legal trends and changes as well as to form partnerships to identify new and developing legal issue areas. They should collaborate with the leading, comparable programs in other states (for example, Michigan and Illinois) to keep up to date on best practices and innovations.

After the initial project launch, dedicated staff could consider expanding existing services – for example, offering online chat to provide live guidance on navigating self-help resources, bringing on navigators to provide additional support, or more robust integration with the District’s Coordinated Intake and Referral system. Michigan has seen benefits from program expansion after the initial legal information element of the project was well-established, including adding on-staff navigators.

There also needs to be sufficient dedicated resources to support information technology and communications needs, like ensuring a functioning, accessible and user-friendly website and promoting materials to community organizations and users. Initial work should include examining existing platforms for sufficiency or exploring whether new platforms would better serve the District. (For example, Michigan had used the LawHelp.org platform but ultimately designed and developed its own website to better meet its community needs.)

Time will also be required to gather user and stakeholder input and feedback and ensure that it is regularly and systematically incorporated into material development and design. The team can build relationships with legal and non-legal organizations and end-users to identify gaps and needs, improve existing materials, and connect with other organizations in the self-help space (i.e., walk-in clinics, self-help centers, the court’s forthcoming Justice Resource Center, etc.) For example, Michigan has staff specifically dedicated to training, user testing and outreach functions.



### C. Cooperation and Trust-Building with Local Providers (Element 4)

*Cooperation and trust-building with local legal services organizations through the use of advisory or other functions to inform self-help work*

Buy-in from local partners will be critical to the success of this new self-help strategy. The District boasts a diverse range and impressive number of legal services organizations, some of which create their own self-help materials and tools. The D.C. Courts, D.C. OAH, and other District agencies who also generate and host self-help materials will also be critical partners.

Some organizations may be wary of turning over all responsibility for self-help efforts to a new, singular team, ceding the hosting of their own self-help materials and tools on their websites. It will be key that legal services organizations feel a sense of ownership and have opportunities for input as any centralized self-help project is created and after its launch. Michigan and Illinois both have created advisory groups of legal organizations to participate in discussions about content to help facilitate these connections.



### D. Materials Assessments and Accessibility (Elements 5 and 6)

*Robust use of best practices assessment for materials to ensure consistency of content quality and access.*

*Routine analysis of materials and platform to assess accessibility, impact, efficacy, and usability.*

A single centralized entity should ensure that materials are created and maintained with three main criteria in mind: (1) accessibility of materials to end-users; (2) impact and efficacy of materials and platform; and (3) usability and functionality of both materials and the platform.

Going forward, a centralized self-help entity could first build on existing materials and then create a suite of other, new self-help materials in line with the best practices outlined in the Commission’s *Best Practices* guide. The self-help project/organization should then ensure created materials are regularly reviewed for accuracy. This review could be internal to the self-help organization initially or in combination with external, substantive experts in the community.

Materials and the platform itself should also be assessed regularly by staff and/or experts for readability, including plain language principles, webpage design, text-to-space ratios, etc.

It is also key that this assessment not just be done by legal or other professionals. As discussed further below, system users should also routinely provide input on the materials and platform to ensure that materials and website design cover the topics users are looking for and make it easy for users to find the information.



### E. Integrated Approach to User Testing and Feedback (Element 7)

*Integrated approach to regular and targeted user testing and feedback.*

User feedback and user-centered design principles should be employed as materials and the platform itself are developed, reviewed, updated, and published. Here, those with responsibility for maintaining self-help information should seek the cooperation of community partners and legal services organizations in administering the user assessment tools/surveys and offer incentives such as gift cards for participation. As mentioned above, dedicated staff could build expertise and community connections to facilitate this work. Project staff could become community experts on user testing, a resource that could benefit the community beyond the self-help function.

Once a platform is launched, there should be ongoing, regular user testing and feedback to ensure the continued improvement of the site and to adapt as new technologies become available. It should be easy for users to provide feedback and input in real time, in addition to targeted efforts to secure their views. There should also be a larger analysis after the platform has been established to understand how users view self-help as part of the larger legal ecosystem and to assess the impact, efficacy, and usability of the created platform/website as a part of that ecosystem.



### F. Coordination with Legal and Non-Legal Referral Systems (Element 8)

*Integration (front- or back-end) with legal coordinated intake and referral system(s) and coordination with other non-legal referral system(s).*

A centralized self-help approach should be coordinated with DCBF's development of a CIR system. Not only might this create greater efficiencies between the two efforts (e.g., building trust within the community, engaging in outreach, conducting usability studies, and seeking funding), but it should also result in a fuller and more intuitive "product" for the intended community users who may ultimately be seeking both services – self-help and legal referrals.

For example, if a user seeking self-help information finds that their issue is too complex, they should be able to easily find a link to the coordinated intake system. Likewise, CIR navigators should be able to point callers to the self-help platform as an available resource. This will be particularly important if there is no lawyer available to assist the caller with a legal issue or question due to capacity constraints, or where a caller isn't eligible for free legal aid or has a legal need that falls outside the areas prioritized by legal services providers (e.g., divorce with no domestic violence or minor traffic tickets).

A single entity/organization could be responsible for both self-help and CIR – but that is not essential (and taking on both could be a significant undertaking). The key is that there be seamless integration from the perspective of the user, even if responsibility on the back end is shared or divided among organizations.

Finally, there are efforts underway in the District to streamline referrals to other support services, like food, social services, medical/behavioral help, etc. It will be critical to ensure coordination with those efforts as well. Callers are often seeking legal and non-legal support at the same time and so integration would facilitate seamless connection to multiple modes of support. It is also important to ensure that these other non-legal systems acknowledge and defer to the legal self-help system as opposed to trying to create their own suite of law-related materials, and vice versa.



### G. Outreach (Element 9)

*Public outreach and communications strategy to reach District residents, professionals, and institutions.*

It will be essential that any new self-help project be well known in the community to reach those who need it. Legal services organizations, community partners, courts and tribunals, and potential consumers must all know about the existence of the self-help platform.

In order to achieve this goal, the organization responsible for the self-help project should engage regularly in outreach activities. For example, Michigan Legal Help both regularly and on request sends free materials (e.g., business cards, rack cards, and brochures) to courts, public libraries, social services agencies, and legal services organizations. Outreach via social media and in public places may also be desirable.

Strong, ongoing relationships throughout the community will be especially helpful to advance these outreach efforts. Ultimately, the success of any self-help effort will be dependent on the trust that community partners, legal services organizations, and others have in this new self-help resource and its ability to provide users with accurate and accessible materials.

Finally—and at a basic level—the website must also be easy to find. For example, both Michigan and Illinois have found that most users arrive at their websites via Google or some other search engine and accordingly they use tools like search engine optimization to maximize visibility and connectivity to their websites. On these and other tools, resources should be creatively sought (e.g., a Google Ads grant to support optimization efforts).



### H. Funding (Element 10)

*Identification of sufficient, recurring funding to support infrastructure, staffing, user testing and maintenance of the centralized approach.*

Finally—and perhaps most critically—a strengthened District approach to self-help hinges on having sufficient funding available in the community to support the staff, infrastructure, and technology needed for it to be established. As a civil justice community, we will need to strongly emphasize to funders, whether it be the District government, DCBF, community foundations, or private funders, why the current District approach does not meet current needs and requires stronger, more consistent financial investment.

Any new system will require the hiring and compensation of at least two dedicated, full-time positions plus on-staff or contract support to create and maintain content, as well as the development and maintenance of an accessible website and associated costs. Budgets to support user testing, outreach, and communications strategies will also be important.

The budgets of other comparable projects (like the Michigan and Illinois programs cited throughout) can provide some guidance, while recognizing that these programs started small and have developed and grown in the intervening years in available topics and services (such as adding online chats, e-filing integration, DIY tools, physical locations, etc.).

**Michigan Legal Help** started in 2011 with the equivalent of 2.75 FTEs plus contract support, and budgeted expenses of approximately \$335,000, and has now expanded to 12 legal and non-legal staff members with annual expenses of around \$1.2 million.

**Illinois Legal Aid Online** has 19 legal and non-legal staff (allowing them to serve 3 million people a year, with FY23 expenses of approximately \$2.74 million.)

## VII. Conclusions and Next Steps:

Self-help is critical to a well-functioning and equitable civil justice system. The *Justice for All* ideal of 100% access relies on a strong self-help approach. Currently, no one organization in the District “owns” the task of developing and maintaining self-help information. Filling this critical gap in our continuum of available legal services for low- and moderate-income residents would be transformative and would lead to substantial progress towards the goal of 100% access to some form of effective legal assistance for all District residents. Ultimately, a centralized self-help project/organization would become the District’s leader and authority in the self-help area.

In issuing this report, the Commission hopes to spark community discussion and coalescence around a shared vision for the future of self-help in the District. The Commission has involved legal services organizations and other stakeholders throughout the *Justice for All* and Self-Help Work Group’s project to foster this type of ownership and collaboration and is committed to future convening of our community to bring the ideas contained here to fruition. Combined with DCBF’s efforts to solicit and incorporate provider feedback and input into the development of a centralized referral system, this will bring the District’s civil legal services community to a new and unprecedented level of coordinated integration.

The Commission is committed to:

- By the end of 2024, supporting the Self-Help Work Group in completing the self-help assessment, crafting interim strategies for self-help, and completing further research and tasks that further the goals of the Work Group and this report;
- On an ongoing basis, facilitating continued partnership and coordination with DCBF’s CIR effort to ensure that project and any centralized self-help are aligned (the resources and design to centralize self-help will differ based on if there is interest in hosting these items in the same organization, or if they will be hosted separately but closely collaborate);
- In Fall 2024, convening key stakeholders to receive additional feedback on this self-help approach;
- In Fall/Winter 2024-2025, exploring and facilitating community discussion on where a centralized approach might belong, whether as a new project within an existing organization, or as a new standalone organization – and with consideration of DCBF’s work to identify a permanent host for the CIR;
- In Winter/Spring 2025, sharing research and identifying experts willing to assist the District in thinking through potential budgets, work plans, and timing for creating a centralized self-help project/organization;
- In Spring 2025, thinking through and pursuing funding opportunities to support bringing this concept to fruition, including the possibility of utilizing District public funding to support this effort;
- By the end of 2025, supporting the launch of the District’s strengthened self-help approach; and
- On an ongoing basis, continuing to champion and partner with the District’s legal services community in pursuing a centralized self- help approach as part of our vision of accessible justice for all District residents.

## Afterward

### Acknowledgments

The Commission thanks Commissioners, legal services staff, and D.C. Courts and D.C. OAH personnel for their time and expertise in supporting our Self-Help Work Group project and report. We would like to especially acknowledge Grace Spulak from the National Center for State Courts for technical assistance with the project, as well as Angela Tripp, former Director of Michigan Legal Help and current Program Officer with the Legal Services Corporation, and Gwendelyn Daniels,

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### List of Work Group Participating Organizations

In addition to the D.C. Access to Justice Commission, we acknowledge the participation of staff members from the following organizations:

- Central American Resource Center (CARECEN)
- Council for Court Excellence
- Children’s Law Center
- D.C. Bar Pro Bono Center
- D.C. Office of Administrative Hearings
- D.C. Volunteer Lawyers Project
- D.C. Affordable Law Firm
- D.C. Courts
- D.C. JusticeAccess
- D.C. Tenants' Rights Center
- Legal Aid D.C.
- Legal Counsel for the Elderly
- Public Defender Service for the District of Columbia
- Tzedek D.C.
- Whitman Walker Health

### Reference Materials Created through the Commission Work Group

#### Best Practices for Creating Self-Help Materials



#### Work Group Rubric to Assess Self-Help Materials



#### Best Practices for User-Testing Legal Self-Help Materials





## Endnotes

1. See [https://www.ncsc.org/\\_\\_data/assets/pdf\\_file/0012/26301/justice-for-all-project-description-final.pdf](https://www.ncsc.org/__data/assets/pdf_file/0012/26301/justice-for-all-project-description-final.pdf)
2. See <https://www.ncsc.org/jfa/faq>; <https://www.ncsc.org/jfa/about>; <https://www.ncsc.org/jfa/lessons-learned/more-about-jfa-grants#:~:text=Alaska%2C%20Colorado%2C%20Georgia%2C%20Hawaii,and%20Michigan%20joining%20in%202019>
3. D.C. Access to Justice Commission, *Delivering Justice: Addressing Civil Legal Needs in the District of Columbia* (December 2019) available at [https://dcaccesstojustice.org/files/Delivering\\_Justice\\_2019.pdf](https://dcaccesstojustice.org/files/Delivering_Justice_2019.pdf)
4. D.C. Consortium of Legal Services Providers, *The Community Listening Project* (April 2016) available at <https://www.LawHelp/resource/community-listening-project>
5. D.C. Access to Justice Commission, *Justice for All: A Plan for the District of Columbia*, available at <https://dcaccesstojustice.org/wp-content/uploads/2022/11/JFA-Overview-11.22.pdf>
6. The Commission's Self-Help Work Group is comprised of members of the D.C. Access to Justice Commission and numerous other key legal stakeholders, including issue area experts and representatives from the D.C. Courts and D.C. OAH. A list of participating organizations is available in the Appendix.
7. National Center for State Courts, *Justice for All Initiative Guidance Materials* (November 2019) at 5, available at [https://www.ncsc.org/\\_\\_data/assets/pdf\\_file/0021/25464/pdf-jfa-guidance-materials.pdf](https://www.ncsc.org/__data/assets/pdf_file/0021/25464/pdf-jfa-guidance-materials.pdf)
8. DCBF has been engaged in an effort since 2020 to design, develop, pilot and refine, and rollout a streamlined process for D.C. residents to access legal aid through a single phone number or website rather than through having to call multiple service providers individually. Details and timeline for each phase of the project can be found at <https://www.dcbfoundation.org/coordinated-intake>. The Commission has engaged with DCBF throughout this process through our CIR Work Group.
9. *Delivering Justice*, *supra* note 3, at 4.
10. *Id.* at 28-34.
11. Legal Services Corporation, *The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans* (April 2022) *Executive Summary*, available at <https://justicegap.lsc.gov/>.
12. *Delivering Justice*, *supra* note 3, at 4.
13. See <https://www.lawhelp.org/DC/>
14. The Commission's Community Integration Work Group conducted community listening sessions in 2022 to gain a better understanding of the unique needs of service providers in the District in accessing legal information. The Commission also conducted listening sessions in 2019 as part of the development of the *Delivering Justice* report.



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