October 27, 2025

Executive Office of the D.C. Courts
ATTN: Civil Legal Regulatory Reform Task Force
500 Indiana Avenue, N.W., Suite 6680
Washington, D.C. 20001

Sent via e-mail: clrrtaskforce@dccsystem.gov

Re: Support for the D.C. Courts Civil Legal Regulatory Reform Task Force Recommendations July 2025 Report

Dear D.C. Courts Leadership,

The D.C. Access to Justice Commission ("Commission") writes in strong support of the Civil Legal Regulatory Reform Task Force's three recommendations outlined in its July 2025 Report. These recommendations represent a bold and hopeful step toward advancing access to justice in our Nation's Capital.

Established by the D.C. Court of Appeals two decades ago, the Commission has served as a catalyst for civil legal reform—convening stakeholders, conducting strategic research, and advocating for systemic change to address the civil justice crisis facing low- and moderate-income D.C. residents. We enthusiastically endorse all three recommendations, with particular emphasis on the recommendation for a framework for Community Justice Worker (CJW) programs—one of the most innovative and promising solutions we have studied in our 20 years of work.

I. CJW Programs Offer Scalable, Community-Driven Legal Support.

The Commission, consisting of Task Force members Jim Sandman (Vice Chair), Nancy Drane (Executive Director), Administrative Law Judge Sharon Goodie (Commissioner), and Executive Officer of the D.C. Courts Herbert Rouson, Jr. (Commissioner), as well as thought leaders from every legal sector and medical and social service agencies, enthusiastically supports the task force's unanimous recommendation to establish a framework to authorize CJWs to provide limited legal services under the supervision of licensed attorneys affiliated with legal aid organizations. Four compelling reasons for our support of CJWs—trained, nonlawyer advocates embedded in communities who help residents understand and resolve civil legal issues—include:

A. CJWs Will Help Narrow the Widening Civil Justice Gap.

Despite D.C.'s robust legal community and culture of pro bono service, the civil justice gap remains profound. Most D.C. residents are alone when it comes to addressing civil legal issues or problems in their lives. As noted in the Task Force's report on page 6 and the Commission's 2019 *Delivering Justice* report, between 75% and 97% of parties in D.C. Superior Court appear without counsel, with comparable rates at the D.C. Court of Appeals and the D.C. Office of Administrative Hearings. Nationally, the Legal Services Corporation found in its 2022 *Justice Gap* report that low-income Americans receive inadequate or no legal help for 92% of their substantial civil legal problems.

CJWs offer a scalable, cost-effective model to meet this unmet need by allowing helpers of all kinds (social workers, medical professionals, clergy, librarians, teachers, students) the opportunity—with proper approval by the court, training, support, and working under the supervision of legal aid attorneys—to help their neighbors free of charge with discrete legal needs. We cannot wait for lawyers alone to solve the access to justice crisis in our city—even with our city's abundant resources, we have not been able to deliver access to justice for all, and civil justice needs are only increasing. CJWs provide an important starting point to help meet the demand for basic legal services, expanding access to those who otherwise go unrepresented and without any help at all. CJWs can help fill the gap now.

B. CJWs Will Expand Reach and Build Trust in Our Communities.

CJWs meet people where they are—physically and culturally. As trusted community members in potentially every space where people go for fellowship, community, and help, CJWs can deliver legal support that is "*timely* (showing up when people need it), *targeted* (specific to their situation), *trustworthy* (from a source they believe in), and *transparent* (clear about next steps, choices, and costs)" (the components of people-centered justice championed by researchers Rebecca Sandefur and Matthew Burnett). The Commission applauds the Task Force's extensive outreach, including convening 20+ focus groups and offering public comment opportunities, which confirmed strong community support for CJWs. This high level of support for CJWs is consistent with the Commission's listening sessions and reports over the years that highlight the urgent need for trusted, community-based legal support.

C. CJWs Will Empower Our Communities and Strengthen Our Legal Aid Ecosystem.

CJWs can help build legal capacity within underserved neighborhoods, reduce systemic barriers, and foster civic engagement. They serve as bridges between residents and formal legal institutions, demystifying legal processes, promoting fair outcomes, and educating residents about their legal rights and responsibilities. Evidence from states already implementing CJW models shows that CJWs can be effective in resolving certain

civil legal issues. This is especially true for many areas where complicated processes and procedures have made solving legal issues virtually impossible for everyday people and especially for those with limited resources and/or capacity. Explaining these processes and procedures and helping people navigate how to assert their rights and what steps to take to resolve everyday issues impacting their families, housing, benefits, debt, and safety will have an immediate and positive impact.

For example, Alaska Legal Services successfully enlisted CJWs to help individuals facing SNAP benefit denials. The numbers were impressive: In 2022—before introducing CJWs to the work— Alaska Legal Services resolved 125 SNAP cases dealing with denials of benefits. In 2023, when a third of the organization's cases were about SNAP benefits, it resolved 25 times more, or 3,093 cases. CJWs closed almost 500 of those and recovered $1.43 million in benefits for clients. The 50-60 trained CJWs typically got SNAP benefits approved for their clients within 10 days.[i]

Empowering organizations and professionals in our community to partner to develop and implement CJW programs will, in turn, strengthen and widen our entire legal aid ecosystem, making the tent of people helping people bigger, more inclusive, and more efficient for the entire justice system. The District can learn from the many other jurisdictions embracing this innovative access-to-justice strategy. In addition to the nine states[ii] that have implemented CJW programs, an additional five states[iii] (including D.C.) have proposed CJW programs, with another eighteen states[iv] currently studying it. The Commission engages with other Access to Justice Commissions across the country and has witnessed the enthusiasm for CJW programs. We are encouraged by the experience of other jurisdictions, where CJW programs have opened the door to new partnerships and in some cases, sources of funding. We are excited for D.C. to join these other jurisdictions that are leading the way for increased access to justice.

D. The Task Force's Recommendations Offer Sufficient Guardrails that Rely on the Expertise and Discretion of the District's Legal Services Community.

The Commission also supports the Task Force's approach to trust and defer to legal services organizations to design CJW programs tailored to community needs based on their expertise and experience serving those who need legal services the most. The Task Force's proposed safeguards— training, supervision, court approval, and ethical compliance— are set up to ensure consumer protection while expanding access and strengthening the delivery of legal help. Additionally, many CJWs will bring pre-existing background and experience concerning key areas of need in our community to their role.

Legal services organizations designing CJW programs will be in the driver's seat to identify the type of discrete legal tasks that they believe are most appropriate for CJWs to deliver. The supervision aspect of the CJW framework also empowers legal services

providers to determine by program and in each individual case where and when to dispatch CJW support. While the Task Force's recommendations define the types of tasks that CJWs may perform, this is a ceiling that legal services organizations can work within as they design their programmatic approach and navigate individual case matters. Finally, legal services providers can leverage their experience training and mentoring pro bono volunteer lawyers or utilizing non-lawyers in settings where their support is already allowed, like administrative tribunals.

II. Support for Further Study of the Licensed Legal Practitioner (LLP) Model

The Commission also supports the Task Force's recommendation to direct further study of the Licensed Legal Practitioner (LLP) model. In our view, exploring this pathway could offer additional solutions to the civil justice gap, particularly in support of the "missing middle" or those who do not qualify for legal aid because their income is too high but still could never afford legal services at market rates.

The proposed CJW model will rely primarily on legal services providers that operate under strict income eligibility guidelines. As a result, many District residents with modest incomes that fall above legal aid thresholds but below the level required to afford private counsel will remain unserved by CJW programs. In effect, the CJW model would not address the legal needs of middle-income residents, leaving a persistent gap in access to justice.

For this reason, it is important to continue the exploration of the LLP model, which has the potential to meet the needs of middle-class District residents who are otherwise excluded from both traditional legal aid and CJW programs. Currently, an estimated 114,000 D.C. residents fall into this category (typically captured as between 200% and 400% of poverty)—unable to afford private attorneys, yet ineligible for subsidized legal services, leaving them to navigate complex legal matters without representation. LSC's 2022 *Justice Gap* report called out the fact that help to resolve civil justice problems eludes people well up the income scale—with the percent of problems for which those surveyed did not receive any or enough legal help ranging between 78% and 93% for people between 125% and 400% or even above 400% of poverty.

While LLP programs are still relatively new in other jurisdictions, and comprehensive outcome data is limited, they represent a promising strategy for closing the justice gap, especially for middle-income families in the District. Continuing to explore this model alongside the CJW framework is essential to building a more equitable and inclusive legal services system in D.C.

III. Support for Innovative Approaches Under Rule 49(c)(10)

We also support the recommendation to encourage organizations to develop and seek approval for innovative models that allow nonlawyers to provide legal services under Rule 49(c)(10). These approaches, when properly structured, can responsibly expand access to justice.

We commend the Task Force for highlighting Rule 49(c)(10) in its recommendations and reminding the legal community of this important opportunity, already provided in current court rules. This recommendation serves as a valuable prompt for the legal profession to continue exploring innovative approaches to expanding access to justice and addressing the persistent justice gap.

IV. Commission Role in Supporting CJW Implementation in D.C.

The Commission remains grateful to the D.C. Courts, particularly its Chief Judges, for convening the Civil Legal Regulatory Reform Task Force to consider new strategies to address the persistent civil justice gap faced by our community. The Commission urges the D.C. Courts to adopt the Task Force's recommendations to:

- Establish a framework for CJW programs;
- Direct further study of the LLP model; and
- Encourage innovative approaches under Rule 49(c)(10).

The Commission recognizes that, should the court adopt the proposed rule, organizations that are interested in developing community justice worker programs will require support and encouragement in implementing these transformative recommendations. We are edified that national organizations like Frontline Justice have identified ways it can offer concrete support to jurisdictions in the development and implementation phase. Jurisdictions with implemented CJW programs have already confronted many of the questions D.C. organizations considering this opportunity will have. The Commission stands ready to help connect our community with these types of resources to help our local legal services community work towards implementing a community justice worker effort in the District of Columbia.

Sincerely,

Peter B. Edelman	James J. Sandman	Nancy E. Drane
Chair	Vice Chair	Executive Director

[i] Lincoln Caplan, *The Justice Worker: Rebecca Sandefur's mission is to provide help to tens of millions of Americans in solving their legal problems*, The American Scholar (Summer 2025).
[ii] Alaska, Utah, Arizona, South Carolina, New Hampshire, Minnesota, Hawaii, Washington State, Delaware (provided by Frontline Justice)
[iii] Texas, Illinois, Washington D.C., Wisconsin, Georgia (provided by Frontline Justice)
[iv] California, Oregon, Idaho, Montana, Colorado, New Mexico, Oklahoma, Louisiana, Michigan, Indiana, Ohio, Kentucky, Tennessee, North Carolina, Virginia, Maryland, New York, Vermont (provided by Frontline Justice)