

Working Group I: Foundational Capacities

Co-Chairs: Anne Erickson, Empire Justice Center; Lillian Moy, Legal Aid Society of Northeastern NY

Focus of the Working Group: Foundational components that need to be developed for the justice system to work well and efficiently. Essential components are: system design, governance and management; resource planning; technology capacity; triage, referral and channel integration; community integration and prevention; and judicial and court staff education.

Assessing the Components: The Working Group conducted an inventory assessment of each component—with a focus on determining which are critical to derive scalable and sustainable actions—in which the group verified existing programs, services, technology and available data statewide, and examined the extent of the component’s development and availability throughout the State, its impact in addressing New Yorkers in need and its scalability to reach additional New Yorkers.

Setting the Priorities:

Community Integration and Prevention: Planning, implementation and sustainability of a dynamic Access to Justice system must be achieved locally. With state level guidance and encouragement, local efforts will need to develop robust planning and implementation networks to ensure that all stakeholders claim their ownership and their responsibility for ensuring Access to Justice. A commitment from a broad-based leadership team that can galvanize partners, bring or deploy local resources and engage both low income communities and the established services delivery system will be critical to any sustainable effort.

Technology Capacity: To be successful, Access to Justice efforts will need to develop and deploy technology to coordinate, integrate and simplify access to various resources, services and capabilities, including creating applications that will allow easy access to resources and services, and create service integration of the applications into existing systems, including court and provider case management systems.

Judicial and Court Staff Education: Educate judges and court staff on the component’s key elements to ensure that all litigants are treated equally and fairly, and have access to the resources and services necessary to resolve their legal matters. Mandated education should be implemented that encompasses the component’s key elements and includes skills-based training on such topics as the unrepresented litigant in the courtroom, cultural competence and plain language.

Initial Strategic Action Planning:

Community Integration and Prevention: Encourage and support development of diverse local networks that ensure open communication, information exchange and resource leveraging between partners. Initiate opportunities for stakeholders to come together to learn about available community resources. Provide cross-training for early and proactive issue identification. Provide guidance by sharing experiences of local Suffolk Pilot and information gathered through assessment and strategic planning process.

Broad Questions: What does a successful community integration project look like? What elements would it have in terms of leadership, participation? What is the infrastructure for

cultivating and sustainability? Is there/will there be interest and motivation to develop? What are the costs and resources needed to develop and maintain?

Targeted Questions: These are the characteristics of communities that have successfully integrated legal and other services: Some variant of reliable and skilled leadership, a core of agencies that believe and are committed to integration, some level of support from local government and the court, a variety of services/open doors for users, users in need of services. Do you agree? What else is needed to develop networks and collaborations? Do you have examples of successful collaborations in your community? What makes it work? What would have been helpful to make the project even more successful? What lessons did you learn that we should be thinking about as we plan forward?

Technology Capacity: Enhance LawHelpNY to serve as statewide access point to technology-enhanced services. Create additional triage portals to allow for single point of entry in multiple substantive areas. Create comprehensive DIY forms. Pursue opportunities for integration with the court's and provider's case management systems. Work with community partners to adopt data standards for referral/content integration of existing resources.

Broad Questions: What is the most effective role technology could play in meeting the needs of clients and consumers? How can technology advance the selected priorities? What aspects of technology are priorities? How can technology be used when courts/community/providers have different systems or are at different levels of technological capacity? Who will take leadership role? What are the resources needed to accomplish?

Targeted Questions: We need statewide and local technology resources. How are technology resources integrated into your community? Are you satisfied with use of technology in your community? Do websites cross link or otherwise interact? What's missing? Participation in LawHelpNY? Could they do more? What do you dream of regarding the use of technology in better serving users? Where have you seen technology really work for your clients? What stood out to you? What about internally, in your own office or program – where could technology be better used to make your work more effective?

Judicial and Staff Education: Develop a mandatory curriculum for judges on a range of Access to Justice topics, including the unrepresented in the courtroom, cultural competence, language access and use of plain language in speech and writing. Mandate that all non-judicial staff take the Facilitating Access Training Program (Legal Information vs. Legal Advice). Expand that program to include additional Access to Justice topics.

Broad Questions: What training would help make your local judges and courts contribute more effectively to meaningful ATJ? The unrepresented litigant in the courtroom? Cultural competence, with respect to race, income and/or language? Plain language forms? Simplified processes? Should the training be mandatory?

Targeted Questions: What would a mandatory educational program look like for judges and non-judicial staff? Who would champion its implementation? Who would develop the curriculum? Who would teach the courses? What training materials would be needed to be developed? What would be the cost to train all judges and staff?