

## **Working Group III: Enhancement Services**

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### **Inventory Assessment:**

The working group reviewed the following Initial Components: Alternative Dispute Resolution Integration, Compliance Assistance, Courtroom Assistance Services, Expansion & Efficiency Improvements of Full Service Representation, Limited Scope (Unbundled) Legal Assistance, and Role Flexibility for Other Professionals (non-lawyer advocates).

As part of that review, the working group looked at existing programs and services in New York State and other jurisdictions, to gather information about the extent to which legal services providers are capable of full service representation, and the other programs and resources available as alternatives to full representation. While verifying existing programs and services, we surveyed 85 legal services providers in the state to gather the relevant information. The review also revealed the different types of court-related ADR programs in the state, Help Centers, DYI forms, and video resources, as well as the role of judges in facilitating the ability of unrepresented litigants to have their matters fairly heard without compromising judicial neutrality.

For the purposes of the Priority Setting and Strategic Action Planning stage, we decided to focus primarily on the availability of: limited-scope services, full-service representation and non-lawyer services to litigants.

### **Setting the Priorities:**

Using this information, we identified three components to be primary priorities for us, considering current resource availability, cost factors, ease of implementation, and potential impact. These priorities are:

- Expansion of Limited-Scope Representation (LSR)
- Expansion and Efficiency Improvements of Full-Service Representation
- Deploying Non-Lawyers to Assist those with Legal Needs

### **Initial Strategic Action Planning:** Our current thoughts about strategic action points include:

**Expansion of Limited-Scope Representation:** Adopt forms for LSR and train attorneys to act in this capacity. Create a roster of attorneys who are eligible to handle LSR matters. Educate judges about LSR. Improve information given to litigants to help them decide whether LSR is appropriate for them.

**Questions:** How can we expand LSR among attorneys and legal services providers? How do we educate litigants about the benefits of LSR?

**Expansion and Efficiency Improvements of Full-Service Representation:** Prevent funding cuts for full representation. Reaffirm the importance of full representation in matters impacting the essentials of life. Mobilize to pass legislation to guarantee low income New Yorkers with effective assistance in eviction proceedings. Facilitate the connections and partnerships between civil legal service providers and social service providers, law schools and others, to aid in making necessary referrals. Encourage civil legal services organizations to utilize more pro bono services where appropriate.

**Questions:** How do we facilitate partnerships among legal services providers with law schools and legal clinics, to expand full representation? How do we provide consistent, updated information to local communities to facilitate partnerships for referrals, language services, etc.? How do we replicate the effects of the recent NYC mobilizations that led to the guarantee for legal guidance in eviction proceedings? Can we expand these efforts to other areas of the law?

**Deploying Non-Lawyers to Assist those with Legal Needs:** Expand existing programs such as Court Navigators, Legal Hand and CLARO, to the rest of the state.

**Questions:** For what types of civil matters would it be beneficial to utilize more non-lawyers? For what matters would it be most helpful to train groups on completing court forms? How do we expand existing models that utilize non-lawyers statewide? In what other ways can people without legal training contribute in a fair, accessible justice system? What tasks do lawyers currently perform that can be achieved without legal training? What tasks do lawyers currently perform that would be performed better by someone without legal training? What aren't we doing in the justice system that non-lawyers would be better-equipped to do?