



UNIVERSITY OF  
**GEORGIA**  
Carl Vinson  
Institute of Government

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# **Civil Access to Justice**

**Innovative Ideas to Support Self-  
Represented Litigants and Increase  
Court Efficiency in Civil Cases**

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December 2023

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## Executive Summary

The mission of the Georgia Judicial Council Standing Committee on Access to Justice is “to improve the public’s trust in the judicial branch by promoting meaningful and effective access to courts and fairness for all.”<sup>1</sup> Access to justice refers to people’s ability “to understand and assert their rights in a neutral process pursuant to the fair rule of law and enforce the result” when they encounter “life problems that touch the law.”<sup>2</sup>

Lack of access to justice or access to legal assistance and support is more acute among low-income individuals and households. According to the Legal Services Corporation, approximately “74% of low-income households experienced at least one civil legal problem in the past year ... [but] did not receive any legal help or enough legal help for 92% of the problems that substantially impacted them in the past year.”<sup>3</sup> While *Gideon v. Wainwright* (1963) guarantees a right to counsel for criminal matters in state and federal courts based on the Sixth and Fourteenth Amendments of the US Constitution, there is no such guarantee related to civil matters, particularly family law.

To address the need for legal assistance for low-income individuals and families in civil matters, many states have established legal aid programs and self-help centers. Legal aid programs represent low-income people in court, whereas self-help centers are designed to empower self-represented litigants to prepare to represent themselves in civil matters in court. Most self-help centers rely on nonattorney staff, but some offer volunteer legal assistance as well.

Most southeastern states focus or have recently refocused efforts on access to justice in civil cases. Most of the states rely on partnerships with philanthropic and/or state and local bar associations to provide pro bono assistance, and encourage and support pro bono services by attorneys through state bar association programs.<sup>a</sup> All states also have legal aid offices funded through grants and donations, although most do not have resources to meet demand.

Across the board, states recognize the need to collect better data to evaluate existing programs and make the case for additional investment in access to justice efforts. States such as Illinois, Maryland, California, Arizona, and Utah have conducted studies of their legal aid and other access to justice activities and developed innovative approaches to address the need to increase support self-represented litigants.

In Georgia, the state provides a grant to the Appalachian Judicial Circuit Family Law Information Center (FLIC), which is helping self-represented litigants navigate civil, family law

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<sup>a</sup> The American Bar Association suggests each state bar establish attorney goals of 50 pro bono hours per year, but not all states incorporate this hourly goal into their rules.



cases. This report documents the efficiencies seen in court operations because of the support self-represented litigants receive from the FLIC. Efficiencies include time savings for self-represented litigants, reduced frustration for others in the court system, and reduced court staff time to help these litigants. Researchers at the Carl Vinson Institute of Government at the University of Georgia estimate efficiencies related to access to justice services from the FLIC total \$48,568 per year, with 91% of the gains related to courtroom activities.

Researchers analyzed court data, reviewed other efficiency and economic impact studies related to legal aid in civil cases, and researched current access to justice practices among states in the southeast and other select states across the country. Based on this research the following are some innovative ideas for consideration to address civil access to justice needs in Georgia:

- Develop evaluation frameworks for access to justice programming. Collect appropriate longitudinal data to inform state and local government investments, cost-benefit studies, and economic impact analyses. Studies in Illinois, Maryland, and North Carolina identified an increase in federal funding flowing to families as a result of case resolution.
- Use nonattorneys to staff self-help centers. Nonattorneys serve all parties filing a case, may be more affordable, and some litigants may consider them more approachable. Most states, including Georgia, Arizona, and Utah use nonattorneys in their self-help centers.
- Create a centralized website with videos and other resources to support self-represented litigants, which Georgia has started to do with [georgialegalaid.org](http://georgialegalaid.org) and court forms on the Judicial Council of Georgia Administrative Office of the Courts' website. Increasingly people prefer to learn through videos rather than written procedures. Websites can provide fillable PDF forms, language-specific services, and step-by-step instructions (see Illinois and Maryland websites).
- Provide support through a centralized, statewide call center and help desk to refer self-represented litigants to the appropriate resources. Several states, including Illinois, Tennessee, and Maryland, provide a centralized phone number and help desk.
- Create nonattorney legal service licensed professionals to assist people in resolving straightforward, routine legal issues. Arizona created a Licensed Document Preparer (LDP) and Legal Paraprofessional (LP) and Utah created a Licensed Paralegal Practitioner (LPP). All these professionals must pass an exam and be licensed to support self-represented litigants.
- Relax rules surrounding alternative business structures to increase entrepreneurship among attorneys and nonattorneys as a way to increase competition in the legal services market (see Arizona and Utah).



- Rethink regulatory frameworks. Utah created a regulatory sandbox to allow for and evaluate new legal ideas and enterprises.
- Adapt services based on human-centered design principles to expand civil access to justice, particularly for people with disabilities or who have unique needs. Some litigants do not have computers so Florida relaxed e-filing requirements and created kiosks with fillable PDF forms.
- Incentivize attorneys to assist with civil pro se cases by, for example, offering CLE credit and having recognition programs for attorneys who offer pro bono services for people with low incomes (see Alabama, South Carolina, and Tennessee).
- Designate specific civil pro se court days to create more structure, predictability, and efficiency for self-represented litigants, self-help center staff, court personnel, and others. Hearing civil pro se cases on a particular day allows the court to consolidate ancillary services, such as translators/interpreters, thereby decreasing court costs.
- Make self-help center staff available in court during civil pro se court days to assist self-represented litigants, if necessary, to ensure the case moves forward to final adjudication without delay.

## Introduction

The mission of the Georgia Judicial Council Standing Committee on Access to Justice is “to improve the public’s trust in the judicial branch by promoting meaningful and effective access to courts and fairness for all.”<sup>4</sup> Access to justice refers to people’s ability “to understand and assert their rights in a neutral process pursuant to the fair rule of law and enforce the result” when they encounter “life problems that touch the law.”<sup>5</sup>

In 2021, “about 50 million Americans [had] household incomes below 125% of the [federal] poverty line.”<sup>6</sup> Additionally, low-income individuals often have a civil legal problem but do not have the resources to address it. According to the Legal Services Corporation, approximately “74% of low-income households experienced at least one civil legal problem in the past year ... [but] did not receive any legal help or enough legal help for 92% of the problems that substantially impacted them in the past year.”<sup>7</sup>

While *Gideon v. Wainwright* (1963) guarantees a right to counsel for criminal matters in state and federal courts based on the Sixth and Fourteenth Amendments of the US Constitution, there is no such guarantee in civil matters. Table 1 shows that, since 2019, more than 30,000 Georgians have been unrepresented by counsel each year in domestic civil cases filed in superior courts.



The lack of legal counsel in family law cases results in more continuances and less efficiency in court, delays in awards of child support, and greater demands on state resources, such as TANF and foster care.

**Table 1. Number of Self-Represented Litigants in Domestic Civil Cases Filed in Superior Courts in Georgia, 2019–2021**

2019	39,153
2020	30,700
2021	38,636
2022	45,413

Note: The number of self-represented litigants is likely higher as data was not available from 55 counties in 2020, 57 counties in 2021, and 17 counties in 2022.

Source: Judicial Council of Georgia Administrative Office of the Courts.

To address the civil justice gap—“the difference between the civil legal needs of low-income Americans and the resources available to meet those needs”<sup>8</sup>—many states have established programs to address the legal needs of their residents, such as legal aid programs and self-help centers. Both legal aid programs and self-help centers focus on helping self-represented (pro se) litigants, many of whom qualify as low-income. Legal aid programs often receive federal funding from the Legal Services Corporation (LSC) and rely on pro bono assistance from private and volunteer attorneys to provide self-represented litigants with free legal advice and assistance. Some of the programs also offer legal representation and support during administrative court hearings.

In contrast, self-help centers are designed to empower self-represented litigants to prepare for court appearances. Various models of self-help centers exist, but the most common involves nonattorney staff who lack legal credentials but have completed training, and sometimes certification, to assist self-represented litigants.<sup>9</sup> Self-help center staff can help by explaining court procedures and rules, directing litigants to resources, aiding with filling out court forms, providing informational packets related to legal issues, and more.<sup>10</sup> Within this model, staff at a self-help center are trained to provide general, neutral answers adhering to the authorized practice of law.<sup>11</sup>

The Supreme Court of Georgia asked the Carl Vinson Institute of Government at the University of Georgia to conduct a study to better understand the access to justice innovations and associated benefits of self-help centers in civil cases. In conducting this study, researchers did the following::

- Analyzed civil access to justice activities across the southeastern states



- Analyzed efficiency and economic impact reports of civil legal assistance in Illinois, Maryland, California, and several other states
- Examined legal innovations to improve civil access to justice in Arizona and Utah
- Conducted a case study analysis of the Appalachian Judicial Circuit Family Law Information Center (FLIC) and analyzed available data to estimate funding efficiencies realized by assistance self-represented litigants receive from the FLIC<sup>b</sup>

## Review of Civil Access to Justice Efforts in the Southeast and Other Select States

Many states understand that access to civil justice has become unattainable for many low-income and even middle-income citizens, which has resulted in an increasing number of self-represented litigants in civil cases, primarily involving family law issues. Following is a review of civil access to justice efforts, with a focus on self-help centers, across the southeast: Alabama, Florida, Mississippi, North Carolina, South Carolina, and Tennessee.

### CIVIL ACCESS TO JUSTICE EFFORTS IN THE SOUTHEAST STATES

Most southeastern states focus or have recently refocused efforts on civil access to justice. Most of the states rely on partnerships with philanthropic and/or state and local bar associations to provide pro bono assistance. Most states encourage and support pro bono services by attorneys through state bar association programs.<sup>c</sup> All states also have legal aid offices funded through grants and donations, although most do not have resources to meet demand. Despite all states having access to justice commissions, many of which began in the mid-2000s, many are beginning to reevaluate needs and create plans to address them.

The information contained in this section was collected from telephone interviews, reports emailed directly from the states, and state websites.

#### Alabama

Alabama's Access to Justice Commission has a goal of increasing attorney participation in pro bono programs and enlisting assistance from social service organizations. Links to legal aid providers on the commission's website are listed by county, but most include the same resources: disability advocacy, state bar and volunteer attorney referrals, Hispanic interest

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<sup>b</sup> There are more than a dozen civil legal self-help centers across Georgia. Each is funded and operated differently, and collects different data.

<sup>c</sup> The American Bar Association suggests each state bar establish attorney goals of 50 pro bono hours per year, but not all states incorporate this hourly goal into their rules.



attorneys who provide free legal aid to immigrants, and Legal Services Alabama, the largest provider of legal aid in Alabama.

The most recent reports of activities on the website includes a 2006 assessment of the legal needs of low-income citizens, a 2009 report with recommendations to address those needs, and a brief report to the Alabama Supreme Court from 2017. According to this 2017 report, there are five pro bono programs in Alabama, with three large counties operating stand-alone volunteer attorney programs, one volunteer program covering four counties, and the Alabama State Bar Volunteer Lawyer Program covering the remaining 60 counties. The state bar provides awards to encourage attorneys, firms, and law students to donate time.

The Alabama Access to Justice Commission has a pro bono portal to their website, allowing low-income citizens to ask questions of participating attorneys. A committee of the commission continues to develop user-friendly forms and resources. There is little evidence of program expansion since the 2017 report.

## **Florida**

Florida has the most developed self-help center system in the southeast. Sixteen of Florida's 67 counties report the presence of a self-help center located within the court facility to assist self-represented litigants navigate the court system. Florida also provides a self-help application that can be downloaded to smart phones.

The self-help centers in Florida are locally funded and operated. They do not report data to the state, and the existing statewide court data system does not provide information on the numbers of self-represented litigants.

Florida's Commission on Access to Civil Justice recently produced two reports. The first, a report of the Workgroup on Judicial Practices in the Trial Courts,<sup>12</sup> suggests qualitative court process improvements to help accommodate self-represented litigants. The recommendations include developing consistent practices and forms, ensuring procedures and operations are easily understandable, developing technology and educational content, and expanding self-service options for court users.

The second report, from the Workgroup on Access to Justice,<sup>13</sup> is focused on self-represented litigants. It notes barriers for self-represented litigants, including e-filing requirements and lack of internet access. The report recommends exceptions to excuse self-represented litigants from e-filing requirements, among others, and suggests standard fillable PDFs, kiosks, and self-help centers. Additionally, in 2020 Florida published a report recommending that each county



establish a full-service self-help center and quantitative data be collected via case management systems to support data-driven decision-making.<sup>14</sup>

Like other states, Florida encourages attorneys to donate hours to help civil litigants. The pro bono program awards attorneys and others through awards from the Florida Supreme Court and the State Bar.

## **Mississippi**

Mississippi is currently using surveys to collect information from self-represented litigants. They also have an action plan developed for 2019–2020 forward, which includes conducting a gap analysis. The action plan also includes a future goal of developing a system for capturing data on the volume of self-represented litigants.

Mississippi provides an interactive tool on their website to assist self-represented litigants with forms and finding pro bono attorneys. The program focuses on website enhancements (educational videos, forms, etc.) and public awareness. Mississippi also hopes to open self-help centers at local libraries in the future.

Like Alabama, Mississippi's pro bono awards are generated by the State Bar.

## **North Carolina**

North Carolina conducted a statewide civil needs assessment in 2021 and is focused on developing materials for self-represented litigants, encouraging pro bono attorney representation, and increasing support for legal aid. Currently, Legal Aid of North Carolina is the largest provider of legal assistance to low-income residents, with 18 offices in locations around the state. Two other volunteer organizations provide legal assistance in specific areas.

So far, two self-help centers exist—one in Raleigh/Wake County and one in Charlotte/Mecklenburg County. The first receives funding from the City of Raleigh, Wake County, the State Bar, and IOLTA funds.<sup>d</sup> The self-help center in Mecklenburg County is funded entirely by the county. The state does not collect data from either of these two self-help centers.

The state published a study in 2012 analyzing the economic impact from three state legal aid providers publicly funded by the Legal Services Corporation established by Congress.<sup>15</sup> The figures in this report were updated in 2016.<sup>16</sup> The report estimated that for every state dollar

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<sup>d</sup> IOLTA funds are “interest on lawyer trust accounts,” where attorneys keep unearned client funds. The interest earned on these funds is often used to fund charitable purposes. This is true in all states, including Georgia.



spent on legal services, more than \$14 flowed into the local economy. The chief benefits were increased payments to North Carolina citizens from federal government sources.

The commission has an executive director, and the North Carolina State Bar has a Pro Bono Resource Center. The state encourages all attorneys to provide at least 50 hours of free legal assistance per year to help low-income citizens. The State Bar awards pro bono service and honors attorneys, paralegals, collaborative projects, law firms, and law schools.

## **South Carolina**

In February 2023, South Carolina completed and published a Statewide Legal Needs Assessment.<sup>17</sup> This exhaustive effort involved interviews with focus groups; surveys of legal practitioners; analysis of civil caseloads in courts and legal service agencies; and demographic research regarding the health, education, housing, and other population characteristics of South Carolina citizens. The study attempts to correlate demographic research with the rates and types of civil cases. Findings include a lack of pro bono assistance from private attorneys and reluctance from attorneys to expand the role of paralegals and other nonattorneys.

The state's largest legal aid provider (South Carolina Legal Services) has 10 locations across the state, and five other pro bono and volunteer legal organizations also serve low-income citizens. The report notes that these 15 locations have 140 staff people, fewer than half of whom are attorneys, yet they assisted over 13,000 individuals in 2021. The report also notes that, in the case types studied, over 70% of parties are unrepresented by attorneys, and both sides have attorneys in less than 8% of cases.<sup>18</sup>

The South Carolina Access to Justice Commission has an executive director and meets quarterly. Several projects utilizing technology and law students have been implemented. There is no evidence of funding for self-help centers yet.

Like other states, South Carolina encourages attorneys to donate time but does not require the reporting of pro bono hours unless the entity reporting wishes to be considered for the pro bono honor roll, which is published by the Supreme Court. Those attorneys meeting the threshold requirements for the honor roll receive certificates to offset costs of required continuing legal education.

## **Tennessee**

Tennessee has an Access to Justice Commission focused on increasing volunteer resources for civil cases. The available resources include a legal aid center in each of Tennessee's three regions and a second service organization for Memphis area residents. A private company provides legal aid for child support, and Vanderbilt University funds a legal aid clinic for Nashville area



residents. Local family law attorneys report that the family law system in Nashville is overwhelmed with self-represented litigants. Available pro bono attorneys are only able to assist the most urgent cases involving domestic abuse and small children.

Tennessee strongly encourages all attorneys to contribute volunteer service. Self-reporting of pro bono service demonstrates that the goal of 50% participation was reached prior to 2019, and participation continues to increase each year. Five Tennessee counties have 100% participation of attorneys in providing pro bono service, and three others had more than 80% participation. The Tennessee Supreme Court honors attorneys who provide this service through a Pro Bono Recognition Program, which includes a published honor roll and awards provided during in-person recognition events. Tennessee also allows pro bono service to fulfill required continuing legal education hours. The Supreme Court sponsors a Celebrate Pro Bono Month and a mobile Justice Bus.

Tennessee's Access to Justice website includes links on how to find free legal advice for low-income Tennesseans who qualify. This is referred to as the "Self Help Center" on their website. The process involves posting questions and having volunteer attorneys provide replies. A toll-free number also assists callers with answers to questions and refers them to low-cost or free attorneys. Finally, the website provided an interactive map allowing users to click on their county and find resources in their area, as well as a list of free legal clinics. However, neither link was active at the time of this research.

## **CIVIL ACCESS TO JUSTICE EFFORTS IN OTHER SELECT STATES**

Both Illinois and Maryland utilize a variety of staffing and support models to assist self-represented litigants. These include the use of attorneys, nonattorneys, court navigators, and volunteers, as well as a robust website presence with online forms, videos, and other sources of information.

### **Illinois**

In Illinois, self-help centers employ a nonattorney model together with an attorney model. Illinois has several self-help center models in partnership with Illinois Courts and the Illinois State Bar: the Courthouse Navigator Program, Illinois Court Help, and various self-help centers spread throughout the state.

AmeriCorps members in the Courthouse Navigator Program assist individuals by directing them to the correct courtroom, identifying required forms, and referring them to online resources for further legal information.<sup>19</sup> Illinois Court Help incorporates court guides who individuals can call or text for free to receive court-related information including court processes, court forms, how to attend remotely, how to appeal a case, etc.<sup>20</sup> While staff of both



the Navigator and Court Help programs cannot provide legal advice, they can refer self-represented litigants to attorneys or legal aid programs.

Along with these programs, the Illinois courts' website has information helpful to the public, such as court forms for self-represented litigants, legal information by case type, instructions on how to file electronically, and helpful videos on various topics, such as going to court on your own.<sup>21</sup> Additionally, the Online Legal Aid Help website, which includes a comprehensive list of self-help centers in Illinois, details the services and amenities provided by each center, such as computers and Wi-Fi, tools and resources to resolve a legal issue, a glossary for legal terminology, and more.<sup>22</sup>

Illinois self-help centers focus on providing individuals information about court proceedings, their legal rights, and how to go to court. Staff may assist litigants by referring them to free online legal information, finding court forms or paperwork, and providing step-by-step instructions for filing cases. Because Illinois self-help centers cannot give legal advice or help in filling out court forms, staff may refer people to low-cost services provided by other local legal aid providers.

Illinois also leverages the expertise of attorneys to bridge the civil justice gap, including the Coordinated Advice and Referral Program for Legal Services (CARPLS), court-based help desks, pro bono legal assistance, and legal aid providers. CARPLS is a legal aid hotline, providing brief services and free legal advice in 13 practice areas, the most common of which are family, consumer, housing, and employment law.<sup>23</sup> In 2022, CARPLS provided 82,000 legal consultations,<sup>24</sup> relying on experienced attorneys to offer solutions to individuals' legal problems.<sup>e</sup> One study noted the CARPLS' Collections Help Desk achieved a 79% success rate in dismissing underlying judgments in cases regarding vacating monetary judgments within a three-month period.<sup>25</sup>

Cook County, Illinois' court-based help desks, staffed with legal aid attorneys in partnership with the Chicago Bar Foundation, served over 36,000 self-represented litigants in 2009. These court-based help desks addressed prevalent legal problems in family law, consumer law, and housing law. The help desks provided explanations on the legal process, legal terminology, and next steps in the legal process.<sup>26</sup>

## Maryland

In Maryland, there are nearly a dozen types of self-help services available to self-represented litigants.<sup>27</sup> Some services are situated within law libraries, like the "Ask a Lawyer in the Law

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<sup>e</sup> CARPLS does not represent clients in court.



Library” at the Anne Arundel County Public Law Library, where individuals can consult with an attorney for a limited duration and receive brief legal advice at no cost. Other self-help centers focus on a specific area of law, such as the Maryland Judiciary Department of Family Administration offering assistance from attorneys to help them fill out forms or access self-help videos providing legal guidance.

While there are multiple types of self-help services, all provide some form of attorney assistance. There are 10 district court walk-in help centers, providing limited legal assistance for self-represented litigants.<sup>28</sup> These centers specifically assist with landlord and tenant disputes, small claims, return of property, criminal record expungement, and protective orders by helping self-represented litigants understand and complete court documents and forms, prepare for court hearings and mediation, and find a lawyer, if necessary.<sup>29</sup>

There are more than 40 family law self-help centers in Maryland, one or more in each county/judicial circuit. These walk-in centers provide “free legal help from lawyers, paralegals, or court staff. ... The centers help with family law cases including child custody, child support, child access, divorce, name change, domestic violence, and paternity.”<sup>30</sup> All the help centers use court help videos and court form tools.

Maryland Court Help Centers provide support to self-represented litigants by offering guidance on criminal record expungement, instructions on court forms, assistance with fee waivers, court help videos, a remote hearing tool kit, and general information on issues regarding housing, children and family, and many other common legal problems that self-represented litigants may face.

While most self-help services are free of charge, the JustAdvice Project allows individuals to have conversations with attorneys for legal information related to a specific legal problem or general legal questions for a fee of \$10.<sup>31</sup> Begun in 2009, the JustAdvice Project is run by the University of Maryland Francis King Carey School of Law. Attorneys provide information on “matters concerning family law, housing, employment, expungement, insurance, consumer law, taxes, civil actions, and social security.” The project seeks to fill the gap between people who need legal advice and do not qualify for legal aid but may not be able to afford an attorney.<sup>32</sup>

## **SUMMARY**

Many of the programs in Illinois and Maryland that are staffed by nonattorneys who help self-represented litigants are focused on helping them navigate complicated court and legal processes. Attorneys in these states also assist self-represented litigants by answering simple, short legal questions. Both states also provide comprehensive information on a centralized website.



## Efficiency and Economic Impacts of Civil Legal Assistance in Illinois, Maryland, and California

Limited data are available on the efficiencies or cost savings achieved by self-help centers. Most data rely on client and staff satisfaction surveys, as well as client testimonials. The majority of studies of the economic benefits of civil legal assistance focus on assistance provided by legal aid organizations.

### ILLINOIS

The findings of *Legal Aid in Illinois: Selected Social and Economic Benefits* were based on more than 8,000 cases closed by seven legal aid providers. Each case referenced in the report involved one or more of the following areas: monetary awards, federal benefit awards, homelessness, and domestic violence. The report suggests that increasing federal funding for legal aid stimulates economic activity and leads to cost savings for the state. The report focused on monetary awards that were allocated to clients, including federal benefits like SNAP and TANF, as well as the costs avoided by preventing homelessness or prolonged domestic abuse. The report's key finding was that "each dollar spent on legal aid by governments and private donors was associated with \$1.80 in economic benefits for legal clients or other Illinoisans."<sup>33</sup>

The report found that, in 2010, a total of \$49.4 million was awarded to clients, including child and spousal support, public benefits, unemployment insurance, and other funds. The report estimated that \$9.9 million of the federal benefits awarded to clients resulted in an economic stimulus of \$9.3 million in demand for goods and services, \$5.4 million in household income, and 172 nonlegal aid jobs. Additionally, costs avoided by preventing homelessness and domestic violence amounted to \$1.9 million and \$9.4 million, respectively. The total economic benefits of the more than 8,000 closed cases that year was \$32.1 million greater than what was spent on legal aid.<sup>34</sup>

### MARYLAND

Similar to the Illinois study, the Maryland study used the increased flow of federal funds to families and individuals in their economic impact calculations. The *Economic Impact of Civil Legal Services in Maryland* report notes that increasing federal dollars provides economic stimulus to the state. Included in the calculations of new federal spending were "food stamp benefits, Medicaid/Medicare, SSI, Federal Housing Benefits, Unemployment Insurance, Veteran's Benefits, Federal TCA/TANF Benefit." Each federal dollar brought into the state generated more than one dollar of economic impact to the local economy.<sup>35</sup>

The report found that the \$9.9 million in direct federal dollars awarded to clients generated an additional \$12.6 million in consumer spending. An additional \$10.77 million was generated in



direct financial benefits to clients, including discharging unsecured debts, avoiding monthly wage and asset garnishments, wage and back pay awards, properly adjusting child support to family income, and other benefits.<sup>36</sup>

Further indirect economic benefits of legal aid in Maryland amounted to \$882,096 in state and local revenue; \$3,696,000 by preventing homelessness; and the avoidance of 4,802 assaults from domestic abuse incidents, resulting in \$633,839 saved, along with \$705,894 in increased productivity. The report concludes that “the direct, indirect, and systemic benefits secure \$190 million per year in increased economic activity, cost savings, and productivity for the state.”<sup>37</sup>

## CALIFORNIA

Unlike the Illinois and Maryland studies, a study out of California looked at the cost savings based on time and efficiency calculations. *The Benefits and Costs of Programs to Assist Self-Represented Litigants*, referenced data from six trial courts in the San Joaquin Valley, collecting benefits and cost data of the services provided. The study attempted to quantify a variety of savings as a result of court self-help programs related to court operations, including any time saved by family law counter clerks due to self-help center assistance, any reduction in the number of judgments returned to a filer for errors, any decrease in the number of hearings for family and guardianship cases with self-represented litigants, and any cost savings to citizens attending court, in order to access the savings to litigants of reduced hearings. Additionally, the study sought to assess the impact of reducing the length of hearings in family cases involving two self-represented litigants.<sup>38</sup>

The study’s findings indicated that services provided through workshops<sup>f</sup> offered by courts led to cost savings to both courts and self-represented litigants: “the costs of the workshops amount[ed] to \$0.23 for every \$1.00 saved.” When factoring in litigants’ savings from not having to attend eliminated court hearings, it further reduced costs to \$0.13 for every \$1.00 saved.<sup>39</sup>

Courts that provided one-on-one information and support to self-represented litigants were found to save at least one hearing per case, five to 15 minutes of hearing time for other hearings in the case, and 60 to 90 minutes of court staff time. To produce these times savings, for every \$1.00 saved, between \$0.36 and \$0.55 were spent. Adding in saved litigant costs, only between \$0.26 and \$0.33 were spent.<sup>40</sup>

Courts aiding self-represented litigants at the time of their first court appearance saved further costs by reducing or eliminating the number of future court hearings. Self-help service costs are estimated at around \$0.45 for every \$1.00 saved; when adding in the costs that self-represented

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<sup>f</sup> These workshops included information on creating a guardianship, one-on-one assistance, and other matters.



litigants avoided due to not having to attend future hearings, costs were just \$0.14 for every \$1.00 saved when including eliminated hearings. Finally, the report estimates that the court saves \$2.20 for every \$1.00 spent on providing assistance during a court hearing, thereby eliminating one future court appearance. Taking into account the costs of the self-represented litigants, additional savings of \$4.70 are realized, for a total of \$6.90 for every \$1.00 spent.<sup>41</sup>

### **TIME SAVINGS IN ARIZONA, MICHIGAN, AND NEW MEXICO**

The California report also examined prior studies on the impact of self-help centers in Arizona, Michigan, and New Mexico. The Arizona study estimated a 29% reduction in the number of inquiries related to “domestic relations matters” as a result of help from the Maricopa County Self Service Center, and a 58% decrease in the number of inquiries to judges’ secretaries from self-represented litigants.<sup>42</sup>

The Michigan study reported a 5% decrease in the total assistance minutes to self-represented litigants in general jurisdiction matters and a 19% decrease in limited jurisdiction matters after help from the Legal Assistance Center in Grand Rapids. The New Mexico study noted that the Eleventh Judicial District Court saw time savings for pro se domestic relations matters after providing monthly seminars; the court also saw a significant decrease in the number of reopened cases.<sup>43</sup> None of these prior studies assigned monetary value to the reduced time observed.

### **SUMMARY**

Each of the studies from Illinois, Maryland, and California demonstrate savings or increased economic activity as a result of legal aid and self-help centers. Each study showed that monetary awards to clients are directly related to increased economic activity. While little research and data exists on monetary savings as a result of self-help centers, they consistently demonstrate time savings and efficiencies, which can be monetized. These time savings apply both to court operations and litigants, not only in savings of time during court hearings but also a reduction in the number of court hearings necessary before final adjudication.

### **Legal Innovations in Arizona and Utah**

The following section summarizes legal innovations implemented in Arizona and Utah. Both states have created certification programs that allow nonattorneys to help people with legal issues in limited manners. Additionally, Utah and Arizona made changes to alternative business structures. Utah also implemented a program to encourage continued legal innovations.



## ARIZONA

### Legal Document Preparers

Arizona was one of the first states to allow nonattorneys to provide legal services without attorney supervision. Since 2003, the Arizona Supreme Court has authorized legal document preparers (LDPs) certified by the court to “prepare or provide legal documents, without the supervision of an attorney, for an entity or a member of the public who is engaging in self-representation in any legal matter.”<sup>44</sup>

LDPs may only provide general legal information to assist self-represented litigants in completing forms and navigating the court system. They may not provide legal advice. The court noted that the “need to protect the public from possible harm caused by nonattorneys providing legal services must be balanced against the public’s need for access to legal services.”<sup>45</sup>

### Arizona Task Force on Legal Services

In 2018, the Arizona Supreme Court appointed a Task Force on the Delivery of Legal Services to review the LDP program and improve access to nonattorney legal providers. In 2019, the task force issued a report and recommendations, including a recommendation to create other “tiers” of nonattorney legal service providers and expand the abilities of existing LDPs.<sup>46</sup>

The new nonattorney providers would be called “limited license legal practitioners” (LLLPs) and would “provide legal advice and ... advocate for clients within a limited scope of practice to be determined by future steering committees.”<sup>47</sup> The task force recommended “an early focus on family law as a subject area for LLLPs, as this is where the greatest need lies.”<sup>48</sup> However, the report also notes that “several other subject matter areas deserve serious consideration, including all limited jurisdiction civil practice matters, limited jurisdiction criminal matters that carry no prospect for incarceration, and many matters within administrative law.”<sup>49</sup>

The task force noted that “legal needs targeted for LLLPs involve routine, relatively straightforward, high-volume but low-paying work that lawyers rarely perform, if ever” and notes that other recommendations, such as removing a barrier prohibiting nonattorneys from having financial interest in law firms, “would allow lawyers to team with LLLPs to provide complementary services, thereby increasing business opportunities for lawyers.” The task force also recommended that the scope of LLLPs, unlike the current role of LDPs, “include the ability to provide legal advice and to make appearances in court on behalf of clients.”<sup>50</sup>

Other task force recommendations focused on providing additional nonattorney help for victims of domestic violence. Recommendation 7 suggested the Supreme Court initiate, by administrative order, a licensed legal advocate (LLA) pilot program to expand delivery of



services related to domestic violence. The program, developed by the University of Arizona College of Law, would train LLAs to provide legal advice to domestic violence victims. Recommendation 8 proposed creating a free domestic violence legal document preparer pilot program supported by the Arizona Bar Foundation, increasing free assistance available to domestic violence survivors.<sup>51</sup>

Although Arizona Supreme Court rules already permit law students to practice law under the supervision of a licensed attorney or a clinical law professor in a law school program, the task force recommended the rule be clarified to include recent law graduates as well as students, and to remove requirements that limited practice be tied to a clinical law program.<sup>52</sup>

Other report recommendations include removing barriers preventing nonattorneys and attorneys from co-owning businesses engaged in the practice of law, promoting education and utilization of unbundled legal services, and allowing local courts to establish positions or programs where nonattorneys are located within the court to provide direct person-to-person legal information to self-represented litigants.<sup>53</sup>

## **Implementation of the Task Force Recommendations**

Not all of the recommendations of the Task Force on the Delivery of Legal Services were implemented, and some were implemented in a different fashion than recommended.

### **Legal Paraprofessionals**

Administrative Order 2020-174, effective January 1, 2021, implemented a newly regulated professional known as “legal paraprofessional.”<sup>g</sup> Legal paraprofessionals (LPs) must be licensed and may provide legal services without the supervision of an attorney within certain limited areas of the law and a defined scope of practice.<sup>54</sup>

The Board of Nonlawyer Legal Service Providers, which regulates LPs, includes 11 members appointed by the chief justice. Members of the board include two certified LDPs,<sup>h</sup> two LPs, a judge or court administrator, a superior court clerk or designee, an attorney, two members of the public, and two additional members. The board issues licenses and reports annually on licensees, licenses granted and declined, charges filed against LPs, state bar complaints, discipline imposed, and recommendations for modifications or improvements to the program. The state bar is required to report similar data to the board annually.<sup>55</sup>

To be licensed as an LP, an applicant must pass an exam and submit to a review of character and fitness. Exam requirements are spelled out in the Arizona Code of Judicial Administration

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<sup>g</sup> This profession was called a “limited license legal practitioner” in the task force recommendations.

<sup>h</sup> LDPs are nonattorneys who are allowed to provide document preparation services.



and include such topics as legal terminology, substantive law, client communication, data gathering, document preparation, the ethical code for LPs, and professional and administrative responsibilities pertaining to the provision of legal services. The exam also requires a substantive law test for each of the areas of practice in which the applicant seeks to be licensed.<sup>56</sup>

LP applicants must also provide fingerprints, submit to a background check, and meet specific educational and experience requirements. Applicants must not have been denied admission to practice law in Arizona or any other state, nor can they have been disbarred or suspended from the practice of law. The specific educational qualifications required depend upon the combination of an applicant's education and experience.

LPs must also complete a certification program approved by the Arizona Judicial Council. The Board may grant a license to an applicant who does not meet the necessary education and experience if the applicant meets other requirements concerning age, citizenship, good moral character, and no past disbarment or suspension, and if the applicant has passed the LP exam and has seven years of full-time substantive law-related experience within the previous ten years preceding the application, including experience in the practice area in which the applicant seeks licensure.<sup>57</sup>

Certifications may be awarded in areas such as family law, limited jurisdiction civil law, limited jurisdiction criminal law, and administrative law.<sup>58</sup> Licensed LPs can prepare and sign legal documents; provide simple advice, opinions, or recommendations about possible legal rights, remedies, defenses, options, or strategies; draft and file documents, including initiating and responding to actions, related motions, discovery, interim and final orders, and modifications of orders; arrange for service of legal documents; appear before a court or tribunal on behalf of a party, including mediation, arbitration, and settlement conferences; and negotiate legal rights or responsibilities for a person or entity.<sup>59</sup>

LPs must meet additional qualifications established by the Arizona Supreme Court to prepare qualified domestic relations orders and supplemental orders dividing retirement assets, to divide or convey formal business entities or commercial property, or to submit an appeal to the court of appeals or supreme court. LPs may provide authorized services in civil matters before a municipal judge or justice court, and in criminal matters where a penalty of incarceration is not an issue. They may also provide authorized services before any Arizona administrative agency that allows LPs to do so. LPs are not permitted to represent any party in an appeal of the administrative agency's decision to a superior court, the court of appeals, or the supreme court.<sup>60</sup>



The rules governing LPs provide for complaints to be investigated and for LPs to be sanctioned, including license revocation.<sup>61</sup> LPs must also comply with continuing education requirements<sup>62</sup> and a code of conduct that requires professionalism, use of trust accounts, insurance disclosures, and honesty in scope of practice.<sup>63</sup>

### Opposition to the Recommendations

The task force report includes a statement of opposition from the Chief Judge of the Arizona Court of Appeals. Judge Peter B. Swann was a member of the task force, and a footnote to his opposition statement clarifies that the task force discussed many of his concerns and ultimately rejected them. Judge Swann’s primary objections were to the first recommendation—to allow nonattorneys to have ownership interest in law firms—and to other recommendations he viewed as “ineffective proposals that create more risk of public harm than opportunity for good.” Instead of allowing nonattorneys to have ownership interests in law firms, Judge Swann recommended simplifying rules to create a more efficient system.<sup>64</sup>

Judge Swann also opposed the implementation of Recommendation 6, which would allow a future steering committee to develop a tier of nonattorney legal service providers. Judge Swann instead advocated for a system of court navigators to “provide meaningful information to litigants at the courthouse.” He also advocated for the creation of “alternative procedural tracks for self-represented litigants in smaller disputes.”<sup>65</sup>

Although Judge Swann agreed with most of the components of Recommendation 9, which suggested changes to the LDP program, he disagreed with the changes to the LDP rules that would prohibit them from conducting legal research. He noted that conducting legal research “is a First Amendment right” that “any person is free to conduct.” He also noted that the supreme court “has already created the LDP tier of practitioners, and any notion that they do not provide legal advice is folly.”<sup>66</sup>

## UTAH

Utah’s “regulatory sandbox” for legal innovation has received much attention from the legal community. It is “a policy structure that creates a controlled environment in which new consumer-centered innovations, which may be illegal (or unethical) under current regulations, can be piloted and evaluated.”<sup>67</sup>

### Utah’s Regulatory Sandbox

In 2018, the Supreme Court of Utah established a Work Group on Regulatory Reform, led by a supreme court justice and the state bar president.<sup>68</sup> In August 2019, the group issued a report entitled *Narrowing the Access-to-Justice Gap by Reimagining Regulation*, which notes the justice gap



in the United States is “tied for 99th out of 126 countries in terms of access to and affordability of civil justice.”<sup>69</sup>

The work group “was charged with optimizing regulation in a manner that fosters innovation and promotes other market forces so as to increase access to and affordability of legal services.” The report proposes a new regulatory structure to “solicit nontraditional sources of legal services, including nonlawyers and technology companies, and allow them to test innovative legal service models and delivery systems using a ‘regulatory sandbox’ approach, which permits innovation to happen in designated areas while addressing risk and generating data to inform the regulatory process.”<sup>70</sup>

The work group developed two tracks for regulatory change. Track A “loosens restrictions on lawyers ... so that they can both compete and innovate.”<sup>71</sup> Restrictions on attorney advertising, fee sharing, and ownership of and investment in law firms by nonattorneys were all identified as concepts impeding competition among attorneys.<sup>72</sup> Rules prohibiting or regulating these activities were recommended for elimination or substantial relaxation.<sup>73</sup> Track B involved creating a new regulatory body to make room “for people other than lawyers and organizations other than law firms to provide certain legal services.”<sup>74</sup> The proposed new regulator would implement a system:

- Driven by clearly articulated policy objectives and regulatory principles;
- Using appropriate and state-of-the-art regulatory tools, such as licensing, data gathering, monitoring, and enforcement; and
- Guided by the assessment, analysis, and mitigation of consumer risk.<sup>75</sup>

The goal of this approach was to “develop a regulatory framework that allows, supports, and encourages the growth of a vibrant market for legal services ... The regulator will be guided by this primary question: What is the evidence of risk, if any, that this action will create in the consumer market for legal services?”<sup>76</sup>

The new regulatory system was proposed for a two-phased approach. During Phase I, funding would be obtained, rule changes would be recommended, the regulator responsible for overseeing the regulatory sandbox for nontraditional legal services would be created, data needed to evaluate and optimize the process would be gathered and analyzed, and a report and recommendations regarding the structure of the second phase would be prepared. The regulator would operate as a pilot project during this phase.<sup>77</sup>

During Phase II, the regulator would regulate nontraditional legal services and service offerings that were not authorized under Utah practice of law and professional conduct rules. The report



suggests these could include nonattorney-owned corporations or entities proposing to use nonattorney human or technology expertise. The regulator would also “oversee the limited market of legal entities admitted to participate in a legal regulatory sandbox.”<sup>78</sup>

The work group report notes three key features required for the regulatory sandbox:

- Testing out what innovations are possible. Expected innovations include business models, services, and technology.
- Tailored evaluation plans focused on risk. Companies must propose possible innovations and define how to assess them.
- New sources of data on what regulation works best. The sandbox should be a source for “data-driven, evidence-backed policymaking” and should help develop standards and metrics for data-driven regulation. To participate in the sandbox, providers must agree to share data with the regulator.<sup>79</sup>

In a 2022 analysis of Arizona and Utah’s legal innovations, *Legal Innovation After Reform: Evidence from Regulatory Change*, Stanford Law professors David Engstrom and Lucy Ricca identify the types of innovations seen thus far in the Utah sandbox.<sup>80</sup> These innovations include:

- LawHQ, a plaintiff firm that entered the Utah sandbox to raise capital to develop an app to find plaintiffs and collect evidence against telephone spammers.<sup>81</sup>
- Hello Divorce, owned by a California divorce attorney who wanted to reach more clients, not all of whom needed all services. Using nonattorney financing, she developed a software platform and a tiered set of flat-fee packages.<sup>82</sup>
- Law on Call, a legal subsidiary of an established, registered, agent company, offers small business clients access to a team of licensed attorneys for a monthly subscription fee.<sup>83</sup>
- Off the Record, which connects consumers with traffic citations with attorneys. Within the sandbox, the company can share fees directly with attorneys and facilitate client payment through the platform.<sup>84</sup>
- Rasa, which uses AI-enabled software and nonattorney providers to help Utah citizens determine if they are eligible for criminal record expungement, and then executes the process.<sup>85</sup>

The report notes that the Utah sandbox, which allows entities to seek waivers for the unauthorized practice of law, contains the only entities (all nonprofits) that primarily serve indigent and low-income people. The report also notes that reform efforts do not appear to pose



substantial risk of consumer harm: Utah’s June 2022 data reported one complaint per 2,123 services delivered.<sup>86</sup>

## **Licensed Paralegal Practitioners**

Utah’s use of licensed paralegal practitioners (LPPs) preceded the regulatory sandbox. The LPP profession was created by a 2015 task force of the Utah Supreme Court, which assigned the task force recommendations to a steering committee, including judges from trial and appellate courts and practitioners in the substantive law areas in which LPPs were to practice.<sup>87</sup>

Rule 14-802 of the Utah Code of Judicial Administration allows LPPs to practice in specific family law matters, such as temporary separation, divorce, parentage, cohabitant abuse, civil stalking, custody and support, name or gender change, and petitions to recognize a relationship as a marriage. LPPs may also practice in the landlord-tenant arena of forced entry and detainer, as well as in debt collection matters in which the dollar amount at issue does not exceed the statutory limit for small claims cases. LPPs are permitted to assist clients in completing forms, explaining documents, negotiating settlements, communicating with other parties or their representatives, and explaining court orders. LPPs may also accompany clients to proceedings and provide emotional support, answer questions posed by the court or opposing counsel, take notes, and assist the client in understanding the proceeding and relevant orders.<sup>88</sup>

LPPs may provide forms to the public, publish self-help information, provide general legal information about legal rights, represent a minor child in juvenile court when the court determines it to be in the child’s best interest, represent individuals in arbitration and mediation, serve as a representative in administrative tribunals, participate in labor negotiations, and lobby governmental bodies as an agent of others.<sup>89</sup>

The State Bar of Utah oversees the admission of LPPs and regulates licensing. LPPs are governed by standards of professionalism and civility and rules of professional conduct similar to those applicable to attorneys. LPPs must be of good moral character, pass an ethics exam, and pass exams for the specific areas in which they will practice. To apply for the LPP exam, applicants must meet requirements for education, experience, and a specialized course of instruction. They must maintain a proven record of ethical, civil, and professional behavior, be at least 21 years old, and pay fees.<sup>90</sup>

The LPPs experience hours must be supervised by an attorney licensed in any state or a Utah LPP. The experience may be full-time or part-time, paid or unpaid internship, or volunteer or pro bono work. Up to 750 credit hours may be given for classwork under certain circumstances. More than half the experience hours must be “substantive law-related experience,” which means legal services provided as a paralegal, paralegal student, or law student and includes



drafting pleadings, legal documents or correspondence; completing forms; preparing reports or charts; legal research; and interviewing clients or witnesses. Legal experience in areas of bankruptcy, real estate, mortgage, and/or banking law counts as experience for licensure in limited landlord-tenant or debt collection certification.<sup>91</sup>

Except for those with a law degree from an ABA-approved law school, the applicant must complete the LPP course for ethics and an LPP course in the practice area in which the applicant seeks to be licensed through Utah Valley University’s professional education program.<sup>92</sup>

## ALTERNATIVE BUSINESS STRUCTURES

Expanding ABSs is “rooted in the idea that entrepreneurial lawyers and nonlawyers would pilot a range of different business forms’ that will ultimately improve access to justice and the delivery of legal services.”<sup>93</sup> In their report, *Legal Innovation After Reform: Evidence from Regulatory Change*, Engstrom and Ricca identify five innovation types in Utah and Arizona, focusing on innovations in “entity regulation,” which are law firms and business types providing legal services.<sup>94</sup> The report notes that the types of entity innovations fall into five categories:

Category of Entity Innovation	Percentage of Newly Authorized Entities
1. Traditional law firms making changes to their capital or business structure (e.g., giving nonattorneys equity ownership or taking nonattorney investment to expand)	35%
2. “Law companies” practicing law (e.g., providing legal services with nonattorney ownership, such as LegalZoom and Hello Divorce)	35%
3. Nonlaw companies as new entrants to the legal sector (including holistic “one-stop shops,” such as law plus accounting, and offshoot services such as travel services plus visas)	18%
4. Intermediary platforms (marketplace for connecting consumers with attorneys)	12%
5. Entities using nonattorneys and technology to practice law	

Source: Engstrom, David F., Lucy Ricca, Graham Ambrose, and Maddie Walsh. 2022, September 27. *Legal Innovation After Reform: Evidence From Regulatory Change*. Deborah L. Rhode Center on the Legal Profession, Stanford Law School

Arizona Administrative Order 2020-173, which became effective January 1, 2021, provides ABS rules. The order defines an ABS as “a business entity that includes nonlawyers who have an economic interest or decision-making authority in the firm and provides legal services”<sup>95</sup> and provides many details for the licensing and administration of ABS firms, including roles for staff and court oversight. ABS firms must employ compliance attorneys to ensure that all

licensing and administrative requirements are met and maintained.<sup>96</sup> The 25-page order spells out these requirements in detail.<sup>97</sup>

While ABA rules have historically prohibited such alliances, modern business models invite innovation. Arizona rules were therefore changed to permit an economic interest by nonattorneys.

## **SUMMARY**

Both Arizona and Utah have worked to innovate the legal landscape to broaden access to legal services. Both states have created new nonattorney legal service provider professions targeted at the “routine, relatively straight-forward, high-volume but low-paying work that lawyers rarely perform.”<sup>98</sup> Utah’s regulatory sandbox, a controlled environment to allow entities to seek waivers for the unauthorized practice of law, has seen the creation of many nonprofits that primarily serve indigent and low-income people.

## **Appalachian Judicial Circuit Family Law Information Center**

The information included in this section was gathered from several sources, including interviews with the following people:

- Chief Judge Brenda Weaver, the chief superior court judge who established the center
- Judge Keith Galligan, the juvenile court judge who sits by designation over superior court on specific days during which pro se cases are heard
- Cami Fowler, Judge Brenda Weaver’s law clerk who assists with the policies and procedures of the center
- Hannah Towns, the current coordinator of the FLIC
- Kayann Hayden West, the attorney who originally worked to establish the center and served as its first director

The Carl Vinson Institute of Government research team visited Pickens and Fannin counties, two of the three counties in the Appalachian Judicial Circuit, in October 2023. Prior to the site visit, the researchers interviewed the FLIC coordinator via Zoom. After the site visit, the researchers interviewed Chief Superior Court Judge Brenda Weaver of the Appalachian Judicial Circuit.

In addition, the research team spoke with superior court clerks in two of three Appalachian Judicial Circuit counties, a legal aid attorney who works in the same area and sometimes refers



clients to FLIC, and an advocate from the North Georgia Mountain Crisis Network, which handles domestic violence cases and temporary protective orders.

## **OVERVIEW**

The Appalachian Judicial Circuit Family Law Information Center (FLIC) was established in July 2008 with a state grant for the center's first staff. The three counties in the circuit (Fannin, Gilmer, and Pickens) contributed office space, utilities, furniture, equipment, and a portion of staff salaries.

The FLIC opened to provide no-cost, unaffiliated support for local citizens who needed assistance with family law matters but who could not afford to hire an attorney. The center assists with divorces, name changes, child custody, child support, and legitimation. It also can assist with domestic violence protective orders if the circuit's crisis center cannot assist or is disqualified. The FLIC provides legal information only, not legal advice. The Judicial Council of Georgia Administrative Office of the Courts provides an annual grant of \$49,600 to the FLIC, with Pickens County acting as the fiscal agent for the judicial circuit. The FLIC coordinator, Hannah Towns, works 29 hours per week.

When the FLIC was established in 2008, an attorney was on staff, however many of those interviewed noted that having a nonattorney creates less potential conflict of interest because a nonattorney does not give the appearance of providing counsel to litigants. They noted that the litigants seem to better understand the boundaries of the FLIC when a nonattorney is their point of contact.

Family law cases brought by self-represented litigants are heard by the court in each of the three counties the first and third weeks of each month for one day each, for a total of two days in each county each month. The FLIC coordinator is in court with the judge and self-represented litigants on those days. During the two weeks per month court is not in session, she sees clients four days per week. During the weeks that court is in session, depending on how long court runs each day, she can see clients after court is finished for the day or one additional day.

On the pro se court days, any self-represented litigant at any income level can receive assistance from the FLIC coordinator. For example, occasionally, self-represented litigants download and complete their forms only for staff to discover on the day of the hearing that a form is missing or filled out incorrectly. In those cases, the FLIC coordinator can step in, without income verification, to ensure the proper forms are completed, allowing the case to proceed to disposition that same day.



Judge Keith Galligan is the chief juvenile judge for the circuit and has served over the pro se cases in superior court by special designation to serve as superior court judge for the past seven years. Prior to Judge Galligan, Judge John Worcester served in this capacity.<sup>i</sup> Chief Superior Court Judge Brenda Weaver noted that, in the Appalachian Circuit, pro se court has always been overseen by the circuit’s chief juvenile judge acting as a superior court judge by designation because, even though most family law cases fall under superior court jurisdiction, juvenile court judges are more accustomed to working with families and have the patience to deal with self-represented litigants.<sup>99</sup>

Referrals to the FLIC originate from many different stakeholders, including accountability courts, public defenders, child support enforcement, superior court clerks, and the judges’ offices. If an in-person meeting is necessary, Towns schedules one hour for that appointment. Towns begins the intake process by capturing the individual’s income, employment status, and assets owned. She also maintains a log of all interactions, types of actions, and other information. The FLIC provides free forms to anyone who requests them and they are available on the FLIC website.

Judge Weaver pointed out that the poverty level of the counties in the rural circuit prevents many residents from paying the court filing fees. If a person cannot pay the filing fee, they will not be able to afford an attorney.<sup>100</sup> If they cannot go to court, then they cannot resolve their family law matter. The FLIC usually limits its clients to those with income at or below 150% of the federal poverty level. Table 2 shows the most recent median household income of each county within the Appalachian Judicial Circuit and the dollar amount for 150% of the federal poverty guideline in 2021 and 2023.

**Table 2. Median Household Income of the Counties in the Appalachian Judicial Circuit**

	<b>Fannin</b>	<b>Gilmer</b>	<b>Pickens</b>
2017–2021 Median Household Income	\$49,810	\$60,504	\$71,637
150% of the 2021 federal poverty guideline is \$39,750 for a family of 4.			
150% of the 2023 federal poverty guideline is \$45,000 for a family of 4.			

Sources: Georgiadata.org; US Department of Health and Human Services

### **FLIC IMPACT ON COURT OPERATIONS**

Prior to the FLIC being established, domestic civil cases in the Appalachian Circuit would often be left unresolved for years or even decades. In some cases, divorces would be unheard for many years, child custody and child support would not be addressed, and sometimes children

<sup>i</sup> Judge Worcester was later appointed and elected to superior court, but was sadly deceased at the time of this writing.

would be born in legal unions that no longer represented the actual family structure. (For example, new children would be born to a mother with a new partner, without the previous partner's divorce, which brings on legal issues not anticipated by the new parents.)

According to an article highlighting an award that Judge Weaver received for opening the FLIC:

“Judge Weaver states that before the center opened in 2008, about 85% of self-represented cases were continued due to incorrect divorce paperwork or incomplete financial information. Judge Weaver learned that some residents had waited six to 10 years before they were able to obtain a divorce, and one couple remained separated for 25 years before filing and receiving one. She reports that after the center was started, self-represented litigants arrive at court better prepared, with the required forms completed and a basic understanding of the legal process. Judge Weaver also emphasized the importance of establishing child support for the benefit of the children: ‘In this economy, it is extremely important that we move these cases quickly because the custodial parent needs the child support to provide for the basic needs of the child. Continuing the case for another 30 days because of incorrect paperwork causes severe financial problems for families already struggling to pay all of their expenses each month.’”<sup>101</sup>

Before the FLIC was established, self-represented litigants struggled with paperwork, asked court clerks for help filling out the paperwork, and slowed the progress of cases because they were unfamiliar with the paperwork and the process. Pro se court cases would last much longer than necessary, needing multiple continuances to resolve missing or inaccurate paperwork. On the day of court, an uncontested pro se case could take one to two hours of judge time. Contested cases also took much longer, sometimes requiring continuances to obtain the presence of witnesses. When a day was set for family law cases, only one case might have an attorney.<sup>102</sup>

The research team court watched pro se cases in Pickens County on October 4, 2023, and Fannin County on October 5, 2023.<sup>j</sup> During that visit, Judge Galligan noted the increased efficiencies provided because of the FLIC coordinator's assistance to self-represented litigants who are unfamiliar with court processes, primarily that litigants are educated about the process and have clearer expectations. Although the FLIC coordinator does not represent either party, she can assist both parties and is in the courtroom during court days to answer questions for the judge and assist the litigants if necessary.

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<sup>j</sup> The researchers were unable to court watch in Gilmer County due to an anticipated murder trial that reached a plea deal immediately prior to the visit.



Judge Galligan emphasized the importance of the FLIC coordinator to the efficiency of the courtroom. Her familiarity with the files and cases ensures the judge is aware of any issues and can address them swiftly, which reduces the amount of time the judge spends struggling with files and allows cases to be quickly disposed. The FLIC coordinator was present in court but not seated with the litigants. She was able to explain to the judge any anticipated issues with each case as it arose.

In some cases involving previous domestic violence protective orders, Georgia Legal Aid provides an attorney for the divorce, with the protective order continued as part of the order. An attorney for Georgia Legal Aid spoke with the researchers and emphasized the importance of the FLIC's work, noting that Georgia Legal Aid is unable to assist many litigants and focuses their efforts on domestic violence victims.

### **Summary of 2010 Evaluation of the FLIC**

In 2010, two years after the FLIC was established, the Georgia Supreme Court's Committee on Civil Justice issued an evaluation of the FLIC. Richard Zorza, a nationally recognized attorney specializing in self-represented litigants, conducted the evaluation. Zorza observed courtroom personnel and proceedings, studied operations, interviewed center staff, judges, court clerks, law clerks, and public defender and domestic violence advocacy offices staff, and reviewed data from a user exit survey and a separate judge/court staff survey. Overall, the report concludes that the center is "highly successful at meeting its goals of increasing access to the courts for family law-related issues, enhancing the operations of the court, and doing so in a cost-effective manner."<sup>103</sup>

The report indicates two ways in which the center changed its "blueprint" from the original plans. First, FLIC staff reviewed the files of all self-represented litigants prior to their court date, even those who had not utilized the center to complete the forms. This ensures the judge is aware of any paperwork problems prior to court. Another change from the original plan was having FLIC staff present in court with the self-represented litigants to summarize for the judge any paperwork problems that must be addressed before the case can be disposed. These problems often include child support worksheets, parenting plans, and legitimation actions required for settlement at the time of divorce.

Many of the FLIC clients (43%) were referred by the superior court clerk's office, an office which had previously been inundated and conflicted with requests from self-represented litigants. The evaluation specifically notes the large percentage of litigants (over 36%) whose legal matters had been unresolved for extended periods of time before the center was established.<sup>104</sup>



The report also notes that, shortly prior to the opening of the FLIC, Georgia passed new laws requiring completion of a parenting plan and a child support worksheet in divorce cases with children, increasing the complexity of the cases. Even with these additional requirements, the report notes that for a one-year period during the FLIC's second year of operation, 76% of cases handled with FLIC staff assistance were finalized during the first court appearance.<sup>105</sup>

The report highlights the time and effort savings for superior court clerks: when the FLIC assisted self-represented litigants, the pleadings and petitions came to the clerk's office complete and ready to be filed, saving between 10 and 30 minutes per case. Previously, clerks reported spending that much additional time working with self-represented litigants who struggled to complete the paperwork properly. Judges who heard cases with self-represented litigants assisted by the FLIC also reported significant time savings: the two judges interviewed by the evaluator estimated a 50% reduction in courtroom time for each case in which the FLIC provided litigant assistance.<sup>106</sup>

Without FLIC assistance, many cases would be continued, requiring additional court appearances. One clerk estimated that self-represented litigants often returned to court three or four times before their cases were finally disposed. After the FLIC launched, more cases were resolved in one court appearance. Staff and judges estimated a 30% reduction in the number of additional court hearings.<sup>107</sup>

The report discusses the appreciation of other court partners—including law clerks, the Department of Human Services' Division of Child Support Services, domestic violence advocates, prosecutors, and public defenders—for the work of the FLIC. The report also notes that the center's operations are consistent with ethical and legal norms regarding the unauthorized practice of law. Staff of the center (at the time of the evaluation, and in the years since) developed skills to provide information on completing forms without providing legal advice.<sup>108</sup>

The report concludes that a majority of local bar members have welcomed the center. While some attorneys expressed initial concern that the FLIC would siphon business from their practices, the center's users are low-income, meaning they may not have been able to afford an attorney regardless of the existence of the FLIC. As the report notes, "it is hard to make a credible case that the existence of the center is reducing demand for paid-for legal services."<sup>109</sup> When the center began operations, staff made significant efforts to engage local attorneys and offered the option for them to be placed on a list of attorneys who offer reduced rate services, and the FLIC routinely recommends the use of an attorney to all litigants.<sup>110</sup>



The Zorza report details a number of ways in which the center reduces costs, including the time savings at the court clerk’s window because of complete forms and more informed litigants (15 to 30 minutes per case); time savings in the courtroom (15 to 45 minutes per case), which includes the paid time of five or six people; a reduction in the number of visits to the courthouse; and other savings from the use of technology, such as video conferencing.<sup>111</sup>

The evaluation concludes that the FLIC effectively meets the goal of increasing access to the courts for self-represented litigants with family law cases and that the model is particularly effective for a rural multi-court environment: “Judges, court clerks, judicial staff attorneys, court staff, advocates, and litigants agreed that the documents filed in court were far better prepared and comprehensive, that the litigants understood the cases better and that these changes improved the overall access to, and quality of, justice provided by the courts in the circuit.”<sup>112</sup> In fact, the report notes that complaints were almost nonexistent, and after two years of operation the center had become critical to the functioning of the court and for families and children in need of swift legal resolution.

The report concludes that the keys to the FLIC’s effectiveness include the support of judicial leadership, the skill of FLIC staff, and the relationships between court staff and partners. Long-term recommendations at the end of the report include continuing the FLIC in its current form, allowing staff to review files earlier in the process and intervene to ensure a case is ready for hearing, and expanding the center model to other judicial circuits. The report also emphasizes the need for data collection to justify the center operations.<sup>113</sup>

## **FLIC ANALYSIS SUMMARY**

The FLIC is integral to pro se family law court operations in the Appalachian Judicial Circuit. It provides a central point of contact and information for self-represented litigants, saves the judge time and effort on the bench so that family law matters can be resolved more quickly, and saves the court clerk time and effort as filings are complete and accurate. Resolving civil domestic matters quickly and accurately provides closure for individuals and families, reduces domestic violence, and ensures financial stability for families through securing child support and stable custody arrangements.



## FLIC Efficiency Analysis

The Judicial Council of Georgia sought to understand the efficiencies gained due to assistance provided by the FLIC prior to and during court hearings, and how the FLIC enhances processes through resource development. Researchers from the Institute of Government developed a FLIC efficiency estimate methodology, analyzed data, and developed efficiency estimates.<sup>k</sup>

Between 2008 and 2014, “a total of 10,143 individuals from Pickens, Gilmer, and Fannin counties [were] helped by the [FLIC].”<sup>114</sup> FLIC staff estimate that a judge currently hears 12 to 15 pro se cases per county per day, for a total of between 72 and 90 cases per month. Before the FLIC was established, each pro se case hearing would have lasted between one and two hours and may have been continued two or three times before final adjudication. This would mean a pro se case, before final adjudication, could have taken between two and six hours. If the case were contested, it would have taken even longer.<sup>115</sup> This would mean that, prior to the FLIC, a judge would not have been able to hear as many cases per day as he currently does.

FLIC staff provided data on all pro se cases from October 2018 through October 2023. Data provided included the date the case was filed; the date the final order was filed; the number of self-represented litigants assisted; whether the litigants were assisted prior to court, in court, or both (not all litigants were assisted); if the case was contested; whether an attorney entered at any point during the case; and the case type. They included the following family law case types:

- Child support modification
- Custody modification
- Divorce with children
- Divorce without children
- Legitimation
- Visitation modification

Nonfamily law cases—contempt and name changes—were also included.

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<sup>k</sup> This analysis applies only to this particular civil legal self-help center model. The analysis and data for other models would likely be different.



## FLIC CASELOAD

Table 3 shows the total number of each type of pro se case heard by the court and assisted by the FLIC during the five years of data provided, as well as the average annual number of cases for each. The FLIC assisted in about one-third of the pro se cases (552 out of 1,458) that came before the court over the five years of data provided.

**Table 3. Number of Pro Se Cases Heard by the Appalachian Judicial Circuit Superior Court and Assisted by FLIC, October 2018–October 2023**

	All Pro Se Cases Heard		FLIC Assisted		
	Total	Average Annual	Total	% of All Pro Se Cases Heard	Average Annual
<b>Family Law Cases</b>					
Child Support Modification	8	1.6	4	50%	0.8
Custody Modification	104	20.8	50	48%	10.0
Divorce with Children	356	71.2	154	43%	30.8
Divorce without Children	637	127.4	227	36%	45.4
Legitimation	103	20.6	53	51%	10.6
Visitation Modification	10	2.0	0	0%	0.0
<b>Total Family Law</b>	<b>1,218</b>	<b>243.6</b>	<b>488</b>	<b>40%</b>	<b>97.6</b>
<b>Nonfamily Law Cases</b>					
Contempt	63	12.6	9	14%	1.8
Name Change	177	35.4	55	31%	11.0
<b>Total Nonfamily Law</b>	<b>240</b>	<b>48.0</b>	<b>64</b>	<b>27%</b>	<b>12.8</b>
<b>Grand Total</b>	<b>1,458</b>	<b>291.6</b>	<b>552</b>	<b>38%</b>	<b>110.4</b>

Note: The number of cases FLIC assisted does not include cases where an attorney entered at some point.

Source: Calculated from Appalachian Judicial Circuit Family Law Information Center data

Table 4 details when the FLIC assisted each type of case. Of the 552 cases that the FLIC assisted over five years, FLIC staff assisted 68% prior to court and 28% during court.

**Table 4. Type of Pro Se Cases, When Assisted by the FLIC, October 2018–October 2023**

	Assisted Prior to Court		Assisted in Court	Assisted Both Prior to and in Court	Total
	Number	% of Total			
<b>Family Law Cases</b>					
Child Support Modification	3	75%	0	1	4
Custody Modification	44	88%	2	4	50
Divorce with Children	110	71%	31	13	154
Divorce without Children	107	47%	120	0	227
Legitimation	49	92%	4	0	53
Visitation Modification	0	0%	0	0	0
<b>Total Family Law</b>	<b>313</b>	<b>64%</b>	<b>157</b>	<b>18</b>	<b>488</b>
<b>Nonfamily Law Cases</b>					
Contempt	9	100%	0	0	9
Name Change	55	100%	0	0	55
<b>Total Nonfamily Law</b>	<b>64</b>	<b>100%</b>	<b>0</b>	<b>0</b>	<b>64</b>
<b>Grand Total</b>	<b>377</b>	<b>68%</b>	<b>157</b>	<b>18</b>	<b>552</b>

Note: The number of cases FLIC assisted does not include cases where an attorney entered at some point.

Source: Calculated from Appalachian Judicial Circuit Family Law Information Center data

## FLIC EFFICIENCY MODEL ASSUMPTIONS

The research team made the following assumptions when analyzing the FLIC data:

- One hour (60 minutes) of court time was saved for each case when the FLIC assisted one of the self-represented litigants prior to court. This assumption was made because the FLIC schedules each appointment for assistance prior to court for one hour.
- One half hour (30 minutes) was saved for each case when the FLIC assisted one of the self-represented litigants during court. This assumption was based on statements made by Judge Galligan during the October 2023 visit to the FLIC as well as statements made in the Zorza report: “Based on their courtroom observations, clerks estimated savings from 15 to 30 minutes per courtroom case.”<sup>116</sup>
- One and a half hours (90 minutes) were saved when one of the self-represented litigants received assistance both prior to court and during court.



- Court time included the salaries and benefits of a superior court judge, one deputy court clerk (not the elected court clerk), one bailiff, one law clerk, one court reporter, and one judicial assistant.
- An additional one half hour (30 minutes) was saved by the court clerk for each pro se case, whether or not the FLIC assisted a self-represented litigant in the case. This estimate was based on the total number of pro se cases because the FLIC created unified forms for each type of case. The estimate is also based on statements made in the Zorza report: “When litigants consult with the [FLIC], the pleadings and petitions come to the clerk’s window completely ‘filing ready.’ This saves between 10 and 30 minutes *per case*, according to the clerks.”<sup>117</sup>
  - Having unified forms for each type of case saves time because the judge knows exactly where to look on each form to get the information he or she needs to ask questions or make decisions in a case: “the more correct the paperwork, the faster the process.”<sup>118</sup> The forms have changed over the years based on problems identified.



## FINDINGS

Table 5 details the state and county funding efficiencies generated by FLIC assistance. The researchers estimate that \$41,989 in state and county funding efficiencies were realized by the court when the FLIC assisted with family law cases each year and \$6,579 in funding efficiencies were realized for assisting with nonfamily law cases annually, for a total of \$48,568 each year. Overall, 91% of the efficiencies realized occurred in the courtroom, and 9% occurred in the court clerk's office.

**Table 5. State and County Funding Efficiencies Generated by FLIC Assistance**

	Family Law Cases		Nonfamily Law Cases		Total
	# of Cases	Efficiency	# of Cases	Efficiency	
Assisted Prior to Court Only	313	\$142,680	64	\$29,379	\$173,059
Assisted in Court Only	157	\$36,035	0	\$0	\$36,035
Assisted Both Prior to and in Court	18	\$12,394	0	\$0	\$12,394
5-Year Courtroom Total	488	\$192,109	64	\$29,379	\$221,487
5-Year Court Clerk Total	1,217	\$17,835	240	\$3,517	\$21,352
Average Annual Courtroom	97.6	\$38,422	12.8	\$5,876	\$44,297
Average Annual Court Clerk	243.4	\$3,567	48.0	\$703	\$4,270
<b>Grand Total</b>		<b>\$41,989</b>		<b>\$6,579</b>	<b>\$48,568</b>

Note: The number of cases FLIC assisted does not include cases where an attorney entered at some point.

Sources: Calculated from Appalachian Judicial Circuit Family Law Information Center data; Council of Superior Court Judges; Department of Community Affairs Wage and Salary Survey; *Workload Assessment Study for Georgia State and Superior Court Judicial Officers*; communications with Appalachian Judicial Circuit staff



Table 6 details the state funding efficiencies only. Of the \$48,568 in state and county funding efficiencies each year, just over half—\$26,550 or 55%—is state funding.

**Table 6. State Funding Efficiencies Generated by FLIC Assistance**

	Family Law Cases		Nonfamily Law Cases		Total
	# of Cases	Efficiency	# of Cases	Efficiency	
Assisted Prior to Court Only	313	\$86,115	64	\$17,608	\$103,723
Assisted in Court Only	157	\$21,598	0	\$0	\$21,598
Assisted Both Prior to and in Court	18	\$7,428	0	\$0	\$7,428
5-Year Courtroom Total	488	\$115,141	64	\$17,608	\$132,749
<b>Average Annual Courtroom</b>	<b>97.6</b>	<b>\$23,028</b>	<b>12.8</b>	<b>\$3,522</b>	<b>\$26,550</b>

Note: The number of cases FLIC assisted does not include cases where an attorney entered at some point. Court clerk efficiencies are not included in this estimate because their salary is paid by the county for which they work.

Sources: Calculated from Appalachian Judicial Circuit Family Law Information Center data; Council of Superior Court Judges; Department of Community Affairs Wage and Salary Survey; *Workload Assessment Study for Georgia State and Superior Court Judicial Officers*; communications with Appalachian Judicial Circuit staff.

Table 7 summarizes the state and county funding efficiencies realized by the court and court clerk.

**Table 7. Summary of Annual Court Funding Efficiencies Generated by FLIC Assistance**

	Courtroom	Court Clerk	Total
State and County Funding			
Family Law Cases	\$38,422	\$3,567	\$41,989
Nonfamily Law Cases	\$5,876	\$703	\$6,579
Total	\$44,297	\$4,270	\$48,568
State Funding Only			
Family Law Cases	\$23,028		
Nonfamily Law Cases	\$3,522		
Total	\$26,550		

Based on the data provided, the annual funding provided to the FLIC (\$49,600) amounts to an average annual expenditure of approximately \$449 per case and \$308 per litigant.



## ADDITIONAL EFFICIENCIES

The research team believes these are low, conservative estimates for the following reasons:

- If the FLIC assisted a person more than once, that could save additional court time; however, based on the available data, it was impossible to know if the FLIC assisted someone more than once.
- If both parties were assisted prior to a court appearance and/or during a court appearance, the time savings could be greater, but this cannot be quantified based upon the data available. The researchers believe there are greater savings to be measured if the assistance to both parties or assistance to one party more than once could be quantified.
- This analysis focuses solely on the efficiencies generated during court appearances and does not include any savings of judicial or other court personnel time outside of the courtroom (except court clerks) as those efficiencies could not be quantified based upon the data available. For example, when the FLIC was first established, staff developed court order templates (an attorney was on staff at the time), which save judicial and law clerk time outside of the courtroom. The researchers believe that there are savings to be measured if time outside the courtroom were measured.
- The FLIC receives multiple calls and aids people who, for unknown reasons, do not end up in court. These calls generate court efficiencies but could not be quantified based on the data available. If these data could be captured, then a more accurate cost per person assisted could be calculated.

Additionally, these estimates do not include a variety of efficiencies that are realized by people outside the courtroom/courthouse that could not be quantified based on the data available.

These additional savings could include, but are not limited to, the following:

- Self-represented litigants do not have to take additional time off work (either paid or unpaid) or pay for transportation and childcare if their case is continued to another day.<sup>119</sup>
- Savings accrue to other litigants in the courtroom who may have attorneys with them and are being charged for these attorneys to sit in court with them waiting for their cases to be heard.<sup>120</sup>
- The sheriff's office receives fewer calls for parental custody fights/domestic issues.<sup>121</sup>
- By having pro se cases scheduled for particular days each week and month, there is more predictability for organizations, such as legal aid and crisis centers, attorneys, and



others. For example, if there are multiple pro se cases requiring an interpreter, those cases can all be scheduled together, reducing interpreter costs.

- Beyond the efficiencies listed above, there are additional efficiencies in state and federally funded programs, like DFCS.

## DISCUSSION

Because of assistance from the FLIC, family and nonfamily law pro se cases in the Appalachian Judicial Circuit are resolved more quickly and efficiently. The researchers estimate efficiency gains related to access to justice services from the FLIC total \$48,568 per year, with more than half of those efficiencies coming from state funds. More than 90% of the gains are related to courtroom activities. The researchers estimate that there are additional efficiency gains to be measured with the availability of additional data.

## Conclusion

While all states have some form of nonprofit legal aid centers, primarily funded with grants from the federally funded Legal Services Corporation, the demand for services to address civil cases far outstrips the supply available. As a result, many Georgians do not receive the help they need to address basic needs, and many children and families live without the necessary legal help. State bar programs to provide pro bono attorneys have been helpful, but still do not provide enough assistance to fill the justice gap.

Examples from several states highlighted in this report are innovative ideas for addressing gaps in civil access to justice. While the efforts in many neighboring states have not been accompanied by data collection efforts to demonstrate financial return on investment, states realize the importance of collecting the right data to evaluate programs and inform state and local government investment. Data reporting requirements as part of a grant are one way to ensure meaningful data are collected and can be used to inform efficacy and cost effectiveness.

Creative solutions from other states include the creation of court navigators and expanding the role of nonattorneys in providing legal assistance. These paraprofessionals and others familiar with the legal system can offer basic legal information on forms and processes, without providing legal advice.

The Appalachian Judicial Circuit has been an excellent example of the ability to bring together state and county funding to provide the necessary support for three rural counties. Calculations by researchers at the Institute of Government demonstrate a financial benefit and other areas of cost avoidance related to the operation of the FLIC. While the financial return on investment



demonstrates no loss to the state, the benefits to the poorest of Georgia citizens cannot be calculated only in dollars. The children and families of Georgia benefit when court proceedings are smooth and efficient.



## Appendix A. National Center for State Courts' Court-Based Self-Help Centers Recommendations and Best Practices

The National Center for State Courts and Massachusetts Appleseed Center for Law and Justice collaborated on a comprehensive survey in 2022 focused on court-based self-help centers across the US. The survey encompassed many areas, including facilities, budget and funding, staff, services, access, referrals, branding and advertising, data collection, and feedback and complaints. The resulting report provides recommendations and best practices tailored for court-based self-help centers.<sup>122</sup>

The report recommends that court-based self-help centers secure sufficient and reliable funding for effective operations. Adequate funding underpins the ability to provide essential supplies and equipment, such as computers and software, and hire qualified staff who can address the unique needs of their communities. Staff-related recommendations include establishing a recruitment process that aligns the qualifications and experience desired in the job description with the diversity of the community that the self-help center serves. For instance, if the self-help center is located in an area where there is a large population of individuals with limited English proficiency, recruitment efforts should prioritize hiring bilingual staff and providing training on legal terminology.<sup>123</sup>

The report advises that self-help centers have at least one permanent staff member (program manager or director) overseeing the center along with at least one full-time attorney. The permanent staff member ensures continuity of the center, sets short-term and long-term goals, establishes staff protocols, and maintains relationships with community partners and court staff. Attorneys at the self-help center review legal information for accuracy and relevancy, develop safeguards to prevent nonattorneys from engaging in the unauthorized practice of law, and establish a distinction between legal advice and legal information. If feasible, centers should also employ social workers to provide referrals to wraparound services for clients.<sup>124</sup>

The report suggests that self-help centers strive for a broad spectrum of services, targeting at least three to four distinct case types. As reported in the self-help center survey, the most common civil legal problems were “consumer, housing, healthcare, family and safety, education, and income maintenance.” However, self-help centers should clearly communicate to their users which services they provide and which services they do not provide.<sup>125</sup>

The report also recommends that self-help centers create and maintain an online internal library of information for staff, particularly because it is easier to modify if there are changes to the law. This knowledge base should contain useful information such as scripts, templates or sample documents, online resources, contact information for community partners or legal aid providers, and any other information that would be beneficial to staff.<sup>126</sup>



The report underscores the importance of user-centered information and accessibility, including delivering information in plain and accessible language; providing space equipped with technology and free Wi-Fi, such as a computer lab or kiosks; maintaining consistent program hours; and offering accommodations for individuals with unique needs or disabilities. These accommodations can include providing translation services, knowing the court's Americans with Disabilities Act policy, providing all materials in multiple languages and large print, employing an ASL interpreter, offering parking validations, providing free public Wi-Fi, staff training on how to work with individuals with limited literacy, or increasing the font size on computers and tablets.<sup>127</sup>

The report recommends that court-based self-help centers be designed to sustain a dedicated and easily accessible permanent space near areas that users will visit frequently, such as the clerk's office or other high traffic areas of the courthouse. This permanent space should include a check-in area, a waiting area, a self-service area, and a private meeting area. In addition to the physical space, self-help centers should offer online services and should create a user-friendly website that includes information such as hours of operation, services provided, court forms, court procedures, and accommodations provided.<sup>128</sup>

The report's key takeaway is the critical importance of data collection and reporting. The report recommends collecting client demographic information, services provided to clients, length of interaction, and case resolution. The data can be collected in real-time using web-based tools and can be used for a wide variety of needs, including the following:

- Refining and aligning services and programs offered with the needs of the community
- Identifying areas for improvement
- Identifying target audiences for outreach and determining the most effective outreach method(s)
- Highlighting the impact court-based self-help centers have on the community to support funding requests
- Informing decisions on essential accommodations to effectively serve their communities<sup>129</sup>



## Appendix B. Self-Help Center Efforts Across the Southeastern United States

State	Program Status	Legal Aid Centers	Self-Help Centers	Role of Pro Bono	Role of Supreme Court	Role of State Bar
Alabama	<ul style="list-style-type: none"> <li>Needs assessment complete</li> <li>Website launched</li> <li>Public outreach in progress</li> <li>Focus on pro bono growth</li> </ul>	Alabama Legal Services has 8 offices statewide	No	5 programs and primary program growth resource	Commission reports to Court	<ul style="list-style-type: none"> <li>Operates volunteer lawyer program</li> <li>Provides pro bono awards to lawyers, firms, and students</li> </ul>
Florida	<ul style="list-style-type: none"> <li>Needs assessment complete</li> <li>Suggestions for court process changes complete</li> <li>Self-help application launched</li> </ul>	11 offices with statewide service on specialty topics (veterans, immigration) 33 county offices	16 self-help centers, locally funded	Encouraged by Supreme Court and State Bar	Commission reports to Court	<ul style="list-style-type: none"> <li>Many legal aid initiatives</li> <li>Co-sponsors pro bono awards with Supreme Court</li> </ul>
Mississippi	<ul style="list-style-type: none"> <li>Action plan developed to improve services</li> <li>Website launched with videos, forms, resources</li> </ul>	5 legal service offices across the state; various charity organizations	Planning to launch pilot self-help centers at libraries	Commission developing pro bono toolkit; service encouraged by state bar	Commission reports to Court	<ul style="list-style-type: none"> <li>Considering CLE fee increase to fund more legal aid</li> <li>Provides awards for pro bono work</li> </ul>

State	Program Status	Legal Aid Centers	Self-Help Centers	Role of Pro Bono	Role of Supreme Court	Role of State Bar
North Carolina	<ul style="list-style-type: none"> <li>Needs assessment complete</li> <li>Analyzed economic impact of civil legal services</li> <li>Developing materials for self-represented litigants</li> </ul>	18 legal service offices located across the state	2 self-help centers, locally funded	Strong part of overall plan	Commission reports to Court	Provides a pro bono resource center and awards for pro bono work
South Carolina	<ul style="list-style-type: none"> <li>Needs assessment complete in early 2023</li> <li>Commission has hired staff to implement initiatives</li> <li>Law students assisted in several technology projects to assist pro se litigants</li> </ul>	10 locations across the state	No	Encouraged by state bar and Supreme Court; only attorneys who wish to be considered for honor roll report hours	<ul style="list-style-type: none"> <li>Commission reports to Court</li> <li>Court publishes honor roll of pro bono attorneys</li> </ul>	Encourages members to volunteer hours; provides certificates to offset costs of CLE for those donating certain number of hours
Tennessee	<ul style="list-style-type: none"> <li>Relies strongly on pro bono attorneys through award program and reporting publications</li> <li>Allows pro bono work to fulfill CLE hours</li> <li>Promotes through Celebrate Pro Bono Month and mobile Justice Bus</li> </ul>	3 regional centers, plus one each in Memphis and Nashville	No	Several counties have 100% compliance with pro bono hours	<ul style="list-style-type: none"> <li>Commission reports to Court</li> <li>Court sponsors robust in-person awards program for pro bono service</li> </ul>	Allows pro bono hours to count for CLE credit

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