



Joint Access to Justice Committee Meeting



February 14th, 2024
12:00pm – 2:00pm

Join Zoom Meeting

[https://georgiacourts-
gov.zoom.us/j/83996626518?pwd=7JqGHGF9du5Qsxjmb09NzcxL3ag8mI.1](https://georgiacourts.gov.zoom.us/j/83996626518?pwd=7JqGHGF9du5Qsxjmb09NzcxL3ag8mI.1)

Meeting ID: 839 9662 6518

Passcode: 367794

Lunch will be served at 11:30 a.m., and the meeting will begin at 12 noon!

Order of Meeting

- I. Welcome and Introductions**

- II. Presentation of the Carl Vinson Institute of Government Report: Civil Access to Justice**

- III. Open Discussion**

- IV. Closing Remarks**

Civil Access to Justice 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.”¹ 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.”²

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.”³ 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, particularly family law.

Gideon v. Wainwright (1963) guarantees the right to counsel for criminal matters in state and federal courts, but there is no such guarantee in civil matters. Self-help centers empower self-represented litigants in civil cases.

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.

Researchers at the Carl Vinson Institute of Government at the University of Georgia 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.
- Use nonattorneys to staff self-help centers. Nonattorneys serve both parties, may be more affordable, and some litigants may consider them to be more approachable.
- Create a centralized website with videos and other resources to support self-represented litigants, which Georgia has started to do.
- Provide support through a centralized, statewide call center and help desk to refer self-represented litigants to the appropriate resources.



- Create nonattorney legal service provider professions to assist people in resolving straightforward, routine legal issues.
- Relax rules surrounding alternative business structures to encourage entrepreneurship and competition in the legal services market.
- Rethink regulatory frameworks using a controlled environment, such as a “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.
- Create an incentive program for attorneys to assist with civil pro se cases.
- 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.
- 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.

The state provides an annual grant to the Appalachian Judicial Circuit Family Law Information Center (FLIC), which helps self-represented litigants navigate civil cases. Efficiencies achieved by the FLIC include time savings for self-represented litigants, reduced frustration for others in the court system, and reduced time court staff spends helping these litigants.

The research team found that 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. 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. Of the total annual funding efficiencies, just over half—\$26,550 or 55%—was state funding. Overall, 91% of the efficiencies realized occurred in the courtroom, and 9% occurred in the court clerk’s office.

An analysis of data provided by the Appalachian Judicial Circuit Family Law Information Center indicates that \$48,568 in state and county funding efficiencies were realized by the court when the FLIC assisted with self-represented litigants in family and nonfamily law cases each year. Of that, just over half—\$26,550 or 55%—was state funding.

¹ Judicial Council of Georgia Administrative Office of the Courts. n.d. “Judicial Council Standing Committee on Access to Justice.” Retrieved from georgiacourts.gov/judicial-council-standing-committee-on-access-to-justice/

² National Center for Access to Justice. n.d. “What is Access to Justice? Protecting Rights and Securing Basic Needs.” Retrieved from ncaj.org/what-access-justice

³ Legal Services Corporation. 2022, April. *The Justice Gap: The Unmet Legal Needs of Low-Income Americans*. Retrieved from [lsc-live.app.box.com/s/xl2v2uraitobbzrhuwtjlg0emp3myz1](https://live.app.box.com/s/xl2v2uraitobbzrhuwtjlg0emp3myz1)

