

A FRAMEWORK FOR OUTCOME EVALUATIONS OF ACCESS TO JUSTICE COMMISSION PROJECTS ¹

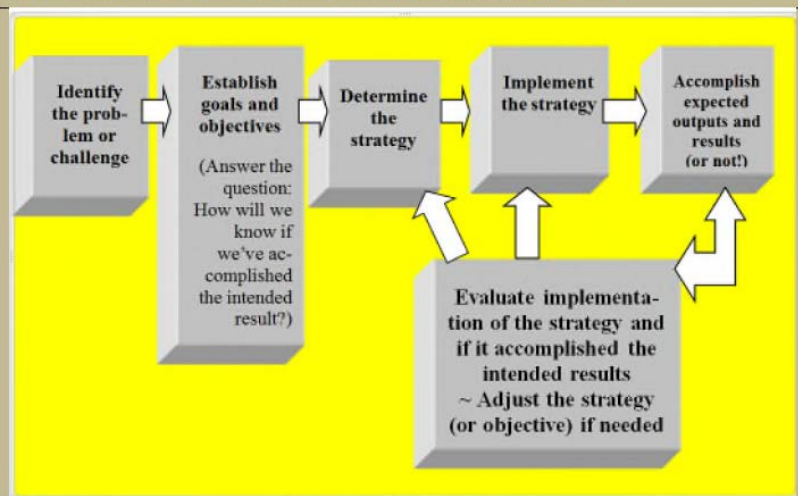
Introduction

Why should an Access to Justice Commission evaluate its projects? Self-assessment is often not the norm in the public sector, including among organizations such as Access to Justice Commissions. Self-assessment has long been recognized, however, as an essential ingredient of good management and the stewardship of scarce resources. It is also becoming a norm as publicly funded endeavors are increasingly called on to assess the impact of their efforts and to demonstrate that they have been successful.

These materials are presented based on the conviction that an ATJ Commission can profit in a number of ways from a purposeful assessment of whether its projects have accomplished what the Commission intended. The knowledge and insight gained from a self-assessment can give an ATJ Commission an opportunity to correct weaknesses and abandon unsuccessful strategies in order to focus scarce resources more fruitfully in future undertakings. Self-assessment can also help a Commission to make a convincing case for the importance of its work, the value of specific initiatives, and the importance of policymakers and funders addressing access to justice issues.

Persons familiar with management theory will recognize the logic model, in which evaluation is an essential step for determining 1) whether or not realistic goals and objectives have been set, 2) if the right strategies have been chosen, 3) if they have been effectively implemented, 4) if they have accomplished intended outcomes and results, and 5) if changes in approach are warranted.

THE LOGIC MODEL FOR PLANNING AND EVALUATION



¹ These materials were prepared by John Tull of John A. Tull & Associates for the [ABA Resource Center for Access to Justice Initiatives](#), and with support from the [Public Welfare Foundation](#) and [Kresge Foundation](#).

A step-by-step framework

This document presents a step-by-step framework for an Access to Justice Commission to conduct what is known as an “outcome evaluation” to assess its success in accomplishing its goals and objectives and in achieving intended change in knowledge, behavior, practices or conditions. It is grounded in an interest in answering the questions: “Did the projects and initiatives we undertook make a difference and did they accomplish the changes that we intended?” The kinds of changes that an outcome evaluation conducted by an ATJ Commission might examine can cover a broad range:

- A decrease in the amount of time in which a court can hear and act on self-represented litigants’ cases, because of greater knowledge on the part of the litigants of what to do;
- More favorable outcomes in cases handled by self-represented litigants and a higher degree of satisfaction on the part of self-represented litigants that the proceedings have been fair and that their side of the story has been heard;
- A change in attitude or outlook among key decision-makers about access to justice issues, demonstrated by an increased willingness to adopt policies that address those issues;
- A change in practice or the operation of the civil legal aid delivery system that has resulted in increased access to services by a previously underserved population; or
- A change in support for civil legal aid among funders, such as the state legislature, usually measured in an increased willingness to vote favorably on access to justice issues, including funding to increase the capacity to provide legal services for those who cannot afford it.

There are different approaches to outcome evaluations with increasingly higher levels of statistical rigor. The least rigorous, but still useful, involves seeking the opinion of key informants and experts regarding their observations of changes that have resulted from a project or initiative. A more rigorous outcome evaluation demonstrates the change resulting when compared to an established or measured baseline before the project was initiated. The most rigorous outcomes evaluations involve experimental and quasi-experimental designs that demonstrate the difference in results experienced by one group that received a particular service or intervention and a control group that did not.²

Many organizations shy away from outcome evaluations because of a mistaken concern that they require a standard of statistical rigor that makes them impractical or prohibitively expensive. If such an evaluation were being done for social science research purposes, perhaps highly rigorous statistical standards would be necessary. Outcome evaluations for ATJ Commissions, however, serve two more modest and more immediately practical purposes: 1) to help a Commission determine if a project should be continued or adjusted, and 2) to provide evidence for policymakers and funders of the potential effectiveness of proposed policies and practices. To

² It is important to note that in evaluation jargon, “outcomes” are distinguished from “outputs,” which are what is produced, such as events, services or products, as opposed to results. Thus, an output might be a study, a series of trainings, or a number of people served. Such data may be useful in assessing whether a project or initiative has produced what it intended. It does not, however, reflect the change that occurred as a result.

accomplish this, they do not require complex design or significant resources to provide a clear indication of whether they have accomplished what was intended. For example, a Commission can conduct an outcome evaluation that uses surveys and interviews of key informants regarding their impressions of changes that have resulted from a project or initiative. Key informants might include, court clerks, judges legal aid staff as well as users of services, such as legal aid clients and self-represented litigants.³ A Commission may also develop base lines over time for measuring the results of its projects against a time when the services or interventions they generate did not exist.

It might also be possible in some circumstances to conduct an outcome evaluation that compares results when a strategy has been implemented and when it has not, replicating the more rigorous use of control groups. Such an evaluation may be possible, for example, in comparing the outcomes in one county where a self-help center has been available for self-represented litigants versus the outcomes in a county where such services are not available. The average amount of courtroom time required to process a case where the self-represented litigant has been given instruction by a self-help Center might be compared to the time necessary in a case where the self-represented litigant is proceeding without such guidance.

Steps to an outcomes evaluation

There are five interrelated steps for an ATJ Commission to conduct an outcome evaluation:

1. Identify or clarify the outcome(s) intended by the Commission for the project, initiative or strategy;
2. Identify the evaluation questions (What questions do we want to answer to tell us if we have accomplished our intended outcomes?);
3. Identify data sources (What information can we obtain or do we already have that will help us answer the evaluation questions?);
4. Obtain the data; and
5. Analyze the data and reach conclusions.

As the following discussion demonstrates, each of these steps is relatively straightforward and can be accomplished with a manageable amount of effort. The modest amount of effort is warranted by the benefits in clarity of focus for the work that is done, insight into what is effective and what is not and the ability to demonstrate meaningful results.

Objectives, outcomes and strategies

A key to an effective outcome evaluation is clarity regarding the objectives that an ATJ Commission seeks to accomplish and the outcomes the strategies are designed to achieve. Some enabling documents for Access to Justice Commissions state very broad, overarching objectives for the Commission; for example, charging it *"with the responsibility to assure high-quality access for low-income residents and others ... who suffer access barriers to the civil justice system."* In

³ See the discussion of data gathering techniques at p. 7.

the context of such a broad charge, a Commission often embarks on strategies without articulating a measurable outcome the strategy is proposed to accomplish.

For some Access to Justice Commissions, the articulated duties and responsibilities identify specific strategies that the Commission may pursue, again, without explicitly stating an expected outcome. An example is an order which sets forth the Commission's specific duties as including certain strategies:

- "3. Consider the legal needs and access to the civil justice system of persons whose income and means are such that they do not qualify under existing assistance programs and whose access to civil justice is limited ...; develop and implement initiatives designed to meet those needs, such as limited representation and limited appearances by attorneys and identification of services that could be provided by non-lawyers; . . .
- "8. Provide long-range, integrated planning among the numerous legal assistance providers and other interested agencies and entities in [the state]; . . .
- "10. Work toward securing funding for civil access to justice; . . . "4

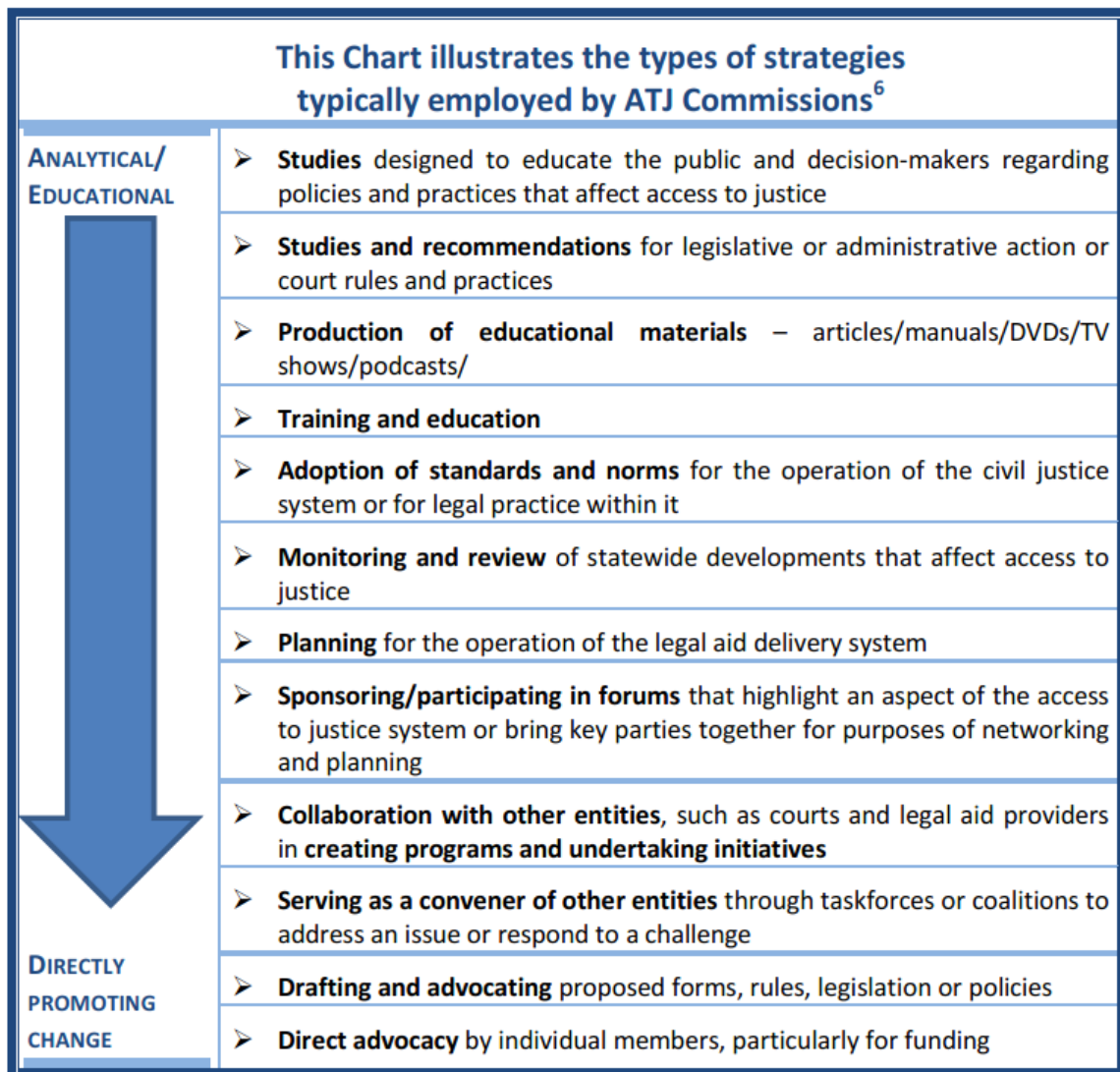
The duties assigned to Access to Justice Commissions are often framed in similar fashion to what is set forth above. This approach provides direction regarding areas within which the Commission is expected to work. For purposes of an outcome evaluation, however, the implicit reason for engaging in the strategies needs to be made explicit as an outcome the accomplishment of which can be measured. In most cases, the purpose for the enumerated strategy is implicit and framing it as an explicit intended outcome is not difficult. Many organizations, however, are deterred from measuring the success of their efforts by a mistaken belief that it is difficult or time-consuming to establish measurable goals for the work that they do. In fact, it is not inherently difficult – it just takes discipline to think in such terms and articulate the outcomes.

The Massachusetts Access to Justice Commission has engaged in a process to develop clear objectives that are tied to strategies that in turn are *"specific, measurable and timed, naming where responsibility lies and keeping track of how strategies succeed and fail..."* Each broad strategy is accompanied by a *"Measure of success"* which is in effect an explicit intended outcome. For example, the measure of success for *"Strengthening the civil legal services community in providing legal services for those unable to afford counsel"* is: *"Increased revenue for civil legal aid programs and resulting increases in the number of low-income people provided with counsel."*⁵

⁴ A link to enabling documents from various states can be found at http://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_atj_commissions_table.authcheckdam.pdf.

⁵ The effort in Massachusetts has an explicit evaluative goal: *"By trying to say how success is to be judged, the Commission will try to model the use of the evaluation methods it has urged others [in the state] to develop."* The Massachusetts Access to Justice Commission's 2013 Strategic Plan can be found at <http://www.massaccesstojustice.org/resources/Strats%20O%20G%20for%202013.June%208.doc>.

The creativity and commitment of the community of Access to Justice Commissions has led to a broad array of strategies reflected in the chart seen here.⁶ While in most cases, Commissions have not articulated intended outcomes for its strategies, it is not difficult to identify measura-



ble outcomes that were likely intended. As an example, many Commissions have produced reports and recommendations regarding the needs of self-represented litigants in state court systems. Implicit intended outcomes of the recommendations are likely to be to increase the ability of self-represented litigants to assist themselves so that in turn their cases can be handled

⁶ This is based on a chart developed for the Montana Access to Justice Commission in the course of its strategic planning and is shared with its permission.

For examples of specific strategies undertaken by various Access to Justice Commissions, see **Access to Justice Commission Initiatives: Examples & Resources** at http://www.americanbar.org/content/dam/aba/events/legal_aid_indigent_defendants/2014/ls_sclaid_atj_checklist.authcheckdam.pdf

more efficiently by the court and that the litigants will more frequently succeed in obtaining relief to which they are entitled.

Another example of a strategy pursued by some Commissions is to develop and adopt practice standards for legal aid providers and their advocates. While often not explicitly articulated, such strategies may be grounded in an expectation that adoption of standards will help improve the quality and quantity of work for clients.

A detailed chart of examples of common strategies and their possible intended outcomes – as well as ways to measure their achievement – can be found at the end of this document.⁷ That chart is not intended to be exhaustive of the types of strategies or potential outcomes that might be identified. It does show, across a range of potential strategies, the types of measurable outcomes that can be identified.

There are often multiple outcomes associated with a strategy. In undertaking an evaluation of whether those outcomes have been accomplished, it is important for the Commission to limit the assessment to a reasonable number of inquiries about the strategies and their intended outcomes and to focus on the outcomes that are most important to it. Trying to do too much, particularly with volunteer resources, may negatively affect the quality of the assessment, limiting its actual benefit for the Commission. There can be limitations on the amount of resources the ATJ Commission has available to pursue an evaluation and on the amount of data gathering that is reasonable to pursue. As discussed in the following section, much of the data gathering may be by way of surveys and interviews of key informants. An assessment that seeks to address too many issues will result in interviews and surveys that are very lengthy, straining the resources available to conduct them and exceeding the tolerance level of the respondents, sometimes resulting in incomplete or inattentive responses.

Several factors can guide the decision about where to focus an outcome evaluation. One is the relative importance ascribed to a particular outcome that is pursued by several strategies. If an ATJ Commission gave high priority to its work to educate the judiciary about how to treat self-represented litigants, both to increase their access to the courts and to increase the efficiency of the judicial process, it might be appropriate to examine a variety of strategies that have been undertaken to accomplish that outcome. Or, in contrast, a Commission might be interested in the efficacy of just one strategic approach that may serve multiple outcomes. An example would be convening forums of leaders and stakeholders to address specific needs of the system. In such case, the commission might tailor its evaluation around several outcomes that it hoped to accomplish by that particular strategy.

Evaluation questions

Evaluation questions. The next stage in developing an outcome evaluation is to identify the specific questions that the Commission seeks to answer to determine if the intended outcome was accomplished. Again, the identification of the evaluation questions can seem intimidating, but the process is not difficult. It involves the discipline of sitting down with the outcome to be

⁷ See the Chart entitled, **Examples of ATJ Commissions' Strategies, Outcomes, Evaluation Questions and Data Sources** at p. 12.

assessed and identifying what would be indicative or probative of whether it has been accomplished. The process involves application of simple logic and common sense. The questions are generally an expression of the broader inquiry: “What specific things will be different if we accomplish our outcomes?”

Thus, for example, if the intended outcome of a strategy undertaken by an ATJ Commission is to increase access to the legal aid system for persons in isolated rural communities, the evaluation questions that would be appropriate to ask might be: *“Has there been an increase in the number of persons seeking services from legal aid from Butte, Ashcroft and Fremont Counties [fictional names]?”* *“Has there been an increase in the number of persons actually served?”* *“Do courts, social service organizations and governmental agencies have increased knowledge about how persons in need of civil legal aid can access those services?”*

Samples of various potential evaluation questions associated with a number of possible strategies and outcomes are set forth in the chart found below at page 12.

Data sources and data gathering

Determining the questions that the outcome evaluation seeks to answer leads to the next step in the process, which is to determine what information needs to be obtained to answer the question and where it might be found.

There are six main sources of information to help a Commission answer its evaluation questions: 1) surveys, 2) interviews, 3) statistical data (either routinely kept or produced in a special study), 4) observation, 5) reports of agencies and organizations and 6) information available publicly, such as news media, census reports and the like.

Surveys of persons with knowledge of the area on which the assessment focuses are a common source of data for an outcome assessment. Surveys have the advantage of being able to reach a relatively large number of persons who are knowledgeable about an area on which the assessment focuses. Surveys of a small cohort of individuals can be useful if the individuals are highly informed or are key decision-makers.

Surveys can be administered remotely, which means they are not limited by distance or geographic location. They can also be administered online, which simultaneously places the responses in a database for further analysis. Online survey software allows results to be analyzed by filtering or cross tabbing to see differences among responses based on demography, geographic location, answers to previous questions and the like. A broad range of data can be collected through surveys, includ-

Top rated online survey software include:

The survey System (<http://survey-software-review.toptenreviews.com/the-survey-system-review.html>); **KeyPoint** (<http://survey-software-review.toptenreviews.com/keypoint-review.html>); **FluidSurveys** (<http://survey-software-review.toptenreviews.com/fluids-surveys-review.html>); **Snap Surveys** (<http://survey-software-review.toptenreviews.com/snap-surveys-review.html>); **SurveyGold** (<http://survey-software-review.toptenreviews.com/surveygold-review.html>); **SurveyMonkey** (<http://survey-software-review.toptenreviews.com/surveymonkey-review.html>); **Survey Crafter Professional** (<http://survey-software-review.toptenreviews.com/survey-crafter-professional-review.html>); **SurveyGizmo** (<http://survey-software-review.toptenreviews.com/surveygizmo-review.html>); **SurveyPro** (<http://survey-software-review.toptenreviews.com/surveypro-review.html>), and **Qualtrics** <http://www.qualtrics.com/research-suite/>.

ing opinions (what do they think?), behaviors (what actions have they taken?), attitudes (how do they feel?) and facts (who are they?). Surveys are relatively easy to create and analyze, particularly with the user-friendly, online survey software that is readily available.

Surveys, on the other hand, have limitations. It is not possible to probe for the underlying reason for respondents' answers. Close-ended, multiple-choice questions are easier to administer, but have the inherent weakness that the respondent may not interpret the choices as having the same meaning that the creator of the survey intended. Non-responses to a question can undermine the statistical validity. Online surveys can only reach persons with access to a computer. Data from paper surveys have to be entered into a database, which can be time-consuming and prone to errors.

Interviews can obtain more in-depth input on an issue that is subject of an outcome assessment. Data can be gathered from individuals who have particular knowledge of an issue or who represent a population, an institution or a geographic area that is important to include.

There are two types of interviews typically used in assessment or research: structured and unstructured. Structured interviews ask a predetermined set of questions that are followed in each interview. A highly structured interview offers the interviewee a predetermined set of responses, much like multiple-choice on the survey. Less structured interviews will have a script of areas to be covered and questions that are asked. The interviewer, however, is not bound to follow the scripted outline of the interview and can pursue issues that arise in the course of the exchange, including those that, while germane, are not included in the script or protocol.

Often, less structured interviews will be of most use for an ATJ Commission conducting an outcome survey. The purpose of interviews of key informants is generally to obtain their insights into the effect of a strategy or activity undertaken by a Commission. The conversational style that is inherent in an unstructured interview invites greater openness and candor on the part of the interviewee. Moreover, observations about related but unexpected areas of inquiry can give rise to important insights about the outcome being evaluated and the strategy to achieve it. It is often in such encounters that unanticipated or unintended outcomes for the work become apparent.

Less structured interviews require a more highly skilled interviewer than structured ones, since the individual needs to keep the interview on track, while allowing appropriate leeway for the interviewee to offer insights comfortably. Moreover, the interviewer needs to record notes while maintaining appropriate, courteous contact with the person being interviewed. Less structured interviews generally take more time as well, since they are not rigorously focused on a specific set of questions to be answered.

More structured interviews are appropriate in settings where large numbers of interviews may take place, such as in a self-help center where participants may be asked to answer a few questions about their experience. In such cases, the number of questions needs to be relatively short, since often the interview will take place without having been prearranged. Structured interviews are also appropriate where the interviewer is not as skilled or experienced in the areas regarding which the interview are being conducted. Interviews conducted in person or on the phone by student interns, for instance, should be well structured.

The advantage of interviews over surveys is that they make it easier to clarify with the person being spoken to that they understand the question or to clarify their answer if it is unclear. The more unstructured the interview, the more opportunity there is to explore the underlying reasons for the respondents' answers.

The disadvantage of interviews is that they are more time-consuming to perform. Unstructured interviews on a series of complex issues can easily consume an hour. Thus, they take more resources to conduct and require greater sacrifice on the part of the person being interviewed, limiting the number of persons whose views can be sought. They are also limited to persons who can be contacted personally or by phone.

Statistical data that is routinely collected or produced as a part of a special study can be useful to an outcome evaluation. Courts and legal services providers typically keep statistics regarding the users of their services. Thus, an assessment of the degree to which a particular population has increased its access to the legal system may be indicated by such information. In addition, various government entities keep data regarding populations, business activities, housing, income and other factors that may be relevant to a particular outcome assessment.

Some statistical data for an outcome assessment may be obtained through a special study. As an example, a Commission may request that providers keep data regarding the numbers of applicants for a particular kind of service from a particular geographic area in order to assess whether a strategy to publicize those services been successful.

Observation can be a fourth source of data. An ATJ Commission may want to know the degree to which efforts to educate self-represented litigants has increased the speed with which their cases are processed and has enhanced the efficiency of the courts. An assessment could, therefore, use courtroom observers for a designated period of time to record the amount of time required for a typical case, such as a small claims matter. Observers could record the amount of time necessary for a self-represented litigant who had been assisted by a self-help clinic, in contrast to self-represented litigants who had not.

Reports of institutions and organizations often contain valuable insights regarding their activities and what they accomplished. Periodic reports issued by courts regarding their services may be helpful to an outcome assessment of a strategy related to an issue associated with access to the courts. Many courts use relatively sophisticated case management systems that track data such as the number of continuances and other indicia of efficiency. Similarly, legal aid providers and other advocacy organizations submit reports and data to their various funding sources, including regarding types and level of service. Some of that data is publicly available and can be useful to an outcomes study.

Publicly available information such as news reports and governmental statistical reports may also be a valuable source of useful data. The number and content of news reports and editorial comments can be a rough indication of increased public awareness of and access to justice issue which a Commission is trying to influence. Government policy reports may be beneficial to an analysis of outcomes accomplished by a Commission's project or strategy.

Relative validity of data obtained. It is important to note that the principal intention of an outcome evaluation conducted by an ATJ Commission, in most cases, will be to give insight into the

success of its efforts to inform future planning, to report regarding the results of its activities and to make recommendations to policymakers and funders. While it is important, therefore, that the data collection be valid, it is not necessary that it meet the rigorous standards of social science research.

With that in mind, the following observations are offered regarding differing levels of statistical validity of the data that an ATJ Commission might obtain in the course of an outcome evaluation. Some data will be “soft” or anecdotal. Such data might come from interviews of partners and stakeholders regarding their observations of the results of the strategy. An interview might ask leaders of institutions involved in the justice system if there has been improved collaboration and cooperation among such institutions. A survey on the same issue might ask a variety of participants in the legal aid delivery system if they consider the level of cooperation and coordination in the system to have increased. The interviews and survey would yield the subjective impression of the respondents or interviewees, sometimes supported by a narrative or anecdotes that illustrate the change, if any. Such observations can be helpful indicia of the success or failure of a strategy, particularly if they are repeated by a number of interviewees or a high percentage of survey respondents.

Data that is more first-hand, although still subjective, may be obtained by interviewing or surveying persons with a direct personal experience of the impact of a strategy. An ATJ Commission might hold trainings to increase court clerks’ and other court personnel’s confidence in how to deal appropriately with self-represented litigants by having a better understanding of the difference between legal information and legal advice. Surveys or interviews might be conducted regarding whether the persons trained have a higher level of comfort in assisting self-represented litigants. Similarly, a group of judges might be surveyed or interviewed regarding whether there has been a decrease in the amount of time necessary to process cases when the self-represented litigant has received prior help from a self-help clinic.

An outcome evaluation may collect data that is less subjective and, therefore, has a stronger statistical validity, provided the methods for gathering the data are sound. Thus, rather than relying on judges’ subjective perceptions of the degree to which providing professional interpreters for litigants with limited proficiency in English has sped up the court’s processing of cases, a system could be set up for timing how cases proceed. The average amount of time necessary in similar cases for litigants with limited proficiency in English who have the assistance of a trained interpreter could be compared with those who do not have such assistance. Such an effort would yield much more accurate data that demonstrate the impact and are not subject to the potential bias, often unintentional, to which subjective judgment and recollection are susceptible. On the other hand, such studies are more time-consuming to design and administer and can consume considerably more resources to carry out.

The chart on the following pages presents strategies commonly undertaken by Access Justice Commissions and possible intended outcomes, along with examples of the evaluation questions and potential data sources to answer those questions. They are only examples to illustrate the common sense connections between strategies, intended outcomes, evaluation questions and potential data sources that make planning an outcome evaluation a much easier undertaking that it might appear at the outset. It is hoped that the chart will encourage ATJ Commissions and others in the civil justice system to engage in a serious assessment of the degree to which

their work has accomplished what they had hoped and has brought about meaningful change in the justice system.

Analysis and findings

The final step in an outcome assessment is to analyze the data, information and observations that have been gathered in the process and draw conclusions from the analysis. It is important for an individual or small group to have clear responsibility for this last essential step and time to accomplish it. Responsibility for the analysis can be assigned to a staff member, a subcommittee of the Commission, a consultant or a combination of the three.

The analysis should be conducted with a sense of the different objectives the evaluation was undertaken to achieve.

- Do the data show that the intended outcomes were achieved?
- Did this strategy produce unexpected, unintended outcomes, either negative or positive?
- Were insights gained from interviews and comments to the survey regarding what fostered or impeded the achievement of the intended outcomes?
- What conclusions can be drawn regarding needed changes, if any, to the strategy or regarding other similar efforts in the future?
- What do the data show to support recommendations that might be made to funders or policymakers regarding access to justice issues and policy changes, practices or funding decisions?

The Commission that undertook the evaluation needs also to decide what kind of report is appropriate. If the purpose of the evaluation is principally to inform the Commission about its efforts in order to shape future planning and to inform possible adjustments to current efforts, it may be preferable to have a well-presented PowerPoint. If the results of the evaluation will be made part of a report to the Supreme Court or a funder, a more formal written report may be warranted. If the findings of the assessment will be used as the basis for recommendations to policymakers or others, it is generally necessary to have a formal written report. Whether a report is presented through a PowerPoint or formal written report, statistical data supporting the conclusions should be shown whenever possible in charts and graphs that facilitate an easily absorbed visual impression.

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
➤ Studies designed to educate the public and decision-makers regarding policies and practices that affect access to justice			
<ul style="list-style-type: none"> Study and report on the challenge faced by self-represented litigants in the state court system 	<ul style="list-style-type: none"> Increased openness on the part of clerks and judges to self-represented litigants and increased openness to reforms to address the challenge to courts 	<ul style="list-style-type: none"> Do clerks and other court personnel interacting with the public have a more favorable attitude toward self-represented litigants? Are they more disposed to provide information about how to proceed? 	<ul style="list-style-type: none"> Surveys/interviews of court personnel regarding the Report's impact on their understanding of the challenge faced by self-represented litigants Surveys/interviews of court personnel regarding changes in practice and procedure for treatment of self-represented litigants
		<ul style="list-style-type: none"> Is there increased receptivity among judges to reforms that facilitate self-represented litigants handling of their case? 	<ul style="list-style-type: none"> Surveys/interviews of judges Reports on the adoption of pertinent rule changes

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
➤ Studies and recommendations for legislative or administrative action or changes in court rules and practices			
<ul style="list-style-type: none"> Report and recommendations regarding language barriers in state courts 	<ul style="list-style-type: none"> Adoption of rules and policies to assure the availability of qualified interpreters in state courts Where rules and recommendations have been adopted, the efficiency of court proceedings with limited English proficient litigants increases Self-represented litigants are more successful in achieving remedies to which they are entitled 	<ul style="list-style-type: none"> Have rules and policies been adopted to address the need for interpreters for litigants with limited proficiency in English? Are qualified interpreters made available in appropriate circumstances? What is the impact on speed of proceedings where a litigant with limited English proficiency has a qualified interpreter? Do self-represented litigants achieve better outcomes when a qualified interpreter is provided? 	<ul style="list-style-type: none"> Adoption of pertinent rule changes Survey/interviews of court personnel regarding changes in handling of cases with litigants who have limited proficiency in English Statistical data regarding language proficiency of litigants and whether an interpreter was provided Courtroom observation for a discrete period to record the speed and outcomes in cases where non-English proficient litigants are given interpretive services

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
➤ Monitoring and review of statewide developments that affect access to justice			
<ul style="list-style-type: none"> • Hold public hearings on the access to justice needs of veterans, the elderly, and rural poor 	<ul style="list-style-type: none"> • Increased awareness of the needs of the affected populations among legislators and other decision-makers • Increased responsiveness of service providers, including civil legal aid, to these populations 	<ul style="list-style-type: none"> • Did the public hearings increase awareness of the needs of the affected populations? • Did important issues get coverage in electronic and print media? • Has there been increased focus on the part of legal aid and social service providers to veterans, the elderly and isolated rural populations? 	<ul style="list-style-type: none"> • Survey/interviews of civil legal aid providers and community service organization • Web search/RSS feed of news or editorial coverage of hearings or issues highlighted in them
➤ Planning for the operation of the legal aid delivery system			
<ul style="list-style-type: none"> • Develop a multiyear State Plan for Legal Services Delivery 	<ul style="list-style-type: none"> • Increased the availability of civil legal services in rural areas of the state <p><i>(A state plan is likely to have multiple intended outcomes for the delivery of services, for the population served, for professional devel-</i></p>	<ul style="list-style-type: none"> • Were resources allocated and strategies adopted to increase the availability of legal aid services in rural areas? • Has there been an increase in the number of 	<ul style="list-style-type: none"> • Surveys/interviews of managers of legal aid providers • Surveys/interviews of courts and social service providers in rural areas

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
	<i>opment of staff and for the engagement of pro bono lawyers, among other things. Clarity of intended outcome can be particularly helpful for focusing efforts under a plan and gaining support of persons and institutions affected by it.)</i>	persons provided services in rural areas?	as <ul style="list-style-type: none"> Statistical data regarding numbers of persons receiving legal assistance
➤ Adoption of standards and norms for the operation of the civil justice system or for legal practice within it			
<ul style="list-style-type: none"> Adoption of practice standards for organizations providing civil legal aid and their advocates 	<ul style="list-style-type: none"> Improved training and orientation of new advocacy staff in organizations providing civil legal aid regarding practice expectations 	<ul style="list-style-type: none"> Have organizations providing civil legal aid used the practice standards for training and orientation of newly hired advocates? Are legal aid advocates aware of the Standards? Do staff members of organizations providing civil legal aid report having a better understanding of practice expectations? 	<ul style="list-style-type: none"> Surveys/Interviews of managers and staff of organizations providing civil legal aid Surveys/interviews of funders and others who regularly monitor and assess organizations providing civil legal aid

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
➤ Collaboration with other entities, such as courts and legal aid providers in creating programs and undertaking initiatives			
<ul style="list-style-type: none"> • Collaboration with Administrative Office of the Courts to create a court-based self-help center 	<ul style="list-style-type: none"> • Support for the self-help center by court clerks and other court personnel • Increased efficiency of courtroom proceedings by helping self-represented litigants be better prepared to present their case 	<ul style="list-style-type: none"> • Do court clerks refer self-represented litigants to the self-help centers in appropriate circumstances? • Are self-represented litigants in fact better prepared because of assistance from the self-help center? • Is there an increase in the speed and efficiency with which matters are heard with persons who have been assisted? 	<ul style="list-style-type: none"> • Survey/interviews of court clerks • Surveys/interviews of judges • Statistical data regarding the numbers of cases able to be processed • Courtroom observation and recording of data regarding the comparative speed with which matters are heard • Review of court documents to compare case outcomes for self-represented persons

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
➤ Training and education			
<ul style="list-style-type: none"> Conduct trainings for court clerks and other personnel regarding the difference between legal information and legal advice when assisting self-represented litigants 	<ul style="list-style-type: none"> Increased appropriate assistance provided to self-represented litigants by court clerks and other personnel 	<ul style="list-style-type: none"> Have the trainees learned the difference between legal information and legal advice? Are they able to apply the information in responding to inquiries from self-represented litigants seeking assistance? Is there a greater willingness on the part of court clerks and personnel to provide appropriate legal information? 	<ul style="list-style-type: none"> Evaluation of the training testing what participants learned Follow-up survey / interviews of participants in training regarding what learnings they retained and still use
➤ Sponsoring/participating in forums that highlight an aspect of the access to justice system or bring key parties together for purposes of networking and planning			
<ul style="list-style-type: none"> Annual Access to Justice Conference for leadership from legal aid providers, bar associations, the courts and legislators 	<ul style="list-style-type: none"> Increased communication and collaboration among key actors of the justice system 	<ul style="list-style-type: none"> Do participants in the Access to Justice Conference continue to communicate regarding access to justice issues? 	<ul style="list-style-type: none"> Follow-up surveys /interviews of participants in the Annual Access Justice to Conference

EXAMPLES OF ATJ COMMISSIONS' STRATEGIES, OUTCOMES, EVALUATION QUESTIONS AND DATA SOURCES			
Example of a strategy	Example of possible intended outcomes	Examples of possible evaluation questions	Potential data sources
➤ Drafting and advocating proposed rules or legislation			
<ul style="list-style-type: none"> Propose rules to allow increased limited scope (unbundled) representation in state courts 	<ul style="list-style-type: none"> Increased legal representation for persons who would otherwise be self-represented litigants in important matters Increased participation by attorneys in offering limited scope representation Improved outcomes for persons represented 	<ul style="list-style-type: none"> Were proposed rules adopted by the Supreme Court? Have they been accepted by the organized bar and individual attorneys? Has there been an increase in limited scope representation of otherwise unrepresented litigants? Has the representation improved outcomes? 	<ul style="list-style-type: none"> Report of action on proposed rules Surveys/interviews of court personnel regarding the increase, if any, in limited scope representation and its impact on outcomes Surveys/interviews of bar leaders and attorneys offering limited scope representation
➤ Direct advocacy for funding			
<ul style="list-style-type: none"> Advocacy for funding for legal aid services from the state appropriation 	<ul style="list-style-type: none"> Increased funding from the state legislature 	<ul style="list-style-type: none"> Has there been an increase in support for state funding demonstrated by increase legislative support? Has state funding been attained or increased? 	<ul style="list-style-type: none"> Review of the legislative record and reports of action taken

