June 2014

Access to Justice Commissions:
What We Can Achieve

The experience of Access to Justice Commissions over the last two decades has been one of progress in the recognition of fundamental barriers to access to civil justice for low income and middle income Americans, matched with significant efforts to break down those barriers. As commissions expand and mature, they have the potential to make long-lasting change in our justice system.

What We have Learned

We have learned that success begins with the commitment of the traditional players in this system: the bench; the bar; and legal aid providers. Through outreach to others with a stake in the system, the larger community - including legislators, social service providers, the business community, philanthropic organizations, and other groups interested in fairness, justice, and good government - can become actively involved. This brings not only a broader perspective to the discussion, but also resources that have not traditionally been involved with justice issues.

With stakeholders at the table, serious discussions can take place, allowing focused planning around identified needs and values. A planned approach to those identified needs can create a clear set of goals and objectives, a blueprint to achieve solutions, and rigorous evaluation of the results to determine if the approach is effective. Those stakeholders can support the leadership, all of whom must be committed to actively executing the mission and vision of the group.

What Lies Ahead

Our success to date has allowed our community to address some persistent problems through mechanisms within our current reach: enhancing pro bono; enabling limited scope representation; developing self-help tools, court forms and services; enhancing intake and referral capabilities; and bringing law and community libraries into the mix of services. The results have been significant in communities across the country, but they are only a down payment on the larger debt: essential changes in our civil justice systems that will make them more accessible and efficient, recognizing that access for all will not be achieved unless we make those fundamental changes. Access to Justice Commissions are situated to identify and to begin to design those changes precisely because they cut across institutions and are the chorus built of many different voices. We can, as a community, help to build the continuum of services that is necessary to provide justice to all and, as we look forward to the next decade, our commitment is the beacon that can light the way.

ABA Access to Justice Expansion Project
Resource document funded by the Public Welfare Foundation and the Kresge Foundation