This workshop was held at the 2017 Equal Justice Conference in Pittsburgh, Pennsylvania

Title:
Bringing Evidence to Bear on Practice

Presenters:
Christopher L. Griffin, Jr., Harvard Law School, Cambridge, MA
Rachel J. Perry, Strategic Data Analytics, Cleveland, OH
Camille Ward, Voices for Civil Justice, Washington, DC

In small groups and in larger roundtable discussion, participants will develop a realistic research agenda and communications strategy for transforming legal practice through evidence-based principles. By the end of the session participants will be able to:

- connect with field partners interested in evidence-based practices;
- apply gold standard research methodologies from non-legal fields to the practice of law;
- strengthen organizational goals with data collection, analysis, and evaluation; and
- communicate research-based recommendations internally and externally
USING DATA TO DEVELOP & MEASURE PRIORITIES

Equal Justice Conference
May 5, 2017

Presented by
Rachel J. Perry, Strategic Data Analytics
Approach

Mission/Goals

Data Questions

Internal & External Data

Analyses

Findings
Start Here: Mission/Goals

- What do you want to achieve for your clients?
- Remind yourself of the contents of your:
  - Strategic plan
  - Mission
  - Priorities
  - Case acceptance guidelines
- What do you need to know? / What do you want to know?

**The Legal Aid Society of Eastern Virginia** is committed to promoting equal application of justice and removing impediments to fairness for the low-income and vulnerable families of eastern Virginia.

**Blue Ridge Legal Services** is committed to eliminating poverty-based inequities in the civil justice system by providing high-quality legal advice and representation to low-income residents of our service area, folks who would otherwise be unable to obtain legal help due to their poverty.

**Southwest Virginia Legal Aid Society**’s mission is to champion equal justice for low-income Virginians and to work to remedy the conditions that burden the low-income community.

**The Legal Aid Justice Center** to seek equal justice for all by solving clients’ legal problems, strengthening the voices of low-income communities, and rooting out the inequities that keep people in poverty.

**The mission of the Virginia Legal Aid Society** is to resolve serious legal problems of vulnerable people, promote economic and family stability, reduce poverty through effective legal assistance, and to champion equal justice.

**It is the mission of Legal Services of Northern Virginia** to promote justice for a better community by providing civil legal assistance to those facing the loss of a critical need.
Data Questions

Who is eligible?
- How many?
  - Demographics?
    - Legal problems?

Who requests assistance?
- How many?
  - Demographics?
    - Legal problems?

Who do we help?
- How many?
  - Demographics?
    - Legal problems?
  - Staff or pro bono?

How do we help?
- How many at what levels of service?
  - Levels of service by demographics?
  - Levels of service by legal problem?
  - Levels of service by staff or pro bono?

What resources?
- Total hours?
  - Total hours by substantive group?
  - Total hours by legal problem?
  - Total hours by staff or pro bono?
## Data Analysis Framework

For legal aid-specific data analysis ideas and examples

https://daf.lsntap.org

### Data Analysis Framework Matrix

- Fundamental, high-level data questions in columns
- Analytically types are in rows
- The intersecting boxes provide links to detailed sub-questions, descriptions of the analyses, and example analyses

<table>
<thead>
<tr>
<th></th>
<th>Who is eligible?</th>
<th>Who requests assistance?</th>
<th>Who do we help?</th>
<th>How do we help?</th>
<th>What resources are required?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Snapshot</strong></td>
<td>Go</td>
<td>Go</td>
<td>Go</td>
<td>Go</td>
<td>Go</td>
</tr>
<tr>
<td><strong>Comparison</strong></td>
<td>Go</td>
<td>Go</td>
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<td><strong>Trend</strong></td>
<td>Go</td>
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<td>Go</td>
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<td>Go</td>
</tr>
<tr>
<td><strong>Geographic Distribution</strong></td>
<td>Go</td>
<td>Go</td>
<td>Go</td>
<td>Go</td>
<td>Go</td>
</tr>
<tr>
<td><strong>Geographic Concentration</strong></td>
<td>Go</td>
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<td>Go</td>
<td>Go</td>
<td>Go</td>
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</tbody>
</table>
Quick Detour: Data Integrity

<table>
<thead>
<tr>
<th>Bad Data</th>
<th>Good Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Misunderstanding of clients’ needs</td>
<td>• Understanding of clients’ needs</td>
</tr>
<tr>
<td>• Ineffective services</td>
<td>• Assess/improve effectiveness &amp; impact</td>
</tr>
<tr>
<td>• Inefficiencies</td>
<td>• Assess/improve efficiency</td>
</tr>
<tr>
<td>• Erroneous reporting to funders</td>
<td>• Impress funders</td>
</tr>
<tr>
<td>• Stuck in the weeds/can’t see the big picture</td>
<td>• Can see the big picture</td>
</tr>
<tr>
<td></td>
<td>• Celebrate success</td>
</tr>
</tbody>
</table>
Examples of Snapshots

Poverty Rates, 2015

Source: U.S. Census Bureau; American Community Survey, 2015 5-Year Estimates, Table S1701; generated by Rachel Perry; using American FactFinder; http://factfinder.census.gov; (April 28, 2017)

Served by Poverty Level, Cook County, IL, 2015

Sources: U.S. Census Bureau; American Community Survey, 2015 ACS 1-Year Estimates, Table S1701; generated by Rachel Perry; using American FactFinder; http://factfinder2.census.gov; (29 November 2016), and LAF LegalServer Data.
Examples of Comparisons

Legal Aid’s Vulnerable Population Overlap Analysis
2015 Intakes

<table>
<thead>
<tr>
<th>Vulnerable Populations (Total Intakes)</th>
<th>Seniors</th>
<th>Households with Children</th>
<th>Native Americans</th>
<th>Domestic Violence Victims</th>
<th>Veterans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seniors</td>
<td>0.7%</td>
<td>11.7%</td>
<td>13.3%</td>
<td>8.1%</td>
<td>46.6%</td>
</tr>
<tr>
<td>Households with Children</td>
<td>11.7%</td>
<td>35.7%</td>
<td>32.2%</td>
<td>4.6%</td>
<td>6.7%</td>
</tr>
<tr>
<td>Native Americans</td>
<td>9.4%</td>
<td>25.2%</td>
<td>21.1%</td>
<td>7.3%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Domestic Violence Victims</td>
<td>1.3%</td>
<td>5.2%</td>
<td>12.7%</td>
<td>1.2%</td>
<td>0.3%</td>
</tr>
<tr>
<td>Veterans</td>
<td>0.3%</td>
<td>31.2%</td>
<td>11.7%</td>
<td>4.7%</td>
<td>1.1%</td>
</tr>
</tbody>
</table>
Examples of Trends

Examples of Spatial Analyses

Percentage of Cases Closed with Extended Service, New Mexico, 2016

Served Case Concentration Among Poverty Population, New Mexico, 2015

Source: NMLA Pika Data.

Sources: U.S. Census Bureau; American Community Survey, 2015 American Community Survey 5-Year Estimates, Table S1701; generated by Rachel Perry; using American FactFinder; http://factfinder2.census.gov; (26 April 2017). NMLA Pika data.
What do we need to know to better serve seniors (60+)?

Questions:
- What % of the poverty population are seniors?
- What % of all intakes are seniors?
- What % of all served clients are seniors?

Snapshot Analyses
- External Data:
  - 2015 Poverty Population: 13% seniors
- Internal Data:
  - 2015 Intakes: 15% seniors
  - 2015 Served: 14% seniors

Source: NMLA Pika Data.
How do seniors compare to other vulnerable populations?

Comparison Analyses

Share of Poverty Population, 2015

- 60 years and Over: 13%
- Under 18: 34%
- Hispanic: 58%
- Native American: 15%
- Less than High School Graduate: 17%

Poverty Rate, 2015

- 60 years and Over: 13%
- Under 18: 29%
- Hispanic: 26%
- Native American: 35%
- Less than High School Graduate: 34%

Source: U.S. Census Bureau; American Community Survey, 2015 American Community Survey 5-Year Estimates, Table S1701; generated by Rachel Perry; using American FactFinder; [http://factfinder2.census.gov](http://factfinder2.census.gov); (26 April 2017).
How have seniors’ needs changed over time?

Trend Analyses

Share of Intakes

- 60 Years and Older
- Hispanic
- Native Americans
- Less than High School Graduate

Source: NMLA Pika Data.
Where do senior intakes originate?

Geographic Concentration Analysis

Sources: U.S. Census Bureau; American Community Survey, 2015 American Community Survey 5-Year Estimates, Table S1701; generated by Rachel Perry; using American FactFinder; http://factfinder2.census.gov; (26 April 2017). NMLA Pika data.
From the analysis of senior data, what jumped out re: DV cases?

• 37-DV intakes have increased 2.5 times for seniors
• 37-DV intakes have doubled for non-seniors
What else do we need to know to better serve DV victims?

- Organization prioritizes DV victims
- New DV field provides additional internal data
- No Census data
- Intake Demographics (2016):
  - Race/Ethnicity: 58% Hispanic, 24% White, 9% Native American
  - Age: 30% 26-34 years, 28% 35-45 years, 6% 60 years+
  - Education: 14% Less than High School Graduate

Intakes for Clients with Legal Problem Code=37 AND/OR Domestic Violence Involved=Yes

Source: NMLA Pika Data.
Are we serving DV Victims at a higher rate than other clients?

2016: Cases Involving DV

- Served, 83%
- Not Served, 17%

2016: Cases Not Involving DV

- Served, 71%
- Not Served, 29%

Source: NMLA Pika Data.
What level of service do we provide to DV victims?

In 2016, 22% of non-DV clients received extended service.

Source: NMLA Pika Data.
From where do our DV intakes originate?

Intakes Involving DV, 2016

Source: NMLA Pika Data.
Safety-Related Outcomes

OUTCOMES IN CASES INVOLVING SAFETY ISSUES
Cases Closed with Extended & Brief Service
1/1/2017 to 3/31/2017

Overall Success Rate: 95%
Number of Cases: 206
(All Extended Service cases + Brief Service cases with Outcomes entered)

Total Persons Helped: 505
Adults: 276
Children: 229

Goal: Safety is improved for 95% of clients with safety issues:

<table>
<thead>
<tr>
<th>Goal</th>
<th>Achieved</th>
</tr>
</thead>
<tbody>
<tr>
<td>95%</td>
<td>95%</td>
</tr>
</tbody>
</table>

Top Legal Problem Codes with Safety Outcomes:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>Divorce / Separ/Annul</td>
<td>31%</td>
</tr>
<tr>
<td>63</td>
<td>Private Landlord / Tenant</td>
<td>16%</td>
</tr>
<tr>
<td>31</td>
<td>Custody / Visitation</td>
<td>12%</td>
</tr>
<tr>
<td>22</td>
<td>Wage Claims and other</td>
<td>6%</td>
</tr>
<tr>
<td>62</td>
<td>FLSA (Fair Labor Standards Act)</td>
<td>5%</td>
</tr>
</tbody>
</table>

Clients with Safety Outcomes by Age:

- 65+ years: 13.1%
- 55-54 years: 14.5%
- 35-54 years: 44.2%
- 0-17 years: 27.7%

Clients with Safety Outcomes by Race:

- Black or African American: 10%
- White: 83%
- Native American or Alaska Native: 2%
- Asian: 2%
- American Indian or Alaska Native: 2%
- Two or More Races: 3%

Clients with Safety Outcomes by Gender:

- Male: 28%
- Female: 72%

Cases with Safety Outcomes by Poverty Ranges:

<table>
<thead>
<tr>
<th>Poverty Range</th>
<th>% of Clients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below 100% FPL</td>
<td>71.4%</td>
</tr>
<tr>
<td>101-125% FPL</td>
<td>27.7%</td>
</tr>
<tr>
<td>126-200% FPL</td>
<td>0.5%</td>
</tr>
<tr>
<td>201-250% FPL</td>
<td>0.5%</td>
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</tbody>
</table>

% of Clients with Safety Outcomes who are Disabled: 23%
% of Clients with Safety Outcomes who are Veterans: 5%

Source: CLSAZ Pika Data.
QUESTIONS?

Rachel J. Perry
Strategic Data Analytics
Rachel.Perry@SDAstrategicdata.com
216-570-0715
BRINGING RANDOMIZED CONTROL TRIAL EVIDENCE TO BEAR ON PRACTICE

Equal Justice Conference
May 5, 2017

Jim Greiner, Faculty Director and Professor of Law
Chris Griffin, Research Director
Agenda

I. What is the A2J Lab?
II. What Are RCTs
III. Case Study: Intimate Partner Violence Triage
I. What is the A2J Lab?

Who we are
• researchers
• at Harvard Law School
• focused on understanding what works toward enhancing access to justice

What we do
• conduct rigorous evaluations through randomized studies
• adapt lessons and apply methods from other fields to the law
II. What Are RCTs?
Step 1: Define Interventions and Outcomes

- What is the legal problem the program would address?

- What intervention would most likely alleviate the problem?

- What outcomes matter the most?
  - Adjudicatory
  - Procedural justice
  - Systemic costs

- How can you measure them?
Step 2: Use Your Data

• Case administrative data
  ➢ Dispositional outcomes
  ➢ Time to disposition

• Partner data
  ➢ Law enforcement
  ➢ Social service agencies
Step 3: Choose Outcome Metrics

- **Subjective measures**
  - Surveys
  - Focus groups
  - Interviews

- **Objective measures**
  - Historical data
  - Video observation
  - Case file reviews and audits
Step 4: Deciding How To Randomize

• What do researchers have to consider?
  ➢ How and when to assign to treatment and control groups
  ➢ Carefully applying intervention to treatment participants
  ➢ Avoiding pitfalls

• Why randomize?
  ➢ Gold standard for causality
  ➢ Ethical allocation method
Step 5: Designing a Randomized Evaluation

- Court-researcher collaboration
- How long does it take?
- How much does it cost?

Notes: (1) Base rate = 0.50; (2) 120 cases per month; (3) One treatment condition.
III. Case Study
Intimate Partner Violence Triage
Why Study Triage?

Screening + intake → Assess the case → Assign to level of service

- Limited advice + self-help
- Full rep.
- No assistance
Why Study Triage?

Screening + intake

Assess the case

Assign to level of service

Nascent demand

Limited advice + self-help

Full rep.

No assistance

Why Study Triage?

13
The Study

- **Elements**
  - Self-help materials
  - Field operation: RCT of triage decisions
  - Outcomes: both short term (restraining orders) and long term

- **Partnership**
  - Community Legal Aid Society of Ohio
  - University of Akron Psychology Department
  - More
CPOs filed in 8 OH Counties (2014)

Total Number of CPOs filed: 2250

CLAS
Attorneys
Full Rep: 150

With Counsel: 480

*Each Blob = 30 CPO cases
# Do Attorneys Make a Difference?

<table>
<thead>
<tr>
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<th>Full CPO, Success Rate with Attorneys</th>
<th>Full CPO, Success Rate without Attorneys</th>
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<tbody>
<tr>
<td>Columbiana</td>
<td>43.6%</td>
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# Can We Win vs. Can We Help

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<thead>
<tr>
<th>Phone Call + Self-Help</th>
<th>Full Representation</th>
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<tbody>
<tr>
<td>YES</td>
<td>YES</td>
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<tr>
<td>NO</td>
<td>YES</td>
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<tr>
<td>NO</td>
<td>NO</td>
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<tr>
<td>Phone Call + Self-Help</td>
<td>Full Representation</td>
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<td>------------------------</td>
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<tr>
<td>YES</td>
<td>YES</td>
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<tr>
<td>NO</td>
<td>YES</td>
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</table>
## Can We Help

<table>
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<tr>
<th>Phone Call + Self-Help</th>
<th>Full Representation</th>
</tr>
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<tbody>
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<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>NO</td>
<td>NO</td>
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</table>
Double Randomization

Intake and Eligibility Determination

Randomization

Triage Protocol 1:
CLA Staff Assigns Level of Service

Level A: Full Representation
Level B: Telephone call; Packet

Triage Protocol 2:
Randomizer Assigns Level of Service

Level A: Full Representation
Level B: Telephone call; Packet
Measuring Outcomes

- Where do lawyers make a difference?
- What is the effect of a restraining order?
- How are lawyers making triage decisions?
- Adjudicatory outputs + longer term outcomes
Thank You!
Bringing Evidence to Bear on Practice:
Planning for Effective Communications

Equal Justice Conference,
May 5, 2017
Driver's license suspensions push poor deeper into poverty, report says
Drivers in California who are unable to pay traffic fines for minor infractions are frequently having their licenses suspended by traffic courts — a policy that has had a disproportionate impact on poor and working-class people, according to a study released Wednesday.

In an Alameda County traffic court case, for example, a $25 ticket given to a motorist who had failed to update the home address on her driver’s license within the state law’s allotted 10 days led a traffic court judge to suspend her license when she was unable to pay the fine.
Driver’s License Suspensions Create Cycle of Debt

By SHAILA DEWAN  APRIL 14, 2015

More National Coverage
Ticket amnesty could benefit thousands

At least 300,000 Bay Area residents could be eligible for help under a California law that went into effect Thursday to cut old ticket fines and reinstate lost driver’s licenses, according to a legal service and advocacy group.

The state is allowing certain income-dependent reductions, ranging from 50 to 80 percent, on fines issued before Jan. 1, 2013.

Through March 2017, California drivers can catch a 50 to 80 percent break on unpaid traffic tickets with an amnesty period on penalties and fees.
Why Plan?

Communication happens – with or without you.
“IF YOU DON'T KNOW WHERE YOU ARE GOING, YOU'LL END UP SOMEPLACE ELSE.”
— YOGI BERRA
Communications Plan

TACTICS

.Messages

↑ Messengers ↑ (Influencers)

↑ Context ↑

↑ Decision Makers ↑ (Power Audiences)

↑ Objective ↑ (S.M.A.R.T.)
A well-defined objective is the bedrock of a good plan.
Objectives

A well-defined objective answers the question, “What will success look like?”
A goal is different than an objective.

*Maryland Access to Justice Commission’s broad goal is to expand access to justice and quality of justice for all Marylanders.*
A “well-defined” objective is:

**Specific**
**Measurable**
**Attainable**
**Realistic**
**Time-bound**
S.M.A.R.T. Objective

During the 2018 legislative session, avert sunset of the “Filing Fee” bill to sustain the state’s current level of funding to the Maryland Legal Services Corporation that results from filing fees.

Specific
Measurable
Attainable
Realistic
Time-bound
Who has the power to make your objective a reality?
Decision Makers

What are their core concerns and values?
Why Focus on Core Concerns and Values?
Values

Equal Treatment
Fairness
Opportunity
Community
Justice for All

Issues

Domestic Violence
Elder Abuse
Affordable Housing
Civil Rights
Education
Poverty

Policies

Record Expungement
Affordable Care Act
Title VII
Fair Housing Laws
VOCA
The persuadable public is of two minds about poverty/poor people.

Individual responsibility
Overdependence on government
Us v. Them stereotypes

Shared responsibility
Community
Pragmatism
Opportunity
The Narrative “Umbrella”

- Poor people are lazy
- Too much reliance on government handouts
- You get ahead if you try
- Assuming Discrimination
- Bashing government
- Myth-busting
- Market forces correct imbalances
- Fairness
- Freedom from Discrimination
- Opportunity
- Systemic barriers
- Policy successes
- We’re all in it together
- Justice for all
- Focus on evidence
- Government works
- We’re all in it together
- Focus on evidence
- Market forces correct imbalances
Context - Internal

- Access to data, research
- Communications resources (staff, $, tools)
- Media savvy & potential pitchable material (stories, clients, innovations, upcoming reports)
- Allies, partnerships
Context - External

- Timing, key events/ opportunities
- Other organizations are working on the issue - are they with or against us?
- Barriers / misconceptions / misinformation
- Competing issues
Messengers

Who can influence your Decision Makers?
Messages

What you want the Decision Makers to **think**, **feel**, or **do**?
Tactics

- Media tied to release of report
- Social media
- Advertising
- Events
- Newsletters / email
- Individual conversations
Communications Plan

TACTICS

Messages

Messengers (Influencers)

Context

Decision Makers (Power Audiences)

Objective (S.M.A.R.T.)
Media Tips

- Plan Ahead
- Consider Timing
- Have Strong Supporting Materials
- Loop Us in
Stay Informed. Add Your Voice.

Join the JusticeVoices Network: bit.ly/joinjusticevoices